

“E”

Use Permit Minor Modification
&
Viewshed
Application Packets

Ladera Vineyards Winery
Minor Modification P21-00294-MOD and Viewshed P22-00109
Planning Commission Hearing May 3, 2023

NAPA COUNTY

Planning, Building and Environmental Services



A Tradition of Stewardship
A Commitment to Service

USE PERMIT - MINOR MODIFICATION
APPLICATION WINERY USES



A Tradition of Stewardship
A Commitment to Service

Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
Main: (707) 253-4417
Fax: (707) 253-4336

PLANNING APPLICATION FORM

Applicant Information

<p>Applicant Contact</p> <p>Name: <u>Ladera Vineyards, Chris Artley</u></p> <p>Mailing Address: <u>PO Box 27917</u></p> <p>City: <u>Scottsdale</u> State: <u>AZ</u> Zip: <u>85255</u></p> <p>Phone: <u>480-609-9225</u></p> <p>E-Mail Address: <u>chris@laderavineyards.com</u></p>	<p>Property Owner Contact</p> <p>Name: <u>Pat Stotesbery</u></p> <p>Mailing Address: <u>PO Box 313</u></p> <p>City: <u>St. Helena</u> State: <u>CA</u> Zip: <u>94574</u></p> <p>Phone: <u>707-337-4420</u></p> <p>E-Mail Address: <u>pls@laderavineyards.com</u></p>
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<p>Agent Contact</p> <p>Name: <u>Thomas Adams</u></p> <p>Mailing Address: <u>1455 1st St. Ste 301</u></p> <p>City: <u>Napa</u> State: <u>CA</u> Zip: <u>94559</u></p> <p>Phone: <u>707-252-7122</u></p> <p>E-Mail Address: <u>tadams@dpf-law.com</u></p>	<p>Other Representative Contact</p> <p style="text-align: right;"><input type="checkbox"/> Engineer <input checked="" type="checkbox"/> Architect <input type="checkbox"/> Agent</p> <p>Name: <u>Dave Osborn/Doug Siegert</u></p> <p>Mailing Address: <u>PO Box 1558</u></p> <p>City: <u>Santa Rosa</u> State: <u>CA</u> Zip: <u>95402</u></p> <p>Phone: <u>701-321-5389</u></p> <p>E-Mail Address: <u>dougosborn1@gmail.com/dave@os-arch.com</u></p>
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Property Information

Project Name: Ladera Vineyards Use Permit Minor Modification

Project Address: 3942 Silverado Trail, Calistoga CA 94515

Assessor's Parcel Number(s): 021-030-047-000

Size of site (acreage and/or square footage): 7.44 acres

General Plan Designation: Ag. Preserve; Agricultural, Watershed, and Open Space Zoning: Ag. Preserve; Ag. Watershed

Application Type¹

File No(s) _____

Administrative	Planning Commission/ALUC/BOS	Zoning Administrator
<p>Erosion Control Plan:</p> <p><input type="checkbox"/> Track I <input type="checkbox"/> Track II</p> <p><input type="checkbox"/> Admin Viewshed</p> <p><input type="checkbox"/> Fence Entry Structure Permit</p> <p><input type="checkbox"/> Land Division/Mergers</p> <p><input type="checkbox"/> Site Plan Approval/Modification</p> <p><input type="checkbox"/> Winery Administrative Permit</p> <p><input type="checkbox"/> Other Very Minor Modification</p> <p><input type="checkbox"/> Addressing</p> <p><input type="checkbox"/> Signs</p> <p>Temporary Event:</p> <p><input type="checkbox"/> 51-400 <input type="checkbox"/> 401+</p> <p><input type="checkbox"/> Late Application Submittal</p> <p><input type="checkbox"/> Application Entitled to Fee Waiver</p> <p><input type="checkbox"/> Other: _____</p>	<p>Major Modification:</p> <p><input type="checkbox"/> Winery <input type="checkbox"/> Other</p> <p>Use Permit:</p> <p><input type="checkbox"/> Winery <input type="checkbox"/> Other</p> <p><input type="checkbox"/> Viewshed</p> <p><input type="checkbox"/> AG Preserve Contract</p> <p><input type="checkbox"/> Development Agreement</p> <p><input type="checkbox"/> Airport Land Use Consistency Determination</p> <p><input type="checkbox"/> General, Specific or Airport Land Use Plan Amendment</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Zoning Map/Text Amendment</p> <p><input type="checkbox"/> Road Exception</p> <p><input type="checkbox"/> Con. Reg. Exception</p> <p><input type="checkbox"/> Other: _____</p>	<p><input type="checkbox"/> Certificate of Legal Non Conformity</p> <p><input type="checkbox"/> Other Minor Modification</p> <p><input type="checkbox"/> Road Exception</p> <p><input type="checkbox"/> Small Winery Exemption</p> <p><input checked="" type="checkbox"/> Winery Minor Modification</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Viewshed</p> <p><input type="checkbox"/> Other: _____</p> <hr/> <p style="text-align: center;">Misc. Services</p> <p><input type="checkbox"/> Use Determination</p> <p><input type="checkbox"/> Status Determination</p> <p><input type="checkbox"/> Other: _____</p>

¹: Include corresponding submittal requirements for each application type.

Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please refer to specific Supplemental Application submittal handouts for details to describe the project and required special studies.

Conditions of Application

1. All materials (plans, studies, documents, etc.) and representations submitted in conjunction with this form shall be considered a part of this application and publicly available for review and use, including reproduction.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Director, the Zoning Administrator, and Planning Commission to represent the owner's interests and to file applications, plans and other information on the owner's behalf.
4. Certification and Indemnification Form: Refer to attached form for notifications and required signature.
5. Fees: The applicant agrees to pay the County any and all processing fees imposed by the Board of Supervisor's current Fee Resolution including the establishment of an hourly fee application agreement and initial deposit. Applicant understands that fees include, but not limited to: Planning, Engineering, Public Works, and County Counsel staff time billed at an hourly rate; required Consultant service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. This form, together with the corresponding application forms for specific permits, will become the Permit Document.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

 10/29/2021
 Property Owner's Signature and Date

 Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

 Applicant's Signature and Date

Date Received: _____ Received by: _____ Receipt No. _____ File No. _____	Application Fees	
	Deposit Amount	\$ \$6,982.05
	Flat Fee Due	\$
	Total	\$ \$6,982.05
	Check No	

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Patrick L. Stotesbery

Print Name of Property Owner

Print Name Signature of Applicant (if different)


Signature of Property Owner

10/29/2021
Date

Signature of Applicant

Date

Hourly Fee Agreement

PROJECT File: _____; request for Ladera Vineyards Use Permit Minor Modification
_____. I, Pat Stotesbery

the undersigned, hereby authorize the County of Napa to process the above referenced permit request in accordance with the Napa County Code. I am providing \$ \$6,982.05 as a deposit to pay for County staff review, coordination and processing costs related to my permit request based on actual staff time expended and other direct costs. **In making this deposit, I acknowledge and understand that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current Napa County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Hourly Fee Agreement:

1. Time spent by Napa County staff in processing my application and any direct costs will be billed against the available deposit. "Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, or responding to any legal challenges related to the application during the processing of your application. "Staff" includes any employee of the Planning, Building and Environmental Services Department (PBES), the Office of the County Counsel, or other County staff necessary for complete processing of the application. "Direct costs" include any consultant costs for the peer review of materials submitted with the application, preparation of California Environmental Quality Act (CEQA) documents, expanded technical studies, project management, and/or other outside professional assistance required by the County and agreed to by the applicant. The cost to manage consultant contracts by staff will also be billed against the available deposit.
2. Staff will review the application for completeness and provide me with a good faith estimate of the full cost of processing the permit. Any requested additional deposit shall be submitted to PBES to allow continued processing of the project.
3. I understand that the County desires to avoid incurring permit processing costs without having sufficient funds on deposit. If staff determines that inadequate funds are on deposit for continued processing, staff shall notify me in writing and request an additional deposit amount estimated necessary to complete processing of my application. I agree to submit sufficient funds as requested by staff to process the project through the hearing process within 30 days of the request.
4. I understand that if the amount on deposit falls below zero, staff will notify me and stop work on the application until sufficient additional funds are provided
5. If the final cost is less than the amount remaining on deposit, the unused portion of the deposit will be refunded to me. If the final cost is more than the available deposit, I agree to pay the amount due within 30 days of billing.
6. If I fail to pay any invoices or requests for additional deposits within 30 days, the County may either stop processing my permit application, or after conducting a hearing, may deny my permit application. If I fail to pay any amount due after my application is approved, I understand that my permit may not be exercised, or may be subject to revocation. I further agree that no building, grading, sewage, or other project related permits will be issued if my account is in arrears.

