

Submitter: Deborah Lockwood
On Behalf Of:
Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water
Measure, Appointment or Topic: HB4153

February 9, 2026

Co-Chairs Helm and Owens, Vice-Chair Finger McDonald, and members of the House Committee on Agriculture, Land Use, Natural Resources, and Water,

I am writing to you as a 30-year resident of a rural area on the northern edge of Hillsboro, and as a recent two-term member and chair of the Washington County Planning Commission.

HB 4153 seeks to facilitate the use of farmland for direct-to-the-public sales and for entertainment such as pumpkin patches and farm-to-table dinners. With guardrails, these activities can be beneficial for all.

This bill has insufficient and questionable guardrails. I have lived with the consequences of noise and traffic due to non-farm activities on land zoned Exclusive Farm Use (EFU) and know from experience how difficult and costly it can be to rein them in through the process of complaints and legal action. It's much better, obviously, to anticipate and prevent problems.

Should HB 4153 be passed into law in its current form, I wonder what the eventual outcome for my area will be. Eight EFU properties, ranging in size from 18 to 43 acres, are within a 10-minute walk from my house, and many more are within a 10-minute drive. The acres nearest me produce grass seed, alfalfa and clover, and provide pasture for a dairy.

To maintain the dominance of farming on EFU land, HB 4153 requires minimum acreages under cultivation before allowing a farm store. Alternatively, there is an income test for the smallest farms. Additionally, the bill limits the amount of floor space in a farm store that can be given over to "retail" or non-farm products.

My concerns:

- 1) The removal of any income limit on the sale at the farm of non-farm products, despite the location outside of a commercial district.
- 2) Uncertainty about how unlimited income from onsite sales of items unrelated to farming would affect the special tax allowances for farmers. If this non-farm income

generated on the farm would have no effect on allowances, should it?

3) The perverse incentive NOT to farm: if retailing becomes my bread and butter, so to speak, the incentive is to limit my acres under cultivation to the minimum required.

4) The likely ineffectual gesture toward limiting the use of farmland to generate non-farm income, by limiting retail items' floor space to 25% of a farm store's area. If I understand the bill correctly, that 2,500 square feet out of the 10,000 square feet total allowed for a pre-existing structure--a maximum area larger than that of many urban stores (not to mention many homes)—could accommodate a large volume of products with no connection to the farm or to farming. The concern is similar for the maximum 1,250 square foot allowance for retail items of any kind in a new 5,000 square foot structure. Such generous allowances invite stocking items unrelated to the host farm and to farming. Do we really want sizeable retail stores, selling items unrelated to farming, on farmland?

5) As I suggested above, issues that might arise in areas with numerous smaller EFU parcels. Will my area have dueling outdoor concerts, not to mention backed-up traffic, interference with wildlife, loss of business for farming's support systems, and an accelerated loss of our sense of place?

(6) Finally, the bill has caused confusion about old-fashioned farm stands, and the simple offering to the public of a farm's produce, on the farm's property. Please clarify whether farm stands in the traditional sense are abolished with this bill (which is how it appears).

I believe this bill intends to help Oregon's farmers, but it is under-developed and invites numerous unintended and counterproductive consequences, not the least of which is the incentive not to farm.

Sincerely,

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