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Sonoma County Board of Zoning Adjustments Draft Minutes

Permit Sonoma Hearing Room
2550 Ventura Ave.
Santa Rosa, CA 95403

PlanningAgency@sonoma-county.org

April 24, 2025
Meeting No.: 25-08

Roll Call

Commissioner Kapolchok, District 1
Commissioner Reed, District 2
Absent, District 3
Commissioner Koenigshofer, District 5
Commissioner McCaffery, Chair, District 4

Staff Members

Scott Orr, Assistant Director of Permit Sonoma
Joshua Miranda, Project Planner
Tasha Levitt, Administrative Assistant
Jennifer Klein, Chief Deputy County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Correspondence None

Planning Commission/Board of Supervisors Actions

Scott Orr, Assistant Director, stated last week the Board adopted the Hansen-Russian River Floodplain Restoration Project that was recommended for approval back in December by this body. **0h03m**

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Board of Zoning Adjustments Regular Calendar

Item No.: 1
Time: 1:05 PM
File: PLP24-0012
Applicant: Mario and Katherine Ghilotti
Owner: Mario Ghilotti
Cont. from: February 27, 2025
Staff: Joshua Miranda
Env. Doc: Revised Mitigated Negative Declaration (State Clearinghouse # 2024-070225)
Proposal: PROJECT DESCRIPTION REVISION 3/21/2025: Request to allow agricultural support and visitor serving uses in an existing 5,020 square foot barn, including: 1) a Zoning Permit to allow a 215 square foot farm retail sales facility, operating with 2 employees, open to the public by appointment only from 10:00 AM to 6:00 PM, seven days a week; 2) a Zoning Permit to allow a 3,575 square foot small-scale agricultural processing facility to process lavender grown onsite into various products including essential oils, and hydrosol, and perfumes, operating daily with up to 4 employees from 8:00 AM to 4:00 PM; and, 3) a Use Permit to allow 22 annual agricultural promotional events ranging in size from 40 – 200 attendees, between the hours of 11:00 AM and 10:00 PM, with amplified music limited to indoors only. Construction includes legalizing grading and building modifications and developing a new access road, bridge, and 10 parking spaces near the barn. Onsite event parking for up to 90 vehicles will be provided in a graded and mowed pasture. Located on a 56.76 acre parcel subject to a Land Conservation (Williamson Act) Contract at 4485 D Street, Petaluma; APN 020-130-037. Supervisorial District 2.

Recommended

Action: Permit Sonoma recommends that the Sonoma County Board of Zoning Adjustments adopt the revised Mitigated Negative Declaration and Mitigation Monitoring Program and approve the revised project subject to the attached revised Conditions of Approval.

Location: 4485 D Street, Petaluma
APN: 020-130-037
District: Second
Zoning: Land Extensive Agriculture with 60 acre per dwelling unit (LEA B6 60) with Combining Districts for Accessory Dwelling Unit Exclusion (Z), Scenic Resources (SR), Oak Woodland (OAK), and Valley Oak Habitat (VOH)

Commissioner Disclosures:

Commissioner Kapolchok stated she was here when this was first heard by the Board in February, she was in attendance as part of the audience. She's read the materials, spoken with the applicant and visited the site. **0h04m**

Commissioner Reed stated he's had conversations with staff. **0h05m**

Commissioner Koenigshofer stated he's has some interaction with staff, County Counsel's office, received some material and directed the sender to make sure it made its way to staff. 0h05m

Commissioner McCaffery stated he had a site visit before the last meeting to the site. 0h05m

Staff Josh Miranda summarized the staff report, which is incorporated herein by reference. 0h06m

Commissioner Questions:

Commissioner McCaffery asked if staff recommends reopening the public hearing for this item? **Staff Orr** responded. **County Counsel Klein** responded. 0h17m

Public Hearing Opened: 1:18 PM

Commissioner Kapolchok stated in the presentation she was glad to see the zoning reference was not the reference we had in the application and that is the non-agricultural special events, and it seemed to be a long section of the zoning code. She believes that the agricultural promotional events can be applied for in the LEA, but your reference was that the Director finding that the events were similar to winery events. That seems a bit odd in that the conditions of approval are not restricting the events like winery events are restricted. Such as, no third party applications, no weddings, no charitable events, so that one's contrary to these events being considered similar to winery events, do you have a response to that? **County Counsel Klein** responded. 0h18m

Commissioner Kapolchok asked so we no longer have a restriction of third-party rental and weddings? **County Counsel Klein** responded. 0h20m

Commissioner Koenigshofer asked under the winery events ordinance, any of those events can be conditions in terms of such things as hours? **County Counsel Klein** responded. 0h20m

Commissioner Reed stated regarding the promotional events, is there any reason we can't condition it to a five-year renewal? **Staff Miranda** responded. 0h21m

Commissioner Reed asked and there is quite a few required monitoring conditions? **Staff Miranda** responded. 0h21m

Commissioner Koenigshofer asked could the conditions be stated as to consider compliance, that any time during the operation of the use permit, complaints can be brought forward to the BZA, so that condition could be worded where it wasn't reliant on complaints, but it was just set as a time at which the entire operation would be reviewed, not just for compliance but for

compatibility, for any adjustments in the discretion of the BZA or whatever's operating at that time, would be appropriate? **Staff Miranda** responded. 0h21m

Commissioner Koenigshofer stated his question is related to the answer you gave to Commissioner Reed. We would have the ability to draft a condition that brought it back in five years. It wouldn't be the condition that was just read and it wouldn't be under the assumption that there would be complaints. The question is, complaint-driven is already there although you rarely see anything coming back to us that's complaint driven. If he understood correctly, could we schedule it for a full review at a particular time in the future? He thinks the answer is yes but if he's wrong, staff will correct him. **Staff Orr** responded. 0h22m

Commissioner Koenigshofer stated the possibility of kind of condition Reed suggested, it would be designed to reflect the heightened level of interest and scrutiny by the BZA, and in terms of how problematic it would be in terms of scheduling or staff report, if everything was hunky dory, you could have a one or two sentence staff report. One says condition x requires this to be brought back in five years, sentence two: everything's fine. **Staff Orr** responded. 0h25m

Commissioner Reed stated a lot of this is revolving around the agricultural operation and the connection to promotional events. He doesn't know where we'll go with the connection to promotional events at the end of the meeting, but the thought was that there be this probationary period that maybe we'd have reduced events. The applicant has already considered reducing his events. That five-year renewal would allow the applicant to add additional events, he presumes he could apply for that. And demonstrate how well the farming operation has been proceeding and how successful these events to date have been. That was the intent. 0h26m

Commissioner Koenigshofer stated it's kind of like the time limit on cannabis permits, which is standard in that category. 0h27m

