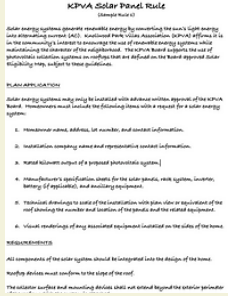


# Model Solar Rules



When considering language for an alternative Rule that does not outright prohibit all solar panels, KPVA may find guidance in existing municipal ordinances and HOA rules. A proposed [Sample Rule 1](#), based on the models below, offers language for a possible replacement Rule.

For an easy yet elegant three-word solution, see [A Simple Caret Will Suffice](#).

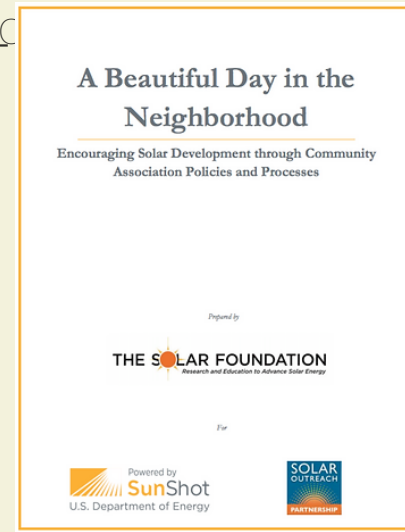
[Sample Rule 1](#) →

## MODEL SOLAR RULES & EXAMPLES

[Model Solar Ordinance for Indiana local governments](#)  
(excerpts appear below)

[A BEAUTIFUL DAY IN THE NEIGHBORHOOD: ENCOURAGING SOLAR DEVELOPMENT THROUGH LOCAL POLICIES AND PROCESSES](#)

The Solar Foundation



[Homeowners Associations and Solar Access in Indiana](#),  
Solar United Neighbors

[Sustainability—Solar Energy](#)

Michiana Area Council of Governments (MACOG)

["Sample HOA Solar Guidelines"](#)

Mid-America Regional Council (Kansas City Metropolitan Council of Governments)

[Lakewood Cove Homeowner Association Guidelines for Solar Energy Devices](#)

[http://solarize-nc.org/wp-content/uploads/NCSEA-HQA-Guide\\_Final.pdf](http://solarize-nc.org/wp-content/uploads/NCSEA-HQA-Guide_Final.pdf) (2012?)

Note: As of 2021, Indiana does not have the solar rights provisions featured in this guide.

[CHAPTER 154: PLANNING AND ZONING Renewable Energy Systems](#), Saint Joseph County, IN  
154.511 SOLAR ENERGY SYSTEMS ("SES")

### Excerpts from [Model Solar Ordinance for Indiana local governments](#)

#### Introduction

The standards included in this model reflect the real-world controversies and opportunities the communities faced as the solar energy market grew. The portfolio of standards included in the model is intended to provide a reference for how communities can address those controversies and opportunities to make solar development more predictable.

...Solar energy is much more than just low-cost energy generation. Households and businesses seeking to reduce their carbon footprint see solar energy as a strong complement to energy efficiency.

#### Solar Energy Issues

...Three primary issues tie solar energy to development regulations:

1. Land use conflicts and synergies. Solar energy systems have few nuisances. Nevertheless, solar development can compete for land with other development options, and visual impacts and perceived safety concerns sometimes create opposition to solar installations. Good design and attention to aesthetics can address most concerns for rooftop or accessory use systems
2. Protecting access to solar resources. Solar resources are a valuable component of property ownership. Development regulations can inadvertently limit a property owner's ability to access their solar resource. Communities should consider how to protect and develop solar resources in...development regulations or standards.
3. Encouraging appropriate solar development. Local governments can go beyond simply removing regulatory barriers and encourage solar development that provides economic development, climate protection, and natural resources co-benefits. Local governments have a variety of tools to encourage appropriately sited and designed solar development to meet local goals.

#### Components of a Solar Standards Ordinance

Solar energy standards should:

1. Enable solar installations by-right for property-owners. Create a clear regulatory path (an as-of-right installation) to solar development for accessory uses...
3. Limit regulatory barriers to developing solar resources. Ensure that access to solar resources is not unduly limited by height, setback, or coverage standards, recognizing the distinct design and function of solar technologies and land uses for both accessory and principal uses.
4. Define appropriate aesthetic standards. Retain an as-of-right installation pathway for accessory uses while balancing design concerns in urban neighborhoods and historic districts. Set reasonable aesthetic standards for solar principal uses that are consistent with other principal uses that have visual impacts.

#### IV. Permitted Accessory Use Solar energy systems are...subject to certain requirements as set forth below.

##### A. Height – Solar energy systems must meet the following height requirements:

Building or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district.

B. Set-back - Solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located, except as allowed below.

Roof- or Building-mounted Solar Energy Systems – The collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless...

C. Visibility – Solar energy systems in residential districts shall be designed to minimize visual impacts from the public right-of-way, as described in C.1-3, to the extent that doing so does not affect the cost or efficacy of the system, consistent with Indiana Code 36-7-2-8.

Building Integrated Photovoltaic Systems - Building integrated photovoltaic solar energy systems...can include solar energy systems built into roofing (existing technology includes both solar shingles and solar roofing tiles), into awnings, skylights, and walls.

Aesthetic restrictions – Roof-mount or ground-mount solar energy systems shall not be restricted for aesthetic reasons if the system is not visible from the closest edge of any public right-of-way other than an alley, or if the system meets the following standards.a. Roof-mounted systems on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof. Sidebar: Visibility and Aesthetics

Aesthetic regulation should be tied to design principles rather than targeted at a specific land use. If the community already regulates aesthetics in residential districts, this model language provides guidance for balancing between interests of property owners who want to use their on-site solar resources and neighbors concerned with neighborhood character. Substantial evidence demonstrates that solar installations have no effect on property values of adjacent properties. But where aesthetic regulation is used to protect community character, these standards provide balance between competing goals.

F. Plan Approval Required - All solar energy systems requiring a building permit or other permit from Model Community shall provide a site plan for review.

Plan Applications - Plan applications for solar energy systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building...

G. Approved Solar Components - Electric solar energy system components must have an Underwriters Laboratory (UL) or equivalent listing and solar hot water systems must have a Solar Rating & Certification Corporation (SRCC) rating.

H. Compliance with Building Code - All solar energy systems shall meet approval of local building code officials, consistent with the State of Indiana Building Code, and solar thermal systems shall comply with HVAC-related requirements of the Energy Code.

I. Compliance with State Electric Code - All photovoltaic systems shall comply with the Indiana State Electric Code.

J. Compliance with State Plumbing Code - Solar thermal systems shall comply with applicable Indiana State Plumbing Code requirements.

K. Utility Notification – It is recommended that the interconnection application be submitted to the utility prior to applying for required permits. Grid-tied solar energy systems shall comply with interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.