

Calvary Chapel Sues for Religious Ban in 'Wine Country'

Calvary Chapel Bible Fellowship filed a complaint in federal court against the County of Riverside, California, based on the United States Constitution and the Religious Land Use and Institutionalized Person's Act of 2000.

Calvary Chapel Bible Fellowship, commonly known as "Calvary Wine Country," is located in the region of California known as the Temecula Wine Country.

Calvary Wine Country opened its doors in 1996 when churches were once allowed to locate in the 17,900 acre Wine Country region—an area equal to 28 square miles. However, soon after Calvary Wine Country was approved, the County banned churches from the Temecula Wine Country, leaving Calvary Wine Country as a nonconforming use. Now, Calvary's ability to expand its facilities for its flourishing congregation in the Wine Country is uncertain at best.

Calvary Wine Country plans to remain in the Wine Country and to build a larger sanctuary on its 28-acre adjacent property. However, the county's zoning ordinances still ban churches and Calvary Wine Country is the only church in the Temecula Wine Country. Meanwhile, the County permits special occasion facilities, wineries, hotels, resorts, restaurants and many other tourist related uses in the Wine Country.

Calvary's Pastor Clark Van Wick said, "It's a tragedy to see our religious liberty eroded in this country where men and women have fought and died to protect our liberty. It's un-American to see churches outlawed like we're seeing here in the neighborhood I've lived in for 27 years."

"This is a classic case for the federal religious land use law that protects churches and requires that zoning authorities treat religious assemblies on equal terms to other nonreligious assemblies," said Robert Tyler, managing partner of Tyler & Bursch, LLP and counsel for Calvary Wine Country. He further commented, "Calvary Wine Country has long desired to just be a good neighbor, to work cooperatively with the county and to provide a place of worship for the thousands of residents that live in the Wine Country."

Unfortunately, Calvary Wine Country has been the target of litigation by a "loose" organization named Protect Wine Country. Calvary Wine Country has had to fight a neighboring vintner, a special interest group, and other politically influential wineries just to continue its right to exist on its own property.

Robert Tyler commented, "It is ironic that Father Junipero Sera, the 'Father of California Wine,' planted the first known vineyard in California at the San Diego Mission de Alcala and vineyards graced the California Missions for many years. Today, however, Riverside County has determined that a church is no longer compatible with vineyards and has banned all religious assemblies from the Temecula Wine Country."

Calvary Wine Country is represented by Advocates for Faith & Freedom in association with Tyler & Bursch, LLP. Robert Tyler filed one of the first lawsuits under the Religious Land Use and Institutionalized Persons Act of 2000 on behalf of the Elsinore Christian Center in Lake Elsinore, California. That suit resulted in a successful resolution wherein the City paid more than \$1.6 million in settlement. Robert's firm, Tyler & Bursch, LLP, has become one of the nation's premier firms for handling religious land use cases on behalf of churches.