NAPA COUNTY BOARD OF SUPERVISORS MEETING
COUNTY OF NAPA

RE: 10 Community Resources & Infrastructure
   Director of Planning Building and
   Environmental Services requests
   Confirmation of direction on proposed winery
   compatibility measures.

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TRANSCRIPT OF PROCEEDINGS

October 16, 2018

SUNSHINE LITIGATION SERVICES
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A P P E A R A N C E S

Chair Brad Wagenknecht
Supervisor Ryan Gregory
Supervisor Diane Dillon
Supervisor Belia Ramos
Supervisor Alfredo Pedroza
THE CHAIR: Our Tuesday, October 16th meeting and role call, please.

UNIDENTIFIED SPEAKER: Vice Chair Gregory?
SUPERVISOR GREGORY: Here.
UNIDENTIFIED SPEAKER: Supervisor Dillon?
SUPERVISOR DILLON: Here.
UNIDENTIFIED SPEAKER: Supervisor Pedroza?
SUPERVISOR MEDROZA: Yes.
UNIDENTIFIED SPEAKER: Supervisor Ramos?
SUPERVISOR RAMOS: Here.
UNIDENTIFIED SPEAKER: Chair Wagenknecht?
THE CHAIR: I'm here.

Please join us for the pledge of allegiance.
(The pledge of allegiance was held.)

THE CHAIR: Well, good afternoon. I'm calling us back into session. We're on the sprint to the finish now, folks.

We're on Item 10, Community Resources and Infrastructure. Director of Planning Building and Environmental Services requests confirmation of
direction on proposed winery compatibility measures.

Mr. Morrison?

MR. MORRISON: Thank you, Mr. Chair.

It feels much emptier up here without the other task force numbers. I'll try and keep my opening comments fairly brief, given the lateness of the day, but I do want to take a minute to just kind of reset the stage a little bit.

So the County's been described in the past as having a solution oriented approach to wineries, that was a much easier process to do when the potential winery sites were more plentiful but as development moved on to more challenging sites, it's been much more difficult to find solutions that satisfy both the winery owner and their neighbors. Over the last year, solutions have not been found and the Planning Commission has denied several projects. However, these decisions were made on a case by case basis without any underlying context.

The Board is taking quick action to provide a framework that will inform applicants, staff and the Planning Commission on how these projects can be addressed that have significant constraints which will help reduce the extensive debate over marginal
proposals. What is that underlying context? I would say as always, what does the general plan have to contribute to this discussion. Sure enough, if you look at Policy AGLU-10, new wineries and other agricultural processing facilities as well as expansion of existing wineries and facilities in agricultural areas should be designed to convey their permanence and attractiveness.

Now, to me, permanence implies that a project is sustainable, it's going to be here for the long-term. It's been designed with those principles and that may include things like hold and haul or may include things like a water availability analysis but it may include things like estate grape requirements. But it implies that it's not designed for planned obsolescence or disposability but for something that's here that's going to be here for a long time and designed well in that regard.

Attractiveness, also, I think with the permanence, implies compatibility, it's compatible with the community, compatible with the neighborhood, compatible with the physical constraints of the site. So I think the general plan has already spoken to this just in a way that perhaps we haven't looked at
I would also point out that the action item to policy LU-10 talks about maintaining a data base of wineries including production capacity, marketing events and other characteristics which we've done and that data base should include other characteristics that could influence analysis of the cumulative effects or the winery's effect on neighbors.

So again, the fit, the compatibility of a winery neighborhood is recognized in a general plan as being something that's valuable, and I think that goes to much of the heart of the discussion that the Board had two weeks ago and is having again today.

So that concludes my comments. I'm certainly available for any questions. Following Board questions and public comment, I can go through each item, if the Board would like to take that approach, or we can do it more holistically, and I'll conclude.

THE CHAIR: And just because it has been kind of hinkey with electricity around and people not getting some of their written stuff that comes over the Internet usually, we have copies of this Staff Report, it's not a long Staff Report in the side tray over there. So if you're missing that, you can have
the benefit of that at this point.

General questions from the Board at this point? I don't see any at this point. So let's -- I will open it up to the community. What do you all think? What are your -- what's your input?

THE SPEAKER: Hello, again, Eve Conn.

I have a comment on visitation, on tasting room and marketing visitation. Mike Hackett earlier mentioned that he was concerned and wanted to roll back some of the changes to the WDO specifically as it relates to food service.

This month has been very interesting because there's been a lot of restaurants closing and a lot of articles published. One of them is why Yountville's Red's restaurant is closing. I'll quote from here. It says, "Blanchard who is a master -- inaudible-- points to the wineries as having a role in the challenges restaurants are now facing. Red's closing says a lot about the changing dynamics of dining in the valley. Restaurants have to compete with so many wineries that are now offered food pairings and lunches with in-house chiefs. Tourists aren't necessarily interested in a big dinner or fancy lunch when they could have an experience at a winery."
There was another article about Brian Arden wines from Silverado Trail in Calistoga and it's talking about the, "Chief bites are served for intimate groups, two to eight. Four course menus change frequently based on seasonal harvest and contain plentiful portions that might require reconsidering a dinner reservation."

And just this morning in the register, there's a big article about food and wine at Sequoia Grove and the author is pleased that we can have more than wine crackers, water crackers or Hershey's Kisses but wineries are now and visitors are able to benefit from an ambiguity in the ordinance that allows for educational wine and food pairing.

This little loophole is making it possible for us to enjoy meals at wineries. They're talking about five-course meals. They're talking about how difficult it is to set up this restaurant within the winery and support staff and it's says "Is no small endeavor. Neither is staying within the parameters of the loophole."

So this is not -- these are not my words. These are words that are coming from the industry themselves. I think if we're going to look at
compatibility and sustainability, we need to look at the continued viability of our cities and how the changes in the wine industry are now affecting and so we have restaurants closing from Calistoga all the way through Napa. So I don't want to that to be overlooked. I would love to have some of that kind of brought into this discussion. Thank you.

THE CHAIR: Thank you.

THE SPEAKER: Howdy again, Bernadette Brooks, 3013 Dry Creek Road in Napa.

I think a lot of the topics that are in here are very important to maybe go down a little bit more level of detail in some of them so that we would know how they would be enforced or a little bit more when you talk about estate grapes, that makes sense but is 10 percent reasonable, is 15 percent; does it still depend where they are.

There was a conversation between someone going in for a major mod and a neighbor saying well I don't have enough water to do the vineyard and my beautiful winery, I just won't plant the vineyard because I'll save all the water to make my wine and have my events in my beautiful place at the top of my hill. That's going the completely wrong direction of
what we want to do here.

So we have to be careful but we have to be more specific. Some of the things that are being built are major mods are oversized for what they might be asking for the first time around but we need to look at also when they come back in five years if we told them the first time around that one size was all that parcel could handle, then when they come back again for a major mod, we shouldn't be saying now all of a sudden because you are there, you've already built something, we're going to let you do another -- you're going to go from 30,000 gallons to 100,000 gallons. I mean, that's a huge jump in production and we know we already have I don't know how many times over production allowed out there.

So I think we need to look at that. I think -- the thing that makes me nervous and planters bless them, I don't know how they have the patience sometimes, but they really are trying to help the customer come up with something that will work. I think then the customer gets frustrated because they're trying to say, Well, maybe if you did this or maybe if you did that, I think sometimes we just need to say "No." Thank you.
THE SPEAKER: Hi. Thank you very much for this opportunity to speak to the Board. My name is Keith Glance. I live at 390 Cold Springs Road. I first came to Angwin in 1968, and I've been at the Cold Springs Road address for 32 years.

