

HOUSE AMENDMENTS TO HOUSE BILL 3012

By COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

April 24

1 Delete lines 4 through 29 of the printed bill and insert:

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

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

4 **“(a) ‘Accessory dwelling unit’ means a residential structure that is used in connection**
5 **with or that is auxiliary to a single-family dwelling.**

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

10 **“(c) ‘Historic home’ means a single-family dwelling constructed between 1850 and 1945.**

11 **“(d) ‘New’ means that the dwelling being constructed did not previously exist in resi-**
12 **dential or nonresidential form. ‘New’ does not include the acquisition, alteration, renovation**
13 **or remodeling of an existing structure.**

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

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

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

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

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

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

26 **“(e) The accessory dwelling unit complies with all applicable laws and regulations relating**
27 **to sanitation and wastewater disposal and treatment.**

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

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

32 **“(b) Alter, renovate or remodel the accessory dwelling unit so that the square footage**
33 **of the accessory dwelling unit is more than 120 percent of the historic home’s square footage**
34 **at the time construction of the new single-family dwelling commenced.**

35 **“(c) Rebuild the accessory dwelling unit if the structure is lost to fire.**

1 “(d) Construct an additional accessory dwelling unit on the same lot or parcel.
2 “(4) A county may require that a new single-family dwelling constructed under this sec-
3 tion be served by the same water supply source as the accessory dwelling unit.
4 “(5) A county may impose additional conditions of approval for construction of a new
5 single-family dwelling or conversion of a historic home to an accessory dwelling unit under
6 this section.”.
