

Date Received: _____

LAND MANAGEMENT DIVISION



TYPE II LAND USE APPLICATION – Winery Events Special Use Permit

PUBLIC WORKS DEPARTMENT 3050 N. DELTA HWY, EUGENE OR 97408 Planning: 541-682-3577

For Office Use Only: FILE # _____ FEE: _____

Applicant / Organizer (print name): _____

Mailing address: _____

Phone: _____ Email: _____

The undersigned applicant hereby acknowledges and authorizes the Land Management Division, law enforcement, public health, fire control, and other appropriate public officers or officials to come onto the premises during the event and also during set up and break down times to ensure the conditions of this approval are being satisfied.

Applicant Signature: _____

Land Owner (print name): _____

Mailing address: _____

Phone: _____ Email: _____

The undersigned land owner hereby acknowledges and authorizes the Land Management Division, law enforcement, public health, fire control, and other appropriate public officers or officials to come onto the premises during the event to ensure the conditions of this approval are being satisfied

Land Owner Signature: _____

Emergency Contact Name: _____ #: _____

24-Hour Phone

PROPERTY LOCATION

TownshipRange Section Taxlot Subdivision/partition

Site address

PROPOSAL: A request for 5 year approval to carry out up to 18 days per year of agri-tourism or other commercial events at an established winery who produces less than 150,000 gallons of wine annually, pursuant to Lane Code 16.212(12)(a)(iii)(aa).

“Agri-tourism or other commercial events” includes outdoor concerts for which admission is charged, educational, cultural, health or lifestyle events, facility rentals, celebratory gatherings and other events at which the promotion of wine produced in conjunction with the winery is a secondary purpose of the event.

-If you are proposing between 1-6 days' worth of events per year, please refer to the Winery Event License application form.

-Facilities producing at least 150,000 gallons of wine annually may hold events pursuant to LC 16.212(12)(b).

Version 08/2018

NOTICE: The Applicant is responsible for providing enough information in this application for staff to make reasonable findings.

ADJOINING OWNERSHIP Is any adjacent property under the same ownership as the subject property? List the map and tax lot(s).

SITE PLAN A site plan must be included. Refer to the handout entitled "How to prepare your plot plan". Identify nearby driveways. Driveways spacing standards are contained in Lane Code 15.138.

DESCRIBE THE ACCESS TO THE PROPERTY (circle the answer):

State Hwy County Rd Public Rd Private Easement (provide a copy)

Road name:

Does a railroad or highway crossing provide the only access to the property (circle)? Yes No

PRIOR DECISIONS: Provide information demonstrating compliance with any applicable prior decisions and conditions of approval for the subject property.

***SUBMIT 6 COPIES of the application packet at time of submittal.**

APPROVAL CRITERIA

Lane Code 16.212 Exclusive Farm Use Zone

(12) Wineries. The purpose of LC 16.212(12) below is to provide for the establishment of a winery on a suitable property within the Exclusive Farm Use Zone.

(a) Facilities producing less than 150,000 gallons of wine annually:

(i) A winery may be established as a permitted use under LC 16.212(12)(a)(i)(aa) or (bb) below, and complies with LC 16.212(12)(c) below:

Check which type of facility your operation falls into and attach proof (copies of receipts and invoices, ownership information, lease agreements, purchasing contracts, photos, etc.):

(aa) The facility produces wine with a maximum annual production of less than 50,000 gallons and:

___ **(A) Owns an on-site vineyard of at least 15 acres;**

- ___ (B) Owns a contiguous vineyard of at least 15 acres;
- ___ (C) Has a long-term contract for the purchase of all grapes from at least 15 acres of a vineyard contiguous to the winery; or
- ___ (D) Obtains grapes from any combination of the LC 16.212(12)(a)(i)(aa)(A) through (C) above.

