

SB 835 -1 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources

Prepared By: Laura Kentnesse, LPRO Analyst

Meeting Dates: 2/20, 3/20

WHAT THE MEASURE DOES:

Defines 'accessory dwelling unit' (ADU) as a residential structure that is used in connection with or that is auxiliary to a single-family dwelling, for the purposes of the subsurface sewage disposal regulatory statutes. Directs the Environmental Quality Commission to adopt rules authorizing a single-family dwelling and ADU constructed on the same lot or parcel to be permanently connected to the same subsurface sewage disposal system or alternative sewage disposal system.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces 'accessory dwelling unit' (ADU) definition with an existing statutory definition. Requires the Environmental Quality Commission to adopt rules setting forth the conditions for approving a proposal to permanently connect a single-family dwelling and ADU to the same sewage disposal system rather than to adopt rules authorizing that connection.

FISCAL: May have fiscal impact, but no statement yet issued

REVENUE: No revenue impact

BACKGROUND:

In 2021, the Legislative Assembly enacted Senate Bill 391 authorizing counties to allow the construction of accessory dwelling units (ADUs) in rural residential areas. The provision of the law that relates to sewage requirements states that all ADUs must "comply with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment."

Applicable laws include ORS 454.605 to 454.755 and associated rules, which provide for the regulation of subsurface sewage disposal. When the Environmental Quality Commission (Commission) considers permitting, limiting, or prohibiting construction of subsurface sewage disposal systems or alternative sewage disposal systems, the Commission must take into account the capacity of existing systems along with other factors.

Senate Bill 835 would direct the Environmental Quality Commission to adopt rules authorizing a single-family dwelling and ADU constructed on the same lot or parcel to be permanently connected to the same subsurface sewage disposal system or alternative sewage disposal system.