

House Bill 3219

Sponsored by Representative MARSH

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires local governments to approve reconstruction of manufactured dwelling parks after wildfire. Authorizes local governments to rezone areas for manufactured dwelling parks where wildfires have creating housing scarcity. Allows Director of Department of Consumer and Business Services to exempt those manufactured dwelling parks from certain building codes.

Sunsets January 2, 2026.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to manufactured dwelling parks; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS chapter 197.**

5 **SECTION 2. (1) As used in this section, "2020 wildfires" includes all wildfires that were**
6 **identified in an executive order issued by the Governor in accordance with the Emergency**
7 **Conflagration Act under ORS 476.510 to 476.610 between August 1 and September 31, 2020.**

8 **(2) Notwithstanding any land use regulation, statewide land use planning goal or Land**
9 **Conservation and Development Commission rule or ORS 215.130 (5) to (11), a local govern-**
10 **ment:**

11 **(a) Shall approve an application for the redevelopment of a manufactured dwelling park:**

12 **(A) That was destroyed by the 2020 wildfires; or**

13 **(B) That is in an area rezoned under paragraph (b) of this subsection.**

14 **(b) May, by approval of an ordinance by the governing body, approve a zoning change for**
15 **any area to allow for the development of a manufactured dwelling park where the destruction**
16 **of manufactured dwellings from the 2020 wildfires has contributed to a shortage in housing.**

17 **(3) A local government may require an applicant to prove that the destroyed park was**
18 **assessed as a building or structure for purposes of ad valorem taxation for the property tax**
19 **year beginning July 1, 2019.**

20 **(4) In reviewing an application under this section a local government may not:**

21 **(a) Require that an applicant prove that the destroyed park was lawful under the existing**
22 **land use regulations at any time, including when the building, structure or use was estab-**
23 **lished, at the time of interruption or destruction or at the time of the application; or**

24 **(b) Require a public hearing or public notice.**

25 **(5) Approval of an application for reconstruction of a park under this section does not**
26 **expire.**

27 **(6) The Land Conservation and Development Commission may adopt temporary rules to**
28 **implement this section.**

29 **SECTION 3. Section 4 of this 2021 Act is added to and made a part of ORS 446.003 to**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 446.200.

2 **SECTION 4.** The Director of the Department of Consumer and Business Services may
3 waive any requirements of ORS 446.003 to 446.200 or rules adopted under those sections or
4 adopt temporary permitting and operating and construction standards in lieu of the re-
5 quirements if the director determines that:

6 (1) The waiver is necessary or advisable to allow for the rapid development of a manu-
7 factured dwelling park approved under section 2 of this 2021 Act; and

8 (2) The waiver will not jeopardize the health and safety of the occupants of the a manu-
9 factured dwelling park.

10 **SECTION 5.** Section 6 of this 2021 Act is added to and made a part of ORS 90.505 to 90.850.

11 **SECTION 6.** A landlord of a manufactured dwelling park developed under an approval
12 given under section 2 of this 2021 Act is not required to pay a registration fee under ORS
13 90.732 and is not subject to a penalty under ORS 90.736.

14 **SECTION 7.** Sections 2, 4 and 6 of this 2021 Act are repealed on January 2, 2026.

15 **SECTION 8.** This 2021 Act being necessary for the immediate preservation of the public
16 peace, health and safety, an emergency is declared to exist, and this 2021 Act takes effect
17 on its passage.

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