

HB 4023 -1 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Claire Adamsick

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/15

WHAT THE MEASURE DOES:

The measure directs the Oregon Health Authority to study access to behavioral health treatment, and report to interim committees of the Legislative Assembly related to health no later than September 15, 2025.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 The amendment replaces the measure. It requires local governments to allow siting of a residential facility within an urban growth boundary without requiring a zone change or conditional use permit, subject to certain conditions.

Detailed Summary:

Requires local governments to allow siting of a residential facility without requiring a zone change or conditional use permit, if the property is within the urban growth boundary and is owned by a public body. Clarifies the land on which the property is located must be zoned for either: commercial use; as public lands, excluding park land; or for industrial use if the property is adjacent to residentially-zoned lands and not specifically designated for heavy industrial uses. Exempts from provisions lands where a local government determines the facility will not be adequately served by water, sewer or stormwater, or that the property is located in a 100-year floodplain or land constrained by land use regulations related to natural disasters, hazards, or other specified natural resources. Clarifies the measure's provisions do not trigger an economic development analysis by the local government.

BACKGROUND:

Oregon Law defines a "residential facility" as a residential care, training or treatment facility that provides residential care for between six and fifteen individuals. Oregon Land Use Law (ORS 197.663) states "it is the policy of this state that persons with disabilities and elderly persons are entitled to live as normally as possible within communities and should not be excluded from communities because their disability or age requires them to live in groups."

Residential facilities are currently allowed by right in zones where multifamily residential use is permitted; these facilities are allowed as a conditional use in zones where multifamily residential use is also a conditional use. In 2021, the Legislative Assembly enacted Senate Bill 8, which restricted local governments from requiring a zone change or conditional use permit for an affordable housing development within an urban growth boundary, subject to certain zoning and property ownership conditions.