PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058
p: [541] 506-2560 • **f:** [541] 506-2561 • www.co.wasco.or.us

Pioneering pathways to prosperity.

NOTICE OF DECISION

FILE #: PLASTS-17-06-0005 **DATE:** July 27, 2017
APPEAL DEADLINE: August 8, 2017

REQUEST: Subject to Standards review to establish a winery in conjunction with a farm use pursuant to ORS 215.456.

DECISION: Approved, with **Conditions**

APPLICANT/OWNER INFORMATION:

Applicants/ Owners: Leah Carey and Keith Peterson, 5525 Mill Creek Road, The Dalles, Oregon, 97058

PROPERTY INFORMATION:

Location: The subject parcel is located approximately 900 feet (0.17 miles) north of Mill Creek Road, approximately 2 miles west of its intersection with Orchard Road, approximately 3 miles southwest of The Dalles, Oregon; more specifically described as:

Existing Tax Lot	Acct#	Acres
1N 12E 13 200	7216/6977	73.41

Zoning: A-1 (160), Exclusive Farm Use, EPD-2 (Geologic Hazard), EPD-8 (Sensitive Wildlife Habitat)

Attachments:
A. Conditions of Approval
B. Time Limits & Appeal Information
C. Maps
D. Staff Report
E. Lighting Standards

Staff Reviewer: Will Smith, Associate Planner

After recording, please return original to:
Planning Department

ATTACHMENT A – CONDITIONS OF APPROVAL

Pursuant to Wasco County Land Use Development Ordinance, Chapter 2 – Development Approval Procedures, Section 2.120.A., Notice of a Decision by the Director, the following shall be recorded as conditions of approval and binding upon the owners, developers or assigns. Prior to issuance of zoning approval on a building permit application, items under A. shall be met.

A. After the expiration of the 12-day appeal period and prior to any development, the owner(s) shall comply with the following condition:

1. Farm Management Easement: Sign and record with the Wasco County Clerk a completed Farm Management Easement for the nonfarm parcel (Attachment F).

2. Address: The applicant or future owner(s) shall clearly post the address of the subject lot on both sides of a post or mailbox, or other similar post, support, stake or pedestal which cannot be easily removed or destroyed which is within 30' of the driveway which accesses the dwelling. The address numbers shall be legible, reflective, and at least 2½ inches high.

3. Fire Safety Standard Self-Certification Form: Improvements and requirements listed in Chapter 10 of the Wasco County LUDO and the signed and completed Fire Safety Standard Self-Certification shall be achieved within one year of the date of approval and maintained through the life of the development. This certification commits all future property owners to the same requirements. A copy of this self-certification form is available for inspection at the Wasco County Planning Department under File PLASTS-17-06-0005.

B. Miscellaneous Condition

1. The structure that includes the winery use must comply with all Oregon State Building Code, Department of Agriculture, and Department of Environmental Quality regulations. The owner/applicant, or their assigns, shall coordinate any necessary approvals with the respective agencies.

2. Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. Shielding and hooding materials shall be composed of nonreflective, opaque materials.

3. Any disturbed areas around the existing barn/future winery operations building shall be revegetated immediately upon completion of any construction activities.

4. The farm on which the processing facility is located must provide at least one-quarter of the farm crops processed at the facility.

5. 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.

SIGNED THIS 27th day of July, 2017, at The Dalles, Oregon.

Will Smith, Associate, Associate Planner
Wasco County Planning

State of Oregon
County of Wasco

Signed or attested before me on July 27, 2017, by Will Smith, Associate Planner.

Notary Public – State of Oregon

NOTE: Any new land uses or structural development such as residences; garages, workshops or other accessory structures; or additions or alterations not included in the approved application or site plan will require a new application and review.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: Oregon Revised Statutes, Chapter 215, requires that if you receive this notice, it must promptly be forwarded to the purchaser.

ATTACHMENT B – TIME LIMITS AND APEAL INFORMATION

No development shall occur until the appeal period has expired, and conditions of approval are adhered to.

Per Section 2.125 of the Wasco County Land Use and Development Ordinance, this approval shall expire: (1) when development has not commenced within two (2) years of the date of approval, or (2) the use approved is discontinued for any reason for one (1) continuous year or more. If the approval expires, a new application shall be made.

Please Note!

No guarantee of extension or subsequent approval either expressed or implied can be made by the Wasco County Planning Department. Please take care in implementing your proposal in a timely manner.

