

Senate Bill 878

Sponsored by Senator SMITH DB

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act allows rural residents to build an extra house for their families. (Flesch Readability Score: 63.4).

Allows an occupying homeowner outside of an urban growth boundary to site one additional family dwelling unit on the tract of the home.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to housing; and prescribing an effective date.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS chapter 215.**

5 **SECTION 2. (1) As used in this section, "high wildfire hazard area" means 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.**

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8 **(2) Notwithstanding any other limitations on the siting of dwellings under this chapter or under any land use regulation applicable to the tract, the owner of a tract outside an urban growth boundary may site a family dwelling unit as provided in this section. A family dwelling unit must:**

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12 **(a) Be a newly constructed, single-family dwelling or newly sited manufactured dwelling;**

13 **(b) Be owned by an individual who resides in a single-family dwelling sited on the tract;**

14 **(c) Comply with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment;**

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16 **(d) Comply with the construction provisions of section R327 of the Oregon Residential Specialty Code if any part of the tract is within a high wildfire hazard area;**

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18 **(e) Comply with county land use regulations that ensure that:**

19 **(A) The dwelling has adequate setbacks from adjacent lands zoned for resource use;**

20 **(B) The dwelling has adequate access for firefighting equipment, safe evacuation and staged evacuation areas; and**

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22 **(C) If the dwelling unit is within a high wildfire hazard area, the dwelling complies with any requirements for defensible space established by a local government pursuant to ORS 476.392; and**

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25 **(f) Be sited:**

26 **(A) Not within an urban reserve as defined in ORS 197A.230;**

27 **(B) On a tract on which no existing dwelling is subject to an order declaring it a nuisance or any pending action under ORS 105.550 to 105.600; and**

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29 **(C) Not within an area in which new or existing ground water uses under ORS 537.545**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (1)(b) or (d) have been restricted by the Water Resources Commission if the water supply
2 source for the dwelling unit or associated lands or gardens will be a water well.

3 (3) If the family dwelling unit will be sited in a high wildfire hazard area, the dwelling
4 must comply with any applicable minimum defensible space requirements for wildfire risk
5 reduction established by the Department of the State Fire Marshal under ORS 476.392 and
6 any applicable local requirements for defensible space established by a local government
7 pursuant to ORS 476.392.

8 (4) A county may not allow a family dwelling unit established under this section to be
9 used for:

10 (a) A vacation occupancy, as defined in ORS 90.100, for any person; or

11 (b) Except as provided in subsections (5) and (6) of this section, occupancy by any person
12 who is not the owner's:

13 (A) Parent;

14 (B) Stepparent or parent's domestic partner, as described in ORS 106.310;

15 (C) Sibling or sibling's spouse or domestic partner;

16 (D) Child or child's spouse or domestic partner;

17 (E) Spouse or domestic partner;

18 (F) Spouse's or domestic partner's child or that child's spouse or domestic partner;

19 (G) Grandchild; or

20 (H) Grandparent.

21 (5) For a period of 18 months following the date that a family member of the owner
22 moves out of a dwelling established under this section, the owner may use the dwelling for
23 a residential tenancy for a tenant other than a family member of the owner. Following that
24 period, the dwelling may not be occupied except by a family member of the owner or as al-
25 lowed under subsection (4) of this section.

26 (6) Limitations under subsection (2)(b) of this section do not apply to a purchaser of the
27 tract following the establishment of a dwelling under this section.

28 (7) For a dwelling established under this section, a county may not approve a subdivision,
29 partition or other division of the tract so that an existing single-family dwelling is situated
30 on a different tract than the established dwelling.

31 (8) A county may approve the conversion of a family dwelling unit to a permissible non-
32 residential use.

33 **SECTION 3.** This 2025 Act takes effect on the 91st day after the date on which the 2025
34 regular session of the Eighty-third Legislative Assembly adjourns sine die.

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