

House Bill 3516

Sponsored by Representatives CANNON, BAILEY, J SMITH; Representatives BOONE, GARRARD, GARRETT, KRIEGER, MATTHEWS, MCLANE, Senators BOQUIST, DINGFELDER, GEORGE

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**.

Authorizes installation and use of solar photovoltaic energy system on residential or commercial structure in zones in which residential or commercial structures are authorized. Requires local government reviewing permit application to make ministerial decision approving or denying permit. Prevents local government from collecting land use permit application fee for application to install solar photovoltaic energy system. Limits certain land use reviews of site.

A BILL FOR AN ACT

Relating to solar energy generation by retail electricity consumers.

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

SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS 757.360 to 757.380.

SECTION 2. (1) The installation and use on or adjacent to a] residential structure of a solar photovoltaic energy system that is a residential qualifying system is an outright permitted use in any zone in which residential structures are planned.

(2) The installation and use on or adjacent to a commercial structure of a solar photovoltaic energy system that is a small commercial qualifying system is an outright permitted use in any zone in which commercial structures are planned.

(3) If the installation of a qualifying system under this section can be accomplished without causing the height or footprint of the residential or commercial structure to exceed the maximum limits in the zone, approval of a permit application under ORS 215.402 to 215.438 or 227.160 to 227.186 is, notwithstanding the definitions of "permit" in ORS 215.402 and 227.160, a ministerial function. As part of the permit approval process, a city or county:

(a) May not charge a fee pursuant to ORS 215.416 or 227.175 for processing a permit;

(b) May not require extension surveys or site evaluations including, but not limited to, vegetation surveys, contour maps and elevation drawings; and

(c) May charge building permit fees pursuant to ORS 455.020, 455.210 and 455.220.

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.