They say that a picture is worth 1000 words. I don't know if there's a thousand words in this memorandum or not but I am and always have been an advocate of personal property rights. However, I draw the line at one simple word "safety" and I still hold true to that. I may not want people buzzing up and down my road to go to a winery but I'm not the center of the universe, however, my children are.

The picture that you have in front of there was taken in front of my house just a few days ago. Fortunately, U P S trucks on Cold Springs Road is an infrequent event. If you do meet a truck even if you meet another car, you can see there's two pickups behind that, you dive into somebody's driveway so you can get by. That's the way things are on Cold Springs Road, but we don't have that many trucks. If there is a winery at Cold Springs Road, you have tanker trucks, box load trucks, it's going to change the landscape.
enormously.

Immediately to the right of that picture is a house where three kids ride their bikes to school every day. Behind me where I was standing to take that picture, there's two kids in that house. There's a lot of kids in that neighborhood, and their safety -- mine are grown up and they're gone thank goodness, but their safety is what I'm speaking to today. Cold Springs Road is no place for a winery because of safety. I'm not going to speak to whether or not the wineries and the restaurants should compete, I'm only speaking to the fact that that road -- if the County wants to make it a four-lane road, that's fine, bring it on but I shouldn't have to pay for it.

The other issue that I would like to speak to regarding is safety and I apologize to the Board for digressing but the safety issue of P&GE turning off the power has created a huge nightmare for us. I haven't slept for two nights. We have no way at our house of calling the police, calling the fire knowing whether or not we need to evacuate or anything because when PG&E cuts off the power, we lose all Internet. We lose all access to the outside world incoming or outgoing. We don't know whether we're supposed to
evacuate until somebody pounds on our door.

So we haven't slept for two nights and we're looking forward to the power being back on. The Chevron station has no fuel, and there's generators running all around me. Not everybody should have a generator. You're creating a lot of problems there. I realize that this is the first time this has happened but it's not PG&E's first rodeo and to revert to a third world process of just shutting the power down is not the answer. They should have had a better answer by now. Thank you.

THE CHAIR: All right. Thank you.

THE SPEAKER: Trisha Damery, Dry Creek Road.

I appreciate the leadership that is shown in this document. I really feel that if we come up with a set of regulations that honors the environment, honors the agriculture, our watersheds the whole and we hold to it, not let the economics of a few drive the engine here, it's going to do a lot for our community because I think our community really has been fractured by what's happened.

So I really celebrate this. I'm glad that we're working on it. I think that many of these are very reasonable suggestions, and I hope that you make
it an ordinance. So thank you.

THE CHAIR: Thank you.


One of the things that I think we need to address in drafting policy like this timber harvest conversions typically occur in Napa County for vineyard development. In the case of a recent winery application, you have a timber harvest conversion where the trees will be taken down to accommodate a winery. So I think we need to think about that. We would be taking down our coniferous forest, in some cases, for a winery. So maybe that's not something we want to address.

I did want to mention that Dawn and Jack Morgan were here this morning unable to stay. Robin Lail and then Nancy Lacorte of Pacific Union College all came at 9:00 and were unable to stay all day. One of the big concerns when we start putting wineries in mountain top canyon locations, these are our headwaters of our watershed, and we are going to be putting industrial waste water treatment facilities in our depressions and our headwaters, do we want to do that. I think that's a point it is slightly mentioned...
in there, but as a concept, do we want to have waste water treatments for 50,000, 100,000, 50,000 visitors where we get our drinking water.

I think we need to discuss the nexus between I believe there is a policy about clearing of trees and vegetation in sensitive domestic water supplies that there is a cap to protect those water supplies and are we allowing the wineries to exceed that clearing cap for their footprint, how are we dealing with that and how are we dealing with the cave tailing degree as far as it impacts natural vegetation. Definitely, we're going to have to have a meeting in Angwin on this. Obviously, we are the community that is most greatly affected with the potential for winery development.

Power outages, of course, necessitate generators and though we may build wineries to try to be quiet and be good neighbors, when you do have to power up large generators for cooling and processing, you can't help but hear those echoing through the canyons and that impacts wildlife as well.

I really believe that we need to address a cap, a finite number of wineries that our county can accommodate. Piece-mealing, of course, is always a
concern when a winery -- a new winery has gallonage and visitation and comes back later and asks for changes, that is piece-mealing -- inaudible -- brought up a particular winery, Brian Arden, and I had just read about them. They have 260 vines, they're quite proud of that, 260 vines.

Now, they are within the City of Calistoga, but they actually employ a chef. I think we need to think about that. What is the relationship of the actual grapes that they have versus the product they're delivering which is food service. Thank you.

THE CHAIR: Thank you.

THE SPEAKER: Good afternoon, Deborah -- inaudible, Treasurer Wine Estates. I wasn't actually going to speak but I have three really quick points.

The first one being when you're dealing with new wineries in these remote areas, I would like to remind you all that you cannot put any limitations on new wineries that you can't -- that would also apply to existing wineries, if they come to change their business or expand their business. So I think we need to keep that in mind as you move forward.

The second is I don't think that we can really make policy based on what the Napa Valley
register reports. While labor is an issue, I know for a fact the two big restaurants closing Red and Terra have nothing to do with wineries, food and wine pairings or even labor, it was different issues at both. I know this because I have -- my husband is in the restaurant business so I do hear what's going on and one of the open air restaurants, I've never heard it once in looking at different sides is what wineries are doing.

Having said that, you can all help us who are trying to do the right thing with enforcement from those wineries who are not because I get on, if not weekly at least a monthly basis. People on my D D T and marketing teams coming to me with what some winery is doing about meals. Why can't we do this, and I have a hard time stopping them and telling them well, here is why you can't do this.

So if you enforce the people who are actually doing the illegal operations and help us who are actually doing the food and wine pairings which is educational, how you should be serving wine with food and educating people that's how it should be consumed would help us tremendously for those of us who are doing the right thing. So thank you.
THE CHAIR: Thank you.

THE SPEAKER: Margo Kennedy, Cold Springs Road, Angwin.

I'm here at the moment at the podium to represent Nancy Lacorte. She's the P U C vice president for academic administration in Angwin. So she's been a resident of 35 years of Angwin and lives also on Cold Springs Road. Nancy had to leave and so she asked me if I would share her comments.

Pacific Union College -- she was here to represent the college, is concerned about increase in traffic resulting from winery developments or proposals especially near P U C Elementary School and the Discovery Land Preschool. They're both on Cold Springs Road. Many children and their parents use this narrow road including on foot, bicycle. The college urges the supervisors to preserve the residential character of Angwin's roads and this would obviously include Cold Springs.

P U C also wants to make note that some of the wineries in Angwin already are using their parking lots for staging grounds and where they -- I guess they must move their clientele from that spot. So they meet them at the supermarket. They meet them --
they've even used the elementary school parking lot. One situation that I'm aware of that just happened recently is they moved a truck on to one of the parking lots because they wanted to use their parking in front of their house for their own friends to be able to come.

So various things will happen in neighborhoods that you would never know because you don't live there but P U C is very concerned about the use of their facilities for wineries that may not be able to accommodate the clientele at their own winery.

Okay. Thank you.

THE CHAIR: Thank you.

THE SPEAKER: Hello, Michelle Benivito, Wine Growers of Napa County.

