



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for Limited Water Use License

RECEIVED
 MAR 27 2023
 OWRD

License No.: LL-1951

Applicant Information

| | | | |
|---------------------------------------|--------------------------|------------------|---|
| NAME <u>ART KUENZI</u> | | PHONE (HM) | |
| PHONE (WK) | CELL <u>503-932-8313</u> | FAX | |
| ADDRESS <u>7975 SPRINGVALEY RD NW</u> | | | |
| CITY <u>SALEM</u> | STATE <u>OR</u> | ZIP <u>97304</u> | E-MAIL * <u>art@suburbangarbage.com</u> |

Agent Information

| | | | | |
|---------|-------|-------|----------|------|
| NAME | | PHONE | | FAX |
| ADDRESS | | | | CELL |
| CITY | STATE | ZIP | E-MAIL * | |

I (We) make application for a Limited License to use or store the following described surface waters or groundwater – not otherwise exempt, or to use stored water of for a use of a short-term or fixed-duration:

1. SOURCE(S) OF WATER: UNNAMED SPRING a tributary of SPRINGVALEY CREEK

2. AMOUNT OF WATER to be diverted;

Maximum and instantaneous rate (cubic feet or gallons per minute): 3 GPM

Total volume (gallons or acre-feet): 1000 GAL/DAY If water is to be used from more than one source, give the quantity from each:

3. INTENDED USE(S) OF WATER: (check all that apply)

- Road construction or maintenance
- General construction
- Forestland and rangeland management; or
- Other: WINERY & TASTING ROOM

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4. DESCRIPTION OF PROPOSED PROJECT: Include a description of the place of use as shown on the accompanying site map, the method of water diversion, the type of equipment to be used (including pump horsepower, if applicable), length and dimensions of supply ditches and pipelines:

SOURCE IS ALREADY IN USE FOR DOMESTIC. WILL TAP INTO EXISTING 1" PVC LINE AND RUN APPROX 200' TO STORAGE TANK. WATER WILL BE PUMPED BY 1 HORSE PUMP TO WINERY, TASTING ROOM.

5. PROJECT SCHEDULE: (List day, month, and year)

Date water use will begin: 9-1-2023

Date water use will be completed: ISSUANCE THROUGH 5 YEARS OR WHEN PERMANENT PERMIT IS ISSUED

Months of the year water would be diverted and used: JAN 1 THROUGH DEC 31

If for other than irrigation from stored water, how and where will water be discharged after use:

USED WATER FROM BATHROOMS & KITCHEN GOES TO SEPTIC. PRODUCTION WATER GOES TO DEO APPROVED SYSTEM.

Art Kuenzi
 Applicant Signature

ART KUENZI
 Print Name and title if applicable

3-22-23
 Date

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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44-1951

Land Use Information Form



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Applicant: ART KUENZL
First Last

Mailing Address: 7975 SPRING VALLEY RD NW

SALEM OR 97304 Daytime Phone: 503-932-8313
City State Zip

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

| Township | Range | Section | ¼ ¼ | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | Water to be: | | | Proposed Land Use: |
|----------|-------|---------|-----------|-----------|---|--|-----------------------------------|--|--------------------|
| 6S | 3W | 18 | SW ¼ NW ¼ | 701 | FARM / FOREST | <input checked="" type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | WINERY |
| 6S | 3W | 18 | NE ¼ SW ¼ | 500 | FARM / FOREST | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | WINERY |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |
| | | | | | | <input type="checkbox"/> Diverted | <input type="checkbox"/> Conveyed | <input type="checkbox"/> Used | |

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

POLK COUNTY

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond
 Ground Water
 Surface Water (name) UNNAMED SPRING

Estimated quantity of water needed: 3 cubic feet per second
 gallons per minute
 acre-feet

Intended use of water: Irrigation
 Commercial
 Industrial
 Domestic for _____ household(s)
 Municipal
 Quasi-Municipal
 Instream
 Other _____

Briefly describe:

WATER TO BE USED FOR TASTING ROOM FUNCTIONS UNTIL PERMANENT PERMIT IS ISSUED.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

| Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Land-Use Approval: | |
|---|--|---|--|
| Administrative Review Land use Authorization (LUD 22-78) | PC20 138.050(B), 117.020, 117.110 | <input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

*Subject to 13 conditions of approval

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Name: Michael Burns Title: Assistant Planner
 Signature: Michael C. Burns Phone: (503) 623-9237 Date: 3/23/2023
 Government Entity: Polk County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

This page to be completed by the local Watermaster.

WATER AVAILABILITY STATEMENT

Name of Applicant: Art Kuenzi 6S3WSec18 Spring Limited License Number: LL-1951

1. To your knowledge, has the stream or basin that is the source for this application ever been regulated for prior rights?

Yes No

If yes, please explain:

2. Based on your observations, would there be water available in the quantity and at the times needed to supply the use proposed by this application?

Yes No

I do not know, I have never seen the spring. The WAB states water available year-round

3. Do you observe this stream system during regular fieldwork?

Yes No

If yes, what are your observations for the stream?

4. If the source is a well and if WRD were to determine that there is the potential for substantial interference with nearby surface water sources, would there still be ground water and surface water available during the time requested and in the amount requested without injury to existing water rights?

Yes No N/A

What would you recommend for conditions on a limited license that may be issued approving this application?

5. Any other recommendations you would like to make?

NA

Signature Joel Plahn Joel Plahn
2023.03.24
10:26:46-07'00' WM District #: 22 Date: 3/24/2023

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POLK COUNTY

POLK COUNTY COURTHOUSE * DALLAS, OREGON 97338
(503) 623-9237

COMMUNITY DEVELOPMENT

AUSTIN M'GUIGAN
Director

NOTICE OF LAND USE APPLICATION

APPLICATION FOR: The applicants are proposing to establish a winery that produces less than 50,000 gallons of wine annually on the subject property. The subject property contains approximately 67.1 acres and is located in the Farm Forest (F/F) Zoning District.

APPLICANT: Arthur and Mary Kuenzi

OWNER: Art and Mary Kuenzi, Trust

FILE NUMBER: LUD 22-78

LOCATION: 7975 Spring Valley Road NW, Salem, Oregon 97304 (T6S, R3W, Section 18, Tax Lot 500)

REVIEW AND DECISION CRITERIA: Polk County Zoning Ordinance (PCZO) 138.050(B), 117.020, and 117.110.

