

SB 465 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources and Wildfire Recovery

Prepared By: Laura Kentnesse, LPRO Analyst

Meeting Dates: 2/24

WHAT THE MEASURE DOES:

Until September 30, 2025, requires counties to allow commencement of restoration or replacement of nonconforming uses that were damaged or destroyed by the September 2020 wildfires. Sunsets January 2, 2026.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

A nonconforming use is a building, structure, or land that received the necessary land use approval(s) at the time of establishment or that was established prior to there being any applicable land use provisions, but that use no longer conforms to the regulations of the zoning district in which it is located. Oregon statutes allow for these nonconforming uses to be continued, and allow for their restoration and replacement due to fire, casualty, or natural disaster. However, ORS 215.130 states restoration or replacement must be commenced within one year from the occurrence of the fire, casualty, or natural disaster.

Senate Bill 465 would, until September 30, 2025, require counties to allow commencement of restoration or replacement of nonconforming uses that were damaged or destroyed by the September 2020 wildfires.