

ZONING REVIEW -



[Edgmont Township, PA]

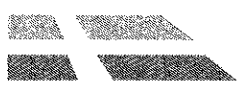
PZD-1: Review zoning requirements and remove restrictions that intentionally or unintentionally prohibit PV development. Compile findings in a memo, and commit to reducing barriers to PV during next zoning review.

This SolSmart prerequisite requires communities to (a) conduct a review of zoning requirements, (b) identify restrictions that prohibit PV development, and (c) commit to addressing these barriers during the next community zoning review. To assist your community, the national solar experts at SolSmart have conducted an initial review of your community's code to assess possible obstacles (i.e. height restrictions, set-back requirements, etc.) and gaps. Below, please find the outcome of their review. By reading the narrative, reviewing the example code language provided, and signing the statement at the bottom of the page, your community will satisfy PZD-1 and be one step closer to achieving SolSmart designation.

Edgmont Township has adopted an Alternative Energy Ordinance which contains a section on Solar Energy Generation. The ordinance contains much of the recommended language on solar energy generation. However, there are certain provisions in the ordinance that can be improved so that the ordinance is more permissive with regard to solar PV installations. Below are some considerations for improving the current ordinance. Solar may still be worth adding to the use tables for each district in the existing sections of the code, even though solar's status as by-right is established in the solar ordinance.

Gaps in current code language

Element	Reviewer Comments	Example(s) from other codes
Intent/purpose	<ul style="list-style-type: none"> Edgmont's alternative energy ordinance has an intent/purpose section stating that the ordinance is meant to permit and provide for opportunities in alternative energy generation while protecting and preserving the health, safety, and welfare of the Township residents. 	See P.7-8 of DVRPC Renewable Energy Ordinance Framework
Definitions	<ul style="list-style-type: none"> Edgmont has no definitions of solar energy systems. It mentions "solar panels and solar energy collectors" but provides no definitions of those or the difference between primary and accessory use systems. Prohibits commercial use, but does not define what it considers commercial use. <ul style="list-style-type: none"> Include in the definition of a solar energy system: solar collectors or solar energy devices used for space heating, space cooling, electric generation, and water heating Define and distinguish between large-scale or primary use installations and secondary or accessory use installations 	Massachusetts model solar ordinance
Use-by-right	<ul style="list-style-type: none"> Edgmont allows solar by-right as an accessory use in all districts. 	Use Tables P. 3 Massachusetts model solar ordinance
Encouraging solar-friendly design	<ul style="list-style-type: none"> There are no solar-friendly design provisions found in Edgmont's ordinance <ul style="list-style-type: none"> Many municipalities encourage subdivisions to be laid out in an orientation that would maximize either active solar or passive solar benefits. 	See P. 12-13 of APA Essential Info Packet-30 ("Solar Orientation and Siting" and "Solar-Ready Homes")