STAFF CONTACT: Michael Burns: Phone (503) 623-9237
Email: burns.michael@co.polk.or.us

DECISION

Based on the Review and Decision Criteria above, the request to establish a winery on the subject property is **approved**. The application shall be subject to compliance with the conditions listed below, as required by the findings in the Review and Decision Criteria (Section III). Any modifications to conditions shall be approved in accordance with provisions of law (e.g., variance, or subsequent land use application, etc.).

Conditions of Development:

1. The winery's production level shall be limited to less than 50,000 gallons of wine per year.
2. At least 15 acres of planted vineyard shall be maintained on the subject property.
3. In addition to producing and distributing wine, the on-site winery may:
 - a. Market and sell wine produced in conjunction with the winery;
 - b. Conduct operations that are directly related to the sale or marketing of wine produced in conjunction with the winery, including:
 - i. Wine tastings in a tasting room or other location on the premises occupied by the winery;
 - ii. Wine club activities;
 - iii. Winemaker luncheons and dinners;
 - iv. Winery and vineyard tours;
 - v. Meetings or business activities with winery suppliers, distributors, wholesale customers, and wine-industry members;
 - vi. Winery staff activities;

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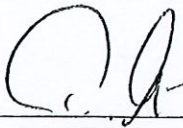
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- vii. Open house promotions of wine produced in conjunction with the winery; and
- viii. Similar activities conducted for the primary purpose of promoting wine produced in conjunction with the winery.
- c. Market and sell items directly related to the sale or promotion of wine produced in conjunction with the winery, the marketing and sale of which is incidental to on-site retail sale of wine, including food and beverages:
- i. Required to be made available in conjunction with the consumption of wine on the premises by the Liquor Control Act or rules adopted under the Liquor Control Act; or
 - ii. Served in conjunction with an activity authorized by Polk County Zoning Ordinance (PCZO) 117.020(D)(2), (4), or (5).
- d. Host charitable activities for which the winery does not charge a facility rental fee.
4. Prior to carrying out any agri-tourism or other commercial events, a multi-year permit and/or license would be required pursuant to PCZO 117.020(D)(4), 117.020(G), 117.090, and 117.100.
 5. The gross income of the winery from the sale of incidental items or services provided pursuant to subsection PCZO 117.020(D)(3) to (5) 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.
 6. At the request of Polk County, the winery shall submit a written statement prepared by a certified public accountant that certifies compliance with condition number 5 for the previous tax year. The written statement shall be accompanied by the appropriate planning fee for a land use condition of approval compliance review.
 7. The on-site kitchen shall be licensed by the Oregon Health Authority (OHA) under ORS 624.010 to 624.121. Food and beverage services may not utilize menu options for meal services that cause the kitchen facilities to function as a cafe or other dining establishment open to the public.
 8. Prior to operating the winery, the property owners shall obtain all necessary permits from the Polk County Building and Environmental Health Divisions and the Polk County Public Works Department. These permits may include, but are not limited to the following: building, electrical, mechanical, and plumbing permits from the Building Division; a septic site evaluation and a septic construction permit from the Environmental Health Division; and a new or amended access permit from the Public Works Department.
 9. The proposed winery shall maintain a minimum of a 100 foot setback distance from all property lines. In addition, any public gathering places (including outdoors) shall not occur within 100 feet of any of the property lines.
 10. Prior to issuing building permits, the applicant shall provide a parking plan to the Polk County Community Development Department. The minimum number of parking spaces for the tasting room shall be calculated using the standards found in PCZO 112.250(BB). The minimum number of parking spaces for the wine production area shall be calculated using the standards found in PCZO 112.250(DD). However, no less than 25 parking spaces, including one (1) ADA space, shall be provided. Loading spaces shall be provided pursuant to the criteria found in PCZO 112.260(B). Parking and loading areas shall be surfaced in gravel, asphalt or concrete, as required by PCZO 112.270(B). The parking plan shall meet all other applicable parking and loading standards set forth in PCZO Chapter 112. If at any time, more than 25 vehicles are on-site, the applicant shall be responsible for providing additional parking spaces consistent with the parking provisions of the Polk County Zoning Ordinance.
 11. The applicant shall be responsible for ensuring that all other applicable State, Federal, or local permits or licensing have been obtained. Such requirements may include, but are not limited to, a license from the Oregon Liquor and Cannabis Commission (OLCC) for wine production, sale, and serving alcoholic beverages to the public; a Water Pollution Control Facility (WPCF) permit from the Oregon Department of Environmental Quality (DEQ) for on-site processed wastewater;

a permit from the Oregon Department of Agriculture (ODA) for using water from a private well and for operating a tasting room; and a new or amended water right from the Oregon Water Resource Department (OWRD). Nothing in this land use authorization overrides any regulations administered by another government entity.

- 12. Prior to any future development within the wetland areas, the property owners shall be responsible for ensuring that all applicable State or Federal permits have been obtained, such permits may include, but are not limited to, a Removal Fill Permit from the Oregon Department of State Lands (DSL).
- 13. Prior to operating the winery, the applicant shall contact the Deputy State Fire Marshall for required access and water supply requirements.

EFFECTIVE DATE: January 3, 2023 at 5:00 p.m. This application and approval must be exercised within two (2) years from its effective date or it shall be null and void. If additional time is required, the applicant shall file a written request for extension, with the appropriate fee, addressed to the Polk County Planning Director, at least thirty (30) days prior to the expiration.



Austin McGuigan, Planning Director

12/21/22

Date

Decisions of the Polk County Planning Director may be appealed to the Polk County Board of Commissioners by any person whose interests are adversely affected or who is aggrieved by the decision. Such appeals must be filed within 12 days of the mailing of the decision, with the Polk County Community Development Department, Polk County Courthouse, Dallas, Oregon, on the form supplied by the Community Development Department with the appropriate fee paid at the time of filing. Failure of an issue to be raised in person or by letter or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue. Appeals to LUBA may be based only on Review and Decision Criteria contained in Section III, below. This decision becomes effective only if a written appeal is not filed within the appeal period. If an appeal is filed, this decision is stayed until the governing body makes a determination.

A copy of the application, all documents, and evidence relied upon by the applicant, and the applicable criteria are available for inspection at no cost and will be provided at the Community Development Department for the cost of copying. The decision granted herein does not vest (guarantee) the right of the property owner to use the property as authorized in this land use decision in perpetuity. The property owner is responsible for completing required conditions and establishing and continuing the use in order to retain a vested right. The property owner is advised to consult with an attorney to determine the appropriate actions necessary to obtain and retain rights of use authorized by this decision.

