

# House Bill 3628

Sponsored by Representative LEVY E

## 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 "community living housing" and allows counties to permit community living housing in lands zoned for rural residential uses under established conditions.

## A BILL FOR AN ACT

1  
2 Relating to lands zoned for rural residential use.

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

4 **SECTION 1. Section 2 of this 2023 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) "Community living housing" means a collection of single-family dwellings and com-  
9 munity structures that are sited on land that is managed or operated collectively for the  
10 purposes of facilitating interactions among their residents and sharing resources, skills and  
11 household labor among their residents.

12 (c) "Community structure" means a structure designed for the shared noncommercial  
13 benefit of the community living housing residents, that may include a lounge, kitchen, dining  
14 facility, gym, garden, pool or meeting space, a space for art, crafting, design, woodworking  
15 or repairs or any structure supportive of grazing or farm use.

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

19 (a) The lot or parcel is:

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

21 (B) Not within a designated area of critical state concern; and

22 (C) Not high-value farmland as defined in ORS 195.300;

23 (b) The real property on which the community living housing is sited is:

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

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

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

29 (d) Each dwelling:

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

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       **(B) Has a floor area of no greater than 2,600 square feet;**
  - 2       **(C) Is owned by an occupant of the single-family dwelling; and**
  - 3       **(D) Is sited so that the closest distance between the floor area of the dwelling and an-**
  - 4 **other dwelling is no greater than 250 feet; and**
  - 5       **(e) Each community structure has a floor area of no greater than 3,000 square feet.**
  - 6       **(3) A county may require that single-family dwellings constructed under this section be**
  - 7 **served by the same water supply source or water supply system. If the single-family**
  - 8 **dwellings are served by a well, each dwelling must maintain all setbacks from the well re-**
  - 9 **quired by the Water Resources Commission.**
  - 10       **(4) A county that allows community living housing under this section may require the**
  - 11 **property owner to execute and record an irrevocable deed restriction prohibiting the use of**
  - 12 **the property or the structures for commercial uses or uses not allowed under this section.**
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