

# House Bill 3416

Sponsored by Representative HUFFMAN (at the request of Steve Rask)

## 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**.

Allows owner of lot, parcel or tract of land zoned for farm use, forest use or mixed farm and forest use to divide lot, parcel or tract, severing a specified percentage of land to create one additional parcel for dwelling.

## A BILL FOR AN ACT

1  
2 Relating to dwellings on resource lands.

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) Notwithstanding the minimum lot or parcel size described in ORS 215.780**  
6 **(1) and (2), an owner of a lot, parcel or tract of land zoned for farm use, forest use or mixed**  
7 **farm and forest use may divide the lot, parcel or tract to create one additional parcel for a**  
8 **dwelling by severing \_\_\_\_\_ percent of the lot, parcel or tract.**

9 **(2) Parcels created pursuant to this section may not:**

10 **(a) Serve as the justification for the siting of a future dwelling on other lots or parcels;**  
11 **and**

12 **(b) Be used, as a result of the land division, to justify redesignation or rezoning of re-**  
13 **source lands.**

14 **(3) An owner allowed a land division under this section shall sign a statement that must**  
15 **be presented to and recorded by the county clerk of the county in which the land is located,**  
16 **declaring that the owner and the owner's successors in interest will not:**

17 **(a) Further divide the parcel created under this section.**

18 **(b) Complain in the future about accepted farming or forest practices on nearby lands**  
19 **devoted to farm or forest use.**

20 **(4) The restriction described in subsection (3)(a) of this section is irrevocable unless a**  
21 **statement of release is signed by the county planning director of the county in which the**  
22 **parcel is located indicating that:**

23 **(a) The comprehensive plan and land use regulations implementing the plan have been**  
24 **changed so that the parcel is no longer subject to statewide land use planning goals relating**  
25 **to agricultural land or forestland; or**

26 **(b) The land division is subsequently authorized by law or by a change in a statewide land**  
27 **use planning goal for land zoned for farm use, forest use or mixed farm and forest use.**

28 **(5) The method for siting a nonfarm dwelling described in this section is in addition to**  
29 **and not in lieu of any other method of obtaining a nonfarm dwelling on the lands.**

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**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.