

(To Resolve Conflicts)

B-Engrossed House Bill 4082

Ordered by the Senate March 2
Including House Amendments dated February 12 and Senate Amendments
dated March 2 to resolve conflicts

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Tina Kotek for Office of the Governor)

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. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act allows cities to add sites to their UGB for manufactured dwelling parks or housing for older persons. (Flesch Readability Score: 62.8).

Adds to a temporary UGB addition program an option for each city or Metro to also add to its urban growth boundary a site for manufactured dwellings, prefabricated structures or manufactured dwelling parks, or for housing that is predominantly for older persons and affordable for households with incomes not more than 120 percent of area median income.

Sunset January 2, 2033.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to housing for older persons; creating new provisions; amending sections 57 and 60, chapter
3 110, Oregon Laws 2024; and prescribing an effective date.

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

5 **SECTION 1. Section 2 of this 2026 Act is added to and made a part of sections 49 to 59,**
6 **chapter 110, Oregon Laws 2024.**

7 **SECTION 2. (1) As used in this section, "housing for older persons" has the meaning**
8 **given that term in ORS 659A.421.**

9 **(2) In addition to any lands added to a city's urban growth boundary under any other**
10 **provision of ORS chapter 197A, including other provisions of sections 49 to 59, chapter 110,**
11 **Oregon Laws 2024, a city or Metro may add a site for housing for older persons or manu-**
12 **factured dwellings, prefabricated structures or manufactured dwelling parks, including ex-**
13 **isting units or parks, to its urban growth boundary under this section.**

14 **(3) The total acreage of the site:**

15 **(a) For a city with a population of 25,000 or greater, may not exceed 100 net residential**
16 **acres; or**

17 **(b) For a city with a population of less than 25,000, may not exceed 50 net residential**
18 **acres.**

19 **(4)(a) Within 120 days of receiving a petition under this section, Metro shall determine**
20 **whether the site would substantially comply with the applicable provisions of sections 49 to**
21 **59, chapter 110, Oregon Laws 2024.**

22 **(b) If Metro determines that a petition does not substantially comply, Metro shall:**

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

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

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

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

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

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

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

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

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

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

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

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

29 (D) Must include requirements that ensure that at least 80 percent of dwelling units, not
30 including manufactured dwellings or prefabricated structures, are subject to affordability
31 restrictions, including but not limited to affordable housing covenants, as described in ORS
32 456.270 to 456.295, that require for a period of not less than 30 years that the units be avail-
33 able and affordable, with or without government assistance, for rent or purchase by house-
34 holds with an income of 120 percent of the area median income or less.

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

40 (i) Require the owner of the land to develop a plan to use the land only as housing for
41 older persons. The plan must include policies and procedures as described in 24 C.F.R.
42 100.306;

43 (ii) Are enforceable by the city;

44 (iii) Contain financial penalties for noncompliance; and

45 (iv) Require that at least 80 percent of the residential units comply with the “Type B”

1 **requirements applicable to units as set forth in the Standard for Accessible and Usable**
2 **Buildings and Facilities published by the International Code Council and as referenced by the**
3 **state building code.**

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

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

7 **(ii) Twenty years for manufactured dwellings or prefabricated structures.**

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

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

11 (2) In addition to any lands added to a city’s urban growth boundary under any other provision
12 of ORS chapter 197A, including other provisions of sections 49 to 59, chapter 110, Oregon Laws
13 2024, a city or Metro may add a site for housing for older persons or manufactured dwellings, pre-
14 fabricated structures or manufactured dwelling parks, including existing units or parks, to its urban
15 growth boundary under this section.

16 (3) The total acreage of the site:

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

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

21 (4)(a) Within 120 days of receiving a petition under this section, Metro shall determine whether
22 the site would substantially comply with the applicable provisions of sections 49 to 59, chapter 110,
23 Oregon Laws 2024.

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

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

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

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

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

35 (e) Sites added to the Metro urban growth boundary under this section do not affect the maxi-
36 mum acreage of sites that may be added under section 51 (3) or (4), chapter 110, Oregon Laws 2024.