7. I may file a written request for a further explanation or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.

Name of Applicant responsible for payment of all County processing fees (Please Print):

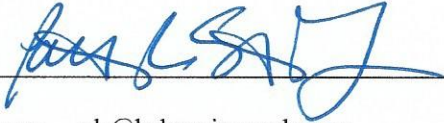
Pat Stotesbery

Mailing Address of the Applicant responsible for paying processing fees:

PO Box 313

St. Helena CA 94574

Signature:*



Email Address: pls@laderavineyards.com

Date: 10/29/2021

Phone Number: 707-337-4420

*ATTENTION - The applicant will be held responsible for all charges.


Supplemental Application for Winery Uses

Definitions

The below are paraphrased from County Code, please see referenced code sections for full text.

- a. **Winery Development Area** – All aggregate paved or impervious or semi-permeable ground surface areas of the production facility which includes all storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees. *See Napa County Code §18.104.210*
- b. **Winery Coverage** – The total square foot area of all winery building footprints, all aggregate paved or impervious ground surface areas of the production facility which includes all outside work, tank and storage areas (except caves); all paved areas including parking and loading areas, walkways, and access driveways to public or private roads or rights-of-way; and all above-ground wastewater and run-off treatment systems. *See Napa County Code §18.104.220*
- c. **Production Facility** – (For the purpose to calculate the maximum allowable accessory use) The total square footage of all winery crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, and employee-designated restrooms but does not include wastewater treatment or disposal areas which cannot be used for agricultural purposes. *See Napa County Code §18.104.200*
- d. **Accessory Use** - The total square footage of area within winery structures used for accessory uses related to a winery that are not defined as “production facility” which would include offices, lobbies/waiting rooms, conference/meeting rooms, non-production access hallways, kitchens, tasting rooms (private and public areas), retail space areas, libraries, non-employee designated restrooms, art display areas, or any area within winery structures not directly related to wine production. *See Napa County Code §18.104.200*

Planning, Building & Environmental Services



Winery Production Process

The Napa County Code contains various references to winery production and refers to production capacity as “the wine bottled or received” at a winery and refers to “bottling and storage of bottled wine and shipping and receiving of bulk and bottled wine “(Code Section 18.16.030(G)(4)).¹

This handout was developed by the County planning staff with the assistance of a number of local industry representatives to assist property owners and other interested parties in interpreting Napa County Code references to winery production. It does not create a new definition or regulation.

A winery’s total annual production equals either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, including all bottled wine received on the premises during the same year; or (2) the amount of wine bottled on the premises in the same given year, *whichever is greater*.

Using the diagram on the right, this means the greater of A+(B-C), or D. If B-C is a negative number, total production is equal to either A or D, whichever is greater.

This interpretation holds true for all physical winery facilities regardless of the number of business entities (e.g. Alternating Proprietors/Custom Crush) they accommodate or the date that their production capacity was established or recognized. However, wineries occupying multiple facilities are governed by the specific terms of their use permit or Certificate of Legal Non-conformity (CLN), which may vary.

Quantities represented by items A through D on the diagram can be determined by reviewing a winery’s annual submittals to the federal Alcohol and Tobacco Tax and Trade Bureau (TTB). The County may periodically request a copy of these submittal (s) as a way to monitor compliance with previously adopted conditions/requirements. The County recognizes that annual variations can occur due to the grape harvest and the timing of finishing/bottling, and will generally review and average three consecutive years of data.

Inflows (Receiving)	Processing Steps	Outflows (Shipping)
Grapes	Crush	
Juice		Juice
	A Fermentation	
Bulk Wine		Bulk Wine
	Aging & Finishing	
Bulk Wine		Bulk Wine
	D Bottling	
		Bottled Wine

Figure 1. Winery Production Process

¹ The complexity of these statements can be attributed to the authors’ desire to avoid “double counting” bulk wine that is both received and bottled at a winery, and the fact that multiple vintages are present within a winery at any given time.

February 2019

WINERY OPERATIONS

Please indicate whether the activity or uses below are already legally **EXISTING**, whether they exist and are proposed to be **EXPANDED** as part of this application, whether they are **NEWLY PROPOSED** as part of this application, or whether they are neither existing nor proposed (**NONE**).

Retail Wine Sales	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Tours and Tasting- Open to the Public	<input checked="" type="checkbox"/> Existing			
Tours and Tasting- By Appointment	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Tours and Tastings	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Marketing Events*	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Marketing Events	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Will food be prepared...	<input type="checkbox"/> On-Site?	<input checked="" type="checkbox"/> Catered?		
Public display of art or wine-related items	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Wine Sales/Consumption – AB 2004	<input type="checkbox"/> Existing		<input checked="" type="checkbox"/> Proposed	<input type="checkbox"/> None

* For reference please see definition of "Marketing," at Napa County Code §18.08.370 - <http://library.municode.com/index.aspx?clientId=16513>

Production Capacity *

Please identify the winery's...

Existing permitted production capacity: 20,000 gal/y Per permit : U-698687 Permit date: 1987

Current maximum actual production: _____ gal/y For what year? _____

Average 3 year production: _____ gal/y

Proposed production capacity: 20,000

* For this section, please see "Winery Production Process".

Visitation and Operations

Please identify the winery's...

Maximum daily tours/tastings visitation: 30 existing 30 proposed

Maximum weekly tours/tastings visitation: 100 existing 210 proposed

Visitation hours (e.g. M-Sa, 10am-4pm): M-Su, 11am-4:30pm existing M-Su, 10 am-4:30pm proposed

Production days and hours¹: M-Su, 11am-4:30pm existing M-Su, 7am-5pm proposed

¹ It is assumed that wineries will operate up to 24 hours per day during crush.

Grape Origin

All new wineries and any existing (pre-WDO) winery expanding beyond its winery development area must comply with the 75% rule and complete the attached "Initial Statement of Grape Source". See Napa County Code §18.104.250 (B) & (C). The project description should include information on location and quantity of grapes.

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, hours, location/facilities to be used, food service details, etc. Provide a site plan showing where the marketing event activities will occur, including overflow/off-site parking. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

Existing: none.

Proposed: Two (2) wine club events for up to 50 guests, held approximately every six months, featuring catered food and wine pairing dinners. Events will be held in the tasting room, as well as the north and east outdoor terraces. Visitation will be limited on the two days of the year on which marketing events will occur in order to ensure average daily trips do not exceed 40.

On-Site Consumption

If requesting On-Site Consumption, please provide a site plan showing where such activities will occur.

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service and existing type of commercial kitchen (low, medium or high risk) and/or food preparation areas authorized by the County Environmental Health Division. (Attach additional sheets as necessary.)