I just want to remind us of the conversation we just had which was a universal desire to have data driven evidence based decisions, transparency and community outreach and education and collaboration between the community and the County.

So just three weeks ago on September 25th with little notice, the Board considered the remote winery ordinance, it was described as a way to address winery agreement in remote or restricted access areas.
The Board did a thoughtful discussion and listed items to consider. One item was the definition of "remote." Since, as the supervisors expressed, not all areas of the AW would be considered remote, yet the proposal before you today appears to disregard location of a winery and recommends change to all agricultural zoned areas.

So I urge the Board to require engagement with the wine community including its trade groups regarding the proposed amendments to the W D O because that's what this is a proposed amendment to the W D O. In 2010, the Board nearly adopted changes to the W D O to allow weddings at wineries and it was the wine community who urged restraint, then worked with the County regarding the small incremental changes.

The County has a successful history of working with the wine industry on significant wine industry regulation like the D W O, the conservation regs, the water availability analysis. Involving the industry you are regulating is critical to help avoid unintended consequences in the future.

I'd love to go into detail of all of the items listed in today's Staff Report, but I don't have the time in this meeting and with the limited time the
Staff Report was available and the limited availability of Board members, I wasn't able to contact and talk to you all directly about each and every item.

So again, the changes discussed in today's Staff Report would be significant amendments to the WD O, it would also impact existing wineries at a time when the Board is encouraging existing wineries to update their use permits in order to address upcoming code compliance changes.

Lastly, Wine Growers is concerned that the Staff Report suggests implementing these changes through a memorandum while an ordinance is being drafted. Implementing legislation before the adoption of an ordinance is inappropriate and not consistent with Sequa's requirements. Napa County requires extensive Sequa process for proposed winery activities. So we expect Napa County would hold itself to the same standard. Thank you.

THE SPEAKER: Good afternoon to the Board. Gary Margonant from up on Mount Veeder Road.

We recently went through a winery application up near my home on Mount Veeder Road that proposed a winery that had absolutely no vineyards whatsoever,
and the Planning Commission didn't particularly like that combination of compliance.

So I would say to you and it's interesting what you talk about custom crush because the, you know, that's what that place would have been, it would have been just a custom crush. I think for them to actually place the custom crush by what David was speaking about and I hope I heard him right, was that the industrial areas are more a route for the custom crush. Mainly because of all of the traffic that's involved in this type of thing. I would be more than happy to see that and the cost of compliance for all of the regulations and the coming to work with the County and stuff is really something that -- it gets to be a real bug there because of certain people.

I mean, if you take the Anthem winery, they've spent a lot, a lot of money trying to make themselves comply and fit that thing onto a piece of property. You know, they have water. They have access. They have a number of issues and stuff like this, do you think it would have been -- the Anthem winery is just might not be the acceptable size for a winery in that area.

So I would say to you that the cost of
compliance and stuff like this just to try to make it fit. If your planning department and your conservation department is working overtime to try to get them to fit this into the project, maybe you should really look at it and say no, you know, a little earlier before the applicant has to spend that much money to try to fit it in. You know, somebody has to sit there and say "Yes" or "No" about these issues that, you know, this remote winery discussion is all about.

So we would appreciate something -- you know, you talked about community, you know, community compatible. That's what we really, really wanted up on Mount Veeder was something that was like this. We didn't want a 7-11 winery up there, you know, that was just going to have the grapes hauled into it and then all of a sudden, they make the wine and then they have the parties because they pulled the winery, they wanted it 75 feet from the road when the setback was a couple of hundred feet which would have been more compatible with that. We would have just liked that and it's too bad, you know. I think it would have been better in a different location. Thank you.

THE CHAIR: Thank you.
THE SPEAKER: I'm going to be a rebel and come over on this side. My name is Roxanne Hogan. I live on Fresian Drive in Angwin. I wasn't going to speak today but apparently my comrades didn't show up so I'm going to speak on their behalf.

Fresian Drive is a private road. We currently have two wineries located there. One winery went in many, many years ago. The residents bought into that, it was fine with lots of restrictions which they have not adhered to at all. The one visit per day can be 20 people in a van. So that's one visit.

The wineries use our road more than our residents do and because of the amount of cars and vans and then, of course, just the winery equipment and all the tractors and whatnot that go in and out, our road is falling apart. Because it's a private road, we're responsible for it. They don't put any money into it.

The proposed winery is going to be up a road that is really quite treacherous. Even the people that live up that road don't like to go up there own road. There's just no way. There's some parts of our road that are only 12 feet wide. So we have a few turnouts, but there would never be enough room for
these winery trucks especially for this winery that's going to be bringing in grapes because they don't have enough vineyard up there.

So it's a safety issue. It's a safety issue just for the folks that live there and want to walk on the road with our animals. It's a safety issue for the wildlife but it's an extreme safety issue on the road that this proposed winery is going to be. Those folks up there if something were to happen on one of those trucks went off the road or jackknifed or whatever, they wouldn't be able to get out. There's one way in and one way out on Fresian. So evacuation especially in light of the fires is a real concern for everybody.

So I'm just throwing that out there. People don't always think of safety as a big concern. They always think we just don't want a bunch of wineries up there. We don't want all these people coming up to party and disturbing us. Safety is a huge issue.

Thank you and I'm sorry, I didn't get to read this before but maybe it was addressed in here. I don't know.

THE CHAIR: Thank you. Further public comment on this point? There's not a repeating public
comment, no.

THE SPEAKER: Well, I -- Margo Kennedy, Cold Springs Road Angwin. I thought about asking for two, three-minute periods, one I could speak for Nancy Lacorte.

THE CHAIR: We normally don't do this at all so can you keep it very, very, very, short.

THE SPEAKER: So you close comment?

THE CHAIR: Well, I usually only let one bite at the apple for --

THE SPEAKER: For any one individual?

THE CHAIR: Yeah.

THE SPEAKER: Okay. Even though I was representing her?

THE CHAIR: Yeah. So if you can keep it really, really short.

THE SPEAKER: I'll try and you can cut me off.

Wineries, in my opinion -- am I cut off already? Wineries, in my opinion, do not really belong in the watershed. Now, we have a history where we've created wineries and we have businesses in Angwin. They don't belong in the watershed for a number of reasons -- is that my well already?
THE CHAIR: Conclude your statement.

THE SPEAKER: Okay. They're industrial and they're commercial. When you have a watershed you're trying to protect and a water quality you need other ingredients. You need forest. You need water drop. You need water filtration and therefore, you get water quality. Adding septic systems to those conditions are not a good scenario.

Now, in the 90's, a winery wanted to go in behind me and at that point, we had to come back to the Board. None of you were on it and that was the very case and they didn't put that winery in so.

THE CHAIR: Thank you.

THE SPEAKER: Good afternoon. I'm Michael Mondavi. I live at Silverado Trail, Napa.

Thank you for the study, first of all the strategic plan. It is so important in evaluating all of this. It was like deja vu today going back to the 60's and 70's when the wine industry and the Board of Supervisors got together and created the winery definition ordinance and how do we preserve the jewel that we have here in the Napa valley.

I just love the photograph of Santa Clara valley in the 1940's and of Oakville, Rutherford Napa
Valley in the 1940's and then flash forward to 10 years ago, still the same vineyards, in Napa. It's all factories and warehouses and subdivisions in Santa Clara valley, it was a very fertile, wonderful valley.

