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

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

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

SECTION 1. ORS 215.135 is amended to read:

215.135. (1) [In addition to and not in lieu of the authority in ORS 215.130 to continue, alter, re-
store or replace a use that has been disallowed by the enactment or amendment of a zoning ordinance or regulation, a use] Notwithstanding ORS 215.213, 215.130 or 215.283 or any local zoning ordi-
nance or regulation, a public or private school, including all buildings essential to the oper-
ation of a school, formerly allowed pursuant to ORS 215.213 (1)(a) or 215.283 (1)(a), as in effect before January 1, 2010, may be expanded [subject to] on a lot or parcel only if:

(a) The requirements of subsection (2) of this section; and

(b) Conditional approval of the county in the manner provided in ORS 215.296.

(2) A nonconforming use described in subsection (1) of this section may be expanded under this
section if:

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

(b) The expansion occurs on:

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

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

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

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

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.

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