Public Hearing Opened: 1:27

Mario Ghillotti, Applicant, gave an overview of the project. 0h27m

Commissioner Reed stated you haven't talked too much about the olive production, he presumes when you say everything gets planted out, it's lavender, olives, and everything else. After the last meeting he went to an event at the Gold Ridge Organic Farm and they were hosting the former ag-advisor, Paul Vossen, an olive expert and he encourages you to speak with Mr. Vossen about varieties, about what your intention is in oils, and things like that. The reason he's going there is because he's wondering about how long it's going to take to get the olives in production or let's say how long is it going to take to get everything planted, and then when is your first real harvest on those? **Mario Ghillotti, Applicant**, responded. 0h39m

Commissioner Reed stated we'll get into to discussion about this, but he thinks there's some concern about the farming operation and that the events that are proposed are in

consideration to the farming. So, if the farming is not there, then it's hard to justify the events. There needs to be probably some coordination and actually urgency to get things planted so you can the harvest until you get your events. **Mario Ghillotti, Applicant,** responded. **Staff Miranda** responded. 0h40m

Commissioner Reed stated to clarify what he's interested in is when you're one hundred percent plants, not phase one harvest events, but the entire sites planted per the drawing. **Mario Ghillotti, Applicant,** responded. 0h42m

Commissioner Reed asked you're okay with the five-year renewal idea? **Mario Ghillotti, Applicant,** responded. 0h43m

Commissioner Kapolchok stated you indicated early that have planted some lavender in a relatively local area in Petaluma. Will you discontinue that or will that supplement your agriculture? **Mario Ghillotti, Applicant,** responded. 0h43m

Commissioner Kapolchok stated what she's thinking in the language says "onsite or in the local area", so if you did have offsite agriculture, that may help your ag-production because it is in the local area, to offset the time its going to take for some of your crops to reach full production. **Mario Ghillotti, Applicant,** responded. 0h43m

Commissioner Reed asked how many acres do you have? **Mario Ghillotti, Applicant,** responded. 0h44m

Commissioner Koenigshofer asked to see some of the photos of the barn. He asked about the events and the modified number. **Mario Ghillotti, Applicant,** responded. 0h44m

Commissioner Koenigshofer stated so that's 9 and then the private gatherings is 13. Weddings, as you hope for, would be in the 13 count? So your comment about 20 days between events, that would be 20 days between all 22 of those total events? **Mario Ghillotti, Applicant,** responded. 0h44m

Commissioner Koenigshofer asked so if the idea is to spread out the impacts, even if the non-weddings were up to 100, you could have a max count wedding 20 days later, 20 days later another max count wedding and then intervening in that one or two hundred count events. **Mario Ghillotti, Applicant,** responded. 0h45m

Commissioner Koenigshofer stated he's trying to make sure he understands how spread out they would be. **Mario Ghillotti, Applicant,** responded. 0h46m

Commissioner Koenigshofer stated on the timeline he thought there was a more expressed period during which the events would take place? So if you got even just the 13 events, it's pretty much all year except when it's pouring down rain. **Mario Ghillotti, Applicant,** responded. 0h46m

Commissioner Koenigshofer asked when the term ‘barn’ is used, this is what everybody is referring to? This building? **Mario Ghillotti, Applicant,** responded. 0h47m

Commissioner Koenigshofer asked and this is the one that started out as Ag-Exempt? What’s the total square footage of it? **Staff Miranda** responded. 0h47m

Commissioner Koenigshofer asked he hasn’t been out there, but is that what it looks like now? Nice floor for a barn. So structurally that’s what’s there now? **Mario Ghillotti, Applicant,** responded. 0h47m

Commissioner Kapolchok asked to see the slide with the revised event and guest numbers. **Mario Ghillotti, Applicant,** responded. 0h48m

Commissioner Koenigshofer stated he’d refrain from referring to those because they aren’t precedential and there’s so many differences. Do you know if Gambonini is under Williamson Act Contract, the property that is was on? **Mario Ghillotti, Applicant,** responded. 0h48m

Commissioner Koenigshofer stated we’re supposed to be considering these independently, they’re not precedential. **Mario Ghillotti, Applicant,** responded. 0h49m

Commissioner Reed stated he has a lot of concern over water use, given the groundwater 4 designation. He knows you’re conditioned to monitor the water and he presumes you’re going to monitor both agricultural use as well as domestic use and that if you increase beyond this 1.3 acre use, you will implement a water conservation plan. He would think it would think the easiest water conservation plan you can introduce would be no events. **Mario Ghillotti, Applicant,** responded. 0h49m

Lee Hervits, Applicant Hydrogeologist, gave an overview of the water use of the project. 0h50m

Commissioner Reed stated he’ll go through his previous number because he commented on this the last time and he was kind of surprised how much water was going to domestic use, and that wasn’t the production of the oils or the agriculture, but it was going to an accumulation of events and things like that. **Mario Ghillotti, Applicant,** responded. **Lee Hervits, Applicant Hydrogeologist,** responded. 0h51m

Commissioner Reed stated he was told most the water was not going to agriculture and when you start dipping down into the groundwater and have to do a water conservation plan. He knows we’re going to have dry seasons and olives will require more water over time, so when push comes to shove, your water conservation plan, he’d like to think, restricting events would be an easy way. **Mario Ghillotti, Applicant,** responded. **Lee Hervits, Applicant Hydrogeologist,** responded. **Staff Miranda** responded. 0h51m

Commissioner Reed stated that was all very technical and he appreciates that. He keeps coming back to that this is a farming operation and he doesn't know which well goes to which water use. He just wants to make sure that in the event of drought years, we're going to have drought years, that the farm thrives, and if you have to cancel some events or if you have different ideas for how to recharge the groundwater, you can work that out with staff, but he's just thinking of the water conservation plan and how to think about that. **Lee Hervits, Applicant Hydrogeologist**, responded. **Mario Ghillotti, Applicant**, responded. 0h54m

Commissioner Reed stated he remembers commenting the last time the water calculations that were produced for the lavender and oil he thought were very low. After this event at Goldridge and listening to Paul Vossen about olive trees, and that orchard was 20-years-old, he was talking about a lot of water. Part of the farming operation is going to be getting a handle on how much water for olives seasonally. 0h56m

Commissioner Koenigshofer asked staff in your explanation regarding the wells, you mentioned future housing and existing residence. Does he recall something about housing or future housing of a 12-bedroom house? **Staff Miranda** responded. **Mario Ghillotti, Applicant**, responded. 0h57m

Commissioner Koenigshofer stated that's a little confusing to him because it says it's scaled for a 12-bedroom house, it didn't allocate it out to the various uses that are proposed. Basically, the red flag it causes was okay, there's a future likelihood of a proposal for residential rental, overnight, wedding party, etc. It's already there, we built it, it was approved in the original scope, ten years later. He wasn't asking for a response but was just explaining his path of thinking. 0h58m

