

SB 1024-3  
(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 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 two acres or larger and that is in an area**  
3 **zoned for rural residential use, provided:**

4 **“(a) The comprehensive plan of the county contains a fire pro-**  
5 **tection plan and provisions for use of farmland and forest land;**

6 **“(b) The lot or parcel contains no more than one single-family**  
7 **dwelling;**

8 **“(c) The accessory dwelling unit is accessory to an existing single-**  
9 **family dwelling located on the same lot or parcel;**

10 **“(d) The accessory dwelling unit complies with the state building**  
11 **code and all county standards relating to sanitation, safety, quality**  
12 **and durability of residential units;**

13 **“(e) If attached or detached, the accessory dwelling unit has a**  
14 **footprint of 900 square feet or less; and**

15 **“(f) If detached, the accessory dwelling unit is sited:**

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

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

20 **“(C) On a lot or parcel that is four acres or larger; and**

21 **“(D) Within 100 feet of the existing single-family dwelling.**

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24 **ground water area or withdrawn area, the county shall consider during**  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

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

1       **“(4) Notwithstanding any city, county or other local government**  
2 **charter or ordinance, neither an accessory dwelling unit sited under**  
3 **this section nor the existing single-family dwelling to which it is ac-**  
4 **cessory may be offered for rent as transient lodging for a period of less**  
5 **than 60 consecutive days.**

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

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