

Greetings Senators and Chair of Senate Committee on Business and General Government:

There are many reasons to vote no on SB 365:

1. this is a one off bill that removes SDC's from mj. Why not remove SDC's from EFU housing, or EFU wineries or EFU destination resorts or EFU feed lots or EFU fairgrounds?

A local government may not impose a system development charge on a farm use, as that term is defined in ORS 215.203 (2), that is conducted in an exclusive farm use zone.

2. SB 365 is retroactive and contrary to local control. My county (Deschutes) imposed TPM regulations re mj. This bill would grandfather in producers who don't meet current county regulations. This is counter productive to the process that created the local control regulations and does a disservice to community development planning departments and to the public who were asked to partake in the process.

SECTION 3. is ludicrous and flies in the face of HB 3400 which granted local control.

3. LUCS are vital to connecting state agencies to local governments. SB 365 removes the LUCS process which means that your state oversight agency is clueless to what has or hasn't been approved locally. This is very misguided and really bad policy to set on land use in Oregon.

4. It is super critical that ownership is not changed without corresponding regulations being retitled. i.e if the property owner changes but the land use permit hasn't been placed in the new owners' name this is problematic for tracing permits... this relates also to water rights that are critical for growing mj in our high desert. Furthermore, the onus on land use is for the applicant to prove code compliance: whereas in this SB 365: you are legislating that local governments 'perform an evaluation of proposed alteration and may deny only alterations that do not meet the criteria set out in this subsection'... this means the public pays to show compliance: the logic in Section 3 is really backwards

Finally Section 13 declaring an emergency to implement the above in 90 days is the penultimate slam.

Vote No on SB 365 : This is an unbaked bill that sets really bad precedence across Oregon.

Nunzie Gould, a rural Deschutes County EFU property owner
Oregon