I commend for taking this study but we need the time to work together with the vineyards, the wine community, the general community and especially now with the remote winery evaluation, especially during the harvest when people are out there scrambling to get the grapes done.

Please take the time to study this. The wineries would love to be involved with you and do what's best for my grand children and great children, not just for the next ten or 15 years. Thank you very much.

THE CHAIR: Thank you. I'm seeing no others at this point. I will close the public comment and return it back to the Board. You had an offer from Mr. Morrison to walk us through the different bullets, is that something interesting to you or do we just have some good thoughts to add to what is here at this moment?

Supervisor Dillon?

SUPERVISOR DILLON: Well, first of all, I
don't think this is ready yet to be directed to be put into an ordinance or any other document. I really think in general that we're arguing about -- we're not arguing but we're focused on these details when what should happen is a common sense application of does this proposal fit into this place.

I can remember a year and a half ago when I thought uh-oh I think we're in a little bit of trouble because I looked at the Mountain Peak Winery comparison chart and that's what -- this is compatibility but compatibility is in way comparison, that had been prepared by the planning staff and it was for Mountain Peak at the top of Soda Canyon and it was compared to ashes and diamonds, round pond, black stallion, Trincaro, Alpha Omega. Why on earth was it compared to those things? I remember thinking this is not a good thing because we're not comparing apples to apples.

The essence of what we're talking about today and the reason this started as remote is because we're supposed to be talking not comparing a winery at the top of Soda Canyon with a winery on Silverado Trail because you just can't make that comparison and yet that's where we are right here. We're talking about
these details.

What I'm really concerned about is going through each of these things, seven, and deciding on each of these factors and then you're going to have some proposal come before the Planning Commission that might technically fit into each of these. It's not a good fit at the location where it is. I realize this is land use planning, so it's a little difficult to use. I don't know if it was a metaphor.

I remember in the discussion of pornography, there was the judge at one point who said, "I'll know it when I see it." Well, I mean, the sort of flip of that is I'll know when this is not a good fit at this location based on what the neighbors say, based on many factors and that's the way the winery definition ordinance was designed, it didn't have all these details in it. If you look at the transcript from when it was decided, the legislative history which I wish staff would bring to us. We have it, it says we're going to look at these on a case by case basis.

So I don't think this is the way for us to solve the problem which we have which is that we have had a Planning Commission that has approved wineries that are not compatible with the neighborhood or the
physical situation where they're located and then we have a lot of community consternation and/or we have an appeal to hear.

One of the things that's missing from this process is a meeting between the Planning Commission and this board which it's been at least a couple of years and we used to have that regularly. So we would have some interaction and they would get some informal direction from us and that informal direction solidified that decision-making that was based on the common sense approach of what was the appropriate thing to do.

So, you know, going through each of these and having each of these as decision points, to me, it's not the answer to the challenge that we do have before us. I question, for instance, on Number 7 Variances and Exceptions. "Strictly construe the interpretation of regulations to protect public health and safety."

Does that mean that there's another case where we're going to loosely construe. I mean, I just don't think this is ready for prime time. So given that -- it's not that late in the day but I've been up for most of the last two days. So as I said earlier, I think we should be looking at other things. I think
we should be looking at the bigger picture. We just
had our strategic plan folks say what was the number
one thing that people appreciated about the Napa
valley in the slide show that had no buildings in it
by the way. I think that's always very interesting
that we always show photographs of vineyards without
wineries in them. I don't -- I think we should show
wineries in them because they're part of the landscape
and part of the context.

What we cherish is natural beauty and
environment. I think we should go back -- I think we
should go look at some other solutions that were
previously proposed. For instance, instead of
thinking about the minimum parcel size of a winery, I
mean, I'm not saying we should reduce the 10 acres but
think about how close they should be in appearance.
If you have a place where you have a whole bunch of
10-acre parcels, you're going to have a whole bunch of
wineries. I think it creates something that is
adverse to what we cherish about this place.

So either increasing the minimum parcel size
in certain areas, talking about the developable area
including one of the things that's left over was the
residential coverage. We've got to get to that
because all the things that people here are saying
about wineries, residents could do far more, a mini
mansion or make a mansion or whatever.

Talking about the distance between wineries
and talking about the safety issues, those are the
things that I think we should focus on.

THE CHAIR: Thank you.

SUPERVISOR DILLON: And we've got to have a
meeting -- sorry, I'm going to repeat it. It's been
long overdue the Planning Commission and our Board.

THE CHAIR: I was talking about that just the
other day so I'm with you on that.

Supervisor Pedroza?

SUPERVISOR PEDROZA: Thank you, chair.

And I don't disagree with having the big
comprehensive picture discussion. I think we should
have that. I think that's what I've been hearing
through this strategic retreat and the folks I talked
to but I guess I'm just a little confused when this --
these seven bullet points and David, you can correct
me if I'm wrong, came out of the last meeting that we
had, correct?

THE CHAIR: Yes.

SUPERVISOR PEDROZA: So my concern is if we
don't have the appetite to take these on now, that's okay but we can't keep spending resources on having these discussions over and over again. The reason I wanted to go one by one is to really understand if we have appetite to have these discussions.

SUPERVISOR DILLON: I've got a big appetite Mr. Pedroza, so bring it on.

SUPERVISOR PEDROZA: Well, then we should talk about them versus continuing the conversation. I think that's what the public deserves. If we want to talk about custom crush, let's talk about it. If we don't want to talk about hold and haul, let's not talk about it. But I think we owe it to the public to have these discussions because if not, what messages are we sending to the community.

I would be supportive of having a discussion on each one so I'm happy to begin. On number one, I think the discussion about vehicle trips is a good discussion. I think we should have that. I think looking at that from a visitation aspect and counting vehicles, I think that's a good thing. I don't think that's just specific to the remote rule. I think that can be applied county wide, but we should have a discussion with the community about that.
On custom crush, I brought it up before that that was a genesis for me bringing up this discussion of I do think there are appropriate areas to have custom crush. The examples I've used like Soda Canyon and Atlas Peak Road, I don't believe a custom crush facility at the top of Atlas Peak or Soda Canyon is appropriate. I want to have a discussion with the community about that.

The activity of custom crush is what concerns me. If there's no fruit on-site, that means they're bringing trucks up the road. Those are the discussions I want to have. If there's concerns about it, if there's unattended consequences, let's put those on the table and have those discussions.

So that's kind of what I've been envisioning with this discussion. I'm happy to continue on -- hold and haul, we talked about that on APEC. I think there's other things going on that we might want to know in terms of what the state is regulating with that. On topograph, that's site specific. I don't think that needs to be manifested in an ordinance or in a memo. So I would ask staff what they meant by that a little bit more.

On the fire safety, I'm really concerned
about that in terms of what is a fire hazard area who
designates that, what type of conditions of approval
are we looking at. So there's a lot of questions
about that. Visitation number six, that's site
specific. I don't think that needs an ordinance or
more regulation to be manifested in that, that's part
of the authority we have.

The same goes with variances and exceptions.
So I think the ones that I glean from these that can
be discussed more elaborately and be manifested in
policy potentially is looking at traffic and custom

crush.

THE CHAIR: Thank you.

Supervisor Dillon?

SUPERVISOR DILLON: Happy to discuss traffic.

I agree with Mr. Pedroza, but I think the issue is
enforcement. We need to build in a mechanism. For
instance, if you have ten parking spaces when the
parking spaces are full, you close the gate. There
needs to be some enforcement mechanism that's easily
enforceable. We need code enforcement on the weekends
too because that's when these issues happen.