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

38 (a) Is not required to demonstrate need for housing lands or affordable housing under section
39 52, chapter 110, Oregon Laws 2024.

40 (b) May additionally add a site to its urban growth boundary under section 50 (1) or 56, chapter
41 110, Oregon Laws 2024, or section 2, chapter 341, Oregon Laws 2025, or may petition to add a site
42 under section 51, chapter 110, Oregon Laws 2024.

43 (c) Must first adopt a conceptual plan as described in section 55, chapter 110, Oregon Laws
44 2024, except that the conceptual plan:

45 (A) Is not required to establish the density or housing types under section 55 (3)(a), chapter 110,

1 Oregon Laws 2024, for lands that will be sited for manufactured dwellings, prefabricated structures
2 or manufactured dwelling parks.

3 (B) May be zoned for residential densities of eight units per net *[residential]* **buildable** acre in
4 a city with a population of 30,000 or greater, notwithstanding section 55 (3)(a)(C)(i) or (ii), chapter
5 110, Oregon Laws 2024.

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

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

13 (E) Must require that all land within the housing development, other than land in a manufac-
14 tured dwelling park or used for manufactured dwellings or prefabricated structures, is designated
15 as housing for older persons. This requirement may take the form of zoning designations or overlays,
16 master planning, conditions of approval, restrictive covenants or declarations as defined in ORS
17 94.550 or 100.005, that:

18 (i) Require the owner of the land to develop a plan to use the land only as housing for older
19 persons. The plan must include policies and procedures 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 the “Type B” require-
23 ments applicable to units as set forth in the Standard for Accessible and Usable Buildings and Fa-
24 cilities published by the International Code Council and as referenced by the state building code.

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

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

28 (ii) Twenty years for manufactured dwellings or prefabricated structures.

29 **SECTION 3.** Section 57, chapter 110, Oregon Laws 2024, as amended by section 3, chapter 341,
30 Oregon Laws 2025, and section 7, chapter 530, Oregon Laws 2025, is amended to read:

31 **Sec. 57.** (1) Within 21 days after the adoption of an amendment to an urban growth boundary
32 or the adoption or amendment of a conceptual plan under sections 49 to 59, chapter 110, Oregon
33 Laws 2024, and the approval by a county if required under section 50 (2), chapter 110, Oregon Laws
34 2024, the conceptual plan or amendment must be submitted to the Department of Land Conservation
35 and Development for review. The submission must be made by:

36 (a) The city, for an amendment under section 50 or 58, chapter 110, Oregon Laws 2024, *[or]*
37 section 2, **chapter 341, Oregon Laws 2025, or section 2 of this 2026 Act** *[of this 2025 Act]*; or

38 (b) Metro, for an amendment under section 51 or 58, chapter 110, Oregon Laws 2024, **or section**
39 **2 of this 2026 Act.**

40 (2) Within 60 days after receiving a submittal under subsection (1) of this section, the depart-
41 ment shall:

42 (a) Review the submittal for compliance with the provisions of sections 49 to 59, chapter 110,
43 Oregon Laws 2024.

44 (b)(A) If the submittal substantially complies with the provisions of sections 49 to 59, chapter
45 110, Oregon Laws 2024, issue an order approving the submittal; or

1 (B) If the submittal does not substantially comply with the provisions of sections 49 to 59,
2 chapter 110, Oregon Laws 2024, issue an order remanding the submittal to the city or to Metro with
3 a specific determination of deficiencies in the submittal and with sufficient detail to identify a spe-
4 cific remedy for any deficiency in a subsequent resubmittal.

5 (3) If a conceptual plan is remanded to Metro under subsection (2)(b) of this section:

6 (a) The department shall notify the city; and

7 (b) The city may amend its conceptual plan and resubmit a petition to Metro under section 51,
8 chapter 110, Oregon Laws 2024.

