

**A-Engrossed**  
**House Bill 3081**

Ordered by the House May 5  
Including House Amendments dated May 5

Sponsored by Representative P SMITH (at the request of Leslie and Tom Newberry)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

*[Requires governing body of city or county to approve application to divide legal lot or parcel that was unlawfully divided if governing body approved development permit for portion of that legal lot or parcel after unlawful division.]*

**Allows governing body of county to approve application requesting formation of one parcel if certain conditions are met.**

**Declares emergency, effective on passage.**

**A BILL FOR AN ACT**

1  
2 Relating to unlawfully divided tract; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The governing body of a county may approve an application requesting**  
5 **formation of one parcel if the county issued a land use decision approving the parcel prior**  
6 **to January 1, 1994, and:**

7 (a) **A plat implementing the previous land use decision was not recorded; or**

8 (b) **A condition of approval of the previously approved land use decision requiring con-**  
9 **solidation of adjacent lots or parcels was not complied with by a previous owner of the land.**

10 (2) **An application under this section is not subject to ORS 215.780.**

11 (3) **Approval of an application under this section does not affect the legal status of land**  
12 **that is not the subject of the application.**

13 (4) **As used in this section:**

14 (a) **"Lot" has the meaning given the term in ORS 92.010.**

15 (b) **"Parcel" has the meaning given the term in ORS 92.010.**

16 **SECTION 2. This 2005 Act being necessary for the immediate preservation of the public**  
17 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
18 **on its passage.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.