The wish -- the width of county roads is a
factor. The road and street standards in the S R A
require 20-feet wide and yet we have a photo right here of an access road that's not 20 feet wide. So that just doesn't make any sense.

I have a question I think the rest of them you kind of dispensed with which is not unlike where I was. With regard to custom crush I recall that in 2005, we had -- we were sued to say we couldn't control custom crush and we -- the planning director wrote we changed course as a result of that. So where are we on that topic, it's a legal -- go ahead.

MR. MORRISON: I can speak for the planning director's memo. I can't speak to the lawsuit but the planning director's memo is it rescinded the prior planning director's memo which came out in 1996 I believe that provided some restrictions on how many or to what extent custom crush independent operators could locate out of a winery.

The 2005 memo that was issued by the subsequent director indicated that the County would just look at total wine production regardless of whether custom crush operators were operating underneath that umbrella. I don't know if Mr. Bracks has anything to add regarding that.

MR. BRACKS: Yeah, I think that summarizes it
well. I think the planning director's memo talks about a more efficient metric of environmental community impact meaning more of a nexus I would probably say legally, pertains to the overall tonnage limit rather than five or seven or trying to regulate a specific number of custom crush operations that go in, but we've pulled the lawsuit, it was dismissed shortly after this memo was repealed.

So I'm not aware of any prohibition on a regulation or limitation on custom crush. We would take all efforts to make sure it's legally drafted, of course, depending on the Board's direction.

THE CHAIR: The other side of custom crush is estate requirement, you know, that way we can say, Well, you can only do estate bottled wine; is that a way to get there?

MR. BRACKS: Yes.

The flip side of that is imposing some requirement or percentage on estate-bottled grapes in recognition of I think what Mr. Morgan had said actually which is that custom crush facilities absent that percentage involve more traffic as trucks are bringing the grapes to it and then the wine is leaving than regular wineries would do or estate wineries so.
MR. MORRISON: As an example, Santa Barbara's wine ordinance that was adopted I think last year for wineries located in the designated inland area, wineries required to have at least one half acre of vineyard per 1000 cases or about 2000 gallons, that's about five percent. I'm not aware of any lawsuit against Santa Barbara county on that requirement.

THE CHAIR: That's a requirement that they've made. Okay thank you.

Supervisor Gregory?

SUPERVISOR GREGORY: There's a long list of things to consider. I just want to say again that there's other things coming that are already behind, completing the APEC recommendations that are undone and then the compliance program we're seeing in a few weeks but there's parts of this I think we need to do too.

Of this list of things, there's one thing that got us to this conversation which was a project out in the watershed without any vineyard on it and our Planning Commission feeling like they were concerned about it but they didn't have the policy backup to help them out. It's the one thing I'd like to do right away but we're not -- we haven't figured
out what that state requirement might be that hasn't
been vetted.

So that's one thing that jumps out that I
think we should handle and not take too long to do it.
The others are things we've been talking about for a
while. Counting cars instead of people, I'm not sure
how to do that, how we would implement that a lot of
work needs to go into figuring that out.

Then on the custom crush issue, I -- this was
about not having up in the Ag watershed, not
necessarily that it wasn't appropriate somewhere in
the Ag Preserve on the valley floor. Then the rest
are really site specific. I agree with Supervisor
Pedroza, but I will say on hold and haul, I feel that
a property that can't support or fit a proper waste
water system might mean that that property shouldn't
be developed commercially. So I feel that's one we
should take on too at some point.

The rest are very site specific but I'm
horribly unclear on how we would move those others
forward because there's a lot we've heard today from a
lot of people that, you know.

MR. MORRISON: On these grape requirements,
if that's the direction the Board chooses to go, I
think that the Board just needs to set the direction. You don't need to hammer out the detail. I think the details of how that direction gets manifested or gets implemented, I think is an appropriate discussion for staff to have with the industry and the community about what makes sense. I don't think -- the Board isn't prepared to land on a specific percentage or requirement. Staff isn't prepared to give that recommendation right now. I think we would need to learn more about it.

SUPERVISOR GREGORY: Well, I agree but one solution offered us today was that you would write an administrative memo right away and get that out to the world. We're not anywhere near doing that.

MR. MORRISON: No, I agree and that memo was more or less to -- and I echo Supervisor Dillon's concerns about pre-determination.

The memo -- there was a concern at the last board meeting two weeks ago about how long an ordinance might take and how projects that are currently in the pipeline might continue to move through the Planning Commission, either get approved and wind up being appealed before the Board, while the ordinance is being developed. The memo is more of a
generic I guess set of common sense expectations in terms of trying to lay those out to give the Planning Commission some additional direction while the ordinance is being prepared.

Certainly, one option would be if -- would be to recognize the need to base decisions only on adopted code and ordinance and to not prepare any memo at all and to let the projects that are in line right now go ahead and be considered under the rules that are currently in place.

Another option might be that by narrowing down the scope of the direction today, that might help speed the time in which an ordinance could be brought back to the Board. Certainly one that only looks at two or three things is a little bit easier bite to chew than one that looks at several things.

So the intent of the memo is not to lay everything out in detail but more to kind of express the overall intent of the Board to serve as a placeholder until such time as an ordinance to give direction to the Planning Commission, again direction but if that's something that the Board is not interested in, it's not a requirement. It's not going to get working directly with the community and the
industry on a draft ordinance.

MR. TRAN: Chair, if I my chime in real quick. Just to amplify what Mr. Morrison just said mainly that today this meeting here is the second time that staff is coming back with this item.

Basically, today's purpose is to confirm the Board's directions in terms of moving forward. Staff is looking for confirmation for direction from the Board in order to basically take it -- and procedurally speaking, staff does not want to spend time and resources on anything that the Board does not support.

So basing on the Board's direction, I think Mr. Morrison is looking for confirmation so he can communicate back in terms of starting the process because as you well know, any type of land use ordinance that has to start at the Planning Commission and before staff work on the ordinance, bring it to the Planning Commission, we want to get the Board's general direction first.

Then in terms of the opportunity to be heard on this, to vet on this with the industry, with the community, with the public meeting, those will be had once the general direction is given. If the concern
is in regard to the -- when I think Michelle Benivitio mentioned it and it's very absolutely correct, basically the applicant and the public have the right to rely upon what is currently existing in the book, in the law. Until that is adopted by the Board, that typically cannot be imposed.

However, in terms of for those who are interested or thinking about this, if the Board gives this direction and I think the purpose for the memo and please do correct me if I'm wrong, David, is that if the intention is to communicate properly as to, hey, this is the general direction of the Board, we will be taking it on, we will be drafting the ordinance. We will have public meetings. We will have stakeholder meetings. That I think is the purpose of the meeting.

But in terms of the effectiveness of what is the County's code or the County's ordinance that would indeed have to be stated in the text of the ordinance itself. Typically speaking after the ordinance passed through the Planning Commission and forwarded to the Board, the Board would need to do it readings and then if the ordinance would take effect 30 days after that, after the second reading, however, if there's an
urgency, then obviously, we can do it as an urgency
ordinance taking effect immediately as well.

So I for today's purpose, I think if the
majority of the Board is willing to certainly give
direction to staff and staff can take that and go from
there.

THE CHAIR: I'm not seeing that we're exactly
there yet but Supervisor Ramos?

SUPERVISOR RAMOS: Thank you, Chair.

I'm going to start a little bit backwards.

