

Ag for Oregon
Advocates for the Land

TO: Chairs Helm and Owens and Members of the Committee:

From: Mike McCarthy, Ag for Oregon

Re: Oppose HB 4153

I farm in Parkdale and raise apples, pears and cherries and sometimes cows.

I am a member of Ag for Oregon, a group of farmers, ranchers and forest land owners who advocate for better protection of our resource lands for future generations.

Ag for Oregon opposes HB 4153.

The 35,000 farms that generate \$40 billion on 16 million acres in Oregon and ship food and seed all over the US and world are struggling with high costs and low returns. This bill does little to fix this and help Oregon farmers. Its deceptive. Its unenforceable. It will harm more farms than it will help.

Mostly Non Farm Items will be sold.

The principal problems with the bill are that the Farm Store can sell almost exclusively products with no connection to products grown on the farm.

Example: 95% of the floor space in a 10,000 or 5000 sq ft building can be used to sell:

-unlimited non farm retail item sales, Ariat and Carhartt clothes-no limit on sales amount

-unlimited non farm prepared food sales-non limit on sales amount.

-unlimited non farm beverages sales-no limit on sales amount.

Convenience stores, even gas stations!!!

There is no stated requirement for an amount of on-farm crops or livestock from the farm that have to be sold.

Slides on Farm Stand and Tourism uses: Attached to this testimony.

We already have many routes to sell products grown on the farm directly to the public and to do tourism. Farm Stands and Agritourism are allowed uses now to do anything a farmer needs to do to sell their crop directly to consumers.

Slide on Uses: Attached to this testimony.

Over the years these same anti conservation, property rights groups have claimed “farms need help”.

Nearly 60 times these groups have asked for more uses, mostly non farm uses taking farm land.

In 2026, it’s time to conserve lands, not develop commercial uses on farm land. Climate impacts of this bill are not being considered. As a state we continue to promote more uses and development that emit CO2, then wonder why we can not meet climate goals.

Untintended Consequence 1.

What do all these allowed uses cause?

Farm land prices are moving towards commercial prices because of all the potential uses.

Potential uses do increase farm land prices: How do we know? Several Reasons.

-USPAP appraisal standards requires considering allowed uses.

-Realtors advertise potential uses not present on the land and price accordingly.

-The IRS allows a deduction for removing potential uses through a Conservation Easement.

-Sales data show people pay more when they can get a potential use in the future.

Farms with developed tourism infrastructure are too expensive and out of reach for young farmers to buy.

For Farm stands and other tourism uses with developed infrastructure the market value can increase as much as 10 times to \$300,000 per acre. HR Sales Assessor's data.

This makes buying a farm only an elitist opportunity pricing out most young people that want to farm.

Untintended Consequence 2.

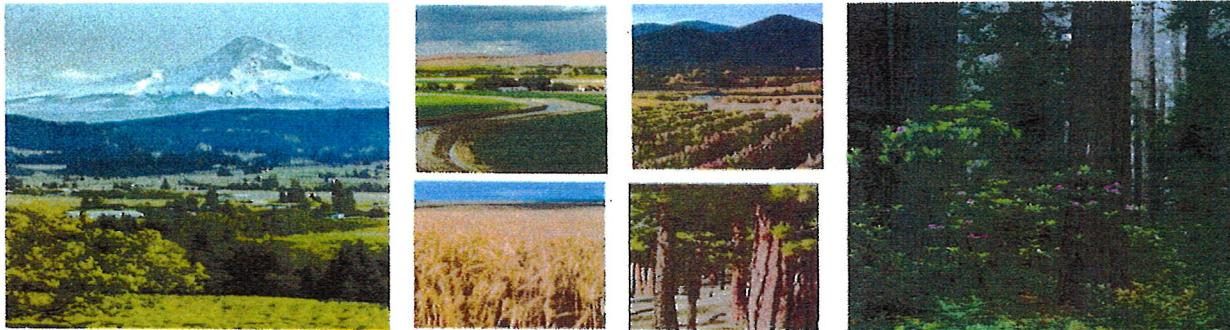
Unfair competition with in-town businesses

These farm stores compete with businesses in town that paid commercial prices to buy or lease land and that are paying city taxes and fees.

