

HB 2844 A STAFF MEASURE SUMMARY
House Committee On Agriculture and Land Use

Carrier: Rep. Smith DB

Action Date: 04/02/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 7-0-0-0

Yeas: 7 - Boshart Davis, Clem, Helm, McLain, Post, Smith DB, Williams

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/26, 4/2

WHAT THE MEASURE DOES:

Authorizes counties to allow non-marijuana farm product processing facilities with processing areas smaller than 2,500 square feet to be a permitted use on lands zoned for exclusive farm use (EFU) without regard to siting standards. Defines "facility for the processing of farm products" as a facility for: processing farm crops including the production of biofuel, if at least one-quarter of the farm crops come from the farm operation containing the facility, or slaughtering, processing, or selling poultry or poultry products from the farm operation containing the facility.

ISSUES DISCUSSED:

- Legislative history of establishing processing facilities as a non-farm use permitted on EFU-zoned lands
- Examples of siting standards imposed by counties in EFU-zoned lands versus urban lands
- The inclusion or exclusion of marijuana as a farm product for the purpose of micro-processing

EFFECT OF AMENDMENT:

Allows 2,500 square foot farm product processing facilities on EFU-zoned lands to include cannabis processing facilities that are not marijuana processing facilities. Changes "farm tract containing the facility" to "farm operation containing the facility" for the purposes of describing the source of farm products and defining farm product processing facilities. Removes 2,500 square foot farm product processing facilities provision from the building code exemptions listed in ORS 455.315.

BACKGROUND:

Oregon's Statewide Planning Goal 3, 'Agricultural Lands,' requires all agricultural lands to be inventoried and preserved by adopting exclusive farm use (EFU) zones. Farm uses allowed on EFU-zoned lands include: raising, harvesting, and selling crops; feeding, breeding, managing, and selling certain animals; and preparing, storing, and disposing of products and by-products raised on these lands. Certain nonfarm uses may also be allowed on EFU-zoned lands.

Counties have been authorized by the legislature to allow farm product processing facilities with processing areas smaller than 10,000 square feet that are in compliance with applicable siting standards to be a permitted use on EFU-zoned lands in counties that adopted marginal lands provisions under ORS 215.213, and in nonmarginal lands counties under ORS 215.283. Counties are currently prohibited from applying siting standards in a manner that would prohibit the siting of these farm product processing facilities.

House Bill 2844 A would authorize counties to allow non-marijuana farm product processing facilities with processing areas smaller than 2,500 square feet to be a permitted use on EFU-zoned lands without regard to siting standards.