Chris Hawkin
Dominic
Ken LaFrankie
Natalie
Fred Devine
William Bern
Kathleen Lividia
Wendy Krupnick
Brady
Magdaliza
Guillermo Doran
Mike Ghilotti
Angelie Clark
Dierdra Hawkit
Greg
Teresa Tumac
Tom Guransky
Dawna Lamphy

Riley Heard
Anne

Public Hearing Closed, and Commission discussion Opened: 2:39 PM

Commissioner Koenigshofer stated the attorney who just spoke and mentioned that we worked with the applicant and the condition he described, has that condition been submitted previously, is it in the record anywhere? Or is incorporated into your proposed conditions? **Staff Miranda** responded. 1h39m

Commissioner Koenigshofer asked was that verbal on the phone, did they submit a letter or email? Is it in the record? **Staff Miranda** responded. 1h39m

Commissioner Koenigshofer stated if you can perhaps anticipate that we might want to see what that language was. 1h40m

Commissioner McCaffery stated to be clear, that is not a condition in the proposed conditions. It's not part of any of the exhibits. **Staff Orr** responded. 1h40m

Commissioner Koenigshofer asked how are you defining ag to promote? Planted or matured and harvested? 1h41m

Commissioner McCaffery asked and what percentage versus the plan that was put forth by the applicant of the complete planting? **Staff Orr** responded. 1h41m

Commissioner McCaffery asked so that's \$2,000 or \$2.50/acre? Are those 1965 numbers? **County Counsel Klein** responded. 1h41m

Commissioner Koenigshofer asked is that a really long condition, can you read it all? Does it say in response to his question, how are we defining the presence of agriculture, when it's planted or when it's harvesting and actually onsite, marketable, or processable commodity, and you say that the language is when the property is in compliance with the Williamson Act? **Staff Orr** responded. 1h42m

Commissioner Koenigshofer asked are you saying currently the property is not in compliance with the requirements of the Williamson Act? **Staff Jen Chard** responded. 1h43m

Commissioner Koenigshofer asked if the particular condition reads compliant with the requirements of the Williamson Act, that there may be some lack of clarity about if its currently compliant, then its compliant with Williamson Act. If it's not currently compliant with Williamson Act, that may raise another question for another forum. This condition, he would think, would need to be fashioned so it was specific to the standards that the BZA wants to have in place before triggering ag-production promotional events. **Staff Miranda** responded. 1h43m

Commissioner Koenigshofer stated the reference to the condition that was proposed triggered this sub-decision. For him, we've identified what would need to be modifications to this proposed condition if we wanted it to clearly state that events allowed under a permit issued would not be allowed until there is agricultural production, so that its actual product that's being promoted as opposed to some time in the future there's going to be agricultural commodity promotion, but in the interim, we're going to build our customer base by having weddings or something like that. **County Counsel Klein** responded. 1h46m

Commissioner Koenigshofer stated unless the acreage they have lavender offsite they had processed somewhere and then marketed under their label. We don't want to confuse that as having qualified. **County Counsel Klein** responded. 1h46m

Commissioner Koenigshofer stated on the observation and advice of Counsel, we would want to consider a condition to affect this element that says what it says, but also says it would apply in the absence of a Williamson Act. **County Counsel Klein** responded. 1h47m

Commissioner Koenigshofer stated you just said in the absence of a Williamson Act contract, would this requirement/condition apply? **County Counsel Klein** responded. 1h48m

Commissioner Koenigshofer stated his concern is that we want this substantive condition to survive the Williamson Act contract as to what the substantive implication is of making reference to the section of the uniform rules that does this. **County Counsel Klein** responded. 1h49m

Commissioner Koenigshofer stated we're not asking them to comply with the Williamson Act contract, we're saying that coincidentally, we want this standard to be an operational element of the use permit, whether or not they have a Williamson Act contract. **County Counsel Klein** responded. 1h49m

Commissioner Kapolchok stated that condition could be clarified. She's thinking someone say purchasing this permit and saying what I do, having a condition like that is a bit obtuse. The condition could be clarified that in the case, if the land is in a Williamson Act, etc. We need to make the finding for the LEA and ag resources policy that the events is incidental to the ag. She thinks we need an additional condition. 1h50m

Commissioner Reed asked to go back to the events? Is he reading this correctly, that originally proposed was the 4,620 person event and it's now been dropped down to 2,750? **Staff Miranda** responded. **Mario Ghillotti, Applicant**, responded. 1h51m

Commissioner Reed stated kind of in response to this condition of approval, to your attorney's point, he thinks the reason we're going through is because basically there's a lot of distrust given the history of the property, so nobody's going to believe a condition of approval like that, because it's kind of slippery. So, he thinks that's why we're trying to get some new conditions

here. Let's say the applicant has put forward and agreed to a lot of reductions in events, agreed to get the farming operation up and running before anything happens, and agree to monitor his water use so that he can host events when the time comes. You seem pretty open to that?

Mario Ghillotti, Applicant, responded. 1h51m

Commissioner Reed stated it seems if we can craft a condition where, he would say there's a 5-year renewal, he'll put that out for discussion. And that we might allow some events after a harvest before the renewal to give the applicant some ability to test the waters in terms of some events and things like that. Maybe he'll start with Commissioner Carr's letter where he suggested limiting it to only the educational events, 10 events at 40 people. The idea, as was presented by some of the speakers, is that gives the applicant the ability to host some events, invite the neighbors, introduce everybody to what he's trying to do and kind of build some relationships in the farming community. Maybe there's one or two weddings allowed in the interim to kind of test the waters, he doesn't know. It seems there's a lot of distrust in the room about what he's going to get away with. He thinks the applicant has demonstrated he's willing to negotiate some of this stuff. He asked how others feel. 1h52m

Commissioner McCaffery stated he thinks he feels similarly to Commissioner Reed. There needs to be plants in the ground producing before there's any major events, but critical to this kind of farming is the direct-to-consumer ability to have people to show your operation, but on a scale that's reasonable to what we're talking about. He also read Commissioner Carr's letter, for those who don't know Commissioner Carr was a former Commissioner and long-time county employee and sent in a comment. He thinks that sounds pretty reasonable. He just doesn't know about the 5-year renewal, if that's too long or too short, or if instead of the 5-year renewal, it's obvious when the operation gets planted and things are going, and the applicant talked about 2027, but that might need to happen sooner. Whether it should happen naturally, staff was talking about it, there's going to be demand for that. Hypothetically, if you say events with 40 people, ag-promotional events and then come 2027-28, the place is completely planted with lavender and whatever else and it's ready to be a little more mainstream, at that point have the ability to come back and have that be driven by the applicant, not some arbitrary number. 1h54m

Commissioner Koenigshofer stated that's always possible, we're just talking about the structure. 1h56m

Commissioner Reed stated he thought 5-years allowed for grow end, some testing of the waters, there's not going to be any olive production in that amount of time, but the lavender farm would be operational. 1h56m

