

# Memorandum

July 15, 2015

**To:** Community Advisory Committee  
**From:** Kevin Cook, Land Use Planner  
**Re:** Proposed Winery Policy

## OVERVIEW

Policies 1.3 and 1.8 of the draft SIMC/RAP contain a number of prescriptive elements that are intended to balance the underlying purpose of EFU land (to preserve and maintain agricultural lands for farm use... - MCC 34.2600) with the provisions for farm stands (an allowed, non-farm use in EFU zones). The Farm, Forest and Rural Economy Subcommittee developed a similar policy addressing winery agri-tourism events and activities.

Oregon Revised Statutes contain four different paths to qualify as a winery in the EFU zone and the implementing rules are more complex than those for farm stands. The policy developed by the subcommittee is similar to the farm stands policies developed through the SIMC plan update. However, because the implementing rules are more complex and differ depending on the qualifying statute, the policy contains a number of 'to the extent allowed by law' qualifiers.

Similar to the SIMC farm stand policies, the prescriptive elements are interim measures applicable to wineries until zoning code language is written and adopted. It is important to note that those policies that read like standards are atypical and not the normal practice. The subcommittee chose to recommend a winery policy in order to be consistent with the approach being applied to farm stands and agri-tourism.

## PROPOSED POLICY

### POLICY

Fee-based promotional activities at wineries shall be limited to those that promote the contemporaneous sale of wine at the winery and whose primary purpose is significantly and directly related to the winery operation.

(a) Unless authorized at wineries by statute, administrative rule or an appellate land use decision, fee based weddings, corporate retreats, family reunions, anniversary gatherings, concerts, amusement park rides, and other activities for which the primary focus is on the underlying cause for the gathering or activity rather than the farm operation, are prohibited.

(b) Create standards that limit the area and extent of wineries and associated agri-tourism activities to the extent allowed by law in order to retain a maximum supply of land in production for farm crops or livestock, to ensure public health and safety, to minimize impacts on nearby farming operations, residents, roads, traffic circulation, wildlife and other

natural resources and to maintain the rural character of Multnomah County's agricultural areas.

c) To the extent allowed by law, develop additional standards for wineries that address potential offsite impacts such as hours of operation, the number and duration of events, noise, lighting, signs, parking and circulation, and the size, design and placement of structures associated with the winery.

d) Until implementing code is adopted, the following shall apply:

(1) Proposed wineries that would occupy more than one acre or include agri-tourism events or activities shall be sited in order to limit the overall amount of acreage proposed for the winery structures and events.

(2) The amount of land identified for agri-tourism activities at wineries shall be the minimum necessary to retain productive farm land on the property.

(3) An applicant may seek approval to accommodate temporary parking on additional acreage during peak season on areas that have already been harvested or used for pasture during the current growing season. The temporary parking area shall not be graveled or otherwise rendered less productive for agricultural use in the following year.

(4) An applicant owning or leasing multiple properties in farm use in Multnomah County shall be limited to only one winery in Multnomah County.

(5) Multnomah County may require consideration of alternative site plans that use less agricultural land or interfere less with agricultural operations on adjacent lands.

(6) Signage shall comply with county sign ordinance standards to maintain and complement the rural character of Multnomah County's agricultural areas.