

SB 75 -1, -2 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources and Wildfire

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Meeting Dates: 3/27

WHAT THE MEASURE DOES:

The measure, defines “high wildfire hazard area” for the purpose of developing accessory dwelling units or replacement dwellings on lands zoned for resource uses.

Fiscal impact: May have fiscal impact, but no statement yet issued

Revenue impact: May have revenue impact, but no statement yet issued

Detailed Summary:

Defines “high wildfire hazard area” as “an area identified as a high wildfire hazard zone and within the wildland-urban interface on the statewide wildfire hazard map described in ORS 477.490” in statutes authorizing a county to approve an accessory dwelling unit on rural residential lands or a replacement dwelling on resource use lands.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 amendment adds option for proposed ADU to comply with applicable manufactured home standards, if any, relating to wildfire hazard protection established by the Department of Consumer Business Services as alternative to current requirement that ADU comply with the construction provisions of the Oregon Residential Specialty Code.

-2 amendment removes references to the statewide wildfire hazard map and map-related provisions in statutes authorizing a county to approve accessory dwelling units (ADUs) and replacement dwellings in high wildfire hazard zones:

- Removes requirement for ADUs to comply with any applicable state or local defensible space standards if identified on the statewide wildfire hazard map as located in a wildland-urban interface area.
- Removes requirement for ADUs or replacement dwellings to be altered, restored, or replaced to comply with the construction provisions in section R327 of the Oregon Residential Specialty Code in area identified as a high wildfire hazard zones on the statewide wildfire hazard map, or if no map has been adopted.

BACKGROUND:

ORS 477.490 (Statewide Wildfire Hazard Map) directs The Oregon Department of Forestry and Oregon State University to develop and maintain a comprehensive statewide wildfire hazard map to educate Oregon residents and property owners about the residents’ and owners’ wildfire exposure, assist in prioritizing fire adaptation and mitigation resources for the most vulnerable locations, and to identify where defensible space and fire hardening standards and codes will apply.

The map, re-published January 7, 2025, displays three wildfire risk classes of high, moderate, and low, based on weather, climate, topography and vegetation.

Under current law, properties that are both high hazard and in the wildland-urban-interface are required to meet enhanced defensible space standards (ORS 476.392) and home hardening codes (ORS 455.612).

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ORS 215.495 provides restrictions and requirements for rural residential development of Accessory Dwelling Units (ADUs). It requires that any lot or parcel that would be developed for ADUs comply with Oregon Residential Specialty Code R327 for wildfire hazard mitigation, which provides minimum standards for dwellings and their accessory structures located in or adjacent to areas subject to wildfires to reduce or eliminate hazards. ORS 215.495 also requires ADUs to have adequate access for firefighting equipment, safe evacuation, and staged evacuation areas.

ORS 215.291 and ORS 215.495 do not currently define a “high wildfire hazard area.”