There are already too many empty store fronts in our rural towns. See attached slides.

We are sucking the life out of our towns and building stores on farm land.

Please oppose HB 4153-2. save farm land for farmers and farming, not convenience stores.



Ag For Oregon: Working to Keep “Oregon OREGON”.

Supporting preservation of Oregon’s critical land base for now and future generations.

Farmstands/ Agritourism False Narrative -Much Ado about Nothing

Farmstands and promotional activities are NOW allowed on farms.

Agritourism is now allowed on farms with a permit.

See the attached sheet from DLCD on currently allowed Farmstand and Agritourism uses. Ample opportunities now.

Anti Farm Land Protection groups want full commercial uses on farm land, with little connection to on farm produced products.

Why does this matter? These commercial uses on farm land:

- Are Unfair competition with restaurants and shops in towns that paid commercial land prices and pay commercial property taxes.
- drive up farm land prices making it harder for young farmers to buy farms.
- increases traffic and conflicts making it harder to farm in the farm zone.
- covers good farm land with buildings, roads, septic fields and parking lots.

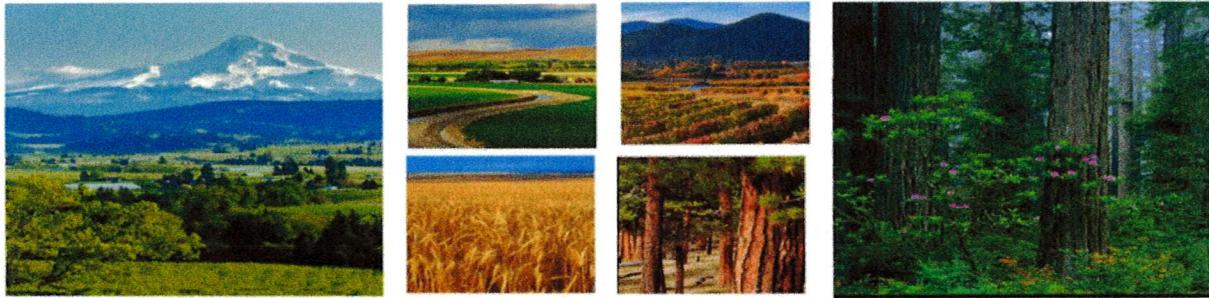
Why allow non-farm uses on farm land?

Non-exhaustive examples of tourism uses allowed in Exclusive Farm Use zones, no farm impacts test required

Farm Use	Dog testing Trials	Farm Stands	Outdoor Mass Gathering or Temporary Use Permits	Expedited AT Events Permit	Wineries, Breweries & Cider Businesses
ORS 215.203	ORS 215.283(1)(o)	ORS 215.283(1)(o)	ORS 215.283(4)(b)	ORS 215.449, 215.541, 215.452, 215.453	ORS 215.449, 215.541, 215.452, 215.453
	ORS 215.283(1)(x)		ORS 433.735 to 433.770		
Recreation			Open-ended		
Education	Farm tours, demonstrations	Farm product demonstrations and classes	Open-ended	Farm skills classes	Wine, beer or cider tasting, tours
Agri-tainment	Horse training clinics and schooling shows	Corn mazes, hay rides, harvest festivals, petting zoos, etc.	Open-ended	Seasonal festivals & farm-related events	Open-ended: concerts, dances, etc. up to 18 days at small winery, up to 25 days at large winery
Food Service		Farm-to-fork dinners, tastings	Catered food	Farm-to-fork dinners	Some food service for events and tasting rooms, 2 meals for B&B guests
Lodging				B&B	
Sales	U-picks, CSAs				Wine, beer or cider and incidentals
Celebratory Events					Weddings, retreats, concerts, etc.

