

Requested by Representative LININGER

**PROPOSED AMENDMENTS TO
HOUSE BILL 3012**

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**
3 **of ORS chapter 215.**

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

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

7 **“(b) ‘Area zoned for rural residential use’ means land that is not**
8 **located inside an urban growth boundary as defined in ORS 195.060 and**
9 **that is subject to an acknowledged exception to a statewide land use**
10 **planning goal relating to farmland or forest land 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**
13 **between 1850 and 1945.**

14 **“(d) ‘New’ means that the dwelling being constructed did not pre-**
15 **viously exist in residential or nonresidential form. ‘New’ does not in-**
16 **clude the acquisition, alteration, renovation or remodeling of an**
17 **existing structure.**

18 **“(e) ‘Single-family dwelling’ means a residential structure designed**
19 **as a residence for one family and sharing no common wall with an-**
20 **other residence of any type.**

21 **“(2) Notwithstanding any local zoning or local regulation or ordi-**

1 nance pertaining to the siting of accessory dwelling units in areas
2 zoned for rural residential use, a county may allow an owner of a lot
3 or parcel within an area zoned for rural residential use to construct
4 a new single-family dwelling on the lot or parcel, provided:

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

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

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

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

11 “(e) The accessory dwelling unit complies with all applicable laws
12 and regulations relating to sanitation and wastewater disposal and
13 treatment.

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

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

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

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

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

27 “(4) A county may require that a new single-family dwelling con-
28 structed under this section be served by the same water supply source
29 as the accessory dwelling unit.

30 “(5) A county may impose additional conditions of approval for

1 **construction of a new single-family dwelling or conversion of a his-**
2 **toric home to an accessory dwelling unit under this section.”.**

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