



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



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**TO:** The Honorable Brian Clem, Chair  
House Committee on Agriculture & Land Use

**FROM:** Palmer Mason, Senior Policy Advisor

**RE: House Bill 2469**

This bill amends ORS Chapter 197 so that counties may approve a single-family dwelling on a lot or parcel zoned for forest use under certain circumstances. The department is not taking a position on this bill, but we want to highlight several issues and concerns that committee members should consider in their deliberations.

To receive county approval, the accessory dwelling must sit on a lot or parcel of a certain minimum size, the lot or parcel must contain one dwelling in existence before Nov. 4, 1993, both the existing and new dwelling must be occupied by the owner or a relative, and occupancy is provided so the relative can assist in forest management.

The department recognizes this criteria establishes some nexus between the new dwelling and forest practices but, in our view, it fails to ensure a significant connection. To establish a better connection between the dwelling and forestry operations, HB 2469 could be amended so that the occupant of the new dwelling must derive a specified level of income from the management of the owner's lot or parcel.

To avoid disrupting forestry operations, the bill should limit the siting of accessory dwellings. For instance, these dwellings could be limited to the same parcel as the existing dwelling. Likewise, property and parcel adjustments separating the dwellings should be prohibited (similar to the conditions for accessory dwellings in EFU lands).

Separately, this bill exposes more people and property to wildfire risk, which is a significant policy concern. HB 2469 could be amended to minimize this risk. For instance, accessory dwellings could be limited to areas covered by rural fire protection districts or prohibited in areas of extreme fire risk.

Finally, the department understands that HB 2469 is intended to assist the owners of small forestry operations in transferring properties between generations. We would welcome the opportunity to work with the proponents to improve this legislation.