



## Planning Improvements

### Step 1, PL 1-A

## Address Solar in the Zoning Code and Adopt a Solar Ordinance

### Address solar in the zoning code

Zoning codes, solar ordinances and comprehensive plans can establish the vision and goals for solar development within a community. These documents can establish solar as "by-right" or "as-of-right," and set forth clear guidance for the development of rooftop, ground-mounted and large-scale solar systems. This process can remove major procedural barriers for solar deployment by creating a precise, regulatory pathway for solar-energy development. Examples of such policies can include integrating solar into comprehensive planning documents and/or subdivision regulations, waiving or modifying aesthetic requirements, and encouraging solar-ready construction for new development. Zoning code language can also address solar in historic districts/structures.

There are several common practices for integrating solar into existing zoning documents to encourage solar development:

- Establish clear "as-of-right" zoning procedures for the installation of small- and large-scale photovoltaic (PV) systems in appropriate districts.
- Small-scale residential and commercial systems should qualify as accessory uses and be permissible in all zoning districts.
- Solar systems can be exempted from unreasonable restriction by homeowner associations and other governing covenants.
- Height requirements on principal building structures may inadvertently restrict roof-mounted solar development. Exemptions should be outlined in zoning ordinances or codes for solar systems. Similarly, setback requirements may also inadvertently restrict optimal deployment of ground-mounted systems.
- Accessory uses can be restricted by lot regulations. For example, some municipalities count solar systems towards impervious surface and lot coverage requirements. Since ground-mounted solar systems are elevated from the ground, they are not an impervious surface. These restrictions should be modified to appropriately consider solar installations.
- Review processes for solar installations in historic or other special zoning districts can inhibit solar development by increasing labor costs through delayed installations. Care should be taken to make solar provisions for historic districts minimally restrictive. A solar ordinance could outline approval processes for solar systems which will not significantly impact the aesthetics of the zone.
- New subdivisions or developments can be required (or encouraged) to consider solar systems in their design process through subdivision regulations. This might translate into consulting solar-ready construction guidelines (see Step 2-1A), optimizing building orientation for active and passive solar access and documenting that such options were considered.

## Examples

### *State of Minnesota, Division of Energy Resources: Updated Model Ordinances for Sustainable Development*

In February 2014, the Minnesota Division of Energy Resources updated its guidance on ordinance development for solar energy systems. The document contains key considerations for developing solar-friendly zoning procedures in both rural and urban communities. The document also provides a model ordinance for accessory and principal solar PV and thermal systems. <http://mn.gov/commerce/energy/images/ModelSolarEnergyDevelopmentStandards.pdf>

### *The American Planning Association: Model Solar Ordinance from Across the United States*

The American Planning Association released a document compiling solar zoning ordinances from across the United States. Examples include ordinances from jurisdictions of different sizes, and include several different options and approaches for improving regulatory conditions for solar development.

[www.planning.org/pas/infopackets/open/pdf/30revpart5.pdf](http://www.planning.org/pas/infopackets/open/pdf/30revpart5.pdf)

### *Kansas City, Missouri: Promoting Sustainable Development Practices in Kansas City*

Kansas City, Missouri, developed a comprehensive guidance document to encourage the development of renewable energy and other sustainability projects in its communities. The guidance document includes examples of existing planning and zoning actions taken to encourage renewables, and outlines next steps for zoning policies for solar, including promoting solar access.

[www.kcmo.org/idc/groups/cityplanningplanningdiv/documents/cityplanninganddevelopment/sustaindevtrpt\\_050912.pdf](http://www.kcmo.org/idc/groups/cityplanningplanningdiv/documents/cityplanninganddevelopment/sustaindevtrpt_050912.pdf)

### *State of Connecticut, Energize Connecticut, An initiative of the state Energy Efficiency Fund, the Clean Energy Finance and Investment Authority, and local electric and gas utilities.*

The Connecticut Rooftop Solar PV Permitting Guide contains a section on drafting model solar ordinances.

[www.energizect.com/sites/default/files/uploads/%281%29%20CT%20Rooftop%20Solar%20PV%20Permitting%20Guide%20v1.0.pdf](http://www.energizect.com/sites/default/files/uploads/%281%29%20CT%20Rooftop%20Solar%20PV%20Permitting%20Guide%20v1.0.pdf)