

# **Napa County**

1195 Third Street, Suite 210  
Napa, Ca. 94558



## **Agenda**

**Wednesday, September 28, 2022**

**9:00 AM**

**Via Zoom**

**Zoning Administrator**

**PARTICIPATION IN THE ZONING ADMINISTRATOR MEETING** Napa County ZA meetings will be conducted via teleconference using the Zoom platform.

**To participate in the Napa County ZA meeting, the public are invited to observe and address the meeting telephonically or electronically via Zoom. Instructions for public participation are below:**

The Napa County Zoning Administrator Meeting will continue to meet the 4th Wednesday of each month when a meeting is scheduled.

The Napa County Zoning Administrator realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Please watch or listen to the meetings in one of the following ways: Listen on your cell phone - via Zoom at 1-669-900-6833 Enter Meeting ID 926 1542 3689 once you have joined the meeting. Watch via Live Stream via Zoom by <https://www.zoom.us/join> , and enter Meeting ID 926 1542 3689.

You may submit public comment for any item that appears on the agenda or general public comment for any item or issue that does not appear on the agenda, as follows: Please provide your name and the agenda item on which you are commenting.

Via Email - send your comment to the following email address: [zoningclerk@countyofnapa.org](mailto:zoningclerk@countyofnapa.org)  
Emails received will not be read aloud but will still become part of the public record.

#### Online

1. Use the Zoom attendee link: <https://countyofnapa.zoom.us/j/92615423689>. Make sure the browser is up-to-date.
2. Enter an email address and your name. Your name will be visible online while you are speaking.
3. When the Zoning Administrator calls for the item on which you wish to speak, click “raise hand.” Mute all other audio before speaking to avoid feedback.
4. When called, please limit your remarks to three minutes. After the comment, your microphone will be muted.

#### By Phone

1. Call the Zoom phone number and enter the webinar ID: 1-669-900-6833 Enter Meeting ID 926 1542 3689
2. When the Zoning Administrator calls for the item on which you wish to speak, press \*9 to raise a hand.  
\*\*Please note that phone numbers in their entirety will be visible online while speakers are speaking\*\*
3. Please limit your remarks to three minutes. After the comment has been given, your phone will be muted.

All comments will be heard in the order received.

The above-identified measures exceed all legal requirements for participation and public comment, including those imposed by the Ralph M. Brown Act and Executive Order AB361. If you have any questions, contact us via telephone at (707)253-4417 or send an email to [zoningclerk@countyofnapa.org](mailto:zoningclerk@countyofnapa.org).

**1. AGENDA REVIEW**

**2. PUBLIC HEARING ITEMS**

**A. Live in the Vineyard / Temporary Event Application #P22-00255-E**

**[22-1787](#)**

CEQA Status: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary event license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Application for Temporary Event License filed by FFE Entertainment to hold, Live in the Vineyard. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is hosted by Robert Mondavi Winery and will benefit the Boys and Girls Club of Napa Valley. The event will be held on November 1, 2022, with approximately 600 people in attendance, from 4:30 pm to 7:00 pm. The event will be located at Robert Mondavi Winery, 7801 St. Helena Hwy., Oakville, CA. 94562, Assessor Parcel # 027-280-067-000.

Staff Recommendation: Find that the project is Ministerially Exempt from CEQA and approve the Temporary Event Application.

Staff Contact: Terri Abraham, Planner I, (707) 299-1331, or [terri.abraham@countyofnapa.org](mailto:terri.abraham@countyofnapa.org)

Applicant Contact: Kathy Magner, (707)592-0243, e-mail [kmagner@forefrontnetworks.com](mailto:kmagner@forefrontnetworks.com)

**Attachments:** [A - Application Materials](#)

**B. Live in the Vineyard / Temporary Event Application #P22-00256-E****[22-1789](#)**

CEQA Status: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary event license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Application for Temporary Event License filed by FFE Entertainment to hold, Live in the Vineyard. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is hosted by Raymond Vineyards and will benefit the Boys and Girls Club of Napa Valley. The event will be held on November 2, 2022, with approximately 600 people in attendance, from 12:30 pm to 3:30 pm. The event will be located at Raymond Vineyards, 1584 St. Helena Hwy., St. Helena, CA. 94574, Assessor Parcel # 030-270-013-000.

Staff Recommendation: Find that the project is Ministerially Exempt from CEQA and approve the Temporary Event Application.

Staff Contact: Terri Abraham, Planner I, (707) 299-1331, or [terri.abraham@countyofnapa.org](mailto:terri.abraham@countyofnapa.org)

Applicant Contact: Kathy Magner, (707)592-0243, e-mail [kmagner@forefrontnetworks.com](mailto:kmagner@forefrontnetworks.com)

**Attachments:** [A - Application Materials](#)



## C. Live in the Vineyard / Temporary Event Application #P22-00257-E

[22-1791](#)

CEQA Status: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary event license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Application for Temporary Event License filed by FFE Entertainment to hold, Live in the Vineyard. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is hosted by Calmere Estate and will benefit the Boys and Girls Club of Napa Valley. The event will be held on November 3, 2022, with approximately 400 people in attendance, from 10:00 am to 12:30 pm. The event will be located at Calmere Estate, 2750 Las Amigas Rd., Napa, CA. 94559, Assessor Parcel # 047-272-012-000

Staff Recommendation: Find that the project is Ministerially Exempt from CEQA and approve the Temporary Event Application.

Staff Contact: Terri Abraham, Planner I, (707) 299-1331, or [terri.abraham@countyofnapa.org](mailto:terri.abraham@countyofnapa.org)

Applicant Contact: Kathy Magner, (707)592-0243, e-mail [kmagner@forefrontnetworks.com](mailto:kmagner@forefrontnetworks.com)

**Attachments:** [A - Application Materials](#)

**D. Reza Namini / Headlands Drive / Variance Application #P22-00226-VAR [22-1730](#)**

CEQA Status: Consideration and possible adoption of a Categorical Exemption, Section 15303, Class 3: New Construction or Conversion of Small Structures, from the provisions of CEQA. The project site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5.

Request: Approval of a variance application to allow the continued construction of a single-family home to encroach approximately one (1) to six (6) feet into the required front yard setback whereas 10 feet is required. The southeastern corner of the structure is the closest at three (3) feet from the property line. The project is located on a 0.39-acre parcel within the Rural Residential (RR) General Plan and the Planned Development (PD) Zoning District. 1037 Headlands Drive, Napa, CA 94558. APN: 019-482-003-000

Staff Recommendations: Find the project categorically exempt and approve the variance application, as conditioned.

