



March 5, 2021

Clackamas County Board of Commissioners
Policy Position
SB 405: Related to non-conforming uses destroyed by wildfire

Clackamas County supports SB 405: The Board of County Commissioners supports common sense legislation that helps residents impacted by the 2020 wildfire return to their home and life, and restore their property in a supportive and safe way.

If a resident lost a legally zoned structure because of a wildfire in 2020, they should be able to rebuild that structure. Clackamas County is no stranger to non-conforming structures, especially in rural areas where dwellings and small rural businesses were often constructed before zoning. Presently, the timeline for rebuilding a structure that was classified as “non-conforming use” is one year, but we submit that is restrictive for people and property owners dealing with the impacts of wildfire.

SB 405 adds additional, reasonable time for residents to rebuild non-conforming structures damaged or destroyed in the 2020 wildfires. This is a common sense allowance.

Clackamas County also suggests that common sense legislation supporting recovery efforts following a disaster be expanded to include any future disasters, and not be so specific to the wildfires of 2020. If recovery legislation makes sense for one disaster, it should make sense for future disasters. Extending this legislation to apply to future disasters benefits future recovery efforts and eliminates the needs for future, identical legislation.

We urge a “YES” vote on SB 405.

Please contact Chris Lyons at clyons@clackamas.us for more information.