Wineries, Tasting Rooms, and Events

What is a winery?

A winery is a facility specifically designed for the crushing, fermentation, and/or barrel aging of wine, and which may include barrel rooms, bottling rooms, tank rooms, laboratories, case goods storage, and offices. A winery that will not have a tasting room or hold events is an agricultural use and is exempt from land use review but may be subject to environmental review.

Building permits are not required when the gross floor area is less than 3,600 square feet and is not occupied by non-family employees or the public.

A tasting room and events may be allowed in conjunction with a winery, subject to certain limitations and requirements. First and foremost, the winery has to be licensed by both the federal government and the State of Washington.

What is a tasting room?

A tasting room is defined as facility or portion of a facility in conjunction with a winery where the public may sample products produced by the winery and which includes ancillary wine-related retail. Tasting rooms are allowed in AG, FR, Rural, and UH zoning districts only.

What events are allowed at a winery?

Events, such as concerts and weddings, may be permitted at wineries in the AG, FR, Rural, and UH zones, provided they are accessory to the winery business and meet certain limitations and requirements.

Indoor events are limited by building capacity as specified by the Fire Marshal.

Outdoor events are limited by outside seating and on-site parking capacities, subject to the following limitations:

- 50 events maximum in a calendar year
- 42 events are limited to 500 attendees
- 8 events are limited to 1,500 attendees

An event management plan is required that describes how the applicable standards will be met.

Noise from event activities shall not exceed 50 dB at the property line; 40 dB after 10:00 p.m.

Food service, in compliance with Public Health regulations, is allowed, but only if the winery is licensed. Restaurants are not allowed unless otherwise allowed in the zoning district.

The total amount of building space used for tasting rooms and events is limited to the following:

Parcel size	Building square footage
Less than five acres	Less than 5000 square feet
Five to twenty acres	Less than 9000 square feet
More than twenty acres	Less than 12,000 square feet

What are the requirements for a tasting room and events?

The requirements for a tasting room and/or events include the following:

- Adequate access from a public road or approved private road. If the driveway

Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/community-development

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

access is connected to a paved public or private road, the driveway must be paved for a minimum distance of twenty feet from the edge of the connecting road.
- Off-street parking that complies with the county's minimum parking requirements, except for paving. See Clark County Code (CCC) 40.340.010.
- Comply with the requirements of the county building, fire and health codes.
- Comply with the parcel and building size limitations in the table above. ~~below.~~

Retail sales directly related to the winery, such as sales of wine, wine-related merchandise are permitted. Ancillary retail sales must be clearly "accessory to" the primary use. These sales may include, but will not be limited to, items such as trademark items, items which promote the region or the wine industry, other regional value-added agricultural products, art, prepackaged foods, and cheese.

Adequate and safe drinking water and domestic wastewater disposal must comply with Public Health regulations.

Are there additional requirements if I live on a private road?

Yes. If you are applying for a tasting room and/or events and the access will be through a private road, you should attempt to get the signatures of all property owners who share the private road, agreeing that the safety and maintenance impacts associated with the tasting room and/or events are adequately mitigated. A *Private Road Neighborhood Agreement* is attached.

If you are unable to get the majority signatures, you will be required to apply for a Type II review.

Under the Type II review process, the county will visit the site and may require certain roadway improvements to ensure dust, noise, trip generation, and road safety and maintenance are adequately addressed.

What is the application process for a tasting room and/or event?

Applicants must submit a completed and signed application form, all items listed in the Submittal Requirements, and payment of the required fee.

Applications for wineries with tasting rooms located on private roads that submit a neighborhood agreement will be processed as a Type I Review.

Type I applications for tasting rooms may take up to 21 calendar days after a fully complete determination. Applications must be submittal to the Permit Center, located at the Public Service Center, 1300 Franklin Street, First Floor, Vancouver, Washington. Staff at the Permit Center will assist with the application process.

If the winery is on a private road and the applicant is unable to get a majority of the property owners to sign a neighborhood agreement, the application will be reviewed using a Type II process. A decision on the application will be made within 78 days from the date the application is deemed Fully Complete.

What if I didn't submit all of the required information?

Plans for tasting rooms and events that qualify for a Type I review will be checked upon submittal to ensure the application is counter complete. All incomplete submittal packages will be returned to the applicant.

For Type II reviews, the county conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting your application over the counter, staff will conduct a **Counter Complete** review of your submittal packages. This initial review ensures that all items with a bold underlined space listed

within the submittal requirement have been submitted before accepting your application.