Staff Contact: Kelli Cahill, Planner III, (707) 265-2325, or [kelli.cahill@countyofnapa.org](mailto:kelli.cahill@countyofnapa.org)

Applicant Contact: Reza Namini, (650) 464-1390, or [rnamini@outlook.com](mailto:rnamini@outlook.com)

**Attachments:** [Attachment A - Findings and Recommendations](#)  
[Attachment B - Recommended Conditions of Approval](#)  
[Attachment C - Categorical Exemption Memorandum](#)  
[Attachment D - Application and Parity Analysis](#)  
[Attachment E - Graphics](#)  
[ZA Hearing Namini Comments.pdf](#)

**3. ADJOURNMENT**

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 9/21/2022 BY 1:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATES IS ON FILE WITH THE SECRETARY OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

ALEXANDRIA QUACKENBUSH (By e-signature)  
Alexandria Quackenbush, Secretary of the Zoning Administrator



# Napa County

## Board Agenda Letter

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Zoning Administrator

**Agenda Date:** 9/28/2022

**File ID #:** 22-1787

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**TO:** NAPA COUNTY ZONING ADMINISTRATOR  
**FROM:** Sean Trippi for David Morrison - Director  
**REPORT BY:** Terri L. Abraham, Planner I - (707) 299-1331  
**SUBJECT:** Live in the Vineyard #P22-00255-E

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### **RECOMMENDATION**

Live in the Vineyard / Temporary Event Application #P22-00255-E

CEQA Status: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary event license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Application for Temporary Event License filed by FFE Entertainment to hold, Live in the Vineyard. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is hosted by Robert Mondavi Winery and will benefit the Boys and Girls Club of Napa Valley. The event will be held on November 1, 2022, with approximately 600 people in attendance, from 4:30 pm to 7:00 pm. The event will be located at Robert Mondavi Winery, 7801 St. Helena Hwy., Oakville, CA. 94562, Assessor Parcel # 027-280-067-000.

Staff Recommendation: Find that the project is Ministerially Exempt from CEQA and approve the Temporary Event Application.

Staff Contact: Terri Abraham, Planner I, (707) 299-1331, or [terri.abraham@countyofnapa.org](mailto:terri.abraham@countyofnapa.org)

Applicant Contact: Kathy Magner, (707)592-0243, e-mail kmagner@forefrontnetworks.com

### **EXECUTIVE SUMMARY**

1. Find that the project is Ministerially Exempt from the CEQA; and
2. Approve Temporary Event License P22-00255-E

#### Discussion:

FFE Entertainment LLC has submitted an application for a temporary event to be held at Robert Mondavi Winery on November 1, 2022, from 4:30 pm to 7:00 pm. The event organizers anticipate approximately 600 guests to attend the event. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event will be open to the public and will be limited by the number of tickets sold.

Staff recommends approval of the requested event.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary events license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

### **BACKGROUND AND DISCUSSION**

Owner/Applicant: Robert Mondavi Winery/FFE Entertainment LLC

Representative: Kathy Magner

Zoning: AP

General Plan Designation: AR

Project Site Area: 93.76 acres; Event to be held outdoors.

Application Submittal Date: July 26, 2022

Code Compliance History: None. There are no open or pending code violations for the subject site.

#### Discussion:

The applicant requests a temporary event to be held on November 1, 2022, from 4:00 pm to 7:00 pm, with approximately 600 guests in attendance. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is open to the public and will be limited by the number of tickets sold.

This application has an attendance of 600, which, per County Code Section 5.36.050b requires a Public Hearing. This Category 4 event meets the criteria, under definitions (5.36.010) "Temporary event or event means any festival, fair, show, showcase, house or garden design tour, concert, dance, rally, parade, demonstration or competition of creative athletic form, or any other gathering or assemblage of individuals for the purpose of observing or engaging in expressive activities within the ambit of the First Amendment of the United States Constitution and Sections 2, 3 and 4 of Article 1 of the California Constitution, including, but not limited to music, dance, theater, speech, athletics, or any other visual, audio, or tactile arts or combination thereof."

The application was deemed complete with the required Insurance Certificate of Insurance, and in compliance with the Temporary Events Manual. Other agencies were notified and have approved their portion of the application.

### **SUPPORTING DOCUMENTS**

A - Application Materials



A Tradition of Stewardship  
A Commitment to Service

FILE # 122-00255-E

**NAPA COUNTY**  
**PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES**  
1195 Third Street, Suite 210, Napa, California, 94559 (707) 253-4417

**APPLICATION FOR A TEMPORARY EVENTS LICENSE**

To be completed by Applicant  
(Please type or print legibly)

Name of Event: Live in the Vineyard Subsequent Event: ☐ Yes ☒ No  
Date(s) of Event: November 1, 2022 Previous Temporary Event Date(s): \_\_\_\_\_  
Time(s) of Event: 4:30pm to 7:00pm Previous License #: \_\_\_\_\_  
Name of Venue: Robert Mondavi Winery Assessor's Parcel #(s): 027-280-067  
Event Site Address: 7801 St. Helena Hwy, Oakville, Ca 94562  
Expected Attendance (per day): 600

Applicant's or Organization's Name: FFE Entertainment, LLC Contact Person: Kathy Magner  
Business/Residence Address: 411 Radam St Austin TX 78745  
No. Street City State Zip  
Mailing Address: 411 Radam St. Austin TX 78745  
No. Street City State Zip  
Telephone #: 707-592-0243 Fax #: \_\_\_\_\_ Email Address: kmagner@forefrontnetworks.cc  
Applicant or authorized representative: Kathy Magner  
Name (please print): Kathy Magner  
Signature: \_\_\_\_\_  
Title: Regional Events Manager Date: 7-26-22  
Applicant's Legal Nature: ☐ Individual ☐ Partnership ☒ LLC ☐ Association  
☐ Corporation ☐ Non-Profit, I.D. # \_\_\_\_\_ ☐ Other \_\_\_\_\_

Name(s) of Property Owner(s) (or authorized representative): Philip Hansell  
Address (es) of Property Owner(s): 7801 St. Helena Hwy Oakville CA 94562  
No. Street City State Zip  
Telephone #: 707-732-1335 Fax #: \_\_\_\_\_ Email Address: philip.hansell@cbrands.com  
Mailing Address: 7801 St. Helena Hwy Oakville CA 94562  
No. Street City State Zip

I hereby give my unconditional consent for all owners or current lessees for the use of my property for the above event and the right of access to the property involved, as are deemed necessary by the Napa County Planning Division for preparation of reports related to this application.

