

A-Engrossed
House Bill 2469

Ordered by the House April 15
Including House Amendments dated April 15

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Judiciary)

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.

Allows counties to approve second dwelling on forestlands **within rural fire protection district** near existing dwelling for owner or relative who supports owner's forestry practices.

A BILL FOR AN ACT

1
2 Relating to forest dwellings.

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

4 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 215.**

5 **SECTION 2. (1) As used in this section, "owner or a relative" means the owner of the lot**
6 **or parcel, or a relative of the owner or the owner's spouse, including a child, parent,**
7 **stepparent, grandchild, grandparent, stepgrandparent, sibling, stepsibling, niece, nephew or**
8 **first cousin of either.**

9 **(2) A county may approve a new single-family dwelling unit on a lot or parcel zoned for**
10 **forest use provided:**

11 **(a) The new single-family dwelling unit will be on a lot or parcel no smaller than the**
12 **minimum size allowed under ORS 215.780;**

13 **(b) The new single-family dwelling unit will be on a lot or parcel that contains exactly**
14 **one existing single-family dwelling unit that was lawfully:**

15 **(A) In existence before November 4, 1993; or**

16 **(B) Approved under ORS 215.130 (6), 215.705, 215.720, 215.740, 215.750 or 215.755;**

17 **(c) The shortest distance between the new single-family dwelling unit and the existing**
18 **single-family dwelling unit is no greater than 200 feet;**

19 **(d) The lot or parcel is within a rural fire protection district organized under ORS chap-**
20 **ter 478;**

21 **(e) The new single-family dwelling unit complies with the Oregon residential specialty**
22 **code relating to wildfire hazard mitigation;**

23 **(f) As a condition of approval of the new single-family dwelling unit, in addition to the**
24 **requirements of ORS 215.293, the property owner agrees to acknowledge and record in the**
25 **deed records for the county in which the lot or parcel is located, one or more instruments**
26 **containing irrevocable deed restrictions that:**

27 **(A) Prohibit the owner and the owner's successors from partitioning the property to**
28 **separate the new single-family dwelling unit from the lot or parcel containing the existing**

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 **single-family dwelling unit; and**

2 **(B) Require that the owner and the owner's successors manage the lot or parcel as a**
3 **working forest under a written forest management plan, as defined in ORS 526.455, that is**
4 **attached to the instrument;**

5 **(g) The existing single-family dwelling unit is occupied by the owner or a relative;**

6 **(h) The new single-family dwelling unit will be occupied by the owner or a relative; and**

7 **(i) The owner or a relative occupies the new single-family dwelling unit to allow the rel-**
8 **ative to assist in the harvesting, processing or replanting of forest products or in the man-**
9 **agement, operation, planning, acquisition or supervision of forest lots or parcels of the**
10 **owner.**

11 **(3) If a new single-family dwelling unit is constructed under this section, a county may**
12 **not allow the new or existing dwelling unit to be used for vacation occupancy as defined in**
13 **ORS 90.100.**

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