9 (4) Judicial review of the department's order:

10 (a) Must be as a review of orders other than a contested case under ORS 183.484; and

11 (b) May be initiated only by the city or an owner of a proposed site that was submitted to the
12 department.

13 (5) Following the approval of a submittal under this section, a local government must include
14 the added lands in any future inventory of buildable lands or determination of housing capacity
15 under ORS 197A.270, 197A.280, 197A.335 or 197A.350.

16 **SECTION 4.** Section 60, chapter 110, Oregon Laws 2024, as amended by section 4, chapter 341,
17 Oregon Laws 2025, is amended to read:

18 **Sec. 60. (1) Section 49, chapter 110, Oregon Laws 2024, as amended by section 4, chapter**
19 **530, Oregon Laws 2025, is repealed on January 2, 2033.**

20 *[(1)]* (2) Sections *[49 to 56, 58]* **50, 51, 53, 54, 56** and 59, chapter 110, Oregon Laws 2024, are
21 repealed on January 2, 2033.

22 (3) **Section 52, chapter 110, Oregon Laws 2024, as amended by section 5, chapter 530,**
23 **Oregon Laws 2025, is repealed on January 2, 2033.**

24 (4) **Section 55, chapter 110, Oregon Laws 2024, as amended by section 6, chapter 530,**
25 **Oregon Laws 2025, is repealed on January 2, 2033.**

26 *[(2)]* (5) Section 57, chapter 110, Oregon Laws 2024, as amended by section 3 *[of this 2025 Act]*,
27 **chapter 341, Oregon Laws 2025, section 7, chapter 530, Oregon Laws 2025, and section 3 of**
28 **this 2026 Act**, is repealed on January 2, 2033.

29 (6) **Section 58, chapter 110, Oregon Laws 2024, as amended by section 8, chapter 530,**
30 **Oregon Laws 2025, is repealed on January 2, 2033.**

31 *[(3)]* (7) Section 2, **chapter 341, Oregon Laws 2025**, *[of this 2025 Act]* is repealed on January
32 2, 2033.

33 (8) **Section 2 of this 2026 Act is repealed on January 2, 2033.**

34 **SECTION 4a. If House Bill 4035 becomes law, section 4 of this 2026 Act (amending section**
35 **60, chapter 110, Oregon Laws 2024) is repealed and section 60, chapter 110, Oregon Laws 2024,**
36 **as amended by section 4, chapter 341, Oregon Laws 2025, and section 12, chapter __, Oregon**
37 **Laws 2026 (Enrolled House Bill 4035), is amended to read:**

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

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

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

45 (4) Section 52, chapter 110, Oregon Laws 2024, as amended by section 5, chapter 530, Oregon

1 Laws 2025, and section 4 *[of this 2026 Act]*, **chapter __, Oregon Laws 2026 (Enrolled House Bill**
2 **4035)**, is repealed on January 2, 2033.

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

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

7 (7) Section 55, chapter 110, Oregon Laws 2024, as amended by section 6, chapter 530, Oregon
8 Laws 2025, and section 7 *[of this 2026 Act]*, **chapter __, Oregon Laws 2026 (Enrolled House Bill**
9 **4035)**, is repealed on January 2, 2033.

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

12 (9) Section 57, chapter 110, Oregon Laws 2024, as amended by section 3, chapter 341, Oregon
13 Laws 2025, *[and]* section 7, chapter 530, Oregon Laws 2025, **and section 3 of this 2026 Act**, is re-
14 pealed on January 2, 2033.

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

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

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

20 (13) Section 11 *[of this 2026 Act]*, **chapter __, Oregon Laws 2026 (Enrolled House Bill 4035)**,
21 is repealed on January 2, 2033.

22 (14) **Section 2 of this 2026 Act, as amended by section 2a of this 2026 Act, is repealed on**
23 **January 2, 2033.**

24 **SECTION 5. This 2026 Act takes effect on the 91st day after the date on which the 2026**
25 **regular session of the Eighty-third Legislative Assembly adjourns sine die.**

26