

House Bill 3313

Sponsored by Representative HANNA

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**.

Provides counties with alternative land use procedure for siting one single-family dwelling on lot, parcel or tract located within farm, forest or mixed-use zone.

A BILL FOR AN ACT

1
2 Relating to land use.

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

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 215.**

5 **SECTION 2. (1) The governing body of a county or its designee may allow the establish-**
6 **ment of one single-family dwelling on a lawfully created lot, parcel or tract that does not**
7 **already have a dwelling and:**

8 (a) **Is located within an area zoned for farm or mixed farm and forest use if:**

9 (A) **The lot or parcel was created in conformance with the provisions of ORS 215.780 (1),**
10 **(2)(a) and (7);**

11 (B) **The lot or parcel is a minimum of 10 acres in an approved subdivision or partition**
12 **plat and is not described in subparagraph (D) of this paragraph;**

13 (C) **The lot or parcel can be consolidated to be a minimum of 10 acres by an interior lot**
14 **line vacation as provided in ORS 368.351 or a property line adjustment as defined in ORS**
15 **92.010; or**

16 (D) **The tract, consisting of one or more parcels, as defined in ORS 215.010 (1)(a)(B) or**
17 **(C), is a minimum of 10 acres and was established prior to the original acknowledgment of**
18 **a local comprehensive plan under chapter 80, Oregon Laws 1973.**

19 (b) **Is located within an area zoned for forest use if:**

20 (A) **The lot or parcel was created in conformance with the provisions of ORS 215.780 (1),**
21 **(2)(a) and (7);**

22 (B) **The lot or parcel is a minimum of 40 acres in an approved subdivision or partition**
23 **plat and is not described in subparagraph (D) of this paragraph;**

24 (C) **The lot or parcel can be consolidated to be a minimum of 40 acres by an interior lot**
25 **line vacation as provided in ORS 368.351 or a property line adjustment as defined in ORS**
26 **92.010; or**

27 (D) **The tract, consisting of one or more parcels, as defined in ORS 215.010 (1)(a)(B) or**
28 **(C), is a minimum of 40 acres and was established prior to the original acknowledgment of**
29 **a local comprehensive plan under chapter 80, Oregon Laws 1973.**

30 (2) **Single-family dwellings established under this section:**

31 (a) **Are an outright permitted use of land zoned for farm, forest or mixed farm and forest**

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 **use;**
2 **(b) May be transferred to any other person;**
3 **(c) Are subject to the provisions of ORS 215.293 and 215.780 (7);**
4 **(d) Are subject to the provisions of ORS 215.730 if located on lands zoned for mixed farm**
5 **and forest use;**
6 **(e) Are subject to applicable building and housing codes; and**
7 **(f) Are subject to other applicable siting standards that apply to the lot, parcel or tract**
8 **for the purpose of implementing the statewide natural resources goals, statewide natural**
9 **hazards goal or statewide coastal goals.**
10 **(3) The governing body of a county may:**
11 **(a) Establish additional nondiscretionary siting standards that do not constitute a land**
12 **use decision.**
13 **(b) Elect not to permit the establishment of single-family dwellings under this section**
14 **only in the manner provided in ORS 215.060.**
15 _____