Signature of Property Owner (authorized representative) \_\_\_\_\_ Date: 7-26-22

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Zoning District: \_\_\_\_\_ Category of Event: 4 Existing Use Permit(s) #: \_\_\_\_\_  
Fees: \$ \_\_\_\_\_ Receipt #: \_\_\_\_\_ Received by: TA Date: 7/26/2022

**NAME OF EVENT SUPERVISOR:**

Veronica Castelo

Will the event have any of the following? ☒ Displays, ☐ Demonstrations, ☒ Food tastings, ☐ Beverages sold (offered for sale or given away), ☒ Known person or celebrity appearance, ☐ Sales, book or other signings, ☒ Musical or creative arts presentations.

Please give a detailed description of event: Music Industry event showcasing popular artists as well as up and coming artists. Some funds will be donated to non profits; St. Jude, Musicians on Call

Date(s): 11/1/22 Hours: 4:30pm-7:00pm

Time of expected Peak Hour: 5:00pm

Maximum Daily Attendance

Expected: 600

Expected Attendance

at Peak Hour: 600

**Supportive Retail Sales:**

☐ Yes Type: \_\_\_\_\_

☒ No

**Outdoor Amplified Music Proposed?**

Yes ☒ No ☐

Will the event utilize caves at any time during the event?

Yes ☐ No ☒

Are there any pending Building Permits?

Yes ☒ No ☒ If Yes, # \_\_\_\_\_

Will Tents, Canopies, Pavilions or Food Booths be used at this Event? Yes ☒ No ☐

If Yes, contact Napa County Fire Marshal 30 days prior to event for License Requirements.

Existing Use Permit Number(s) (if applicable): \_\_\_\_\_



## TEMPORARY EVENT SUPPLEMENTAL INFORMATION

1. **Location and number of vehicle parking spaces, method of traffic control.**
  - a) Location(s): ☒ On Site ☐ off Site
  - b) Number of Vehicle Parking Spaces: Paved 330 Unpaved \_\_\_\_\_
  - c) Method of Traffic Control: ☐ Valet Parking ☒ Staff Volunteers
  - d) Parking Attendants for traffic control: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ Specify # \_\_\_\_\_
  - e) A plot plan and verbal description of how off-site parking will be arranged (if applicable):  
Guests will be brought in on busses
  - f) A letter of permission from Property Owner to use the property where the off-site parking will be located has been submitted: ☐ Yes ☐ No ☒ N/A
  
2. **If the event is held at a winery or other business, will the site open to the public during the event?**  
Yes ☐ No ☒
  
3. **Number of attendees will be controlled by use of:** ☒ Number of tickets being sold ☐ Other Talley  
If other, please explain: \_\_\_\_\_
  
4. **Drinking Water Supply and Facilities:**
  - ☒ Drinking water provided by: Winery
  - ☐ Approved on-site system: \_\_\_\_\_
  - ☐ Public Water System (name): \_\_\_\_\_
  - ☐ Bottled Water: \_\_\_\_\_
  
5. **Will food be served at the event?** ☒ Yes ☐ No If YES, complete the following questions:
  - a) Will food vendor donate 100% of net proceeds generated from food sales to a legal non-profit?  
☐ Yes ☒ No, if yes, non-profit ID# \_\_\_\_\_
  - b) Is event a maximum of one day? ☒ Yes ☐ No

If you answered YES to a) AND b) above, a permit for the temporary food facility IS NOT required from Environmental Health. Facility must operate consistent with guidelines.

If you answered NO, or any portion of the profit will be kept by the vendor OR the event is more than one day, an application for the temporary food facility must be approved and a permit issued by Environmental Health. Contact Environmental Health at (707) 253-4471 or visit [www.countyofnapa.org/DEM](http://www.countyofnapa.org/DEM) for an application.

Contact information for person at event with food safety certificate or safe food handling knowledge:  
Name: Jeff Mosher Phone: 707-225-2460  
Date of Food Safety Certificate, if applicable: Cert # 21744812 Exp 2-9-27

Food Preparation and Service (check one):

  - ☐ By a permitted caterer, who will prepare, serve and be responsible for safe food preparation and handling throughout the event.  
Name of Caterer \_\_\_\_\_ Permit ID # of Caterer \_\_\_\_\_
  - ☒ On-site permitted kitchen \_\_\_\_\_ Permit ID # of Kitchen \_\_\_\_\_

Are there additional food vendors ☐ Yes ☒ No If yes, provide us with a list of their names and Permit #s. Temporary food facility permit may be required, contact Environmental Health.



**6. Sanitation Facilities:**

- a) The number of permanent toilet facilities 24 and/or the number of chemical toilets available in the area of the event for guest use?
- b) Company providing the chemical toilets: \_\_\_\_\_

**7. Provisions for cleanup of trash and recyclables, the premises and removal of recyclables and non-recyclables:**

- a) Number of receptacles to be provided for trash 15
- b) Describe location where these receptacles will be placed Located throughout the event
- c) Number of clearly labeled receptacles to be provided for recyclables 8  
(Recycling receptacles should always be placed next to a trash receptacle and near beverage areas.)

**8. Medical Facilities and Services:**

- |  |   |                             |
|--|---|-----------------------------|
| First Aid kit available                        | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Staff trained in First Aid available           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Capabilities of contacting 911 in an emergency | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

**9. Fire Protection Facilities and Procedures:**

- |                                  |   |                             |
|----------------------------------|---|-----------------------------|
| Fire Extinguishers available     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Staff trained in Fire Procedures | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

**10. Building Safety:**

Will any part of the event take place in a building(s) that are under construction and/or within a cave(s)?

Yes ☐ No ☒

If yes, please include a floor plan showing the areas of the building(s) and/or cave(s) where event will take place.

**11. Security Protection Company hired:** ☒ Yes ☐ No

If yes, name of company: Patronus Group Inc.

**12. Dust Control:** ☐ Yes ☐ No**13. Premises Illuminated:** ☒ Yes ☐ No**14. Will Event take place over night:** ☐ Yes ☒ No

a) Arrangements for illuminating the premises have been made: ☐ Yes ☒ No

b) If yes, explain: \_\_\_\_\_

c) What arrangements for camping or similar facilities are being made: \_\_\_\_\_

**15. Insurance attached and approved by Risk Management:** ☒ Yes ☐ No

(NOTE: Insurance subject to final review by Risk Manager and could result in delay, or cancelation of event).

