

Dear Members of the House Committee on Human Services and Housing:

My wife and I own a 13-acre farm on Sauvie Island, north of Portland, where we raise sheep and have a native plant nursery. The entire island is designated as a rural reserve. The zoning on the island is predominantly Exclusive Farm Use (EFU), 80 acre minimum lot size, with some Mixed Use Agriculture (MUA), 20 acre minimum lot size. Our property is zoned MUA but has large EFU tracts bordering it on two sides. Adjoining MUA-zoned properties are used to grow blueberries, organic vegetables, apple cider and hay. The nearby EFU lands are used to grow vegetables and grasses and graze cattle.

I am writing in opposition to House Bills 2937 and 2938, which come before you for a public hearing next Tuesday, March 14. These bills, if approved, would have serious negative impacts on lands devoted to farm production and on other rural lands that are not adequately served by public transportation or otherwise equipped to provide urban levels of services, including emergency services often provided by rural fire districts. Moreover, they would interfere with farming activities, foster urban sprawl, create demands for extending urban services, harm wildlife, destroy our rural character, and destroy the livability for which Oregon has gained a national reputation for under our land use laws.

HB 2937 would permit counties to allow one accessory dwelling unit (ADU) on any lot or parcel zoned rural residential or EFU, notwithstanding density limitations otherwise existing for the zoning district. HB 2938, which is in addition to HB 2937, would allow counties to permit the siting of an RV for residential purposes in any area zoned rural residential or EFU. Together, these bills could result in a **tripling** of density in rural residential and EFU zones. Some rural areas cannot handle this kind of additional density due to groundwater limitations. Other areas, like Sauvie Island, are already overburdened with traffic on substandard roads and cannot reasonably accommodate the additional density. Sauvie Island and other areas also rely on **volunteer** fire departments or similar entities to provide emergency services. Our fire department is already overburdened, especially during the summer recreational season when people visit our beaches and farms, and would struggle to accommodate more density. Further, in EFU and MUA zones such as ours, these bills take high quality farm land out of production and vastly increase the potential for conflict. As I describe below, even on our small farm, we have experienced such conflict.

I also oppose House Bill 2456, which applies just to lands zoned for rural residential use. It is equally bad, as it allows development of “affordable housing units” in these zones. There is no limit as to how many of these can be built, as the bill permits “two or more.” Again, these would go in places that do not have urban services (including public transportation services) and that typically rely on rural service districts for emergency and other services. It is exactly the kind of sprawl development former Governor Tom McCall warned us about when our land use laws were first enacted.

I understand that one argument in support of these bills is to provide more affordable housing opportunities by creating opportunities on rural lands. That argument sounds appealing but it is unrealistic. With respect to ADUs, such units, until recently, were renting on Sauvie Island and nearby for \$100 or more per night. If authorized, people here and in other rural zones won't be

renting them out as “affordable” housing units to low income people when, instead, they can be making far more money renting them as short term vacation dwellings.

We have had experiences with ADUs rented through Airbnb, and it hasn't been good. For over a year, until just recently, our next door neighbors, who own five acres, rented out an ADU (that had been approved as a studio with conditions prohibiting residential use) for over \$100/night. The ADU was occupied about 70% percent of the time. These neighbors also had an RV on the property, though it was not rented out. In all likelihood, if these bills become law, they will rent out the ADU and an RV, but certainly not as "affordable housing." No, they would be vacation rentals. And our neighbors were not alone. Elsewhere on Sauvie Island, some people were renting several rooms per night out to different folks as vacation rentals through Airbnb or similar services. As a result, the County received numerous complaints, based on a variety of reasons.

The impacts we've experienced have been in the form of greater use of our private road by our neighbor's guests and trespass onto our property. Last summer, two young boys visiting our neighbor's property wandered onto our property and were standing right at the gate to the sheep pasture when I noticed them. Had they opened the gate, our sheep could have gotten out onto the public road and been hit by a car. Worse, these boys could have been seriously injured or even killed by our ram. A year or so earlier, an adult woman renting their ADU also trespassed onto our property. Nothing came of this, but we are not comfortable with strangers wandering onto our property.

Elsewhere on the island, farmers driving farming equipment have complained about people trying to get around them on cars or bicycles on our narrow roads. Some island residents have nearby been driven off the road by non-island residents who don't respect our way of life. One farmer said he nearly killed a bicyclist in his blind spot who tried passing him on the right as he was about to make a right turn. Here and in other farming areas, protecting farmland and farming practices must come first. Inundation of farm areas with overnight guests unfamiliar with farming and farming practices is a recipe for trouble..

Allowing people to rent ADUs or RVs to non-farm people in farming areas of any kind is bad policy that does not make sense if we are serious about protecting our best farm land for farming. No additional dwellings of any kind should be permitted in mixed farm/residential or forest/residential zones. **Farm areas are not recreational or residential venues.** They are economic engines. Here on the island, I believe that most people who tried renting their ADUs through Airbnb were not even farmers. One, I believe, was a realtor. They often were relative newcomers to Sauvie Island who knew little about farming and about the conflicts that can occur when more people are brought into farming areas. They did not have the historical knowledge or respect for farming areas that are needed for farms to thrive.

Even in rural residential areas where farming does not occur, allowing ADUs or RVs for rental purposes makes little sense. These areas are not conveniently located to jobs, shopping, etc.,. Indeed, from my house, it is about 7 miles to the nearest grocery store, and most jobs are much farther away. These areas typically are not served or are poorly served with public transportation. If low income housing is the goal, low income people need good access to jobs and services, and

many require public transportation. Rural areas are the wrong place to locate them. And in rural areas, many roads are substandard and local governments lack the resources to fix them. It simply makes no sense to provide affordable housing opportunities in areas that cannot adequately serve people. Again, I believe this argument is a smokescreen.

Finally, density is an issue. Rural residential and non-EFU exception properties tend to be smaller lots or parcels. With our neighbors, were they to rent out their accessory structure and an RV, there would be the equivalent of 3 dwelling units on their 5 acres. And I believe they would do this, if allowed, despite the added burden on services, reliance on well water, and burden on our volunteer fire district that provides all emergency services. Those merely become someone else's problem. And were they to do this, others with small properties might be encouraged to do likewise, dramatically changing the rural character and leading to more demands for urban scale services. Another neighbor of ours with even less acreage was prepared to look into constructing an ADU to rent out when he learned that such use is not lawful in the zone.

House Bills 2937 and 2938 are not good for Oregon farmers. Nor are they good for other rural areas where the impacts will take the form of demands for more urban scale services. I ask you to reject these bills.

Due to conflicts, I cannot attend the meeting on the 14th, but I do ask that you include this letter in your hearing record. Thank you for your consideration.

Mark J. Greenfield