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## Pitkin County tweaks solar panel regulations

JUNE, 23 2011  
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 THE ASPEN TIMES  
 ASPEN, CO COLORADO

ASPEN — Anyone who wants to put more than 200 square feet of solar panels on the roof of their home should have to warn their neighbors about what's coming in advance, Pitkin County commissioners agreed Wednesday.

Commissioners continued to tweak proposed regulations for solar panels, starting with the notification requirement. The ordinance had called for notification of neighbors within 300 feet of a property, plus a sign posted on the property where the installation is contemplated, for solar panels that add up to 400 square feet or more, on a roof or on the ground.

Commissioner George Newman urged dropping the threshold size to 200 square feet.

"I'd want to know if my neighbor was putting up a 300-square-foot solar panel," he said.

Commissioner Michael Owsley agreed, calculating 200 square feet on one wall of the commissioners' meeting room.

"If I was a neighbor and that appeared next to me, I'd be concerned, much less anything larger," Owsley said.

Commissioner Rob Ittner, too, agreed with neighbor notification for anything of more than 200 square feet, but Commissioner Rachel Richards said she was reluctant to further stifle a property owner's ability to tap solar energy. Someone might opt for a smaller installation just to avoid the notification requirements, she suggested.

"The issue to me is how quickly we're able to move off the carbon-based society," Richards said. "I'm just really concerned about boxing it in so small that we're going to be boxing in the industry and boxing in where we need to go."

The size of the installation isn't limited to 400 square feet, other commissioners responded. That's just the size that triggers a heads-up to neighbors.

"I don't think this will dampen people's desire to put in solar," Owsley said. "If you have to look at the back side of that solar installation — it's an industrial thing. I think people deserve some notice."

Getting neighbors to talk about an installation will, hopefully, resolve conflicts before they happen, Ittner added.

Glare from a rooftop solar panel on an Old Snowmass home prompted complaints from a neighboring couple who have been active in the county's debate over solar panel regulations. They have urged the county to make the owner of the panels responsible to fix the situation in the event of a glare problem.

The county is attempting to address that issue with a regulation that reads: "The effect produced by light reflecting from an object shall not create an unreasonable adverse impact with an intensity and duration sufficient to cause a nuisance." If there is a nuisance, the property owner must mitigate it with vegetation or some other approach.

Commissioners called for more specifics on "intensity and duration," and who determines when the mitigation effort is sufficient and at what distance glare ceases to be nuisance.

“Is it within 200 yards? Is it within two miles? Is it within 10 miles?” Owsley mused. “Who can make the complaint?”

Those considerations have been the most difficult piece of the regulations, said Lance Clarke, deputy director of community development.

Commissioners adopted the ordinance on first reading Wednesday after amending some of the provisions. They will have to take up the regulations at least twice more before they are formally approved.

Among the other changes made Wednesday, commissioners agreed 12 feet should be the limit for all ground-mounted panels, but on properties of 80 acres or more, increased height can be requested. The ordinance had initially allowed 16-foot ground-mounted panels on parcels of 80-plus acres.

The regulations also require newly constructed residences to have a minimum of 400 square feet of roof space sited to accommodate solar collectors. Solar panels on pitched roofs can be raised 4 feet above the height limit for the roof; they can be up to 6 feet higher than a flat roof.

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