

HB 4023-1
(LC 267)
2/12/24 (RLM/ps)

Requested by HOUSE COMMITTEE ON RULES (at the request of Representative Julie Fahey,
Representative Jeff Helfrich)

**PROPOSED AMENDMENTS TO
HOUSE BILL 4023**

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**
3 **of ORS chapter 197A.**

4 **“SECTION 2. (1) Within an urban growth boundary, a local gov-**
5 **ernment shall allow a residential facility, as defined in ORS 197.660,**
6 **and may not require a zone change or conditional use permit for the**
7 **property on which the facility is sited if the property:**

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

9 **“(b) Is zoned:**

10 **“(A) For commercial uses;**

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

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

13 **“(i) Publicly owned;**

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

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

16 **“(2) This section does not apply on lands where the local govern-**
17 **ment determines that:**

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

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

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

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

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

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

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