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March 6, 2023

Senator Kayse Jama, Chair, and Members  
Senate Committee on Housing and Development  
State Capitol  
Salem, OR

Re: SB 648 and the -1 amendment

Dear Chair Jama and Committee Members:

1000 Friends of Oregon opposes the -1 amendment to SB 648, before this committee today. We are a nonprofit, membership organization that works with Oregonians to support livable urban and rural communities; protect family farms, forests and natural areas; and provide transportation and housing choice. 1000 Friends of Oregon also opposes the underlying bill, SB 648, because although it prohibits the use of some dwellings constructed after January 1, 2024 as vacation rentals, SB 648 implicitly condones the transformation of other farm and forest dwellings into vacation rentals.

When the land use planning program was established in 1973, about a half dozen uses were allowed in farm and forest zones, generally related to carrying out the business of farming or forestry. Today, *over sixty* uses are allowed in the so-called “exclusive farm use” zone, many of which are not related to farming at all and, in fact, pose serious conflicts with farming. A similar expansion has occurred in Oregon’s forest zones. This proliferation of uses drives up the cost of farm land for farming, and undermines the legislative policy of keeping farmland available and affordable.

The original SB 648 proposed a modest improvement in this situation, by prohibiting future homes built on farm land from being used as vacation rentals. SB 648 does not impose the same restrictions on forest land dwellings and specifically excludes them from the prohibition. However, the -1 amendment goes in a completely different direction. The -1 amendment would allow any “residential structure” in a farm, forest, or mixed farm forest zone to be used as a vacation rental.

This is contrary to the legislature’s adopted policy recognizing the irreplaceable economic value of Oregon’s farm land:

“[T]he maximum amount of the limited supply of agricultural land is necessary to the conservation of the state’s economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the state and for the

assurance of adequate, healthful and nutritious food for the people of this state and nation.”<sup>1</sup>

1000 Friends of Oregon opposes the -1 amendment for several reasons:

- Vacation rentals conflict with farming and forestry practices, making it more difficult and expensive to engage in two of Oregon's major industries. Conflicts include trespass, traffic on rural roads, late-night noise and parties. It also puts pressure to convert Oregon’s limited supply of farm and forest lands to commercial uses, driving up the cost of land for farming or forestry.
- Counties have not consistently limited vacation rentals to dwellings, and have allowed landowners to transform the dwellings into buildings that are designed and used as hotels, in which individual rooms are rented and the building is upgraded to standards for transient occupancy.
- Oregon's agricultural areas are where the state's #2 industry happens - it's not a recreational area for those coming from urban areas. Oregon’s farms produce \$31.1 billion in sales of goods and services; 1 in every 5 jobs in Oregon is related to agriculture; and it represents 15% of the state’s economy. Oregon produces over 200 different crops, and leads the nation in producing over a dozen of those. Would we think of allowing vacation rentals in any other “industrial” area?
- Vacation rentals remove homes from the market. The - 1 amendment is contrary to the stated desire of legislators to address needed housing, especially in rural areas. These are homes that are often long term rentals for farm workers and others who work in rural areas. Allowing them to be vacation rentals takes away that home, and puts upward pressure on the price of land and housing in the region. There are many areas of the state in which vacation rentals have removed housing from the market for long term renters.
- One of the underlying statutes it seeks to amend - the Home Occupation statute - is already too weak and abused, by people taking what were farm structures, like barns, and turning them into wedding venues, etc... This amendment is going in the wrong direction.

We ask that you not adopt the -1 amendment to SB 648. And, rather than acting on SB 648, we recommend a work group be established to address the current problems with the home

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<sup>1</sup> ORS 215.243

occupation statute and ensure that the vacation occupancies currently allowed on farm and forest land by the home occupation statute work with and for farmers, not against them.

Thank you for consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Mulkey". The signature is fluid and cursive, with the first name "Andrew" written in a larger, more prominent script than the last name "Mulkey".

Andrew Mulkey  
Staff Attorney  
1000 Friends of Oregon