

LAND MANAGEMENT DIVISION



DWELLINGS in the F-1 (NONIMPACTED FOREST) ZONE

PUBLIC WORKS DEPARTMENT 3050 NORTH DELTA HIGHWAY, EUGENE OR 97408
PLANNING: 541-682-3577 BUILDING: 541-682-4651 SANITATION: 541-682-3754

This guide outlines zoning and land use laws concerning new and existing dwellings in the F-1 (Non-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) 16.210, Oregon Revised Statutes (ORS) 215, and Oregon Administrative Rules (OAR) 660-006.

The purpose of the F-1 zone is, in part, to promote growing and harvesting of forest tree species as the leading use on forest land, and to provide for recreational opportunities and agriculture. This zone is predominantly undeveloped and used for commercial farm or forest uses.

This brochure summarizes the regulations applicable to dwellings in this zone. Refer to the specific language of the code for exceptions and more details.

The F-1 zone does not have any provisions for building a new dwelling on vacant land.

REPLACEMENT RIGHTS: LC 16.210(2)-2.2

The F-1 zone has provisions for the repair or replacement of an existing dwelling. Type I or II Director approval is required. The structure must meet the definition of a dwelling and be lawfully established.

“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.

There are two location options for replacement dwellings:

- 1) ‘same site’ or
- 2) new site.

The term “same site” is defined as square, with dimensions of 200 feet, which is centered on the footprint of the established dwelling. To qualify as ‘same site’, the replacement dwelling must be located partially or entirely within the ‘same site’ area.

Type I Review (no notice) is allowed if a building permit or tax records are used to show the existing dwelling was lawfully established and the proposed dwelling is located in

the ‘same site.’ Type I applications may not be appealed at the local level.

Type II Review is required if other evidence is used or the proposed dwelling is located outside of the ‘same site’ (aka new site). Type II review is also required if the owner proposes to convert the existing dwelling to a non-residential use. **Mailed public notice is required** for this review. Type II applications may be appealed to the Lane County Hearings Official pursuant to LC Chapter 14.

Within three months of completion of the new dwelling (certificate of occupancy), the previous dwelling must be removed from the property, demolished or converted to an allowed use. Necessary building permits must be obtained.

TEMPORARY MEDICAL HARDSHIP DWELLING: LC 16.210(2)-2.3

The F-1 zone has a provision for the temporary placement of a manufactured home or recreational vehicle 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 or demolished within 90 days once the hardship is over.

The only other dwelling option for the F-1 zone is for a caretaker residence for public parks or public fish hatcheries.

