

Submitter: Denise Lopez
On Behalf Of:
Committee: Senate Committee On Natural Resources and
Wildfire
Measure, Appointment or
Topic: SB77

Oregon land use law allows people living in exclusive farm and forest use zones to operate small businesses, called “home occupations,” within their homes. But the provision is vaguely written and has become a loophole to evade the legislature’s requirements for allowing hospitality, entertainment, and other commercial uses in exclusive farm use zones. This is putting agriculture, Oregon’s 2nd largest economic driver, at risk. Unfortunately, the provision for home occupations in Oregon’s farm and forest zones does not describe the kinds of businesses customarily included in the definition of home occupations or clarify that “home” means residential. The vaguely written language has been turned into a loophole for allowing hotels, event venues for hundreds of people, and other large-scale commercial uses. Nonresident business owners – including international hospitality and entertainment syndicates – use the provision to build so-called dwellings in exclusive farm and forest zones and convert them to luxury hotels and premier tourist destinations. The business owners do not live in these multi-suite “homes,” but rather hire a caretaker to manage the venue for them. In other words, the “dwelling” is no longer a home in which the owner operates a small business; it is a stand-alone commercial enterprise that the legislature has not authorized in farm and forest zones. The legislature can address the home occupation loophole by defining the term and providing clear and objective standards for ensuring the residential use remains the primary use, as follows: Define a home occupation as an activity that must occur within the home or residential garage that is operated by the resident homeowner. Specify that a home occupation is a business customarily conducted in the home and is accessory, incidental, and subordinate to the primary use of the home, which is private residential use. Define activities that are not included in the definition of home occupations, such as hotels, restaurants, drinking establishments, event venues, and other activities that are not specifically allowed in farm and forest zones or that have other pathways for permitting. I urge you to support SB 77 and adopt strong language to protect Oregon's lands, thank you.