

**ORDINANCE NO. 995**

**AN ORDINANCE AMENDING CHAPTER IV, BUILDING AND CONSTRUCTION, ARTICLE 14, SOLAR ENERGY SYSTEMS TO INCLUDE A SOLAR-READY ZONE FOR NEW AND PROPOSED STRUCTURES AND EXCEPTIONS THEREFROM.**

**WHEREAS**, Chapter IV, Article 14 currently does not require a solar-ready zone for new and proposed structures in Roeland Park; and

**WHEREAS**, the adoption of solar-ready requirements encourages new construction to be more easily adapted to renewable solar energy; and

**WHEREAS**, solar-ready buildings assist in furthering the City of Roeland Park's goal of sustainability; and

**WHEREAS**, the City of Roeland Park desires to make installation of solar generating equipment easier on a building should the building's owner decide to install a solar energy system; now

**THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS, AS FOLLOWS:**

**Section 1. Amending Chapter IV, Article 14.** The governing body of the City hereby amends Chapter IV, Article 14 of the City of Roeland Park municipal code to read as follows:

**Sec. 4-1401. - Purpose.**

The purpose of this article is to establish provisions for using an alternate source of energy apart from the prevailing energy sources of natural gas and electricity, namely solar energy, and to provide standards for the construction and use of solar energy systems.

(Code 1986; Code 2003)

**Sec. 4-1402. - Restrictions.**

Except as provided in this article, no solar energy system or solar collection device shall be erected, constructed, altered or maintained on any lot within the city, without first receiving a permit to do so.

(Code 1986; Code 2003; Ord. No. 968, § 1, 7-16-2018)

**Sec. 4-1403. - Standards.**

All new or proposed structures complying with height and location criteria will provide a solar ready zone as defined by this section on any new or proposed structure. Additions and renovations to existing structures are not subject to the solar ready requirement. Said zones will be defined in construction documents and include certification of allowable roof loading for the defined solar ready zone to accommodate permanently mounted solar collection devices. In addition, the construction documents shall reflect chases adequately sized and strategically located to accommodate future installation of conduit and conductors used in conveying power from the solar system to the electrical load distribution center and/or batteries. The solar ready certification shall be posted and visible near the electrical load distribution center of said structure.

1. **SOLAR-READY ZONE-** A solar-ready zone shall be located on the roof of buildings that are five stories or less in height above grade plane and are oriented between 110 degrees and 270 degrees of true north or have low-slope roofs. This shall include detached garages and carports. Solar-ready zones shall comply with applicable design standards.
2. **EXCEPTIONS-** New and proposed structures may be exempted from the solar ready requirements of this section if they meet any of the following criteria:
  - A building with a permanently installed, on-site renewable energy system.
  - A building with a solar-ready zone that is shaded for more than 70 percent of daylight hours annually.
  - A building where the licensed design professional certifies that the incident solar radiation available to the building is not suitable for a solar-ready zone.
  - A building where the licensed design professional certifies that the solar zone area required by this section cannot be met because of extensive roof-top equipment, skylights, vegetative roof areas or other obstructions.
3. **STANDARDS AND CONDITIONS-** All solar energy systems or solar collection devices shall meet the following standards and conditions:
  - (a) All solar energy systems or solar collection devices shall be incorporated into a building (which may be either a principal or accessory building) and shall be visually integrated into the basic form and main structure of such building as viewed from the public right of way.
  - (b) Any panel inclusive of the mounting system which is used to receive, collect or transfer solar energy, shall be mounted on the roof of a building and such panels and mounting system shall be visually integrated into the roof. The panels shall be mounted parallel to the roof plane and no more than 6 inches from the roof surface to accomplish visual integration with the roof where the panels are visible from an adjacent residential property. If the panels are screened from view via a parapet wall, they may stand off from the roof more than 6 inches, so long as they do not project above the parapet wall. If panels are located on a flat roof (less than 3 in 12 pitch) that is not visible from a residential property the panels need not be visually integrated with the roof, however the panel should not stand off more than 12 inches from the surface of the roof.

- (c) Mounting arrangements which allow panels or apparatus to project more than 12 inches above the roof surface are prohibited unless screened from view by adjacent properties.
- (d) No panels or apparatus shall be free standing or mounted on the ground.
- (e) All mechanical piping, electrical conduits, motors and similar items which comprise a solar energy system shall be concealed within the building envelope or through a creative design, preventing view from either adjoining properties or the road right of way. For the purposes of this section, "Building Envelope" shall be defined as the physical separator between the conditioned and unconditioned environment of a building, including the resistance to air, water, heat, light, and noise transfer. The building envelope consists of a roof, subfloor, exterior doors, windows, and exterior walls.
- (f) All exposed metal, including the framework of active collector panels or exposed mullions and framework of passive systems shall be of finished warm earth tones, or black, in color and unpainted aluminum is prohibited.
- (g) All solar energy system components shall be located as to be accessible for required routine maintenance without trespassing on adjoining property or disassembling any major portion of the structure or building.
- (h) All solar energy system components must be obtained from manufacturers who regularly engage in production of solar energy apparatus. The design and drawings of any system or apparatus shall be completed and sealed by a licensed design professional.

The construction or erection of a solar energy system or solar collection device shall conform to the requirements of Chapter 4 of this Code.

(Code 1986; Code 2003; Ord. No. 968, § 2, 7-16-2018)

#### **Sec. 4-1404. - Permit Required.**

No solar energy system or solar collection device shall be constructed, erected, added to or materially altered, structurally or otherwise changed, or improved nor any other work commenced upon any lot, tract or parcel of land unless the owner, contractor or agent of either shall first have applied for and received from the Building official or Governing Body a permit therefore as provided for in this chapter.

(Code 1986; Code 2003)

#### **Sec. 4-1405. - Application for Permit.**

Any application for the permit required hereunder shall show that the proposed construction meets the requirements set forth in this chapter.

Should any submittal in the opinion of the Building Official contain design elements that are substantially unique and outside the normal configuration of typical solar array components, design or system requirements, the application for permit shall be forwarded to the City Council for action. The City Council's decision will be final.

(Code 1986; Code 2003; Ord. No. 968, § 3, 7-16-2018)

**Sec. 4-1406. - Issuance of Permit.**

Any permit issued pursuant to the provisions of this article for the construction, erection or modification of a solar energy system or solar collection device shall only be issued after the Building Official has determined the proposed construction meets the requirements of [Section 4-1403](#) and that the design of the solar system or solar collection device is in general conformity with the style and design of surrounding structures.

(Code 1986; Code 2003; Ord. No. 968, § 4, 7-16-2018)

**PASSED** by the Governing Body of the City on May 18, 2020 and **APPROVED AND SIGNED** by the Mayor.

(SEAL)

\_\_\_\_\_  
Mike Kelly, Mayor

ATTEST:

\_\_\_\_\_  
Kelley Nielsen, City Clerk