Commissioner Koenigshofer stated he has a series of questions for staff. The Williamson Act contract has standard language that during the term of the contract the land shall not be used for any other purpose other than "an agricultural or compatible use" as the same is defined in the rules for the ag preserves which the county has adopted. So those rules address the issue of the Williamson Act requirements, which is just to remind everyone, something that a property

owner voluntarily enters and they get paid for it in the form of reduced property taxes, so it's a deal made, not a condition imposed. We will operate within this range of restriction voluntarily, that's the Williamson Act program, that's where we start. The Williamson Act is implemented through local rules by the county on behalf of the state that offers this tax reduction benefit to preserve agriculture. We have a contract here. In addition to that, the Williamson Act doesn't negate county zoning and general plan. Still, the golden rule regarding the county or any city, you can't approve anything that's inconsistent with your general plan. So, we have this question, in addition to the parallel discussion of the Williamson Act, the corollary discussion of what is secondary and incidental. Looking at the Williamson Act rules, in the section defining agricultural and open space uses, specifically agricultural uses and what's qualified, there's a section ,7.2b, which deals with accessory agricultural uses and structures. Following uses and structures are allowed, provided that they are incidental related and subordinate to qualifying agricultural use. So, this language is similar to, but it is separate in its authority from the language we find in our zoning ordinance, which is also relevant to this discussion. When we look at the incidental related and subordinate to a qualifying agricultural use, that goes to this question of basic qualification, how much ag revenue does it generate. The threshold is very low, its very accommodating as a benefit to the ag community. Preparation for market of agricultural commodities in their natural state grown and raised on site or in the local area. Storage of ag commodities in their natural state. Structures used to store equipment used exclusively for the production of an agricultural commodity on the contracted land. So, then you get into the question of compatible and incompatible uses. When we look at compatible uses, they're allowed if allowed by the underlying zoning. So, there's that nexus now between those two standards that are similar in language. Then when you go further on, ag support uses, processing of the ag commodities beyond the natural state, includes facilities for processing and storage. Sale and marketing of ag commodities, including winery tasting rooms, promotional activities, etc. Then we get to miscellaneous, 7.2h, special events when directly related to agricultural education or the promotional of agricultural commodities and products produced on the contracted land, provided that a) the events last no longer than two consecutive days, which staff has addressed in the proposed conditions; b) no permanent structure dedicated to the events is constructed or maintained on the contracted land. That's a problem. 1h57m

Commissioner McCaffery stated isn't the structure also the production site? 2h01m

Commissioner Koenigshofer stated let's talk about that. First of all, it was represented to be in a category of building allowance that would unquestionably have it there, it was ag exempt. If the timeline presented in the record is accurate, within 4 months of the county accommodating, as the county appropriately does, the ag community to have a shortened process and a lessened requirement of type of structure, the ag exemption was issued and as we see, as the standard case, the issue of an ag exempt letter, specifically says, don't forget, you can't do this. Within 4 months, this building was built. In terms of the Williamson Act, he thinks independently that could be a problem. The County has gotten in trouble with the State before about what it was allowing within Williamson Act property. Secondly, this question of this building and whatever the expense of it, we know the obvious because the architect told us

in response to his question. You look at this construction cost versus a building that would do what was represented as provided for in the Williamson Act and as was allowed under the exemption, could be way less. So the expense of doing agriculture in this context now includes and extremely expensive structure that was built without proper permits in a blink of an eye after the ag-exempt was offered. So, part of the problem about how long this takes is how it started. It's not the County's fault, the neighbors fault, or this Board fault. It was whoever made those decisions to basically get an ag permit and then immediately violate it. So, to him that's a problem. It's good to deal with the question of when do you kick in allowing for any events and tie that to ag activity. The issue of a reverse engineered justification for the entire array of activities, and the necessity for events to make it economically viable, driven in part by the elaborate structure that goes beyond what the exemption allows, gets pretty foggy for him. He doesn't like to see the law generally invite bailing people out who have purposefully and obviously with great awareness, if you're in the construction business, about who gets permits, when you get them and how you them and the scope of what you've now been permitted to do. He doesn't think the range of permitted activities that are proposed here and that staff recommends approving satisfy either the Williamson Act constraint or the zoning constraint about subordinate and incidental. A couple of specifics to that point, would you put up the slide that proposed the parking, entrance and proposed landscaping? If he recalls correctly, that's in a scenic corridor? And isn't there a 200-foot principally protected area as the scenic corridor definition goes? **Staff Miranda** responded. 2h02m

Commissioner Koenigshofer asked is the judgement about what's appropriate done by the design review process, or by the BZA? **Staff Miranda** responded. 2h07m

Commissioner Koenigshofer asked when you look at the parking plan, these five different spots include public parking, four are for public parking and one is for staff parking. Do the five red boxes represent the maximum capacity required for any maximum size event which he thinks is 200 people. **Staff Miranda** responded. 2h08m

Commissioner Koenigshofer stated presumably if you're having an event near the barn, you're not going to use the parking upfront, why would you. What event size triggers the need to use the front parking? **Staff Miranda** responded. 2h08m

Commissioner Koenigshofer asked doesn't the barn site show how many spaces there are? So there's 10 spaces. Even with the smallest event of 50, you're going to need parking beyond that which is immediately at the barn. So, every event is going to trigger using the parking by the road. **Staff Miranda** responded. 2h09m

Commissioner Koenigshofer stated the 200 attendees will definitely trigger parking by the road. 100 would also trigger parking by the road. The essence of why he's raising this is, when he thinks of scenic corridor and the scenic landscape that is the standard along that road, there isn't anything including landscaping to conceal parking lots that currently exists. From his perspective of the retention of the values of easement, the few values, having parking and landscape to shield the parking, to him that evokes the visual experience of a suburban parking

lot, because it's a parking lot that's landscaped, it's not an ag view landscape, so it is a significant impact on the current viewshed that is intended to be protected by the scenic corridor because of the landscaping and purpose of the landscaping. 2h09m

Commissioner Reed stated if you recall at the last meeting that issue came up, and in response the applicant did provide the updated drawings and the site section and suggested the reduction in events and said that would reduce the impact of the parking and budget site sections so that you couldn't see it, because there is quite a bit of grading there. He acknowledges that those updates have been made and that he is referred to Design Review, which he imagines is the next step in terms of evaluating visual impact in the scenic corridor. 2h11m

Commissioner Koenigshofer asked so the design is intended to reduce the visibility of the parking areas. Is part of that achieved by landscaping? 2h12m

Commissioner Reed stated from his observation there is some landscaping proposed along the road, but cars have been pulled back away from the site section, it's intended to be the grading that reduces the visibility. 2h12m

