

**SB 1087 STAFF MEASURE SUMMARY**

**Senate Committee On Rules**

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**Prepared By:** Leslie Porter, LPRO Analyst

**Meeting Dates:** 4/6

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**WHAT THE MEASURE DOES:**

Establishes definition of a "farm café." Delineates standards for establishment of farm cafés on lands in Lane County zoned for exclusive farm use. Requires Oregon Health Authority (OHA) to review land use compatibility statement before licensing farm café. Requires local government that receives request for land use compatibility statement to respond no later than 21 days after receiving request. Authorizes OHA to revoke, deny, or suspend license upon certain violations of land use conditions. Permits OHA to enter into agreement with State Department of Agriculture to license and inspect farm cafés.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

No amendment.

**BACKGROUND:**

Land use laws allow a variety of farm-related uses and also allow "conditional uses" not related to farming. "Permitted uses" are reviewed by local planning officials but discretionary approval criteria or "conditions" are not usually applied. "Conditional uses" are not appropriate in all farm areas but may be appropriate in specific locations. Local governments may apply "special conditions" in approving conditional uses, to reduce impacts on nearby farm uses. Farm use is defined by law as "the current employment of land for the primary purpose of obtaining a profit in money," by growing crops, raising specified animals, processing and marketing of related farm products, and certain other uses. In 1963, the first statutory exclusive farm use (EFU) zone allowed only six non-farm uses; today over 50 non-farm uses are allowed in EFU zones, including a wide variety of residential, commercial, utility, transportation, natural resources, and public and semi-public uses.

Senate Bill 841 (2013) allowed wineries meeting certain thresholds to be established as a permitted use on EFU and mixed farm and forest use land. In 2017, Senate Bill 677 established a cider business as a permitted use on EFU and mixed farm and forest use lands. The measure, modeled on the winery statutes, also specified the related uses allowed at such businesses and authorized up to 18 agri-tourism or other commercial events at these locations each calendar year. And Senate Bill 287 A (2019) established farm breweries on EFU or mixed farm and forest use.

Senate Bill 1087 establishes farm cafés and sets standards for their establishment on lands in Lane County zoned for exclusive farm use.