

Senate Bill 706

Sponsored by Senator KNOPP (at the request of Dorlee Kingen)

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**.

Defines "cohousing" and allows counties to permit cohousing in lands zoned for rural residential uses under established conditions.

A BILL FOR AN ACT

1
2 Relating to lands zoned for rural residential uses.

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

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

5 **SECTION 2. (1) As used in this section:**

6 (a) "Area zoned for rural residential use" has the meaning given that term in ORS
7 215.501.

8 (b) "Cohousing" means a collection of single-family dwellings and community structures
9 that are managed or operated collectively for the purposes of facilitating interactions among
10 their residents and sharing resources, skills and household labor among their residents.

11 (c) "Community structure" means a structure designed for the shared noncommercial
12 benefit of the cohousing residents, including a lounge, kitchen, dining facility, gym, pool or
13 meeting space, a space for art, crafting, design, woodworking or repairs or any structure
14 supportive of grazing or farm use.

15 (2) Consistent with its comprehensive plan, a county may allow an owner of a lot or
16 parcel within an area zoned for rural residential use to construct cohousing, provided that:

17 (a) The lot or parcel is:

18 (A) At least six acres in size;

19 (B) Not located within an area designated as an urban reserve as defined in ORS 195.137;

20 (C) Not within a designated area of critical state concern;

21 (D) If the water source for any dwelling unit or community structure is a well, not within
22 a critical ground water area as designated under ORS 537.730 to 537.740 or within any area
23 in which groundwater withdrawals have been restricted by the county or the Water Re-
24 sources Department; and

25 (E) Not high-value farmland as defined in ORS 195.300;

26 (b) The real property on which the cohousing is sited is:

27 (A) Owned by a cooperative as defined in ORS 62.015 or a mutual benefit corporation as
28 defined in ORS 65.001 whose members are occupants of the dwellings;

29 (B) Owned by the occupants of the dwellings through a tenancy in common; or

30 (C) Subdivided, or will be subdivided, under ORS 92.010 to 92.192 and operated as a
31 planned community described in ORS 94.550 to 94.783 or subject to the condominium form

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 of ownership under ORS chapter 100;

2 (c) The density of the lot or parcel does not exceed more than six single-family or duplex
3 dwellings and one community structure per acre;

4 (d) Each dwelling:

5 (A) Complies with all applicable laws and regulations relating to sanitation and
6 wastewater disposal and treatment;

7 (B) Has a floor area of no greater than 2,500 square feet;

8 (C) Is owned by an occupant of the single-family dwelling or is leased by an occupant
9 through a lease with an initial term of no less than 30 years; and

10 (D) Is sited so that the closest distance between the floor area of the dwelling and an-
11 other dwelling is no greater than 150 feet; and

12 (e) Each community structure has a floor area of no greater than 3,000 square feet.

13 (3) Notwithstanding any other limitation of lot sizes under this chapter or ORS chapter
14 197 or any statewide land use planning goal, a county may allow a subdivision of property for
15 a planned community organized under this section.

16 (4) A county may require that single-family dwellings constructed under this section be
17 served by the same water supply source or water supply system. If the single-family
18 dwellings are served by a well, each dwelling must maintain all setbacks from the well re-
19 quired by the Water Resources Commission.

20 (5) A county that allows cohousing under this section may require the property owner
21 to execute and record an irrevocable deed restriction prohibiting the use of the property or
22 the structures for uses not allowed under this section.

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