

HB 2422 STAFF MEASURE SUMMARY

House Committee On Housing and Homelessness

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Meeting Dates: 2/10

WHAT THE MEASURE DOES:

This measure allows counties to rezone certain lands for rural uses under specific conditions, including areas currently zoned for rural residential use, if the existing zoning allows housing at a density of one home per 2.5 acres or less. The rezoned land may permit housing at a density of one home per acre or more. However, it prohibits any rezoning that would lead to the conversion of nearby farm or forest lands to nonresource uses. The measure also prevents rezoning within urban growth boundaries. Additionally, it lowers the minimum lot size requirement for building an accessory dwelling unit or a new single-family home in rural residential areas from two acres to one acre. The Land Conservation and Development Commission is directed to adopt rules implementing these changes by January 1, 2027.

Detailed Summary:

- Allows counties to rezone lands for rural uses under specific conditions and specifies requirements for rezoned lands.
- Permits rezoned land to allow housing at a density of one dwelling per one or more acres.
- Allows counties to may rezone rural lands, including areas zoned for rural residential use if the existing zoning allowed housing at a density of one dwelling per 2.5 or less acres.
- Prohibits lands rezoned under this section to be used to commit adjacent or nearby lands zoned for farm or forest or mixed farm and forest uses to other nonresource uses.
- Prohibits the rezoning of land within an urban growth boundary.
- Directs the Land Conservation and Development Commission to adopt rules regarding these provisions by January 1, 2027.
- Changes the requirement that a lot or parcel is at least two acres in size to one acre in size for counties to approve owner of a lot or parcel within an area zoned for rural residential use to construct one accessory dwelling unit.
- Changes the requirement that a lot or parcel is at least two acres in size to one acre in size for counties to approve owner of a lot or parcel within an area zoned for rural residential use to construct a new single-family dwelling.

Fiscal impact: May have fiscal impact, but no statement yet issued

Revenue impact: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

ORS 197.734 directs the Land Conservation and Development Commission (LCDC) to establish rules that allow local governments to rezone areas already developed or committed to residential use without needing a new exception to statewide planning goals related to agricultural and forest lands. The statute specifies that such rezoning must maintain the land as rural, ensure consistency with other statewide planning goals, and prevent the rezoning from leading to uses that would encroach upon or negatively impact adjacent agricultural or forest lands.

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Additionally, the land to be rezoned must not be within an urban growth boundary or designated as a rural or urban reserve. ORS Chapter 215 outlines density requirements for various land use zones in Oregon's counties, particularly focusing on rural areas. For exclusive farm use zones (EFUs), ORS 215.780 specifies minimum lot or parcel sizes for EFU zones. The standard minimum parcel size is 80 acres, but counties may establish a lower minimum of 160 acres for non-high-value farmland. For nonfarm dwellings, ORS 215.284 outlines conditions under which nonfarm dwellings may be permitted in EFU zones. Such dwellings are generally allowed on parcels that are unsuitable for farm use, provided they meet specific criteria, including parcel size and impact assessments. ORS 215.705 allows for the establishment of single-family dwellings on forest-zoned lands under certain conditions. The parcel must have been lawfully created and meet specific ownership and size requirements.