A Tradition of Stewardship
A Commitment to Service

MINUTES

NAPA COUNTY AGRICULTURAL PROTECTION ADVISORY COMMITTEE

1195 Third Street, Ste. 305

Monday, June 22, 2015
9:00 A.M.

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1. CALL TO ORDER / ROLL CALL

Committee Members in attendance:
Christina Benz, John Dunbar, Peter McCrea, Bruce Phillips, Stan Boyd, Sharon Gardner, Ted Hall, Jim Krider, Dan Mufson, Debra Dommen, Jeri Gill, Charles Hossom, Tony LeBlanc, Lucio Perez
Committee Members in absent:
Eve Kahn & Oscar Renteria

Alternate Members in attendance:
Michelle Benvenuto, Carl Bunch, Bob Fiddaman, Rex Stults, Jeff Dodd, Clay Gregory, Norma Tofanelli, Harvest Duhig, Gary Margadant, Peter White

Alternate Members absent:
Larry Bettinelli, Phil Blake, Peter White

2. PLEDGE OF ALLEGIANCE

Clay Gregory led the salute to the flag.

3. CITIZEN COMMENTS AND RECOMMENDATIONS

- *Harvest Duhig, Napa - Intuition tells you the truth of the situation, not just what you want to hear. But you have to be listening with a quiet mind and an open heart. My intuition tells me that we are all present here because the common ground is Napa County. We want it to survive as a rural, yet sophisticated community of integrity, compassion, and a place that can be celebrated for many generations to come. My children are sixth generation Napa Valley; their ancestors were ranchers, farmers, vintners, and hunters. I've chosen the path of agriculture and I'm deeply rooted in this community, and the health and vitality of this county. I do not believe we've reached a turning point where agriculture and farming are in danger by wineries. To protect agriculture and the agricultural base, we need to protect and encourage the wine business, improve our highways, and streamline the agricultural development that helped build the county. We want a Napa Valley that is protected, cherished, and yet have the ability to be flexible, innovative, encourages smart growth, and retains the ability to give generously. If we are to encourage the vehicle of promoting and protecting agricultural it must be through the creative lens of producing and selling agricultural products. The production and sale of agricultural products will be held in the highest regards to those people who buy those products and are gifted the ability to be educated and hosted on the soils where those products are grown. One of the most intoxicating smells to me is a smell that stops me in my tracks; which is a vineyard in full*

bloom. One week of the year creates an experience that lasts a lifetime. Having the ability to create these one of kind moments for our visiting ambassadors is what keeps wines selling in retail rooms, restaurants, hotels, wine shops, supermarkets, and spas across the nation. It's what sets Napa Valley apart. The sale of those wines creates billions of dollars in jobs, it creates food security for thousands of local families, it offers many of us the ability to create a higher quality of life, a Safety net; it gives us our free time, and above all else it gives us the ability to give back to others. Any regulatory actions that block the average person from participating in farming and making any agricultural products is detrimental. We need to shift our belief of preserving agriculture as if it's going extinct, to how best we conserve agricultural business and the agricultural base while serving our community.

I believe this can be done in an environmentally sensitive way that is respectful of our non-farming neighbors while exercising the ability to host guests, serve wine, and throw down a blanket and smell the freshly tilled soils of the vine row. While I do appreciate the task at hand of evaluating new levers given to the APAC community to discuss, I feel we have a little bit of a lack of a vision; the white board has remained bare. We need to outline a vision of Napa Valley that accounts for all the moving parts that have been presented by the APAC, the alternates, the vintners, the growers, and the community at large. Then and only then we can ask "How do each of these levers serve agriculture, serve the wine business, and serve the community to the best of its ability?"

- *Geoff Ellsworth, St. Helena - A man and his wife owned a very special goose. Every day the goose would lay a golden egg, which made the couple very rich. (When I speak here today you are going to hear some pauses because I want you to see my power as an orator.) "Just think" said the man's wife "if we could have all the golden eggs that are inside the goose we could be richer much faster."*

