

House Bill 3174

Sponsored by Representative GILLIAM; Representatives CAMERON, ESQUIVEL, GARRARD, KRIEGER, THATCHER, WHISNANT

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Decreases minimum vineyard acreage requirement for low-volume winery located in exclusive farm use zone.

A BILL FOR AN ACT

1
2 Relating to winery vineyard acreage requirements; amending ORS 215.452.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 215.452 is amended to read:

5 215.452. (1) A winery, authorized under ORS 215.213 (1)(s) and 215.283 (1)(q), is a facility that
6 produces wine with a maximum annual production of:

7 (a) Less than 50,000 gallons and that:

8 (A) Owns an on-site vineyard of at least [15] **five** acres;

9 (B) Owns a contiguous vineyard of at least [15] **five** acres;

10 (C) Has a long-term contract for the purchase of all of the grapes from at least [15] **five** acres
11 of a vineyard contiguous to the winery; or

12 (D) Obtains grapes from any combination of subparagraph (A), (B) or (C) of this paragraph; or

13 (b) At least 50,000 gallons and no more than 100,000 gallons and that:

14 (A) Owns an on-site vineyard of at least 40 acres;

15 (B) Owns a contiguous vineyard of at least 40 acres;

16 (C) Has a long-term contract for the purchase of all of the grapes from at least 40 acres of a
17 vineyard contiguous to the winery; or

18 (D) Obtains grapes from any combination of subparagraph (A), (B) or (C) of this paragraph.

19 (2) The winery described in subsection (1)(a) or (b) of this section shall allow only the sale of:

20 (a) Wines produced in conjunction with the winery; and

21 (b) Items directly related to wine, the sales of which are incidental to retail sale of wine
22 on-site. *Such items include those*, **including items** served by a limited service restaurant, as defined
23 in ORS 624.010.

24 (3) Prior to the issuance of a permit to establish a winery under this section, the applicant shall
25 show that vineyards, described in subsection (1)(a) and (b) of this section, have been planted or that
26 the contract has been executed, as applicable.

27 (4) A local government shall adopt findings for each of the standards described in paragraphs
28 (a) and (b) of this subsection. Standards imposed on the siting of a winery shall be limited solely
29 to each of the following for the sole purpose of limiting demonstrated conflicts with accepted farm-
30 ing or forest practices on adjacent lands:

31 (a) Establishment of a setback, not to exceed 100 feet, from all property lines for the winery and

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 all public gathering places; and

2 (b) Provision of direct road access, internal circulation and parking.

3 (5) A local government shall also apply local criteria regarding floodplains, geologic hazards, the
4 Willamette River Greenway, solar access, airport safety or other regulations for resource protection
5 acknowledged to comply with any statewide goal respecting open spaces, scenic and historic areas
6 and natural resources.

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