



SOLAR PANEL APPLICATION

Legal Description: Lot _____ Subdivision _____
Street Address: _____

Homeowner Name: _____ Phone: _____
Mailing Address: _____ Email: _____

Contractor: _____
Construction Value: _____

Description of Project:

Signature: _____ Date: _____

Definitions:

NON – PRIMARY ELEVATION: The portion of a structure which does not front on a public street or other public right of way. If a corner lot, the primary elevation is the elevation where the primary entrance is located.

SOLAR PANEL: An electrical device consisting of an array of connected solar cells which converts solar energy into electricity or hot water/liquid for space heating or domestic hot water production. Also referred to as photovoltaic (PV) panel or solar array.

SOLAR DEVICE: Solar membranes, solar shingles, solar in glass, Non-PV the technology and solar hot water Systems and similar solar technology.

Solar Panels and Solar Devices

The Town encourages the installation of solar panels and solar devices as an alternative energy source. However, there may be instances where solar panels or solar devices are not

appropriate on a particular building or site if such a device is determined to be detrimental to the character of the Town of Blue River.

Within the Town of Blue River, no solar devices shall be installed on a structure or site without first obtaining the approval of the Planning and Zoning Commission and obtaining a building permit. Solar panels and solar devices are required to be installed on a building or building addition and integrated into the building design. To ensure that the character of the Town of Blue River an application for a permit to install a solar panel or solar device with the Town of Blue River will be reviewed under the following requirements:

1. Solar panels or other solar devices on roofs shall be placed on a non-character defining roofline of a non-primary elevation (not really visible from public streets). Solar panels and solar devices shall be setback from the edge of a flat roof to minimize visibility and may be set at a pitch and elevated if not highly visible from public streets. On all other roof types, solar panels and solar devices shall be located so as not to alter a historic roofline or character defining features such as dormers or chimneys. All solar panels and solar devices shall run parallel the original roofline and shall not exceed nine inches (9”) above the roofline.

Applications for new structures are encouraged to include building integrated solar panels and other solar devices into the initial design, including a similar roof color, rather than as a later addition. Solar panels and solar devices which contrast with the color of the roof of the new or former structures are inappropriate if found to be detrimental to the character of the Town of Blue River.

2. Detached arrays of solar panels and solar devices may be located in the rear or side yard if not highly visible from the public streets. The location of detached solar arrays shall also consider visibility from adjacent properties, which shall be reduced to the extent possible while still maintaining solar access. Detached building or disturbance envelope if no significant existing vegetation must be removed for the installation and adequate buffer is provided to adjacent properties.

SUMMARY:

Colorado’s solar access laws date back to 1979 and prohibit any residential covenants that restrict solar access. HB 1270 of 2008 extended the law to protect installations of wind turbines that meet the statewide interconnection rules, and some energy efficiency measures including awnings, shutters and other shade structures, garage fans, energy efficient outdoor lighting, retractable clotheslines, and evaporative coolers. Some exceptions are made to allow for aesthetic requirements that do not significantly increase the cost of the device or decreases its performance.

HB 1270 further protects owners of solar or wind electric systems by awarding reasonable attorney fees the prevailing party in any court case involving the significance of an increase in the system’s cost based on aesthetic requirements.

Colorado also allows property owners to voluntarily agree to solar easements with their neighbors for the purpose of protecting and maintaining proper access to sunlight.