Because it's interesting we had this discussion. I
reviewed the notes you sent out, the summaries, how
you got to this memo. I get it, but I think one of
the things that we're doing here is we're trying to
push a square peg into a round hole. I say that
because -- inaudible a lot of available tools in our
toolbox and I don't think we pulled them all out and
perhaps we should. So for that reason, I think
another iteration of this synopsis would be helpful as
-- before it does go out for further vetting that
incorporates what those options are and I'll go
through the a few of them.

So one, when it comes to traffic, we all know
that's a subject near and dear to my heart. You know
and I heard a couple of questions how do we do that, trip counters, trip counters that we use them -- we used them back in my prior life in American Canyon and the way in which trip counters can be utilized is through a Traffic Impact Feed Program and making it conditioned on the Use Permit as part of the Traffic Impact Fee Program. You pay an impact fee based on your projected traffic trips. You exceed your traffic trips, you have a true up on a three-year average. That's how it was implemented in American Canyon. There is no gray. It's black or white. You get a check in, a year in so you can see do you need to make adjustments to your business model to stay true to the representations you made in your application.

So for me, yes, I think that traffic needs to be definitely a component that we look at in terms of how are we living within our means here, are we creating a future that we can live with but perhaps it doesn't need to live within this projected ordinance. Perhaps it can be -- it can live within the Traffic Fee Impact Program and through the Use Permit process, that might be a better method of being site specific being able to be amenable to be workable.

When it comes to custom crush, I certainly do
appreciate the benefit of Supervisor Dillon sharing with us the 2005 incident. We're using big terms today things and incidents. So I'll say incident and the director's memo of how to change that. I think that one of the things we need to look at is expanding but I believe one person said what does the estate component mean and how important is it. I said this in my last comments, it's a chicken or an egg. Do the vineyards need to come first and then you get the winery or are we saying we're saying yes to the wineries so now we have to say yes, to the vineyard. We've got to be very careful in that balance of how far we're willing to go to create that environment of an estate component. I think one of the key stakeholder's, in my personal opinion, that would be really important here would be the AVA's themselves because when I think about estate component, I don't think about it necessarily in the Napa -- in the Napa way. We already have our 75 percent rule. When I'm thinking about estate component and when we really look at what areas of the valley are being affected by our thoughts here because it's nothing more than mere thoughts here at this moment. I think about those AVA's whether it's Soda
Canyon and Mount Veeder, Kuntzville and we look at those types of apalachians themselves, I think that would be a really good way for us to focus in on what does this mean for us.

Personally, I'm on the same page as the engineer and that should give me great value in what I'm about to say because I think hold and haul is a real issue. If we're depending on a system of waste water that requires us to load up water into trucks that may or may not -- when I get to Number 7, may or may not meet the sufficient roadway standards, loading up waste water into a truck and taking it all the way to East Bay Mud, I do not believe that meets our objectives of sustainability, that can't be the solution for us saying we're going to rely on another municipality to take our waste water, it's got to be a balanced approach. So whether that means -- I've said this before. I've been saying this since 2012, whether that means we have to take an earnest look with Napa Sand and say what are we doing to provide for our future. I think hold and haul is a very important component here, but I think it also requires us talking to other entities such as Napa Sanitation. Topography, I agree it's very site specific.
I think topography, at least in my comments that I made and I was certainly making them in terms of roadway standards and access. So I don't see topography as it's own category personally at least from any of our comments. Correct me anyone if I'm wrong, but I think we were looking at it more from a slope issue, from a setback issue and from a roadway access issue. When it comes to fire safety, certainly those same issues apply for me. It's that topography so I would loop that into that bucket.

Visitation, how many times are you flushing the toilet and how many trips do you have per day.

UNIDENTIFIED SPEAKER: That's a personal question.

SUPERVISOR RAMOS: It's a personal question we need to ask.

But I think that that's where that gets embodied not necessarily as it's own issue to put necessarily a -- pick a number out of thin air. I think it's got to be evidence based. What is that site capable of handling that is consistent with the community.

Then I'll get to variances and exceptions.

What's the word I'm looking for successes -- success
of projects. I think when we look at variances, we need to look at -- the word that you use "strict," I think what we need to do is being looking at variances as do we actually need the variance. We shouldn't be accepting the variance just because it's the cheaper way of doing something because it's more expensive to accommodate the way it should be done within the rules that have been set. To bend that is exactly what we do with the variance, to bend the rules, to make it fit erodes the standards that this board sets forth.

So perhaps what needs to happen is a policy from the board to the Planning Commission of what our tolerance is for variances, what we would like to see, how much is too much. I'm not saying how much in terms of a number, I'm saying in the depth of the variance. To what extent are you asking for an exception.

The next one is the successiveness of the projects where I think -- this is a hard one and this is where I think Supervisor Dillon's recommendation or more demand I think it was that we meet with the Planning Commission, I'll go ahead and call it a demand. I second that and I'll say that we're looking at projects in isolation as opposed to the totality of
the circumstances. I don't mean that from a cumulative impact standpoint. I mean that from a community impact standpoint.

When we look at what's the horizon look like when you're standing at one parcel and what do each of those successive modifications do to the integrity of the application when originally granted and to what has happened in the community around where that major modification is happening. When you -- to look at things and just say oh, 20-acre parcels is the solution, I actually don't think it is. I don't think the 20-acre parcel is a solution because if you take triangular parcels that are all narrower towards the roadway, you do your 200-foot setback, you have a completely different picture versus a 20-acre parcel that is square in size or long rectangular on the front.

So we've got to look at what is that successiveness in projects to be able to understand what is the total -- what is the total shift that we're making in these policies. I'm not comfortable -- I'll conclude with saying I'm not comfortable with sending this out into the world because I think that there is a lot that has been said today alone.
I think one of the ways in which procedurally we've expressed a lot of concern and I understand the director's inclusion of the option of the memo was certainly to come and say that I had made at our last meeting they're available options. One, it can be a meeting as soon as possible with the Planning Commission, it can be a memo from this board to the Planning Commission, it can also be where the Planning Commission certifies questions to this board.

I have been on this board for nearly two years. We've never had a Planning Commission question get certified up to the board where the Planning Commission says, what you would like us to do with this one we're a little uncertain? That's always an option for the Planning Commission to be able to take a pause and say agendize it for the board and for the board to give direction on something, if that's where we're at. I don't believe that we're at a point of complete vagueness that that would be required but if that is the feeling that we haven't given sufficient direction, we should utilize all the procedural tools available to us which includes a joint meeting.

THE CHAIR: Thank you.
Supervisor Dillon?

SUPERVISOR DILLON: I appreciate Supervisor Ramos bringing up the trip counter enforcement. I mean, it's an enforcement mechanism, but I think -- I don't know what this is going to be, an ordinance, a modification, what process this takes maybe changes to the conditions of approval would be what you bring -- what you would bring back to us might be a step forward at least. I mean, I don't think preparing a map showing the width of county roads for public use is an ordinance item. So -- but changing the conditions of approval to talk about the number of vehicles and talking about how that's enforced and incorporating the trip counter aspect of it and limitation on parking aspect of it or whatever other suggestions there are.

I still -- I mean, that's something -- it would also meld with -- it's something that would also meld with our climate action policy. It's about vehicle miles traveled and so forth. I mean, I have no doubt that we're all ready to go there in some fashion.

