



# Memo

TO: Peter H. Vargas, City Manager  
CC: Ogden “Bo” Bass, Director of Community Development  
FROM: Lee Battle, Assistant Director of Community Development  
DATE: April 15, 2016  
SUBJECT: Solar panel ordinance

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The City of Allen regulates the installation of solar panels with an effort to balance the rights of individual property owners, the potential negative impacts on surrounding property owners, and the overall benefits of solar energy. The current regulations in the Allen Land Development Code were adopted in 2012 after considerable research and discussion.

Recently the City was approached by representatives from Good Faith Energy, a company that installs solar panel systems, with proposed revisions to the City’s ordinance. Staff has reviewed the proposed changes and drafted the following responses:

1. Currently solar panel systems are permitted by right as an accessory use in all zoning districts. This is the least restrictive zoning provision possible.
2. Currently solar panel installations are only allowed on rooftops. The submitted proposal removes this requirement. This would allow solar panels to be installed on other structures including fences, poles, sheds, trees, etc. The results could be potentially hazardous because: 1) these structures may not be designed to support these installations, especially in high wind situations, and 2) the voltage produced by solar panels can seriously injury people, especially if placed where they are accessible to children and pets. In addition, these types of installations can be unsightly. Staff recommends continuing to limit installations to rooftops.
3. Currently solar panels on residential properties may not directly face a public street. The submitted proposal removes this requirement. This requirement is intended to mitigate the visual impact of solar panels on the neighborhood. This is a concern that has been expressed by residents. Staff recommends keeping this requirement.
4. Currently solar panels cannot be located in the front yard. The submitted proposal removes this requirement. This change, in combination with #2 above, would allow solar panels mounted on poles and other structures to be placed in front yards. This would create potential safety issues and be unsightly. Staff recommends keeping this requirement.
5. Currently the ordinance has a provision that prevents solar panels from being installed in a manner that creates glare, and allows the City to take action when a nuisance or safety hazard is created. The submitted proposal removes this requirement. Staff recommends keeping this requirement.

6. Currently the ordinance requires that solar panels be installed two feet from the roof ridgeline and not cover more than 80% of the roof. This is intended to provide adequate area for someone to walk on the roof for maintenance purposes. The submitted proposal makes minor changes to this requirement. Staff does not believe these changes are necessary.
7. Currently the ordinance requires a licensed electrician install the electrical connections of new solar panel systems, and requires final acknowledgement by the electrician in the form of a letter. This is consistent with Building Code requirements. The submitted proposal appears to lessen this requirement. This is a major electrical installation that requires a licensed electrician and staff does not support this change.

In the last two years the City has permitted over 50 solar panel installations. Recent months have seen a noticeable increase in the number of permit requests. While some permit requests had to be modified to meet the ordinance requirements, the ordinance does not appear to be preventing the installation of solar panel systems. A review of surrounding cities identified varying requirements and processes, most of which are solar friendly and contain minimal regulations.

A cursory review of current information on implementation of solar ordinances finds that the City's installation requirements and design standards are generally consistent with the "Planning for Solar Energy Briefing Papers" developed by the American Planning Association and the U.S. Department of Energy, and is not in conflict with current Best Management Practices promoted by the North Central Texas Council of Governments through the Solar Ready II program. The current ordinance minimizes regulatory barriers, creates a clear pathway for permitting, and sets reasonable design standards.

Staff contends that the City should continue to regulate the installation of solar panel systems in accordance with the currently adopted ordinance in order to provide the best balance of benefits to the community and our residents.