



SOLAR OUTREACH PARTNERSHIP

SOLAR ZONING & ACCESS TOOLKIT

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TOOLKIT SUMMARY

One very effective way for municipal governments to enable solar energy in their communities is through Solar Zoning and Solar Access ordinances. Addressing solar in a municipality's zoning code can ensure that solar installations are safe, standardized, and effective. Solar access laws can ensure that residents and business owners have the right to install and benefit from solar installations on their property.

To find out more about this subject or receive complimentary technical assistance, contact the SunShot Solar Outreach Partnership by visiting <http://solaroutreach.org/ta> or emailing solar-usa@iclei.org with your request for assistance.

DISCLAIMER

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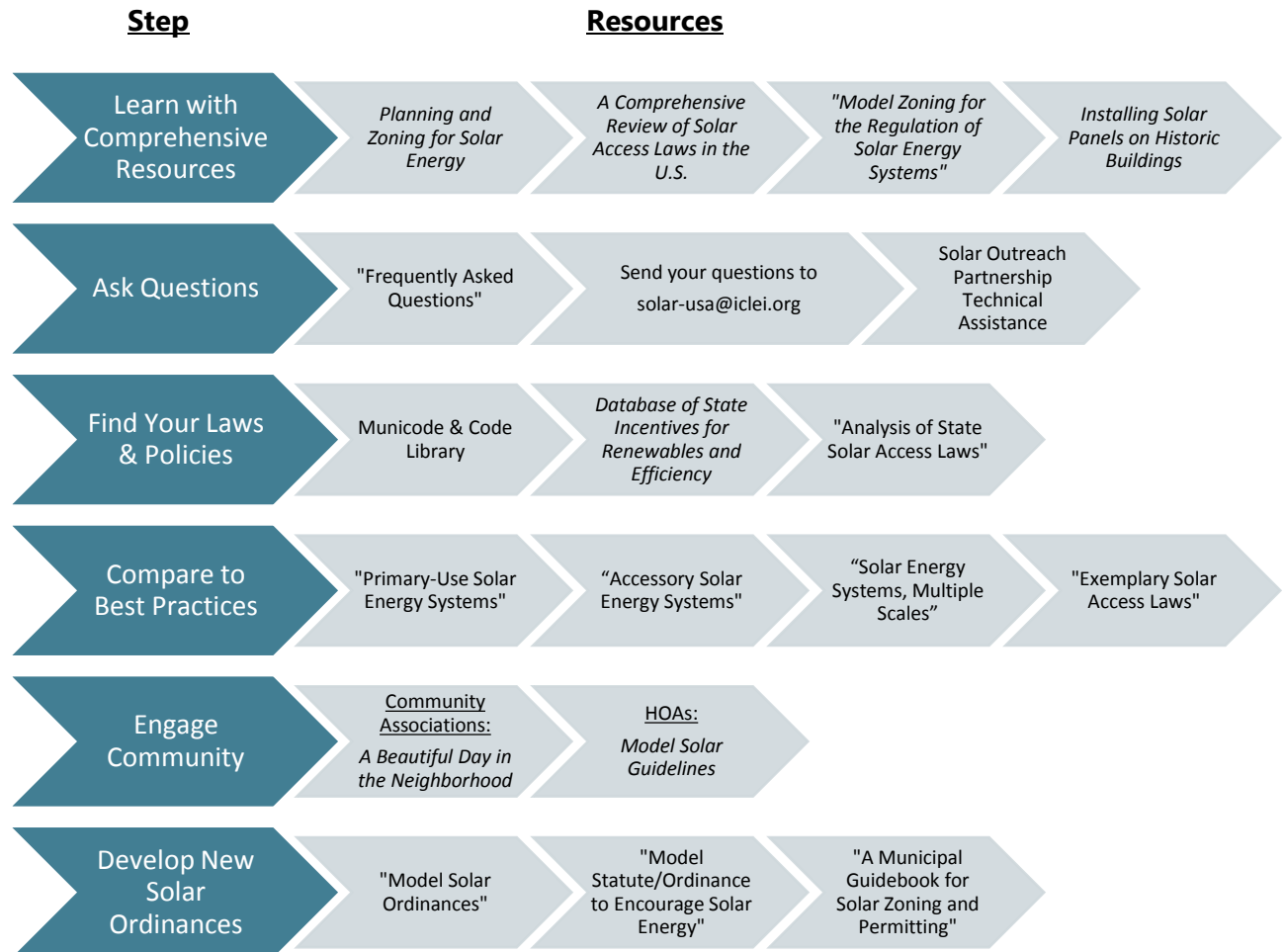
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OVERVIEW OF PROCESS AND AVAILABLE RESOURCES

The general steps for learning about solar zoning and solar access are highlighted in the figure below, with relevant resources (described in greater detail below). Throughout these steps, local government staff may wish to engage internally with important decision-makers from various departments/agencies and externally with interested stakeholders, including the electric utility, solar industry, developers, homeowners associations, and environmental advocates.



For more free solar resources, visit solaroutreach.org

SOLAR ZONING

Why is zoning an important policy for solar energy?

Local zoning laws could unintentionally prohibit or discourage solar energy projects. Specifically addressing solar energy systems in zoning regulations in a jurisdiction can encourage desirable solar development while preemptively ensuring that the systems are not constructed in a location or manner that conflicts with local goals. Ambiguous zoning ordinances can add time and costs to a solar project, increase uncertainty, and even prevent a potential project from being developed.

Key Resource

- **Frequently Asked Questions: Planning and Zoning for Solar Energy** (American Planning Association). Available at: <https://www.planning.org/research/solar/faq.htm>

What solar issues should be addressed in zoning ordinances?

