

SB 437 A STAFF MEASURE SUMMARY
Senate Committee On Housing and Development

Carrier: Sen. Hayden

Action Date: 03/01/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 5-0-0-0

Yeas: 5 - Anderson, Jama, Knopp, Patterson, Sollman

Fiscal: No fiscal impact

Revenue: No revenue impact

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Meeting Dates: 2/15, 3/1

WHAT THE MEASURE DOES:

Prevents planned communities from prohibiting or restricting owners, or tenants of owners with landlord approval, from producing food products on owner’s lot, limited to gardening, hen-keeping, or beekeeping. Allows planned communities to enforce applicable regulations.

ISSUES DISCUSSED:

- Changes made to the bill during the 2021 legislative session
- Potential noise and other impacts to neighbors
- Food security
- Generational knowledge of agriculture

EFFECT OF AMENDMENT:

Limits covered food production to gardening, hen-keeping, or beekeeping. Clarifies food production be performed in manner consistent with all applicable laws and ordinances.

BACKGROUND:

Planned communities, defined by Oregon statute 94.550, include any subdivision resulting in a pattern of ownership of real property and the buildings and improvements in which owners are collectively responsible for maintenance, operation, insurance, or other expenses relating to the property. Condominiums, exclusively commercial and industrial subdivisions, and timeshare plans are excluded from the definition. Governing documents for these communities include provisions relating to common ownership and maintenance of the community and are binding upon the community’s lots.

Senate Bill 437 A prevents planned communities’ governing documents or guidelines from prohibiting gardening, hen-keeping, or beekeeping, but allows them to enforce applicable regulations.