

Requested by SENATE COMMITTEE ON HOUSING AND DEVELOPMENT

**PROPOSED AMENDMENTS TO RESOLVE CONFLICTS TO
A-ENGROSSED HOUSE BILL 4082**

1 On page 3 of the printed A-engrossed bill, after line 5, insert:

2 **“SECTION 2a.** If House Bill 4035 becomes law, section 2 of this 2026 Act
3 is amended to read:

4 **“Sec. 2.** (1) As used in this section, ‘housing for older persons’ has the
5 meaning given that term in ORS 659A.421.

6 “(2) In addition to any lands added to a city’s urban growth boundary
7 under any other provision of ORS chapter 197A, including other provisions
8 of sections 49 to 59, chapter 110, Oregon Laws 2024, a city or Metro may add
9 a site for housing for older persons or manufactured dwellings, prefabricated
10 structures or manufactured dwelling parks, including existing units or parks,
11 to its urban growth boundary under this section.

12 “(3) The total acreage of the site:

13 “(a) For a city with a population of 25,000 or greater, may not exceed 100
14 net [*residential*] **buildable** acres; or

15 “(b) For a city with a population of less than 25,000, may not exceed 50
16 net [*residential*] **buildable** acres.

17 “(4)(a) Within 120 days of receiving a petition under this section, Metro
18 shall determine whether the site would substantially comply with the appli-
19 cable provisions of sections 49 to 59, chapter 110, Oregon Laws 2024.

20 “(b) If Metro determines that a petition does not substantially comply,
21 Metro shall:

1 “(A) Notify the city of deficiencies in the petition, specifying sufficient
2 detail to allow the city to remedy any deficiency in a subsequent resubmittal;
3 and

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

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

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

13 “(e) Sites added to the Metro urban growth boundary under this section
14 do not affect the maximum acreage of sites that may be added under section
15 51 (3) or (4), chapter 110, Oregon Laws 2024.

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

17 “(a) Is not required to demonstrate need for housing lands or affordable
18 housing under section 52, chapter 110, Oregon Laws 2024.

19 “(b) May additionally add a site to its urban growth boundary under
20 section 50 (1) or 56, chapter 110, Oregon Laws 2024, or section 2, chapter 341,
21 Oregon Laws 2025, or may petition to add a site under section 51, chapter
22 110, Oregon Laws 2024.

23 “(c) Must first adopt a conceptual plan as described in section 55, chapter
24 110, Oregon Laws 2024, except that the conceptual plan:

25 “(A) Is not required to establish the density or housing types under sec-
26 tion 55 (3)(a), chapter 110, Oregon Laws 2024, for lands that will be sited for
27 manufactured dwellings, prefabricated structures or manufactured dwelling
28 parks.

29 “(B) May be zoned for residential densities of eight units per net [*resi-*
30 *dential*] **buildable** acre in a city with a population of 30,000 or greater, not-

1 withstanding section 55 (3)(a)(C)(i) or (ii), chapter 110, Oregon Laws 2024.

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

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

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

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

20 “(ii) Are enforceable by the city;

21 “(iii) Contain financial penalties for noncompliance; and

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

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

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

29 “(ii) Twenty years for manufactured dwellings or prefabricated
30 structures.”.

1 On page 4, after line 10, insert:

2 **“SECTION 4a. If House Bill 4035 becomes law, section 4 of this 2026**
3 **Act (amending section 60, chapter 110, Oregon Laws 2024) is repealed**
4 **and section 60, chapter 110, Oregon Laws 2024, as amended by section**
5 **4, chapter 341, Oregon Laws 2025, and section 12, chapter __, Oregon**
6 **Laws 2026 (Enrolled House Bill 4035), is amended to read:**

7 **“Sec. 60.** (1) Section 49, chapter 110, Oregon Laws 2024, as amended by
8 section 4, chapter 530, Oregon Laws 2025, and section 1 [*of this 2026 Act*],
9 **chapter __, Oregon Laws 2026 (Enrolled House Bill 4035),** is repealed on
10 January 2, 2033.

11 **“(2)** Section 50, chapter 110, Oregon Laws 2024, as amended by section 2
12 [*of this 2026 Act*], **chapter __, Oregon Laws 2026 (Enrolled House Bill**
13 **4035),** is repealed on January 2, 2033.

14 **“(3)** Section 51, chapter 110, Oregon Laws 2024, as amended by section 3
15 [*of this 2026 Act*], **chapter __, Oregon Laws 2026 (Enrolled House Bill**
16 **4035),** is repealed on January 2, 2033.

17 **“(4)** Section 52, chapter 110, Oregon Laws 2024, as amended by section 5,
18 chapter 530, Oregon Laws 2025, and section 4 [*of this 2026 Act*], **chapter __,**
19 **Oregon Laws 2026 (Enrolled House Bill 4035),** is repealed on January 2,
20 2033.

21 **“(5)** Section 53, chapter 110, Oregon Laws 2024, as amended by section 5
22 [*of this 2026 Act*], **chapter __, Oregon Laws 2026 (Enrolled House Bill**
23 **4035),** is repealed on January 2, 2033.

24 **“(6)** Section 54, chapter 110, Oregon Laws 2024, as amended by section 6
25 [*of this 2026 Act*], **chapter __, Oregon Laws 2026 (Enrolled House Bill**
26 **4035),** is repealed on January 2, 2033.

27 **“(7)** Section 55, chapter 110, Oregon Laws 2024, as amended by section 6,
28 chapter 530, Oregon Laws 2025, and section 7 [*of this 2026 Act*], **chapter __,**
29 **Oregon Laws 2026 (Enrolled House Bill 4035),** is repealed on January 2,
30 2033.

1 “(8) Section 56, chapter 110, Oregon Laws 2024, as amended by section 8
2 *[of this 2026 Act]*, **chapter __, Oregon Laws 2026 (Enrolled House Bill**
3 **4035)**, is repealed on January 2, 2033.

4 “(9) Section 57, chapter 110, Oregon Laws 2024, as amended by section 3,
5 chapter 341, Oregon Laws 2025, *[and]* section 7, chapter 530, Oregon Laws
6 2025, **and section 3 of this 2026 Act**, is repealed on January 2, 2033.

7 “(10) Section 58, chapter 110, Oregon Laws 2024, as amended by section
8 8, chapter 530, Oregon Laws 2025, is repealed on January 2, 2033.

9 “(11) Section 59, chapter 110, Oregon Laws 2024, is repealed on January
10 2, 2033.

11 “(12) Section 2, chapter 341, Oregon Laws 2025, as amended by section 9
12 *[of this 2026 Act]*, **chapter __, Oregon Laws 2026 (Enrolled House Bill**
13 **4035)**, is repealed on January 2, 2033.

14 “(13) Section 11 *[of this 2026 Act]*, **chapter __, Oregon Laws 2026 (En-**
15 **rolled House Bill 4035)**, is repealed on January 2, 2033.

16 “(14) **Section 2 of this 2026 Act, as amended by section 2a of this 2026**
17 **Act, is repealed on January 2, 2033.”.**

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