



Oregon

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March 14, 2017

**TO: The Honorable Alissa Keny-Guyer, Chair
House Committee On Human Services and Housing**

RE: House Bill 2937



Thank you for this opportunity to provide you with information about HB 2937. The bill, as introduced, would allow for additional permanent dwellings in rural residential areas and accessory dwellings in EFU zones that are not customarily provided in conjunction with farm use. Current law does not allow for accessory dwelling units in rural residentially zoned areas. Furthermore, accessory dwelling units on lands zoned for exclusive farm use (EFU) currently may gain approval from a county for a medical hardship or for farm help pursuant to the provisions of OAR chapter 660, division 33.

Land Conservation and Development Commission rules currently contain the state land use regulations for rural residential zones. The overarching policy objective is that rural areas remain rural to protect working landscapes and natural resources and maintain viable urban areas. The commission, after considerable testimony from a wide range of stakeholders, established rules that limit residential density in rural residential zones in order to define an appropriate level of development and ensure rural areas do not urbanize in an unplanned fashion. It is also important to note that many rural residential zoned areas are located in and amongst blocks of agricultural lands. Existing densities and minimum parcel sizes were established after consideration of impacts to adjacent and surrounding agricultural operations. The commission could consider engaging in an administrative rule amendment to explore revisions to the rural residential rule to consider the conditions under which accessory dwelling units would be appropriate.

For lands zoned EFU, much of state land use law is contained in statute. The overarching policy objectives are to limit uses that could conflict with farm use and to support commercial farming operations. Providing housing choices is not among the policy objectives of protecting farmland. Additional settlement on the landscape creates a greater risk for conflicts with agriculture regardless of the approval criteria.

Without proper controls, many accessory dwelling units will become short-term rentals, introducing not only non-farm residential use, but also non-resident use. This will further exacerbate conflicts with farm use.

Keny-Guyer, Human Service and Housing
March 14, 2017
Regarding: HB 2938

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Thank you for this opportunity to provide you with information about HB 2937. If committee members have questions about this testimony, I may be contacted at 503-934-0020 or ellen.l.miller@state.or.us.