

A-Engrossed
Senate Bill 943

Ordered by the Senate April 10
Including Senate Amendments dated April 10

Sponsored by Senator HEARD, Representative LEIF; Senator RILEY, Representatives DOHERTY, EVANS, GORSEK, HERNANDEZ, SMITH DB

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.

Allows development of parsonage on land where nonresidential place of worship is allowed use.

A BILL FOR AN ACT

1
2 Relating to parsonages; amending ORS 215.441 and 227.500.

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

4 **SECTION 1.** ORS 215.441 is amended to read:

5 215.441. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresiden-
6 tial place of worship is allowed on real property under state law and rules and local zoning ordi-
7 nances and regulations, a county shall allow the reasonable use of the real property for activities
8 customarily associated with the practices of the religious activity, including:

9 (a) Worship services.

10 (b) Religion classes.

11 (c) Weddings.

12 (d) Funerals.

13 (e) Meal programs.

14 (f) Child care, but not including private or parochial school education for prekindergarten
15 through grade 12 or higher education.

16 **(g) The development of a parsonage, including any dwelling provided for a religious offi-
17 cial, that:**

18 **(A) Has a floor area of no more than 2,500 square feet;**

19 **(B) Is located as close as is practicable to, but in no case farther than 300 feet from, an
20 existing nonresidential place of worship; and**

21 **(C) To the extent practicable, is not sited on high-value farmland, as defined in ORS
22 195.300.**

23 *[(g)]* **(h)** Providing housing or space for housing in a building that is detached from the place
24 of worship, provided:

25 (A) At least 50 percent of the residential units provided under this paragraph are affordable to
26 households with incomes equal to or less than 60 percent of the median family income for the county
27 in which the real property is located;

28 (B) The real property is in an area zoned for residential use that is located within the urban

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 growth boundary; and

2 (C) The housing or space for housing complies with applicable land use regulations and meets
3 the standards and criteria for residential development for the underlying zone.

4 (2) A county may:

5 (a) Subject real property described in subsection (1) of this section to reasonable regulations,
6 including site review or design review, concerning the physical characteristics of the uses author-
7 ized under subsection (1) of this section; or

8 (b) Prohibit or restrict the use of real property by a place of worship described in subsection (1)
9 of this section if the county finds that the level of service of public facilities, including transporta-
10 tion, water supply, sewer and storm drain systems is not adequate to serve the place of worship
11 described in subsection (1) of this section.

12 (3) Notwithstanding any other provision of this section, a county may allow a private or paro-
13 chial school for prekindergarten through grade 12 or higher education to be sited under applicable
14 state law and rules and local zoning ordinances and regulations.

15 (4) Housing and space for housing provided under subsection [(1)(g)] **(1)(h)** of this section must
16 be subject to a covenant appurtenant that restricts the owner and each successive owner of the
17 building or any residential unit contained in the building from selling or renting any residential unit
18 described in subsection [(1)(g)(A)] **(1)(h)(A)** of this section as housing that is not affordable to
19 households with incomes equal to or less than 60 percent of the median family income for the county
20 in which the real property is located for a period of 60 years from the date of the certificate of oc-
21 cupancy.

22 **SECTION 2.** ORS 227.500 is amended to read:

23 227.500. (1) If a church, synagogue, temple, mosque, chapel, meeting house or other nonresiden-
24 tial place of worship is allowed on real property under state law and rules and local zoning ordi-
25 nances and regulations, a city shall allow the reasonable use of the real property for activities
26 customarily associated with the practices of the religious activity, including:

27 (a) Worship services.

28 (b) Religion classes.

29 (c) Weddings.

30 (d) Funerals.

31 (e) Meal programs.

32 (f) Child care, but not including private or parochial school education for prekindergarten
33 through grade 12 or higher education.

34 **(g) The development of a parsonage, including any dwelling provided for a religious offi-
35 cial, with a floor area of no more than 2,500 square feet and located as close as is practicable
36 to, but in no case farther than 300 feet from, an existing nonresidential place of worship.**

37 [(g)] **(h)** Providing housing or space for housing in a building that is detached from the place
38 of worship, provided:

39 (A) At least 50 percent of the residential units provided under this paragraph are affordable to
40 households with incomes equal to or less than 60 percent of the median family income for the county
41 in which the real property is located;

42 (B) The real property is in an area zoned for residential use that is located within the urban
43 growth boundary; and

44 (C) The housing or space for housing complies with applicable land use regulations and meets
45 the standards and criteria for residential development for the underlying zone.

1 (2) A city may:

2 (a) Subject real property described in subsection (1) of this section to reasonable regulations,
3 including site review and design review, concerning the physical characteristics of the uses au-
4 thorized under subsection (1) of this section; or

5 (b) Prohibit or regulate the use of real property by a place of worship described in subsection
6 (1) of this section if the city finds that the level of service of public facilities, including transporta-
7 tion, water supply, sewer and storm drain systems is not adequate to serve the place of worship
8 described in subsection (1) of this section.

9 (3) Notwithstanding any other provision of this section, a city may allow a private or parochial
10 school for prekindergarten through grade 12 or higher education to be sited under applicable state
11 law and rules and local zoning ordinances and regulations.

12 (4) Housing and space for housing provided under subsection [(1)(g)] **(1)(h)** of this section must
13 be subject to a covenant appurtenant that restricts the owner and each successive owner of the
14 building or any residential unit contained in the building from selling or renting any residential unit
15 described in subsection [(1)(g)(A)] **(1)(h)(A)** of this section as housing that is not affordable to
16 households with incomes equal to or less than 60 percent of the median family income for the county
17 in which the real property is located for a period of 60 years from the date of the certificate of oc-
18 cupancy.

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