

Testimony in Opposition to Oregon Senate Bill 78

Chairperson and members of the committee,

Thank you for the opportunity to provide testimony regarding Oregon Senate Bill 78, a bill that proposes significant restrictions on the size of homes rebuilt after they have been destroyed by fire, flooding, or decay. I write today to express my strong opposition to this bill and to highlight the potential negative impacts it would have on homeowners, communities, and the economy.

While I understand the intent of SB 78 to address concerns related to land use and environmental preservation, I believe the proposed size limitations are too restrictive and fail to provide a reasonable and flexible solution for families affected by disaster. Specifically, limiting the size of a rebuilt home to no more than 10% of its original size or 2,500 square feet—whichever is smaller—when located on farm or forest land, fails to account for the diverse needs of homeowners and communities. Below are key points of concern:

1. Infringement on Property Rights

Property owners who have lost their homes due to disasters such as fire or flooding should have the right to rebuild their homes according to their needs and desires. The restrictions set forth in this bill infringe upon those fundamental rights, especially when considering that property owners should be able to decide the appropriate size for their home based on their family's circumstances and long-term plans.

2. Negative Economic Impact

In rural areas, rebuilding homes often goes hand-in-hand with supporting local economies. Homeowners often work with local contractors, suppliers, and construction teams to rebuild their homes, and imposing size restrictions could limit those economic opportunities. Moreover, the financial burden placed on homeowners who are forced to downsize their homes could be substantial, creating further difficulties for families already facing the hardship of having lost their homes.

3. Lack of Flexibility for Individual Circumstances

Rural and agricultural properties often require homes of larger sizes to accommodate farming operations, livestock, and other aspects of rural life. By imposing blanket size restrictions, this bill does not take into account the unique needs of families who rely on larger homes to support their livelihoods. A small home size limit could make it impractical or impossible for some homeowners to rebuild in a way that is functional for their lifestyle.

4. Potential for Unintended Consequences

The bill, as written, does not appear to address the underlying issues with the replacement dwelling process. Instead of offering a solution that would streamline and improve the rebuilding process, SB 78 creates an additional hurdle for homeowners. The restrictions may also lead to inconsistencies in how the law is applied, potentially leading to confusion or disputes between homeowners, local governments, and state authorities.

5. Reduced Quality of Life for Families

For many homeowners, the rebuilding of their home is not just a construction project but a means of restoring their sense of security and well-being after a devastating loss. The proposed size limitations could prevent families from rebuilding in a way that meets their needs, leading to a diminished quality of life. This is especially troubling for those who may have lost not only their homes but also their sense of community and stability.

Conclusion

I urge the committee to reconsider the provisions of SB 78 and work toward a solution that allows homeowners the flexibility to rebuild homes that meet their needs without unnecessarily restricting their ability to do so. Rather than imposing rigid size limitations, I suggest exploring alternative approaches that focus on protecting land use, preventing overdevelopment, and promoting responsible rebuilding, while still allowing homeowners to rebuild in a way that suits their needs.

Thank you for your time and consideration of my concerns. I strongly urge you to vote against SB 78 in its current form.

Sincerely,
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