



**DLCD**



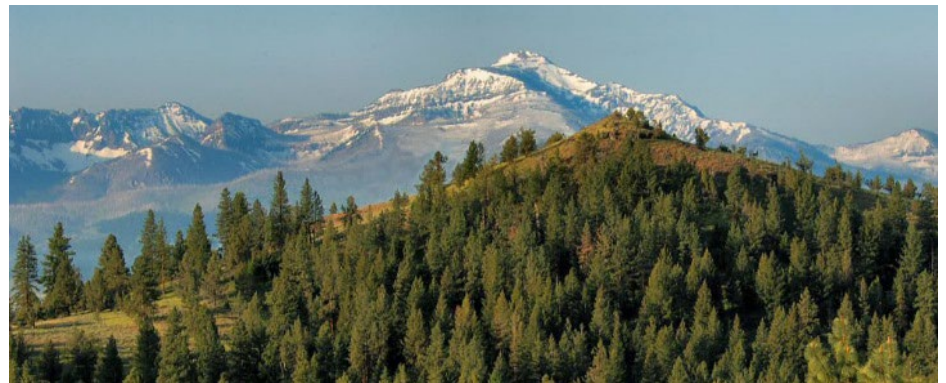
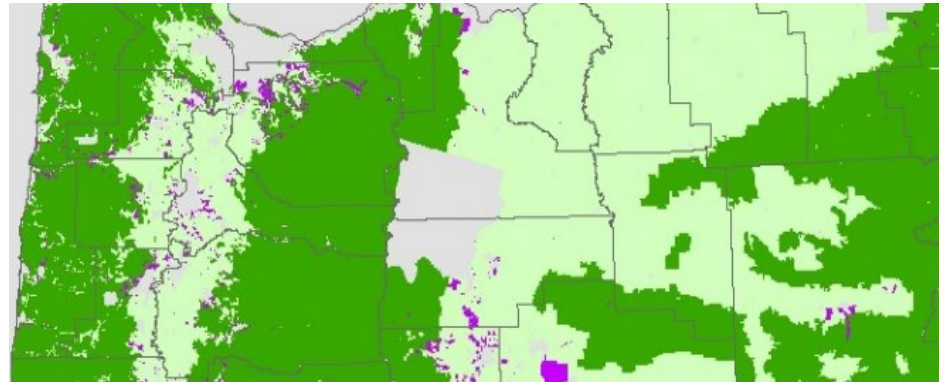
## **2019 HB 2225 & Measure 56 Requirements**

June 12, 2023

Hilary Foote  
Farm Forest Specialist

# 2019 HB 2225

Changes to ORS 215.750 may impact a forest-zoned property owner's ability to qualify for an alternative forest dwelling.





## How To: Find the centroid of polygons using Calculate Geometry

### Summary

These instructions describe how to find the centroid of polygons using Calculate Geometry within the attribute table of a feature class. This workflow can be especially useful when an Advanced/ArcEditor license is not available and the Feature to Point tool is inaccessible.

### Procedure

1. In the map document, open the attribute table for the polygon feature class by right-clicking the layer name.
2. In the attribute table, navigate to Table Options > Add Field and add two new fields of type Double. Name one 'Longitude' and the other 'Latitude'.
3. Right-click the Longitude field and select Calculate Geometry.
4. In the Calculate Geometry dialog box, select 'X Coordinate of Centroid' from the Property drop-down menu. Click OK.
5. Right-click the Latitude field and select Calculate Geometry.

centroid.mxd - ArcMap

Edit View Bookmarks Insert Selection Geoprocessing Customize Windows Help

1:20,410

57%

Contents

- Mixed-Use Com. Res. High
- Mixed-Use Com. Res. Med-high
- Mixed-Use Com. Res. Medium
- Open Space/Conservation
- Other
- Parks\_Open Space
- Prime Forest 80
- Public\_semi-public Uses
- Rural Commercial
- Rural Industrial
- Rural Residential 1 acre
- Rural Residential 10 acres
- Rural Residential 2-4 acres
- Rural Residential 5 acres
- Secondary Forest 80
- UC Rural Commercial
- UC Rural Industrial
- Very Low-density Res.
- Centroid\_eg