Existing: none.

Proposed: All food service is to be catered, and consistent with the definitions of "Tours and Tastings" and "Marketing of Wine" in Napa County Code, which provides that Tours and Tastings may include "food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine." Food service at tours and tastings will not involve menu options and meal service such that the winery functions as a café or restaurant. Food service at marketing events will include food and wine pairing dinners and will also be catered.

Winery Coverage and Accessory/Production Ratio

Winery Development Area. Consistent with the definition at “a.,” and with the marked-up site plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing 1,620 sq. ft. .04 acres
 Proposed 17,482 sq. ft. .4 acres

Winery Coverage. Consistent with the definition at “b.,” and with the marked-up site plans included in your submittal, please indicate your proposed winery coverage (maximum 25% of parcel or 15 acres, whichever is less).

25,946 sq. ft. .6 acres 8.06 % of parcel

Production Facility. Consistent with the definition at “c.,” and the marked-up floor plans included in your submittal, please indicate your proposed production square footage. If the facility already exists, please differentiate between existing and proposed.

Existing 438 sq. ft. Proposed 8,085 sq. ft.

Accessory Use. Consistent with the definition at “d.,” and the marked-up floor plans included in your submittal, please indicate your proposed accessory square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing 737 sq. ft. 168.3 % of production facility
 Proposed 1,482 sq. ft. 18.3 % of production facility

Caves and Crush pads

If new or expanded caves are proposed, please indicate which of the following best describes the public accessibility of the proposed and existing cave space: Please denote on cave floor plans the location of existing and proposed cave type/activities and identify location of on-site cave spoils on a site plan.

Existing Cave:

- None – no visitors/tours/events (Class I) Guided Tours Only (Class II) Public Access (Class III)
 Marketing Events and/or Temporary Events (Class III)

Expanded or New Cave:

- None – no visitors/tours/events (Class I) Guided Tours Only (Class II) Public Access (Class III)
 Marketing Events and/or Temporary Events (Class III)

Please identify the winery’s...

Cave area (total) Existing: none sq. ft. Proposed: 8,403 sq. ft.
 Cave area (Production) Existing: none sq. ft. Proposed: 8,085 sq. ft.
 Cave area (Accessory) Existing: none sq. ft. Proposed: 318 sq. ft.
 Covered crush pad area Existing: none sq. ft. Proposed: _____ sq. ft.
 Uncovered crush pad area Existing: none sq. ft. Proposed: _____ sq. ft.
 Cave Spoils total: Proposed: _____ cy.

Cave Spoils Use: Onsite Offsite

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.

Owner's Signature

Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.



A Tradition of Stewardship
A Commitment to Service

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services

1195 Third Street, Suite 210

Napa, CA 94559-3082

(707) 253-4417

PROJECT DESCRIPTION

Clear Form

Winery Name: Ladera Vineyards **Date Prepared:** 10/28/21

Existing Entitled Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	<u>2</u>	<u>2</u>
	Weekend	<u>2</u>	<u>2</u>
Number of Part Time Employees*	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>
Maximum Daily Visitation	Weekday	<u>30</u>	<u>30</u>
	Weekend	<u>30</u>	<u>30</u>
Annual Gallons of Production		<u>20,000</u>	<u>20,000</u>
Annual Tons of Grape Haul		<u>125.0</u>	<u>N/A</u>
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	<u></u>	<u></u>
	Weekend	<u></u>	<u></u>

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	<u>3</u>	<u>3</u>
	Weekend	<u>3</u>	<u>3</u>
Number of Part Time Employees*	Weekday	<u>2</u>	<u>2</u>
	Weekend	<u>2</u>	<u>2</u>
Maximum Daily Visitation	Weekday	<u>30</u>	<u>30</u>
	Weekend	<u>30</u>	<u>30</u>
Annual Gallons of Production		<u>20,000</u>	<u>20,000</u>
Annual Tons of Grape Haul		<u>125.0</u>	<u>N/A</u>
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	<u></u>	<u></u>
	Weekend	<u></u>	<u></u>

*Number of full time and part time employees should represent the max number of employees that will be working on any given day (including all vendors and contractors employed for the largest event that occurs two or more times per month on average).

Ladera Vineyards TRIP GENERATION

Existing Winery						Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>							
	<u>Harvest</u>	<u>Non-Harvest</u>					
FT Employees	2	2	3.05 one way trips/employee	FT Employee Daily Trips	6.1	6.1	
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0	
Max Visitors	30	30	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	23.1	23.1	
Max Event			2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0	
Gallons of Production	20,000		0.000018 truck trips	Production Daily Trips	0.4	0.4	
Tons of Grape Haul#	125.0		0.013889 truck trips	Grape Haul Daily Trips	1.7	0.0	
Total Weekday Daily Trips					32	30	
Total Weekday Peak Hour Trips*					12	11	
<u>Maximum Daily Weekend Traffic (Saturday)</u>							
	<u>Harvest</u>	<u>Non-Harvest</u>					
FT Employees	2	2	3.05 one way trips/employee	FT Employee Daily Trips	6.1	6.1	
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0	
Max Visitors	30	30	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	21.4	21.4	
Max Event			2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0	
Gallons of Production	20,000		0.000018 truck trips	Production Daily Trips	0.4	0.4	
Tons of Grape Haul#	125.0		0.013889 truck trips	Grape Haul Daily Trips	1.7	0.0	
Total Weekend Daily Trips					30	28	
Total Weekend Peak Hour Trips*					16	15	
<u>Maximum Annual Traffic</u>							
Total Annual Trips**					10,896		

Proposed Winery						Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>							
	<u>Harvest</u>	<u>Non-Harvest</u>					
FT Employees	3	3	3.05 one way trips/employee	FT Employee Daily Trips	9.1	9.1	
PT Employees	2	2	1.9 one way trips/employee	PT Employee Daily Trips	3.8	3.8	
Max Visitors	30	30	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	23.1	23.1	
Max Event			2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0	
Gallons of Production	20,000		0.000018 truck trips	Production Daily Trips	0.4	0.4	
Tons of Grape Haul#	125.0		0.013889 truck trips	Grape Haul Daily Trips	1.7	0.0	
Total Weekday Daily Trips					39	37	
Total Weekday Peak Hour Trips*					14	13	
<u>Maximum Daily Weekend Traffic (Saturday)</u>							
	<u>Harvest</u>	<u>Non-Harvest</u>					
FT Employees	3	3	3.05 one way trips/employee	FT Employee Daily Trips	9.1	9.1	
PT Employees	2	2	1.9 one way trips/employee	PT Employee Daily Trips	3.8	3.8	
Max Visitors	30	30	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	21.4	21.4	
Max Event			2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0	
Gallons of Production	20,000		0.000018 truck trips	Production Daily Trips	0.4	0.4	
Tons of Grape Haul#	125.0		0.013889 truck trips	Grape Haul Daily Trips	1.7	0.0	
Total Weekend Daily Trips					37	35	
Total Weekend Peak Hour Trips*					18	17	
<u>Maximum Annual Traffic</u>							
Total Annual Trips**					13,451		

Net New Trips		Harvest	Non-Harvest
<u>Maximum Weekday Traffic (Friday)</u>			
If total net new daily trips is greater than 40, a TIS is required			
Net New Weekday Daily Trips		7	7
Net New Weekday Peak Hour Trips*		2	2
<u>Maximum Weekend Traffic (Saturday)</u>			
If total net new daily trips is greater than 40, a TIS is required			
Net New Weekend Daily Trips		7	7
Net New Weekend Peak Hour Trips*		2	2
<u>Maximum Annual Traffic</u>			
A Traffic Impact Study is NOT Required			
Net New Annual Trips**		2,555	

#Trips associated with Grape Haul represent harvest season only.

