

LAND MANAGEMENT DIVISION



DWELLINGS in the F2 (IMPACTED FOREST) ZONE

PUBLIC WORKS DEPARTMENT 125 E 8th AVENUE, EUGENE OR 97401
Planning: 682-3807 Building: 682-3823 Sanitation: 682-3754

This guide outlines zoning and land use laws concerning new and existing dwellings in the F2 (Impacted) forest zone. This guide is for informational purposes only and is not to be considered a substitute for the language of state or local regulations. Specific language is found in Lane Code (LC) 16.211, Oregon Revised Statutes (ORS) 215, and Oregon Administrative Rules (OAR) 660-06.

The F2 zone is predominately developed with residences or nonforest uses. It is provided with a level of public facilities intended primarily for rural residences. This brochure summarizes the regulations applicable to dwellings in this zone. Refer to the specific language of the code for exceptions and more details.

REPLACEMENT RIGHT: LC 16.211(4)

The F2 zone has provisions for the repair or replacement of an existing dwelling. Director approval is required. The structure must meet the definition of a dwelling and be lawfully established. If a building permit is used to show the existing dwelling was lawfully established, notice of the Director's decision is not required. If other evidence is submitted, notice is required.

"Lawfully established" means the dwelling was built and placed on the land consistent with the laws and regulations applicable at the time the structure was first used as a dwelling.

To be considered a dwelling, the structure must be occupied as a residence or sleeping place. It must have intact exterior walls and roof structure, indoor plumbing, interior wiring for lights and a heating system. Manufactured homes are considered dwellings, but not hotels, motels, or recreational or camping vehicles.

The new dwelling must be located on the same site as the previous dwelling. The term "same site" is defined as a square with dimensions of 200 feet that is centered on the footprint of the previous dwelling. Within three months after the new dwelling is ready for occupancy, the previous dwelling must be removed from the property or converted to an allowed use.

NEW DWELLINGS

New dwellings require Director approval. There are three options to approve a new home in the F2 zone. Once approved, the landowner has 4 years to begin construction. For

tracts greater than 10 acres, the landowner must replant the tract to meet Department of Forestry stocking requirements. Most applications are made under the template dwelling test.

TEMPLATE: LC 16.211(5)

A new single-family dwelling is allowed on a tract that meets certain soil capabilities and does not have any other dwellings. Minimum parcelization and surrounding development thresholds must be met within a 160-acre square that is centered on the subject tract. There are many detailed requirements for meeting this standard. Refer to LC 16.211(5)(c) for specific language.

LOT OF RECORD: LC 16.211(6)

A new single-family dwelling is allowed on a legal lot that has been owned continuously by the present owner since prior to January 1, 1985. The tract cannot contain any other dwellings and must be comprised of soils that can produce no more than 5,000 cubic feet per year of commercial tree species. In addition, the tract must be located within 1,500 feet of a public road that is maintained to specific standards. If the tract is comprised of multiple tax lots, they must be consolidated into a single tax lot.

LARGE TRACT: in LC 16.211(7)

A new single-family dwelling is allowed on a legal lot that contains at least 160 acres. The legal lot cannot contain any other dwellings.

TEMPORARY MEDICAL HARDSHIP DWELLING: LC 16.211(3)(o)

The F2 zone has a provision for the temporary placement of a manufactured home or park model for a family member. Director approval is required. The temporary dwelling must hook to the existing septic system. Approval is valid until December 31 of the following year. It can be renewed for two years at a time. The temporary dwelling must be removed within 90 days once the hardship is over.