Polk County Community Development; Polk County Courthouse; 850 Main Street; Dallas, OR 97338 503-623-9237

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

CC: Area property owners

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Polk County Community Development Department
 Planning Division Staff Report

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APPLICATION FOR: The applicants are proposing to establish a winery that produces less than 50,000 gallons of wine annually on the subject property. The subject property contains approximately 67.1 acres and is located in the Farm Forest (F/F) Zoning District.

APPLICANT: Arthur and Mary Kuenzi

OWNER: Art and Mary Kuenzi, Trust

FILE NUMBER: LUD 22-78

LOCATION: 7975 Spring Valley Road NW, Salem, Oregon 97304 (T6S, R3W, Section 18, Tax Lot 500)

REVIEW AND DECISION CRITERIA: Polk County Zoning Ordinance 138.050(B), 117.020, and 117.110.

STAFF CONTACT: Michael Burns: Phone (503) 623-9237
 Email: burns.michael@co.polk.or.us

I. PROJECT AND PROPERTY DESCRIPTION

REQUEST: The applicant is proposing to establish a winery and tasting room on the subject property within a proposed new building. The applicant is proposing to produce less than 50,000 gallons of wine annually on-site, and to hold wine tastings, club activities, wine maker and employee luncheons, vineyard tours, meetings with wine industry members, staff functions, open houses, and any other allowed functions that facilitate wine promotion and sales for up to 30 guests at a time. The applicant's plot plan is included as Attachment A-1. Attachment A-2 is a map created by staff intended to depict the subject property and surrounding area.

This application was submitted on October 31, 2022 and deemed complete on November 21, 2022.

PROPERTY SIZE: Approximately 67.1 acres

COMPREHENSIVE PLAN AND ZONING DESIGNATIONS:

| Location: | Comprehensive Plan Designation | Zoning Designation |
|------------------|--------------------------------|--------------------|
| Subject Property | Farm/Forest | Farm/Forest |
| Property North | Farm/Forest | Farm/Forest |
| Property East | Agriculture | Exclusive Farm Use |
| Property South | Farm/Forest | Farm/Forest |
| Property West | Farm/Forest | Farm/Forest |

PROPERTY DESCRIPTION: The subject property is located at 7975 Spring Valley Road NW, Salem, Oregon (T6S, R3W, Section 18, Tax Lot 500), contains approximately 67.1 acres, and is located within the Farm/Forest (F/F) zone. The subject property is accessed by Spring Valley Road NW via an existing private road located entirely on the subject property. The subject property was lawfully created pursuant to Polk County Subdivision and Partition Ordinance (PCSO) 91.950(1)(a), as evidenced by the recording of a sales contract in Polk County Book of Record 46, page 689, dated July 25, 1973. The subject property is currently described in a Deed recorded in Polk County Clerk Document 2014-004082, dated May 21, 2014.

Based on the 2022 Polk County Assessor's records, the subject property contains one (1) single-family dwelling and five (5) accessory structures. According to statements made by the applicant, two (2) of the accessory structures are in the process of being removed from the subject property. The applicant proposes to construct a new structure for the winery to be used for wine production and as a tasting room. However, the applicant did not indicate the proposed size of the structure.

22-1957

According to the Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel number 41053C0150F, dated December 19, 2006, the subject property is not located within the Special Flood Hazard Area (SFHA). Based on a review of the Polk County Significant Resource Areas (SRA) Map, the subject property does not contain any inventoried significant resources. There are no identified historic sites or Willamette River Greenway areas on the subject property.

According to the National Wetlands Inventory (NWI) Map, Mission Bottom quadrangle, there are six (6) inventoried wetlands on the subject property. These wetlands include four (4) freshwater ponds, one (1) freshwater emergent wetland, and one (1) riverine wetland that is associated with a tributary to Spring Valley Creek. According to the Polk County SRA Map, this tributary is not a significant fish bearing stream. Therefore, the criteria for significant resources found in Polk County Zoning Ordinance (PCZO) Chapter 182 are not applicable. Nevertheless, this report serves as notice to the property owners of the presence of wetlands on the subject property, and the possible need for State or Federal permits. Prior to any future development within the wetland areas, the property owners shall be responsible for ensuring that all applicable State or Federal permits have been obtained, such permits may include, but are not limited to, a Removal Fill Permit from the Oregon Department of State Lands (DSL).

- Access: The subject property is accessed from Spring Valley Road NW via an existing private driveway located entirely on the subject property. Spring Valley Road NW is a Local Road as defined in the Polk County Transportation Systems Plan, Figure 3.
- Services: The subject property is served by a private well and an on-site septic system.
- School: Salem School District 32J
- Fire: Dayton Fire District
- Police: Polk County Sheriff

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II. COMMENTS

Environmental Health: The applicant will need to apply for a site evaluation to determine septic suitability for the winery/tasting room. If a wine tasting room and/or food service is proposed, the applicant will need to contact Oregon Department of Agriculture (ODA) for licensing requirements. If the winery is on a well, the applicant will need to contact Oregon Health Authority (OHA) drinking water program about establishing a water system. Wastewater produced from production may require a Water Pollution Control Facility (WPCF) permit, contact the Department of Environmental Quality (DEQ).

Department of Environmental Quality (DEQ): A DEQ Water Quality Permit may be required for the disposal of wastewater from winery operations. DEQ rules prohibit the discharge of this type of wastewater to the onsite sewage system. Please contact Jennifer Maglinte-Timbrook at jennifer.maglinte-Timbrook@deq.oregon.gov for more information.

No other comments were received as of the writing of this staff report. Full comments are included in the record.

III. REVIEW AND DECISION CRITERIA

The review and decision criteria for a winery that produces less than 50,000 gallons of wine annually are listed in Polk County Zoning Ordinance 138.050(B), 117.020 and 117.110, subject to administrative review. Staff findings and analysis is provided below.

138.050 USES SUBJECT TO ADMINISTRATIVE REVIEW. The following uses are permitted, subject to review and approval under the prescriptive standards specified herein, the general siting standards for dwellings and structures under Section 138.110, the fire siting standards for dwellings and structures under 138.120, and as may otherwise be indicated by federal, state and local permits or regulations.

