

#### **IV. CONDITIONS OF APPROVAL**

- A.** This approval is based upon the application, site plan, specifications, and supporting documentation submitted by the applicant. Any substantial change in this approved use will require review through a new land use application.
- B.** The applicant shall obtain any necessary permits from the Deschutes County Building Division and Environmental Soils Division.
- C. Annual Reporting - Incidental and Subordinate/Honey Sourcing**
- i. Pursuant to ORS 215.456(2), the gross income of the winery from any activity other than the production or sale of wine 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 received by third parties unaffiliated with the winery. Failure of the landowner to demonstrate compliance with this 25% requirement for two consecutive years shall cause the commercial activities in conjunction with farm use permit to become void.
  - ii. 90% of honey used to produce mead or other honey products must come from Deschutes County, adjoining counties, high desert counties (Wasco and Grant) and Marion, Jackson and Douglas counties. 100% of honey used to produce mead or other honey products must come from Oregon. Failure of the landowner to demonstrate compliance with this requirement for two consecutive years shall cause the commercial activities in conjunction with farm use permit to become void.
  - iii. The winery shall submit reports of compliance with items i. and ii., above, by April 30 of each year.
- D. Farm Use – Incidental and Subordinate.** This approval is based on the continued existence of at least 30 acres of bee pasture on the winery property and the production on site of honey by bees. All honey produced on site shall be used to make wine or be sold as honey to the public.
- E. Food Carts.** A maximum of one food cart is allowed to provide food for tasting room visitors. A maximum of two additional foods carts may be allowed at events. All food carts shall offer honey as a condiment and shall have at least one food item featuring honey on the menu.
- F. Winery Related Events**  
All Winery Related Events (agritourism and other commercial events) shall be in support of and associated with the Meadery and the promotion of the Lazy Z Ranch. Winery Related Events are limited to 10 days or fewer in a calendar year. Maximum attendance shall be capped at 250 persons for five events and at 150 for five events. Weddings shall not be allowed. Winery related events may not commence until the winery submits to the

County a written statement that is prepared by a certified public accountant certifying that the winery has reached \$40,000 in gross income from the on-site retail sale of wine produced in conjunction with the winery.

**G.** Winery Related Events

Applicant/owner shall have a representative at the site during all Winery Related Events involving outdoor amplified noise/music. That representative shall have the authority and responsibility to immediately respond to noise complaints and to ensure immediate correction occurs.

**H.** Speaker Noise Level.

All outdoor speakers for events shall be set at or below 100 dBA. Any other outdoor speaker associated with the winery shall be set at or below 60 dBA.

**I.** Height Standard

No building or structure shall be erected or enlarged to exceed 30 feet in height, except as allowed by DCC 18.120.040.

**J.** Zoning Setbacks

Any proposed development shall comply with the setbacks set forth in the Exclusive Farm Use Zone as prescribed in DCC 18.16.070 (A-D)

**K.** General Setbacks

In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or the County under DCC 15.04 shall be met.

**L.** Lighting in the Airport Safety Combining Zone

No Meadery development, or any of the associated Meadery uses, shall imitate airport lighting or impede the ability of pilots to distinguish between airport lighting and other lighting.

**M.** Glare Producing Materials in the Airport Safety Combining Zone

No glare producing material, including but not limited to unpainted metal or reflective glass, shall be used on the exterior of structures located within an approach surface or on nearby lands where glare could impede a pilot's vision.

**N.** Future Meadery Development in the Landscape Management Combining Zone

The applicant shall apply for a Landscape Management Review for any new structure or substantial exterior alteration of a structure requiring a building permit. A substantial exterior alteration is defined as exceeding 25 percent in the size or 25 percent of the assessed value of the structure.

O. Clear Vision Area

The clear vision area located at the intersection of the service drive/driveway and Highway 20 shall be maintained in accordance with DCC 18.116.020(A). All branches and foliage of the existing Juniper tree are to be removed to a height of eight feet above the grade within 30 days of this decision becoming final.

P. Meadery Parking

Required parking facilities shall be provided prior to or concurrently with construction and/or initiation of the proposed use.

Q. Indoor and Outdoor Serving/ Seating Areas

During open hours for Winery Operations, the indoor serving and seating area shall not exceed 1,560 square feet and the outside serving and seating area shall not exceed 300 square feet.

R. Meadery Parking

Required parking space shall be available for the parking of operable passenger automobiles of residents, customers, patrons and employees only and shall not be used for the storage of vehicles or materials or for the parking of trucks used in conducting the business or used in conducting the business or use.

S. Graveled Surface for Standing and Maneuvering of Vehicles

**Prior to the initiation of use**, the applicant shall gravel all areas for the standing and maneuvering of vehicles onsite as depicted on the Maintained Gravel Map. This includes the individual parking areas as proposed and all service drives which provide access for Mead Production, Winery Operation, and Winery Related Events. **At all times**, the graveled surfaces shall be maintained in a manner which will not create dust problems for neighboring properties.

