

## HB 4153 A STAFF MEASURE SUMMARY

### Joint Committee On Ways and Means

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**Meeting Dates:** 2/27, 3/2

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#### WHAT THE MEASURE DOES:

The measure establishes farm stores as a permitted use on land zoned for exclusive farm use (EFU), and on land zoned for mixed farm and forest use.

#### Detailed Summary:

- Defines the following terms with respect to permitted uses in EFU zones: “Agri-tourism,” “Farm use,” “Farm-to-table meal,” “local agricultural area,” “farm unit,” and “processed farm product”
- Provides that a farm store must sell farm products produced by the farm operation that operates the store, and may use no more than 10,000 square feet of one or more permanently enclosed structures
- Establishes certain acreage and farm-use or income requirements, as follows:
  - ≥ 80 acres: at least 45 acres employed for farm use
  - 40 to <80 acres: at least 25 acres employed for farm use
  - 20 to <40 acres: at least 15 acres employed for farm use,
  - < 20 acres: either (1) at least 10 acres employed for farm use, or (2) the farm store operates as part of a farm unit that earned at least \$10,000 in cumulative gross farm income over the preceding two years
- Outlines permissible uses of a farm store including the following:
  - Sale of farm products or processed farm products produced in the local agricultural area
  - Sale of other retail items, if the display area does not exceed 25% of the floor area of the permanent enclosed farm store structure(s)
  - Sale of beverages and prepared food items for immediate consumption, and
  - Agri-tourism activities
- Authorizes a farm store to include onsite kitchen facilities licensed by the Oregon Health Authority, provided that food and beverage service are not be conducted in a manner that causes the kitchen to function as a café or drive-through dining establishment
- Authorizes local governments with relevant land use jurisdiction to adopt specific siting standards for farm stores, provided that they siting standards are not applied in a manner that prohibits the siting of a farm store
- Prohibits using a farm store in conjunction with psilocybin-producing fungi crops and marijuana crops on EFU-designated land

#### ISSUES DISCUSSED:

- Fiscal impact of the measure
- Impact on farmland and smaller farms
- Diversification of farm income
- Importance of regulatory clarity

#### EFFECT OF AMENDMENT:

No amendment.

#### BACKGROUND:

Oregon’s Statewide Land Use Planning Goal 3 requires all agricultural lands to be inventoried and preserved by adopting EFU zones. Farm uses allowed on EFU-zoned lands include raising, harvesting, and selling crops; feeding,

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breeding, managing, and selling certain animals; and preparing, storing, and disposing of products raised on these lands. Certain nonfarm uses are also allowed on EFU-zoned lands and currently include farm stands under limited circumstances.

PRELIMINARY