

SB 1533 A STAFF MEASURE SUMMARY

Carrier: Sen. Golden

Senate Committee On Natural Resources and Wildfire Recovery**Action Date:** 02/08/22**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 3-1-1-0**Yeas:** 3 - Golden, Patterson, Prozanski**Nays:** 1 - Heard**Exc:** 1 - Kennemer**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Beth Patrino, LPRO Analyst**Meeting Dates:** 2/8**WHAT THE MEASURE DOES:**

Makes federally recognized Indian tribes in Oregon eligible for certain grants related to cleaner air spaces and smoke filtration systems. Increases minimum age for participation in Oregon Conservation Corps Program from 13 to 16 years of age. Revises instruction to the Department of Land Conservation and Development to identify “recommended changes,” instead of “updates,” to statewide land use planning program and local comprehensive plans and zoning codes related to wildfire risk, and to report to Legislative Assembly, State Wildfire Programs Director, and Wildfire Programs Advisory Council on recommended changes on or before October 1, 2022. Revises wildfire risk standards applicable to a county decision to approve an accessory dwelling unit (ADU) in a rural residential zone as follows: (1) if a lot or parcel is in an area identified on the statewide wildfire map (ORS 477.490) as within the wildland-urban interface, it must comply with any applicable minimum defensible space requirements for wildfire risk reduction established by the State Fire Marshal and any applicable local requirements for defensible space established by a local government pursuant to ORS 476.392; or (2) if the county has adopted land use regulations that ensure that a lot or parcel is not in an area identified on the statewide wildfire map (ORS 477.490) as within the wildland-urban interface, the ADU must comply with the provisions of ORS 215.495 and any applicable local requirements for defensible space established by a local government pursuant to ORS 476.392. Takes effect on 91st day following adjournment sine die.

ISSUES DISCUSSED:

- Need for revisions to 2021 wildfire policy legislation (Senate Bill 762)
- Error in statutory reference in 2021 rural residential accessory dwelling unit legislation resulting from the enacted measure referencing statutes that were amended or repealed later in session

EFFECT OF AMENDMENT:

Deletes “clean air shelters” and inserts “cleaner air spaces” in statute directing Department of Human Services to establish and implement grant program. Revises wildfire risk standards applicable to a county decision to approve an accessory dwelling unit (ADU) in a rural residential zone as follows: (1) if a lot or parcel is in an area identified on the statewide wildfire map (ORS 477.490) as within the wildland-urban interface, it must comply with any applicable minimum defensible space requirements for wildfire risk reduction established by the State Fire Marshal and any applicable local requirements for defensible space established by a local government pursuant to ORS 476.392; or (2) if the county has adopted land use regulations that ensure that a lot or parcel is not in an area identified on the statewide wildfire map (ORS 477.490) as within the wildland-urban interface, the ADU must comply with the provisions of ORS 215.495 and any applicable local requirements for defensible space established by a local government pursuant to ORS 476.392. Takes effect on 91st day following adjournment sine die.

BACKGROUND:

In 2021, the Oregon legislature enacted Senate Bill 762 to implement a statewide comprehensive strategy to promote wildfire risk reduction, response, and recovery. A measure authorizing counties to approve accessory dwelling units in rural residential zones was also enacted in 2021.

Senate Bill 1533 A would modify some elements of SB 762 by authorizing federally recognized Indian tribes to participate in a grant program funding cleaner air spaces and smoke filtration systems, raising the minimum age of Oregon Conservation Corps participants from 13 to 16, and instructing the Department of Land Conservation and Development to report to the Legislative Assembly on recommended changes, rather than updates, to land use tools related to fire risk. The measure would also correct a statutory reference to the defensible space statutes in the rural residential accessory dwelling unit statute enacted in 2021.