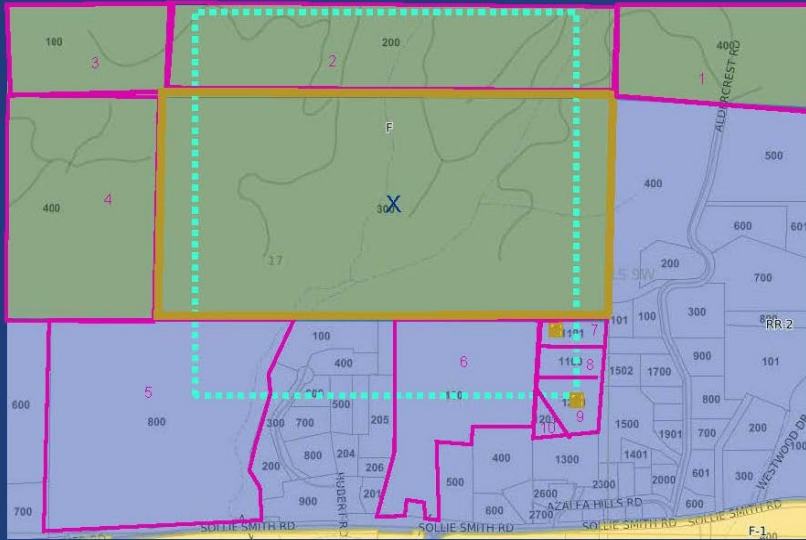
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- Baker\_taxlot
- Benton\_taxlot
- Clackamas\_taxlot
- Clatsop\_taxlot

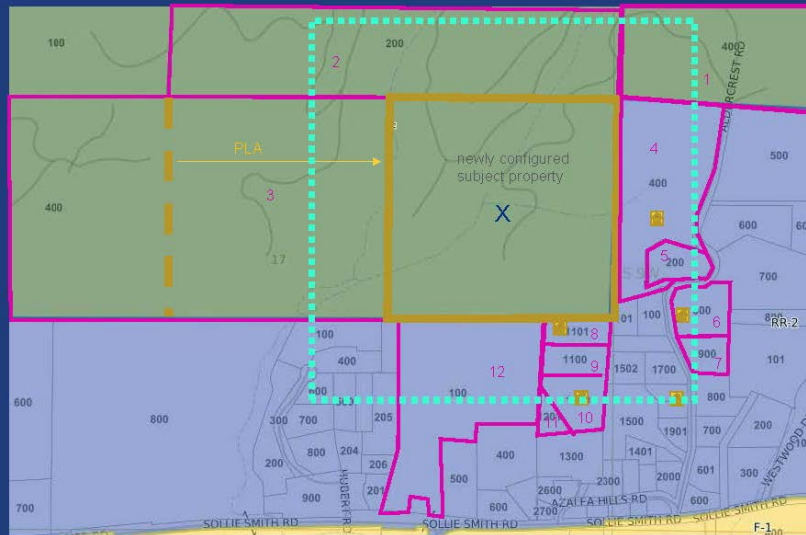
aaLotFeet	TaxlotAcre	ReliaCode	MapClass	MapRetCode	REFLink	Shape_Length	Shape_Area	Longitude	Latitude
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# Additions to ORS 215.750

*(1) As used in this section, "center of the subject tract" means the mathematical centroid of the tract.*



