

## 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(6)

The F-1 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.

"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.

**Administrative 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'.

**Director review** is required if other evidence is used or the proposed dwelling is located outside of the 'same site' (aka new site). **Notice is required** for this review.

Within three months after the new dwelling is ready for occupancy, the previous dwelling must be removed from the property, demolished or converted to an allowed use.

### TEMPORARY MEDICAL HARDSHIP DWELLING: LC 16.210(3)(o)

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 within 90 days once the hardship is over.