



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150
Salem, Oregon 97301-2540

Phone: 503-373-0050
Fax: 503-378-5518
www.oregon.gov/LCD

February 3, 2021

TO: The Honorable Representative Julie Fahey, Chair
Members of House Committee on Housing

FROM: Emma Land, Legislative Coordinator
Palmer Mason, Senior Policy Advisor

RE: House Bill 2778



HB 2778 redefines “historic home” so that a single family dwelling built before January 1, 1974, in a rural residential area would qualify as “historic” and could be converted into an accessory dwelling unit (ADU). As a result, a property owner would now be allowed to build an additional dwelling on their property. The department is not taking a position on this bill but would like to raise several policy issues for the Committee to consider.

Current law defines a “historic home” as a single-family dwelling constructed between 1850 and 1945. HB 2778 changes this definition to apply to single-family dwellings built before 1974. By broadening the range of eligible dwellings, HB 2778 would increase the number of properties that qualified for a second dwelling, which could lead to an increase in development and population density in rural residential areas.

As this expanded definition of “historic home” would lead to increased density, we will likely see an impact on existing infrastructure, including roads and a county’s ability to respond to public safety emergencies. Higher densities near our rural working lands will likely create more conflicts between farmers and ranchers and the people living nearby. Additionally, the department is concerned that HB 2778 would put more people and property at risk from wildfires.¹

Thank you for this opportunity to provide you with information about this bill. The department is happy to engage in further discussion regarding the definition of “historic home.”

¹ Most wildfires in Oregon start from human activity. According to NW Interagency Coordination Center 2019 Annual Report, 60% of fires in Oregon and Washington were human caused. Also, according to Oregon Department of Forestry (ODF) 2017 Wildfire Report, 73% of all wildfires on lands protected by ODF were human caused.