

HB 2312 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 3/16

WHAT THE MEASURE DOES:

Establishes that a lawfully created unit of land remains a lawfully established unit of land following circuit court judgment that relocates the property line if the judgment: 1) resolves a boundary line dispute; 2) adjudicates a party's rights to title and possession of property; 3) includes legal description of relocated property line; 4) is not subject to further appeal; and 5) is recorded in office of the county clerk. Establishes that a lawfully created unit of land remains a lawfully established unit of land following circuit court judgment that relocates the property line without regard to whether: 1) the relocated property line could have been established through procedures authorized by city or county; 2) either party subsequently relocates property line; or 3) any unit of land complies with minimum lot or parcel size. Requires applications for land use and zoning permits to be decided based on relocated property lines and not be denied based solely upon the judgement. Makes changes applicable to relocations of property lines by circuit court judgments that were entered before, on, or after effective date of Act.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 92.017 establishes when a lawfully created lot or parcel remains a discrete lot or parcel and was last amended in 1993. House Bill 2312 provides that lawful units of land whose property lines are relocated by a circuit court judgement remain lawful units and prohibits the requirement of additional validating procedures or denying permits because of the judicial boundary change.