

Reducing Wildfire Risk

Template Dwellings on Forestland HB 2225A

1000
friends
of Oregon

What is a template dwelling?

Current law allows a house in a forest zone if a certain amount of development and smaller parcels existed on January 1, 1993, within an overlaid 160-acre square "template" centered on the subject parcel.



780

number of template dwellings approved on forest-protected lands from 2010–16

The Problem

The statute was originally intended to give families an opportunity to create a home on forestland that was historically parcelized. Because there was a fixed amount of forestland that was parcelized, the assumption was the number of template dwelling applications would decrease over time. However, because the statute is vague, we have seen an increase in the number of applications.

20,000

structures (mainly homes) threatened by wildfires in Oregon (2017)

\$38 million

spent by the State of Oregon on fighting wildfires in Oregon (2017)

The Solution

More dwellings in the wildland urban interface greatly increases wildfire risk and firefighting costs. Preventing and reducing the risk of wildfires is much more challenging with increased residential development in the wildland-urban interface (WUI) areas. For each new house built in the WUI, costs of firefighting increase substantially.

Reducing the risk of catastrophic wildfires to people, timber resources and other forest values requires a comprehensive, multifaceted approach.

We must begin by amending ORS 215.750 to prevent further abuses of the template dwelling provision, and limit further wildfire risk and loss of property.

People and forests are in jeopardy, but this small statutory fix will help Oregon's land use planning system protect people and forests from natural hazards like wildfires. But abuses of the current statute, which lacks clarity, result in too much fragmentation of our productive timberlands, while also putting people in harm's way.



Legislative Background & Recommendations

HB 2225A



When created by the Legislature, template dwellings were likely viewed as a tool to address an existing, fixed problem and then would sunset, as the smaller parcels of forestland were built on and valuable timberland was preserved. Instead, template dwellings have increased. The large number of template dwellings, particularly in Lane County, which has some of the state's most productive timberland, is due to the lack of clarity in the statute. These ambiguities have given rise to abuse.

Misuse of the template test: Lack of statutory clarity has allowed the use of various "creative" applications of template methodologies, including for determining the "geographic center" of a parcel. This has resulted in wasteful litigation.

These abuses were not intended by the drafters but have persisted and increased, leading to a proliferation of new rural subdivisions on productive forest land and, in some places, in high risk wildfire areas.

HB 2225A amends ORS 215.750 to provide:

- 1) A template dwelling is only allowed if it would have qualified for the siting of a dwelling on January 1, 2019, notwithstanding any reconfiguration or change in ownership of the lot, parcel or tract after that date.
- 2) The center of the tract is clearly defined, which is currently undefined in existing statute, giving rise to ambiguity and abuse.
- 3) The bill is phased in over three calendar years, based on county.

These changes will clarify the intent and application of the law, limit abuse and fragmentation of forestland and most importantly, limit additional dwellings in the highest risk wildfire areas, keeping Oregonians safe.

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