	<ul style="list-style-type: none"> ○ Some possible ways to encourage solar include waiving permit fees, providing density bonuses, reducing minimum parking requirements, and mandating solar ready construction. 	See P. 2 of APA Solar Briefing Papers (“Creating Incentives”)
Height	<ul style="list-style-type: none"> ● Provide rooftop solar an exemption from or allowance above building height restrictions <ul style="list-style-type: none"> ○ Edgmont allows an extra 36 inches of height ● Identify a maximum allowed ground mount solar height of at least 10'-15' <ul style="list-style-type: none"> ○ Edgmont allows 20' 	P. 7 Massachusetts model solar ordinance
Lot coverage	<ul style="list-style-type: none"> ○ Best practice is to exempt ground mount solar from lot coverage restrictions that apply to primary buildings Edgmont considers ground mounts impervious coverage 	P. 9 Model Zoning for the Regulation of Solar Energy Systems
Accessory use maximum	<ul style="list-style-type: none"> ● Exempt solar from the maximum allowable number of accessory uses <ul style="list-style-type: none"> ○ Edgmont has no maximum allowable accessory uses 	
Setbacks	<ul style="list-style-type: none"> ● Require a setback applicable to fences to ground mount solar, rather than a setback required of buildings, or allow solar an exemption from setback requirements <ul style="list-style-type: none"> ○ Edgmont does not except ground mounts from front yard requirements. Does not have fence setback regulations for solar PV 	P. 7, 8 Model Zoning for the Regulation of Solar Energy Systems
Aesthetic requirements	<ul style="list-style-type: none"> ● Exempt solar from rooftop equipment screening requirements ● Allow PV installations to be seen from public roadways ● Limit screening or aesthetic requirements to historic districts <ul style="list-style-type: none"> ○ Edgmont regulates for aesthetics of solar PV, which can be restrictive. If aesthetics are necessary for approval, include a provision stating that requirements must be followed unless an analysis shows the panels would work best in less aesthetically pleasing areas 	P.19 DVRPC Renewable Energy Ordinance Framework Historic districts
Rooftop fire safety access and setbacks	<ul style="list-style-type: none"> ● Limit setback requirements from roof ridges to 3' and 1.5' from valleys and headwalls to allow access <ul style="list-style-type: none"> ○ Edgmont requires enough setback for continued access to the roof, provide pathways to all areas of the roof, provide opportunities for smoke ventilation, and provide emergency egress from the roof ○ Edgmont states that setbacks must comply with the adopted building code. ● Do not restrict rooftop solar based on a percentage of rooftop coverage (These restrictions may be amendments to the International Fire Code or part of the development regulations instead of the zoning code) 	San Francisco Solar PV System Safety and Fire Ground Procedures LA PV Fire Safety
Glare	<ul style="list-style-type: none"> ● Do not regulate glare from photovoltaic installations as PV modules use non-reflective glass and are designed to absorb rather than reflect sunlight. PV modules are generally less reflective than windows. <ul style="list-style-type: none"> ○ Edgmont has strong regulations against glare. Glare regulations are typically very restrictive. ● Municipalities can defer to the Federal Aviation Administration to regulate potential glare from solar installations on or near airports 	FAA guidance PV at airports
Ground mount solar	<ul style="list-style-type: none"> ● Allow for small ground mount installations as accessory uses and large, primary use installations through a conditional or special use permit <ul style="list-style-type: none"> ○ Edgmont does now allow commercial/primary use of solar. 	P. 38 APA's Integrating Solar Energy into Local Development Regulations
Preexisting non-conforming uses	<ul style="list-style-type: none"> ● Code should exempt rooftop solar or small ground-mounted solar from any special permits that may be required for alterations to a lot or structure that contains a preexisting non-conforming use. <ul style="list-style-type: none"> ○ Edgmont does not mention solar as allowed on preexisting non-conforming uses 	P. 20-21 Massachusetts model solar ordinance

Historic district guidance	<ul style="list-style-type: none"> • Municipal code should clearly explain the review process for historic districts. • Historic commissions and review boards are encouraged to write design guidelines that support the development of solar energy systems and are sensitive to the historic preservation goals of the Commission. <ul style="list-style-type: none"> ◦ Edgmont has no designated historic districts. 	NREL's Implementing Solar PV Projects on Historic Buildings and in Historic Districts NC Clean Energy Technology Center: Installing Solar Panels on Historic Buildings
Solar access/solar rights	<ul style="list-style-type: none"> • Establish a mechanism to protect solar access and rights (e.g. solar easement for installations) • Include active and passive solar provisions (such as orientation) in development and subdivision regulations <ul style="list-style-type: none"> ◦ Edgmont does not address solar easements or development regulations 	Wisconsin State Statute §66.0401 , Perry, IA Subdivision Regulations
Regulate based on the area or impact	<ul style="list-style-type: none"> • Define and regulate solar installations based on the area (e.g. square feet) or impact of the installation rather than the capacity (kW) as efficiencies and technologies change over time • Do not regulate based on the use of the energy generated (e.g. requiring that accessory use solar electricity generation be consumed exclusively on-site), as this is often irrelevant to the impact <ul style="list-style-type: none"> ◦ Edgmont has no current regulations on capacity or square footage of a system, just on whether the system is primary or accessory use. 	See p. 19 of Planning and Zoning for Solar in North Carolina Example: Fort Collins, CO

I, Susan E. Sharp, as Building Dept. Admin of Edgmont Twp, PA
[Name] [Title] [Community] [State]
have received the zoning review and read its findings.

Signature 

Date 4/25/17

