

Date: March 6, 2023

Senate Committee on Natural Resources

SB 648 Amendments

Chair and Committee Members:

Mike McCarthy PhD, Parkdale, OR. We raise apples, pears, cherries and cattle in the Hood River Valley. Our family has been a leader in farm and forest land protections in the state.

Why is it important to limit Short Term Rentals (STRs) in the Farm and Forest zone?

1. STRs in the farm and forest zones make it more difficult to carry out work in the zones.
2. There are already too many commercial non farm/forest uses in these zones.
3. Counties do not have the capacity to permit, monitor and enforce STRs.
4. STRs take housing away from local citizens to buy or rent long term.
5. More commercial non farm uses in the farm and forest zones increase the price of farm land making it uneconomical to purchase to grow food, seed and fiber.

Before we allow more uses in the farm and forest zone we must bring the many illegal (non compliant or non permitted) uses under control.

1. Counties are not doing monitoring and enforcement.
2. The complaint driven process whereby citizens work to bring illegal uses into compliance often is ineffective.
3. Counties need funding and assistance to monitor and enforce the land use laws.
4. The fact that there are many STRs operating illegally does not mean we should now allow them.
5. To help monitor and enforce counties can easily find STRs that are operating by using the Host Compliance service.

What do the -1 Amendments do to SB 648. (The text of how the bill now reads with the amendments is in bold.)

Section 1. (1)

- (a) Must be operated by a resident or employee of a resident of the property on which the business is located.

Problems with this wording:

1. The short term rental does not have to be operated by the owner who is a resident of the STR. This means employees can operate the STR with less control and supervision by the owner. The owner is not on site which often can lead to problems for neighbors.
2. The fact that it is not operated by the owner means it takes housing away from community needs.
3. The wording means that other dwellings on the property can be used as STRs in conjunction with or instead of the dwelling the resident operator lives in. Several farm houses or farm worker houses on the same property could be used for STRs.

- (d) May not unreasonably interfere with other uses permitted in the zone in which the property is located.

Problems with this wording:

1. "May" was changed from "Shall". "May" allows counties discretion as to whether they care about interference with farm uses in the zone. "Shall not" meant Home Occupations must not be allowed to interfere. "Shall not" was consistent with the wording of ORS 215.296.

Section 1.

(2) On lands zoned for exclusive farm use, forest use or a mixed farm and forest use, a county may not prohibit the use of a residential structure as a vacation occupancy, as defined in ORS 90.100.

Problems with this wording:

- 1. This wording means that ALL counties Must allow STRs in the farm, forest or mixed farm and forest zones.**
- 2. This is a complete reversal of current law on Home Occupations and STRs.**
- 3. This is an attack on the farm and forest zones where lands will be taken out of production, housing will be lost for local working people and land prices will rise to reflect the added commercial uses.**
- 4. Adding a section to the code that permits a new category of non farm commercial use (Vacation Occupancy) in the farm or forest zone further erodes these resource zones.**

At the 50th Anniversary of SB 100 that created the Oregon Land Use System is a time to increase farm and forest land protections, not weaken laws as this bill does. There are too many non farm uses in the farm zone now that are interfering with farming and increasing the price of farm land making it uneconomical to farm.

**Help reduce the conversion of farm and forest land to other uses by opposing this bill.
Maintain farm and forest lands for Carbon Sequestration, watersheds and wildlife habitat.
Reduce the carbon footprint in the farm and forest zones by reducing commercial uses.
Help counties improve monitoring and enforcement by funding results based work.**