

Delaware Valley Regional Planning Commission: Alternative Energy Ordinance Working Group

Greater Philadelphia, PA region
Population: 5.6 million
Size: 5,000 square miles
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For over 40 years, the Delaware Regional Planning Commission (DVRPC) has worked to foster regional cooperation in a nine-county, bi-state Greater Philadelphia region, which includes Bucks, Chester, Delaware, Montgomery and Philadelphia counties in Pennsylvania; and Burlington, Camden, Gloucester and Mercer in New Jersey. Through DVRPC, the region's 352 municipalities work together to address key issues, including transportation, land use, environmental protection and economic development. DVRPC provides comprehensive, coordinated planning for the orderly growth and development of the region.

DVRPC and Solar

Municipalities in the DVRPC region are increasingly faced with the task of regulating the installation of small-scale renewable energy systems. As energy costs rise, and state and federal incentives reduce the initial cost of these systems, residents and businesses, some driven by environmental awareness, are becoming increasingly enabled to install renewable energy systems. In 2009, at the request of the region's nine counties, DVRPC established the Alternative Energy Ordinance Working Group (AEOWG) to bring together leadership from counties and municipalities in the DVRPC region to compile resources to support the safe and sound development of small-scale alternative energy systems, including solar photovoltaic (PV), small wind (<100 Kilowatt or kW) and geothermal.

Over the last three years, the AEOWG has drawn on the expertise and activity in the region to develop a series of Renewable Energy Ordinance Frameworks (REOF). These Renewable Energy Ordinance Frameworks are intended to serve as a resource for municipalities as they develop and update ordinances to govern the siting of small-scale renewable energy systems in their community.

The REOFs are available for download on DVRPC's website here:

<http://www.dvrpc.org/EnergyClimate/aeowg.htm>.

The function of the solar REOF is to provide the reader with a range of options for developing ordinances to regulate solar energy systems. The framework allows a municipality to build a customized ordinance that addresses their local issues by choosing the most appropriate language from among the options. The intent of this "menu" approach is to provide language choices and corresponding explanations that address the full breadth of barriers, benefits and cautions for municipalities to consider for solar energy systems. The document consists of the seven sections typical of an ordinance, containing language options with explanations as necessary of what language choices might be more permissive or restrictive.

To create the REOFs, the AEOWG first compiled zoning ordinances for solar, small-wind and geothermal energy systems from municipalities within the DVRPC region. Through AEOWG meetings hosted by DVRPC, municipal leaders and staff were engaged from the outset. Industry representatives were consulted to help frame the issues. The AEOWG examined relevant municipal ordinances to identify key issues to incorporate into the REOFs, including: legal restrictions within local and state laws (e.g. Home Rule) and regional consistency among local governments. The AEOWG was divided into subgroups for an in-depth examination of and language creation for the frameworks. This launched an iterative process of feedback and review among the AEOWG members for each framework. This multifaceted review process was a critical component to the REOFs and included three levels: industry, municipal and legal. These reviews assure the REOFs are consistent with best practices, ensure that language is compatible with evolving renewable energy

systems, meet the needs of the local governments and are consistent with the municipal planning codes in New Jersey and Pennsylvania.

This effort was conducted with limited staff resources from DVRPC and its member counties. Within DVRPC, this work is housed in the Office of Energy and Climate Change Initiatives' work program and is carried out with approximately five percent of a single staff member's time. Comprehensive planning funds support this initiative. Staff time from DVRPC and county governments support AEOGW facilitation, research and fact checking. Additionally, the City of Philadelphia provided funding through its Solar America Cities program to conduct a legal review of the REOFs.

DVRPC seeks to continually update the REOFs as technologies evolve and municipalities adopt ordinances. DVRPC is examining ways to expand the use of the REOFs beyond promotion within its member jurisdictions by incorporating the work into Connections, its long-range plan.



The City of Philadelphia was selected as a Solar America City, spurring interest in solar across the region. *Credit: DVRPC*

Lessons Learned

DVRPC's work with its AEOGW identified several lessons learned:

- Create model ordinance frameworks that are regionally appropriate and inclusive;
- Include representation from municipalities and organizations that have land use authority;
- Engage diverse industry representation early;
- Determine legal liability, limitations and requirements;
- Conduct national research that can be made regionally specific;
- Establish an iterative, structured review and feedback process;
- Determine an appropriate, easily customizable, flexible and interactive presentation, for easy access and use of documents by the end-user;
- Identify integrated end goals for promotion of activities, such as a marketing and outreach strategy and audience(s);
- Allocate adequate staff time and resources with dedicated funding; and
- Integrate activities into broader initiatives of the regional planning organization.



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