

Senate Bill 675

Sponsored by Senator PROZANSKI (at the request of Robert Ball)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires governing bodies of counties and cities to adopt and implement solar access protection ordinances. Establishes standards for solar access protection ordinances.

A BILL FOR AN ACT

1
2 Relating to solar access; creating new provisions; and amending ORS 215.044 and 227.190.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 215.044 is amended to read:

5 215.044. (1) County governing bodies [*may*] **shall** adopt and implement solar access ordinances.
6 The ordinances shall provide and protect to the extent feasible solar access to the south face of
7 buildings during solar heating hours, taking into account latitude, topography, microclimate, existing
8 development, existing vegetation and planned uses and densities. The county governing body shall
9 **provide protection for existing solar devices from structures developed or vegetation planted**
10 **or grown after the construction or installation of the solar device, and shall** consider for
11 inclusion in any solar access ordinance, but not be limited to, standards for:

12 (a) The orientation of new streets, lots and parcels;

13 (b) The placement, height, bulk and orientation of new buildings;

14 (c) The type and placement of new trees on public street rights of way and other public prop-
15 erty; and

16 (d) Planned uses and densities to conserve energy, facilitate the use of solar energy, or both.

17 (2) The State Department of Energy shall actively encourage and assist county governing bodies'
18 efforts to protect and provide for solar access.

19 (3) As used in this section, "solar heating hours" means those hours between three hours before
20 and three hours after the sun is at its highest point above the horizon on December 21.

21 **SECTION 2.** ORS 227.190 is amended to read:

22 227.190. (1) City councils [*may*] **shall** adopt and implement solar access ordinances. The ordi-
23 nances shall provide and protect to the extent feasible solar access to the south face of buildings
24 during solar heating hours, taking into account latitude, topography, microclimate, existing devel-
25 opment, existing vegetation and planned uses and densities. The city council shall **provide pro-**
26 **tection for existing solar devices from structures developed or vegetation planted or grown**
27 **after the construction or installation of the solar device, and shall** consider for inclusion in any
28 solar access ordinance, but not be limited to, standards for:

29 (a) The orientation of new streets, lots and parcels;

30 (b) The placement, height, bulk and orientation of new buildings;

31 (c) The type and placement of new trees on public street rights of way and other public prop-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 erty; and

2 (d) Planned uses and densities to conserve energy, facilitate the use of solar energy, or both.

3 (2) The State Department of Energy shall actively encourage and assist city councils' efforts to
4 protect and provide for solar access.

5 (3) As used in this section, "solar heating hours" means those hours between three hours before
6 and three hours after the sun is at its highest point above the horizon on December 21.

7 **SECTION 3. Solar access protection ordinances required by the amendments to ORS**
8 **215.044 and 227.190 by sections 1 and 2 of this 2009 Act must be adopted and made effective**
9 **within one year after the effective date of this 2009 Act.**

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