

HB 3012 -2, -3 STAFF MEASURE SUMMARY

House Committee On Agriculture and Natural Resources

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Meeting Dates: 4/6, 4/13

WHAT THE MEASURE DOES:

Allows the construction of a new single-family dwelling on a parcel of land zoned for rural residential use, if an existing historic home that is present on the site is converted into an accessory dwelling unit (ADU) after the new single-family dwelling is constructed, and the site is at least two acres in size. Prohibits an owner from constructing a new single-family dwelling from subdividing lot or parcel so that new dwelling is on a different lot or parcel than the ADU, renovations increasing the square footage by more than 120 percent, and rebuilding ADU if the structure is lost to fire.

ISSUES DISCUSSED:

- Previous public hearing in House Committee on Human Services and Housing
- Preservation of historic structures as accessory dwelling units
- Water and septic systems

EFFECT OF AMENDMENT:

-2 Modifies definition of "historic home." Provides discretion to counties to allow ADU conversion. Requires converted ADUs to comply with sanitation and wastewater regulations. Prohibits construction of additional ADUs. Allows counties to require same water supply sources to both units on parcel of land. Allows counties to require addition conditions if those conditions do not have effect of obstructing development.

-3 Replaces measure. Defines terms, including accessory dwelling unit (ADU), area zoned for rural residential use and historic home. Authorizes counties to allow owner of property within area zoned for rural residential to construct new single-family dwelling on lot or parcel if not located in urban reserve; historic home is sited on lot or parcel; owner converts historic home to ADU upon completion of new dwelling; and accessory dwelling unit complies with all applicable sanitation and wastewater laws and regulations. Prohibits owner from dividing lot or parcel in any way that new dwelling is on different lot or parcel from ADU. Prohibits modifications to ADU that increase size of ADU to greater than 120 percent of square footage of historic home at time new dwelling construction commenced.

Prohibits rebuilding of ADU if structure is lost to fire or constructing additional ADU on same lot or parcel. Authorizes county to require new dwelling to be served by same water supply source as ADU. Permits county to impose additional conditions for approval.

BACKGROUND:

Current Oregon land use laws do not allow the construction of an accessory dwelling unit (ADU) on land zoned for either exclusive farm use or rural residential use.

House Bill 3012 would allow the construction of a new single-family dwelling on a parcel of land zoned for rural residential use, if an existing historic home is present on the site and is converted into an ADU following the construction of the new home. The bill would prohibit the owner from subdividing the lot or parcel and constructing a new single-family dwelling on a different parcel apart from the ADU, engaging in renovations to the historic home that increase the square footage by more than 120 percent, and rebuilding ADU if the structure is lost to fire.