(A) *Winery [ORS 215.452]*, subject to the requirements of PCZO Chapter 117. [PCZO 138.050(B)]

1) A winery may be permitted through the administrative review process in the EFU, FF, and FFO zones and through the conditional use review process in the AF-10 zone, if the winery produces wine with a maximum annual production of:

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A. Less than 50,000 gallons and the winery:

1. Owns an on-site vineyard of at least 15 acres;
2. Owns a contiguous vineyard of at least 15 acres;
3. Has a long-term contract for the purchase of all of the grapes from at least 15 acres of a vineyard contiguous to the winery; or
4. Obtains grapes from any combination of paragraphs (1), (2), or (3) of this subsection; or [PCZO 117.020(A)(1)-(4)]

2) Prior to the issuance of a permit to establish a winery under subsection (A) or (B) of this section, the applicant shall show that the vineyards have been planted or that the contract has been executed, as applicable. [PCZO 117.020(C)]

Findings: The subject property contains approximately 67.1 acres and constitutes the entire subject tract. The applicant is proposing to produce less than 50,000 gallons of wine per year. To demonstrate that the subject property contains at least the required 15 acres of on-site planted vineyard, the applicant provided a plot plan that details the layout of the vineyards on the property. The primary vineyard is located in the northwest corner of the property and is approximately 13 acres in size. Staff reviewed the 2020 aerial photograph, accessed through Polk County's Geographic Information System (GIS), and verified that the area represented in the plot plan as planted vineyard was still being managed for vineyards at the time the photograph was taken. The applicant's narrative states that the owner planted an additional 3.1 acres in 2022, totaling 16.1 acres of vineyards on the subject property, and included photos of the new vineyard area in the record. Staff reviewed the July 2022 aerial imagery of the subject property, accessed through Google Earth, and confirmed that approximately 3.1 additional acres of vineyard had been planted. Staff finds that, based on the narrative and photos provided by the applicant, the 2020 aerial photograph from Polk County GIS, and the July 2022 imagery from Google Earth, the subject property contains on-site vineyards of at least 15 acres, which would permit the winery to produce less than 50,000 gallons of wine annually.

To ensure ongoing compliance with this criteria, staff recommends a condition of approval that at least 15 acres of planted vineyard shall be maintained on the subject property. In addition, the winery's production level shall be limited to less than 50,000 gallons of wine per year.

With these recommended conditions of approval, the application complies with these criteria.

3) In addition to producing and distributing wine, a winery established under subsection (A) or (B) of this section may: [PCZO 117.020(D)]

A. Market and sell wine produced in conjunction with the winery; [PCZO 117.020(D)(1)]

B. Conduct operations that are directly related to the sale or marketing of wine produced in conjunction with the winery, including:

1. Wine tastings in a tasting room or other location on the premises occupied by the winery;
2. Wine club activities;

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3. Winemaker luncheons and dinners;
 4. Winery and vineyard tours;
 5. Meetings or business activities with winery suppliers, distributors, wholesale customers, and wine-industry members;
 6. Winery staff activities;
 7. Open house promotions of wine produced in conjunction with the winery; and
 8. Similar activities conducted for the primary purpose of promoting wine produced in conjunction with the winery. [PCZO 117.020(D)(2)(a-h)]
- C. Market and sell items directly related to the sale or promotion of wine produced in conjunction with the winery, the marketing and sale of which is incidental to on-site retail sale of wine, including food and beverages:
1. Required to be made available in conjunction with the consumption of wine on the premises by the Liquor Control Act or rules adopted under the Liquor Control Act; or
 2. Served in conjunction with an activity authorized by paragraphs (2), (4), or (5) of this subsection. [PCZO 117.020(D)(3)(a-b)]
- D. Subject to subsection (G) of this section, carry out agri-tourism or other commercial events on the tract occupied by the winery. [PCZO 117.020(D)(4)]
- E. Host charitable activities for which the winery does not charge a facility rental fee. [PCZO 117.020(D)(5)]

Findings: As discussed above, the applicant is proposing to produce wine, operate an on-site tasting room, and conduct operations that are related to the sale and production of wine such as wine tastings, club activities, wine maker and employee luncheons, vineyard tours, meetings with wine industry members, staff functions, open houses, and any other allowed activities listed in PCZO 117.020(D)(1-3) and (5).

PCZO 117.020(D)(4) permits agri-tourism or other commercial events on the tract occupied by the winery, which are subject to the criteria listed in PCZO 117.090 and 117.100. At this time, the applicant has not applied for the multi-year license or permit that is required prior to conducting any agri-tourism or other commercial events. If the applicant wishes to carry out agri-tourism or other commercial events in the future, a subsequent application(s) would be required in order to review the criteria found in PCZO 117.090 and 117.100.

To ensure that all winery activities are consistent with those authorized by PCZO 117.020(D), staff recommends a condition of approval that lists the authorized activities permitted by PCZO 117.020(D)(1-3) and (5); and specifies that prior to carrying out any agri-tourism or other commercial events, a multi-year permit and/or license would be required pursuant to PCZO 117.020(D)(4), 117.090, and 117.100.

With the above recommended conditions of approval, the application complies with these criteria.

- 4) A winery may include on-site kitchen facilities licensed by the Oregon Health Authority under ORS 624.010 to 624.121 for the preparation of food and beverages described in subsection (D)(3) of this section. Food and beverage services authorized under subsection (D)(3) of this section may not utilize menu options or meal services that cause the kitchen facilities to function as a café or other dining establishment open to the public. [PCZO 117.020(E)]

Findings: It is permitted to serve food and beverages that are required by the Liquor Control Act or rules adopted under the Liquor Control Act to be made available in conjunction with the consumption of wine on the premises. It is also permitted to serve food and beverages at functions which are directly related to the sale or marketing of wine produced on-site (i.e. wine maker luncheons or dinners, wine club activities, etc.). The applicant is proposing to operate a tasting room which may

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include an on-site kitchen. An on-site kitchen is permitted when operating a tasting room. However, food and beverage services authorized under subsection (D)(3) of this section may not utilize menu options or meal services that cause the kitchen facilities to function as a café or other dining establishment open to the public. The food and beverages are considered "incidental items," which is discussed in greater detail below. Therefore, staff recommends a condition of approval that any kitchen facilities must be licensed by the Oregon Health Authority (OHA) under ORS 624.010 to 624.121 for the preparation of food and beverages described in subsection (D)(3) of this section.

Staff finds that with the above recommended conditions of approval, the application complies with this criteria.

