

Submitter: Dennis Hart

On Behalf
Of:

Committee: House Committee On Agriculture, Land Use, Natural Resources, and
Water

Measure: HB2192

Dear Chair and Committee Members:

I strongly support HB 2192 which provides an opportunity to replace lawfully established dwellings on forest zoned lands for it models the current provisions established within ORS 215.291 for exclusive farm use land. Both zones have strict development regulations placed upon them and strategic relief through HB 2192 is a smart balance to offset the demand for housing in Oregon. Similar laws passed to alleviate the housing crisis provide for expanded ADU development within Cities and rural areas, so subtle changes to land-use laws for farm and forest zoned lands is a reasoned approach to increasing the housing options for those who need it the most.

The primary change within the law is the addition of intelligently measured language allowing landowners the ability to replace a legal dwelling if it currently or "formally had" met a set of specific conditions. The current law is punitive as it removes the right of the property owner to rebuild if they fail to file for a new permit within a short period of time. HB 2192 provides an opportunity to maintain the number of dwellings on forest and farm zoned lands as compared to the current law that seeks to strip land use rights from property owners if they fail to apply for a permit within a specific time period or per the testimony provided from Lane County, possibly no time at all.

I have first-hand knowledge of the punitive nature of the current land use laws for my wife and I have been denied the opportunity to replace a lawfully established dwelling on our 9-acre Forest Zone property in Josephine County because a new permit wasn't applied for quick enough. A 9-acre lot with power, well, and septic system supported the lawfully placed dwelling for 10 years and once it was removed and not re-permitted quick enough, the right to establish a new dwelling was stripped away. This has ruined the value of the property which was potentially retirement income and further prevented us from constructing an in-law residence for our elderly family members.

The idea that development within forest zone will be detrimental to the forest and lead to more fires is a fallacy. Those of us who live on these properties are heavily invested and care for the land by following best forest management practices. The largest threat to our safety is from a forest fire so we all take that seriously. In Southern Oregon we've seen forest fires on a yearly basis and they always start from lightning during summer storms.

In closing, I urge you to support HB 2192 and provide an opportunity to leave the level of development where it has been lawfully approved. Current law for Forest zones deletes a property owners' ability to replace a dwelling effectively reducing the total number of dwellings in these areas. The State needs a measured approach to match current and future housing demand and the removing opportunities to replace lawfully established dwellings is the opposite of this goal.

Respectfully submitted,

Dennis Hart
Landowner - woodlot resource zoned property
Williams, Oregon