

Topic:	Solar Energy
Resource Type:	Regulations
State:	Oregon
Jurisdiction Type:	Municipal
Municipality:	City of Milwaukie
Year (adopted, written, etc.):	1991
Community Type - applicable to:	Urban; Suburban
Title:	City of Milwaukie Solar Access Ordinance
Document Last Updated in Database:	April 14, 2017

Abstract

Milwaukie's solar access ordinance seeks to provide solar access protection to new development in subdivisions, new and remodeled single-family homes, structures within single-family zoning districts and homes which make beneficial use of solar energy; promote energy conservation; and provide a means of encouraging investment in solar design and solar equipment.

Resource

Section 19.13.01 Purpose.

19.1301.1 The purpose of this section is:

A. To provide solar access protection to new development in subdivisions, new and remodeled single-family homes, structures within single-family zoning districts and homes which make beneficial use of solar energy;

B. To promote energy conservation and the effective use of the sun as a renewable resource;

C. To implement provisions of the Milwaukie comprehensive plan encouraging use of solar energy;

D. To provide a means of encouraging investment in solar design and solar equipment. (Ord. 1712 (part), 1991)

Section 19.13.03 Solar access for new development.

19.1303.1 Purpose. The purposes of solar access provisions for new development are to ensure that land is divided so that structures can be oriented to

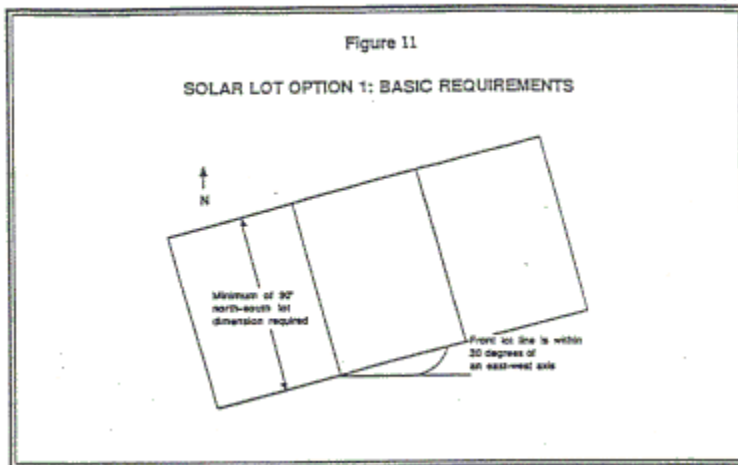
maximize solar access and to minimize shade on adjoining properties from structures and trees.

19.1303.2 Applicability. The solar design standards in subsection 19.1303.3 shall apply to applications for a development to create lots in single-family zones and for single-family detached dwellings in any zone, except to the extent the director finds that the applicant has shown one or more of the conditions listed in subsections 19.1303.4 and 19.1303.5 exist, and exemptions or adjustments provided for therein are warranted.

19.1303.3 Design Standard. At least eighty percent of the lots in a development subject to these provisions shall comply with one or more of the options in this subsection; provided a development may, but is not required to, use the options in subsections B or C below to comply with Section 19.1303.

A. Basic Requirement. A lot complies with subsection 19.1303.3 if it:

1. Has a north-south dimension of ninety feet or more; and
2. Has a front lot line that is oriented within thirty degrees of a true east-west axis (see Figure 11).



B. Protected Solar Building Line Option. In the alternative, a lot complies with subsection 19.1303.3 if a solar building line is used to protect solar access as follows:

1. A protected solar building line is designated on the plat or in documents recorded with the plat; and

2. The protected solar building line is oriented within thirty degrees of a true east-west axis; and

3. There are least seventy feet between the protected solar building line and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and

4. There are least forty-five feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least eighty percent of their south-facing wall will not be shaded by structures or nonexempt vegetation (see Figure 4).