- 5) **The gross income of the winery from the sale of incidental items or services provided pursuant to subsection (D)(3) to (5) of this section 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. At the request of Polk County, the winery shall submit to Polk County a written statement that is prepared by a certified public accountant and certifies the compliance of the winery with this subsection for the previous tax year. [PCZO 117.020(F)]**

Findings: As permitted by PCZO 117.020(D), the proposed winery would be allowed to market and sell items directly related to the sale or promotion of wine produced in conjunction with the winery. The marketing and sale of incidental items, including food and beverages, may not exceed 25 percent of the gross income from the on-site retail sale of wine produced. Examples of incidental sales include, but are not limited to; wine glasses, t-shirts, bottle openers, etc. The applicant states that they agree to comply with the above criteria. To ensure compliance with this criteria, staff recommends a condition of approval that the gross income of the winery from the sale of incidental items or services provided, as permitted by ORS 215.452(2)(c-e), may not exceed 25 percent of the gross income from the on-site retail sale of wine produced in conjunction with the winery.

If the applicant produces any wine off-site, staff finds that so long as the wine that is produced off-site is produced from grapes grown on-site and sold through the tasting room, these sales would count as "on-site retail sales 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. An example of this would be income generated from any on-site food carts. Additionally, at the request of Polk County, the winery shall submit a written statement prepared by a certified public accountant that certifies compliance with these gross income requirements for the previous tax year. The written statement shall be accompanied by the appropriate planning fee for a land use condition of approval compliance review.

With these conditions, the application complies with these criteria.

- 6) **A winery may carry out agri-tourism or other commercial events for up to 18 days per calendar year.**
- A. **Events on the first six days of the 18-day limit per calendar year are authorized by Polk County through the issuance of a renewable multi-year license, subject to section 117.090.**
- B. **Events on days seven through 18 of the 18-day limit per calendar year are authorized by Polk County through the issuance of a renewable multi-year permit, subject to section 117.100. [PCZO 117.020(G)(1-2)]**
- 7) **When a bed and breakfast facility is sited as a home occupation on the same tract as a winery established under this section and in association with the winery:**
- A. **The bed and breakfast facility may prepare and serve two meals per day to the registered guests of the bed and breakfast facility; and**
- B. **The meals may be served at the bed and breakfast facility or at the winery. [PCZO 117.020(D)(H)(1-2)]**
- 8) **As used in this section:**

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- A. "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.
- B. "On-site retail sale" includes the retail sale of wine in person at the winery site, through a wine club, or over the Internet or telephone. [PCZO 117.020(I)(1-2)]

Findings: "Agri-tourism or other commercial events" is defined in ORS 215.452(14)(a) as "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." The applicant does not propose any agri-tourism or other commercial events at this time. If the applicant wishes to carry out agri-tourism or other commercial events associated with the winery, they would be subject to additional review. The applicant does not propose to conduct a bed and breakfast. A bed and breakfast requires a separate land use authorization, which the applicant could choose to apply for in the future.

9) **DEVELOPMENT STANDARDS. The following development standards shall be applicable to all wineries, cider businesses, and farm breweries authorized by this Chapter.**

- A. A winery, cider business, or farm brewery shall provide parking for all activities or uses of the lot, parcel or tract on which the winery, cider business, or farm brewery is established. [PCZO 117.110(A)]

Findings: Based on the applicant's narrative, the winery is anticipated to operate a tasting room as well as hold events with no more than 30 patrons per event. The applicant did not specify the proposed size of the tasting room, or whether or not the tasting room would have regular hours of operation or be by appointment only. However, the applicant provided a tentative parking plan which includes four (4) parking areas that could accommodate 25 parking spaces. The tentative parking plan also includes two (2) loading zones.

Parking and loading standards are listed in PCZO Sections 112.210 -112.270; however, there are no specific standards for "wineries". For the proposed tasting room, staff finds that this use is most similar to an "eating or drinking establishment" which requires a minimum of 1 space per 200 sq. ft. of gross floor area pursuant to PCZO 112.250(BB). Similarly, a wine production area would be most similar to a "manufacturing establishment" which requires one (1) space per 5,000 sq. ft. or one (1) space per employee, whichever is greater, pursuant to PCZO 112.250(DD). Staff recommends a condition of approval that prior to issuing building permits, the applicant shall provide a parking plan to the Polk County Community Development Department. The minimum number of parking spaces for the tasting room shall be calculated using the standards found in PCZO 112.250(BB). The minimum number of parking spaces for the wine production area shall be calculated using the standards found in PCZO 112.250(DD).

As discussed above, the applicant is proposing events for up to 30 patrons at a time which would be for the sale and promotion of wine. Because events could take place outdoors, staff finds that using a square footage metric may not fully capture the parking needs for the winery. Nevertheless, staff finds that 25 parking spaces as proposed by the applicant is reasonable to accommodate up to 30 patrons per event, as it is reasonable to assume an average of two people per car would attend these events which would require 15 parking spaces. This would leave 10 additional parking spaces for employees. To ensure that parking would be consistent with what was proposed and evaluated as part of this application, staff recommends a condition of approval that no less than 25 parking spaces shall be provided, including one (1) ADA space.

Appendix 1 (A) of Polk County's parking standards, found in PCZO Chapter 112, states "For estimating available parking area use 350 sq. ft. per vehicle for stall, aisle and access area." Based on this estimation, staff calculated the parking area size needed in order to accommodate 25 vehicles would be 8,750 sq. ft. According to the applicant's narrative, the four (4) parking areas depicted on the tentative parking plan totals approximately 14,000 square feet in size. As previously mentioned, the subject property is approximately 67.1 acres in size and contains approximately 16.1 acres of

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planted vineyards. Staff finds that based on the size of the portion of the subject property not dedicated to vineyards (approximately 51.0 acres) it is reasonable to conclude that the subject property could adequately provide 25 parking spaces for visitors and employees within the four (4) designated parking areas without removing any planted vineyards.

Loading area requirements are based on the square footage of the buildings for the intended use. As previously stated, the applicant proposes to construct a new structure for the winery to be used for wine production and wine tasting, but did not indicate the proposed size of the structure. Loading standards found in PCZO 112.260(B) requires one (1) loading space for up to 2,000 square feet of gross floor area and one (1) space for each additional 40,000 square feet of floor area. The applicant's narrative states that two (2) loading space would be provided that are 12 feet wide, 30 feet long, and 14 feet high. Staff recommends a condition of approval that loading spaces shall be provided pursuant to the criteria found in PCZO 112.260(B).

