

SB 1024-1
(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 **“(2) The governing body of a county may allow, subject to the ap-**
20 **proval of the governing body, the siting of one accessory dwelling unit**
21 **on a lot or parcel that is two acres or larger and that is in an area**

1 zoned for rural residential use, provided:

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

4 “(b) The lot or parcel contains no more than one single-family
5 dwelling;

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

8 “(d) 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 “(e) If attached or detached, the accessory dwelling unit has a
12 footprint of 900 square feet or less; and

13 “(f) 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 as an urban reserve,
17 as defined in ORS 195.137;

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

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

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22 ground water area or withdrawn area, the county shall consider during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

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

29 “(4) This section does not prohibit a county from adopting an ordi-
30 nance that imposes additional restrictions or conditions on the siting

1 **of accessory dwelling units on a lot or parcel in an area zoned rural**
2 **residential.”.**

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