

February 4, 2026

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

Re: HB 4153 – Oppose

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

Thank you for the opportunity to provide testimony on HB 4153. Central Oregon LandWatch (“LandWatch”) is a land use and conservation advocacy organization that, for more than 35 years, has protected Central Oregon’s farm and forest lands, rivers and springs, fish and wildlife, and vibrant communities. We work to conserve the region’s ecosystems, wildlife habitat, and working rural lands balanced with a responsible, sustainable approach to planning and fostering thriving communities.

LandWatch opposes HB 4153, which would require counties to approve large commercial “farm stores” across Exclusive Farm Use-zoned lands, creating conflicts with existing law by allowing unfettered agritourism activities without regard to impacts to neighboring farmers.

This bill creates more confusion about farmstands, agritourism, and related issues on protected farmland in Oregon. It implicates many issues that Oregonians who care about the agricultural economy, local food production, and protection of our state’s working lands care about. **A policy debate this big is inappropriate for a short legislative session.** This work is best left to thorough legislative work groups or agency rulemaking to fully vet proposals to ensure our EFU regulations both support farmers and protect the agricultural land base. For comparisons, existing agritourism laws took many years of careful research, planning, and negotiation prior to becoming law.

To be clear, LandWatch supports farmers’ ability to sell their products directly to consumers in farmstands, and to host educational and fee-for-service activities like u-picks. Those activities are already allowed under existing Oregon law. 215.283(1)(o). Counter to the overblown rhetoric coming from some proponents of this bill, **existing law provides farmers the ability to sell their farm products to the public, host educational events and activities, and sell nonfarm retail items up to 25% of a farm stand’s total annual sales.**

This bill would greatly expand the amount of nonfarm commercial activities, like food and beverage service and sale of nonfarm retail items, and exempt those activities from any review



of impacts to neighboring farms. The acreage requirements of the bill do not ensure that nonfarm commercial activities will be incidental and subordinate to actual farm use of a property. In other words, **the bill requires counties to allow nonfarm commercial uses as the primary activity on Exclusive Farm Use-zoned land.**

The square footage requirements of the bill require that nonfarm retail sales may occupy only up to 25% of the store's floor area, but there is no requirement that the other 75% of floor space – in buildings that can be up to 10,000 square feet in size – be used for the sale of farm products or otherwise support farm use of farmland. **The bill's silence on what percentage of a "farm store" must be devoted to the selling of farm products means that these hulking commercial buildings will function as run-of-the-mill retail and food and beverage facilities.** Selling a few pumpkins or bunches of lavender at the checkout counter of a 5,000 or 10,000 square foot store would satisfy the bill's meager requirement that the farm store be used for the sale of any nominal amount of farm products produced by the farm operation.

The bill has no requirement that the farmer or landowner operate the farm store business. **This will attract outside developers, hospitality business interests, and other well-capitalized investors who simply seek a quick profit at the expense of farmland and working farmers.** The *bill favors interests who want to pivot farm land away from production.* It puts pressure on neighboring farms that just want to farm. This pressure is both financial, through real estate speculation, and physical, through the impacts of crowds, traffic, and noise that conflict with customary farm practices like pesticide and fertilizer spraying and heavy machinery movement.

This bill will create confusion and conflict in Oregon's farm zones. Around fifteen years ago, the Oregon legislature adopted laws regulating agritourism activities on farmland. See ORS 215.283(4)-(6). Over three years of stakeholder work groups informed those laws, and their provisions balance the allowance of agritourism activities on working farms with the preservation of farmland for farm use. Our agritourism laws limit the number of events and their length on farmland, and require the events to be incidental and subordinate to farm use of the land. They also require agritourism to satisfy the "farm impacts test" at ORS 215.296 to ensure that the use will not significantly impact surrounding lands devoted to farm and forest use. **HB 4153 creates an alternate path to permit agritourism activities with none of the sideboards of existing law at ORS 215.283(4)-(6). This would sow confusion among county planners, farmers, and the public, and likely lead to increased litigation to parse this conflict between laws governing agritourism activities.**

The same confusion and potential for litigation noted above in relation to agritourism is also likely to occur in relation to outdoor mass gathering provisions. ORS 433.735-763, ORS 197.015(10)(d). **The bill includes no provisions that would prevent farm stores from hosting weeks-long mass gatherings attended by thousands of people, all with no consideration of those events' impacts to neighboring farms.** It would also not require health and safety standards that ensure the wellbeing of agritourism and mass gathering attendees on farmland.



Many of rural Oregon's cities and towns are facing empty storefronts and depressed local economies. Hospitality businesses and eating and drinking establishments belong on the commercially-zoned land that Goal 9 requires cities to provide inside urban growth boundaries.

By opening up our farmlands for hospitality and recreation industries, HB 4153 would create unfair competition that will further disincentivize investment in rural Oregon cities.

By removing simple "farm stands" as a use allowed in Exclusive Farm Use zones, **the bill creates unnecessary new requirements for farmers who simply want to sell their farm products to the public.** Most farmers just want to farm and sell their farm products, and this bill forces them into a complicated new scheme with acreage and square footage requirements. Rather than liberalizing farm stands as this bill's proponents claim, the bill forces farmers who would like to sell their products directly to consumers into a hospitality industry, destination-oriented arrangement.

When farmland is allowed to be used for nonfarm, hospitality industry uses, the price of the land is artificially increased. Suddenly, the value of farmland inflates when the market perceives that nonfarm, commercial uses may be readily established. Existing farms face conflicts, cannot afford to expand, and new farmers cannot access land. This is already happening in Oregon's farm communities and **HB 4153 will hasten the gentrification and displacement of Oregon's working farmers.**

We respectfully urge you to vote against this short-sighted bill and not pass it out of committee.

Regards,

Rory Isbell
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Central Oregon LandWatch

