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SENATE BILL NO. 532

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INTRODUCED BY F. MANDEVILLE, D. ZOLNIKOV, J. FULLER, C. GLIMM, G. HERTZ, K. BOGNER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COUNTY ZONING LAWS TO ALLOW FOR
5 ACCESSORY DWELLING UNITS; REQUIRING COUNTIES TO ADOPT CERTAIN REGULATIONS IN
6 RELATION TO ACCESSORY DWELLING UNITS; PROHIBITING CERTAIN REGULATIONS IN RELATION
7 TO ACCESSORY DWELLING UNITS; ALLOWING A COUNTY TO CHARGE A FEE TO REVIEW
8 APPLICATIONS TO CREATE ACCESSORY DWELLING UNITS; AND AMENDING SECTION 76-4-130, MCA;
9 AND PROVIDING A TERMINATION DATE."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 **NEW SECTION. Section 1. Accessory dwelling units -- regulations -- restrictions.** (1) (a) In
14 jurisdictional areas where the board of county commissioners has established zoning regulations under this
15 part, the regulations must allow a minimum of one accessory dwelling unit by right on a lot or parcel that
16 contains a single-family dwelling.

17 (b) An accessory dwelling unit may be attached, detached, or internal to the single-family dwelling
18 on a lot or parcel.

19 (c) If the accessory dwelling unit is detached from or attached to the single-family dwelling, it may
20 not be more than 75% of the gross floor area of the single-family dwelling or 1,000 square feet, whichever is
21 less.

22 (2) A county may not:

23 (a) require that a lot or parcel have additional parking to accommodate an accessory dwelling unit
24 or require fees in lieu of additional parking;

25 (b) require that an accessory dwelling unit match the exterior design, roof pitch, or finishing
26 materials of the single-family dwelling;

27 (c) require that the single-family dwelling or the accessory dwelling unit be occupied by the owner;

28 (d) require a familial, marital, or employment relationship between the occupants of the single-

1 (b) A person qualifies for a 15-day expedited review under this part to deviate from the certificate
2 of subdivision approval if the person intends to add an accessory dwelling unit as provided for in [section 1] to
3 an existing on-site wastewater treatment system that has capacity for the accessory dwelling unit."

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5 **NEW SECTION. Section 3. Codification instruction.** [Section 1] is intended to be codified as an
6 integral part of Title 76, chapter 2, part 2, and the provisions of Title 76, chapter 2, part 2, apply to [section 1].

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8 **NEW SECTION. Section 4. Termination.** [Sections 1(7) and 2] terminate September 30, 2029.

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