

## SENATE AMENDMENTS TO HOUSE BILL 2658

By COMMITTEE ON RULES

June 19

1 On page 1 of the printed bill, line 2, after “development” insert a period and delete the rest of  
2 the line and line 3.

3 Delete lines 5 through 28 and delete pages 2 through 14 and insert:

4 **“SECTION 1. Section 2 of this 2025 Act is added to and made a part of ORS 455.410 to**  
5 **455.740.**

6 **“SECTION 2. (1) As used in this section:**

7 **“(a) ‘Alteration’ means any construction or renovation to an existing structure other**  
8 **than a repair or addition to the existing structure.**

9 **“(b) ‘Construction permit’ means a building permit or a permit for electrical work, me-**  
10 **chanical work or plumbing work in a building.**

11 **“(c)(A) ‘Frontage improvement’ means repairs to or construction or renovation of**  
12 **roadway surfaces, curbs, gutters, sidewalks and similar or related infrastructure that is:**

13 **“(i) Privately constructed;**

14 **“(ii) Located within a public right of way; and**

15 **“(iii) Adjacent to property for which a municipality has issued a construction permit.**

16 **“(B) ‘Frontage improvement’ does not include repairing damage that a holder of a con-**  
17 **struction permit caused.**

18 **“(2)(a) Except as provided in paragraph (b) of this subsection, a municipality with a pop-**  
19 **ulation of 15,000 or more may not require in, or as a condition of obtaining, a construction**  
20 **permit to renovate or otherwise alter an existing building that the holder of the construction**  
21 **permit install a frontage improvement, or have a frontage improvement installed, if:**

22 **“(A) The alteration does not result in an increase to the building’s square footage or**  
23 **footprint;**

24 **“(B) The cost of the alteration does not exceed the amount the Director of the Depart-**  
25 **ment of Consumer and Business Services specifies under subsection (3) of this section; and**

26 **“(C) Existing or proposed uses for the building do not result in a change to the occupancy**  
27 **classification group that applied to the building at the time the municipality received an ap-**  
28 **plication for the construction permit.**

29 **“(b) The prohibition described in paragraph (a) of this subsection does not apply:**

30 **“(A) To any of the following conditions a municipality may impose upon a construction**  
31 **permit:**

32 **“(i) A dedication of right-of-way;**

33 **“(ii) An assessment or required payment of a system development charge;**

34 **“(iii) A waiver of remonstrance to the formation of a local improvement district; or**

35 **“(iv) An assessment or collection of fees for a local improvement district or charges in**

1 lieu of a local improvement district assessment; or

2 “(B) If the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq., as in effect  
3 on the effective date of this 2025 Act, requires the municipality to include the installation  
4 of a frontage improvement as a condition in, or as a condition of obtaining, a construction  
5 permit.

6 “(3) The director shall set the initial cost that an alteration may not exceed under sub-  
7 section (2)(a)(B) of this section at \$150,000 and each year shall adjust the cost to reflect  
8 changes in the Consumer Price Index for All Urban Consumers, West Region (All Items), as  
9 published by the Bureau of Labor Statistics of the United States Department of Labor.

10 “(4) If a municipality or the Department of Transportation requires a person to install  
11 a frontage improvement along a state highway as a condition in, or a condition of obtaining,  
12 a construction permit or obtaining final action on a permit or zone change under ORS 215.427  
13 or 227.175, the municipality and the department shall coordinate with the person to deter-  
14 mine if design, engineering or construction plans already exist for the required frontage im-  
15 provement.

16 “**SECTION 3.** Section 2 of this 2025 Act is amended to read:

17 “**Sec. 2.** (1) As used in this section:

18 “(a) ‘Alteration’ means any construction or renovation to an existing structure other than a  
19 repair or addition to the existing structure.

20 “(b) ‘Construction permit’ means a building permit or a permit for electrical work, mechanical  
21 work or plumbing work in a building.

22 “(c)(A) ‘Frontage improvement’ means repairs to or construction or renovation of roadway sur-  
23 faces, curbs, gutters, sidewalks and similar or related infrastructure that is:

24 “(i) Privately constructed;

25 “(ii) Located within a public right of way; and

26 “(iii) Adjacent to property for which a municipality has issued a construction permit.

27 “(B) ‘Frontage improvement’ does not include repairing damage that a holder of a construction  
28 permit caused.

29 “(2)(a) Except as provided in paragraph (b) of this subsection, a municipality [*with a population*  
30 *of 15,000 or more*] may not require in, or as a condition of obtaining, a construction permit to ren-  
31 ovate or otherwise alter an existing building that the holder of the construction permit install a  
32 frontage improvement, or have a frontage improvement installed, if:

33 “(A) The alteration does not result in an increase to the building’s square footage or footprint;

34 “(B) The cost of the alteration does not exceed the amount the Director of the Department of  
35 Consumer and Business Services specifies under subsection (3) of this section; and

36 “(C) Existing or proposed uses for the building do not result in a change to the occupancy  
37 classification group that applied to the building at the time the municipality received an application  
38 for the construction permit.

39 “(b) The prohibition described in paragraph (a) of this subsection does not apply:

40 “(A) To any of the following conditions a municipality may impose upon a construction permit:

41 “(i) A dedication of right-of-way;

42 “(ii) An assessment or required payment of a system development charge;

43 “(iii) A waiver of remonstrance to the formation of a local improvement district; or

44 “(iv) An assessment or collection of fees for a local improvement district or charges in lieu of  
45 a local improvement district assessment; or

1 “(B) If the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq., as in effect on the  
2 effective date of this 2025 Act, requires the municipality to include the installation of a frontage  
3 improvement as a condition in, or as a condition of obtaining, a construction permit.

4 “(3) The director shall set the initial cost that an alteration may not exceed under subsection  
5 (2)(a)(B) of this section at \$150,000 and each year shall adjust the cost to reflect changes in the  
6 Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bu-  
7 reau of Labor Statistics of the United States Department of Labor.

8 “(4) If a municipality or the Department of Transportation requires a person to install a frontage  
9 improvement along a state highway as a condition in, or a condition of obtaining, a construction  
10 permit or obtaining final action on a permit or zone change under ORS 215.427 or 227.175, the  
11 municipality and the department shall coordinate with the person to determine if design, engineering  
12 or construction plans already exist for the required frontage improvement.

13 “**SECTION 4. The amendments to section 2 of this 2025 Act by section 3 of this 2025 Act**  
14 **become operative on January 1, 2031.**”  
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