**16. Defense and Indemnification Statement has been read, signed and attached:** ☒ Yes ☐ No









# Napa County

## Board Agenda Letter

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Zoning Administrator

**Agenda Date:** 9/28/2022

**File ID #:** 22-1789

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**TO:** NAPA COUNTY ZONING ADMINISTRATOR  
**FROM:** Sean Trippi for David Morrison - Director  
**REPORT BY:** Terri L. Abraham, Planner I - (707) 299-1311  
**SUBJECT:** Live in the Vineyard #P22-00256-E

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### **RECOMMENDATION**

Live in the Vineyard / Temporary Event Application #P22-00256-E

CEQA Status: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary event license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Application for Temporary Event License filed by FFE Entertainment to hold, Live in the Vineyard. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is hosted by Raymond Vineyards and will benefit the Boys and Girls Club of Napa Valley. The event will be held on November 2, 2022, with approximately 600 people in attendance, from 12:30 pm to 3:30 pm. The event will be located at Raymond Vineyards, 1584 St. Helena Hwy., St. Helena, CA. 94574, Assessor Parcel # 030-270-013-000.

Staff Recommendation: Find that the project is Ministerially Exempt from CEQA and approve the Temporary Event Application.

Staff Contact: Terri Abraham, Planner I, (707) 299-1331, or [terri.abraham@countyofnapa.org](mailto:terri.abraham@countyofnapa.org)

Applicant Contact: Kathy Magner, (707)592-0243, e-mail kmagner@forefrontnetworks.com

## **EXECUTIVE SUMMARY**

That the Zoning Administrator:

1. Find that the project is Ministerially Exempt from the CEQA; and
2. Approve Temporary Event License P22-00256-E

Discussion:

FFE Entertainment LLC has submitted an application for a temporary event to be held at Raymond Vineyards on November 2, 2022, from 12:30 pm to 3:30 pm. The event organizers anticipate approximately 600 guests to attend the event. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event will be open to the public and will be limited by the number of tickets sold.

Staff recommends approval of the requested event.

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary events license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

## **BACKGROUND AND DISCUSSION**

Owner/Applicant: Raymond Vineyards/FFE Entertainment LLC

Representative: Kathy Magner

Zoning: AP

General Plan Designation: Ag Resource

Project Site Area: 59.90 acres; Event to be held outdoors.

Application Submittal Date: July 26, 2022

Code Compliance History: There is one open/pending code violation for the subject site, but Code Enforcement has approved this application.

Discussion:

The applicant requests a temporary event to be held on November 2, 2022, from 12:30 pm to 3:30 pm, with approximately 600 guests in attendance. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is open to the public and will be limited by the number of tickets sold.

This application has an attendance of 600, which, per County Code Section 5.36.050b requires a Public Hearing. This Category 4 event meets the criteria, under definitions (5.36.010) "Temporary event or event means any festival, fair, show, showcase, house or garden design tour, concert, dance, rally, parade, demonstration or competition of creative athletic form, or any other gathering or assemblage of individuals for the purpose of observing or engaging in expressive activities within the ambit of the First Amendment of the United States Constitution and Sections 2, 3 and 4 of Article 1 of the California Constitution, including, but not limited to music, dance, theater, speech, athletics, or any other visual, audio, or tactile arts or combination thereof."

The application was deemed complete with the required Insurance Certificate of Insurance, and in compliance with the Temporary Events Manual. Other agencies were notified and have approved their portion of the application.

## **SUPPORTING DOCUMENTS**

A - Application Materials



A Tradition of Stewardship  
A Commitment to Service

FILE # 22-00256

18

**NAPA COUNTY**  
**PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES**  
1195 Third Street, Suite 210, Napa, California, 94559 (707) 253-4417

**APPLICATION FOR A TEMPORARY EVENTS LICENSE**

To be completed by Applicant  
(Please type or print legibly)

Name of Event: Live in the Vineyard Subsequent Event: ☐ Yes ☒ No  
Date(s) of Event: November 2, 2022 Previous Temporary Event Date(s): \_\_\_\_\_  
Time(s) of Event: 12:30pm to 3:30pm Previous License #: \_\_\_\_\_  
Name of Venue: Raymond Vineyards Assessor's Parcel #(s): 030-270-013  
Event Site Address: 1584 St. Helena Hwy, St. Helena, Ca 94574  
Expected Attendance (per day): 600

Applicant's or Organization's Name: FFE Entertainment, LLC Contact Person: Kathy Magner  
Business/Residence Address: 411 Radam St Austin TX 78745  
No. Street City State Zip  
Mailing Address: 411 Radam St Austin TX 78745  
No. Street City State Zip  
Telephone #: 707-592-0243 Fax #: \_\_\_\_\_ Email Address: kmagner@forefrontnetworks.cc  
Applicant or authorized representative: Kathy Magner  
Name (please print): Kathy Magner  
Signature: \_\_\_\_\_  
Title: Regional Events Manager Date: 7-26-22  
Applicant's Legal Nature: ☐ Individual ☐ Partnership ☒ LLC ☐ Association  
☐ Corporation ☐ Non-Profit, I.D. # \_\_\_\_\_ ☐ Other \_\_\_\_\_

Name(s) of Property Owner(s) (or authorized representative): Donnell Shuster  
Address (es) of Property Owner(s): 1584 St. Helena Hwy St. Helena CA 94574  
No. Street City State Zip  
Telephone #: 707-889-1632 Fax #: \_\_\_\_\_ Email Address: donnell.shuster@boisset.com  
Mailing Address: 1584 St. Helena Hwy St. Helena CA 94574  
No. Street City State Zip

I hereby give my unconditional consent for all owners or current lessees for the use of my property for the above event and the right of access to the property involved, as are deemed necessary by the Napa County Planning Division for preparation of reports related to this application.

Signature of Property Owner (authorized representative) \_\_\_\_\_ Date: 7/26/22

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Zoning District: \_\_\_\_\_ Category of Event: 4 Existing Use Permit(s) #: \_\_\_\_\_  
Fees: \$ \_\_\_\_\_ Receipt #: \_\_\_\_\_ Received by: TA Date: 7/26/2022

**NAME OF EVENT SUPERVISOR:**

Veronica Castelo

Will the event have any of the following? ☒ Displays, ☐ Demonstrations, ☒ Food tastings, ☐ Beverages sold (offered for sale or given away), ☒ Known person or celebrity appearance, ☐ Sales, book or other signings, ☒ Musical or creative arts presentations.

Please give a detailed description of event: Music Industry event showcasing popular artists as well as up and coming artists. Some funds will be donated to non profits; St. Jude, Musicians on Call

Date(s): 11/2/22 Hours: 12:30pm-3:30pm  
Time of expected Peak Hour: 1:00pm

Maximum Daily Attendance

Expected: 600

Expected Attendance  
at Peak Hour: 600

Supportive Retail Sales:

☐ Yes Type: \_\_\_\_\_  
☒ No

Outdoor Amplified Music Proposed?