*Weekday peak hour trips are calculated as 38% of daily trips associated with visitors and production plus one trip per employee. Weekend peak hour trips are calculated as 57% of daily trips associated with visitors and production plus one trip per employee.

**Annual trips represent a conservative calculation that assumes 11 weeks of harvest, all weekdays are Fridays, all weekends are Saturdays, and assumes that the largest event that occurs two or more times per month on average occurs every day.



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Planning, Building & Environmental Services - Hillary Gitelman, Director
1195 Third Street, Napa, CA 94559 - (707) 253-4417 - www.countyofnapa.org

Project name & APN: Ladera Vineyards UPMM (021-030-047)

Project number if known: _____

Contact person: Chris Artley

Contact email & phone number: chris@laderavineyards.com

Today's date: April 3, 2023

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65 (e) and Policy CON-67 (d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Plan
Doing To Do

ID # BMP Name

BMP-1 Generation of on-site renewable energy
If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.

BMP-2 Preservation of developable open space in a conservation easement
Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.

Already Plan
Doing To Do

BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO₂e and add the County's carbon stock.

BMP-4 Alternative fuel and electrical vehicles in fleet

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles _____

Typical annual fuel consumption or VMT _____

Number of alternative fuel vehicles _____

Type of fuel/vehicle(s) _____

Potential annual fuel or VMT savings _____

BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

BMP-6 Vehicle Miles Traveled (VMT) reduction plan

Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- employee incentives
- employee carpool or vanpool
- priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- bike riding incentives
- bus transportation for large marketing events
- Other: _____

Estimated annual VMT _____

Potential annual VMT saved _____

% Change _____

Already
Doing

Plan
To Do

BMP-7 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1

See description below under BMP-5.

BMP-8 Solar hot water heating

Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.

BMP-9 Energy conserving lighting

Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.

BMP-10 Energy Star Roof/Living Roof/Cool Roof

Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.

The cave includes a natural green roof and the tasting room building roof will be designed to optimize energy efficiency

BMP-11 Bicycle Incentives

Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (§18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!

Bicycle parking will be provided onsite even though the spaces are less than 20

BMP-12 Bicycle route improvements

Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.

A new bike lane will be incorporated into the project left hand turn lane improvements for Silverado Trail

Already Plan
Doing To Do

BMP-13 Connection to recycled water

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

Treated winery wastewater will be reused onsite for irrigation to conserve water resources and offset the groundwater demand.

BMP-14 Install Water Efficient fixtures

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

The winery and tasting room will include efficient fixtures to conserve water.

BMP-15 Low-impact development (LID)

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

The drainage design incorporates LID design principles by dispersing runoff to vegetated areas and preserving the watershed drainage pattern.

BMP-16 Water efficient landscape

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or If your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.

WELO calculations were submitted with the application package.

BMP-17 Recycle 75% of all waste

Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with this goal in mind.

Already Plan
Doing To Do

BMP-18 Compost 75% food and garden material

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

BMP-19 Implement a sustainable purchasing and shipping programs

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

BMP-21 Electrical Vehicle Charging Station(s)

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

A EV charging station will be added to the new parking lot.

BMP-22 Public Transit Accessibility

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

Already Plan
Doing To Do

BMP-23

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building buried into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.

The project proposes a new cave which is energy efficient and significantly reduces stormwater runoff when compared to an above ground structure of the same footprint with an impervious roof

BMP-24 Limit the amount of grading and tree removal

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

This project limits tree removal

BMP-25 Will this project be designed and built so that it could qualify for LEED?

BMP-25 (a) **LEED™ Silver** (check box BMP-25 and this one)

BMP-25 (b) **LEED™ Gold** (check box BMP-25, BMP-25 (a), and this box)

BMP-25 (c) **LEED™ Platinum** (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Doing Plan To Do

BMP-28 Use of recycled materials

There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.

BMP-29 Local food production

There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.

BMP-30 Education to staff and visitors on sustainable practices

This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.

BMP-31 Use 70-80% cover crop

Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.

BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site

By selecting this BMP, you agree not to burn the material pruned on site.

BMP-33 Are you participating in any of the above BMPS at a 'Parent' or outside location?

BMP-34 Are you doing anything that deserves acknowledgement that isn't listed above?

Comments and Suggestions on this form?

Sources:

1. *Napa County Bicycle Plan, NCTPA, December 2011*
2. *California Air Pollution Control Officers Associate (CAPCOA). January 2008. CEQA and Climate Change*
3. *Napa County General Plan, June 2008.*
4. *California Office of the Attorney General. 2010. Addressing Climate Change at the Project Level available at http://ag.ca.gov/global_warming/pdf/GW_mitigation_measures.pdf*
5. *U.S. Green Building Council (2009). LEED 2009 for New Construction and Major Renovations Rating System. Washington, DC: United States Green Building Council, Inc.*
6. *California Energy Commission (2008). Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings. Sacramento, CA: California Energy Commission.*
7. *U.S. Department of Energy (2010). Cool roof fact sheet.*
8. <http://www1.eere.energy.gov/buildings/ssl/ledlightingfacts.html>
9. *Compact Fluorescent Light Bulbs". Energy Star. Retrieved 2013-05-01.*
10. <http://energy.gov/energysaver/articles/solar-water-heaters>. Retrieved 2013-05-02.
11. <http://energy.gov/energysaver/articles/solar-water-heater>. Retrieved 2013-05-09
12. http://www.bchydro.com/powersmart/residential/guides_tips/green-your-home/cooling_guide/shade_trees.html
13. <http://www.napagreen.org/about>. Retrieved 2013-05-09
14. <http://www.countyofnapa.org/pages/departmentcontent.aspx?id=4294971612>
15. <http://www.napasan.com/Pages/ContentMenu.aspx?id=109>
16. <http://water.epa.gov/polwaste/green/index.cfm>

October 28, 2021

Ladera Winery
APN 021-030-047
3942 Silverado Trail
USE PERMIT NARRATIVE AND EXCEPTION REQUEST

Tom Adams, Joshua Devore
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By this application for a development project, Ladera Winery (the "Winery") seeks to modernize and modify its existing pre-WDO approved use permit on a 7.44-acre parcel split zoned AW and AP located at 3942 Silverado Trail. The Winery was originally established as Wermuth Winery in 1982 by Use Permit #U-388182 and modified in 1987 by Major Modification U-698687, which approved production of 20,000 gallons of wine in a 775 square feet of winery consisting of two buildings measuring 375 square feet and 400 square feet, respectively. While the use permit entitles the winery to a total footprint of 775 square feet, the winery square footage as constructed by the previous owner actually totals 1,175 square feet. The Winery has designed this project proposal with the intent of qualifying for a minor modification pursuant to Napa County Code 18.124.130(C), and accordingly is proposing an expansion of the main winery structure, demolition of the smaller wine storage building, and a new cave. Total increase in square footage above the existing entitled 775 square feet will be no more than 10,000 square feet (including cave). The application also requests modest increases in visitation, marketing, employees, and clarification of hours/days of operation.

The prior owner submitted a Status Determination request on March 27, 2019 to determine the County's view of the Winery's existing rights, because its existing use permit did not specifically set forth many of the items typically reflected in modern use permits. The County issued the Status Determination on July 15, 2019 confirming the following entitlements:

- Production: 20,000 gallons.
- Size of Winery: Two Structures totaling 775 sf (375 sf winery/tasting room and 400 sf wine storage).
- Visitation: 30 public tours and tastings per day; 100 per week anticipated.
- Marketing: None authorized.
- Except as permitted by County ordinance, no outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
- Retail sales shall be limited to wine produced and bottled by the winery.
- Number of Employees: Maximum of 2 full time employees.
- Parking: 8 spaces.
- Hours of Operation: Winery visitation 11:00 a.m. to 4:30 p.m.; Irregular days of operation.