Commissioner Koenigshofer stated thank you for that and it's related to another issue he has. The issue of the total number events, what the events are, and he's distinguished that purely ag-related events and ag education, once in a while some community event for non-profits or whatever, from the wedding side of it. As refined and altered, we're talking about 13 events that are potentially wedding events and 9 events that are in the other category, which he doesn't have issues with those. If we're talking about a 20-day separation between events to diminish the impacts of the events, if you apply that only to the 13, as noted, that's still over 200 days per year. He doesn't think you accomplish the entire goal of the 20-day separation, which is reportedly not applicable to the 9 events, which means that on 9 occasions you would have events that could occur within the 20 day separation of the 13 events, so you have in a 20-day period 2 events or you could have 3 or 4 events that you're compressing all those events into the weather permitting period of the year. To him that's an impact that's consequential. The implications for the visual impact have a lot to do with what's there now versus what happens when you grade, even if you're sensitive about it with a good landscape plan, you will be seeing cars still and you will be seeing landscaping which is a departure from the current visual experience, so those are concerns that he has. He won't go any further on the secondary and incidental, he thinks that's a countywide chronic problem that really hasn't been addressed. The only reference he saw in the staff material, and this is pretty typically what comes up, is looking at the percentage of acreage that's devoted to this versus that. That he never thinks is adequate for any measure, even to include it as a minor reference point, for this reason, if acreage is the determining factor and it's been the driving interpretive factor that staff have advanced for years now in their effort to figure out what the Board wants. If you have 100 acres here or somewhere else and if you have cattle, if you're just doing acres, you can devote 1.5 acres to your version of in-n-out drive through burger place and use your own beef. Secondary and incidental based on acreage. That cannot be this County's public policy. He

always has difficulty by that. Admittedly, it's hard to figure out what's meant by secondary and incidental. He looked both words up just for some guidance and secondary and incidental here when you start introducing events that really aren't directly related to the ag. What he considers a relatively tenuous nexus between gift baskets for the attendees. In terms of mission creep, it's a problem that he's had with that whole subject for a long time. As you go further and further into that, it becomes more and more of an expectation of events being necessarily associated, that will spill over as it has here, well this is like events that we have a wineries, therefore we should treat it the same. It could get out of hand. To him, it's a problem and to his analytical outcome it's a problem here. 2h12m

Commissioner McCaffery stated Commissioner Reed earlier referring to Commissioner Carr's letter and kind of outlining the event situation and proposal, maybe you want to talk about that a little more? 2h17m

Commissioner Reed stated his takeaway on that is that the events would be incrementally introduced in conjunction with the production and build-out of the farm operation. He thinks that's what the intention was and let the applicant home farm-to-table events or community events and he thinks he was excluding the wedding events. It seems like the applicant by reducing the number of total events is kind of moving in that direction. He doesn't know how flexible you feel right now. Wendy Krupnick mentioned Bees and Bloom and he thinks she suggested that events were allowed there, but correct him if he's wrong, he believes they came through a few years ago and asked for 7 events and had to go through traffic and noise studies, the neighbors and all that. He thinks that was all bated for that lavender farm at that point. So there is some precedent for lavender production. **Staff Orr** responded. 2h18m

Commissioner Kapolchok stated she's not willing to say aye or nay at this point without having further discussion about both the agricultural use and the condition that was offered by the applicant's representative. It seemed to be reasonable, it seemed to step in terms of the events, she'd like to get back to the section in the Williamson Act contract regulations that talks about no permanent structure dedicated to events is constructed or maintained on contracted lands. So no permanent structure dedicated to her is the operable word. We saw a slide that showed the interior of the barn and asked for that to be pulled up, because this is her concern related to this regulation, that building, number and sizes of events. One of the speakers talked about the sized of events and being relatively large compared to what we see in winery events and that's true, even with the modified events, the request is 6 at 200 people, 4 at 150 people, 5 at 100 people and 5 at 50 people. So, if we go back to the language in the Williamson Act about dedicated, we see the interior of that barn as the production facility. It's captured in the project description that it's 3,000+ square feet of a building having a footprint of 4,000+ square feet. The building total 5,000+ square feet because it has a loft. We also know events will be held, if there is music, events will be held inside. In terms of square footage-wise, production-wise, and now we hear timing in terms of the number of events. How reasonable, easily can this processing equipment be pushed aside or screened and what square footage of the building is left to then host the events? From an operation standpoint, this is the processing facility, it's also the inside of the events facility. That starts to translate into frequency and size of events.

So, if he's having 6 200-guest events during harvest, how do I move those steamers? If those steamers are not the little steamers we saw in the handout, but these are they look all neat with piping, so what area of the building will that be taking up and is it screen-able? We have an obligation to understand how processing and the event space is going to work together to then answer those Williamson Act regulations. So, she kind of needs more information on that before she says where she's at. 2h20m

Commissioner McCaffery stated when he visited the site, it wasn't immediately clear to him that the events would all take place within the barn. It seems like some might be outside. 2h24m

Commissioner Kapolchok stated it's for having music in the barn. 2h24m

Commissioner Koenigshofer stated well if the music is in the barn, presumably the guests will be in the barn. 2h25m

Commissioner Kapolchok stated it needs to be vetted out. 2h25m

Commissioner Reed stated his understanding was that the events were predominantly outside on the great lawn, but maybe the applicant can speak to that. 2h25m

Commissioner Kapolchok stated her guess is that they're staged, they're outside and then they go inside. 2h25m

Commissioner Reed stated he was under the understanding that the zoning permit for the barn would remedy the permit violations in the past and that it was going to be used as a processing barn. 2h25m

Commissioner Koenigshofer stated it's hard for him to imagine that if this wasn't intended to be used primarily as an event venue that you would go to this expense with interior. Why would you do this for these 20-workers? This is the event building. It gets to this question of if it was an ag exempt building and even if it was ag exempt, you'd still have to change from ag exempt standards to have events there. The ag exemption as he understands the structural requirements in the building code, when you introduce public as opposed to an ag exempt structure, it changes the whole structural requirements that you have. The other thing is some of the square footage is apparently used up for bathrooms that probably logically tell you weren't designed as bathrooms for employees. This seems to suggest to him event use. 2h26m

Commissioner Kapolchok stated she believes it does, but that doesn't mean it can't occur if in fact it's also used for processing. It's a question of aesthetics. 2h27m

Commissioner Koenigshofer stated no permanent structure dedicated to the event, it's not his language. 2h27m

Commissioner Kapolchok stated she agrees, dedicated to, so it needs to include processing, and the question is how is it going to function on events as often and as large as proposed. 2h27m

Commissioner McCaffery asked if staff could answer Commissioner Reed's about the curing of the violations and does this permit cure those past violations? **Staff Orr** responded. 2h28m

Commissioner Koenigshofer asked if this was coming to you for the ministerial permits and it already had an ag exempt permit for a barn, the ministerial permits would still be in the category of ministerial permits to occur in the ag exempt structure, right? **Staff Orr** responded. 2h28m