APPEAL PROCESS:

The decision date for this land use review is **Thursday, July 27, 2017.** The decision of the Director shall be final unless an appeal from an aggrieved party is received by the Director within twelve (12) days of the mailing date of this decision, **Tuesday, August 8, 2017, at 4:00 p.m.,** or unless the Planning Commission or Board of County Commissioners on its own motion orders review within twelve (12) days of the date of decision. A complete record of the matter is available for review upon request during regular business hours or copies can be ordered at a reasonable price at the Wasco County Planning Department. Notice of Appeal forms may also be obtained at the Wasco County Planning and Development Office. **The filing fee for an appeal is $250.00. Fees are refunded if appellant prevails.**

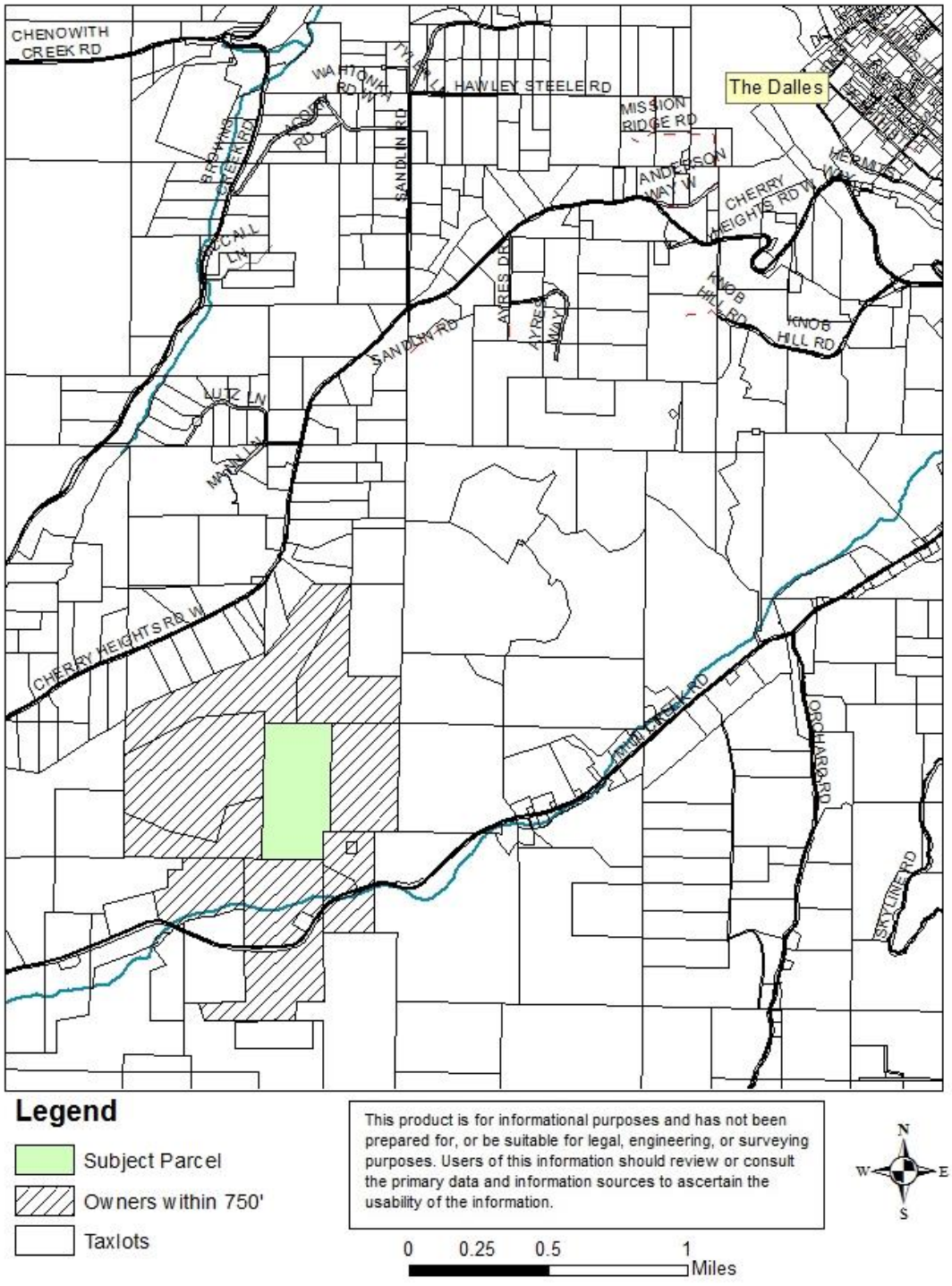
FINDINGS OF FACT:

Findings of fact approving this request may be reviewed at the Wasco County Planning Department, 2705 East Second Street, The Dalles, Oregon, 97058, or are available for purchase at the cost of $0.25 per page. These documents are also available online at: http://co.wasco.or.us/planning/. Click on Pending Land Use Actions The table is sorted alphabetically by the name of the applicant. The information will be available until the end of the appeal period.