We appreciate your consideration of these requests. Please advise us as to any additional information you require to process this application.

I. DETAILED PROJECT DESCRIPTION:

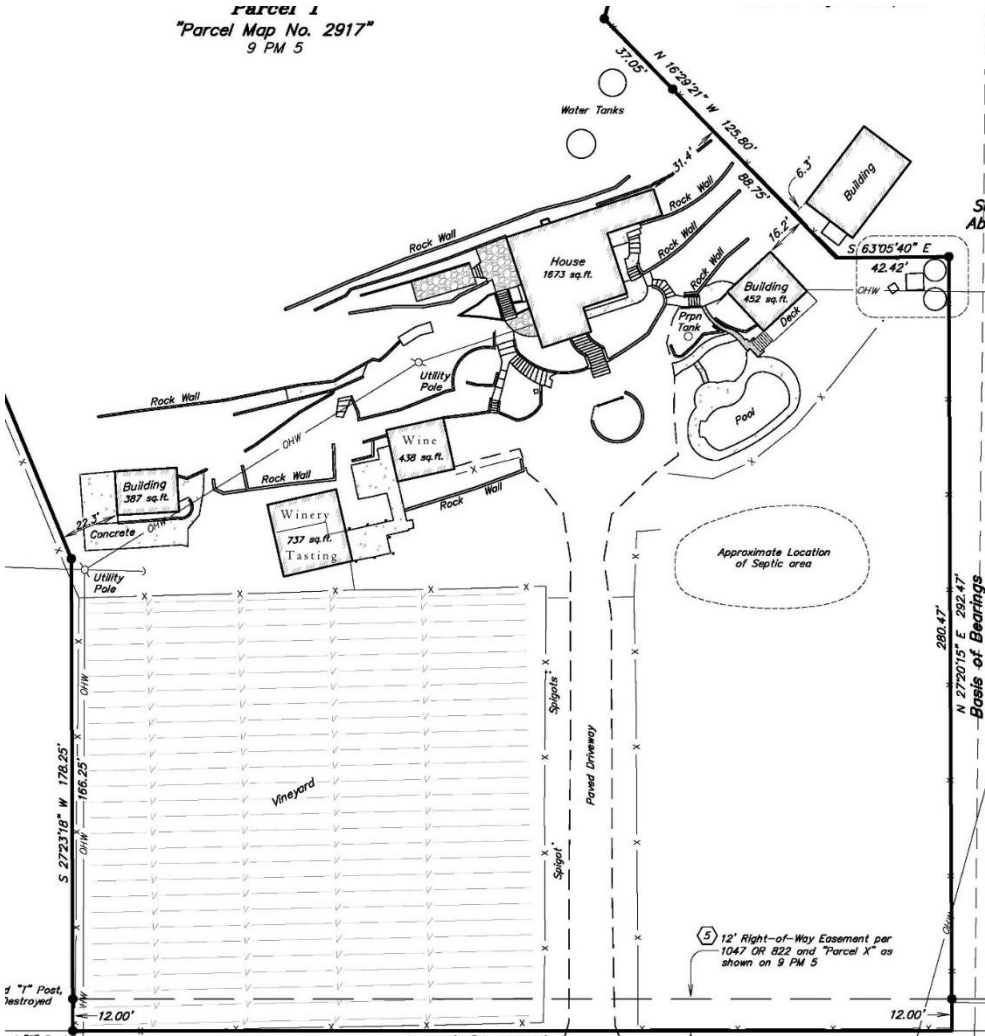
- Construction of an addition to the existing winery building converting it to hospitality uses.
- Demolition of the existing wine storage building.
- Construction of a new Type III wine cave.
- Increase up to 3 full time and 2 part time employees on site.
- Maintain existing daily visitation entitlement limit of 30 visitors and increase weekly visitation from the currently entitled 100 people per week to 210 people per week which will accommodate the already entitled 30 visitors per day, 7 days per week. Includes catered food pairings.
- Addition of 2 annual marketing events with up to 50 guests at each featuring catered food and wine pairing dinners.
- Improvements to the existing driveway and parking lot in compliance with the County Road and Street Standards.
- Authorization of onsite consumption of wine pursuant to AB 2004 (Evans).
- Removal of restriction on outdoor wine tasting and marketing events.

EXISTING SITE CONDITIONS AND USES

Ladera Winery is currently housed in two buildings, one of 737 square feet and one of 438 square feet and totaling 1,175 square feet,¹ situated 206 feet east of the Silverado Trail, and only 5 minutes from downtown Calistoga. The Winery is accessed from the Silverado Trail.

The Winery is presently approved for 20,000 gallons of wine production, with which it is compliant. The existing winery driveway will remain as is and an additional driveway will be added to separate access as between tasting visitors and winery employees as per the attached plans. A visitor 8 space parking lot will be added to accommodate Tasting Room needs.

¹ As noted above, the Winery recognizes this square footage is beyond what it is currently entitled to (775 square feet total). This has been considered in connection with this proposal and the requested expansion would be an addition to the entitled 775 square feet, for a maximum total of 10,775 square feet to comply with NCC 18.124.130.



EXISTING SITE IMPROVEMENTS

See Table 1, below to compare current and proposed operations:

TABLE 1

	Current Use Permit (per Status Determination)2	Existing Conditions To Be Recognized	Proposed Conditions
Hours of Operation	M-SU 11:00am-4:30 pm	Same	Production M-SU, 7am- 5pm (24hrs during harvest) Visitation M-SU, 10 am-4:30 pm
Employees	Two (2)	Same	Maximum of Five (5) employees on site, Three (3) full-time, Two (2) part-time
Visitation	30/day, 100/week	Same	30/day, 210/week
Marketing Events	None	Same	2/year, Max 50 Persons
Outdoor Activities	None	None	Wine tasting and Marketing activities

a. Type And Size Of Development

i. Hospitality Building and Production Cave Improvements

This application proposes to develop a new Type III cave, including spaces for barrel aging, fermentation and production offices. This application also proposes to expand the existing winery building and convert to hospitality uses including two outdoor tasting areas and demolish the existing wine storage building. (propose additional square footage of expanded building and new cave not to exceed 10,000 sq. ft.)

ii. Driveway and Site Improvements

The existing driveway will remain as it is currently configured and lead to a new visitor parking lot adjacent to the updated tasting room. There will be an additional winery production access road added

so that tasting room traffic can be separated from winery drive access, all as shown on the attached plans.

Cave tailings resulting from cave construction will be used to construct a berm between what is now an open field and the Silverado Trail generally in the southwest corner of the property. After construction of this berm, it will be landscaped to hide the rock and add aesthetic value and screening.

DAYS OF THE WEEK AND HOURS OF OPERATION

The status determination identified the current hours as Monday-Sunday, 11:00 am-4:30 pm, based on the use permit application form of the Winery’s prior owner. The Winery proposes to formally set hours of production from 7:00am to 5:00pm and visitation hours from 10:00am to 4:30 pm, seven days per week (production allowed 24 hours per day during harvest season). Marketing event hours are set forth below in the discussion of the marketing program.

EMPLOYEE HEAD COUNT

Employee headcount is proposed to increase to five (5), with three (3) full-time and two (2) part-time. The Winery will have a number of employees who are on site only occasionally or not at all. The Winery encourages many of its employees to work from home, reducing vehicle miles travelled. On average, only approximately two to three (2-3) employees are expected to be on site on a normal day, though it may have up to two (2) additional employees on site part time. The winery also may have interns assist during harvest. As such, a provision for five (5) employees on site at any one time would provide the Winery with some flexibility and room for limited growth.

