

SB 1024-4
(LC 4185)
4/13/17 (EMM/ps)

Requested by SENATE COMMITTEE ON HUMAN SERVICES (at the request of Senator Laurie 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) The governing body of a county may allow, subject to the ap-**

1 **proval of the governing body, the siting of one accessory dwelling unit**
2 **on a lot or parcel that is four acres or larger and that is in an area**
3 **zoned for rural residential 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; and**

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

14 **“(A) At least one mile outside of the urban growth boundary of a**
15 **city with a population of 10,000 or more;**

16 **“(B) In an area that has not been designated urban reserve, as de-**
17 **finied in ORS 195.137; and**

18 **“(C) Within 100 feet of the existing single-family dwelling.**

19 **“(3)(a) If an accessory dwelling unit is to be sited under this section**
20 **in an area that is designated as a critical ground water area, limited**
21 **ground water area or withdrawn area, the county shall consider during**
22 **the review process the potential impact of the accessory dwelling unit**
23 **on the ground water resources in the designated area.**

24 **“(b) Notwithstanding subsection (2) of this section, a county may**
25 **not approve the siting of an accessory dwelling unit under this section**
26 **in an area subject to a limitation on new exempt uses of ground water**
27 **under ORS 537.545.**

28 **“(4) Notwithstanding any city, county or other local government**
29 **charter or ordinance, neither an accessory dwelling unit sited under**
30 **this section nor the existing single-family dwelling to which it is ac-**

1 **cessory may be offered for rent as transient lodging for a period of less**
2 **than 60 consecutive days.**

3 **“(5) This section does not prohibit a county from adopting an ordi-**
4 **nance that imposes additional restrictions or conditions on the siting**
5 **of accessory dwelling units on a lot or parcel in an area zoned rural**
6 **residential.”.**

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