

House Bill 3275

Sponsored by Representatives SOLLMAN, CLEM; Representatives DOHERTY, GREENLICK, HELM, WITT

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**.

Requires applicant for housing development containing at least 100 new housing units to give notice to Department of Education and school district.

Permits city or county to impose fee for housing development projected to cause student population to exceed capacity of public schools.

A BILL FOR AN ACT

1
2 Relating to housing developments.

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

4 **SECTION 1. (1) A city or a county shall require an applicant that submits an application**
5 **under ORS 215.416 or 227.175 for a housing development containing at least 100 new housing**
6 **units to give notice in writing to:**

7 (a) **The Department of Education that includes:**

8 (A) **A copy of the application; and**

9 (B) **A description of the number and type of housing units included in the proposed**
10 **housing development.**

11 (b) **The school district that includes:**

12 (A) **A statement that the applicant has submitted an application to the city or the county**
13 **for a housing development that may affect the student population of one or more public**
14 **schools within the school district; and**

15 (B) **A description of the number and type of housing units included in the proposed**
16 **housing development.**

17 (2) **Within 15 days of receiving the notice described in subsection (1)(a) of this section,**
18 **the department shall provide the city or the county with a report that includes:**

19 (a) **The projected student population of the school district upon the proposed housing**
20 **development reaching maximum capacity;**

21 (b) **A list of public schools within the school district that will be affected by the proposed**
22 **housing development; and**

23 (c) **A determination of whether and to what extent the proposed housing development**
24 **will cause the student population to exceed the capacity of one or more affected public**
25 **schools.**

26 (3)(a) **If the department determines under subsection (2) of this section that the proposed**
27 **housing development will cause the student population to exceed the capacity of one or more**
28 **public schools, the city or the county may require the applicant to pay a fee for each student**
29 **by which the department projects the proposed housing development will cause the student**
30 **population to exceed the capacity of the affected public schools.**

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 **(b) The school district shall determine the amount of the fee authorized under this sub-**
2 **section, not to exceed \$2,500 per student.**

3 **(c) All fees charged under this subsection must be paid to the school district and made**
4 **available for efforts to increase the capacity of the affected public schools.**

5 **(4) A city or a county that approves an application for a housing development described**
6 **in subsection (3) of this section shall give written notice to the school district of the approval**
7 **that includes a copy of the report provided by the department under subsection (2) of this**
8 **section.**

9 **(5) A city or a county shall take final action on an application described in this section**
10 **within the time allowed under ORS 215.435 or 227.178, including resolution of all appeals un-**
11 **der ORS 215.422, as provided by ORS 215.427, 215.435, 227.178 and 227.181.**

12 **(6) For purposes of this section, “school district” has the meaning given that term in**
13 **ORS 330.005.**

14 **SECTION 2.** **Section 1 of this 2017 Act applies to applications dated on or after the ef-**
15 **fective date of this 2017 Act.**

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