

House Bill 3055

Sponsored by Representatives VIAL, HELM

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**.

Modifies authority to use property line adjustment on certain units of land established by subdivision or partition authorized by waiver.

A BILL FOR AN ACT

1
2 Relating to property line adjustments; amending ORS 92.192.

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

4 **SECTION 1.** ORS 92.192 is amended to read:

5 92.192. (1) As used in this section:

- 6 (a) "Ground water restricted area" has the meaning given that term in ORS 195.300.
7 (b) "High-value farmland" has the meaning given that term in ORS 195.300.
8 (c) "High-value forestland" has the meaning given that term in ORS 195.300.
9 (d) "Waiver" has the meaning given that term in ORS 195.300.

10 (2) Except as provided in this section, a lawfully established unit of land that is reduced in size
11 by a property line adjustment approved by a city or county must comply with applicable zoning or-
12 dinances after the adjustment.

13 (3) Subject to subsection (4) of this section, for land located entirely outside the corporate limits
14 of a city, a county may approve a property line adjustment in which:

15 (a) One or both of the abutting lawfully established units of land are smaller than the minimum
16 lot or parcel size for the applicable zone before the property line adjustment and, after the adjust-
17 ment, one is as large as or larger than the minimum lot or parcel size for the applicable zone; or

18 (b) Both abutting lawfully established units of land are smaller than the minimum lot or parcel
19 size for the applicable zone before and after the property line adjustment.

20 (4) On land zoned for exclusive farm use, forest use or mixed farm and forest use, a property line
21 adjustment may not be used to:

22 (a) Decrease the size of a lawfully established unit of land that, before the relocation or elimi-
23 nation of the common property line, is smaller than the minimum lot or parcel size for the applicable
24 zone and contains an existing dwelling or is approved for the construction of a dwelling, if another
25 lawfully established unit of land affected by the property line adjustment would be increased to a
26 size as large as or larger than the minimum lot or parcel size required to qualify the other affected
27 lawfully established unit of land for a dwelling;

28 (b) Decrease the size of a lawfully established unit of land that contains an existing dwelling
29 or is approved for construction of a dwelling to a size smaller than the minimum lot or parcel size,
30 if another lawfully established unit of land affected by the property line adjustment would be in-
31 creased to a size as large as or larger than the minimum lot or parcel size required to qualify the

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 other affected lawfully established unit of land for a dwelling;

2 (c) Allow an area of land used to qualify a lawfully established unit of land for a dwelling based
3 on an acreage standard to be used to qualify another lawfully established unit of land for a dwelling
4 if the land use approval would be based on an acreage standard; or

5 (d) Adjust a property line that resulted from a subdivision or partition authorized by a waiver
6 so that any lawfully established unit of land affected by the property line adjustment is larger than:

7 (A) Two acres if the lawfully established unit of land is, **before the adjustment, two acres in**
8 **size or smaller and is** high-value farmland, high-value forestland or within a ground water re-
9 stricted area; or

10 (B) Five acres if the lawfully established unit of land is, **before the adjustment, five acres in**
11 **size or smaller and is** not high-value farmland, high-value forestland or within a ground water re-
12 stricted area.

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