VISITATION

Using the County’s average trip per day calculator, the proposed winery uses will result in approximately 38 trips per day. Visitation will be limited on the two days of the year on which marketing events will occur in order to ensure average daily trips do not exceed 40. Actual trips may be further reduced by use of larger capacity vehicles and encouraging ridesharing that could result in more passengers per vehicle than assumed in the County’s trip calculator.

ADDITIONAL LICENSES OR APPROVALS

The Winery has all required licenses to operate.

WATER SUPPLY AND WASTE HANDLING.

A septic system, as previously approved, is sufficient for all domestic waste treatment for the activities proposed herein.

a. Water Availability

The winery uses on-site water from a well as its primary water source. A Water Availability Analysis will be prepared and submitted along with the application.

b. Wastewater Feasibility

Processed waste water is treated on site. Domestic waste is likewise handled on site by the existing septic fields. Confirmation of the adequacy of these systems will be provide along with the application.

c. Solid Waste and Recycling

Solid waste and recycling is to be stored on site in the designated locations within the cave production space prior to offsite disposal. The production space is designed to allow for free movement of vehicles in designated areas.

II. ADDITIONAL APPLICATION SECTION DISCUSSIONS

1. Marketing Program

a. Semi-Annual Wine Club Events

Two (2) events for up to 50 guests, held approximately every six months, featuring catered food and wine pairing dinners.

2. Food Service

All food service is to be catered, and consistent with the definitions of “Tours and Tastings” and “Marketing of Wine” in Napa County Code, which provides that Tours and Tastings may include “food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine.”² Food service at tours and tastings will not involve menu options and meal service such that the winery functions as a café or restaurant. Food service at marketing events will include food and wine pairing dinners.

III. STREET SETBACK EXCEPTION REQUESTS

The existing entitled winery structures on the property predate the 600-foot winery setback from Silverado Trail. Per the Napa County Code (“NCC”), the proposed improvement to the hospitality building is an expansion of an existing winery structure – expansion will extend further away from the street, not closer to it.³ Further underground portions of caves are not subject to the winery setback requirements, but cave portals are required to meet said requirements only if the portal is visible from the applicable road.⁴ The cave portal(s) will be built to such that they will be not visible from Silverado Trail. Thus, the developments associated with this project qualify for the applicable exceptions and can be approved within the winery setback.

² NCC 18.08.620.

³ NCC 18.104.230(B).

⁴ NCC 18.104.230(A)(1).



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A Commitment to Service

FILE # _____

**NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES**
1195 THIRD STREET, SUITE 210, NAPA, CALIFORNIA, 94559 • (707) 253-4417

APPLICATION FOR VIEWSHED PROTECTION PROGRAM

FOR OFFICE USE ONLY

ZONING DISTRICT: _____ DATE SUBMITTED: _____
TYPE OF APPLICATION: _____ DATE PUBLISHED: _____
REQUEST: _____

Project Type: Structure ___ Driveway ___ Road ___ Reservoir ___ Mass Grading ___ Other _____

Other Permits Applied/Pending/Required:

ECP ___ Grading Permit ___ Use Permit ___ Variance ___

SDSDS ___ Groundwater Permit: _____

_____ # _____ # _____ # _____ # _____ # _____

Review Agencies: PBES: X County Consultant: ___ Name/Contact: _____

Final Approval: PBES X Date: ___/___/___ Conditions: Yes ___ No ___

TO BE COMPLETED BY APPLICANT
(Please type or print legibly)

Applicant's Name: Ladera Vineyards

Telephone #: (707) 337 - 4420 Fax #: () - E-Mail: pls@laderavineyards.com

Mailing Address: 3942 Silverado Trail Calistoga, CA 94515
No. Street City State Zip

Status of Applicant's Interest in Property: Owner

Property Pat Stotesbery Owner's Name: _____

Telephone #: (707) 337 - 4420 Fax #: () - E-Mail: pls@laderavineyards.com

Mailing Address: PO Box 313 St. Helena, CA 94574
No. Street City State Zip

Site Address/Location: 3942 Silverado Trail Calistoga, CA 94515
No. Street City State Zip

Assessor's Parcel #: 021 - 030 - 047 Parcel Size: 7.44 acres Development Area Size: _____ acres

Slope Range of Development Area: 17.8 % to 38.7 % avg. 25.3% As discussed, analysis is limited to cave and cave portals.

(NOTE: Contour map/survey is required for all development areas with an estimated slope of 15% or greater and for all road/driveway projects, Contour map must include all areas within 100' of the cut and fill edges. Percent slope shall be calculated and presented as whole numbers. (Please see attached Slope Determination Methodology)

I hereby certify that all the information contained in this application, including but not limited to, this application form, the supplemental information sheets, site plan, plot plan, cross sections/elevations, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for evaluation of this application and preparation of reports related thereto, including the right of access to the property involved.

Pat Stotesbery 3/31/22 _____
Signature of Applicant Date Signature of Property Owner Date

Print Name

Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Application Fee: \$ _____ Receipt. No. _____ Received by: _____ Date: _____

INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.



Applicant

3/31/22

Date

Property Owner (if other than Applicant)

Project Identification

Ladera Vineyards

Viewshed Analysis - Revised July 2022



Legend



Viewing points



Property Line

VIEW 1

3.7% Visible (SEE ORANGE SHADED PORTION OF VISABLE CAVE FRONT)



NB : Model generated in Rhino with GIS contour data.

VIEW 2

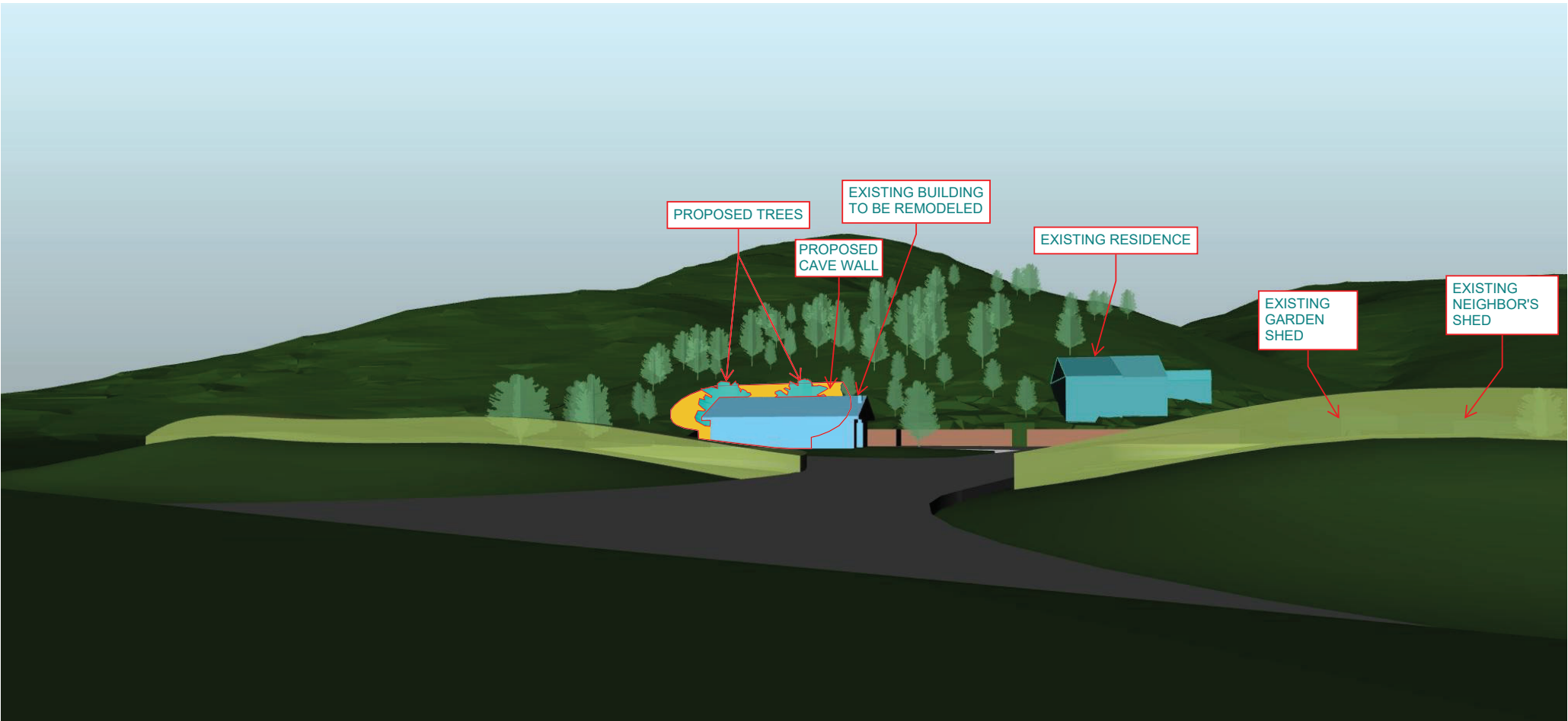
4.2% Visible (SEE ORANGE SHADED PORTION OF VISABLE CAVE FRONT)



