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To the Members of the Oregon Senate Committee on Natural Resources and Wildfire
Oregon State Capitol
900 Court St NE
Salem, OR 97301

Re: Opposition to Senate Bill 78 – Unfair Restrictions on Replacement Dwellings

Dear Senators,

We are writing to strongly oppose Senate Bill 78, which imposes arbitrary and punitive size limits on replacement dwellings in EFU zones—limits that would devastate our family’s plans and finances with no discernible public benefit. My wife and I own property at 7755 Heinz Road NE, Silverton, Marion County, Oregon, zoned EFU, where we built a modest 900-square-foot cottage five years ago under a nonfarm dwelling permit, granted due to the land’s predominantly poor-quality soils. We’ve paid steep nonfarm deferral taxes to retain this property, all with the dream of one day constructing our retirement home here. SB 78 threatens to destroy that dream by capping any replacement at a mere 990 square feet—10% above our current cottage—rendering it unlivable for our needs and wiping out our investment.

This bill’s blanket restriction makes no sense for our situation. Our land’s low-quality soils—classified as unfit for viable farming—earned its nonfarm status under ORS 215.284. It’s not productive farmland; it’s our future. We’ve responsibly maintained this property, paying high taxes to preserve our right to build a retirement home suited to our family—something closer to 2,500 – 3,000 square feet, we have 9-children. SB 78’s one-size-fits-all approach ignores this reality, slashing our property’s value and utility. We stand to lose hundreds of thousands of dollars, our hard-earned equity, because of a rule that serves no purpose on land that can’t support agriculture anyway.

What public good does this achieve? Limiting our replacement to 990 square feet won’t protect farmland that’s already deemed unproductive. It won’t stop sprawl—our cottage and infrastructure is already here, modern, sized for expansion and permitted. It just punishes families like us who’ve played by the rules, paid our dues, and planned responsibly.

We urge you to reject SB 78 or, at minimum, amend it to exempt nonfarm dwellings on EFU land with poor soils. Your job is to serve Oregonians, not strip us of our rights and dreams with ill-fitting laws.

Sincerely,



Owen & Jill Von Flue