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

RE: House Bill 2938



Thank you for this opportunity to provide you with information on House Bill 2938. The bill, as introduced, permits recreational vehicles on parcels with one existing single family dwelling on land zoned rural residential or as a conditional permitted use on land zoned for exclusive farm use (EFU).

Current law does not allow for more than one residence in areas zoned for rural residential use as contemplated by HB 2938. Recreational vehicles in EFU zones are specifically allowed as a medical hardship dwelling. Accessory dwelling units in EFU zones currently may be approved only for a medical hardship or for farm help. HB 2938 would allow recreational vehicles to be sited as a second residence in rural residential areas and EFU zones on parcels that contain one existing single family dwelling.

Land Conservation and Development Commission (LCDC) 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. 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, 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. 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 have the potential to become short-term rentals, introducing not only non-farm residential use, but also non-resident use. This could further exacerbate conflicts with farm use.

Thank you for this opportunity to provide you with information about HB 2938. If committee members have questions about this testimony, I may be contacted at 503-934-0020 or ellen.l.miller@state.or.us.