  "You're right" said her husband "we would not have to wait for the goose to lay her eggs every day." So the couple killed the goose and cut her open, only to find that she was just like any other goose. (I still have two minutes left) She had no golden eggs inside of her at all, and they had no more golden eggs. There's a moral to the story; (I could wait a minute and a half to tell it to you, with my three minutes; I'm just warming up) the moral; Too much greed results in nothing. That's the moral.
- *Michelle Benvenuto, Wine growers of Napa Co- The APAC has been considering actions on a number of issues and we commend the committee for its efforts to consider all sides of each issue. Additionally, we encourage the committee to create a list of pros and cons including unintended consequences of each proposed change. Napa County staff has diligently provided facts and figures, and economic analysis that includes short and long-term impacts to the county, the citizens, the wine community, and the property owners, is a requisite. In addition, wineries and vineyards are only a piece of the puzzle. The NCTPA Travel Behavior Study approached in December 2014, shows that winery traffic, including employees averages only 18% of the total traffic per week. Water is also a concern, and the county has responded by increasing groundwater monitoring, changing the Water Availability Analysis, and adopting the Ground Water Sustainability Plan. All of these were recommended by the Groundwater Resources Advisory Committee. The county has also improved the public noticing process and enforcement. We continue to support the County's enforcement of existing regulations and explore ways to encourage compliance.*
- *Michael Hackett, Angwin-Indifference to Chairman Hall's statement to not talking about the outrageous compliance problems that we have, that showed up last week with Reverie Winery, I will not speak to the issue this morning. I will only read the following quote and I think you will all recognize where it's from. "It is not enough to balance in the medium term, the protection of nature with financial gain, or the preservation of the environment with progress. Halfway measures simply delay the inevitable disaster, but simply, is a matter of redefining our notion of progress." Pope Francis.*

- *Gary Margadant, Napa - I wanted to relay a story about someone you had a dream for a winery and it was something that could be seen up at the latest barrel tasting at the wine auction. There was a barrel up there that was done by a winery named Mi Sueño, which means "my dream" in Spanish. This was done by a winemaker who had started as a dishwasher in the county, and had worked his way up, going through Vineyards and how to make grapes. He has a winery down in industrial center, he has tours he has tastings down there, and has everything that he needs. He just doesn't have property in the unincorporated area. But, he was still actually able to find his dream and make it so, and that was his "Mi Sueño."*
- *Jim Wilson, Napa-Thanks chairman hall and members of the committee. Our children are fifth-generation ranchers here in Napa, and what an amazing opportunity we have. Thanks for all of your ideas and energy and I hope we can make some progress over the next few months that come from ideas from the community, and also our supervisors. We see a lot of hints being dropped and statements by our Supervisors and Planning Commissioners, but now is the time to say "yes", it is really time to say "yes, we have an opportunity to pick our enchantment here for haven and our home here. Here in Napa, and it is our opportunity to do what we feel is right.*
  I want to quote briefly from John Muir "These temple destroyers, devotees of commercialism, seem to have a perfect contempt for Nature, and, instead of lifting their eyes to the God of the mountain, lift them to the Almighty Dollar.
- *Bob Dwyer, Napa - Good morning Chair Hall and members of the committee, thank you for your service. I would certainly like to point out that the Grand Jury final report dated May 12, 2015 is out and if you have not seen this document you should get a copy of it. The Napa County Grand Jury did recommend (and I hope you take this into consideration with your recommendation during your deliberations) in recommendation #4 that "the County Board Of Supervisors and The Planning Commissioners determine whether the Winery Definition Ordinance as written provides the regulatory framework necessary to maintain a winery industry that is consistent with the Agricultural Preserve Ordinance." That is key; that is important; Let us reflect back to that. I would recommend that the Winery Definition Ordinance consider that as one of the primary goals of these deliberations. And also I suggest, that the definition of agriculture be returned to its original intent when we put the Agricultural Preserve Ordinance together in 1968, and we should be eliminating marketing and accessory uses from a definition of agriculture. That is no longer necessary. The wine industry pleaded that it was needed at the time the recession was wreaking havoc within the industry, but at this point I think we're beyond that. The investments now being seen, in terms of new wineries and expansions would indicate that obviously there is no problem anymore with marketing wine. Obviously we're going to have more and more wineries, we're going to have larger and larger wineries, and that is a pretty good indication that all is well in the wine industry today.*

4. APPROVAL OF MINUTES

Minutes for the June 08, 2015 meeting were approved as presented.

5. SECRETARY-DIRECTOR'S REPORT

6. ADMINISTRATIVE ITEMS

A. This meeting is being conducted by the Agricultural Protection Advisory Committee and County staff to allow for input, discussion, and tentative recommendation regarding proposals for amending the County Zoning Code. The focus of this meeting concerns; (1) definitions of

agricultural and accessory uses in the Agricultural Zones; (2) proposals regarding the appropriate range and intensity of agricultural uses on agriculturally zoned parcels; and (3) other amendments related to the topic.

Committee members held discussions and took tentative actions on the proposals included in the staff report as follows: See chart for Committee member's vote
(Please note that these and future recommendations will be considered again at the end of this process as a part of the final report of the Committee to the Planning Commission, and that the Committee will have additional opportunity to further interpret and refine the definitions when the Committee moves on to the next proposal.

