

# Senate Bill 1199

Sponsored by Senator NASH, Representative LEVY B

## 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 **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act allows rural counties to rezone up to 50 acres for dense housing and provides grants for services. (Flesch Readability Score: 62.8).

Allows counties with a population density of less than 10 people per square mile to rezone up to 50 acres to be divided and developed for residential dwellings of at least five units per acre.

Requires the Oregon Business Development Department to provide grants to counties for infrastructure supporting these lands.

Sunsets January 2, 2034.

## A BILL FOR AN ACT

Relating to the development of housing in rural counties.

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

**SECTION 1.** Section 2 of this 2025 Act is added to and made a part of ORS chapter 215.

**SECTION 2.** (1) Notwithstanding any land use planning goal related to urbanization or agricultural or forest land or any other provision of this chapter, each county with a population density of less than 10 people per square mile, based on the 2020 federal census, may approve applications to rezone, and to permit the division of, up to 50 acres of land for residential uses, provided that:

(a) The rezoned land, whether a tract or portion of a tract, is not within an urban growth boundary and is at least two acres in size;

(b) Any remainder lot or parcel created by the division of lands rezoned under this section meets any applicable minimum lot size requirements;

(c) The approval would not result in a cumulative total of more than 50 acres rezoned by the county under this section;

(d) The rezoned lands may only be developed for housing:

(A) With an average density of at least five dwelling units per acre;

(B) With each dwelling unit no more than 1,000 square feet in size; and

(C) That may be made available for purchase or rent but not available for vacation occupancy, as defined in ORS 90.100; and

(e) The rezoning and division complies with all substantive rezoning and land division criteria and standards adopted by the county, except as otherwise provided in this section.

(2) The governing body of the county must give the final approval for any proposed rezoning under this section.

(3) Prior to approval of an application under this section, the property owner must agree as a condition of approval to sign and record in the county deed records an irrevocable deed restriction, in the form prescribed by the county, acknowledging the protected rights of farm, forest and rangeland practices in the area and prohibiting the owner and the owner's

**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.

successors in interest from pursuing a cause of action or claim of relief alleging an injury from any farming, forest or rangeland practices if no claim or action is allowed under ORS 30.936 or 30.937 if the farming, forest or rangeland practices are otherwise protected by law.

(4) Each county that has rezoned lands under this section shall report annually to the Department of Land Conservation and Development on:

(a) The total acreage rezoned;

(b) The number of housing units developed;

(c) The average rental or sale price of developed units; and

(d) Other information as requested by the department to evaluate the effectiveness of this section.

**SECTION 3.** The Oregon Business Development Department shall provide grants to counties that approve applications for rezoning lands under section 2 of this 2025 Act to provide the lands with:

(1) Roads;

(2) Water systems;

(3) Sewage disposal systems;

(4) Electric utilities; and

(5) Sidewalks.

**SECTION 4.** In addition to and not in lieu of any other appropriation, there is appropriated to the Oregon Business Development Department, for the biennium beginning July 1, 2025, out of the General Fund, the amount of \$\_\_\_\_, to implement section 3 of this 2025 Act.

**SECTION 5.** Sections 2 and 3 of this 2025 Act are repealed on January 2, 2034.