

Effective Now:

- **HB 2005 - Siting of Psychiatric and Behavioral Health Care Facilities:** Requires local governments to allow by right **a residential treatment facility or residential home** within a UGB **on lands zoned for residential commercial, employment, and industrial uses** under specific criteria, **in addition to public lands** (excluding park lands). There are exceptions for lands that have natural resource or hazard restrictions or cannot be provided with public services. Does not require local governments to update any analyses related to land use goals. Exempts these decisions from the Land Use Board of Appeal's (LUBA) authority. Requires a local government to issue a decision within 120 days.
- Within an urban growth boundary, requires a local government to allow by right **a mental or psychiatric hospital on lands zoned for commercial, employment, and industrial uses**, as well as public lands (excluding park lands), and where it is adjacent to an existing or pending crisis stabilization center. Exceptions are made for lands that have natural resource or hazard restrictions or cannot be provided with public services. Does not require local governments to update any analyses related to land use goals. Exempts these decisions from LUBA authority. Requires a local government to issue a decision within 120 days.
- Requires a local government to allow by right **a crisis stabilization center** within a UGB **if the property is owned by a public body and adjacent to an existing or pending mental or psychiatric hospital**. Repeals ORS 197.670, which addresses existing zoning requirements and prohibitions for residential homes and facilities.
- **HB 2138 - Tree Removal Codes :** Requires local governments to apply clear and objective standards to tree removal codes related to housing development.
- **HB 2138 - Middle Housing:** Amends the definitions of cottage cluster, duplex, triplex, and quadplex to include detached units.
- **HB 2138 - Middle Housing Land Division :** Allows nonconforming units on a lot to qualify for a MHL D.
- Provides that a local government may only prohibit subsequent land divisions if the minimum density for the zoning of the land has been met.
- Directs cities and counties to develop a simultaneous subdivision and MHL D application 2025 Land Use Legislation Report 6 process.
- Removes the noticing requirement and local appeals process for MHL Ds and expedited land divisions.
- **SB 1099 - Preschool/Pre-K Education Uses :** Requires local governments to allow preschool or pre-kindergarten education on land where places of worship are allowed.

Effective 9/26/2025

- **SB 974 - Residential Design Standards for 20+ Unit Developments :** Prohibits a local government from applying design standards to residential developments inside UGBs with 20 or more units (except for multifamily buildings). Design standards do not include building height, setbacks, and other regulations pertaining to health, environment, and safety.

Effective 1/1/2026

- **HB 2347 - Manufactured Housing Units** : Clarifies that local governments may only apply housing development standards to manufactured housing units that they would to site-built housing units of the same type.
- **HB 2658 - Frontage Improvements for Building Alterations** : Prohibits a municipality over 15,000 in population from requiring a frontage improvement as a condition of approval for a construction permit to alter or renovate an existing building, so long as there is no increase to the square footage, the alteration cost does not exceed a limit set by the director of the DCBS, and the changes do not result in a change of occupancy classification. Sets alteration cost limit initially at \$150,000, with annual increases due to the Consumer Price Index. If frontage improvements along a state highway are required for final action on a permit or zone change, requires ODOT or the municipality to coordinate on if design, engineering, or construction plans already exist. Makes these provisions applicable to all size cities on January 1, 2031.

Effective 7/1/2026

- **SB 974 - Type II Upzoning, PUDs, and Residential Variances** : Applies new review process criteria to applications for an upzone, a planned unit development, or a variance for residential development on residentially zoned or planned for land within an urban growth boundary, and calls them “urban housing applications.” The first issuance of a decision on the application must be done without a public hearing. Clarifies how the urban housing applications are appealable to the Land Use Board of Appeals.
- **SB 974 - Engineering Review Shot Clock**: Defines “final engineering plans” and establishes a timeline for when local governments must approve these plans for residential development applications within a UGB – 30 days to establish completeness of the application, 120 days to review and issue a decision, and optional, mutually agreed upon extensions for up to 245 days total.

Effective 1/1/2027

- **HB 2138 - Zoning Eligibility for Middle Housing** : Adds a definition of “zoned for residential use” to ORS 197A.420 for purposes of defining where middle housing must be sited in a jurisdiction. This definition dictates that the land must be within a UGB, have base zoning that allows for residential uses and allows the development of a detached single-unit dwelling, is not zoned primarily for uses other than residential or future urbanization, and is incorporated or a UUL.
- **HB 2138 - Middle Housing Development & Land Division on Lots with ADU 's**: Directs cities and counties that are required to allow middle housing to permit it on lots that have an existing single-unit dwelling, accessory dwelling unit (ADU), single-unit dwelling and ADU, or a duplex. Allows those lots to be divided through a middle housing land division process.
- **HB 2138 - Traffic Impact Analyses for Middle Housing**: Prohibits cities and counties from requiring a traffic impact analysis or traffic-related exactions for middle housing projects of 12 units or less and on a lot created by a land division more than five years prior.

- **HB 2138 - Middle Housing Density Bonuses for ADA/Affordable Units** : Requires local governments to implement a density bonus for producing an affordable or accessible homeownership unit, where the developer will receive an additional one unit for a duplex or triplex development and an additional two units for a quadplex, cottage cluster, or townhouse development. Allows local governments to implement a more localized density bonus instead.
- **HB 2138 - Single Room Occupancies** : Requires local governments to allow up to three times the number of single-room occupancy units permitted by the maximum density on a lot. Prohibits local governments from requiring more parking for a single room occupancy unit than they would for one-third of a regular unit (such as three single room occupancy units counting as one unit for purposes of parking requirements). Specifies that residential care facilities as defined in ORS 443.400 are not included under these provisions.
- **HB 2138 - Invalidates Prohibitive Covenants against ADU 's, Middle Housing** : Invalidates prohibitive covenants and restrictions to developing ADUs, middle housing, or other housing types that would be developed below the maximum density of the zone in place before January 1, 2020.
- **HB 3560 - Child Care Uses in Multiunit and Institutional Zones** : Changes zoning requirements to allow child care centers as an outright use on land zoned for multiunit residential and institutional uses. Relocates the child care facility siting statute from ORS 329 to ORS 197. Modifies the definition of "child care center" to include a preschool recorded program, school-age recorded program or a parent cooperative. Inside Metro's UGB, this bill permits child care centers in areas zoned for multiunit residential densities of at least 17 units per acre.
- Local governments may not add additional conditions of approval before allowing a child care center to co-locate with a conditional institutional use.

Effective 1/1/2028

- **HB 2138 - Cottage Cluster Definition Changes** : Changes the allowed footprint of a cottage cluster from 900 square feet to a "small footprint."