

HB 4153 A STAFF MEASURE SUMMARY

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

Action Date: 02/16/26

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 8-3-0-0

Yeas: 8 - Boice, Cate, Hartman, Helm, Levy B, Marsh, Owens, Scharf

Nays: 3 - McDonald, McLain, Munoz

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Anna Glueder, LPRO Analyst

Meeting Dates: 2/4, 2/9, 2/16

WHAT THE MEASURE DOES:

The measure replaces existing regulations for farm stands on exclusive farm use (EFU) zones with new regulations for farm stores.

Detailed Summary:

- Defines the following terms with respect to permitted uses in EFU zones: “Agri-tourism,” “Farm use,” “Farm-to-table meal,” “local agricultural area,” “farm unit,” and “processed farm product”
- Replaces existing farm stand regulations on EFU land, allowing farm stores on EFU land under the following conditions:
 - The farm store sells products produced by the farm operation, produced in the local agricultural area, or beverages and prepared food items ready for immediate consumption to the public
 - The farm store is located on land that meets certain acreage and farm-use or income requirements
 - The square footage of the farm store and the area used for the sale of retail items does not exceed certain limits
- Specifies agritourism activities as a permitted use of farm store structures
- Authorizes a farm store’s farm-to-table meal operation to include onsite kitchen facilities licensed by the Oregon Health Authority and places limits on the food and beverage services those kitchen facilities provide
- Authorizes local governments with relevant land use jurisdiction to adopt specific siting standards for farm stores

ISSUES DISCUSSED:

- Types of proposed permitted activities
- The measure’s effect on existing farm stand operations
- Existing laws and regulations regarding farm stores and farm stands
- Pathways to get a farm store permit
- Financial viability of farm operations
- Potential unintended consequences of proposed farm store regulations
- Role of counties in the permitting process

EFFECT OF AMENDMENT:

The amendment modifies farm store standards by defining additional terms, requiring farm stores to sell products grown by the operating farm, increasing allowable size and income thresholds, adjusting food service rules, and revising county siting authority. The amendment also restores farm stands as permitted uses on EFU land.

HB 4153 A STAFF MEASURE SUMMARY

Detailed Summary:

- Adds a definition for “farm unit”
- Clarifies that eligibility to establish a farm store on EFU land requires the store to sell farm products produced by the operating farm
- Increases the total square footage limitations of permanently enclosed structures used for a farm store to 10,000 square feet
- Reduces farm income requirements from at least \$40,000 to at least \$10,000 in gross farm income in the preceding two years
- Requires retail items to be sold from within a permanent enclosed structure
- Authorizes farm stores to use temporary structures or mobile vending units in conjunction with an agritourism activity
- Narrows the limitations on the food and beverage services provided by kitchen facilities
- Removes counties’ prohibition to apply siting standards that unreasonably frustrate the siting and operation of farm stores

BACKGROUND:

Oregon’s Statewide Land Use Planning Goal 3 requires all agricultural lands to be inventoried and preserved by adopting EFU zones. Farm uses allowed on EFU-zoned lands include raising, harvesting, and selling crops; feeding, breeding, managing, and selling certain animals; and preparing, storing, and disposing of products raised on these lands. Certain nonfarm uses are also allowed on EFU-zoned lands and currently include farm stands under limited circumstances.