Once your application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the **Fully Complete** review. This more detailed review ensures that all items with a checkbox listed under the numbered headings of the attached submittal requirements have been submitted. As an example, does the Site Plan include the location and dimensions of the private road?

If required items are missing from your original submittal, you will receive a Not Fully Complete letter of with a list of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fee, less the processing costs incurred to date.

If all of the submittal requirements have been met, you will receive a Fully Complete determination letter and the technical review will begin.

What kind of public notice is provided?

There is no public notice for a Type I review.

For a Type II review, public notice describing the proposal will be mailed to property owners within a 300' radius of the project if it's within an urban growth area or a 500' radius of the project if it's outside an urban growth boundary, the area neighborhood association representative, and to the applicant. Notice will also be posted on the property.

The notice will invite written comments to be submitted within 14 calendar days of the date of the notice. Copies of any written comments received in a timely manner will be sent to the applicant. The applicant may submit a written response to the comments received within 14 days from the date the comments are mailed to the applicant.

Can the decision be appealed?

The applicant or any person or group may appeal the Responsible Official's decision to the county Hearing Examiner. An appellant must submit an appeal application and fee within 14 calendar days after the written notice of the decision is mailed.

Please see our *Appeals* handout for more information and fees.

Note: Approval of this application does not constitute approval of modification to existing driveways or construction of a new driveway. Construction of a new driveway or modification to an existing driveway requires a *Driveway Approach Permit*, which is issued at the Permit Services Center.

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code Section 40.260.245 Wineries.

Submittal Requirements

The following checklist identifies information to be included with the application.

All items with an underlined space (i.e., ___) must be submitted before the application will be considered **Counter Complete**.

1. __ Application form

The application form shall be completed and original signed in ink by the applicant.

2. __ Application fee

The required fee shall accompany the application. The check is to be made payable to Clark County Community Development.

3. __Site plan and event management plan

A site plan, drawn to scale on minimum 8.5 x 11 inch size paper, must be submitted that identifies the following:

- ❒ Applicant's name, mailing address and phone number
- ❒ Property owner's name, mailing address and phone number
- ❒ North arrow oriented to the top, left or right of page and graphic scale
- ❒ Dimensions of parcel
- ❒ Locations of existing buildings/structures, septic tanks, drainfields, and wells
- ❒ Locations of public and/or private roads, their dimensions and locations
- ❒ Location and dimensions of the private road (i.e., roadway easement or separate tract) and all properties having access to the road
- ❒ Existing roadway improvements, such as gravel, asphalt, curbs etc., type, location and dimensions
- ❒ Proposed roadway improvements, such as gravel, asphalt, curbs etc., type, location and dimensions
- ❒ Location and width of existing and proposed access points
- ❒ Existing and proposed outdoor lighting
- ❒ Locations of on-site parking for employee parking spaces, primary parking spaces, overflow parking spaces, ADA parking spaces, and loading/shipping area
- ❒ Locations of watercourses, unstable slopes as shown on DNR maps, floodplains, and wetlands
- ❒ For wineries in the AG or FR zones that will hold events - specific area of winery's land area that is cultivated in crops used for its wine production

4.__ Floor plan

Drawn to scale with dimensions and labels for each room, winery, tasting room, and event area

5.__ Private road access, if applicable

- ❒ Private Road Neighborhood Agreement required for Type I Review. A majority (51 percent) of the property owners having access to the subject private road indicating their agreement that the safety and maintenance impacts have been adequately mitigated must sign the agreement.
  - o Vicinity map showing all parcels with property owner's names
  - o Maintenance agreement **or** letter signed by property owner's that no maintenance agreement is needed

6.__ Public Health requirements

❒ Letter from Public Health indicating approval of sanitation plan or septic system to service event, including use of port-a-potties, if applicable
❒ Letter from Public Health indicating approval of potable water supply for the event
❒ Letter from Public Health indicating approval for food service

7.__ Narrative

❒ Narrative describing proposed event including:
- Nature of event
- Number of attendees
- Proposed days and hours
- Methods of controlling ingress and egress
- Measures to minimize impacts on surrounding properties
- Noise study and mitigation plan, if required
- Site restoration and clean up plan

8.__ Current owner's deed

9.__ Private Road Mitigation Plan

A private road mitigation plan that addresses impacts, such as dust, smoke, lighting, noise, trip generation and road maintenance.

10.__Associated permits

Where the proposed winery with tasting rooms and/or event facilities triggers other permits, such as stormwater, habitat, wetland, forest practices, etc., such permit applications shall be included with the application package.