Local governments can promote solar energy adoption by reviewing and amending existing zoning ordinances to add clarity and certainty for system owners, while still maintaining important health, safety, and aesthetic considerations.

Key solar topics to address in zoning standards include:

- *Definitions* — Define technologies and terms
- *Applicability* — Primary vs. accessory use; residential vs. non-residential
- *Dimensional Standards* — Height limits, size, setbacks, and lot coverage
- *Design Standards* — Signage, screening, disconnection device, and fencing

Key Resources

- **Planning and Zoning for Solar Energy** (American Planning Association – 2014). Available at: <https://www.planning.org/pas/infopackets/open/eip30.htm>
- **Installing Solar Panels on Historic Buildings** (North Carolina Solar Center and National Trust for Historic Preservation – 2012). Available at: http://nccleantech.ncsu.edu/wp-content/uploads/Installing-Solar-Panels-on-Historic-Buildings_FINAL_2012.pdf

Where can I find information on solar zoning ordinances in my jurisdiction?

Searchable municipal zoning codes are available online through the Municipal Code Corporation, the American Legal Publishing Corporation, or your local government website. Try searching “solar” or finding the section of Code on zoning.

Key Resources

- **Municode** (Municipal Code Corporation). Available at: <http://www.municode.com>
- **American Legal Publishing Corporation Code Library**. Available at: <http://www.amlegal.com/library/>

Where can I find model ordinances for solar zoning?

Model ordinances can be a good place to start when drafting a solar zoning ordinance for your community. Model ordinances can provide some of the content that you can modify to meet the needs and requirements specific to your community while covering the most important solar zoning issues.

Key Resource

- **Planning and Zoning for Solar Energy - Model Solar Ordinances** (American Planning Association). Available at: <https://www.planning.org/pas/infopackets/open/eip30.htm>

Where can I find examples from other cities of solar zoning ordinances?

The American Planning Association's comprehensive resource on planning and zoning for solar includes chapters with numerous examples of solar zoning ordinances.

Key Resources

- **Primary-Use Solar Energy Systems** (In *Planning and Zoning for Solar Energy*, listed on page 4). Available at: <https://www.planning.org/pas/infopackets/open/pdf/30revpart12.pdf>
- **Accessory Solar Energy Systems** (In *Planning and Zoning for Solar Energy*, listed on page 4). Available at: <https://www.planning.org/pas/infopackets/open/pdf/30revpart11.pdf>
- **Planing and Zoning for Solar Energy - Solar Energy Systems, Multiple Scales** (In *Planning and Zoning for Solar Energy*, listed on page 4). Available at: <https://www.planning.org/pas/infopackets/open/pdf/30revpart13.pdf>

SOLAR ACCESS

What is solar access and why is it important?

Solar access policies can establish a right to install and operate a solar energy system at a home or other facility. A solar access law can also ensure a system's access to sunlight through a right or an easement.



Solar Rights prohibit homeowners associations, neighborhood covenants, and local ordinances from restricting a homeowner's right to use solar energy.



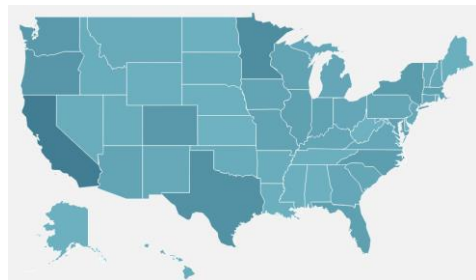
Solar Easements are the most common type of solar access policy. A solar easement allows the property owner or user where a solar energy system is installed to a right to existing access to sunlight, ensuring a solar energy system will not be shaded by obstructions from adjacent properties. An easement is usually transferred with the property title.

Key Resource

- **A Comprehensive Review of Solar Access Law in the United States** (Florida Solar Energy Research and Education Foundation for the Solar America Board for Codes and Standards – 2008). Available at: <http://www.solarabcs.org/about/publications/reports/solar-access/pdfs/Solaraccess-full.pdf>

Where can I find information on solar access laws in my jurisdiction?

The Database of State Incentives for Renewables and Efficiency (www.dsireusa.org), a project of the North Carolina Clean Energy Technology Center, is the most comprehensive public source for information on renewable energy and energy efficiency policies and incentives in the U.S. It has information on every existing state and some municipal solar access laws.



Key Resource

- **Database of State Incentives for Renewables and Efficiency** (Filter: Program Type: Solar/Wind Access Policy) (NC Clean Energy Technology Center). Available at <http://programs.dsireusa.org/system/program?type=44&>

Where can I find examples from other cities of solar zoning ordinances?

The American Planning Association's comprehensive resource on planning and zoning for solar includes chapters with numerous examples of solar access ordinances.

Key Resources

- **Exemplary Solar Access Laws** (in *A Comprehensive Review of Solar Access Law in the United States*, listed above) Available at: <http://www.solarabcs.org/about/publications/reports/solar-access/pdfs/Solaraccess-full.pdf>
- **Solar Easement/Access Permits** (in *Planning and Zoning for Solar Energy*, listed on page 4). Available at: <https://www.planning.org/pas/infopackets/open/pdf/30revpart6.pdf>
- **Solar Access Protections** (in *Planning and Zoning for Solar Energy*, listed on page 4). Available at: <https://www.planning.org/pas/infopackets/open/pdf/30revpart7.pdf>
- **Solar Orientation and Siting** (in *Planning and Zoning for Solar Energy*, listed on page 4). Available at: <https://www.planning.org/pas/infopackets/open/pdf/30revpart8.pdf>