

Attachment H

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**BEFORE THE BOARD OF SUPERVISORS IN AND FOR THE
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

Continued Public Hearing to Consider an Application for)
an Administrative Interpretation Regarding Whether the)
Use of Public Assemblages is Allowed as an Accessory)
Use to a Wine Storage Building Approved by the Planning)
Commission on April 30, 1997 for Coastal Cypress Corporation)
(965157ZA - Chateau Julien), Held; Public Hearing Continued)
Indefinitely; Supervisors Calcagno and Potter Appointed to a)
Board Sub-Committee to Meet Publicly with County Staff and the)
Applicant to Arrive at Recommendations to the Board as to How)
to Proceed in the Processing of This Request)

A continued public hearing is held to consider an application for an Administrative Interpretation regarding whether the use of public assemblages is allowed as an accessory use to a wine storage building approved by the Planning Commission on April 30, 1997 for Coastal Cypress Corporation, File No. 965157 ZA (Chateau Julien).

The public portion of the hearing is resumed. Pat Bernardi, Nancy Foy, Paul Kauffman, Betty Hughes, Larry Foy, Barbara Smith, Ami Magill-Proctor, Al Oliverio, Terry Klettke, David L. Hughes, Larry Krause, Rod Mills, Milt Kegley, Michelle Villucci, Fran Farina, Gary Stowe, Patty Brower, Kim Browning, Kristin Horton, Tom Kincheloe, Edna Chin, Dennis Law, Attorney, Alan Marks, and Jack Corland, address the Board both in favor and in opposition to the proposal to use the wine storage building (chai) for public assemblages.

Bob Brower, co-owner of the Chateau Julien Winery, offers comments in rebuttal. The public portion of the hearing is now closed.

Doug Holland, County Counsel, stated that the Board has been asked to grant an interpretation today. He stated that even though this Board doesn't have the ability to approve conditions, the Board does have the ability to indicate how it will interpret what constitutes an acceptable use for this particular wine storage facility (chai building). For example, to say that an accessory use would be to allowed public assemblage, as long as the total number of vehicle trips and the total amount of sewage doesn't exceed those limits that were initially placed as burdens on the winery when it was originally approved in 1982. Mr. Holland stated that based upon testimony by the applicant, the winery is trying to decide under what roof the assemblages of people may take place. This use is not intended to increase the amount of traffic or the amount of sewage that is going to flow from the use of this facility. The Board could interpret that public assemblages at this site could occur as long as these particular limitations were not exceeded, and that would be an appropriate accessory use of the property.

In response to a question by Chair Pennycook, Mr. Brower concurred that he would be willing to agree with the finding that the winery could allow public assemblages as long as they conform to the original limits regarding the number of vehicle trips and amount of sewage of a maximum of

150 guests per event, with an average of 104 guests per week, placed on their Use Permit in 1982.

Supervisor Johnsen stated that this Board does not want an intensification of the use from the original standard. The question now is what is the standard from which we're saying we're not going to intensify. This Board doesn't have a foundation on this particular issue built into a past record. County Counsel is trying to direct the Board to look at the development as an entire piece; however, there is no standard that governs the entire piece. Supervisor Potter is seeking assurance that everyone comes to a mutual agreement that we have a standard that there will not be intensification of use.

After discussion, and upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, the Board continued this public hearing indefinitely, and the Chair appointed Supervisors Calcagno and Potter to serve on a Board Sub-Committee to meet with Planning Staff, County Counsel, Environmental Health and representatives of Chateau Julien to arrive at recommendations to the Board as to how to proceed in the processing of this request.

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page -- of Minute Book 70, on September 7, 1999.

DATED: September 7, 1999

SALLY R. REED, Clerk of the Board
of Supervisors, County of Monterey, State of
California

By: 

Deputy