Solar Ordinance Template

ORDINANCE TO ENCOURAGE DISTRIBUTED SOLAR ENERGY FACILITIES

1. PURPOSE: The purpose of this Ordinance is to encourage and facilitate the construction, installation and operation of distributed Solar Energy Facilities in the City/County of _____ in a manner that protects the health, safety and welfare of the public.

2. DEFINITIONS: "Solar Energy Facility" means the components and subsystems that, in combination, convert solar energy into electric or thermal energy, and may include other appurtenant structures and facilities. The term includes, but is not limited to, solar photovoltaic (PV) power systems of 15 kilowatts of power output or less, solar thermal systems, and solar hot water systems.

3. PERMITTED USES: Solar Energy Facilities shall be permitted in all zoning classifications where structures of any sort are allowed.

4. PREFERRED LOCATIONS: Rooftops or ground mounted systems covering developed parking areas, other hardscape areas, or designated brownfield sites are encouraged as preferred locations for Solar Energy Facilities.

5. SETBACKS: Solar Energy Facilities shall comply with the parcel line setbacks established for the zoning classification in which the Solar Energy Facility is located.

6. SAFETY REQUIREMENTS: Solar Energy Facilities shall comply with the most recently adopted building, fire, plumbing and electric codes, as applicable, in effect at the time the permit is issued for the Solar Energy Facility.

A. Existing Solar Energy Facilities that complied with minimum safety standards in effect at the time of permitting shall not be considered in violation of the current Solar Energy installation standards unless modifications are required to protect the safety of the occupants and public.

B. If a permitting authority identifies a design issue in a standard Solar Energy Facility installation that it deems could endanger public safety, such permitting authority shall not require the installation of corrective components until they become commercially available.

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7. FIRE FIGHTER ROOF ACCESS AND ESCAPE: To provide access and escape for fire fighters, a roof-mounted solar PV installation shall be in compliance with the fire code if the installation meets the following minimum requirements:

A. The PV installation includes a thirty-six inch (36") wide (914 mm) pathway maintained along three sides of the solar roof. The bottom edge of a roof with a slope that exceeds 2:12 shall not be used as a pathway.

B. All pathways are located over a structurally supported area and measured from the edge of the roof and horizontal ridge to the solar array or any portion thereof. Pathways are not required on non-occupied accessory structures provided they are separated from occupied structures by a six feet (6') (3,048 mm) minimum separation distance or by a minimum two-hour fire rated assembly.

C. On structures with a PV array area of 1,000 square feet (92.90 m2) or less installed on a roof with a slope that exceeds 2:12 and with an intersecting adjacent roof and where no section is larger than 150 feet (45,720 mm) measured in length or width:

1. Where the PV array does not exceed 25% as measured in plan view of total roof area of the structure, a minimum 12 inch (12") (305 mm) unobstructed pathway shall be maintained along each side of any horizontal ridge.

2. Where the solar array area exceeds 25% as measured in plan view of total roof area of the structure, a minimum of one thirty-six inch (36") (914 mm) unobstructed pathway from ridge to eave, over a structurally supported area, must be provided in addition to a minimum twelve inch (12") (305 mm) unobstructed pathway along each side of any horizontal ridge.

8. EXPEDITED PERMITTING PROCESS: The local permitting authority is encouraged to adopt the Expedited Permit Process for PV Systems published by the Solar America Board for Codes and Standards for all photovoltaic Solar Energy Facilities less than 15 kilowatts of power output. http://solarabcs.org/about/publications/reports/expedited-permit/pdfs/Expermitprocess.pdf Priority consideration should be given to removing obstacles and creating consistency and predictability in the permitting process, including:

A. Differentiating PV systems that can be permitted quickly and easily due to their similarity with the majority of small-scale PV systems; and

B. Standardizing the requirements of PV systems with respect to acceptable stress loads on the existing structure and wind loads to the roof framing so as to allow for the use of standardized structural engineering letters and third party engineering certifications covering solar racking systems that are tailored to address local conditions.