Commissioner Koenigshofer stated you wouldn't need to do this level of construction to get those ministerial permits in an ag exempt structure, which suggests that the reason you did this level of construction is because it's an event building. **Staff Orr** responded. 2h30m

Commissioner McCaffery stated there's no rule against building an ag processing building out of marble, for instance. **Staff Orr** responded. 2h31m

Commissioner Reed stated anecdotally, as he mentioned, he went to the Gold Ridge Organic Farm for a small event hosted by the farm advisor and it was a room that was refined as well, he wouldn't say elegant. But there were big vats of olive oil and the like and stainless steel bins. People gathered their chairs around, there was a speaker, they had a food spread out, and not unlike that image that he's seeing. 2h31m

Commissioner Koenigshofer stated true, which those ministerial permits could be approved in this. However, when you launch yourself into the realm of wedding events, it's a different category, which is what Scott just told us. The reason we are here is because of the events beyond the ministerial permits and the ministerial permits are just strung into this because it's part of the overall project as it comes to us, which is driven exclusively by the events. **Staff Orr** responded. 2h32m

Commissioner Reed asked Commissioner Koenigshofer, are you responding to the wedding events exclusively? Obviously those are always a trigger during these discussions.

Commissioner Koenigshofer responded more or less, yes. If you look at the events package, 13 versus 9 are in the category he's talking about, and the ones that aren't in the category he's talking about beyond, as Scott just pointed out, 4 of those 13 could happen on the property over a two year period. But it's the fact of 13 which drives a huge amount of what the impacts are of introducing this conversion on the ag exempt structure to include that level of activity. Parking is affected, the scenic corridor is affected, the amount of water is affected, the septic requirement, compliance potentially with the Williamson Act is affected. That's what launched the discussion into this, as opposed to ministerial permits. 2h33m

Commissioner Reed stated the applicant did however take those 13 events and he doesn't know what the reduction was but he broke those down into smaller events, which we've seen in winery events too, focusing on smaller events. **2h34m**

Commissioner Koenigshofer stated yes that's true, and the modified number both in terms of number of events and number of attendees is still what's on the table. **2h35m**

Commissioner Reed stated the original number was 4,000 and now we have 2,000. He was suggesting that we have a 5-year renewal on this and that we allow a certain limited number of events to begin with to give him the opportunity to reach out and test the waters and get his operation up and running. If he would agree to a 5-year turnaround then this could have much more background to it. **2h35m**

Commissioner Koenigshofer stated his observation on that, he likes that idea, it's a good one we've before that's used categorically in one particular category as automated time of return, he doesn't know if the new ordinance is going to include that but it's been that way with cannabis. He thinks that's the only built-in review, isn't it Scott? **Staff Orr** responded. **2h36m**

Commissioner Koenigshofer stated he thinks it's a good tool and appreciates it was brought up. Endorsing the usefulness and validity of that tool, the permits even as modified in the category that's outside the realm of the ministerial permits is 13 per year as opposed to 4 over a two-year period that you could do without. So we're talking about 4 versus 26 over a two-year period. It's a big difference, it's a big impact. Elsewhere in the Williamson Act and he noticed in the letter dated July 15th, 2024, from the Department of Conservation, specific to the referral, he's sure staff recognized Monique Wilber as the signatory from the state. She notes in here the barns primary function is to house farm equipment and the processing operation, but it's also proposed to be used at times in conjunction with the proposed events. There's no farm equipment going to be stored in there, you're not driving tractors in there. The primary function is to house farm equipment and processing operations, right? What do you park in a barn, farm equipment. To use at times in conjunction with, so its primary and at times. When you chart out 13 of the events that are outside the ministerial level and you spread them out over the period of time, whether or not you think that's not primary and just used at times, that's a judgment call. He thinks talking about that level in addition the 9, you're talking about a cluster of events in a period that occurs over 8 or 9 months where you're having events basically every week, if you include the 9. He appreciates how people often look at this stuff as this individual application, but these issues are countywide issues and if they wanted to do the 9 events and 4 weddings that they're permitted over a two-year period, we wouldn't be here, but they want to do something that puts it into a whole different definition. That's not on us, that's what they want to do. It exceeds what they can already do ministerially, so there are impacts and implications. **2h37m**

Commissioner McCaffery stated so the question is what do we want to allow? Commissioner Reed has talked about something that he agrees with and we can see if one more agrees. **Staff Orr** responded. **2h41**

Commissioner Koenigshofer stated so the 4 events year-round have no conditions on them at all? **Staff Orr** responded. 2h42m

Commissioner Koenigshofer asked fire has to sign right, evacuation plans? **Staff Orr** responded. 2h42m

Commissioner Kapolchok stated she'd like to return to the Williamson Act regulations where promotional activities are considered an ag support use and we have that language that talks about special events when directly related to agricultural education or promotional or sale of agricultural commodities and products produced on the contracted land. So, again she's having an issue with the functioning of this building. If we had, for example, the request for 22 events and if we had 15 of those events being 50 guest farm-to-table events where what was presented included the lavender, included the olives, the food that was presented is local-area grown food, she thinks we would have consistency. You could probably fit 50 people in there and keep the processing equipment. She thinks the number of guests, what the event is about is directly related to our restrictions having to do with that. If you then say 4 over two years, 4 weddings at 200, with making sure that the ag is operational, she thinks we're getting somewhere. **Staff Orr** responded. 2h43m

Commissioner Reed asked to clarify, you're saying take private gatherings from 13 to 4? And to keep 7 customer educational farm-to-table? 2h46m

Commissioner Kapolchok stated she's looking at the revised one, customer educational farm-to-table, that category fits with the language of the Williamson Act and now the questions to her becomes size in terms of the ability to have processing and to have the use of the event space. 2h43m

Commissioner Reed stated he thinks Commissioner Carr's letter said keep 10 customer educational but limit it to 40. **Commissioner Kapolchok** responded she thinks that would work. 2h47m

Commissioner Reed stated keep 4 of the private gatherings, because those would be ministerial regardless and then what about the charity, fundraising and industry-related? His thought is there's not going to be any events until they're in production, so they get a lot of time to pull all this stuff together and test the waters. Then, 2-3 years after that you have to come back and can say okay this worked or that didn't work, now we don't need this but we do want this. 2h47m

Commissioner Kapolchok stated on this category of events we still have the requirement of it being related to commodities grown on the property so she's not quite sure if we need charity and industry-related events. 2h47m

Commissioner Reed stated his thinking is they need to build that resource of client or consumer. **Commissioner Kapolchok** responded it would still need to be tied to promotional agriculture. 2h48m

Commissioner Reed stated theoretically you invested in all of that planted orchard. His direction would be to restrict it to a five-year term, no events until after the harvests. 2h48m

Commissioner McCaffery asked you mean Williamson compliance? Condition 120 or 102. **Commissioner Reed** responded yes. 2h49m

