

HB 2658-5
(LC 3406)
6/4/25 (TSB/ps)

Requested by Representative EVANS

**PROPOSED AMENDMENTS TO
HOUSE BILL 2658**

1 On page 1 of the printed bill, line 2, after “development” insert a period
2 and delete the rest of 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**
5 **of ORS 455.410 to 455.740.**

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

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

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

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

14 **“(i) Privately constructed;**

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

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

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

20 **“(2)(a) Except as provided in paragraph (b) of this subsection, a**
21 **municipality with a population of 15,000 or more may not require in,**

1 or as a condition of obtaining, a construction permit to renovate or
2 otherwise alter an existing building that the holder of the construction
3 permit install a frontage improvement, or have a frontage improve-
4 ment installed, if:

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

7 “(B) The cost of the alteration does not exceed the amount the Di-
8 rector of the Department of Consumer and Business Services specifies
9 under subsection (3) of this section; and

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

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

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

18 “(i) A dedication of right-of-way;

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

21 “(iii) A waiver of remonstrance to the formation of a local im-
22 provement district; or

23 “(iv) An assessment or collection of fees for a local improvement
24 district or charges in lieu of a local improvement district assessment;
25 or

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

30 “(3) The director shall set the initial cost that an alteration may

1 not exceed under subsection (2)(a)(B) of this section at \$150,000 and
2 each year shall adjust the cost to reflect changes in the Consumer
3 Price Index for All Urban Consumers, West Region (All Items), as
4 published by the Bureau of Labor Statistics of the United States De-
5 partment of Labor.

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

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

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

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

17 “(b) ‘Construction permit’ means a building permit or a permit for elec-
18 trical work, mechanical work or plumbing work in a building.

19 “(c)(A) ‘Frontage improvement’ means repairs to or construction or reno-
20 vation of roadway surfaces, curbs, gutters, sidewalks and similar or related
21 infrastructure that is:

22 “(i) Privately constructed;

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

24 “(iii) Adjacent to property for which a municipality has issued a con-
25 struction permit.

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

28 “(2)(a) Except as provided in paragraph (b) of this subsection, a munici-
29 pality [*with a population of 15,000 or more*] may not require in, or as a con-
30 dition of obtaining, a construction permit to renovate or otherwise alter an

1 existing building that the holder of the construction permit install a frontage
2 improvement, or have a frontage improvement installed, if:

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

5 “(B) The cost of the alteration does not exceed the amount the Director
6 of the Department of Consumer and Business Services specifies under sub-
7 section (3) of this section; and

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

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

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

15 “(i) A dedication of right-of-way;

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

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

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

21 “(B) If the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et
22 seq., as in effect on the effective date of this 2025 Act, requires the munici-
23 pality to include the installation of a frontage improvement as a condition
24 in, or as a condition of obtaining, a construction permit.

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

30 “(4) If a municipality or the Department of Transportation requires a

1 person to install a frontage improvement along a state highway as a condi-
2 tion in, or a condition of obtaining, a construction permit or obtaining final
3 action on a permit or zone change under ORS 215.427 or 227.175, the
4 municipality and the department shall coordinate with the person to deter-
5 mine if design, engineering or construction plans already exist for the re-
6 quired frontage improvement.

7 **“SECTION 4. The amendments to section 2 of this 2025 Act by sec-**
8 **tion 3 of this 2025 Act become operative on January 1, 2031.”.**

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