To ensure that all of these parking and loading standards are met, staff recommends a condition of approval that prior to issuing building permits, the applicant shall provide a parking plan to the Polk County Community Development Department. The minimum number of parking spaces for the tasting room shall be calculated using the standards found in PCZO 112.250(BB). The minimum number of parking spaces for the wine production area shall be calculated using the standards found in PCZO 112.250(DD). However, no less than 25 parking spaces, including one (1) ADA space, shall be provided. Loading spaces shall be provided pursuant to the criteria found in PCZO 112.260(B). Parking and loading areas shall be surfaced in gravel, asphalt or concrete, as required by PCZO 112.270(B). The parking plan shall meet all other applicable parking and loading standards set forth in PCZO Chapter 112. If at any time, more than 25 vehicles are on-site, the applicant shall be responsible for providing additional parking spaces consistent with the parking provisions of the Polk County Zoning Ordinance.

With these conditions, the application complies with these criteria.

B. An application for a winery, cider business, or farm brewery shall demonstrate compliance with:

- 1. Local criteria regarding floodplains, geologic hazards, the Willamette River Greenway, solar access, and airport safety;**
- 2. Regulations of general applicability for the public health and safety; and**
- 3. Regulations for resource protection acknowledged to comply with any statewide goal regarding open spaces, scenic and historic areas, and natural resources. [PCZO 117.110(B)]**

Findings: Based on a review of FEMA, FIRM panel number 41053C0150F, dated December 19, 2006, the subject property is not located within the SFHA. Based on a review of the Polk County SRA map, the subject property does not contain any inventoried significant resources. There are no identified historic sites or Willamette River Greenway areas on the subject property.

According to the NWI Map, Mission Bottom quadrangle, there are six (6) inventoried wetlands on the subject property. These wetlands include four (4) freshwater ponds, one (1) freshwater emergent wetland, and one (1) riverine wetland that is associated with a tributary to Spring Valley Creek. According to the Polk County SRA Map, this tributary is not a significant fish bearing stream. Therefore, the criteria for significant resources found in PCZO Chapter 182 are not applicable. Nevertheless, this report serves as notice to the property owners of the presence of wetlands on the subject property, and the possible need for State or Federal permits. Prior to any future development within the wetland areas, the property owners shall be responsible for ensuring that all applicable State or Federal permits have been obtained, such permits may include, but are not limited to, a Removal Fill Permit from the Oregon DSL.

Polk County's Environmental Health Division provided comments stating that a site evaluation to determine septic suitability for the winery/tasting room would be needed. If a wine tasting room and/or food service is proposed, the applicant must contact Oregon Department of Agriculture (ODA) for licensing requirements. If the winery is on a well, the applicant will need to contact Oregon Health Authority (OHA) drinking water program about establishing a water system. Additionally,

wastewater produced from production may require a Water Pollution Control Facility (WPCF) permit, contact the Department of Environmental Quality (DEQ).

DEQ provided comments stating that a Water Quality Permit may be required for the disposal of wastewater from winery operations. DEQ rules prohibit the discharge of this type of wastewater to the onsite sewage system. The applicant should contact Jennifer Maglinte-Timbrook at jennifer.maglinte-timbrook@deq.oregon.gov for more information. To ensure compliance, staff recommends a condition of approval that the applicant shall obtain all necessary permits from DEQ. Such permits may include, but are not limited to, a water quality permit for the discharge of waste water.

The applicant shall be responsible for ensuring that all other applicable State, Federal, or local licensing has been obtained. Such requirements may include, but are not limited to, a license from the Oregon Liquor Control Commission (OLCC); permits from the Oregon Department of Agriculture (ODA) for a tasting room; and a new or amended water right from the Oregon Water Resource Department (OWRD).

Prior to operating the winery, the property owners shall obtain all necessary permits from the Polk County Building and Environmental Health Divisions and the Polk County Public Works Department. These permits may include, but are not limited to the following: building, electrical, mechanical, and plumbing permits from the Building Division; a septic site evaluation and a septic construction permit from the Environmental Health Division; and a new or amended access permit from the Public Works Department.

In addition, prior to operating the winery, the applicant shall contact the Deputy State Fire Marshall for required access and water supply requirements.

With the above recommended conditions of approval, staff finds that application complies with these criteria.

C. For the purpose of limiting demonstrated conflicts with accepted farm and forest practices on adjacent lands, the proposed winery, cider business, or farm brewery shall:

- 1. Establish a setback of at least 100 feet from all property lines for the winery, cider business, or farm brewery, and all public gathering places, unless a variance is granted in compliance with Chapter 122 of the Polk County Zoning Ordinance; and**
- 2. Provide direct road access and internal circulation for the winery, cider business, or farm brewery, and for all public gathering places. [PCZO 117.110(C)]**

Findings: The subject property is located within the F/F zone and contains approximately 67.1 acres. According to data accessed through Polk County's GIS, neighboring properties are zoned F/F and Exclusive Farm Use (EFU). These neighboring properties range in size from approximately 12.4 acres to approximately 167.4 acres, and are primarily managed for agricultural and forestry uses. Common agricultural management practices on neighboring properties may include, but are not limited to, spraying, harvesting, and planting, which may cause dust, noise, and odors. Common forestry management practices may include, but are not limited to, timber harvesting and thinning, replanting, fertilizing, and spraying pesticides and herbicides which may create noise associated with the use of heavy equipment.

As discussed above, the applicant proposes to construct a new structure for the winery to include wine production and a tasting room. The applicant did not include the proposed size of said structure. However, the applicant did provide a plot plan depicting the approximate location of the proposed winery and tasting room structure. Staff used measurement tools accessed through Polk County's GIS and verified that proposed winery location would be more than 100 feet away from all property lines. To ensure compliance, staff recommends a condition of approval that any winery structures and public gathering places shall maintain a minimum 100 foot setback distance from all property lines.

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As discussed above, the applicant provided a tentative parking plan, which includes a parking area that could sufficiently accommodate at least 25 parking spaces. The tentative parking plan also depicts an area to allow cars to turn around as well as a separate driveway to enter and exit the property. Staff finds that this is sufficient to promote internal driveway circulation for the winery and that the tentative parking plan includes sufficient area to serve the winery. If at any time additional parking or loading is needed, the applicant shall be responsible to provide additional parking and/or loading in compliance with the parking and loading standards found in PCZO Chapter 112.

Dayton Fire District did not provide comments on this application. However, staff has recommended a condition of approval that prior to operating the winery, the applicant shall contact the Deputy State Fire Marshall for required access and water supply requirements.

