

Solar Access Requirements Study Issue Information on Other Jurisdiction's Solar Access Ordinances and Links to each of the Related Ordinances

Cities of Boulder & Fort Collins, Colorado and Ashland, Oregon

- These jurisdictions apply a Solar Fence concept to define allowable shading. From the Ashland, OR ordinance, the solar fence concept can be described as:
 - o The goal is to assure that no structure casts a shadow across the northern property line greater than that, which would be cast by a 6 foot tall fence located at the northerly property line.
 - The time of year used to determine the shadow length is during the winter solstice, at 12 noon on December 21.
 - The angle of the sun above the horizon at that time is about 24° (*appropriate for Ashland Oregon*).

City of Clackamas, Oregon

A point is identified on a lot where a point two feet above may not be shaded by structures based on the sun's altitude and azimuth. The calculation is based from the point of the shading structure that casts the longest shadow at that altitude and azimuth.

State of Wisconsin

Wisconsin state law allows municipalities to grant solar access permits to property owners who have existing (or proposed) solar collectors. The law requires neighboring property owners to be notified of the pending permit before it can be granted. Impacted neighbors are able to request a hearing to adequately review the merits of the permit.

- o If granted, the permit protects the solar collectors from shading between 9 a.m. and 3 p.m. year-round.

Cities of Sebastopol and San Luis Obispo, California

- o Both of these cities have codified a state law that allows local jurisdictions to require the creation of solar easements when approving subdivision projects.
 - San Luis Obispo's ordinance differs from Sebastopol's to specify that the solar easement only protects solar access between 10 a.m. and 2 p.m. on the winter solstice.
 - Sunnyvale has similar language on this topic in Sunnyvale Municipal Code Section Chapter 19.56.030 (Attachment 65).

West Hollywood, California

West Hollywood prohibits construction of any structure that interferes with an existing (functioning) solar collector system unless the applicant pays for the relocation of their neighbor's solar collector system.

Note: Several of the programs listed above (Ashland, Clackamas, Wisconsin) could significantly increase required building setbacks. These systems may be more

appropriate where minimum lot sizes are 10,000 to 20,000 square feet, or more.

Links to the full Text of the Above-Mentioned Ordinances

1. City of Boulder, CO Solar Access Ordinance:
https://www2.municode.com/library/co/boulder/codes/municipal_code?nodeId=TI9LAUSCO_CH9DEST_9-9-17SOAC
2. City of Fort Collins, CO Solar Access, Orientation, Shading Ordinance:
https://www2.municode.com/library/co/fort_collins/codes/land_use?nodeId=ART3GEDEST_DIV3.2SIPLDEST_3.2.3SOACORSH
3. City of Ashland, OR Solar Access Ordinance:
http://my.solarroadmap.com/userfiles/Resource-Section_Solar-Access-Ashland-Municipal-Code.pdf
4. City of Clackamas, OR Solar Access Permit Ordinance:
<http://www.clackamas.us/planning/documents/zdo/ZDO1019.pdf>
5. State of Wisconsin State Solar Policy Website: <http://www.seia.org/state-solar-policy/wisconsin>
6. City of Sebastopol, CA Zoning Ordinance – Section 16.36.060 Dedication of Solar Easements:
http://ci.sebastopol.ca.us/sites/default/files/rmansour/zoning_ordinance_related_and_use_ordinances_adopied_january_2016.pdf
7. City of San Luis Obispo, CA Easements for Solar Access Ordinance:
<http://www.codepublishing.com/CA/SanLuisObispo/#!/SanLuisObispo16/SanLuisObispo1618.html#16.18.170>
8. City of West Hollywood, CA Solar Access and Solar Equipment Ordinance:
http://qcode.us/codes/westhollywood/view.php?topic=19-19_3-19_20-19_20_170&frames=off