A. THE 160 ACRE SQUARE CENTERED ON THE SUBJECT PROPERTY DOES NOT INCLUDE 11 PARCELS AND 3 HOUSES EXISTING PRIOR TO 1993



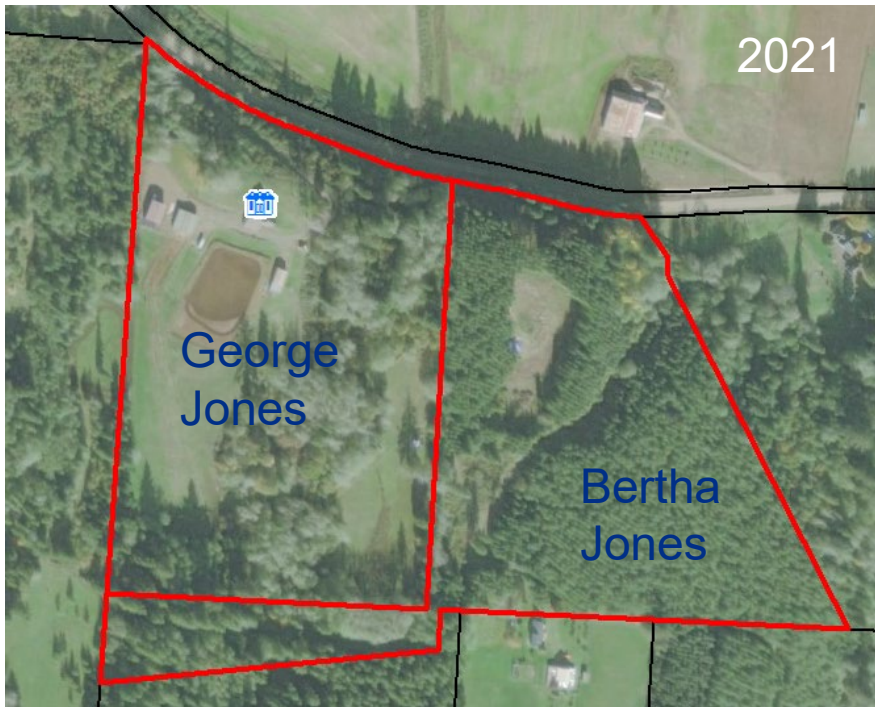
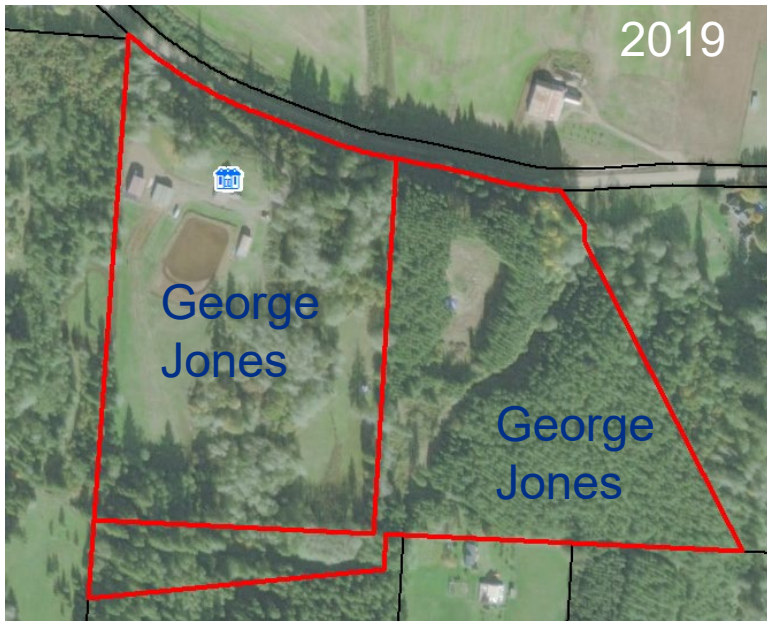
B. THE WESTERN PROPERTY LINE IS ADJUSTED SO THAT THE 160 ACRE SQUARE CENTERED ON THE NEWLY CONFIGURED SUBJECT PROPERTY NOW INCLUDES AT LEAST 3 HOUSES AND 11 PARCELS EXISTING PRIOR TO 1993.

## Additions to ORS 215.750

*(5) A proposed dwelling under this section is allowed only if:*

- ...
- (f) Any property line adjustment to the lot or parcel complied with the applicable property line adjustment provisions in ORS 92.192;*
- (g) Any property line adjustment to the lot or parcel after January 1, 2019, did not have the effect of qualifying the lot or parcel for a dwelling under this section;*






## Additions to ORS 215.750

*(5) A proposed dwelling under this section is allowed only if:*

...