Yes ☒ No ☐

Will the event utilize caves at any time during the event?

Yes ☐ No ☒

Are there any pending Building Permits?

Yes ☒ No ☐ If Yes, # BC2200950 & B17-01129

Will Tents, Canopies, Pavilions or Food Booths be  
used at this Event? Yes ☒ No ☐

If Yes, contact Napa County Fire Marshal 30 days  
prior to event for License Requirements.

Existing Use Permit Number(s) (if applicable): \_\_\_\_\_



## TEMPORARY EVENT SUPPLEMENTAL INFORMATION

**1. Location and number of vehicle parking spaces, method of traffic control.**

- a) Location(s): ☒ On Site ☐ off Site
- b) Number of Vehicle Parking Spaces: Paved 100 Unpaved 100
- c) Method of Traffic Control: ☐ Valet Parking ☒ Staff Volunteers
- d) Parking Attendants for traffic control: ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ Specify # \_\_\_\_\_
- e) A plot plan and verbal description of how off-site parking will be arranged (if applicable):  
Guests will be brought in on busses
- f) A letter of permission from Property Owner to use the property where the off-site parking will be located has been submitted: ☐ Yes ☐ No ☒ N/A

**2. If the event is held at a winery or other business, will the site open to the public during the event?**  
 Yes ☐ No ☒

**3. Number of attendees will be controlled by use of:** ☒ Number of tickets being sold ☐ Other Talley  
 If other, please explain: \_\_\_\_\_

**4. Drinking Water Supply and Facilities:**

- ☒ Drinking water provided by: Winery
- ☐ Approved on-site system: \_\_\_\_\_
- ☐ Public Water System (name): \_\_\_\_\_
- ☐ Bottled Water: \_\_\_\_\_

**5. Will food be served at the event?** ☒ Yes ☐ No If YES, complete the following questions:

- a) Will food vendor donate 100% of net proceeds generated from food sales to a legal non-profit?  
☐ Yes ☒ No, if yes, non-profit ID# \_\_\_\_\_
- b) Is event a maximum of one day? ☒ Yes ☐ No

If you answered YES to a) AND b) above, a permit for the temporary food facility IS NOT required from Environmental Health. Facility must operate consistent with guidelines.

If you answered NO, or any portion of the profit will be kept by the vendor OR the event is more than one day, an application for the temporary food facility must be approved and a permit issued by Environmental Health. Contact Environmental Health at (707) 253-4471 or visit [www.countyofnapa.org/DEM](http://www.countyofnapa.org/DEM) for an application.

Contact information for person at event with food safety certificate or safe food handling knowledge:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Date of Food Safety Certificate, if applicable: \_\_\_\_\_

Food Preparation and Service (check one):

☒ By a permitted caterer, who will prepare, serve and be responsible for safe food preparation and handling throughout the event.

Name of Caterer Oakville Grocery Permit ID # of Caterer \_\_\_\_\_

☐ On-site permitted kitchen \_\_\_\_\_ Permit ID # of Kitchen \_\_\_\_\_

Are there additional food vendors ☐ Yes ☒ No If yes, provide us with a list of their names and Permit #s. Temporary food facility permit may be required, contact Environmental Health.



6. **Sanitation Facilities:**  
 a) The number of permanent toilet facilities 4 and/or the number of chemical toilets available in the area of the event for guest use?  
 b) Company providing the chemical toilets: 6 portable restrooms - American Sanitation
- 
7. **Provisions for cleanup of trash and recyclables, the premises and removal of recyclables and non-recyclables:**  
 a) Number of receptacles to be provided for trash 15  
 b) Describe location where these receptacles will be placed Located throughout the event  
 c) Number of clearly labeled receptacles to be provided for recyclables 8  
 (Recycling receptacles should always be placed next to a trash receptacle and near beverage areas.)
8. **Medical Facilities and Services:**  
 First Aid kit available ☒ Yes ☐ No  
 Staff trained in First Aid available ☐ Yes ☒ No  
 Capabilities of contacting 911 in an emergency ☒ Yes ☐ No  
*will have a nurse on site*
9. **Fire Protection Facilities and Procedures:**  
 Fire Extinguishers available ☒ Yes ☐ No  
 Staff trained in Fire Procedures ☐ Yes ☐ No
10. **Building Safety:**  
 Will any part of the event take place in a building(s) that are under construction and/or within a cave(s)?  
 Yes ☐ No ☒  
 If yes, please include a floor plan showing the areas of the building(s) and/or cave(s) where event will take place.
11. **Security Protection Company hired:** ☒ Yes ☐ No  
 If yes, name of company: Patronus Group Inc.
12. **Dust Control:** ☐ Yes ☒ No
13. **Premises Illuminated:** ☒ Yes ☐ No
14. **Will Event take place over night:** ☐ Yes ☒ No  
 a) Arrangements for illuminating the premises have been made: ☐ Yes ☒ No  
 b) If yes, explain: \_\_\_\_\_  
 c) What arrangements for camping or similar facilities are being made: \_\_\_\_\_
- 
15. **Insurance attached and approved by Risk Management:** ☒ Yes ☐ No  
 (NOTE: Insurance subject to final review by Risk Manager and could result in delay, or cancelation of event).
16. **Defense and Indemnification Statement has been read, signed and attached:** ☒ Yes ☐ No









# Napa County

## Board Agenda Letter

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Zoning Administrator

**Agenda Date:** 9/28/2022

**File ID #:** 22-1791

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**TO:** NAPA COUNTY ZONING ADMINISTRATOR  
**FROM:** Sean Trippi for David Morrison - Director  
**REPORT BY:** Terri L. Abraham, Planner I - (707) 299-1331  
**SUBJECT:** Live in the Vineyard #P22-00257-E

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### **RECOMMENDATION**

Live in the Vineyard / Temporary Event Application #P22-00257-E

CEQA Status: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary event license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Application for Temporary Event License filed by FFE Entertainment to hold, Live in the Vineyard. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is hosted by Calmere Estate and will benefit the Boys and Girls Club of Napa Valley. The event will be held on November 3, 2022, with approximately 400 people in attendance, from 10:00 am to 12:30 pm. The event will be located at Calmere Estate, 2750 Las Amigas Rd., Napa, CA. 94559, Assessor Parcel # 047-272-012-000

Staff Recommendation: Find that the project is Ministerially Exempt from CEQA and approve the Temporary Event Application.

