



1000 Friends of Oregon
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February 24, 2025

Sen. Khanh Pham
Senate Committee on Housing and Development
900 Court Street NE
Salem, OR 97301

Re: Vote “No” on SB 438 – Creating Houses for Resale on Farmland

Dear Chair Pham, Vice-Chair Anderson, and members of the Senate Committee on Housing and Development,

1000 Friends of Oregon is a nonprofit, membership organization that works with Oregonians to support livable urban and rural communities, protect family farms, forests and natural areas, and provide transportation and housing choices. 1000 Friends opposes SB 438.

SB 438 authorizes every landowner in rural Oregon to site an additional house on their property for resale. This includes every property in Oregon’s designated agricultural and forest reserves, as well as every property in the nearly one million acres of land zoned for rural residential use.

The bill purports to be about family housing, but once the dwelling application is approved for a nominal family member, there is no requirement that the owner’s family member live in the new house. The family member can “move out” and the owner is free to lease the house to anyone for 18 months. After that, the owner may sell the house to anyone.

SB 438 is unnecessary. There are already seven different ways to get a new house approved on farm land, and six different ways to get a new house approved on forest lands.¹ Specifically, Oregon law already allows new homes for relatives of agricultural and forest land managers.² It also allows additional new homes for unrelated farm workers.³

¹ See attached PDF, Dwellings allowed in Exclusive Farm Use and Forest Conservation Zones.2.4.2025

² ORS 215.283(1)(d)(farmer relative help dwellings); ORS 215.757(family forestry dwellings).

³ ORS 215.283(1)(e)(accessory farm dwellings).

Since our founding in 1974, we have worked with Oregonians to enhance our quality of life by building livable urban and rural communities, protecting family farms and forests, and conserving natural areas.

SB 438 is harmful to agricultural and forest land. Oregon counties already approve hundreds of new houses in exclusive farm use and forest conservation zones each year.⁴ They also convert hundreds of acres of agricultural and forest land for residential development.⁵

- The American Farmland Trust estimates that roughly half of the farmland conversion in Oregon between 2001 and 2016 was due to low-density residential development.
- SB 438's outright doubling of rural residential densities threatens Oregon's No. 2 and No. 3 industries that depend on large blocks of undeveloped land to operate.
- Locating more housing in and around farm and forest areas increases conflicts with common farming and forestry practices, increases traffic on farm roads, creates additional demand on limited water resources, and can increase wildfire risk.
- More houses on agricultural and forest land increase the cost of those lands, putting it out of the reach for the next generation of farmers and forest land managers. The mere opportunity for additional nonfarm residential development drives up land prices beyond what farmers, ranchers, and forest land managers can afford. See <https://capitalpress.com/2025/02/21/small-parcels-of-farmland-sell-for-more-even-in-oregon/>

SB 438 is designed to encourage speculative land development in Oregon limited supply of world-class agricultural and forest lands. People who want or need an extra home on their rural property already have a variety of mechanisms to secure such a home, including dwellings specifically designated for family members. SB 438 is unnecessary and harmful.

Please vote “no” on SB 438.

Thank you for the opportunity to comment.

Sincerely,



Jim Johnson
Working Lands Policy Director

⁴ Between 1983 and 2021, more than 33,918 new houses were approved in Oregon's farm, forest, and mixed farm/forest zones—enough new houses for every household in Bend or Medford. DLCD 2020-2021 Farm and Forest Biennial Report to Legislature. On average, counties approve over 950 new houses in Oregon's farm, forest and mixed farm/forest zones each year. DLCD 2022-2023 Farm and Forest Biennial Report to Legislature, 45 and 69.

⁵ DLCD 2022-2023 Farm Forest Report, 28.

THE SEVEN (7) TYPES OF HOUSES CURRENTLY AUTHORIZED IN EXCLUSIVE FARM USE ZONES

Primary farm dwellings for farm operators. ORS 215.283(1)(e)

Accessory farm dwellings. ORS 215.283(1)(e)

Relative dwellings. ORS 215.283(1)(d)

Nonfarm dwellings. ORS 215.283(4)

Lot of record dwellings. ORS 215.705

Hardship dwellings. ORS 215.283(2)(L)

Replacement dwellings. ORS 215.283(1)(p)

Only 21% of the more than 21,000 new homes approved in Oregon's exclusive farm use zones between 1994 and 2023 were related to agricultural use of the property, i.e., primary, accessory, or relative farm dwellings. DLCD 2022-2023 Farm and Forest Biennial Report to Legislature.

THE SIX (6) TYPES OF HOUSES CURRENTLY AUTHORIZED IN FOREST CONSERVATION ZONES

Large tract dwellings. ORS 215.740

Template dwellings. ORS 215.750

Family forestry dwellings. ORS 215.757

Hardship dwelling. ORS 215.755(2)

Lot of record dwellings. ORS 215.705

Replacement dwellings. ORS 215.755(1)

Less than 1% of new homes approved on Oregon forest land between 1994 and 2023 were found to be related to forest management. DLCD 2022-2023 Farm and Forest Biennial Report to Legislature