With the conditions of approval referenced above, the application complies with this criterion.

IV. CONCLUSION

Based on the Review and Decision Criteria above, the request to establish a winery on the subject property is **approved**. The application shall be subject to compliance with the conditions listed below, as required by the findings in the Review and Decision Criteria (Section III). Any modifications to conditions shall be approved in accordance with provisions of law (e.g., variance, or subsequent land use application, etc.).

Conditions of Development:

1. The winery's production level shall be limited to less than 50,000 gallons of wine per year.
2. At least 15 acres of planted vineyard shall be maintained on the subject property.
3. In addition to producing and distributing wine, the on-site winery may:
 - a. Market and sell wine produced in conjunction with the winery;
 - b. Conduct operations that are directly related to the sale or marketing of wine produced in conjunction with the winery, including:
 - i. Wine tastings in a tasting room or other location on the premises occupied by the winery;
 - ii. Wine club activities;
 - iii. Winemaker luncheons and dinners;
 - iv. Winery and vineyard tours;
 - v. Meetings or business activities with winery suppliers, distributors, wholesale customers, and wine-industry members;
 - vi. Winery staff activities;
 - vii. Open house promotions of wine produced in conjunction with the winery; and
 - viii. Similar activities conducted for the primary purpose of promoting wine produced in conjunction with the winery.
 - c. Market and sell items directly related to the sale or promotion of wine produced in conjunction with the winery, the marketing and sale of which is incidental to on-site retail sale of wine, including food and beverages:
 - i. Required to be made available in conjunction with the consumption of wine on the premises by the Liquor Control Act or rules adopted under the Liquor Control Act; or
 - ii. Served in conjunction with an activity authorized by Polk County Zoning Ordinance (PCZO) 117.020(D)(2), (4), or (5).
 - d. Host charitable activities for which the winery does not charge a facility rental fee.

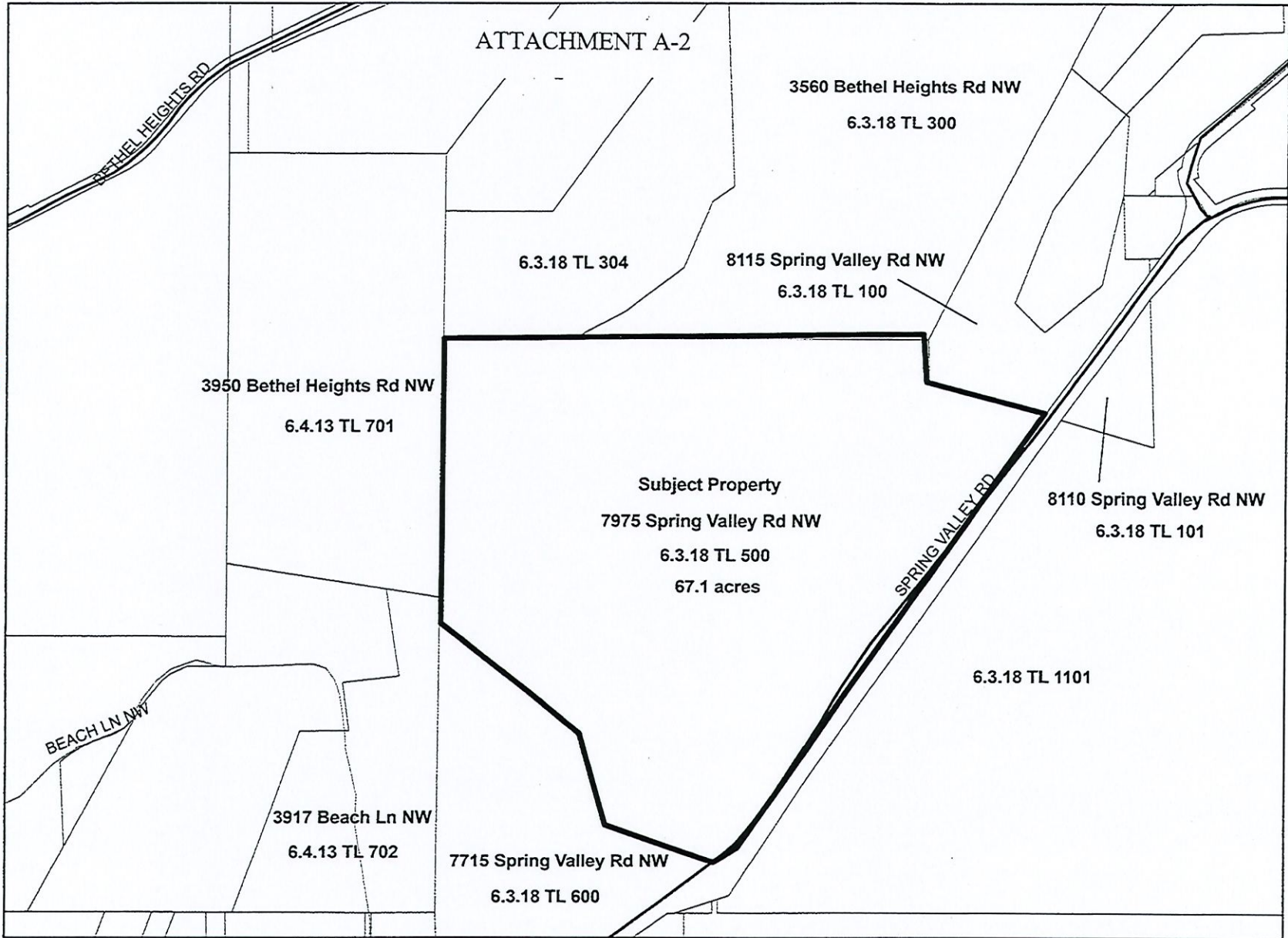
4. Prior to carrying out any agri-tourism or other commercial events, a multi-year permit and/or license would be required pursuant to PCZO 117.020(D)(4), 117.020(G), 117.090, and 117.100.
5. The gross income of the winery from the sale of incidental items or services provided pursuant to subsection PCZO 117.020(D)(3) to (5) 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.
6. At the request of Polk County, the winery shall submit a written statement prepared by a certified public accountant that certifies compliance with condition number 5 for the previous tax year. The written statement shall be accompanied by the appropriate planning fee for a land use condition of approval compliance review.
7. The on-site kitchen shall be licensed by the Oregon Health Authority (OHA) under ORS 624.010 to 624.121. Food and beverage services may not utilize menu options for meal services that cause the kitchen facilities to function as a cafe or other dining establishment open to the public.
8. Prior to operating the winery, the property owners shall obtain all necessary permits from the Polk County Building and Environmental Health Divisions and the Polk County Public Works Department. These permits may include, but are not limited to the following: building, electrical, mechanical, and plumbing permits from the Building Division; a septic site evaluation and a septic construction permit from the Environmental Health Division; and a new or amended access permit from the Public Works Department.
9. The proposed winery shall maintain a minimum of a 100 foot setback distance from all property lines. In addition, any public gathering places (including outdoors) shall not occur within 100 feet of any of the property lines.
10. Prior to issuing building permits, the applicant shall provide a parking plan to the Polk County Community Development Department. The minimum number of parking spaces for the tasting room shall be calculated using the standards found in PCZO 112.250(BB). The minimum number of parking spaces for the wine production area shall be calculated using the standards found in PCZO 112.250(DD). However, no less than 25 parking spaces, including one (1) ADA space, shall be provided. Loading spaces shall be provided pursuant to the criteria found in PCZO 112.260(B). Parking and loading areas shall be surfaced in gravel, asphalt or concrete, as required by PCZO 112.270(B). The parking plan shall meet all other applicable parking and loading standards set forth in PCZO Chapter 112. If at any time, more than 25 vehicles are on-site, the applicant shall be responsible for providing additional parking spaces consistent with the parking provisions of the Polk County Zoning Ordinance.
11. The applicant shall be responsible for ensuring that all other applicable State, Federal, or local permits or licensing have been obtained. Such requirements may include, but are not limited to, a license from the Oregon Liquor and Cannabis Commission (OLCC) for wine production, sale, and serving alcoholic beverages to the public; a Water Pollution Control Facility (WPCF) permit from the Oregon Department of Environmental Quality (DEQ) for on-site processed wastewater; a permit from the Oregon Department of Agriculture (ODA) for using water from a private well and for operating a tasting room; and a new or amended water right from the Oregon Water Resource Department (OWRD). Nothing in this land use authorization overrides any regulations administered by another government entity.
12. Prior to any future development within the wetland areas, the property owners shall be responsible for ensuring that all applicable State or Federal permits have been obtained, such permits may include, but are not limited to, a Removal Fill Permit from the Oregon Department of State Lands (DSL).
13. Prior to operating the winery, the applicant shall contact the Deputy State Fire Marshall for required access and water supply requirements.

