



Jefferson County Farm Bureau

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February 05, 2020

Senate Committee on Housing and Development
State Capitol
900 Court St. NE
Salem, Or 97301

Opposed SB 1555

Dear Chairman Fagan and Committee Members,

Jefferson County Farm Bureau is opposed to this bill for many reasons. Last year **SB 943 was the bill in this committee that was heard** for the proponents (Cole Valley Church). They were involved in a LUBA appeal at that point in time; they have lost at LUBA and the Court of Appeals. The bill was a one-off bill.

SB 1555 is even worse, since it would make it an outright use and open it up for anyone claiming to be a religious official to qualify. There are no criteria listed in the bill for determining who is a religious official. Counties could violate the federal Religious Land Use and Institutionalized Act (RULIPA). In our county to be on the safe side the county probably wouldn't challenge an application. So, without knowing the true impact on farming in the EFU zone by passing this bill would be undermining the supposedly protections for the EFU zone.

Just to point out some concerns over **Section (2) of the bill: on line 17(b) that says "as close as practicable"** and **line 17(c) to the extent practicable"** are not clear standards for RULIPA; that language opens a can of worms for appeals for the courts. If you review the land use cases in Oregon that have been appealed to LUBA they have been up held when clear standards were met, and denied when clear standards were not met.

This is a bad precedent to set under the fear of the federal RULIPA. We know that when you reviewed the testimony from Mr. David S. Wall opposing the bill last session and he mentioned Rajneeshpurma you probably thought that he was a crack pot, we do not know him, but we can tell you having lived through Rajneeshpurma from 1981-85, he had valid points. You can speak with Jim Johnson from Oregon Department of Agriculture; he was the county planner for Wasco County during that time. It was Oregon's land use system that saved us.

You could ask DLCD to research the number of existing religious establishments in the EFU zone as a baseline. Since it would not be only a grandfathered in allowance the new outright use makes this bill if passed have even more impact in the EFU zone. Living in an EFU zone may seem picture perfect until you realize that it is a noisy, busy industrial zone.

We encourage you to just vote no on this bill.

Sincerely,

Mickey Killingsworth

Mickey Killingsworth

Secretary-Treasurer
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Home of North Unit Irrigation District