Staff Contact: Terri Abraham, Planner I, (707) 299-1331, or [terri.abraham@countyofnapa.org](mailto:terri.abraham@countyofnapa.org)

Applicant Contact: Kathy Magner, (707)592-0243, e-mail kmagner@forefrontnetworks.com

## **EXECUTIVE SUMMARY**

That the Zoning Administrator:

1. Find that the project is Ministerially Exempt from the CEQA; and
2. Approve Temporary Event License P22-00257-E

### **Discussion:**

FFE Entertainment LLC has submitted an application for a temporary event to be held at Calmere Estate on November 3, 2022, from 10:00 am to 12:30 pm. The event organizers anticipate approximately 400 guests to attend the event. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event will be open to the public and will be limited by the number of tickets sold.

Staff recommends approval of the requested event.

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act (CEQA) and Sections 15022 and 15268 of the State CEQA Guidelines issuance/approval of a temporary events license shall be conclusively presumed to be ministerially exempt from the requirements of CEQA and thus preparation of an environmental document is not required. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

## **BACKGROUND AND DISCUSSION**

Owner/Applicant: Calmere Estate/FFE Entertainment LLC

Representative: Kathy Magner

Zoning: AW

General Plan Designation: AWOS

Project Site Area: 49.67 acres; Event to be held outdoors.

Application Submittal Date: July 26, 2022

Code Compliance History: There is one open/pending code violation for the subject site, but Code Enforcement has approved this application.

Discussion:

The applicant requests a temporary event to be held on November 3, 2022, from 10:00 am to 12:30 pm, with approximately 400 guests in attendance. The event will feature a music industry event, showcasing popular artists as well as up and coming artists. The event is open to the public and will be limited by the number of tickets sold.

This application has an attendance of 400, which, per County Code Section 5.36.050b requires a Public Hearing. This Category 4 event meets the criteria, under definitions (5.36.010) "Temporary event or event means any festival, fair, show, showcase, house or garden design tour, concert, dance, rally, parade, demonstration or competition of creative athletic form, or any other gathering or assemblage of individuals for the purpose of observing or engaging in expressive activities within the ambit of the First Amendment of the United States Constitution and Sections 2, 3 and 4 of Article 1 of the California Constitution, including, but not limited to music, dance, theater, speech, athletics, or any other visual, audio, or tactile arts or combination thereof."

The application was deemed complete with the required Insurance Certificate of Insurance, and in compliance with the Temporary Events Manual. Other agencies were notified and have approved their portion of the application.

## **SUPPORTING DOCUMENTS**

A - Application Materials



A Tradition of Stewardship  
A Commitment to Service

FILE # 22-00257

**NAPA COUNTY**  
**PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES**  
1195 Third Street, Suite 210, Napa, California, 94559 (707) 253-4417

**APPLICATION FOR A TEMPORARY EVENTS LICENSE**

To be completed by Applicant  
(Please type or print legibly)

Name of Event: Live in the Vineyard Subsequent Event: ☐ Yes ☒ No  
Date(s) of Event: November 3, 2022 Previous Temporary Event Date(s): \_\_\_\_\_  
Time(s) of Event: 10:00am to 12:30pm Previous License #: \_\_\_\_\_  
Name of Venue: Calmere Estate Assessor's Parcel #(s): 047-272-012  
Event Site Address: 2750 Las Amigas Rd, Napa CA 94559  
Expected Attendance (per day): 400

Applicant's or Organization's Name: FFE Entertainment, LLC Contact Person: Kathy Magner  
Business/Residence Address: 411 Radam St Austin TX 78745  
No. Street City State Zip  
Mailing Address: 411 Radam St. Austin TX 78745  
No. Street City State Zip  
Telephone #: 707-592-0243 Fax #: \_\_\_\_\_ Email Address: kmagner@forefrontnetworks.cc  
Applicant or authorized representative: Kathy Magner  
Name (please print): Kathy Magner  
Signature: \_\_\_\_\_  
Title: Regional Events Manager Date: 7-26-22  
Applicant's Legal Nature: ☐ Individual ☐ Partnership ☒ LLC ☐ Association  
☐ Corporation ☐ Non-Profit, I.D. # \_\_\_\_\_ ☐ Other \_\_\_\_\_

Name(s) of Property Owner(s) (or authorized representative): Ann Marie Howle  
Address (es) of Property Owner(s): 2750 Las Amigas Rd Napa CA 94559  
No. Street City State Zip  
Telephone #: 707-227-5069 Fax #: \_\_\_\_\_ Email Address: ahowle@peju.com  
Mailing Address: 2750 Las Amigas Rd Napa CA 94559  
No. Street City State Zip

I hereby give my unconditional consent for all owners or current lessees for the use of my property for the above event and the right of access to the property involved, as are deemed necessary by the Napa County Planning Division for preparation of reports related to this application.

Signature of Property Owner (authorized representative) \_\_\_\_\_ Date: 7/26/22

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Zoning District: \_\_\_\_\_ Category of Event: 4 Existing Use Permit(s) #: \_\_\_\_\_  
Fees: \$ \_\_\_\_\_ Receipt: # \_\_\_\_\_ Received by: TA Date: 7/26/2022

**NAME OF EVENT SUPERVISOR:**

Veronica Castelo

Will the event have any of the following? ☒ Displays, ☐ Demonstrations, ☒ Food tastings, ☐ Beverages sold (offered for sale or given away), ☒ Known person or celebrity appearance, ☐ Sales, book or other signings, ☒ Musical or creative arts presentations.

Please give a detailed description of event: Music Industry event showcasing popular artists as well as up and coming artists. Some funds will be donated to non profits; St. Jude, Musicians on Call

Date(s): 11/3/22 Hours: 10am-12:30pm

Time of expected Peak Hour: 10:30am

Maximum Daily Attendance

Expected: 400

Expected Attendance

at Peak Hour: 400

**Supportive Retail Sales:**

☐ Yes Type: \_\_\_\_\_  
☒ No

**Outdoor Amplified Music Proposed?**

Yes ☒ No ☐

Will the event utilize caves at any time during the event?

Yes ☐ No ☒

Are there any pending Building Permits?

Yes ☐ No ☒ If Yes, # \_\_\_\_\_

Will Tents, Canopies, Pavilions or Food Booths be used at this Event? Yes ☒ No ☐

If Yes, contact Napa County Fire Marshal 30 days prior to event for License Requirements.

