

SB 75 A STAFF MEASURE SUMMARY

House Committee On Climate, Energy, and Environment

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Meeting Dates: 4/29, 5/6

WHAT THE MEASURE DOES:

The measure removes references to the statewide wildfire hazard map and map-related provisions in statutes authorizing a county to approve accessory dwelling units and replacement dwellings in high wildfire hazard zones.

Detailed Summary:

- Removes requirement for accessory dwelling units (ADUs) to comply with any applicable state or local defensible space standards if identified on the statewide wildfire hazard map as being 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 areas identified high wildfire hazard zones on the statewide wildfire hazard map, or if no map has been adopted.

Minimal Fiscal Impact

No Revenue Impact

SENATE VOTE: Ayes, 27; Excused, 3

ISSUES DISCUSSED:

- History of wildfire hazard map
- Current building codes for accessory dwelling units
- Legislative history related to wildfire

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Oregon Revised Statute (ORS) 477.490, about the 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):

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 provides restrictions and requirements for the restoration or replacement of a dwelling, requiring that they must adhere to construction provisions of section R327 of the Oregon Residential Specialty Code if the dwelling is in an area of extreme or high wildfire risk, or if no statewide wildfire risk map has been adopted.

PRELIMINARY