

OREGON LAW: WINE, CIDER AND FARM BREWERY BUSINESS

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State law defines wineries, cideries, and breweries based on the minimum gallons of alcoholic beverage produced and either a minimum amount of onsite or contiguous acreage planted in grapes, pears, apples or hops, or long-term contracts for locally-sourced grapes, pears, apples or hops, or a combination of on-site crop production and local sourcing. You can find the specific definitions as follows:

Small Winery: [ORS 215.452](#), Large Winery: [ORS 215.453](#), Cidery, [ORS 215.451](#), Farm Brewery: [ORS 215.449](#) Your local planning department can provide more specific guidance on how to meet these definitions.

In general, wineries, cideries and breweries are allowed a wide array of related activities.

Types of allowable uses:

Operations that are directly related to the sale or marketing of wine, cider or brew produced in conjunction with the business may be allowed, including:

- Tours and tastings
- Buying club meetings
- Winemaker/Cidermaker/Brewer luncheons and dinners
- Business activities for wine/cider/malted beverage industry professionals
- Open houses to promote wine, cider or malted beverages



Photo: Audrey Comerford, OSU Extension

The above events may include the sale of incidental retail items and services directly related to the promotion of the wine/cider/malted beverages produced on-site, such as foods, water, bottle openers, glasses.

A bed-and-breakfast permitted as a Home Occupation on the same tract as the winery/brewery/cidery may serve two meals a day to registered guests.

Agritourism or other commercial events in conjunction with, but subordinate to, these businesses are also allowed. The promotion of wine, cider or malted beverages produced in conjunction with the business can be a secondary purpose of the event. Such events might include:

- Outdoor concerts for which admission is charged
- Educational, cultural, health or lifestyle events
- Facility rentals
- Celebratory gatherings
- Charitable activities for which the win



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Limitations and requirements:

The scope of what is allowed at these types of facilities is nuanced and subject to a variety of standards. Some of the key limitations are summarized below, but we strongly recommend reaching out to the local planning department for guidance on developing your plans for these types of facilities.

- Total income from agritourism and charitable events, food service and the sale of incidental items must not exceed 25 percent of income from the retail sale of wine/beer/cider produced by the operation.
- The size and location of the business and frequency of events determines what permits are required. For small wineries or cideries that host events more than six days per year, and large wineries or cideries that host events more than 24 days per year, land-use permits may be required.
- Small wineries/cideries: a maximum of 18 days per year for events subject to standards designed to reduce potential conflicts and ensure public health and safety.
- Large wineries/cideries: maximum of 25 days per year for events subject to standards designed to reduce potential conflicts and ensure public health and safety.
- Additional provisions apply to operations located in the Willamette Valley.



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