ATTACHMENT C – MAPS

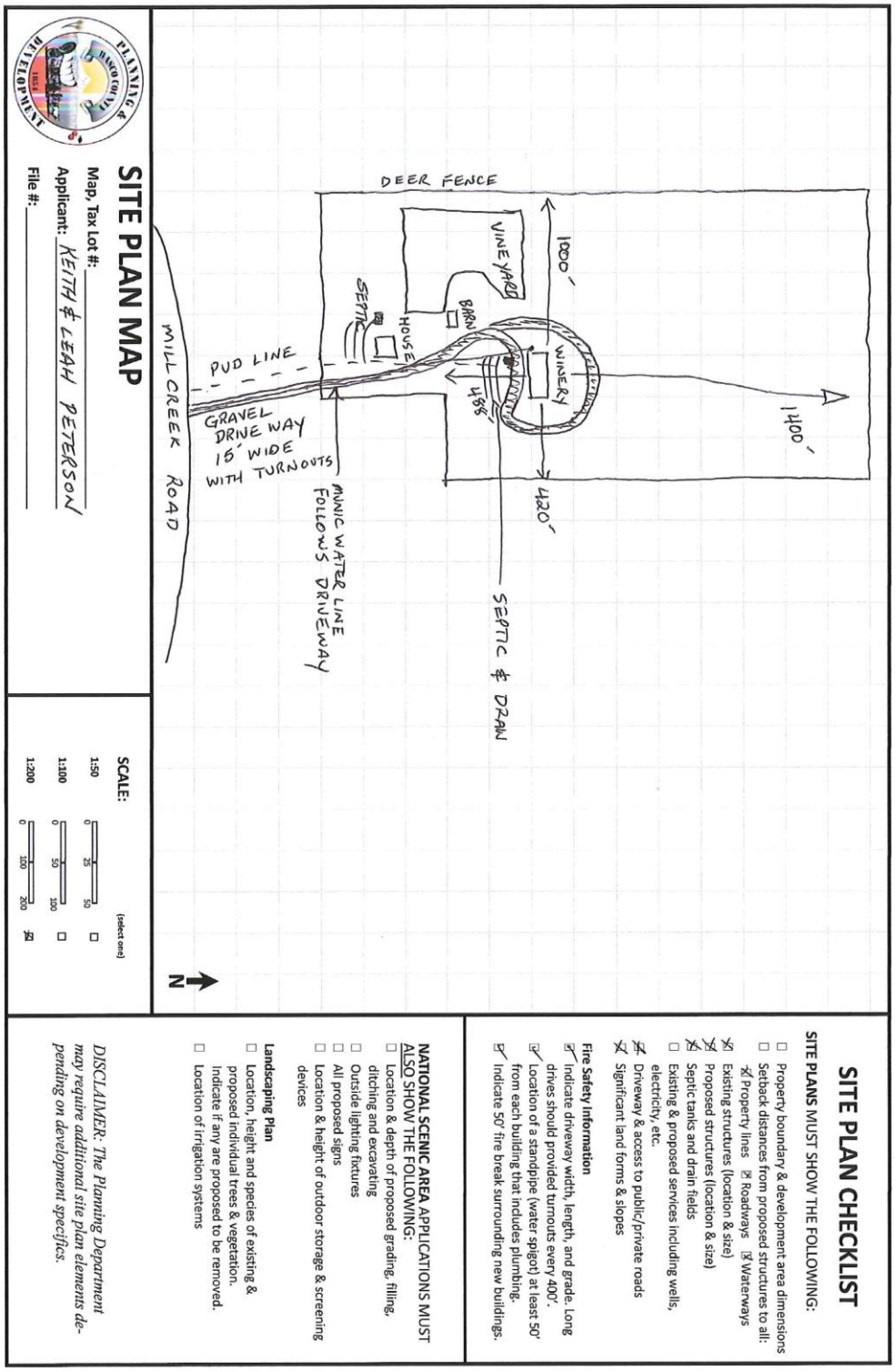
Property Owners: Leah Carey and Keith Peterson
1N 12E 13, Tax Lot 200

Location Map



A
P

ATTACHMENT C – MAPS

Property Owners: Leah Carey and Keith Peterson
1N 12E 13, Tax Lot 200

Site Plan