

Requested by Senator 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) A county may allow, subject to the approval of the governing**
20 **body, the siting of one accessory dwelling unit on a lot or parcel that**
21 **is two acres or larger and that is in an area zoned for rural residential**

1 use, provided:

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

4 “(b) The governing body of the county determines that the acces-
5 sory dwelling unit will not:

6 “(A) Conflict with, or contribute to or aggravate existing conflicts
7 with, accepted farm or forest practices on surrounding land zoned for
8 farm use or forest use; or

9 “(B) Significantly increase the cost of accepted farm or forest
10 practices on surrounding land zoned for farm use or forest use;

11 “(c) The lot or parcel contains no more than one single-family
12 dwelling;

13 “(d) The accessory dwelling unit is accessory to an existing single-
14 family dwelling located on the same lot or parcel;

15 “(e) The accessory dwelling unit complies with the state building
16 code and all county standards relating to sanitation, safety, quality
17 and durability of residential units;

18 “(f) If attached or detached, the accessory dwelling unit has a
19 footprint of 900 square feet or less; and

20 “(g) If detached, the accessory dwelling unit is sited:

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

23 “(B) In an area that has not been designated as an urban reserve,
24 as defined in ORS 195.137;

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

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

27 “(3)(a) If an accessory dwelling unit is to be sited under this section
28 in an area that is designated as a critical ground water area, limited
29 ground water area or withdrawn area, the county shall consider during
30 the review process the potential impact of the accessory dwelling unit

1 on the ground water resources in the designated area.

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

6 “(4) An owner that sites an accessory dwelling unit under this sec-
7 tion may not, at any time, subdivide, partition or otherwise divide the
8 lot or parcel so that the existing single-family dwelling is situated on
9 a different lot or parcel from the accessory dwelling unit.

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

14