Existing Use Permit Number(s) (if applicable): \_\_\_\_\_



## TEMPORARY EVENT SUPPLEMENTAL INFORMATION

**1. Location and number of vehicle parking spaces, method of traffic control.**

- a) Location(s): ☒ On Site ☐ off Site
- b) Number of Vehicle Parking Spaces: Paved 50 Unpaved 50
- c) Method of Traffic Control: ☐ Valet Parking ☒ Staff Volunteers
- d) Parking Attendants for traffic control: ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ Specify # \_\_\_\_\_
- e) A plot plan and verbal description of how off-site parking will be arranged (if applicable):  
Guests will be brought in on busses
- f) A letter of permission from Property Owner to use the property where the off-site parking will be located has been submitted: ☐ Yes ☐ No ☒ N/A

**2. If the event is held at a winery or other business, will the site open to the public during the event?**  
 Yes ☐ No ☒

**3. Number of attendees will be controlled by use of:** ☒ Number of tickets being sold ☐ Other Talley  
 If other, please explain: \_\_\_\_\_

**4. Drinking Water Supply and Facilities:**

- ☒ Drinking water provided by: Winery
- ☐ Approved on-site system: \_\_\_\_\_
- ☐ Public Water System (name): \_\_\_\_\_
- ☐ Bottled Water: \_\_\_\_\_

**5. Will food be served at the event?** ☒ Yes ☐ No If YES, complete the following questions:

- a) Will food vendor donate 100% of net proceeds generated from food sales to a legal non-profit?  
☐ Yes ☒ No, if yes, non-profit ID# \_\_\_\_\_
- b) Is event a maximum of one day? ☒ Yes ☐ No

If you answered YES to a) AND b) above, a permit for the temporary food facility IS NOT required from Environmental Health. Facility must operate consistent with guidelines.

If you answered NO, or any portion of the profit will be kept by the vendor OR the event is more than one day, an application for the temporary food facility must be approved and a permit issued by Environmental Health. Contact Environmental Health at (707) 253-4471 or visit [www.countyofnapa.org/DEM](http://www.countyofnapa.org/DEM) for an application.

Contact information for person at event with food safety certificate or safe food handling knowledge:

Name: Nicolas Montanez Phone: 707- \_\_\_\_\_  
 Date of Food Safety Certificate, if applicable: Cert # \_\_\_\_\_

Food Preparation and Service (check one):

☐ By a permitted caterer, who will prepare, serve and be responsible for safe food preparation and handling throughout the event.

Name of Caterer \_\_\_\_\_ Permit ID # of Caterer \_\_\_\_\_  
☒ On-site permitted kitchen \_\_\_\_\_ Permit ID # of Kitchen \_\_\_\_\_

Are there additional food vendors ☐ Yes ☒ No If yes, provide us with a list of their names and Permit #s. Temporary food facility permit may be required, contact Environmental Health.



**6. Sanitation Facilities:**

- a) The number of permanent toilet facilities 8 and/or the number of chemical toilets available in the area of the event for guest use?
- b) Company providing the chemical toilets: American Sanitation

**7. Provisions for cleanup of trash and recyclables, the premises and removal of recyclables and non-recyclables:**

- a) Number of receptacles to be provided for trash 10
- b) Describe location where these receptacles will be placed Located throughout the event
- c) Number of clearly labeled receptacles to be provided for recyclables 4  
(Recycling receptacles should always be placed next to a trash receptacle and near beverage areas.)

**8. Medical Facilities and Services:**

- |  |   |                             |
|--|---|-----------------------------|
| First Aid kit available                        | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Staff trained in First Aid available           | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Capabilities of contacting 911 in an emergency | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

*We will  
have a  
Nurse on  
site*

**9. Fire Protection Facilities and Procedures:**

- |                                  |   |                             |
|----------------------------------|---|-----------------------------|
| Fire Extinguishers available     | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Staff trained in Fire Procedures | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

**10. Building Safety:**

Will any part of the event take place in a building(s) that are under construction and/or within a cave(s)?  
Yes ☐ No ☒

If yes, please include a floor plan showing the areas of the building(s) and/or cave(s) where event will take place.

**11. Security Protection Company hired:** ☒ Yes ☐ No

If yes, name of company: Patronus Group Inc.

**12. Dust Control:** ☐ Yes ☒ No**13. Premises Illuminated:** ☒ Yes ☐ No**14. Will Event take place over night:** ☐ Yes ☒ No

a) Arrangements for illuminating the premises have been made: ☐ Yes ☒ No

b) If yes, explain: \_\_\_\_\_

c) What arrangements for camping or similar facilities are being made: \_\_\_\_\_

**15. Insurance attached and approved by Risk Management:** ☒ Yes ☐ No

(NOTE: Insurance subject to final review by Risk Manager and could result in delay, or cancelation of event).

**16. Defense and Indemnification Statement has been read, signed and attached:** ☒ Yes ☐ No









# Napa County

## Board Agenda Letter

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Zoning Administrator

**Agenda Date:** 9/28/2022

**File ID #:** 22-1730

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**TO:** NAPA COUNTY ZONING ADMINISTRATOR  
**FROM:** Charlene Gallina for David Morrison - Director  
**REPORT BY:** Kelli Cahill, Planner III  
**SUBJECT:** Namini Variance P22-00226-VAR

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### **RECOMMENDATION**

Reza Namini / Headlands Drive / Variance Application #P22-00226-VAR

CEQA Status: Consideration and possible adoption of a Categorical Exemption, Section 15303, Class 3: New Construction or Conversion of Small Structures, from the provisions of CEQA. The project site is not included on a list of hazardous materials compiled pursuant to Government Code Section 65962.5.

Request: Approval of a variance application to allow the continued construction of a single-family home to encroach approximately one (1) to six (6) feet into the required front yard setback whereas 10 feet is required. The southeastern corner of the structure is the closest at three (3) feet from the property line. The project is located on a 0.39-acre parcel within the Rural Residential (RR) General Plan and the Planned Development (PD) Zoning District. 1037 Headlands Drive, Napa, CA 94558. APN: 019-482-003-000

Staff Recommendations: Find the project categorically exempt and approve the variance application, as conditioned.

Staff Contact: Kelli Cahill, Planner III, (707) 265-2325, or [kelli.cahill@countyofnapa.org](mailto:kelli.cahill@countyofnapa.org)

Applicant Contact: Reza Namini, (650) 464-1390, or [rnamini@outlook.com](mailto:rnamini@outlook.com)

**EXECUTIVE SUMMARY**

## Proposed Actions:

That the Zoning Administrator:

1. Find the project Categorically Exempt from CEQA based on Findings 1 through 3 of Attachment A; and
2. Approve the Variance Application (P22-00246-VAR) based on Findings 4 through 8 of Attachment A and subject to the conditions of approval in Attachment B.

