Building Codes Division

Department of Consumer and Business Services

NOTICE OF PERMANENT RULE

Frontage Improvement Rulemaking

Purpose of the rule:

The division is required to adopt rules to implement HB 2658. The measure prohibits municipalities with populations of 15,000 or more from requiring frontage improvements, such as sidewalks, curbs, or gutters, as a condition of issuing a building permit for the renovation or alteration of existing buildings, unless the project increases the building's size, or changes the occupancy classification, with exceptions for required right of way dedications, system development charges, or if required by the Americans with Disabilities Act. On Jan. 1, 2031, the rules will apply to all municipalities regardless of population size.

Citation:

Adopts: OAR 918-050-0860

This rule is effective Jan. 1, 2026.

Background:

This rulemaking adopts frontage improvement rules required by House Bill 2658 (2025). The bill limits when municipalities may condition construction building permits on making frontage improvements. The bill prohibits a municipality from requiring that a construction building permit applicant perform a frontage improvement as a condition of obtaining a construction building permit to renovate or otherwise alter an existing building unless the alteration increases the building's square footage or footprint, the cost of the alteration exceeds a specified amount, or there is a change in the existing or proposed uses for the building that change the occupancy classification that is applied to the building at the time of the permit application. A rulemaking hearing was held on Dec. 16, 2025.

Summary:

These rules adopt frontage improvement requirements based on House Bill 2658 (2025). The objective of HB 2658 is to prevent a municipality from requiring frontage improvements prior to issuing building permits for specific construction projects valued at $150,000 or less.

Contact:

If you have questions or need further information, contact Ian Paik, policy analyst by email at ian.paik@dcbs.oregon.gov.

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PERMANENT ADMINISTRATIVE ORDER

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CHAPTER 918
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
BUILDING CODES DIVISION

FILING CAPTION: Adopts frontage improvement rules to implement House Bill 2658 (2025).

EFFECTIVE DATE: 01/01/2026

AGENCY APPROVED DATE: 12/23/2025

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ADOPT: 918-050-0860

NOTICE FILED DATE: 11/12/2025

RULE SUMMARY: These rules adopt frontage improvement requirements based on House Bill 2658 (2025). The objective of HB 2658 is to prevent a municipality from requiring frontage improvements prior to issuing building permits for specific construction projects valued at $150,000 or less.

CHANGES TO RULE:

<u>918-050-0860
Frontage Improvement Valuation Calculations
This rule implements House Bill 2658 (2025), which requires a building permit to be issued without requiring frontage improvements for certain construction projects.¶
(1) Municipalities may not condition or refuse to issue a building permit for projects identified in House Bill 2658 (2025) that do not exceed the value calculated in section (3) of this rule.¶
(2) This rule applies to:¶
(a) Municipalities with populations of 15,000 or more from January 1, 2026 to December 31, 2030; or¶
(b) All municipalities on or after January 1, 2031.¶
(3) A qualifying project is determined by using the reasonable stated value of the project by the applicant and accepted by the municipality, and that does not exceed the following limits:¶
(a) $150,000 for 2026; or¶
(b) $150,000 in 2026 dollars, as adjusted by the Consumer Price Index for All Urban Consumers, West Region (All Items), as published by the Bureau of Labor Statistics of the United States Department of Labor in January of each year for application to the previous year.¶
(c) The division will publish updated values based on the methodology in subsection (b) on its website.
Statutory/Other Authority: House Bill 2658 (2025)
Statutes/Other Implemented: House Bill 2658 (2025)</u>