



Accommodations for Family Members



Regulations for creating more living space on your property

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Are there options for additional living space for family members?

Generally speaking, Marion County land use regulations prohibit more than one dwelling per property. However, recent changes in these regulations have given the County more options to offer residents. These housing options and regulations vary depending on location and zone of the property. There are too many regulations to list for each type of living space in this brochure and vary depending on the zone. Contact Planning staff for more information.

Urban? Rural? Inside a city?

Rural areas of the County outside city limits and urban growth boundary areas are covered by the Rural Zone Code. Urban areas, also outside city limits but within an urban growth boundary of a city, are covered by the County's Urban Zone Code. If your property is in a city, contact that city for zoning and land use information.

Types and Definitions

There are many types of housing referred to by many names: tiny home, granny flat, guest house, mother-in-law quarters, etc. Here are a few definitions to help as you read on:

“Accessory Dwelling Unit” is a second dwelling built on a lot with an existing house, attached house or manufactured home. There are standards on size, location, height, etc. A manufactured home can be used as an ADU provided it meets the ADU standards, must be Energy Star certified and exhibit the US Housing and Urban Development (HUD) certification label.

“Domestic Suite” is living space attached to a single family dwelling. It can have its own entrance, kitchen, bathroom, living room, etc. There must be a common wall between it and the house, but not through a garage, attic, passageway or hallway. It cannot have its own address and all kitchens in the dwelling and suite are used by only one family.

“Duplex” means a dwelling on a single lot containing two independent dwelling units.

“Guest facility” means a separate accessory building to provide temporary and gratuitous (free of charge) accommodations. It relies on the main dwelling for cooking and bathroom facilities. It cannot have a kitchen.

“Hardship Dwelling” – allows either a manufactured home or RV (only) on property with an existing house for family members to care for another family member that needs daily assistance due to medical conditions. Requires approval of a Conditional Use Permit and form signed by patient's primary care provider indicating the need for daily care and the person is unable to care for themselves. Manufactured home or RV must be removed when person no longer needs care or has moved to assisted living, passed away, etc. It must be renewed each year by submitting a new Primary Care Provider form.

Park models – these units are typically built to RV standards and can be registered with the DMV. As such, they cannot be used as additional permanent living space or as an ADU.

“Recreational Vehicles” - are considered a type of vehicle and allowed only for medical hardship Conditional Use Permits.

Tiny houses - if a “tiny house” is on wheels, it cannot be used as a permanent living space or dwelling. If it is not on wheels, it could be used as an ADU if it meets all of the ADU standards.

“Two family shared housing” is a single-family dwelling that has been converted to two dwelling units and subject to standards including minimum size, limited added space, ownership occupation, etc.

“Family” means: 1) one or two adults and children related by blood or legal guardianship to one or both of the adults living together in a dwelling; or 2) one to five persons any of whom are not related by blood, marriage, or legal guardianships, living together in a dwelling; or, 3) one or more persons any of which are not related by blood, marriage, legal guardianship and who qualify as handicapped under the Federal Fair Housing Act; or 4) residents of a residential care home.

“Guest” means a person occupying a room or lodging room for living or sleeping purposes on a temporary and gratuitous basis (free of charge).

“Zero lot line dwelling” means a dwelling located in a building constructed contiguous to an interior side lot line.

What is allowed in urban areas of Marion County?

Generally, the following are types of additional living space are allowed in most of

the County’s urban residential zones that has an existing dwelling or manufactured home:

- Domestic Suite;
- Duplex;
- Zero Lot Line Dwelling;
- Two family shared housing;
- Hardship Dwelling - only allowed in the UT zones in certain situations;
- Accessory dwelling units.

What is allowed in rural areas of Marion County?

Generally, the following are types of additional living space allowed in most of the County’s rural residential zones and possibly other zones that allow dwellings under certain conditions. These would be allowed only on a property that already has an existing dwelling or manufactured home:

- Hardship Dwelling;
- Farmworker housing – allows a manufactured home on a temporary basis to be occupied by a person working full-time on a commercial agricultural operation;
- Domestic suite.

ADUs are not allowed in rural areas of the County, based on current State regulations that cover the County’s rural zones (Exclusive Farm Use, Farm/Timber, etc.).

What about tiny homes or park models?

Generally, any structure on wheels **cannot** be used as a permanent dwelling in the urban or rural areas. This regulation is based on current State of Oregon building codes primarily for safety and sanitation reasons. The only

exception is temporary use of an RV for medical hardships, as noted above.

Can I have a rental unit in addition to my home?

Generally speaking, a second dwelling to be used as a permanent rental unit is not allowed in either the urban or rural areas of Marion County. As noted above, the general rule is one dwelling per property with the exceptions for family noted here.

The exception is in the residential zones in urban areas of the County that allow an ADU. These can be used as rentals within certain guidelines.

Are there standards that must be met?

Yes. There are specific zoning and building regulations for all of these family living space options. There are too many to list for each type of living space in this brochure and can vary depending on the specific zone. Contact Planning staff for regulations and requirements.

Is a permit required?

Yes. All of these living options will require various building permits and inspections, possibly including septic systems. Contact Marion County Building Inspection for more information at (503)588-5147 or building@co.marion.or.us.

For more information: contact the Planning Division at (503) 588-5038, email at planning@co.marion.or.us or visit our website at: <http://publicworks.co.marion.or.us/planning>