NB : Model generated in Rhino with GIS contour data.

VIEW 3

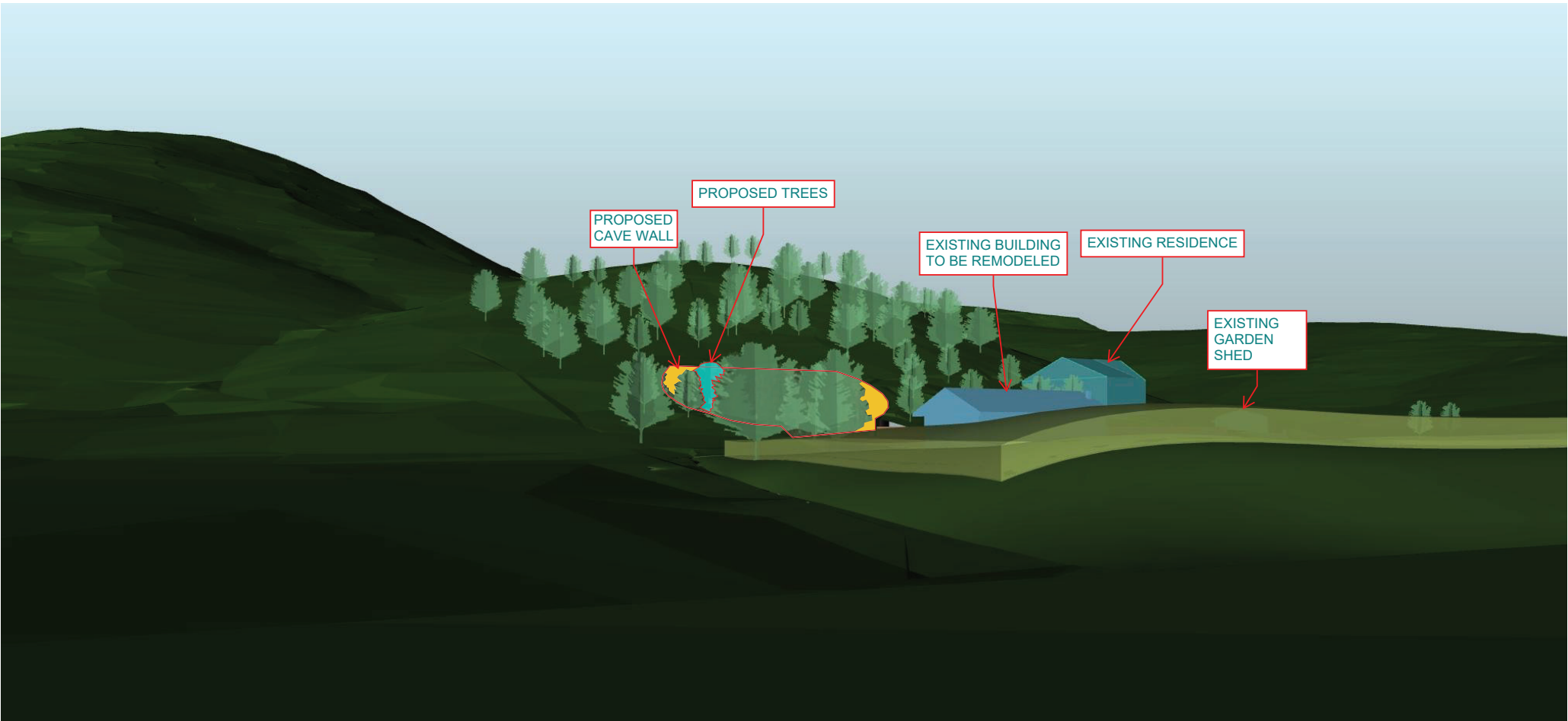
18.4% Visible (SEE ORANGE SHADED PORTION OF VISABLE CAVE FRONT)



NB : Model generated in Rhino with GIS contour data.

VIEW 4

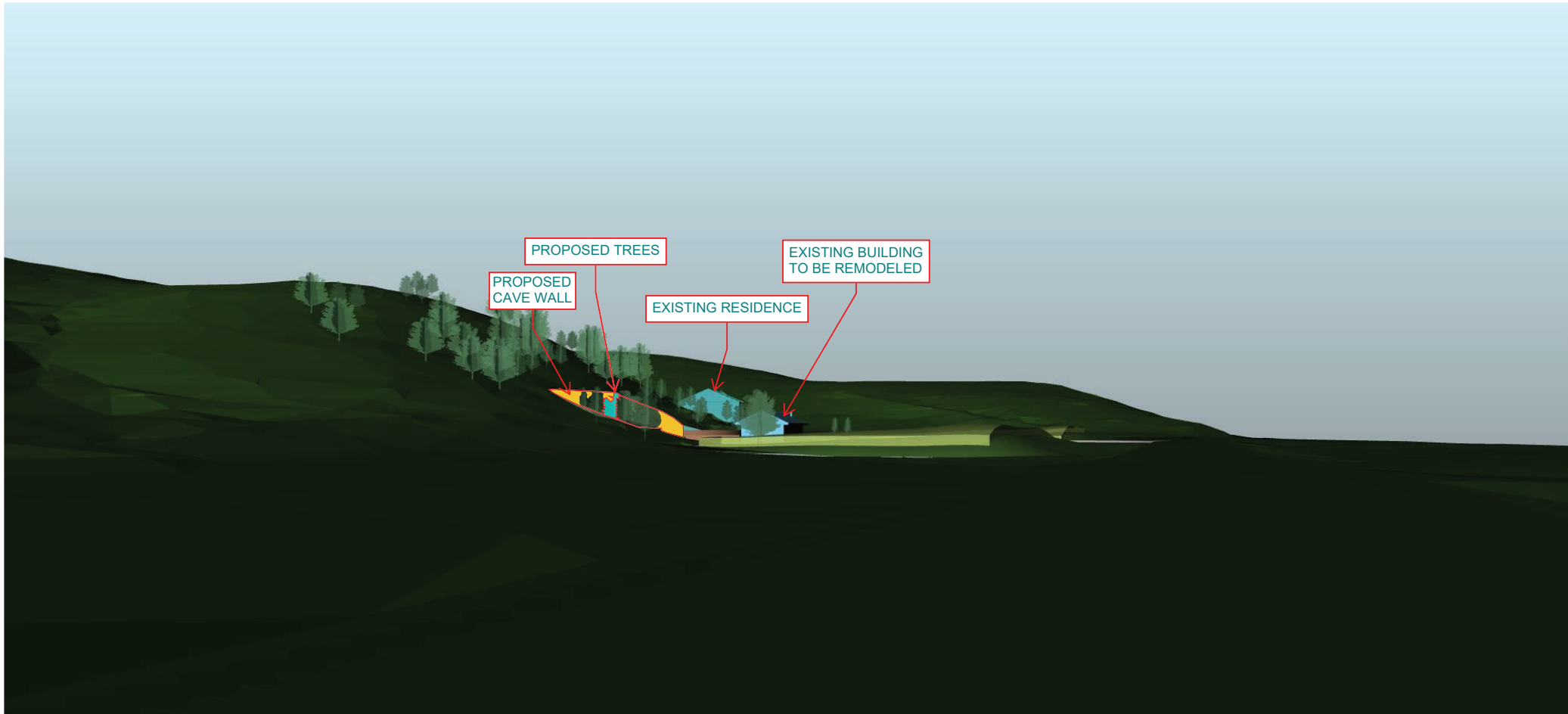
9% Visible (SEE ORANGE SHADED PORTION OF VISABLE CAVE FRONT)