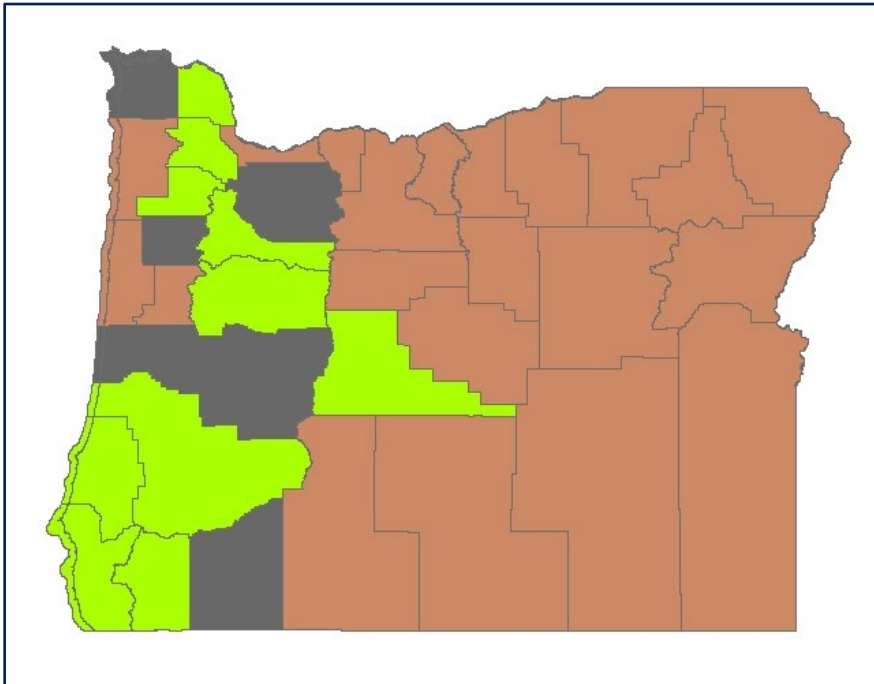
*(h) If the lot or parcel on which the dwelling will be sited was part of a tract on January 1, 2019, no dwelling existed on the tract on that date, and no dwelling exists or has been approved on another lot or parcel that was part of the tract.*

A county may not approve a one-year extension if applicable development statutes have been amended – *except* the amendments made to ORS 215.750 by 2019 HB 2225.



**ORS 215.417 ‘Time to act under certain approved permits; extension.’**

Implementation is staggered across several years to minimize impacts to DLCD's budget...



January 1, 2020: Clackamas, Jackson, Lane and Polk Counties.

November 1, 2021: Columbia, Coos, Curry, Deschutes, Douglas, Josephine, Linn, Marion, Washington and Yamhill Counties.

November 1, 2023: Baker, Benton, Clatsop, Crook, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Lincoln, Malheur, Morrow, Multnomah, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco and Wheeler Counties.

# Ballot Measure 56: ORS 197.047

Requires notice to cities and counties when the legislature enacts a new law that limits or prohibits previously allowed uses.

DLCD provided notice to all counties August 2020.



**Oregon**  
Kate Brown, Governor

Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540  
Phone: 503-373-0050  
Fax: 503-378-5518  
[www.oregon.gov/LCD](http://www.oregon.gov/LCD)

## This Is To Notify You That The Legislative Assembly Has Enacted A Land Use Planning Statute That May Affect The Permissible Uses Of Properties In Your Jurisdiction.

On July 2, 2019 the Legislative Assembly enacted HB 2225. The Department of Land Conservation and Development has determined that enactment of HB 2225 may limit or prohibit land uses previously allowed on properties in your jurisdiction.

While we cannot provide a copy of HB 2225 for inspection at the Department of Land Conservation and Development offices at this time, we will mail a copy to you at no cost. For additional information, contact the Department of Land Conservation and Development at (503) 934-0622.

A copy of HB 2225 is also available online on the Oregon State Legislative website at <https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2225>.

### A few words of explanation to jurisdictions that get this notice:

HB 2225 changes certain requirements for "Template Dwelling" reviews. Template dwellings are permitted in forest zones within areas that already had a certain number of existing dwellings and parcels on January 1, 1993. HB 2225 changes the following requirements set forth in ORS 215.750:

- ORS 215.750 previously required the 160 acre template to be centered on the tract but does not provide a method for determining the center. HB 2225 specifies that the template must be centered on the "mathematical centroid of the tract."
- HB 2225 prohibits using property line adjustments to relocate parcels from areas where they would not qualify for a template dwelling to areas where they would qualify.
- ORS 215.750 previously did not allow template dwelling approval on a tract that has an existing dwelling. "Tract" means one or more contiguous lots or parcels under the same ownership. The HB 2225 amendments do not allow template dwelling approval if a parcel was part of a tract on January 1, 2019 and another parcel that was part of the tract on that date has a dwelling.

