

## SWFRPC SM3 Survey Response Analysis

A review of the Solar Metrics III surveys for jurisdictions in the Southwest Florida region identified a number of strengths and areas for improvement.

### *Regional Strengths*

- Most solar permitting process times for the region were under 5 days, and in most jurisdictions required few departmental approvals. Additionally, tracking systems for permitting process times were in place in most jurisdictions with quick turn-around times.
- Inspections in many towns were consolidated. For most residential installations, only one comprehensive municipal inspection was required. This is in line with best practices. Wait times for inspection appointments were also short.

### *Areas for Improvement*

- **Expediting of Standard System Designs.** Processing times could be improved further by creating a fast-track process for widely used system designs. The Solar America Board for Codes and Standards (Solar ABCs) released an expedited permitting template, which can be adapted to serve this purpose. Most jurisdictions were unaware of the Solar ABC guidelines, while a few provided it as an optional template. Establishing specific parameters or guidelines to expedite the processing of smaller systems can conserve municipal staff time. The City of Fort Meyers has developed its own guidelines for fast-tracking systems, independent of the Solar ABCs, which could serve as a discussion point for the region.
- **Planning and Zoning Review.** The majority of the surveyed jurisdictions had not reviewed their planning and zoning codes for passages which may inadvertently limit solar development. In example, impervious surface requirements may prevent interested property owners from installing ground mounted systems, if solar systems are not exempt. All ground mounted systems are elevated from the ground level. Creating explicit regulations around solar can encourage or regulate what types of solar system designs are appropriate for each community.
- **New Construction.** Designing structures to support solar energy can result in substantial cost-savings if a building decides to pursue an installation in future years. There are a number of steps which can be taken as buildings are constructed, including roof orientation and optimal placement of rooftop mechanical systems, which can enhance the efficiency and feasibility of solar installations. Solar ready construction guidelines for new structures or green building codes can create standards for new construction. With the exception of the City of Bonita Springs, which has developed a set of solar ready construction guidelines, the jurisdictions had not formalized guidance to support solar energy for new construction.
- **Solar Rights and Solar Access in Florida.** A range of answers were provided concerning solar access and solar rights in Florida. Some jurisdictions are familiar with state-level solar rights policies, but there was not consistent awareness throughout the survey responses. Solar rights or the right to install a solar system is protected in Florida. Florida state statutes prohibit restrictive covenants against solar energy. Aesthetic restrictions are

allowed if the system operation is not compromised.<sup>1</sup> This original statute was amended in 2008 to include condominiums.<sup>2</sup> Solar access, which the right to access sunlight to power a solar system after installation, is also protected in Florida. The state of Florida allows neighbors to negotiate solar easements, which must then be recorded as a property agreement. Local governments can help to educate interested property owners of their solar rights in the state of Florida, which offers stronger protections than many other states.<sup>3</sup>

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<sup>1</sup> Florida Statute 163.04, [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0100-0199/0163/Sections/0163.04.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0163/Sections/0163.04.html)

<sup>2</sup> Florida Statute 718.113, [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0700-0799/0718/Sections/0718.113.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0700-0799/0718/Sections/0718.113.html)

<sup>3</sup> Florida Statute 704.07, [http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0700-0799/0704/Sections/0704.07.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0700-0799/0704/Sections/0704.07.html)