

Submitter: James Mederios

On Behalf Of:

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

Measure, Appointment or Topic: HB4153

The bill digest 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. This is government overreach at its worst. 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. HB4153 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 gives privileges to “farm stores” that far exceed those given to other types of permits. A cider business, for example, can only sell retail items directly related to the cider it produces; sales of incidental items and services are capped at 25 percent of the income from sales of cider; and agri-tourism and commercial events at cideries are limited in several ways. All of these features ensure that a cidery is first and foremost a farm that grows apples and produces cider. This bill allows “farm stores” to sell any kind of retail items, removes any limit on the amount of those sales, and allows unlimited entertainment events. If this bill were passed, there would be an immediate push to restore parity for other types of permits, a race to the bottom in which farm land would no longer protected in any way. The overreach in this bill would be devastating for farmers who are simply trying to farm. Land use law is complicated, and changes of this magnitude should not be rammed through the short session.

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.