

Submitter: James Edwards

On Behalf Of:

Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water

Measure, Appointment or Topic: HB4153

I live immediately next door to EFU land and have been negatively impacted by their nonfarm activities, such as concerts and playgrounds. (I can provide proof and have to the County) The county government is now making them abide by current laws which has improved our life, but HB 4153 is unfair to rural residential landowners. We have a reasonable expectation that adjoining Exclusive Farm Use zoned land will be used for farming, not for retail stores, commercial kitchens, restaurants, concerts, amusement parks, zoos, and entertainment venues. We expect and accept the necessary noise and inconvenience that comes with being part of a farming community. But rural residential landowners – and our farming neighbors – should not be forced to deal with non-farm uses that belong in commercial and manufacturing zones.

The agenda for this meeting says that HB 4153 “Allows counties to approve farm stores”. That is a deceit. This bill does not “allow”, it FORCES. It inserts retail stores, events, amusement parks, and commercial kitchens into ORS 215.283(1), where counties MUST permit them. The state should not force this laundry list of non-farm uses on land zoned for Exclusive Farm Use without regard to the character, priorities, or needs of individual counties.

The state should not force counties to permit non-farm uses that do not fit their particular priorities and types of agriculture. Currently, for example, counties may – but are not required to – allow agri-tourism and other commercial events on Exclusive Farm Use land. Hood River County has chosen to allow up to 18 days of agri-tourism events, but not the larger number available in statute, and no commercial events. This is the county’s right and choice under current law. It is the balance between tourism and farm land protection that fits Hood River. That local prerogative will be taken away by this bill. HB 4153 would force all counties to allow unlimited commercial activities and entertainment venues under the guise of a “farm store”. Please do not do that to Hood River and do not allow it within 50 feet of my bedroom and living room.

HB 4153 is designed to eviscerate exclusive farm use zoning and destroy the land use system that makes Oregon special. I don’t want Oregon to be Florida or Texas. There are innumerable entertainment and retail conglomerates just waiting for a bill like this in order to buy up our farm land and plaster it with concert venues, commercial events, and food service outlets. Don’t be fooled; the bill has so many loopholes that none of these operations need have any real basis in local farming.

This is a terrible bill and the wrong path for Oregon.

HB 4153 is unfair to small businesses. Restaurants, brew pubs and cafes in rural centers pay commercial prices for land, pay commercial property taxes, and do not have acres of land to convert from farm use to lawns for customers. Small rural business and commercial districts die when farm land becomes de facto commercial land. In Hood River County, almost all EFU zoned parcels have a view of some sort. With this bill, our farm land would metastasize into high-traffic commercial businesses with which those in the appropriate zones cannot compete. That kind of sprawl is the opposite of everything that Oregon's land use system was designed for.

HB 4153 goes far beyond anything currently permitted in the Exclusive Farm Use zone. It would require counties to permit:

- "Farm stores" selling anything, so long as they also offer an undefined amount of farm products. A Harley Davidson store with a basket of apples on the counter?
- Any activity that promotes visitors and sales. A Harley Davidson motorbike rally?
- Commercial and seasonal events of any kind. A summer concert series next door to you? A Google corporate retreat?
- Classes, play structures and amusement parks, animal exhibits, arenas and other open structures. Fill in the blanks.

Thanks for your consideration.