### When will these laws apply?

Section 3 of HB 2225 establishes different effective dates for specific counties as follows:

- On and after January 1, 2020 in Clackamas, Jackson, Lane and Polk Counties.
- On and after November 1, 2021, in Columbia, Coos, Curry, Deschutes, Douglas, Josephine, Linn, Marion, Washington and Yamhill Counties.
- On and after November 1, 2023, in Baker, Benton, Clatsop, Crook, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Lincoln, Malheur, Morrow, Multnomah, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco and Wheeler Counties.



## Ballot Measure 56: ORS 197.047

Requires local governments to then mail a notice to each landowner whose property might be affected.

- Mail a copy of the DLCD notice to potentially impacted landowners **45 days** prior to the effective date - by Friday, September 15, 2023.
- The notice mailed by the county must conform with ORS 197.047(9). We provide a sample notice.



# Reimbursement

Request reimbursement from DLCD for usual and reasonable costs using the provided forms *within 30 days* of mailing your notice.

- Postage
- Printing
- Materials
- Staff time

## DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT (DLCD)

### Landowner Notification Notice: REIMBURSEMENT OF MAIL NOTIFICATION FORM

Oregon Law 2003, Chapter 668 (SB516) requires local governments to mail written individual notification to affected landowners when the governing body "changes the base zoning classification of the property; OR adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone."

If the rezoning is caused by a requirement of periodic review or a change in the rules or statutes, DLCD shall reimburse local governments for all usual and reasonable costs of providing notice.

Is change pursuant to a requirement of periodic review?  
Date: \_\_\_\_\_ List periodic review work task: \_\_\_\_\_

Is change pursuant to changes in rules or statute?  
Date: \_\_\_\_\_ List rule or statute: \_\_\_\_\_

If either box is checked, please go to Section II. If neither box is checked, costs are **NOT** reimbursed under SB516.

### SECTION II

#### **Instructions**

1. Reimbursable usual and reasonable costs of mailing notice include: postage, copying/printing, materials (i.e. paper, envelopes) and staff time in the preparation and mailing of notice.
2. Complete this form, sign and date it.
3. Attach the invoice, **copy of notice sent** and documents that support your claim.
4. Return original form no later than 30 days after the date notice is mailed to:

DLCD-Landowner Notification  
635 Capitol Street NE, Ste. 150, Salem, OR 97301-2540

DATE: \_\_\_\_\_ NAME OF JURISDICTION: \_\_\_\_\_  
LOCAL CONTACT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
PHONE #: \_\_\_\_\_ FAX #: \_\_\_\_\_  
Date of Mailed Notice: \_\_\_\_\_ Number of Notices Mailed: \_\_\_\_\_

Total reimbursement for usual and reasonable costs of mailing notice is: \$ \_\_\_\_\_

#### **Local Government Certification:**

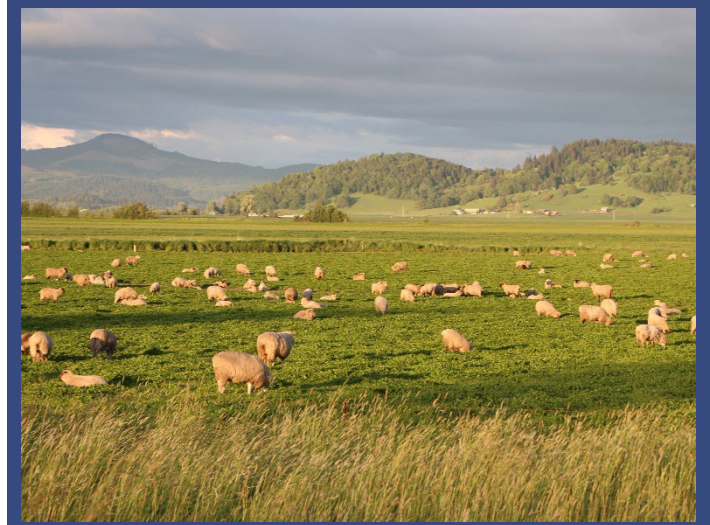
I certify, as a duly authorized official, that this is a complete and accurate statement of expenditures. I further certify that documentation and financial records are available to support this statement.

