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Education, Energy, and the
Environment Committee
Energy Subcommittee

Chair, Joint Electric Universal
Service Program Workgroup



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TESTIMONY IN SUPPORT OF SB 265
**Community Solar Energy Generating Systems – Prohibited Locations-
Adjacent Parcels**

Education, Energy and the Environment Committee
February 19, 2026

Chair Feldman, Vice Chair Kagan, and Members of the Committee:

Thank you for the opportunity to testify on SB 265, Community Solar Energy Generating Systems – Prohibited Locations – Adjacent Parcels. The purpose of this bill is to update Maryland’s community solar program by removing the adjacent-parcel requirement, making it easier to site community solar projects and expand access for residential and low- and moderate-income ratepayers.

The Problem This Bill Solves

Under current law, community solar projects located on adjacent parcels are treated cumulatively for purposes of capacity limitations. In practical terms, that means if one landowner installs a qualifying solar facility, a neighboring property owner may be prohibited from doing the same –not due to land suitability, environmental harm, or local opposition, but solely because of proximity.

SB 265 ensures that solar development on one parcel does not automatically disqualify a neighboring parcel from participating in Maryland’s community solar program. Each property should stand on its own merits. Each landowner should have the opportunity to contribute to Maryland’s clean energy goals, subject to the same statewide standards.

Why This Matters

First, this bill promotes equitable access to Maryland’s clean energy economy. Community solar provides energy savings to subscribers, including low- and moderate-income households. By removing artificial adjacent barriers, we expand participation opportunities for both landowners and ratepayers.

Second, this bill supports grid resilience and distributed generation. Maryland has made ambitious commitments under its Renewable Portfolio Standard (RPS). Meeting those targets

requires thoughtful deployment of distributed solar generation across the state. Arbitrary geographic caps undermine that effort.

Third, SB 265 avoids the creation of “solar exclusion zones.” Under existing law, once one parcel hosts a project, neighboring parcels may be effectively sterilized from solar participation. That was not the intent of our community solar framework, and it is not sound planning policy.

This bill does not create new entitlements. It does not waive environmental review. It simply removes an unnecessary barrier that treats adjacent property owners differently based solely on timing.

Addressing Concerns About “Acres and Acres of Solar”

Some have expressed concern that removing the adjacent prohibition could result in large swaths of uninterrupted solar development.

It is important to understand what this bill does and does not do.

Maryland recently enacted the Renewable Energy Certainty Act, which established statewide standards for solar siting. That law limits certain aspects of local zoning authority to prevent a patchwork of prohibitions that would frustrate statewide clean energy policy. However, it simultaneously imposes clear guardrails.

Solar facilities must comply with:

- Mandatory setbacks
- Landscaping and buffering requirements
- Screening standards
- Environmental protections
- Stormwater management requirements
- Agricultural and forest conservation limitations

These safeguards remain fully intact.

SB 265 does not override said protections. It does not eliminate setbacks, remove landscaping requirements, or authorize unlimited development. It simply ensures that if two neighboring property owners independently meet the statewide standards, one is not disqualified solely because the other project was approved first.

Even if adjacent parcels both host solar facilities, they remain separate projects with distinct approvals and compliance obligations. Property lines, and mandatory setbacks create separation; landscaping requirements, and environmental review continue to apply.

Ultimately, the Renewable Energy Certainty Act balances deployment with protective safeguards. SB 265 simply ensures that those guidelines, rather than arbitrary adjacency caps, govern outcomes.

Conclusion

Maryland has set ambitious and necessary clean energy goals. Achieving them requires clear rules, fairness among landowners, and elimination of unintended barriers.

SB 265 restores balance to our community solar framework. It promotes fairness while advancing distributed generation and maintains all of the safeguards already enacted by the General Assembly.

For these reasons, I respectfully request a favorable report on SB 265.

With kindest regards,

A handwritten signature in cursive script that reads "Benjamin T. Brooks".

Benjamin Brooks