

Robin Jacobs
59890 E. Marmot Road
Sandy, OR 97055

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To: The House Committee on Rural Communities, Land Use, and Water

RE: **HB 3368** – Opposition

Dear Chair Brian Clem, and Representatives Vic Gilliam, David Gomberg, Ken Helm, Bill Post, Brad Witt, and Mike McLane,

I urge your Committee to oppose HB 3368 that amends ORS 215.448 to allow home occupations to operate outdoors in resource zones.

I live along the Sandy River in the Mt. Hood Corridor near Brightwood and Welches (Representative Mark Johnson's district). This bill appears an effort to accommodate a heavy industrial, outdoor-dependent log home manufacturing company that is applying for a Home Occupation permit to operate an outdoor industrial log home manufacturing facility on Timber resource land in the Mt. Hood Corridor. The subject site is located next to popular public recreational trail sites, the Sandy Ridge Trails and Barlow Wayside Trails, in the underlying zone, and immediately next to my riverfront home and other neighbors' homes. The company began operating, without permit, in 2011, and year-round impacts to residents, recreational trail and river users, wildlife, and the environment have been profound. The Timber parcel has been transformed into a parcel-wide industrial contractor yard, complete with fleets of operating heavy diesel construction equipment, heavy diesel trucks and vehicles, construction material stockpiles, storage units, equipment, and manufacturing work-stage areas. The company previously applied for a conditional land use permit, but the permit was denied by the County (2012), LUBA (2013), and the Court of Appeals (2014). The company is now attempting to acquire a permit to operate the outdoor heavy industrial manufacturing facility as a "Home Occupation".

Home occupations provide valuable opportunities for homeowners, and have been successful in Oregon due to carefully planned and restrictive controls and safeguards, such as requiring that home occupations be conducted indoors to avoid conflicts related to noise, environmental, and viewshed impacts. By removing such "indoor" restrictions, as this bill proposes to do, such controls and safeguards are essentially eliminated. Outdoor operations, such as the one described, risk creating impacts to and conflicts with surrounding lands and properties in the underlying and adjacent zones, and land use, the land-use process, and land-use zoning are needlessly placed at risk. ORS 215.448 should remain unchanged.

It is strongly urged and hoped HB 3368 does not pass out of Committee.

Sincerely,

Robin Jacobs