



OREGON PROPERTY OWNERS
ASSOCIATION

**Senate Committee on Natural Resources and Wildfire
Opposition Testimony on SB 77**

Thank you for the opportunity to provide comments today in opposition to SB 77. The Oregon Property Owners Association has represented Oregon property owners before the Legislature, local governments, state agencies and Oregon courts for nearly 40 years, with more than 12,000 contributors across the state, including all 36 Oregon counties.

By drastically restricting how home-based businesses operate, advertise, and manage clients, SB 77 stifles economic opportunity and entrepreneurship for Oregon's small businesses and rural families. As inflation rises and economic pressures bear down on Oregon, working families are having to find more ways to generate income. SB 77 stands as a shocking threat to allowing working families to support themselves and their livelihoods.

While proponents of SB 77 and SB 78 touted examples of large successful businesses and custom homes on farmland as "threats" to Oregon's planning, thus proving the "need" for these bills, the reality is that these bills will do far more harm than good and are solutions in search of a problem.

Despite testimony provided by the proponents, Oregon is not losing farmland. We urge members of the committee to review the attached information for more information. Oregon is, however, losing farmers.

What proponents fail to understand, is that vast majority of applicants who apply for home occupations are low-to-moderate income working families. Additionally, many people who have home occupations are spouses or family members of farmers or are farmers or ranchers themselves. These rural property owners depend on being able to obtain home occupation permits to lawfully run secondary businesses to support their families and even their working farms.

Many of those farmers and home business owners have already submitted testimony opposing SB 77. We encourage members of the Committee to read those pieces of testimony and reach out to those individuals to understand why they need home occupations to receive the other side of the story.

SB 77 is drafted so poorly that most of these individuals would never be able to obtain a home occupation permit. It also imposes the following issues:

- **SB 77 creates an unprecedented breach of privacy and property rights never before seen in Oregon:** As drafted, SB 77 inserts a new requirement that a home occupation cannot interfere with the use of a dwelling as a dwelling. Accordingly, SB 77 would allow third parties to file complaints that a home-business is "interfering" with the owner's use of the home as a residence – even against the homeowner's objections. Stated plainly, if someone is happily

living and working in their house, but their neighbor doesn't like their business, SB 77 would allow their neighbor to file a complaint with the County and force the County to decide whether the homeowner is happy or satisfied with their living arrangements. Good luck with that.

- **SB 77 creates unworkable requirements for ALL home occupations under county jurisdiction including home occupations inside the urban growth boundary:** Requiring all home occupations to be "incidental and subordinate" to the use as a dwelling creates confusion and ambiguity. Such vague language leads to inconsistent enforcement, legal disputes, and uncertainty for property owners. Applicants and local governments deserve clear, actionable guidelines—not regulations that are impossible to interpret or enforce effectively. More importantly, SB 77 applies to all property under county jurisdiction, including property inside the urban growth boundary, where the bill's advocates claim that businesses should be allowed.
- **Restrictive parking limits harm business viability:** By capping client parking at only three vehicles, SB 77 severely limits the growth and operation of legitimate home-based businesses. This restriction is arbitrary and fails to consider the varying needs of businesses and the reality of homeownership. Many home occupations operate without disrupting neighborhoods even with more client traffic, and it is unclear how code enforcement is supposed to delineate between customers, guests, or any other vehicle entering and parking at the property.
- **Overreach on advertising restrictions:** SB 77 imposes new limitations on how home-based businesses can advertise, stifling their ability to grow and compete in modern markets. Entrepreneurs should have the freedom to responsibly promote their businesses without unnecessary regulatory interference.
- **Unclear standards will create administrative & enforcement chaos:** If SB 77 passes, county planners and code enforcement officers will be left to enforce confusing and impractical standards, leading to inconsistent decisions and potential misuse of resources. This bill places an undue burden on local governments, diverting time and energy from other pressing community issues.

For these reasons, we strongly urge members of the Committee to vote NO on SB 77. If the Committee is interested in resolving rural land use conflicts, we would encourage the Committee to create a work group where all voices and perspectives can be heard, and common ground could be reached.

Thank you for the opportunity to submit these comments. We are happy to answer any questions you may have.

Contact: sbayer@oregonpropertyowners.org