NB : Model generated in Rhino with GIS contour data.

VIEW 5

27.7% Visible (SEE ORANGE SHADED PORTION OF VISABLE CAVE FRONT)



NB : Model generated in Rhino with GIS contour data.

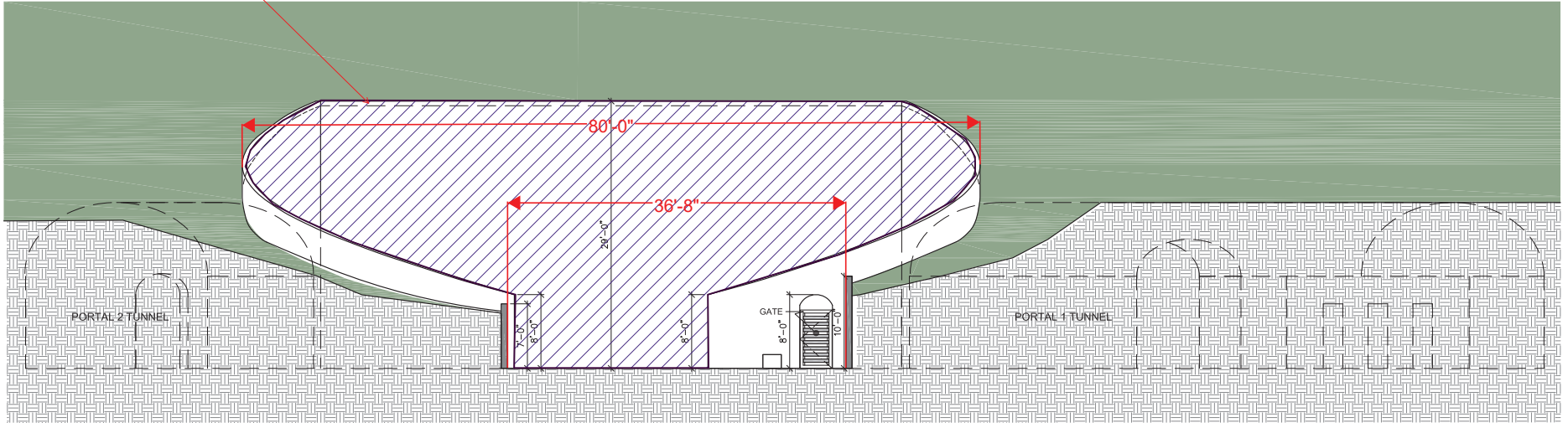
C:\USERS\DOUG\DOCUMENTS\1-05-ARCH_2\A-PROJECTS\LADERA VINEYARD USE PERMIT\DRAWINGS\2 0131_1904 PORTALELEVATIONS.DWG - PLOTTED BY DOUG ON 3/20/2022 7:37:34 AM

VIEWSHED WALL HEIGHT EXHIBIT

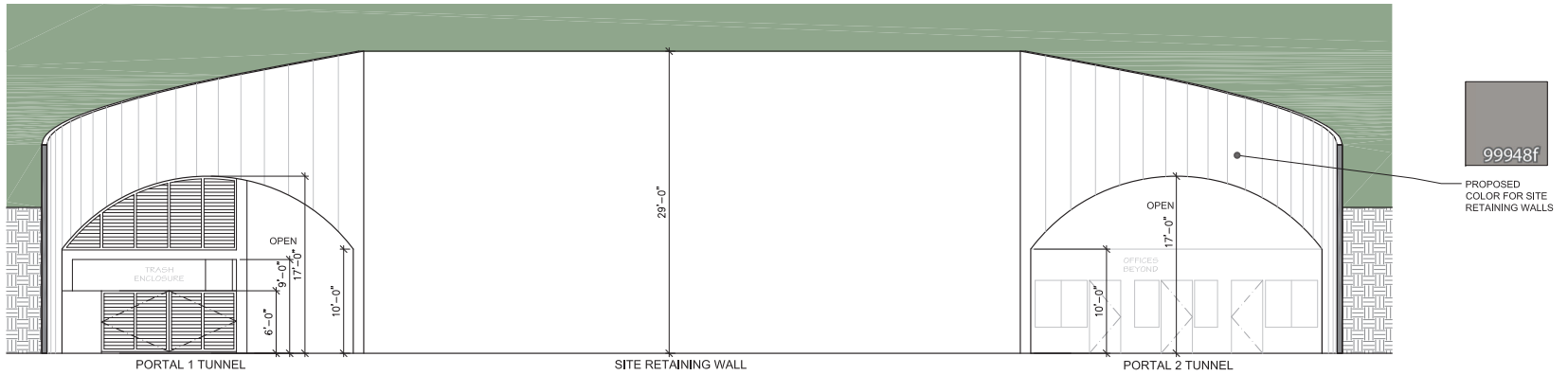
SHERWOOD DESIGN ENGINEERS
JUNE, 2022

Per code section 18.106.040.C.2.b.
"The height of the structure is twenty-four feet or less as measured from finished grade along fifty percent or more of the longest wall as viewed from any designated public road".
80'-0" is the full width of the longest wall.
36'-8" is the portion of wall that is visible with a height greater than 24 feet as measured from finished grade.
50% x 80'-0" = 40'-0" > 36'-8".
More than 50% of the wall is less than 24 feet as measured from finished grade.

OVERALL CAVE FRONT SHOWN
IN HATCHED AREA BELOW.
TOTAL AREA = 1,514SF



1 ELEVATION: DRIVEWAY CUL-DE-SAC
SCALE: 3/16" = 1'-0"



2 ELEVATIONS: PORTALS & SITE RETAINING WALLS at CUL DE SAC
SCALE: 3/16" = 1'-0"

USE PERMIT

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MARCH 2022

LADERA

LADERA VINEYARDS
3942 Silverado Trail Calistoga, CA
APN: 021-030-047

CUL DE SAC
ELEVATIONS

UP-A2.1

osborn siegart
architecture
P O B O X 1 5 5 8
SANTA ROSA, CA 95402
p h : 7 0 7 - 3 2 1 - 5 3 8 9
p h : 7 0 7 - 8 4 9 - 5 3 5 7

