

EVERGREEN STATE SOLAR PARTNERSHIP



Planning and Zoning for Rooftop Solar

BACKGROUND

This fact sheet provides a summary of planning and zoning tools that local jurisdictions can use to support the installation of rooftop solar photovoltaics (PV) in Washington State. Clear regulations can provide homeowners and solar installers predictability, consistency, and help to avoid unnecessary delays or conflicts, which ultimately lead to reduced effort and cost associated with going solar.

POLICY AND ZONING TOOLS

Comprehensive plans and development regulations are two documents that offer local jurisdictions opportunities to pro actively guide the development of solar energy in their communities.

- A **comprehensive plan** sets forth the community vision for its future and serves to guide policy, justify development regulations, and inform decision-making. Local governments can add goals and guiding principles that support solar energy development.
- **Development regulations** describe standards and requirements for how future growth or redevelopment will occur within a jurisdiction. Local governments can pro actively include regulations that would better facilitate residential solar energy systems.

SOLAR RIGHTS AND SOLAR EASEMENTS

- **Solar access** is the ability of one property to continue to receive sunlight across property lines without obstruction.
- **Solar rights.** Washington law states that zoning ordinances cannot prohibit installation of a solar energy panel by an owner or resident on their property. However, the law does not guarantee solar access rights. Private housing developments can impose covenants, conditions, or other restrictions to limit the placement of solar systems.
- **Solar easement** is the specific, permanent right to have access to direct sunlight through a specific space. Without a formal easement, property owners do not have the ability to require the removal of obstructions on adjacent properties. Furthermore, easements can be voluntary, required, or implied. In Washington, property owners are allowed to enter into voluntary solar easements (RCW 64.04.140), which must be written and recorded. The value of solar easements is generally left to the private parties to determine.

TREES AND VEGETATION

Zoning codes and development regulations should address the potential for trees or other vegetation to shade solar systems on neighboring property. Such regulations will need to balance the benefits of solar energy with the desired community character. Regulations may include guidance on types of vegetation, pruning, and spacing.

FIRE CODE

The 2012 International Fire Code includes a proposed new chapter on solar PV, which includes some provisions that may restrict the placement of rooftop solar panels. A technical advisory group is currently developing recommended modifications to the code that would ensure adequate roof access and ventilation for first responders without unnecessarily limiting solar PV options. Recommended code changes will be provided to both the Washington State Building Code Council and the International Code Council for consideration.

City of Seattle

City of Bellevue

City of Ellensburg

City of Edmonds

Snohomish PUD

Seattle City Light

Ellensburg Utility

Puget Sound Energy

Northwest SEED

*Washington State
Energy Office*

*Municipal Research
Service Center*

Solar Washington

*Sustainable
Connections*



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SOLAR READY BUILDINGS AND MODEL ORDINANCES

Solar ready buildings are designed so that rooftop solar systems can be added at a later date with relative ease. Incorporating solar-ready features into new construction adds about \$1,000 to \$2,000 to the cost of the building, whereas retrofitting an existing roof to host solar panels costs about \$4,000 to \$5,000. Solar-ready standards include prescribed roof load capacity, location of wiring conduit, and proper roof orientation and exposure. Washington does not currently have a model ordinance for siting renewable energy facilities.

HOME OWNERS ASSOCIATIONS

By law, HOAs cannot prohibit installation of solar PV systems as long as the system meets all health, safety, and performance standards required by state and local permitting authorities (see RCW 64.38.055). However, the law does allow HOAs to establish “reasonable” rules related to aesthetics and placement of equipment. For example, on rooftops that face the street, HOA’s may require that solar panels conform to the roof slope and be parallel to the roof peak.

ADDITIONAL RESOURCES

Planning and Zoning: Opportunities for Local Governments to Support Rooftop Solar. Local governments are well poised to address residential rooftop solar energy systems through planning and zoning activities. Published by the ESSP, this report explores best practices that local governments can implement to develop comprehensive planning policies, solar access regulations and standards, and streamlined permitting processes. The full report includes resources, templates, and examples of solar-friendly policies and codes. www.nwseed.org/ESSP.asp

Planning and Zoning for Solar Energy (PAS EIP-30). Planners have important roles to play in making sure plans and land use regulations allow and encourage clean, safe energy sources. This essential information packet provides an extensive collection of sample ordinances on solar access, solar siting, and solar energy systems large and small, along with background articles and examples of how communities are adding solar provisions to their comprehensive plans. www.planning.org/pas/infopackets/open/eip30.htm

OPPORTUNITIES FOR FEEDBACK

We welcome comments, questions, and improvements to our templates and approach. Send to:

☞ Tim Stearns, WA Department of Commerce | tim.stearns@commerce.wa.gov

ABOUT THE EVERGREEN STATE SOLAR PARTNERSHIP

The Evergreen State Solar Partnership is one of 22 teams working under the U.S. Department of Energy's Rooftop Solar Challenge program, a nationwide effort to reduce the soft costs associated with installing rooftop solar electricity. ESSP aims to make the process of going solar simpler, faster, and more cost effective by streamlining and standardizing permitting and interconnection, improving interconnection standards, promoting solar-friendly planning and zoning, and expanding financing options. Visit www.nwseed.org/ESSP.asp for more information.

The U.S. has over 7,700 MW of installed solar electric capacity, enough to power more than 1.2 million American households.

The number of solar installations in Washington grew by 34% in 2012.

Washington has installed 2.5 watts of solar per capita compared to 399 in Germany.

The cost of installing solar in the U.S. is nearly double the cost in Germany, due mainly to the costs of permitting, interconnection and customer acquisition.

