Requested by Senator MONNES ANDERSON

PROPOSED AMENDMENTS TO
SENATE BILL 1024

1   Delete lines 4 through 23 of the printed bill and insert:

2   **"SECTION 1. Section 2 of this 2017 Act is added to and made a part**

3   **of ORS chapter 215.**

4   **"SECTION 2. (1) As used in this section:**

5   **"(a) 'Accessory dwelling unit' means an interior, attached or de-**

6   **tached permanent structure that is situated on the same lot or parcel**

7   **as a single-family dwelling, that is designed as independent living**

8   **quarters and that contains permanent cooking, eating, sleeping and**

9   **sanitary facilities.**

10   **"(b) 'Area zoned for rural residential use' means land that is not**

11   **located inside of an urban growth boundary, as defined in ORS 195.060,**

12   **that is subject to an acknowledged exception to a statewide land use**

13   **planning goal under ORS 197.732 and that is planned and zoned by the**

14   **county to allow residential use as a primary use.**

15   **"(c) 'Single-family dwelling' means a permanent structure desig-**

16   **nated as a residence for one family that, prior to the siting of an ac-**

17   **cessory dwelling unit under this section, does not have a common wall**

18   **with another residence of any type.**

19   **"(d) 'Transient lodging' has the meaning given that term in ORS**

20   **320.300.**

21   **"(2) A county may allow, subject to the approval of the governing**

1 **body, the siting of one accessory dwelling unit on a lot or parcel that**

2 **is four acres or larger and that is in an area zoned for rural residential**

3 **use, provided:**

4 **"(a) The lot or parcel contains no more than one single-family**

5 **dwelling;**

6 **"(b) The accessory dwelling unit is accessory to an existing single-**

7 **family dwelling located on the same lot or parcel;**

8 **"(c) The accessory dwelling unit complies with the state building**

9 **code and all county standards relating to sanitation, safety, quality**

10 **and durability of residential units;**

11 **"(d) If attached or detached, the accessory dwelling unit has a**

12 **footprint of 900 square feet or less;**

13 **"(e) If detached, the accessory dwelling unit is sited:**

14 **"(A) At least one mile outside the urban growth boundary of a city**

15 **with a population of 10,000 or more;**

16 **"(B) In an area that has not been designated urban reserve, as de-**

17 **fined in ORS 195.137; and**

18 **"(C) Within 100 feet of the existing single-family dwelling; and**

19 **"(f) The governing body of the county determines that the accessory**

20 **dwelling unit will not:**

21 **"(A) Conflict with, or contribute to or aggravate existing conflicts**

22 **with, accepted farm or forest practices on surrounding land zoned for**

23 **farm use or forest use; or**

24 **"(B) Significantly increase the cost of accepted farm or forest**

25 **practices on surrounding land zoned for farm use or forest use.**

26 **"(3)(a) If an accessory dwelling unit is to be sited under this section**

27 **in an area that is designated as a critical ground water area, limited**

28 **ground water area or withdrawn area, the county shall consider during**

29 **the review process the potential impact of the accessory dwelling unit**

30 **on the ground water resources in the designated area.**

1   **"(b) Notwithstanding subsection (2) of this section, a county may**

2 **not approve the siting of an accessory dwelling unit under this section**

3 **in an area subject to a limitation on new exempt uses of ground water**

4 **under ORS 537.545.**

5   **"(4) Notwithstanding any city, county or other local government**

6 **charter or ordinance, neither an accessory dwelling unit sited under**

7 **this section nor the existing single-family dwelling to which it is ac-**

8 **cessory may be offered for rent as transient lodging for a period of less**

9 **than 60 consecutive days.**

10   **"(5) An owner that sites an accessory dwelling unit under this sec-**

11 **tion may not, at any time, subdivide, partition or otherwise divide the**

12 **lot or parcel so that the existing single-family dwelling is situated on**

13 **a different lot or parcel from the accessory dwelling unit.**

14   **"(6) This section does not prohibit a county from adopting an ordi-**

15 **nance that imposes additional restrictions or conditions on the siting**

16 **of accessory dwelling units on a lot or parcel in an area zoned rural**

17 **residential.".**

18   —————————