



32000 S.W. Charbonneau Drive • Wilsonville, OR 97070
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February 14, 2023

Senator Kayse Jama, Chair

Senator Dick Anderson, Vice-Chair

Senate Housing and Development Committee

RE: Opposition to SB 437 - Preempting HOA Regulations

Dear Chair Jama, Vice-Chair Anderson and Members of the Committee:

The Charbonneau Country Club Board of Directors strongly opposes SB 437, a bill that would restrict HOAs from regulating vegetable gardening, hen keeping, and beekeeping in planned communities.

Charbonneau Country Club is an association of thirteen Homeowners Associations who together form Charbonneau County Club. We are home to approximately 3,000 residents with 1,620 homes, apartments, and condominiums, including a senior housing and life care facility. We provide landscaping and recreational services to our members. Our residents agree to deed restrictions and covenants which preserve the quality of life and attractiveness. We regulate permissible activities in our planned community, specifically in their yards and gardens, to protect their neighbors and property values.

Our homeowner rules are written by our members to protect our common interests. They are the product of local discussion and careful deliberation. They will be overturned by HB 437, a state mandate which does not consider unique local conditions or the will of the overwhelming majority of homeowners.

SB 437 is both unnecessary and has potentially adverse consequences for Charbonneau residents. This legislation is unnecessary because residents currently can have a vegetable garden and can petition their elected homeowner board for permission for other food production uses.

In Oregon, the size of HOAs range from communities as small as 10 units to as large as 8,000 homes. They include multi-story condominiums in downtown Portland, mobile home parks, and large acreages east of the Cascades. HOAs are governed under state law (ORS Chapter 94) and managed by local residents who understand the community's needs and values and can be much more responsive to citizens than a 'one-size-fits-all' statewide mandate.

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Because Charbonneau is a community with a well-used and well-loved golf course with housing interspersed along the fairways, we are concerned that beekeeping in home gardens on the fairways would put golfers at higher risk for bee stings, which can result in serious anaphylactic shock. The Centers for Disease Control says that approximately 62 people die annually from bee stings, a number that has been increasing for the last six years. For these reasons, the Charbonneau Country Club Board of Directors believes that beekeeping is the wrong agricultural practice in our densely populated golf resort community and creates an unacceptable risk to our residents and guests. Under SB 437, we will be mandated to allow this risky practice.

We are also concerned about the risk of attracting unwanted pests and predators with hen-keeping. Charbonneau is located along the Willamette River, and its surrounding areas are home to coyotes, raccoons, and possums. We also have many hawks and even eagles along the river that would welcome dining on the increase in baby chicks.

Clearly, the mandatory provisions of SB 437 do not work in our planned community, where free-ranging hens would be both a nuisance and a safety hazard to walkers, golfers, and drivers on our narrow residential streets.

We believe that small-scale agriculture and food production has a place in some communities but not in our well-planned and managed landscape. Please let local homeowner boards decide if bees and hens are appropriate for OUR community.

Please vote NO on SB 437.

Sincerely,



Gary Newbore, President
Charbonneau Country Club Board of Directors
32000 SW Charbonneau Drive, Wilsonville, Oregon 97070