

Alpha ACA - Solar Panel Policy

This policy outlines the procedures and considerations for reviewing solar panel installation requests in accordance with Colorado Statutes and Alpha Architectural Guidelines. Effective August 6, 2008, HB2008-1270 gives property owners the right to install devices that generate solar or wind energy despite restrictive covenants to the contrary. Additionally, owners can install and maintain energy-saving devices (i.e., awnings, shutters, trellises, ramadas, shade structures, attic or garage fans/vents, evaporative coolers, outdoor lighting, clotheslines, etc.). These rights, however, are subject to reasonable architectural controls.

1. Purpose

To ensure compliance with Colorado law while maintaining reasonable aesthetic and safety standards in the subdivision. This policy supports property owners' rights to install solar energy systems while providing clear expectations for architectural approval.

2. Legal Context

Under Colorado law (C.R.S. § 38-30-168), homeowners may install solar energy devices on their property. Architectural Committees may not prohibit solar panel installations but may enforce reasonable aesthetic guidelines that do not significantly increase cost or reduce system efficiency.

3. Application Requirements

Homeowners must submit an architectural application prior to the installation of any solar energy device. Applications should include:

- A diagram or rendering of the installation site
- Manufacturer specifications
- Details on system dimensions, placement, and visibility
- Contractor information and expected start date

4. Review Criteria

The Architectural Committee may require reasonable adjustments based on appearance or location, provided such changes do not:

- Increase installation cost significantly
- Reduce energy output or efficiency

Acceptable considerations include:

- Panel alignment with roofline for rooftop installations or placement on the parcel for freestanding installations
- Concealment of conduit and wiring where feasible
- Panel frame color that matches roof or trim where available

5. Prohibited Actions by the Committee

- Blanket denial of solar panel systems
- Imposing requirements that materially interfere with system function or affordability
- Delaying application reviews beyond 45 days without cause

6. Noncompliance

Failure to apply for installation will result in a notice of noncompliance.

7. Policy Review

This policy shall be reviewed as needed to ensure continued compliance with state law and evolving technologies.

Effective Date: March 1, 2024

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