

# Shining a Light on Zoning for Solar on Campuses Across Washington D.C.

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The DC Solar Expansion Act of 2022 will ensure the continued growth of solar across all eight wards of the District of Columbia. Signed into law in January 2023, it will clear the way for increasing the region's commitment to using solar power as a means to achieve the District's goals of 100% renewable energy by 2032 and carbon neutrality by 2050. In addition, the Public Service Commission has policies that will facilitate the implementation of solar. Nationally, the Inflation Reduction Act will further accelerate the opportunity for District organizations to install solar. As solar energy expands across the District, it is capturing the attention of higher educational institutions in particular.

## **Trending Solar on Institutional Campuses**

Dating back decades to the construction of a 35,000 square-foot solar array as a demonstration project under the 1978 Solar Photovoltaic Energy Research Development and Demonstration Act, District of Columbia-based colleges and universities have led the region in the pursuit of photovoltaic panels. More recently, DC institutions have continued to lead the adoption of renewable energy technology on their campuses. Examples include not only commitments to integrate solar panels into the design of new buildings but also comprehensive retrofitting of older buildings with solar infrastructure as well.

Some institutions are now expanding their use of solar by installing standalone facilities on campus. Catholic University will be home to one of the region's largest solar arrays, dedicating 25 acres of the University's West Campus to the renewable energy resource. In addition to generating clean energy, solar infrastructure provides long term economic savings, budget predictability and support for environmental sustainability commitments expected by students, faculty, alumni and the surrounding communities.

## **What Educational Institutions Need to Know**

Large open spaces on university campuses can present an excellent opportunity for solar and serve as an ideal interim use of vacant property. Most often, higher education institutions partner with solar companies to develop and operate the facilities through a ground lease structure. Beyond the transaction structure, navigating the District's zoning and environmental controls on solar can be challenging. A few considerations:

- Constructing photovoltaic panels on the rooftops of new buildings is widely accepted as a public benefit and typically presents few issues.

- Integrating solar into existing buildings can be more challenging in some circumstances, and they require careful evaluation for compliance with the District’s nuanced roof structure regulations as well as, in some circumstances, impact on historic resources.
- Developing large standalone solar facilities on vacant land is more complex. In many cases, standalone solar facilities may require zoning approvals, including updates to campus master plans as well as “further processing” approval for the new facilities themselves. Other permitting requirements must also be considered, such as impacts on stormwater management or existing mature trees.

Any institution considering solar infrastructure should explore these land use and environmental considerations. It is important to also consult with solar companies, who work regularly with PEPCO, to determine whether the proposed facility will be of sufficient size to attract interest while also taking advantage of their deep knowledge surrounding the various solar incentive programs offered by the District. As early solar energy adopters, forward-thinking higher education institutions are wisely collaborating with these leading organizations, adding knowledgeable advisors and lawyers to support achieving the best possible use of their land while offsetting their carbon footprint in the District. Together, they will help mitigate the effects of climate change while meeting priorities for all participants across the District.