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STAFF MAP FOR LUD 22-78



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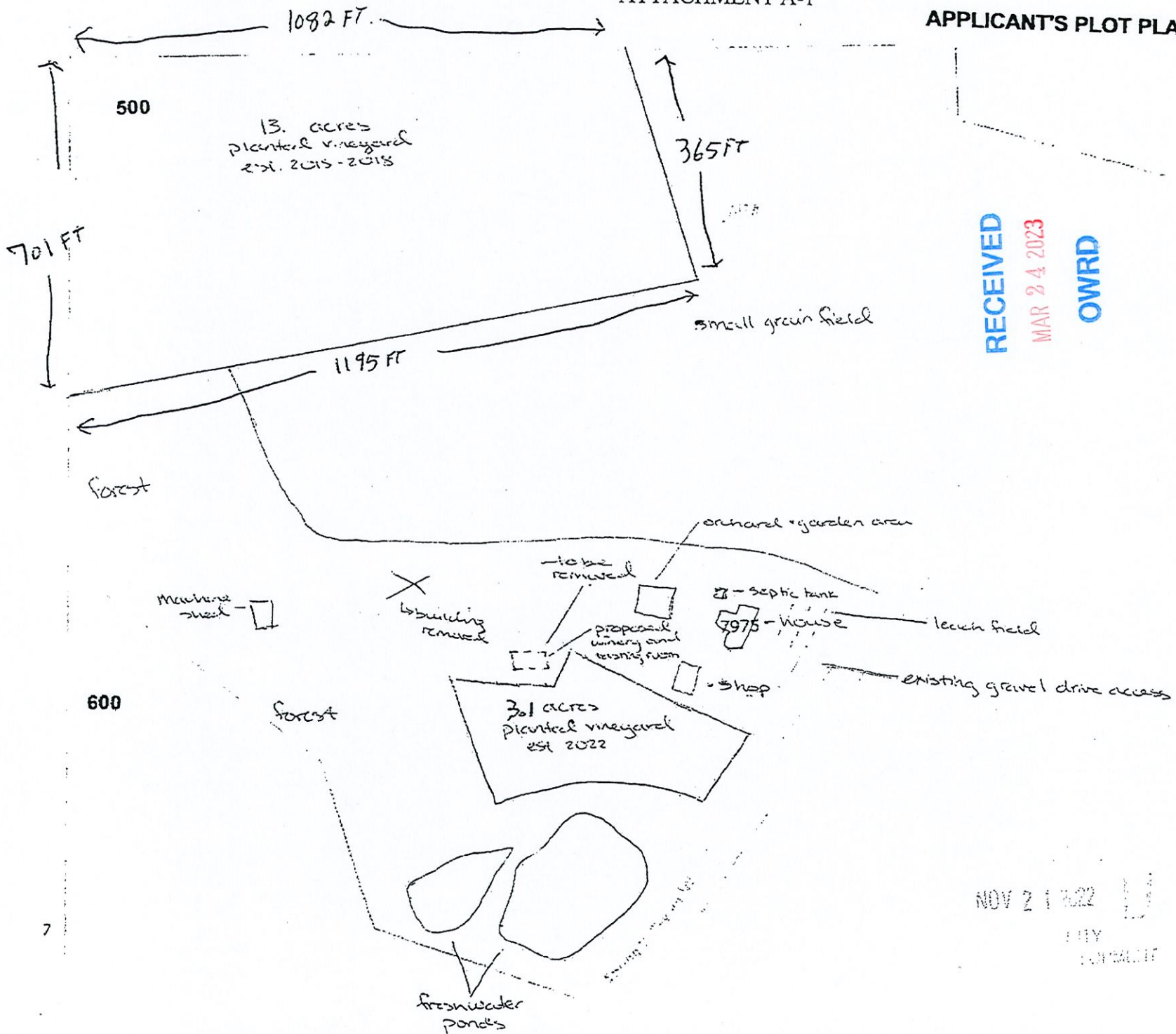
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Date: 11/23/2022

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ATTACHMENT A-1

APPLICANT'S PLOT PLAN



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