



2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703

Phone (541) 647-2930

www.colw.org

February 11, 2026

Senate Committee on Housing and Development
Oregon State Capitol
900 Court Street NE
Salem, Oregon 97301

Re: SB 1561 – Oppose unless amended

Chair Pham, Vice-Chair Anderson, and members of the committee,

Thank you for the opportunity to provide testimony on SB 1561. Central Oregon LandWatch (“LandWatch”) is a land use and conservation advocacy organization that, for more than 35 years, has protected Central Oregon’s farm and forest lands, rivers and springs, fish and wildlife, and vibrant communities. We work to conserve the region’s ecosystems, wildlife habitat, and working rural lands balanced with a responsible, sustainable approach to planning and fostering thriving communities.

LandWatch opposes SB 1561 unless it is amended to make the local government decision approving or denying a replacement dwelling a land use decision or limited land use decision.

The overall intent of this bill – to make it easier for landowners to replace dwellings that have been destroyed by natural or other involuntary reasons – is one we support. We further appreciate that the bill limits its replacement dwellings to 125% of the floor area of the dwelling being replaced and requires that the replacement dwelling be wholly or partially within the footprint of the former dwelling. These sideboards will ensure that replacement dwellings are indeed replacement dwellings and not a mechanism to site a dwelling in a different location or convert a modest property into a luxury “McMansion.”

We cannot support the bill as written, however, because it makes the local government’s decision not a land use decision. Just like other applications to site a dwelling, SB 1561’s replacement dwellings should adhere to the quasi-judicial procedures of ORS 197.797 for land use decisions or ORS 197.195 for limited land use decisions. Both statutes require notice to neighbors and an opportunity to comment. Notice and comment are important safeguards against foul play and ensures transparency in local government decisionmaking.

With a minor amendment to Section 2(4) that makes the local government decision on the bill’s replacement dwelling a land use decision or limited land use decision, LandWatch would happily support SB 1561.





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Regards,

Rory Isbell
Staff Attorney & Rural Lands Program Director
Central Oregon LandWatch

