

HOUSE AMENDMENTS TO HOUSE BILL 4023

By COMMITTEE ON RULES

February 23

1 Delete lines 4 through 8 of the printed bill and insert:

2 **“SECTION 1. Section 2 of this 2024 Act is added to and made a part of ORS chapter 197A.**

3 **“SECTION 2. (1) Within an urban growth boundary, a local government shall allow a**
4 **residential treatment facility, as defined in ORS 443.400, and may not require a zone change**
5 **or conditional use permit for the property on which the facility is sited if the property:**

6 **“(a) Is owned by a public body, as defined in ORS 174.109; or**

7 **“(b) Is zoned:**

8 **“(A) For commercial uses;**

9 **“(B) As public lands, not including lands for park land; or**

10 **“(C) For industrial uses, provided that the property is:**

11 **“(i) Publicly owned;**

12 **“(ii) Adjacent to lands zoned for residential uses; and**

13 **“(iii) Not specifically designated for heavy industrial uses.**

14 **“(2) This section does not apply on lands where the local government determines that:**

15 **“(a) The residential facility cannot be adequately served by water, sewer, storm water**
16 **drainage or streets, or will not be adequately served at the time that development on the**
17 **property is complete;**

18 **“(b) The property is within a 100-year floodplain; or**

19 **“(c) The development of the property is constrained by land use regulations based on**
20 **statewide land use planning goals relating to:**

21 **“(A) Natural disasters and hazards; or**

22 **“(B) Natural resources, including air, water, land or natural areas, but not including open**
23 **spaces or historic resources.**

24 **“(3) This section does not trigger any requirement that a local government consider or**
25 **update an analysis as required by a statewide land use planning goal relating to economic**
26 **development.”.**

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