Non-exhaustive examples of tourism uses allowed in Exclusive Farm Use zones, farm impacts test is required

CACFU	Home Occupation	Private Park/ Hunting Preserve	Private Campground	Guest Ranch	AT Events Permit: one to eighteen 72-hour events	Large Winery Restaurants or Large Winery Events
ORS 215.283(2)(a)	ORS 215.448	ORS 215.283(2)(c)	ORS 215.283(2)(c)	ORS 215.461	ORS 215.453(5)	
		ORS			ORS	
		215.283(2)(c)			215.283(4)(a), (c) and (d)	
Recreation	Essential products & services that support the agricultural community (distillery, meadery, etc.)	Low-intensity uses (trails, etc.), fishing, hunting	Low-intensity uses (trails, etc.)	Fishing, hunting, etc.		
Education	Farm skills classes, cooking classes, etc	Educational signage, viewing platforms	Farm skills classes	Farm skills classes	Wine, beer or cider tours	
Agri-tainment	Farm crafts, cooking classes, etc.	Farm crafts, cooking classes, etc.	Seasonal festivals & farm-related events	Seasonal festivals & farm-related events	Open-ended: concerts, dances, etc. More than 25 days of events	
Food Service	Homefood processing, Breakfast for B&B	Homefood processing, Breakfast for B&B	Meals for guests	Farm-to-fork meals	Food service for events & tasting rooms, B&B meals, restaurant at large wineries open more than 25 days	
Lodging	B&B		Camping in tents, yurts	Up to 25 units	B&B	
Sales					Wine, beer or cider and incidentals	
Celebratory Events					Weddings, concerts, retreats, etc.	



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The number of farm uses allowed in the exclusive farm use zone has grown from 6 allowed at the beginning of the program in 1973 to over 60 now, including:

1975 Personal Use Airports	1997 Expansion of County Fairs
1977 Home Occupations	1999 Living History Museums
1977 Temporary Forest Mills	1999 Parks, Community Centers
1977 Boarding of Horses	1999 Recreational Vehicle Housing
1979 Landfills	1999 Animal Shelters
1981 Relative Dwellings	1999 Private Parks and Yurts
1981 Limited Lot of Record	1999 Fire Service Facilities
1983 Expanded Home Occupations	2001 Application of Biosolids
1985 Greyhound Boarding	2001 Relative Dwelling expansion
1985 Transmission Towers	2001 Expand Farmstand Promotions
1987 Destination Resorts	2003 Fireworks Display Business
1989 Residential Home	2003 Landscape Businesses
1989 Wineries	2005 Clarifies the types of aquaculture operations
1989 Wetlands	2005 Community Center for Vets
1989 Seasonal worker housing	2005 Law Enforcement Facilities
1989 Room and Board Arrangements	2007 Landscape Contracting
1989 Exploration for Gas and Oil	2007 Production of Biofuels
1991 Enterprise Zones	2007 Commercial Activities with farm
1991 Cemeteries	2009 Public and Private Schools
1993 Expansion of Railroad Landings	2009 Golf Courses
1995 Utility facilities	2011 Agritourism
1995 Armed Forces Reserve centers	2012 Dog Boarding and Training
1995 Horse Riding Lessons, Shows	2017 Cideries
1995 On site filming	2017 Treatment of certain wastes
1995 Parking of Log Trucks	2017 Photovoltaics
1997 Takeoff and landing for Model Aircraft	2018 Equine Therapy Facilities
1997 Propagating insects	2019 Breweries
1997 Unlimited Replacement Dwellings	2019 Guest Ranches
1997 Hardship Dwellings	2021 Child Care Facilities
1997 Operation for Bottling Water	2023 Cottage Foods
1997 Farm Processing Facilities	2023 Farm Direct Marketing

No Land Use Bills This Short Session. Help stop the unintended consequences that threaten keeping “Oregon OREGON”.








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