

HB 2705 STAFF MEASURE SUMMARY

House Committee On Housing

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Sub-Referral To: House Committee On Veterans and Emergency Management

Meeting Dates: 2/4

WHAT THE MEASURE DOES:

Allows counties to allow construction of accessory dwelling units (ADUs) within an area zoned for rural residential use when consistent with a locally adopted comprehensive plan. Establishes conditions of approval including minimum lot size, maximum floor area, and access to water and wastewater facilities. Requires that lot or parcel is within a rural fire protection district and that ADU is compliance with Oregon residential specialty code wildfire hazard mitigation standards. Establishes limits on the use of an ADU or the existing single-family home for vacation occupancy, unless the owner complies with conditions adopted by the county. Authorizes county to require that an ADU be served by the same water supply source as the existing single-family home. Clarifies that a county is not required to allow ADUs in areas zoned for rural residential use, nor is it prohibited from imposing additional restrictions on ADUs. Requires Department of Consumer and Business Services, in consult with the Oregon State University College of Forestry, to develop and maintain statewide wildfire risk maps and update state building code to require appropriate fire protection standards for ADUs. Requires department and OSU College of Forestry to report to interim committee of the Legislative Assembly on risk maps and building code updates no later than September 15, 2022. Beginning January 1, 2023, requires new ADUS to comply with state building code for fire protection standards based on fire risk identified on the maps.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Until 2017, Oregon's county planning, zoning, and housing laws allowed the construction of an accessory dwelling unit (ADU) on land zoned for either exclusive farm use or rural residential use only if the ADU would be used for farmworkers. In 2017, House Bill 3012 expanded Oregon county planning, zoning and housing laws to allow the construction of a new single-family dwelling unit, subject to certain conditions, in an area zoned for residential use, and convert a historic home on the same lot or parcel to an accessory dwelling unit. The measure prohibited the subdivision of the lot or parcel, limited modifications to the ADU, prohibited rebuilding of the structure in the case of fire, and did not allow the construction of an additional ADU on the same lot or parcel. The measure also authorized counties to require that the new dwelling be served by the same water supply source as the ADU and allowed counties to impose additional conditions for approval.

House Bill 2705 would authorize a county to allow a property owner in a rural residential zone to construct an accessory dwelling unit on the same lot or parcel under specified conditions for approval. It requires the Department of Consumer and Business Services, in consult with the Oregon State University College of Forestry, to develop statewide wildfire risk maps and update state building code to require appropriate fire protection standards for ADUs, and to report to an interim committee of the Legislative Assembly no later than September 15, 2022.