(bb) The facility produces wine with a maximum annual production of at least 50,000 gallons and:

- ___ (A) Owns an on-site vineyard of at least 40 acres;
- ___ (B) Owns a contiguous vineyard of at least 40 acres;
- ___ (C) Has a long-term contract for the purchase of all grapes from at least 40 acres of a vineyard contiguous to the winery;
- ___ (D) Owns an on-site vineyard of at least 15 acres on a tract of at least 40 acres and owns at least 40 additional acres of vineyards in Oregon that are located within 15 miles of the winery site; or
- ___ (E) Obtains grapes from any combination of the requirements in LC 16.212(12)(a)(i)(bb)(A) through (D) above.

(ii) Permitted Uses. In addition to producing and distributing wine, a winery established under LC 16.212(12)(a)(i) may:

(cc) A winery may carry out up to 18 days of agri-tourism or other commercial events annually on the tract occupied by the winery. The events on the first 6 days of the 18-day limit per calendar year must be authorized by the Approval Authority through the issuance of a 5 year license, subject to administrative review under the standards set forth in 16.212(12)(a)(ii)(dd)(A) below. Events on days 7 through 18 of the 18-day limit per calendar year must be authorized by LC 16.212(12)(a)(iii) below.

(A) As necessary to ensure that agri-tourism or other commercial events on a tract occupied by a winery are subordinate to the production and sale of wine and do not create significant adverse impacts to uses on surrounding land, the county may impose conditions on a license related to:

- | | |
|---------------------------------------|------------------------------------|
| (i-i) The number of event attendees; | (iv-iv) Traffic management; |
| (ii-ii) The hours of event operation; | (v-v) Noise management; and |
| (iii-iii) Access and parking; | (vi-vi) Sanitation and solid waste |

(B) If the Approval Authority issues a license under LC 16.212(12)(a)(ii)(cc) above for agri-tourism or other commercial events, the county shall review the license at least once every five years and, if appropriate, may renew the license.

(C) This license is not a land use decision as defined in ORS 197.015 or permit pursuant to ORS 215.402, and is not subject to review by the Land Use Board of Appeals.

(gg) The gross income of the winery from the sale of incidental items and services provided pursuant to LC 16.212(12)(a)(ii)(cc) through (ee) above may not exceed 25 percent of the gross income from the on-site retail sale of wine produced in conjunction with the winery. The gross income of a winery does not include income by third parties unaffiliated with the winery.

(hh) At the request of the Approval Authority, the winery shall submit a written statement prepared by a certified public accountant that certifies compliance with LC 16.212(12)(a)(ii)(gg) above for the previous tax year;

(iii) Special Uses - Director Approval:

(aa) A winery may carry out up to 18 days of agri-tourism or other commercial events annually on the tract occupied by the winery. Events on days 7 through 18 of the 18-day limit per calendar year must be authorized by the Approval Authority through the issuance of a 5 year permit. The 5 year permit may be issued subject to prior submittal and approval of an application

pursuant to Type II procedures of LC Chapter 14 and subject to the standards in 16.212(12)(a)(iii)(aa)(A) below.

(A) As necessary to ensure that agri-tourism or other commercial events on a tract occupied by a winery are subordinate to the production and sale of wine and do not create significant adverse impacts to uses on surrounding land, the Approval Authority may impose conditions on a permit related to:

(i-i) The number of event attendees;

(ii-ii) The hours of event operation;

(iii-iii) Access and parking;

(iv-iv) Traffic management;

(v-v) Noise management; and

(vi-vi) Sanitation and solid waste;

(B) If the Approval Authority issues a permit under LC 16.212(12)(a)(iii)(aa) above for agri-tourism or other commercial events, the Approval Authority shall review the permit at least once every five years and, if appropriate, may renew the permit;

(C) Complies with requirements of LC 16.212(12)(c) below.

