

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 3516

By COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

June 2

1 On page 1 of the printed A-engrossed bill, delete lines 4 through 25 and delete page 2 and insert:

2 **“SECTION 1. (1) The installation and use on a residential structure of a solar**
3 **photovoltaic energy system or a solar thermal energy system is an outright permitted use**
4 **in any zone in which residential structures are an allowed use.**

5 **“(2) The installation and use on a commercial structure of a solar photovoltaic energy**
6 **system or a solar thermal energy system is an outright permitted use in any zone in which**
7 **commercial structures are an allowed use.**

8 **“(3) Approval of a permit application under ORS 215.402 to 215.438 is, notwithstanding the**
9 **definition of ‘permit’ in ORS 215.402, a ministerial function if:**

10 **“(a) The installation of a solar energy system can be accomplished without increasing the**
11 **footprint of the residential or commercial structure or the peak height of the portion of the**
12 **roof on which the system is installed; and**

13 **“(b) The solar energy system would be mounted so that the plane of the system is par-**
14 **allel to the slope of the roof.**

15 **“(4) As part of the permit approval process, a county:**

16 **“(a) May not charge a fee pursuant to ORS 215.416 for processing a permit;**

17 **“(b) May not require extensive surveys or site evaluations including, but not limited to,**
18 **vegetation surveys, contour maps and elevation drawings; and**

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

20 **“(5) Subsections (3) and (4) of this section do not apply to a permit application for a**
21 **residential or commercial structure that is:**

22 **“(a) A federally or locally designated historic building or landmark or that is located in**
23 **a federally or locally designated historic district.**

24 **“(b) A conservation landmark designated by a city or county because of the historic,**
25 **cultural, archaeological, architectural or similar merit of the landmark.**

26 **“(c) Located in an area designated as a significant scenic resource unless the material**
27 **used is:**

28 **“(A) Designated as anti-reflective; or**

29 **“(B) Eleven percent or less reflective.**

30 **“(6) As used in this section, ‘solar photovoltaic energy system’ has the meaning given**
31 **that term in ORS 757.360.**

32 **“SECTION 2. (1) The installation and use on a residential structure of a solar**
33 **photovoltaic energy system or a solar thermal energy system is an outright permitted use**
34 **in any zone in which residential structures are an allowed use.**

35 **“(2) The installation and use on a commercial structure of a solar photovoltaic energy**

1 system or a solar thermal energy system is an outright permitted use in any zone in which
2 commercial structures are an allowed use.

3 “(3) Approval of a permit application under ORS 227.160 to 227.186 is, notwithstanding the
4 definition of ‘permit’ in ORS 227.160, a ministerial function if:

5 “(a) The installation of a solar energy system can be accomplished without increasing the
6 footprint of the residential or commercial structure or the peak height of the portion of the
7 roof on which the system is installed; and

8 “(b) The solar energy system would be mounted so that the plane of the system is par-
9 allel to the slope of the roof.

10 “(4) As part of the permit approval process, a city:

11 “(a) May not charge a fee pursuant to ORS 227.175 for processing a permit;

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

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

15 “(5) Subsections (3) and (4) of this section do not apply to a permit application for a
16 residential or commercial structure that is:

17 “(a) A federally or locally designated historic building or landmark or that is located in
18 a federally or locally designated historic district.

19 “(b) A conservation landmark designated by a city or county because of the historic,
20 cultural, archaeological, architectural or similar merit of the landmark.

21 “(c) Located in an area designated as a significant scenic resource unless the material
22 used is:

23 “(A) Designated as anti-reflective; or

24 “(B) Eleven percent or less reflective.

25 “(6) As used in this section, ‘solar photovoltaic energy system’ has the meaning given
26 that term in ORS 757.360.”.

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