Commissioner Kapolchok stated we were talking about some more details language like the language being offered by the applicant attorney because to her that is more restrictive. **Staff Miranda** responded. 2h49m

Commissioner Reed stated so the question is can we replace that 28 annual events with another number that is tied to size. **Staff Miranda** responded. 2h50m

Commissioner McCaffery stated we need to give direction to staff about that number. **Staff Orr** responded. 2h50m

Commissioner Koenigshofer stated a suggestion to consider that the five-year mark start once they've entered a phase of production. In other words, if it takes them two years to get to production, then they wouldn't be eating up two of the five years, you'd start the five years at that point. It would be more accommodating of the operational reality. 2h52m

Commissioner Kapolchok stated she doesn't see those two conditions as being the same condition. She thinks the condition having to do with the five-year review, she likes the recommendation in terms of it starting after the ag-production, but thinks this condition, and it could say in order to ensure up to whatever we decide, we don't have to parse out what they are in this condition. You don't get an event until you have this happen. This is a good condition but now you'd need a third condition that addresses how many and the size. 2h53m

Commissioner Koenigshofer stated the aspect of this that prorates it and provides for earlier operation of events before full production, he doesn't agree with that. You can set a threshold about what is the target so it's clear. The proposal is pretty specific about what's allocated to each category of agricultural activity. 2h53m

Commissioner Reed stated he thought the applicant was open to that, full planting. 2h54m

Commissioner McCaffery asked so what's the number of the events and size of events? 2h54m

Commissioner Reed stated that's a good start. Commissioner Carr put out the 10 events for customer, educational, marketing, farm to table events. He said 10 which is the original proposal. 2h54m

Commissioner Koenigshofer stated so leave the three bottom categories alone? 2h54m

Commissioner Reed stated they had reduced it to 7, but when Commissioner Carr proposed it, it was 10 at the time, but he wanted to limit the number to 40 maximum attendees. He questions whether or not be need to be too restrictive in terms of the attendees because he's not quite sure how those events play out. Let's just say we don't allow any private gatherings for this first 5-year period. Do we allow for larger events for the customer educational marketing kind of thing? Or charity fundraising? 2h54m

Commissioner Koenigshofer stated he agrees with that. An issue that has come up from time to time where in District 5 he's always wanted to be real clear that when you go through this use permit process and you go through this degree of analysis about events, this becomes the total package of what the total events allowed are. It's not this and all the other underlying events after that. He'd like us to be clear about that. Since the underlying package would include, in the category or private gatherings, under normal circumstances they could get 4 over a 2-year period. He would entertain the possibility of the limitations you defined for the 10 events, the 7, 1 and 1, just group those once you decide on the number of attendees. If we were to state that in that interim period they could also have a couple of events per year and state the cap, but the private gatherings type. It does two things, it gives them an opportunity to do some refinement of how that would work. It would be a very low number because the average is 4 over a 2-years, that's 2 per year. The community could then experience what those events are like and he thinks everybody would be more informed about what you'd wind up with if there was a consideration for a more expansive view. 2h55m

Commissioner Reed asked so are you proposing a number for private gatherings?

Commissioner Koenigshofer responded he's proposing clarity that this is the whole package of events, whatever underlying events are allowed without a use permit doesn't operate here. He put on the table for discussion whether or not might want to also say private gathering category events are no more than X number, each year leading up to the trigger point. **County Counsel Klein** responded. 2h57m

Commissioner McCaffery asked what if we just left the 4 events over a 2-year period out of this, then we wouldn't have to consider that, right? **County Counsel Klein** responded. 2h59m

Commissioner Koenigshofer stated to him, everybody involved is better off the, neighbors, the owners, a potential buyer, if that's clearly stated. If somebody in the future will look at this and say oh, they only allow these events. The whole deal here is we're looking at the property, any property that comes before us in this context and we're measuring what you can do. There's overlay here that has to do with what kind of events you're doing that nothing else has to do with Williamson Act. Ideally, we could just say you can have x-number of events separated by x-number of days per event, but we're trying to parse that more carefully and the threshold that is different is when you're having something that isn't defined as educational, marketing, farm to table, etc., and he will not support anything that automatically incorporates into the

definitions those words: weddings, because that's a different character of event entirely. **County Counsel Klein** responded. 2h59m

Commissioner McCaffery asked can our decision here take away 4 events in every 2 years that are allowed? **Staff Orr** responded. 3h02m

Commissioner Koenigshofer stated we're not really taking them away. We're increasing the intensity of use on the property and it's limit is what we're deciding is appropriate. We're not taking away, we're expanding the use by definition through a use permit. So, it's just superseded. 3h02m

Commissioner McCaffery stated so in that case it would be for him 2 events of up to 200 people and 10 events of up to 60 people per year. 3h02m

Commissioner Koenigshofer asked Counsel if we took those numbers and don't refine them, where is the nexus that links it to ag production and marketing? **County Counsel Klein** responded. 3h03m

Commissioner Koenigshofer asked and what's the proof? We have a sign that says buy our stuff? **County Counsel Klein** responded. 3h03m

Commissioner Koenigshofer stated it's not up to the applicant to define how we comply with our policy. **County Counsel Klein** responded. 3h03m

Commissioner Koenigshofer stated if you're going to be charged with burglary, burglary needs to be defined. If you're going to be charged with non-compliance, non-compliance and compliance need to be defined. **County Counsel Klein** responded. 3h04m

Commissioner Koenigshofer stated let me offer this boundary hypothetical, he has a property, he can do events and he tells you, County, they're his product promotion events. How do I prove it? In the building where he has the events he has a great big sign that says "Eric says, buy my wine," so everyone comes in there. He's promoting his agricultural products, is that enough? 3h04m

Commissioner Reed stated we have to have a certain amount of confidence and trust that the applicant is going to do what you said. **Staff Orr** responded. 3h05m

Commissioner Koenigshofer stated if we have the five-year return built in, that happens without the applicant having to pay a filing fee because it's built into the permit, right? **County Counsel Klein** responded. 3h07m

Commissioner Reed asked regarding the renewal, is that mandatory or voluntary? **Staff Orr** responded. 3h07m

Commissioner Koenigshofer stated in response to Counsel's advice about how we describe events being really kind of a moot point, focus on the impacts the number of events, the number of people. That means if we're going to do that, then we need to consider what conditions do we want to have applied to all of the events, you can't just say you're having a wedding, you're having indoor music, be specific about it. However we would condition the type of event of greatest concern in terms of impact, we need to make sure that's in there. Either tied to number of attendees or something so that somebody can tell when there's compliance or not and so they're not flying blind and worried about inadvertently crossing the line. 3h08m

Commissioner McCaffery asked so can we talk number? 2 for private gatherings of up to 200? 9 **Commissioner Koenigshofer** responded no we're not using those titles. **Staff Orr** responded. 3h09m

