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
Relating to lands zoned for rural residential uses.
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) As used in this section:
(a) “Area zoned for rural residential use” has the meaning given that term in ORS 215.501.
(b) “Cohousing” means a collection of single-family dwellings and community structures that are managed or operated collectively for the purposes of facilitating interactions among their residents and sharing resources, skills and household labor among their residents.
(c) “Community structure” means a structure designed for the shared noncommercial benefit of the cohousing residents, including a lounge, kitchen, dining facility, gym, pool or meeting space, a space for art, crafting, design, woodworking or repairs or any structure supportive of grazing or farm use.
(2) Consistent with its comprehensive plan, a county may allow an owner of a lot or parcel within an area zoned for rural residential use to construct cohousing, provided that:
(a) The lot or parcel is:
(A) At least six acres in size;
(B) Not located within an area designated as an urban reserve as defined in ORS 195.137;
(C) Not within a designated area of critical state concern;
(D) If the water source for any dwelling unit or community structure is a well, not within a critical ground water area as designated under ORS 537.730 to 537.740 or within any area in which groundwater withdrawals have been restricted by the county or the Water Resources Department; and
(E) Not high-value farmland as defined in ORS 195.300;
(b) The real property on which the cohousing is sited is:
(A) Owned by a cooperative as defined in ORS 62.015 or a mutual benefit corporation as defined in ORS 65.001 whose members are occupants of the dwellings;
(B) Owned by the occupants of the dwellings through a tenancy in common; or
(C) Subdivided, or will be subdivided, under ORS 92.010 to 92.192 and operated as a planned community described in ORS 94.550 to 94.783 or subject to the condominium form...
of ownership under ORS chapter 100;

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

(d) Each dwelling:
(A) Complies with all applicable laws and regulations relating to sanitation and
wastewater disposal and treatment;
(B) Has a floor area of no greater than 2,500 square feet;
(C) Is owned by an occupant of the single-family dwelling or is leased by an occupant
through a lease with an initial term of no less than 30 years; and
(D) Is sited so that the closest distance between the floor area of the dwelling and an-
other dwelling is no greater than 150 feet; and
(e) Each community structure has a floor area of no greater than 3,000 square feet.

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

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

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