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_ (Printed Name and Title) \_\_\_\_\_

DISCLAIMER: This form summarizes certain provisions under SB516. It is not a complete or official statement of the provisions of SB516.

1/5/2004

richelle.corbo@dlcd.oregon.gov



**Thank you!**



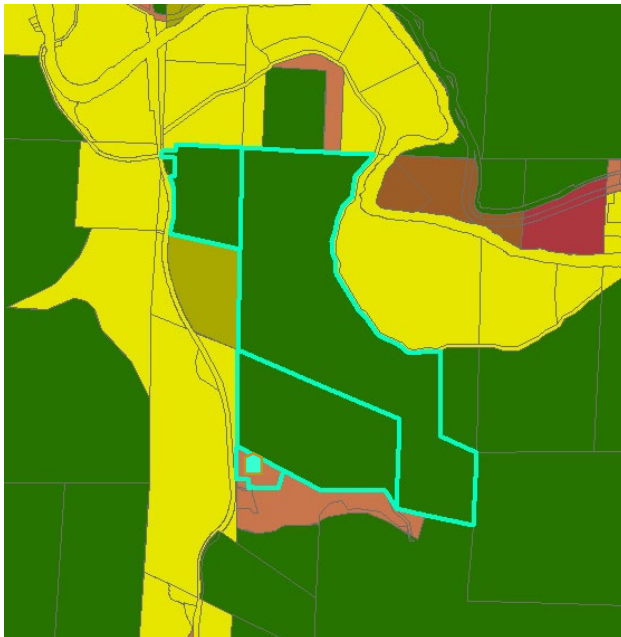
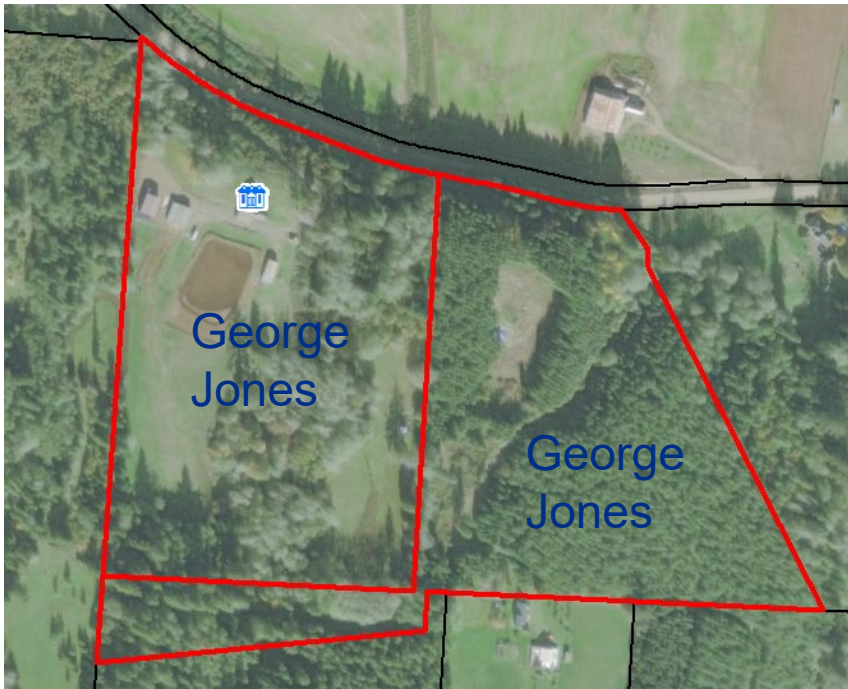
**DLCD**

Department of  
Land Conservation  
& Development

Hilary Foote, Farm and Forest Lands Specialist  
[Hilary.Foote@dlcd.Oregon.gov](mailto:Hilary.Foote@dlcd.Oregon.gov)







## Section 2, chapter 433, Oregon Laws 2019

*Sec. 2. Prior to November 1, 2023, a county may allow the establishment of a single-family dwelling on a lot or parcel that was part of a tract on January 1, 2021, if:*

- (1) No more than one other dwelling exists or has been approved on another lot or parcel that was part of the tract; and*
- (2) The lot or parcel qualifies, notwithstanding ORS 215.750 (5)(h), for a dwelling under ORS 215.750.*