

HB 4082-1
(LC 94)
2/26 (RLM/ps)

Requested by Representative MARSH

**PROPOSED AMENDMENTS TO
HOUSE BILL 4082**

1 On page 1 of the printed bill, delete lines 7 through 27.
2 On page 2, delete lines 1 through 32 and insert:
3 **“SECTION 2.** (1) As used in this section, ‘housing for older
4 persons’ has the meaning given that term in ORS 659A.421.
5 “(2) In addition to any lands added to a city’s urban growth
6 boundary under any other provision of ORS chapter 197A, including
7 other provisions of sections 49 to 59, chapter 110, Oregon Laws 2024, a
8 city or Metro may add a site for housing for older persons or manu-
9 factured dwellings or manufactured dwelling parks, including existing
10 units or parks, to its urban growth boundary under this section.
11 “(3) The site may not exceed the maximum acreage established by
12 section 50 (1)(f), chapter 110, Oregon Laws 2024.
13 “(4)(a) Within 120 days of receiving a petition under this section,
14 Metro shall determine whether the site would substantially comply
15 with the applicable provisions of sections 49 to 59, chapter 110, Oregon
16 Laws 2024.
17 “(b) If Metro determines that a petition does not substantially
18 comply, Metro shall:
19 “(A) Notify the city of deficiencies in the petition, specifying suffi-
20 cient detail to allow the city to remedy any deficiency in a subsequent
21 resubmittal; and

1 **“(B) Allow the city to amend its conceptual plan and resubmit it**
2 **as a petition to Metro under this section.**

3 **“(c) If Metro determines that a petition does comply, notwithstanding**
4 **any other provision of ORS chapter 197A, Metro shall adopt**
5 **amendments to its urban growth boundary to include the site in the**
6 **petition, unless the amendment would result in more than 300 total**
7 **net residential acres added under this subsection.**

8 **“(d) Metro may not conduct a hearing to review or select petitions**
9 **or adopt amendments to its urban growth boundary under this section.**

10 **“(e) Sites added to the Metro urban growth boundary under this**
11 **section do not affect the maximum acreage of sites that may be added**
12 **under section 51 (3) or (4), chapter 110, Oregon Laws 2024.**

13 **“(5) A city that adds or petitions to add a site under this section:**

14 **“(a) Is not required to demonstrate need for housing lands or af-**
15 **fordable housing under section 52, chapter 110, Oregon Laws 2024.**

16 **“(b) May additionally add a site to its urban growth boundary under**
17 **section 50 (1) or 56, chapter 110, Oregon Laws 2024, or section 2, chap-**
18 **ter 341, Oregon Laws 2025, or may petition to add a site under section**
19 **51, chapter 110, Oregon Laws 2024.**

20 **“(c) Must first adopt a conceptual plan as described in section 55,**
21 **chapter 110, Oregon Laws 2024, except that the conceptual plan:**

22 **“(A) Is not required to establish the density or housing types under**
23 **section 55 (3)(a), chapter 110, Oregon Laws 2024, for lands that will be**
24 **sited for manufactured dwellings or manufactured dwelling parks.**

25 **“(B) May be zoned for residential densities of eight units per net**
26 **residential acre in a city with a population of 30,000 or greater, notwithstanding**
27 **section 55 (3)(a)(C)(i) or (ii), chapter 110, Oregon Laws**
28 **2024.**

29 **“(C) Is not required to comply with section 55 (3)(f), chapter 110,**
30 **Oregon Laws 2024.**

1 **“(D) Must include requirements that ensure that at least 80 percent**
2 **of dwelling units, not including manufactured dwellings, are subject**
3 **to affordability restrictions, including but not limited to affordable**
4 **housing covenants, as described in ORS 456.270 to 456.295, that require**
5 **for a period of not less than 30 years that the units be available and**
6 **affordable, with or without government assistance, for rent or pur-**
7 **chase by households with an income of 120 percent of the area median**
8 **income or less.**

9 **“(E) Must require that all land within the housing development,**
10 **other than land in a manufactured dwelling park or used for manu-**
11 **factured dwellings, is designated as housing for older persons. This**
12 **requirement may take the form of zoning designations or overlays,**
13 **master planning, conditions of approval, restrictive covenants or dec-**
14 **larations as defined in ORS 94.550 or 100.005, that:**

15 **“(i) Require the owner of the land to develop a plan to use the land**
16 **only as housing for older persons. The plan must include policies and**
17 **procedures as described in 24 C.F.R. 100.306;**

18 **“(ii) Are enforceable by the city;**

19 **“(iii) Contain financial penalties for noncompliance; and**

20 **“(iv) Require that at least 80 percent of the residential units comply**
21 **with the ‘Type B’ requirements applicable to units as set forth in the**
22 **Standard for Accessible and Usable Buildings and Facilities published**
23 **by the International Code Council and as referenced by the state**
24 **building code.**

25 **“(F) Must require that lands not be rezoned following the site’s**
26 **inclusion within the urban growth boundary for a period of:**

27 **“(i) Thirty years for manufactured dwelling parks; or**

28 **“(ii) Twenty years for manufactured dwellings.”.**

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