11.__ Developer's GIS packet for Type II Reviews only

A copy of the Developer's GIS Packet shall be submitted with the application. Applicants may request their GIS Developer's Packet in PDF format on a CD or posted to one of our FTP sites. To order Developer's Packets, please contact GIS at (360) 397-2391 ext. 4082 or themapstore@clark.wa.gov.

The packet includes the following:

- General Location Map
- Property Information Fact Sheet
- Arterial Roadway, C-Tran Bus Routes, Parks and Trails Map
- Elevation Contours Map
- Photography Map
- Photography Map with Contours
- Zoning Map
- Comprehensive Plan Map
- Water, Sewer and Storm Systems Map
- Soil Type Map
- Environmental Constraints Map
- Quarter Section Map

12.__ Submittal copies

Two copies of the main submittal, one with original signatures, shall be submitted and bound by a jumbo clip or rubber band. One copy of any special studies (e.g., wetland, floodplain, etc) shall also be submitted but bound separately.

13.__ Building permit application and/or change of use application, if applicable
Separate building permits may be required.

Fee schedule

The following fees are required to be paid when the application is submitted.

Type I Review

Planning	$228
(Pln $106 / Eng $122)	
Issuance	$53

If the application is referred to a Type II review process, additional fees apply. A credit is given for fees already paid for the Type I application.

Type II Review

Planning	$2,284
Issuance	$53
Engineering	$122
SEPA Review, if applicable	$1,222
Issuance $53	
SEPA may be required with Site Plan Review	
Fire Marshal Review	$434

Application

Please complete and initial where indicated by shaded area. Sign the application agreeing to comply with these requirements.

Winery name: _____
Applicant: _____ Phone: _____
Mailing address _____ City: _____ ZIP: _____
Email: _____
Property owner: _____ Phone: _____
Mailing address _____ City: _____ ZIP: _____
Email: _____
Site address: _____ City: _____ ZIP: _____
Parcel number: _____ Tax lot number: _____

Winery only – wineries with no tasting rooms or events are an agricultural use and are exempt from land use approval. A building permit is not required if the gross floor area is less than 3,600 square feet and is not occupied by non-family employees or open to the public. CCC Section 40.260.245 (E).
Exempt? ___Yes ___No If not exempt, please explain:

_____

Operation and use

Description and proposed use: _____

_____

_____

Zone

❒ AG-20 ❒ FR-40 ❒ FR-80 ❒ UH ❒ R-5 ❒ R-10 ❒ R-20

_____ In agriculture and forest zones, a **winery with events** shall have a minimum of 20 percent of the winery's land are cultivated in crops used for its wine production. Percentage of land used: _____

Road access

❒ County road
❒ State road or highway
❒ Private road – private road agreement is required **OR** referred to Type II review process

_____ Private road agreement signed by a majority (51 percent) of property owner is entitled to use the private road, is included with this application.

Driveway access

A minimum 24 foot wide driveway approach to the property:
❒ Exists
❒ Will be constructed – a separate permit is required if access is from a public road

_____ If the driveway is connected to a paved private or public road, the driveway must be paved for a minimum distance of 20 feet from the edge of the connecting road.

Parking

_____ Off-street parking per CCC Section 40.340.010 is provided [with the exception of Section 40.340.010(A)(8)]. On-street parking is **not** allowed.

	Existing	Proposed
Total on-site primary parking spaces	_____	_____
Total on-site overflow spaces	_____	_____
Employee parking spaces	_____	_____
Loading / shipping area, square feet	_____	_____

Buildings

_____ Buildings must comply with CCC Title 14: Building; Title 15: Fire; and Title 24: Health

❒ A separate building permit is required as a commercial use.

Parcel size	**Allowable building square footage**
Less than five acres	Less than 5,000 square feet
Five to twenty acres	Less than 9,000 square feet
More than twenty acres	Less than 12,000 square feet

Total area of site in acres: _____

Building 1	Gross floor area:	_____	Use:	_____	New or existing?	____
Building 2	Gross floor area:	_____	Use:	_____	New or existing?	____
Building 3	Gross floor area:	_____	Use:	_____	New or existing?	____
Building 4	Gross floor area:	_____	Use:	_____	New or existing?	____
	Total gross floor area:	_____	sq. ft.			

Total floor area on site:	_____	Maximum building height:	_____
New floor area on site:	_____	Type of new construction:	_____
Existing floor area on site:	_____	Type of existing construction:	_____

Retail sales and ancillary retail sales

_____ Retail sales must relate directly to the winery, such as sales of wine, wine-related merchandise. In addition, ancillary retail sales must be clearly accessory to the primary use. These sales may include, but will not be limited to, items such as trademark items, items which promote the region or the wine industry, other regional value-added agricultural products, art, prepackaged foods, and cheese.