T. Safety of Traffic Access & Egress, and Pedestrians and Vehicular Traffic for the Meadery

**Prior to the Initiation of Use**, the applicant shall submit a sign plan to the Planning Division illustrating that the site, with the installation of signage throughout, is adequate for providing safety of traffic access and egress, as well as safety for pedestrians and vehicular traffic.

1. Mead Production and Winery Operations in Accordance with Meadery Site Plan/ Sign Plan:

- Appropriate sign locations, sign messaging, and demarcations, are utilized to provide a safe environment for vehicle and pedestrian traffic throughout the site.

2. Winery Related Events in Accordance with the Meadery Events Site Plan/ Sign Plan:

- In addition to Mead Production and Winery Operations, appropriate temporary sign locations, sign messaging, and demarcations, are utilized to provide a safe environment for vehicle and pedestrian traffic throughout

the site.

- Highlight areas of significance (e.g. portable toilets & pedestrian only areas) during temporary Winery Related Events.

**U.** Alteration of a Non-Conforming Structure

The applicant shall receive approval for a non-conforming use alteration if any changes to height or footprint of the 3,000 square foot farm building/ Meadery building are proposed.

**V.** Renovation Permitting

For the proposed renovations to the Meadery building, the applicant shall obtain all the appropriate permitting from the Deschutes County Building Division and the Environmental Soils Division.

**W.** Preservation of Landscape and Existing Topography

All trees and shrubs existing on-site, not removed by necessity of the proposed development, shall be protected, unless lawfully changed/removed by outright uses (such as farm use) or such change/removal is approved by future land use approvals.

**X.** Private Well

***Prior to the Initiation of Use of any Aspect of the Meadery***, the property owners shall have the well, which provides water to the property and use, reviewed and approved as a Public Water System by either the Oregon Department of Agriculture (ODA) or the Deschutes County Environmental Health Department.

**Y.** Meadery Licensing From Deschutes County Environmental Health Department

***Prior to the Initiation of Use of any Aspect of the Meadery***, the property owner shall obtain all necessary permits from the Deschutes County Environmental Health Department.

**Z.** Meadery Food Cart/ Mobile Food Unit Licensing

***Prior to the Initiation of Service of the Mobile Food Units (MFUs)***, the property owner shall obtain all necessary permits from the Deschutes County Environmental Health Department for the Mobile Food Units (MFUs) operating on the property.

**AA.** Permanent Food Cart Utility Servicing

***Prior to the Initiation of Service of the Permanent Mobile Food Unit (MFU)***, the permanent Food Cart (MFU) shall be connected to the on-site septic system, the well, and a power source on site while providing food and beverage service at the Meadery.

**BB.** Meadery Septic System Permitting From Deschutes County Onsite Wastewater Division

- ***Prior to the Initiation of Use for the Mead Production***, the property owner shall obtain all necessary permits from the Deschutes County Onsite Wastewater Division for the Mead Production facilities.

- ***Prior to the Initiation of Use for the Winery Operations***, the property owner shall obtain all necessary permits from the Deschutes County Onsite Wastewater Division specific to the Winery Operations.
- ***Prior to the Initiation of Use for the Winery Related Events***, the property owner shall obtain all necessary permits from the Deschutes County Onsite Wastewater Division for the Winery Related Events including any temporary facilities that will be operational on site.

**CC.** Meadery Licensing From the Oregon Department of Agriculture

***Prior to the Initiation of Use of any Aspect of the Meadery***, the property owner shall obtain all necessary permits and approvals from the Oregon Department of Agriculture Food Safety Program for the Mead Production, Winery Operations, and Winery Related Events.

**DD.** Meadery Licensing From the Oregon Liquor and Cannabis Commission (OLCC)

***Prior to the Initiation of Use of any Aspect of the Meadery***, the property owner shall obtain all necessary permits and approvals from the Oregon Liquor and Cannabis Commission for the Mead Production, Winery Operations, and Winery Related Events.

**EE.** Meadery Licensing From the US Alcohol and Tobacco Tax and Trade Bureau (TTB)

***Prior to the Initiation of Use of any Aspect of the Meadery***, the property owner shall obtain all necessary permits and approvals from the US Alcohol and Tobacco Tax and Trade Bureau for the Mead Production, Winery Operations, and Winery Related Events.

**FF.** Exterior Lighting

All exterior lighting shall be shielded so that direct light does not project off site.

**GG.** Meadery Landscaping – General Standards

The landscaping for the Meadery as presented as Exhibit C in the application materials, shall comply with the following standards:

- The landscaping in a parking area shall have a width of not less than five feet.
- Provision shall be made for watering planting areas where such care is required.
- Required landscaping shall be continuously maintained and kept alive and attractive.
- Maximum height of tree species shall be considered when planting under overhead utility lines.

**HH.** Meadery Landscaping – Landscaping Strip along Highway 20

The landscaping strip between Meadery parking and Highways 20, as presented as Exhibit C in the application materials, shall contain:

- Trees spaced as appropriate to the species, not to exceed 35 feet apart on the average.
- Low shrubs not to reach a height greater than three feet zero inches, spaced no

- more than eight feet apart on the average.  
Vegetative ground cover.