I still have a question about the custom crush. You gave the example of Santa Barbara says you
get X gallons per Y acres of vineyard, how does that prohibit custom crush? If I decide not to use the grapes from my vineyard or I sell my vineyard grapes -- or I'm sorry, that's a redundant term. I sell my grapes to that other winery and I decide I'm going to do a lot of custom crushing this year. I don't get how the Santa Barbara example prohibits the custom crushing.

MR. MORRISON: No. I think that's a great point, it sets the stage to allow for an estate component to be used in the wine but you're right, it does not mandate that.

SUPERVISOR DILLON: Okay. So I think we're sort of back to can we say no custom crush, that was the question I heard and what we heard in 2005 was we couldn't say that. So I still feel like that hasn't been conclusively decided or given to us.

Counsel, can we say no, you can't do custom crush? Can we say no you can't do custom crush because it means more vehicles? I mean, we've never done that before. I'm not saying we shouldn't do it because we've never done it before. I'm just basically is it legal for us to do it?

MR. BRAKUS: I don't know what was allegedly
said in 2005 and I'm not sure I hear three votes yet
to regulate that. If so, we'll come back to something
I think there are options in that regard.

SUPERVISOR DILLON: Okay. I just wanted to
make sure that there wasn't any confusion about doing
this -- inaudible -- grape meant there was no custom
crush because that was the implication.

And just to follow up with Supervisor Ramos'
comments, I am concerned about the hold and haul but I
got the idea, from your comments, that there's
conversation that needs to be had with Napa Sanitation
District so I'm not sure what direction you're
suggesting there specifically.

Then with regard to the minimum parcel size,
I'm going to go back to distance between structures.
That's a way of taking care of one aspect of that.

Thank you.

THE CHAIR: One of the things that I've heard
and I've now got it at least three nods for a joint
meeting. We were trying to look at dates. This is
just one that I looked at my calendar. We don't have
a meeting set for the 30th or the 31st, that would be
a Planning Commission day. We possibly could do a
joint meeting on one of those days, you know, just
schedule it for an hour or two hours.

UNIDENTIFIED SPEAKER: Don't we have a meeting on the 30th?

THE CHAIR: The 30th, okay. Not on the 31st. Most of us don't have -- it's like the 5th Wednesday so most of us don't have -- it is the 5th Wednesday. Most of us don't have recurring meetings that happen on that day so that might be an easier one to come up with.

This discussion was far beyond what I was anticipating. I still -- and maybe I just when we talked about it, I was talking about it as a -- and I'll go back to what we talked about is a remote winery. I was concerned about the remoteness. In the work product we have today, there's no mention of the remoteness of the -- what a remote site would be, it would be a lot of -- I think it could be a lot of things, the remoteness of the road, the narrowness of the road, the accessibility of the parcel, how far the parcel was from arterials. You know kind of -- most of the things that you have in here would help address a remote winery very nicely.

I guess I'm kind of the in the mindset in my mind, that I'm not seeing a real need for more
wineries in the far inter lands of Napa County. I'm seeing that we have plenty of them out there. So I liked having these things to look at remote wineries. So to me, the remote winery was my access point to this discussion. You know, there would need to be a traffic benefit from the winery coming in, the traffic for the overall neighborhood coming in. There would need to be a safe -- fire safety and a safety benefit for that winery coming in, emergency benefit.

The water, you know, and we kind of talked about this in water -- that the water was, you know, sometimes they're going to move the winery. So they say okay. We'll put in the grapes now that we have a winery. The grapes should be the reason for -- that should be the reason that you're having the winery up there, not the other way around.

So you know, I thought a lot of these questions they helped me answer the remote winery question. I've appreciated the discussion that we've had more broadly, but I don't want to lose that I'm very concerned with wineries that are going out in the middle of nowhere that are -- and I don't -- yeah. I'm not seeing a huge reason for them. Maybe that's -- maybe in that discussion with the Planning
Commission, I'll see that but I don't see it right at the moment. So that was my access point to this discussion.

MR. MORRISON: At the prior board meeting, there was some discussion about that and the question -- phrase that's used is remote wineries. Remote from what? What are you being remote from? I think that using a definition of proximity to an arterial would be a very functional definition, if that's something that the board would like to go through.

THE CHAIR: Well, it's a number of things but proximity to an arterial would be one of them. Other access in and out, the narrowness of the roads. All those would be parts of that.

MR. MORRISON: If that's something that other board members would agree to, I think we could work at coming up with that definition.

I think that if some of the language in here is a bit broad it's because as a planner, we know that there's a multitude of situations, that it's very hard to write language that is applicable in every single situation. I know the board is already aware, but I think some of these same questions can be applied in retrospect to -- inaudible -- hill which was hardly
remote, it's at the edge of Yontville but is on a
hill, had very steep driveway slopes, only had one or
two acres for 100,000 gallons of proposed production.
A lot of the issues we're talking about apply there as
well.

THE CHAIR: Might be able to turn that down
other basis so --

MR. MORRISON: And, of course, there's some
talk about custom crush on the valley floor. We do
have AP land out in Wooden Valley so which by some
standards could be considered remote. So for me, I'm
trying to think about how this could be played out in
variety of situations in trying to protect the County
the best we can from how this could be used or
stretched.

So what I've heard this afternoon is -- and
please correct me if I'm wrong, because it's -- I'm
trying to understand the nuisances of five very
thoughtful people. I've heard general interest in
custom crush although I'm not quite sure what that
means or how we get there but at least worth exploring
whether something can be written to that extent.

I've heard at least three talk about hold and
haul and again, that might require staff going out and
talking to Napa Sand or talking to Regional Water Quality Control Board because of our pending local agency management plan. I've heard general interest in traffic. Whether that gets carried out through conditions of approval or an ordinance or the circulation which would be coming to you for consideration in January. A lot of these concepts that the board has talked are in the circulation element. The question is January is three or four months away and what can we do before that.

So that's the points of commonality I've heard and that is direction that staff can at least start exploring those options in terms of what can be done. The board -- many of you have said what can we do, we don't know. That's right, that's what staff can go out and start figuring out working with County Council, working with industry and community partners and figure out what can be done in bringing back those recommendations.

As Mr. Tran said, it's not an efficient use of limited staff resources to track down everything. So staff needs to know where we can best marshal our resources to track down those issues which there is general board consensus and direction on.
THE CHAIR: Supervisor Gregory?

SUPERVISOR GREGORY: You know, this started
as a simple -- well, no, let me start over. This
started as looking at a very discreet thing that
resulted in a really good conversation. The second
part today which has been great but I imagine we got a
lot of similar comments through our stakeholder
meetings or our strategic plan meetings things related
to the D W O about winery growth.

I have a long list today from one of our more
active citizens of things they would like us to do D W
O and winery growth. We've added a layer here
ourselves. It may be that this is just stuff that
adds to the list of comments that -- we already had
the tough task over the next couple of months of
congealing into some kind of plan to attack it, right?
I was thinking we might be able to get something done
related to the estate grape requirement, but I'm not
sure we're getting that done today.

So maybe this is a statement and not a
question for you, doesn't this just put in the hopper
at this point. Somebody had the hard challenge of
putting everything else related to this subject into a
plan of attack, is that the best way to move this
forward now given that we're --

MR. MORRISON: I would also ask Mr. Tran to weigh in given his involvement with strategic plan. The strategic plan in December is going to be laying out broad priorities for the board for the next three years and then as has been stated, that's not going to be an implementation plan, implementation will follow. Again, we have to make sure that we understand where the board is agreement on what needs to be done over those next three years. That will happen in December, implementation will follow that.

