

HB 3322 -3, -5 STAFF MEASURE SUMMARY

House Committee On Housing

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Meeting Dates: 4/6, 4/13

WHAT THE MEASURE DOES:

Disallows planned communities from including provisions in governing documents that prohibit or restrict owner or owner's tenant to produce food products on owner's lot, including through gardening, chicken-keeping, beekeeping, or livestock production. Allows homeowners association to enforce regulations requiring that food production be performed in a competent and proficient manner or be consistent with applicable laws and ordinances related to food production. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- Upholding existing city ordinances around gardening and livestock keeping
- Amending "chickens" to "hens" to exclude roosters
- Potential concerns around beekeeping related to bee allergies or specific immune reactions
- Ability of home gardening to address food insecurity, particularly among BIPOC Oregonians
- Concerns about food production negatively impacting owner's or adjacent property
- Retaining HOA ability to set specific restrictions based on lot size or setback requirements

EFFECT OF AMENDMENT:

-3 Clarifies that food production activities allowed under this Act include gardening, hen-keeping, and beekeeping. Removes emergency clause.

No revenue impact; minimal fiscal impact

-5 Clarifies that food production activities allowed under this Act include gardening and beekeeping. Removes emergency clause.

BACKGROUND:

Oregon statute specifies that owners in a planned community are collectively responsible for the exterior maintenance of any property that is individually owned, and it allows planned communities to adopt landscape standards and best practices, including minimizing irrigation and turf.

House Bill 3322 allows for food production on an owner's lot within a planned community, subject to certain regulations established by a homeowners association.