

Agricultural Protection Advisory Committee

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In order to manage existing and future demands of growth in the AP and AW zones, the County of Napa must assess the ability of local infrastructure, and water supply to sustainably support further growth. Environmental concerns also must be addressed as it relates to further growth.

To effectively address these issues requires critical thinking of the appropriate fact-based metrics that measure current conditions, and can be used as a baseline in evaluating further growth. These metrics will form the basis for smart and sustainable growth.

Current regulations, including the WDO, are appropriately focused on allowable uses within the boundaries of the legal parcel. They restrict the amount of land that can be put to ancillary uses. What current regulations do not address are the impacts of commercial development that occur outside the boundaries of the legal parcel that directly result from the proposed commercial development.

It is the cumulative impacts, both of the development within the boundaries of the legal parcel and the impacts on local infrastructure, water and the environment that are the true measure of a project's growth impacts on the community and the taxpayers of Napa County. The net cumulative impact of a proposed project would account for prior use of the parcel as well as any mitigation measures the developer includes.

Currently the County deals with two forms of requests from wineries. There is the formal Use Permit that allows for the presence of a winery facility on a parcel. Within this context the County sets standards for the amount of wine that can be produced, visitation standards, and environmental compliance standards. The second form of requests are for Temporary Event Permits. These are in addition to events that are part of the Use Permit.

A consistent policy is required that will link and coordinate both types of events. A clear policy is required that firmly establishes allowable activities within the AP and AW zones. While the production of wine and marketing activities are accepted as part of maintaining land as agricultural; many activities presently occurring as temporary events do not directly support the agricultural use of the land, and are not consistent with the agricultural zoning.

Specifically I propose:

- 1) Maintain the current WDO including the 10 acre minimum parcel size. Consider sensible improvements to the ordinance that would make land use restrictions more consistent with larger parcels or other County policies.
- 2) Strengthen or improve use of traffic studies to assess the off-parcel impacts of a proposed project. I believe using emergency response time as a metric will permit the County to assess areas where proposed growth will have significant impacts or where smart growth can occur.
- 3) Wineries will be required to self-report their water use, wastewater generated, gallons of wine produced, and visitation records. I suggest that as wineries are already required to report most of this information to various governmental agencies, that reporting dates and periods be coordinated with the other required reporting periods to facilitate compliance. I believe that metrics could be developed that would allow the County to assess how water-wise a proposed project will be. Perhaps gallons of water used per gallon of wine produced. A similar standard could be used for wastewater. No hold and haul projects should be permitted for any commercial purpose. It is simply unsustainable.
- 4) Use Permit limits and restrictions are superior to temporary use permits. It is logical that compliance with these stipulations is mandatory and that a winery must demonstrate full compliance before any temporary use permits above the superior Use Permit restrictions should be considered.
- 5) Temporary use permits within the AP and AW zones must be for a purpose that supports the agricultural use of the land. They should only be granted to wineries that are in full compliance with their Use Permit guidelines. The granting of temporary use permits must be looked at both individually and collectively. They constitute a cumulative impact at the individual winery level; and they constitute a collective cumulative impact on County infrastructure requirements. They should only be granted at a level that the County infrastructure can sustainably support.
- 6) Variances to County code should be the exception and not the norm. Variances that improve public safety (such as Saintsbury's), facilitate traffic flow, or are otherwise beneficial, should be granted. Variances to County code that ignores the original intent such as setbacks should not be granted approval.