

A-Engrossed
House Bill 3012

Ordered by the House April 24
Including House Amendments dated April 24

Sponsored by Representatives LININGER, MEEK, SMITH DB; Representatives NEARMAN, STARK

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.

Permits **county to allow** owner of lot or parcel of at least two acres zoned for rural residential uses to construct new single-family dwelling on lot or parcel if owner converts existing historic home to accessory dwelling unit.

A BILL FOR AN ACT

1
2 Relating to siting of residential structures on land zoned for certain uses.

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

4 **SECTION 1. Section 2 of this 2017 Act is added to and made a part of ORS chapter 215.**

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

6 (a) **“Accessory dwelling unit” means a residential structure that is used in connection**
7 **with or that is auxiliary to a single-family dwelling.**

8 (b) **“Area zoned for rural residential use” means land that is not located inside an urban**
9 **growth boundary as defined in ORS 195.060 and that is subject to an acknowledged exception**
10 **to a statewide land use planning goal relating to farmland or forestland and planned and**
11 **zoned by the county to allow residential use as a primary use.**

12 (c) **“Historic home” means a single-family dwelling constructed between 1850 and 1945.**

13 (d) **“New” means that the dwelling being constructed did not previously exist in residen-**
14 **tial or nonresidential form. “New” does not include the acquisition, alteration, renovation**
15 **or remodeling of an existing structure.**

16 (e) **“Single-family dwelling” means a residential structure designed as a residence for one**
17 **family and sharing no common wall with another residence of any type.**

18 (2) **Notwithstanding any local zoning or local regulation or ordinance pertaining to the**
19 **siting of accessory dwelling units in areas zoned for rural residential use, a county may allow**
20 **an owner of a lot or parcel within an area zoned for rural residential use to construct a new**
21 **single-family dwelling on the lot or parcel, provided:**

22 (a) **The lot or parcel is not located in an area designated as an urban reserve as defined**
23 **in ORS 195.137;**

24 (b) **The lot or parcel is at least two acres in size;**

25 (c) **A historic home is sited on the lot or parcel;**

26 (d) **The owner converts the historic home to an accessory dwelling unit upon completion**
27 **of the new single-family dwelling; and**

28 (e) **The accessory dwelling unit complies with all applicable laws and regulations relating**

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.

1 to sanitation and wastewater disposal and treatment.

2 (3) An owner that constructs a new single-family dwelling under subsection (2) of this
3 section may not:

4 (a) Subdivide, partition or otherwise divide the lot or parcel so that the new single-family
5 dwelling is situated on a different lot or parcel from the accessory dwelling unit.

6 (b) Alter, renovate or remodel the accessory dwelling unit so that the square footage of
7 the accessory dwelling unit is more than 120 percent of the historic home's square footage
8 at the time construction of the new single-family dwelling commenced.

9 (c) Rebuild the accessory dwelling unit if the structure is lost to fire.

10 (d) Construct an additional accessory dwelling unit on the same lot or parcel.

11 (4) A county may require that a new single-family dwelling constructed under this section
12 be served by the same water supply source as the accessory dwelling unit.

13 (5) A county may impose additional conditions of approval for construction of a new
14 single-family dwelling or conversion of a historic home to an accessory dwelling unit under
15 this section.

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