(1) definitions of agricultural and accessory uses in the Agricultural Zones;
Motion for further discussion on Consolidated Definition was made by Debra Dommen, seconded by Jeri Gill.
After discussions on consolidated definitions of agricultural and accessory uses in the Agricultural Zones, Committee members voted on the following two motions;
(Committee members will have additional opportunity to further interpret and refine the definitions when the Committee moves on to the next proposal.)

Original Motion made by Debra Dommen, seconded by Jeri Gill, to accept staff suggestions of working definitions for agricultural, and accessory uses included in this staff report as ~~corrected~~ amended:
Agriculture is the raising of crops, trees, and livestock; the production and processing of agricultural products; farm management activities; farm worker housing and related accessory uses.

> Agricultural processing includes crushing; wastewater disposal; aging, processing, bottling, storage, and shipping of bulk wine; office and laboratories; retail sales of wine; marketing activities for the education and development of consumers and members of the wine trade regarding wine produced by the winery, and limited non-commercial food service.

Accessory uses must be related, subordinate and incidental to the main use. They must also be reasonably compatible with and cannot change the character of the primary agricultural uses.

> Permitted Uses ~~accessory~~ that are compatible with agriculture include dwellings and guest cottages; small care homes; minor communications facilities; kennels and veterinary offices; non-commercial energy systems; limited recreational uses; campgrounds and related lodging; sanitary landfills; levee repair and maintenance; and agricultural processing facilities (other than wineries).
>
> Uses accessory to a winery include tours and tastings; retail sale of wine-related items; display of art or items of historical, ecological, or viticultural significance; child care centers; and temporary events.
> *12 in favor - 4 opposed*

Substitute motion made by Christina Benz, Seconded by Dan Mufson, to move the statement "marketing activities for the education and development of consumers and members of the wine trade regarding wine produced by the winery, and limited non-commercial food service" from an agricultural processing definition to an accessory uses definitions for APAC and staff use.
7 in favor - 9 opposed

Proposal X – Winery Use Permit Framework:

In order to provide a catalyst for discussion, staff has attempted to integrate and consolidate many of the issues and suggestions that have been offered both at APAC and that are being considered by the Planning Commission. This is an effort to develop a broad consensus position that can be used as a starting point for general consideration, not as an attempt to drive the discussion.

Motion to accept the winery Use Permit Framework including the addition of a 10 acre column in the AW Zoning District with the understanding that the content of the framework will be part of further discussion was made by John Dunbar, seconded by Christina Benz.
16 in favor - 0 opposed

(2) proposals regarding the appropriate range and intensity of agricultural uses on agriculturally zoned parcels;
(3) other amendments related to the topic.

The following chart reflects committee member's votes for consolidated definitions or proposals.
As a reminder, any recommendation being forwarded to the Planning Commission for their consideration must have support of a super-majority of those Committee members present. For the full Committee of 17 members, a minimum of 12 votes is needed to move an item forward.
For the June 22, 2015 meeting there were 16 members in attendance thus making the super majority vote needed at 11 to move an item forward.

Committee Members	Consolidated Definitions as proposed by staff report		Consolidated Definitions proposed by substitute motion		Proposal X Conceptual Framework	
	Y	N	Y	N	Y	N
Christina Benz		✓	✓		✓	
John Dunbar	✓			✓	✓	
David Graves	✓			✓	✓	
Carl Bunch	✓		✓		✓	
Peter McCrea	✓			✓	✓	
Bruce Phillips		✓	✓		✓	
Stan Boyd	✓			✓	✓	
Sharon Gardner	✓		✓		✓	
Ted Hall	✓		✓		✓	
Jim Krider	✓			✓	✓	
Dan Mufson		✓	✓		✓	
Debra Dommen	✓			✓	✓	
Jeri Gill	✓			✓	✓	
Charles Hossom	✓			✓	✓	
Tony LeBlanc	✓			✓	✓	
Lucio Perez		✓	✓		✓	
	12	4	7	9	16	0
	In Favor	Opposed	In Favor	Opposed	In Favor	Opposed

7. COMMITTEE REPORTS

8. FUTURE AGENDA ITEMS

Lucio Perez asked staff to bring additional information back on proxies of intensity of use at the present time with regard to marketing and temporary events in nature; including the actual number of full meal service granted and associated with marketing events, the total number of marketing events approved, and a total of temporary events granted including type of events, location of events, and the number of attendees associated with those events for the 2015 calendar year.

Topics for discussion at the next meeting of July 13, 2015- compliance, variances and ag development incentives in addition to revisiting and moving forward to develop the matrix at the next meeting.

9. ADJOURNMENT

TED HALL, Chairperson

ATTEST: DAVID MORRISON, Secretary-Director

MELISSA FROST, Clerk of the Committee