Events

Gatherings with an attendance of 150 or more are considered events.

Expected number of events within a calendar year:	_____	Maximum of 50 allowed
Number of events with a maximum attendance of 500:	_____	Maximum of 42 allowed
Number of events with a maximum attendance of 1,500:	_____	Maximum of 8 allowed

_____ It is the responsibility of the winery/tasting rooms/events permit holder to **notify the Clark County Sheriff's Office at least 10 days prior to any event** that has more than 150 in attendance.

Noise limits

Maximum environmental noise levels are defined in Washington Administrative Code, Chapter 173-60. Public disturbance noise is regulated under CCC 9.14.010.

Food service

_____ Food service must comply with Public Health regulations, CCC Title 24. Food service is not to include restaurants unless otherwise allowed in the zoning district.

Food service proposed:
❒ Pre-packaged food
❒ Tasting room events with food
❒ Food service for events

Drinking water and on-site septic

_____ Drinking water and on-site septic systems must comply with Public Health regulations, CCC Title 24. Adequate and safe drinking water is required. A valid permit is required for the septic system.

Water purveyor: _____ ❒ Public Water ❒ Well
Sanitation: ❒ Septic system ❒ Port-a-potties

I have read and understand the above conditions for a winery, tasting room and/or event facility, and agree to abide by these conditions; and certify that all information submitted with this application is complete and correct. I understand that I must continually meet these standards and any conditions of approval specified in the decision in order to maintain a valid permit.

I attest that all structures used for the tasting room and event facilities comply with applicable building, fire, and health codes.

Applicant's signature: _____ Date: _____
Applicant's name (print): _____

Owner's signature: _____ Date: _____
Owner's name (print): _____

Private Road Neighborhood Agreement for Type I Review

Name of winery: _____
Address: _____
Intended use: _____

The undersigned parties have access onto a common private roadway that will provide access to the proposed tasting room and/or event facilities.

We, the undersigned property owners, agree that impacts, such as dust, smoke, lighting, noise, trip generation, and road maintenance are adequately mitigated, subject to the conditions specified below, approval by Clark County, and compliance with the standards and conditions of approval set out under Clark County Code, Section 40.260.245.

Agreement is subject to the following conditions:

1. _____
2. _____
3. _____

Property Owner Name	Address	Phone Number	Owner's signature	Date Signed

I declare that I have reviewed the public records and determined all those having access to the private roadway are listed above, and that all signatures above are those of the respective property owners. I am aware that Clark County will rely on the accuracy of this information when processing my application. I certify under penalty of perjury under the laws of the State of Washington that the information above is true and correct.

Signed this _____ day of _____, 20__, in _____, Clark County, Washington.

Winery Owner Name: _____ Signature: _____
Property owner name: _____ Signature: _____

Approval checklist for Type I Review

This page is for staff use only.

If the answer is **no** then the application may not be approved and the applicant may be asked to submit additional or revised information. Please use the **N/A** column if an item is not applicable.

Approval Checklist	YES	NO	N/A
Zone allowed			
Verify site plan			
No on-street parking			
AG/FR with event – 20 percent land in wine crops			
Building square footage corresponds to land acreage			
On public road			
On private road			
Neighborhood agreement with 51 percent			
Maintenance agreement			
Septic approval			
Well approval			
Sanitation approval			
Food service approval			

Decision for Type I Review

This page is for staff use only. Permit number: _____

Based on the information submitted in the application, a review of the application against the applicable standards and criteria in Clark County Code, Section 40.260.245 Wineries, this application is hereby:

❒ **Approved**, subject to the standard conditions identified in the application and additional conditions listed below:

1. Signs
   - ❒ Limited to one 2 x 3 foot permanent sign
   - ❒ Directional signs may be posted 24 hours prior to an event and must be removed within 24 after the event

2. Building permits
   - ❒ A building permit is required
     Note: Clark County does not review the legality of lots in processing applications for minor building permits including re-roofing, minor remodels, etc.. Please be advised that the issuance of this permit does not mean the property on which the structure is located is a legal lot. That determination will only be done for a major construction permit or upon a request for a legal lot determination.

3. _____

4. _____

5. _____

❒ **Denied**

Reasons: _____

Comments: _____

_____
Staff signature

_____
Date

❒ Approved after additional staff review

Building permit number, if applicable: _____

If any other associated permits are required, activity number(s): _____