



**APPEAL APPLICATION**


FEE: \$250

**EVERY NOTICE OF APPEAL SHALL INCLUDE:**

1. A statement describing the specific reasons for the appeal.
2. If the Board of County Commissioners is the Hearings Body, a request for review by the Board stating the reasons the Board should review the lower decision.
3. If the Board of County Commissioners is the Hearings Body and *de novo* review is desired, a request for *de novo* review by the Board, stating the reasons the Board should provide the *de novo* review as provided in Section 22.32.027 of Title 22.
4. If color exhibits are submitted, black and white copies with captions or shading delineating the color areas shall also be provided.

**It is the responsibility of the appellant to complete a Notice of Appeal as set forth in Chapter 22.32 of the County Code. The Notice of Appeal on the reverse side of this form must include the items listed above. Failure to complete all of the above may render an appeal invalid. Any additional comments should be included on the Notice of Appeal.**

**Staff cannot advise a potential appellant as to whether the appellant is eligible to file an appeal (DCC Section 22.32.010) or whether an appeal is valid. Appellants should seek their own legal advice concerning those issues.**

Appellant's Name (print): Central Oregon LandWatch Phone: (541) 647-2930  
Mailing Address: 2843 NW Lolo Drive Suite 200 City/State/Zip: 97703  
Land Use Application Being Appealed: 247-22-000024-CU, 247-22-000025-SP  
Property Description: Township 15 Range 10 Section 10 Tax Lot 700  
Appellant's Signature: 

**EXCEPT AS PROVIDED IN SECTION 22.32.024, APPELLANT SHALL PROVIDE A COMPLETE TRANSCRIPT OF ANY HEARING APPEALED, FROM RECORDED MAGNETIC TAPES PROVIDED BY THE PLANNING DIVISION UPON REQUEST (THERE IS A \$5.00 FEE FOR EACH MAGNETIC TAPE RECORD). APPELLANT SHALL SUBMIT THE TRANSCRIPT TO THE PLANNING DIVISION NO LATER THAN THE CLOSE OF THE DAY FIVE (5) DAYS PRIOR TO THE DATE SET FOR THE *DE NOVO* HEARING OR, FOR ON-THE-RECORD APPEALS, THE DATE SET FOR RECEIPT OF WRITTEN RECORDS.**

(over)

**NOTICE OF APPEAL**

Central Oregon LandWatch appeals this decision which misinterprets and misapplies applicable law.

The decision violates ORS 215.416(8) which requires that approval or denial of a permit application must be based on standards and criteria that are set forth in the zoning ordinance or other appropriate ordinance or regulation of the county and relates approval or denial of a permit application to the zoning ordinance and comprehensive plan for the area in which the proposed use of land would occur.

There is neither state nor local law permitting a meadery on EFU land.

Mead is neither a wine nor a beer, and a set of beehives is not a vineyard. There is no legal basis for finding a meadery is an allowed use in the EFU zone.

ORS 215.203 authorizes counties to adopt ordinances establishing EFU zones, which limit the use of the land therein to "farm use except as otherwise provided in ORS 215.213, 215.283 or 215.284." ORS 215.203(1). A meadery is not a listed use.

ORS 215.452 regulates winery based on the characteristics of a vineyard, which are distinct from the characteristics of beehives.

There is no evidence on which to base a finding that a meadery will yield an income incidental to the income from current mead sales, as there is no evidence of any mead sales.