

# Senate Bill 549

Sponsored by Senator BOQUIST (at the request of Mark Hazelton)

## 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 **as introduced**.

Allows nonconforming public or private school on land zoned for exclusive farm use to expand on contiguous land acquired by school after school became nonconforming.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to nonconforming schools in exclusive farm use zones; amending ORS 215.135; and declaring  
3 an emergency.

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

5 **SECTION 1.** ORS 215.135 is amended to read:

6 215.135. (1) In addition to and not in lieu of the authority in ORS 215.130 to continue, alter,  
7 restore or replace a use that has been disallowed by the enactment or amendment of a zoning or-  
8 dinance or regulation, a [*use*] **public or private school** formerly allowed pursuant to ORS 215.213  
9 (1)(a) or 215.283 (1)(a), as in effect **immediately** before January 1, 2010, may be expanded subject  
10 to[:]

11 [*(a)*] the requirements of subsection (2) of this section[; *and*]

12 [*(b) Conditional approval of the county in the manner provided in ORS 215.296*].

13 (2) A nonconforming [*use*] **public or private school** described in subsection (1) of this section  
14 may be expanded under this section if:

15 (a) The [*use*] **public or private school** was established on or before January 1, 2009; and

16 (b) The expansion occurs on:

17 (A) The tax lot on which the [*use*] **public or private school** was established on or before Jan-  
18 uary 1, 2009; or

19 (B) A tax lot that is contiguous to the tax lot described in subparagraph (A) of this paragraph  
20 [*and that was owned by the applicant on January 1, 2009*].

21 (3) **Expansion of a public or private school under this section does not require conditional**  
22 **approval of a local government.**

23 **SECTION 2.** **This 2015 Act being necessary for the immediate preservation of the public**  
24 **peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect**  
25 **on its passage.**

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**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.