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February 3, 2026

House Committee on Agriculture, Land Use, Natural Resources and Water  
Oregon State Capitol  
900 Court Street NE  
Salem, Oregon 97301

Re: Vote "No" on HB 4153

Co-Chairs Helm and Owens, Vice-Chair McDonald, and members of the committee:

1000 Friends of Oregon is 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 choices. 1000 Friends opposes HB 4153.

Since its inception, 1000 Friends has worked with farmers, ranchers and timberland owners to protect Oregon's agricultural and forest land for production agriculture and forestry and for natural resource protection. In Oregon's rural communities, in the courts, and in the legislature, we work with and for our agricultural and forest industry partners—the people staking their livelihood on the assurance that large blocks of affordable land will be available for them and future farmers and ranchers to operate now and in the future.

Over the past decade, there has been growing pressure from the tourist, hospitality and entertainment industry to locate destination tourist attractions in some of our most productive agricultural areas, such as Yamhill County, the Hood River Valley, and other locations. We recognize that some of these activities are engaged in by farmers and ranchers who are supplementing their agricultural income. But there is also a large tourism industry, which must be conducted in a way and in places that does not adversely impact Oregon's #2 industry of agriculture – an existing, successful industry that provides big dollars for Oregon's economy as well as food and fiber for the world. We also need to ensure that we do not price out our new and younger farmers, orchardists, and ranchers.

1000 Friends has always been willing to work collaboratively on ways to make these types of laws work well, and we remain so. There are elements of HB 4153 that we have made clear are worthy of further discussion and we believe common ground can be found, and we hope those discussions can occur. In its current form, we cannot support HB 4153.

HB 4153 makes two major changes to the current EFU statute in the area of nonfarm commercial uses.

**1) Farm stands.** The bill replaces the current provisions for farm stands with a new provision for "farm stores," with much broader provisions for nonfarm **retail sales and events**.

Farm stands directly selling farm products were originally considered a farm use and did not require a land use permit. However, over the years the legislature expanded that focus to allow retail sales unrelated to the farm operation and further to allow farm stands to be a venue for promotional **events**.

*Since our founding in 1974, we have worked with Oregonians to enhance our quality of life by building livable urban and rural communities, protecting family farms and forests, and conserving natural areas.*

In both cases, these were required to be **incidental and subordinate** to the primary use of the farm stand, which was selling farm products. At the counties' request, the legislature chose a clear and objective measure of the incidental and subordinate requirement, stating that nonfarm retail sales and events could comprise no more than **25% of the farm stand's total annual sales**.

HB 4153 expands the allowed activities at a farm store to include **onsite sale of food and beverages for immediate consumption, farm to table dinners and other agritourism** activities. Further, it does not subject those expanded uses to existing requirements that are designed to protect local agricultural land and farming. (Agritourism part discussed separately below).

HB 4153 also **eliminates the 25%** limit on nonfarm retail sales and events at the newly named farm stores. The bill substitutes two provisions for the 25% cap:

- a) **acreage** provisions requiring that a certain amount of the farm property be in farm use when the permit is granted; and
- b) **square footage requirements** specifying that no more than 25% of the farm store's internal floor area be devoted to nonfarm retail sales.

**Acreage and square footage** requirements do not ensure that nonfarm commercial uses remain secondary and agriculture remains primary.

**Acreage.** The acreage requirements require that from 10-45 acres of the property be employed for farm use, depending on the size of the tract. A farm's primary business revenue could easily come from specialty food and alcohol sales, together with year-round events and onsite meal and beverage service. The agricultural use on 10-45 acres of the property would be secondary to the nonfarm commercial use.

**Square footage.** While nonfarm retail sales can occupy only 25% of the store's floor space, there is no requirement that 75% of the floor space be used for the sale of farm products. Under the bill it may be used for selling food and beverages prepared onsite. It may also be used for agritourism events.

While the store must sell an unspecified amount of farm products produced by "the farm operation," there is nothing to limit agritourism events and food and beverage sales from occupying 95% or more of the floor space.

**In sum, unlike the 25% cap on nonfarm retail sales and promotional activities, the acreage and square footage requirements are not adequate safeguards to ensure that agriculture remains the predominant use of the farm property.**

"You could open a store the size of Dollar General or Applebee's, put a basket of your home-grown lavender sprigs for sale at the cash register, and be able to sell unlimited amounts of Franz bread, Tillamook cheese, Kettle Chips, and Ninkasi beer to both tourists and local shoppers," say Yamhill County farmer Sid Friedman. "How does that support farmers who want to farm?"

Sideboards are important, to ensure that farming remains the predominant use, and potential conflicts with local farming and forest operations are addressed. Even with today's existing law, farmers, orchardists, and ranchers across the state are experiencing adverse impacts from entertainment businesses, individuals, not farmers, buying land for these types of venues and increasing land prices, and from traffic, trespass, and other conflicts caused by large numbers of tourists at a time.

**2) Agritourism.** HB 4153 authorizes agritourism events at farm stores, without requiring compliance with the statutory guardrails designed to protect agricultural land for agriculture. The current guardrails include

- Requirement that proposed activities and events not negatively impact surrounding farm operations (farm impacts test);
- Requirement that events and other commercial activities be incidental and subordinate to farm use on the property;
- Numeric caps for number of allowed events, attendees and vehicles; and
- Temporal limits on hours and duration.

The agritourism statute was adopted in 2011 after three years of thorough vetting by a legislative working group. It was focused on criteria that could allow some nonfarm commercial activities such as food service (farm to table dinners), **seasonal festivals** and **fee-based commercial activities**. **Retail sales** were not included.

While the agritourism statute greatly expanded the types of nonfarm commercial uses allowed in the exclusive farm use zone, it did so by putting in place limits designed to protect agricultural areas, outlined above (farm impacts test, subordinate nature of use, caps and limits on events).

HB 4153 allows “farm stores” to host all the commercial activities that would otherwise require an agritourism permit, but without application of the criteria designed to protect agriculture and keep it the predominant use in exclusive farm use zones.

**HB 4153 is unnecessary.** Counties already have the ability to authorize weddings and event venues. Unlike the current law, HB 4153 does not protect surrounding farming and forest operations.

In conclusion, HB 4153 removes requirements in existing law that ensure agriculture remains the predominant use of agricultural land zoned for exclusive farm use. As such, it represents a sharp deviation from Oregon’s long-standing agricultural land use policy to preserve agricultural land for agricultural use. Because of the resulting threat to Oregon’s agricultural land base and the industry on which it depends, 1000 Friends cannot support HB 4153 as currently drafted.

**Please vote “no” on HB 4153.**

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "James Johnson", with a stylized, cursive script.

Jim Johnson  
Working Lands Policy Director