



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Kyle Collins, Senior Planner
Will Groves, Planning Manager

DATE: July 16, 2025

SUBJECT: Work Session: Text Amendments for Repeal of the State Wildfire Hazard Map

The Deschutes County Planning Commission (Commission) will conduct a work session on July 24, 2025, to consider amendments to the Deschutes County Code (file no. 247-25-000425-TA). The amendments are intended to remove local criteria for wildfire mitigation building code standards as originally governed by the State Wildfire Hazard Map (Hazard Map).

This work session is in preparation for a public hearing before the Board of County Commissioners (Board) scheduled for August 13, 2025. Attached to this memorandum are the findings (Attachment A) and proposed text amendments (Attachment B) summarizing the changes. Within the proposed amendments, added language is shown underlined and deleted shown as ~~strikethrough~~.

All record materials can be found on the project website: bit.ly/0425TA

I. BACKGROUND

During the 2021 state legislative session, Senate Bill (SB) 762¹ was passed to help modernize and improve wildfire preparedness across Oregon. SB 762 was subsequently modified by the passage of SB 80² in 2023. These pieces of legislation were developed to address wildfire issues through three key strategies: creating fire-adapted communities, developing safe and effective responses, and increasing the resiliency of Oregon's landscapes.

One of the primary components of SBs 762 and 80 was the creation of a comprehensive Hazard Map to guide new wildfire regulations for development. Under SBs 762 and 80, once the Hazard Map was finalized, properties included in **both** a designated Wildland Urban

¹ <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB762/Enrolled>

² <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/SB80/Enrolled>

Interface (WUI) boundary and classified as high hazard would be subject to additional development regulations. SB 80 required that, at a minimum, local governments ensure that properties meeting both of these classifications would be subject to:

- 1) Home hardening building codes as described in section R327 of the Oregon Residential Specialty Code.
- 2) Defensible space standards as determined by the Oregon State Fire Marshal.

Additionally, SB 391³ was passed in 2021 which allowed local jurisdictions to adopt standards for rural accessory dwelling units (ADUs) pursuant to certain minimum state standards. Subsequently, SB 644⁴ was passed in 2023 and modified certain standards included within the state rural ADU program, including additional standards for wildfire hazard mitigation before and after final adoption of the Hazard Map.

However, due to public concern the state legislature repealed the Hazard Map and all associated requirements in June 2025 with the passage of SBs 83⁵ and 75⁶. Pursuant to SBs 83 and 75, text amendments are required to remove all local references to the Hazard Map.

II. OVERVIEW OF AMENDMENTS

The proposed text amendments remove all wildfire mitigation standards for rural ADUs, which were previously governed by the Hazard Map. These standards to be removed are as follows:

- Defensible space standards for rural ADUs, both before and after adoption of the Hazard Map
- Home hardening building codes as described in section R327 of the Oregon Residential Specialty Code, both before and after adoption of the Hazard Map

III. AGENCY AND PUBLIC COMMENTS

Notice of the Post-Acknowledgement Plan Amendment (PAPA) was submitted to the Department of Land Conservation and Development on July 1, 2025. No public comments have been received to date.

IV. NEXT STEPS

The Board of County Commissioners will hold a public hearing on the proposed amendments on August 13, 2025.

³ <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB0391/A-Engrossed>

⁴ <https://olis.oregonlegislature.gov/liz/2023R1/Downloads/MeasureDocument/SB644/Enrolled>

⁵ <https://olis.oregonlegislature.gov/liz/2025R1/Downloads/MeasureDocument/SB83/Enrolled>

⁶ <https://olis.oregonlegislature.gov/liz/2025R1/Downloads/MeasureDocument/SB75/Enrolled>

Attachments

- A. Proposed Findings
- B. Text Amendments