Address the following standards on a separate piece of paper:

- 1) Describe the nature of the events. Please include information on if they will be public or private events;
- 2) Describe the number of event attendees;
- 3) Describe the hours of operation;
- 4) Provide a traffic management plan demonstrating how traffic will be managed and parking will be provided. Since this license will span a five-year period, either provide one plan that accounts for the largest event (i.e. the worst-case scenario from an impact perspective) or provide multiple plans for the most likely scenarios (e.g. Level 1 plan for events accommodating 20-50 people, Level 2 for 50 - 150 people, Level 3 for over 150 people). Provide the following information on a scaled site plan show the following information:
 - Show all vehicle use areas, such as travel lanes and parking areas. Provide dimensions of drive aisles and parking stalls, indicate how these areas will be delineated (e.g. flagging, temporary paint), and identify the type of surface (e.g. pavement, gravel)
 - Show the on-site circulation patterns (routes and direction of travel, such as one-way loops or two-way paths). Identify vehicle and pedestrian travel paths.
 - If buses are going to be used to transport the public, it shall be shown that public parking or parking is available at any site from which the buses are scheduled to pick up persons for transport. Identify the frequency (how often) and capacity (how many people) of the shuttle service.
 - Vehicle parking needs to be provided at a ratio of one space per three people expected to attend. This parking can be provided on-site or, if shuttle service is provided, off-site. No parking is allowed along public roadways.
 - Describe how visitors will be instructed to access on-site or shuttle-parking services. Will attendants be available to direct traffic?
 - Provide a traffic control plan. For events with over 150 people arriving or departing within a one hour period and/or other events that may significantly impact the safe movement of traffic on a County Road through an event area, provide traffic control signs and/or flaggers as necessary to mitigate the events impact on through traffic. Events requiring traffic control signs or flaggers will require a Lane County Facility Permit for operating in the Right-of-Way of a County Road.
 - If any traffic control signs or flaggers will be located in the Right-of-Way of a county road, you will need a facility permit.
- 5) Will there be amplified music? If yes, how will you ensure your event will comply with Lane Code Chapter 5.600?

- 6) Will there be camping at any of the events? If Yes:
 - a. On a scaled site plan show the proposed location and layout of the camping area / campground.
 - b. Also, you should contact Lane County Environmental Health and the Lane County Building program to determine if additional permits are required.
- 7) Will food be prepared outside or within an existing kitchen?
 - a. If outside, you should contact Lane County Environmental Health to determine what permits are required.
 - b. If within an existing kitchen, provide a copy of the Food Safety License issued by the Oregon Department of Agriculture.
- 8) Describe the amount of toilets, hand washing stations, and waste receptacles you will have for the events. Will any of the toilets and hand washing stations be permanent? See Table 1 below for suggested amounts of toilets.
- 9) Describe the current uses of the surrounding properties;
- 10) Describe any additional information explaining how the proposed events will not create significant adverse impacts to those surrounding properties.
- 11) Describe and/or provide evidence of how these events will be a subordinate use to the winery itself and LC 16.212(12)(a)(ii)(gg). The County has the authority to require a written statement prepared by a certified public accountant that certifies this requirement.

Staff will issue a Land Use Decision with conditions of approval. It is the Applicant's responsibility to comply with all conditions.

Note: This application must be submitted a minimum of 150 days prior to the first proposed event.

Table 1

How to use this chart:

- 1) Determine how many hours the event will last, if it is multiple days use the longest day.
- 2) Determine how many people will attend, if there are multiple days determine the peak day.
- 3) Use the chart to calculate the number of portable restrooms needed for adequate sanitation conditions.

Average Crowd Size	Length of Event in Hours *									
	1	2	3	4	5	6	7	8	9	10
30	1	1	1	1	2	2	2	2	3	3
60	1	1	2	2	3	3	3	4	4	4
125	2	2	2	3	4	4	4	5	5	5
250	3	3	3	4	4	5	6	6	7	8
500	4	5	6	6	7	7	9	9	10	12
1000	6	8	8	8	9	9	11	12	13	13
2000	6	6	9	12	14	16	18	20	23	25
3000	7	9	12	16	20	24	26	30	34	38

Take into consideration that the consumption of food, liquids, beer, and other alcoholic beverages will increase usage by 30-40%.