

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO A-ENGROSSED HOUSE BILL 4082

By COMMITTEE ON HOUSING AND DEVELOPMENT

March 2

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 is amended to read:

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

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

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

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

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

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

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

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

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

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

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

29 “(e) Sites added to the Metro urban growth boundary under this section do not affect the max-
30 imum acreage of sites that may be added under section 51 (3) or (4), chapter 110, Oregon Laws 2024.

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

32 “(a) Is not required to demonstrate need for housing lands or affordable housing under section
33 52, chapter 110, Oregon Laws 2024.

34 “(b) May additionally add a site to its urban growth boundary under section 50 (1) or 56, chapter
35 110, Oregon Laws 2024, or section 2, chapter 341, Oregon Laws 2025, or may petition to add a site

1 under section 51, chapter 110, Oregon Laws 2024.

2 “(c) Must first adopt a conceptual plan as described in section 55, chapter 110, Oregon Laws
3 2024, except that the conceptual plan:

4 “(A) Is not required to establish the density or housing types under section 55 (3)(a), chapter
5 110, Oregon Laws 2024, for lands that will be sited for manufactured dwellings, prefabricated
6 structures or manufactured dwelling parks.

7 “(B) May be zoned for residential densities of eight units per net [*residential*] **buildable** acre in
8 a city with a population of 30,000 or greater, notwithstanding section 55 (3)(a)(C)(i) or (ii), chapter
9 110, Oregon Laws 2024.

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

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

17 “(E) Must require that all land within the housing development, other than land in a manufac-
18 tured dwelling park or used for manufactured dwellings or prefabricated structures, is designated
19 as housing for older persons. This requirement may take the form of zoning designations or overlays,
20 master planning, conditions of approval, restrictive covenants or declarations as defined in ORS
21 94.550 or 100.005, that:

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

24 “(ii) Are enforceable by the city;

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

26 “(iv) Require that at least 80 percent of the residential units comply with the ‘Type B’ require-
27 ments applicable to units as set forth in the Standard for Accessible and Usable Buildings and Fa-
28 cilities published by the International Code Council and as referenced by the state building code.

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

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

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

33 On page 4, after line 10, insert:

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

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