Commissioner McCaffery stated all agricultural events. 2 at 200 and 10 at 60. **Commissioner Kapolchok** responded she would say 12. 3h10m

Commissioner McCaffery stated 12 at 60 and 2 at 200, all agricultural events. 3h10m

Commissioner Reed asked about the charity/industry. **Commissioner Kapolchok** responded. 3h10m

Commissioner Koenigshofer stated so you're talking about 14. **Commissioner McCaffery** responded he's just talking about numbers. 3h10m

Commissioner McCaffery stated staff wants to have a recess to come up with some language. **Commissioner Koenigshofer** responded lets discuss it before they go. 3h11m

Commissioner Reed stated we were talking about no events until ag production and processing of lavender. 3h11m

Commissioner Koenigshofer stated and 5-years from that first date and then X number of events with these numbers attached to it. **Commissioner Kapolchok** responded and the five-years starts with the first event, so not today. 3h11m

Commissioner Reed stated he would stay the start of production but also after full planting and that doesn't mean production of olive oil because that's not going to happen for years but it has to be fully planted as for the drawings and some lavender. 3h12m

Commissioner Koenigshofer asked so the first event started production for lavender but planting all that represented and then that would trigger event 1 and the starting date for the five-years. Then the total number of events per year, 14. 2 at 200 and 12 at 60. And you want a condition about amplified music at all? Amplified music indoors and not outdoors? **Staff Miranda** responded. 3h12m

Commissioner Koenigshofer stated he's just checking in with the revisions. 3h13m

Commissioner McCaffery asked the amplified music would be only for the 200? **Staff Miranda** responded. 3h13m

Commissioner Koenigshofer asked staff is there any other condition, given what you've heard we're looking toward, that might need to be revisited so that they reflect the things we're talking about? He also pointed out on Attachment 2, the BZA Resolution, if you read paragraph 1 of the redlined, it doesn't make sense. It looks like somebody maybe put a couple sentences together and intended to take part of it out or something. **Staff Miranda** responded. 3h14m

Commissioner McCaffery asked if staff needed a break and asked the applicant to come back up. 3h16m

Commissioner Koenigshofer asked to hear the conditions language first. **Staff Orr** responded. 3h17m

Commissioner Koenigshofer stated right after lavender crops planted, shouldn't you say both the planting of the olive trees also? **Commissioner Kapolchok** responded planting of all because there's some fruit trees and olive trees and sheep. 3h17m

Commissioner Koenigshofer stated the planting as described in the material and the lavender. **Commissioner Kapolchok** responded and the other agricultural commodities, the sheep. 3h18m

Commissioner Koenigshofer stated the trigger is the lavender harvest and the others have to be done at the time you have the lavender harvest which allows the events. **Staff Orr** responded. 3h18m

Commissioner Koenigshofer stated he thought it was more events than that, that's fine with him. 3h19m

Commissioner McCaffery asked to hear from the applicant. **Mario Ghillotti, Applicant**, responded. 3h20m

Commissioner Kapolchok stated educational tours and so forth that you get under a zoning permit, you can't serve alcohol, you need to serve pre-packaged food, so what we're saying actually as an event is considerably different than that type of event, it's not even an event that's allowed under the zoning permit. So, you couldn't serve alcohol, you could do a tour, you couldn't serve food. People could just come and tour the gardens, buy the crop and that's it. So it's not at all similar to ag promotional events. 3h21m

Commissioner Reed stated to add to that, the reason for the 5-year renewal was to acknowledge that you have to get your feet on the ground and get operational before you're

making it happen. He though five years would give enough time to get up to speed and come back and apply for more events. Demonstrate how that can work. **3h22m**

Commissioner Koenigshofer stated we made the five-years longer than five-years because it doesn't start until you actually have an event which would be beneficial for you because you're not eating up any other approved stuff. If you wanted to just do the other version, you're obviously entitled. **County Counsel Klein** responded. **3h23m**

Commissioner McCaffery stated a recess for 20 minutes. **3h24m**

Commissioner McCaffery asked the applicant to come up and if he's had the ability to confer with his team. **Mario Ghillotti, Applicant**, asked for clarification. **Staff Orr** responded. **3h44m**

Commissioner Reed asked, taking traffic, for example, if he's analyzed the traffic already for these larger event sized, would he necessarily need to additional traffic study? **Staff Orr** responded. **3h46m**

Mario Ghillotti, Applicant, responded to the proposed conditions and asked to meet somewhere in the middle. He asked for 3 events at 200, 3 events at 150, 3 at 100 and 3 at 50, for a total of 12 events. The main driver being the number of people to sell our product. **3h47m**

Commissioner Koenigshofer clarified, so it would be 3 each at 200, 150, 100, and 50 for a total of 12? **Mario Ghillotti, Applicant**, responded. **Staff Orr** responded. **3h47m**

Mario Ghillotti, Applicant, asked for clarity. **Staff Orr** responded. **County Counsel Klein** responded. **3h49m**

Commissioner Koenigshofer asked the applicant about the issue of time separation and if he has anything to add on that. **Mario Ghillotti, Applicant**, responded. **3h51m**

Commissioner McCaffery stated so that was 3 at 200, 3 at 150, 3 at 100 and 3 at 50. With 2 a month. **3h51m**

Commissioner Koenigshofer stated two per month but it couldn't be one on the 28th of February and one on the first and second. **Staff Orr** responded. **3h52m**

Commissioner Koenigshofer stated if we don't want to leave that open, not that they're trying to slip it by us but it's helpful to everyone involved if the rules are clear. **3h52m**

Commissioner McCaffery stated how about a minimum gap of six days between events? **3h53m**

Commissioner Kapolchok stated to her two a month, even if they are clustered, would mean there would be a bigger gap and it may make sense for them to be clustered during processing. 3h53m

Commissioner Reed asked to clarify on the five-year renewal, if we take this count, after five-years it needs to be renewed or checked in with, and we'd either approve it going forward, we've increased but it has to come back to us in fact in five-years. 3h53m

Commissioner McCaffery asked are you okay with the numbers? **Commissioner Reed** responded yes. **Staff Orr** responded. 3h54m

Commissioner Koenigshofer stated that a correction of the land use designation to LEA needed to be made in the Resolution. 3h56m

Action: **Commissioner Reed** motioned to adopt the revised mitigated negative declaration, mitigation monitoring program, and approve the revised project subject to the revised conditions of approval. Seconded by **Commissioner Koenigshofer** and approved with a 4-0-1-0 vote. 3h58m

Appeal Deadline: 10 days
Resolution No.: 25-06

Vote:

Commissioner Kapolchok	Aye
Commissioner Reed	Aye
District 3	Absent
Commissioner Koenigshofer	Aye
Commissioner McCaffery	Aye

Ayes: 4
Noes: 0
Absent: 1
Abstain: 0

Hearing Closed: 4:59 PM