

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 **“(d) ‘Transient lodging’ has the meaning given that term in ORS**
20 **320.300.**

21 **“(2) A county may allow, subject to the approval of the governing**

1 **body, the siting of one accessory dwelling unit on a lot or parcel that**
2 **is two acres or larger and that is in an area zoned for rural residential**
3 **use, provided:**

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

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;**

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

16 **“(A) At least one mile outside the urban growth boundary of a city**
17 **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; and**

22 **“(g) The governing body of the county determines that the acces-**
23 **sory dwelling unit will not:**

24 **“(A) Conflict with, or contribute to or aggravate existing conflicts**
25 **with, accepted farm or forest practices on surrounding land zoned for**
26 **farm use or forest use; or**

27 **“(B) Significantly increase the cost of accepted farm or forest**
28 **practices on surrounding land zoned for farm use or forest use.**

29 **“(3)(a) If an accessory dwelling unit is to be sited under this section**
30 **in an area that is designated as a critical ground water area, limited**

1 **ground water area or withdrawn area, the county shall consider during**
2 **the review process the potential impact of the accessory dwelling unit**
3 **on the ground water resources in the designated area.**

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

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

13 **“(5) An owner that sites an accessory dwelling unit under this sec-**
14 **tion may not, at any time, subdivide, partition or otherwise divide the**
15 **lot or parcel so that the existing single-family dwelling is situated on**
16 **a different lot or parcel from the accessory dwelling unit.**

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

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