The question really to the board is how urgent is that issue. I can't answer that question. If you tell me which hill to take, I can go take that hill, but I can't tell you which hills to take. That's something -- with the board's great exposure to the public, with your status as elected representatives, with the prospective that you have overseeing all 1400 employees as opposed to me being a single department head, if the board feels that this is an issue of some timeliness, then I work with my staff to start investigating these questions now. If the board feels that this is not as urgent and can be included within the strategic plan, I'm happy to work
with Mr. Tran on that.

SUPERVISOR GREGORY: But you've heard concerns and questions from us that we feel are timely. That's why we're talking about it and I'll bet there's a sense of urgency all the comments we received from the public during the strategic plan session related to winery growth. It's probably the hottest topic. So I have to imagine there's some action step in there that's the most important one that is we will do this. How will we possibly get through all these comments we got which we just added to. I'm not asking that as a question but isn't that what the strategic plan is going to do?

I'm just trying to find a way to move forward and not just drop this and you know, let it get pushed aside.

MR. TRAN: Right. And as I mentioned earlier, that strategic planning is a very important process, and we will certainly -- whatever comes out of it, we will certainly supplement any and be carried out separately. However, as far as the County's daily operation goes including all these things that are pending, that's already in the hopper.

For example, this issue about compatibility
of winery has been ongoing for several months, and the Board has this again as a second board meeting. And this is a very good discussion in terms of great detail, in terms of knowing where you are -- at least from staff's perspective, we hear where the board wants to go.

As far as my take away from today is that number one, that there's a desire by the board to have a joint Planning Commission meeting, that will be had. In fact, I'm going to propose and I don't know what the Planning Commission's availability are but October 30th seems to be a very, very good day mainly because presently, tentatively we have -- on the tentative agenda, we have items including the Carnaros agreement. We have the -- inaudible -- protection plan workshop. We have the co-compliance update. So those are very much land use intensive and very appropriate for the joint meeting so that is timely.

Now, as far as whether or not the board wants to wait, certainly the board can wait, but I know that based on community input through the strategic planning, based on the board's discussion and prior directions, this is not the first time we have heard about this basing on the appeal hearings of the prior
winery projects. We have heard about this based on the Planning Commission decision on the prior projects as well.

So in terms of timeliness, I think that if the board is willing, staff can certainly bring this forward and when I say forward, what I mean is that start the process because it typically would take about six months for this item to go back because absolutely, we have to do Sequea. We have to do public hearing. We have to do stakeholder's vetting through reaching auto. So it will be six months before this item comes back.

Now, if there's another sense level timeliness urgency, then the board can certainly look at it as an urgency ordinance, as I mentioned earlier. So for me, I don't know if David is prepared to summarize. I know you tried that a little bit earlier and again, this is the second time confirmation -- today we're coming back for confirmation of what the board gave direction the last time. I know that there's a lot of nuances here that needed to be thoughtfully vetted so that way when staff goes out, that we are not taking on and making policy at that level. We want to get direction from the board.
THE CHAIR: Supervisor Pedroza?

SUPERVISOR PEDROZA: I like the joint meeting with the Planning Commission. I think that's a good idea.

On the custom crush, Supervisor Dillon raised the question of if it's legally possible. I'd like to get an answer on that and have a discussion around it. If the Board thinks differently, then it's done, but I think we've been discussing around -- so I would like to provide direction one way or another whether we want to continue forward on that.

THE CHAIR: We've got a couple. Supervisor Dillon?

SUPERVISOR DILLON: Yeah, I'd like to -- I agree with Supervisor Pedroza. I would like to have staff come back to us on the hold and haul with what we said. Did you already say that? I'm sorry, I'm really tired. The hold and haul, we need to find out what are our options. It is -- it fits -- I mean, what are the things people complain about, traffic and housing. Hold and haul is a traffic issue. It's more trucks on the road. So that's why I'm interested in finding out can we eliminate trucks going to East Bay Mud and maybe take them to Napa Sand. If we can't,
then we're down to two options it seems. I mean, it narrows it down. So we need to know what our options are.

I would like to see staff come back to us with a proposal about how we look at number of vehicles. Putting it in the circulation element is not what I'm interested in both because of the timeline and because the circulation element is an element, it doesn't have the specificity we need. So either in an ordinance or a modification for the conditions of approval and what the enforcement mechanism will be. So that's where I am.

THE CHAIR: And those pretty well reflect what you gave us on your recitation.

SUPERVISOR DILLON: Mr. Chair, it does but I felt like Mr. Martin was asking again. I just want to underscore I hope that if for some reason our Planning Commission members are not paid the vast sums that we are to do their job. So I'm a little reluctant to say, "Hey, come from the day, we're going to discuss all these land use issues."

I think we would need to -- I would suggest to staff that when the joint meeting part of it happens if they're available, it has to be a time set
matter. I just -- if it can't happen then, we have a Planning Commission with one person -- the longest-serving person is now Ms. Catrell almost going on four years. So it underscores for me that why that is so important.

MR. MORRISON: I think staff has enough direction to move forward at this point. If I had a white flag, I would waive it.

THE CHAIR: Supervisor Gregory, we're going to make sure.

SUPERVISOR GREGORY: One more try.

What I'm saying is now that we have the data, we received a lot of feedback from our community on land use matters, probably a lot related to winery growth, we might as well have that in front of us as well and start to marry these two conversations. That's all I'm saying. So if that's a data set that can be pulled out and be ready and in front of us when we meet together, why not. If we don't, we're getting detached and ahead of what we're getting from the community, trying to get from the community.

MR. MORRISON: You mean having winery data pulled out for the joint meeting with the Planning Commission that broader discussion?
SUPERVISOR GREGORY: Land use comments made by the public throughout the strategic planning process.

MR. TRAN: I hear and support that. The question would be what topic because it's a spectrum of issues and it goes from general plan amendment to something more, a lot more nuances. So the difficult piece is that if staff is going to come forward, what topics or issues about land use. If the board trusts me to pick easy, low-hanging fruit, I'm happy to do that but with the understanding that this is not comprehensive nor complete nor is it the priority in terms of conscious decision by staff in bringing forth.

So I just want to put that out there as a caveat because as you know, we have 37 meetings now on these public inputs and there's a spectrum of issues.

SUPERVISOR GREGORY: I trust staff's ability to whittle that out for us.

MR. TRAN: Alright, that we can do.

SUPERVISOR DILLON: Mr. Chair, I echo Mr. Gregory's concern. I trust you have to do it but I think one lens might be things that are applicable to decisions that the Planning Commission is making if
that's the discussion and not everything in the land
use realm is in their purview.

    MR. TRAN: Absolutely. I don't know if we
may want to plan for a four-hour or six-hour or
eight-hour meeting because depending on the number of
topics. Today we just covered one topic and look how
long it took and only one body.

    Thank you.

    THE CHAIR: Okay. Let me turn to the Board.
We've been at this now almost two hours.

    (A recess was taken.)
STATE OF NEVADA  
)  
) SS.  
COUNTY OF WASHOE  
)  

I, GAIL R. WILLSEY, do hereby certify:  
That I was provided a recording and that  
said recording was transcribed by me, a Certified  
Shorthand Reporter, in the matter entitled herein;  
That said transcript which appears  
hereinbefore was taken in stenotype notes by me from  
the recording and thereafter transcribed into  
typewriting as herein appears to the best of my  
knowledge, skill and ability and is a true record  
thereof.  

GAIL R. WILLSEY, CSR #359