

House Bill 2919

Sponsored by Representative NEARMAN

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 school on land zoned for exclusive farm use to expand to contiguous land owned by school.

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, re-*
7 *store or replace a use that has been disallowed by the enactment or amendment of a zoning ordinance*
8 *or regulation, a use]* **Notwithstanding ORS 215.213, 215.130 or 215.283 or any local zoning ordi-**
9 **nance or regulation, a public or private school, including all buildings essential to the oper-**
10 **ation of a school,** formerly allowed pursuant to ORS 215.213 (1)(a) or 215.283 (1)(a), as in effect
11 before January 1, 2010, may be expanded *[subject to]* **on a lot or parcel only if:**

12 *[(a) The requirements of subsection (2) of this section; and]*

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

14 *[(2) A nonconforming use described in subsection (1) of this section may be expanded under this*
15 *section if:]*

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

17 (b) The expansion occurs on:

18 (A) The *[tax]* lot **or parcel** on which the use was established *[on or before January 1, 2009];* or

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

22 **(2) Expansion under this section does not require conditional approval of a local govern-**
23 **ment.**

24 **SECTION 2.** **This 2019 Act being necessary for the immediate preservation of the public**
25 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**
26 **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.