



Best Management Practices for Solar Installation Policy

Planning Improvements

Step 1, PL 2-B

Engage Homeowners Associations

Encourage modification of homeowners' association policies to be more solar friendly

Homeowners' associations in the United States contain a significant portion of the residential housing stock. Aesthetic requirements and architectural restrictions imposed by homeowners' associations may prohibit residents from installing solar photovoltaic (PV) or solar hot-water systems on their properties. State solar access laws (described in Step 1-1B) vary in strength. While some states prohibit homeowners' associations from restricting a property owner's solar rights, others offer flexibility for homeowners' associations to develop their own standards or have no legal structure for solar rights provisions. Several homeowners' associations across the United States have developed architectural guidelines to allow for solar-system installations while preserving the aesthetic character of the neighborhood and cause at most minimal inconvenience to neighbors. Example association guidelines, state regulations and guidance for developing homeowners' association guidelines are presented below. Key components of homeowners' association guidelines include:

- Any orientation requirements for solar systems.
- An outline of any aesthetic restrictions.
- Procedures and instructions for solar system evaluation and approval.
- Where applicable, and not described in state-level legislation, a discussion of procedures for solar access when neighboring vegetation or structures substantially impede system function.

State of Illinois, Homeowners' Energy Policy Statement Act, 765 ILCS 165/1 Effective January 2011.

The Illinois Homeowners' Energy Policy Statement Act prohibits restrictive covenants for solar systems. The Act allows homeowners' associations to specify requirements for placement of municipally-permitted solar systems as long as the solar system's energy generation is not significantly impeded. The Act requires homeowners' associations to develop energy-policy guidelines within 120 days of receiving a request or application for a renewable-energy system installation. Solar systems must receive confirmation of approval and design guidelines within 90 days of submitting a request. www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3278&ChapterID=62

The Solar Foundation, "A Beautiful Day in the Neighborhood, Encouraging Solar Development Across Community Association Policies and Processes," June 2013.

The Solar Foundation, a non-profit organization that specializes in research to support further solar-energy adoption, recently released a guidebook that discusses the potential for solar-energy installations on properties under the jurisdiction of homeowners' associations and other related groups. The report outlines the legal landscape for solar access and restrictive covenants across the nation, and offers several case studies of progressive homeowners' association policies. http://thesolarfoundation.org/sites/thesolarfoundation.org/files/HOA%20Guide_Final.pdf

Kingston Chase Homeowners' Association, Architectural Control Committee Guidelines. Herndon, Virginia.

The Kingston Chase Homeowners' Association developed standard design guidelines for solar systems, which were included in the architectural guidelines for their subdivision. The architectural guidelines outline preferred system

placement specifications and aesthetics for any solar installations seeking architectural board approval. The Kingston Chase Homeowners' Association evaluates solar installation proposals on a case-by-case basis.

[http://www.kchoa.org/KCHOA%20ARC%20Guidelines%20\(12-11-2007%20FINAL\).pdf](http://www.kchoa.org/KCHOA%20ARC%20Guidelines%20(12-11-2007%20FINAL).pdf)

Sample HOA green mission statement

[Insert HOA name] is dedicated to identifying ways to provide internal and external cost savings, while providing a sustainable benefit to our economy, ecology and community.

OR

[Insert HOA name] will bring the neighbors of our community together to achieve and preserve a vibrant community for living, working, learning and playing.

Goals: We are committed to strengthening our community by:

- Promoting neighborliness, cooperation and goodwill among the members of our community.
- Collecting and distributing information that is relevant to the [insert name] community to keep residents informed.
- Working with officials, citizens and organizations to maintain the safety and beauty of our community and to ensure the availability of public and private community services.
- Encouraging environmental community practices in order to safeguard the health and well-being of the residents in our neighborhood, as well as the environmental health of our community.
- Facilitating community conversation and consensus on important topics and providing a community voice, where possible.
- Encouraging responsible development that includes diversity in housing and consideration for the environment.
- Promoting [insert HOA name] as a vital and prosperous business community (if applicable).

Sample covenant language

The [insert name of community] covenants have been designed to put into place procedures that will carry forward the [insert name of community]'s desire to enhance the quality of life and improve the environment. In order to ensure that property owners have the freedom to employ alternative-energy solutions if desired, solar collectors may be placed on a dwelling or in the back or side yard of the property, located in such a way as not to obstruct windows of adjacent homes.