

Senate Bill 442

Sponsored by Senator BOQUIST (at the request of Renee Jetton) (Pre-session filed.)

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**.

Allows replacement dwelling for structure that was considered dwelling in final order under Ballot Measure 49 (2007) claim.
Sunsets January 2, 2026.

A BILL FOR AN ACT

Relating to replacement dwellings in lands zoned for exclusive farm use.

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

SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 215.

SECTION 2. (1) In addition to ORS 215.213 (1)(q) and 215.283 (1)(p) and section 2, chapter 462, Oregon Laws 2013, a county shall permit the establishment of a replacement dwelling for any lawful structure in any area zoned for exclusive farm use, provided that:

(a) Notwithstanding any actual use, removal, demolition or nonexistence of the structure before, on or after the effective date of this 2019 Act, the structure was recognized as an existing dwelling in a final order issued under section 6, 7 or 9, chapter 424, Oregon Laws 2007;

(b) At no time after the final order described in paragraph (a) of this subsection and before the effective date of this 2019 Act was the structure eligible for a replacement dwelling under ORS 215.213 (1)(q) or 215.283 (1)(p) or section 2, chapter 462, Oregon Laws 2013; and

(c) The structure, if any, is removed, demolished or converted into an allowable nonresidential use within three months of the completion of the replacement dwelling.

(2) To the extent practicable, a county may condition the siting of a replacement dwelling under this section to:

(a) Use all or part of the footprint of the replaced structure;

(b) Minimize the effects on farm and forest uses; or

(c) Make use of any public or private infrastructure serving the replaced structure, including highways, driveways, utilities, water supply and sewer and storm drainage systems.

(3) Except as provided in this section, the establishment of a replacement dwelling authorized under this section is subject to the requirements of ORS 215.293 and section 11, chapter 424, Oregon Laws 2007.

SECTION 3. Section 2 of this 2019 Act is repealed on January 2, 2026.

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.