## Discussion:

The project consists of a request to approve a Variance application to allow the continued construction of a single-family residence issued Building Permit BR20-02262-NEW (issued on September 17, 2021) that was constructed within the front yard setback by approximately nine (9) to three (3) feet six (6) inches from the property line. Pursuant to Chapter 18.104.010(E) of the Napa County Code, the zoning of this property requires a 10-foot front yard setback from the front property line. During construction, staff noted the structure encroached within the front yard setback, and required submittal of a Variance Application. Due to the issuance of the Building permit and the partial construction at the time of Variance application, staff recommends that the required variance findings be made and the application be approved.

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Consideration of a Categorical Exemption, Section 15303, Class 3: New Construction or Conversion of Small Structures, from the provisions of CEQA. The project site is not a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**BACKGROUND AND DISCUSSION**

Owner/Applicant: Reza Namini, (650) 464-1390, or rnamini@outlook.com

Representative: Stephen M. Samuel, P.E., (408) 781-3955, steves@deisngviz.com

Zoning: Planned Development (PD)

General Plan Designation: Rural Residential (RR)

Filed: June 28, 2022; Resubmittal Received: August 29, 2022; Deemed Complete: September 12, 2022

Date New Project Submittal Courtesy Notice Sent: August 5, 2022

**Code Compliance History:** The building permit (BR20-02262-New) for construction of a single-family residence was issued on September 17, 2021. Construction commenced shortly thereafter through framing, tresses, plumbing and electrical. The encroachment was identified by the PBES Inspection Division, and construction activities were ordered to ceased pending resolution of the encroachment either through granting of a setback variance or demolition and construction of the structure to comply with County setbacks. On June 28, 2022, the applicant submitted the variance application for processing.

**Existing Development:** The site is currently partially developed with the new single-family residence issued Building Permit BR20-02262-NEW.

**Setbacks:**

**Required Setbacks-** The Zoning Ordinance requires the following setback requirements for the PD zoning District:

**Front and Rear Yard:** Berryessa Highlands Subdivision requires a 10 foot front yard setback measured from the property line. 20 feet rear yard setback.

**Side Yard:** Six feet plus three additional feet added to each side yard for each story above the first story of any building.

**Proposed Setbacks -** The construction of the single-family residence consists of an upper level floor and a lower level floor. The applicant has requested the variance in order to reduce the required front yard setback to three (3) feet at the southeast corner. Thus, the variance request is to allow for a six (6) foot exception at the southeast elevation.

**Adjacent Properties:**

A pocket of single-family residence from Steele Canyon Road to 1077 Headlands Drive were spared from the LNU complex fires, while the majority of remaining homes on Headlands Drive, Westgate Drive to the west and Eastridge to the east were burned in the 2020 LNU complex fires.

**Discussion Points:**

**Setting -** The 0.39 acre residential parcel is located on a relatively steep parcel in the Berryessa Highlands with the average slope of the property from the street level to rear yard being 19 percent. As illustrated in Figure-1 of the Findings Justification provided by the applicant, immediate adjacent parcels to the north do not possess the same development limitations as the street frontage slopes is flatter, while the parcel to the south is similar to the subject parcel with does which is undeveloped. The street frontage is lower-grade than at the rear of the property. Relocating the residence to the rear yard would require further engineering, and the removal of the existing six feet of structure

would both be cost prohibitive since the construction presently consists of foundation, framing, trusses, windows, plumbing and electrical.

**Building Design** - The architectural design of the structure is comparable to neighboring structures. The building permit was issued on September 17, 2021, with construction commenced shortly thereafter. At the point in which the encroachment was identified, construction commenced through framing, trusses, plumbing and electrical.

**Access** - The site is proposed to continue development of a single-family home and access driveway with off street carport. The parcel is located in the Berryessa Highlands with access off Headlands Drive, which is accessed off of State Highway 128 and Steel Canyon Road. This request has been reviewed and deemed compliant by Napa County Fire Department, Public Works Department, and the Engineering Division for compliance with the Napa County Road and Street Standards.

**Variance** - A Variance application is requested to allow the continued construction of a single-family home to encroach into the required front yard setback. The Planned Development Zoning District requires a 10 foot from property line front yard setback. Approval of the variance application would allow the applicant to continue construction of the single-family home between three (3)-nine (9) feet from the front yard property line.

Variances must satisfy the criteria in Government Code Section 65906 and County Code Section 18.128.060. Generally, the findings for a variance must meet each prong of a three-prong test to satisfy the statutory requirements together with additional local findings contained in the County Code. An application must demonstrate that: 1) they will suffer practical difficulties and unnecessary hardships in the absence of the variance; 2) these hardships result from special circumstances relating to the property that are not shared by other properties in the area; and 3) the variance is necessary to bring the application into parity with other property owners in the same zone and vicinity. In addition, an application must show that the proposed variance will not be contrary to public interest, safety, health, and welfare. To approve a variance, the Zoning Administrator must make all five of the required findings listed below. As discussed below, Staff believes the project site can meet all the required findings, and thus, supports granting the variance.

Required Findings pursuant to Section 18.128.060:

1) That the procedural requirements set forth in this chapter have been met.

**Staff Comment:** An application and required processing fees have been submitted for a variance accompanied with a statement from the applicant outlining the reasons for the request. Site plans depicting the location of the project and elevation drawings showing the appearance of the residential structure and driveway have also been submitted. Noticing and public hearing requirements have been met. The hearing notice was posted on September 17, 2022, and copies were forwarded to property owners within 1,000 feet of the subject parcel and all other interested parties. The public comment period ran from September 17, 2022 to September 27, 2022.

2) Special circumstances exist applicable to the property, including size, shape, topography, location or surroundings, because of which strict application of the zoning district regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Staff Comment: The 0.39-acre parcel has an environmental constraint similar to neighboring parcels that have had to developed near the front yard setback. The average slope of the property from the rear to street level is approximately 24 percent with the flattest area nearest the street. In 2020, much of the Berryessa Highlands was burned during the LNU complex fires, including the rear portion of the subject property. The remaining live oak trees that were spared from the fire are located less than 60 feet from the front of the property, requiring care and preservation considering the overall loss of major oak savannah.

Additionally, although not mapped as a landslide feature there is evidence of slope failure on the property and neighboring parcel to the south that would add considerable cost requiring geotechnical engineering to evaluate and propose stabilization of the slope including but not limited to slope repair, or construction of retaining walls that would remove soil and living oak trees. The granting of this variance would not confer a special privilege as the subject parcel contains a combination of constraints.

3) Grant of the variance is necessary for the preservation and enjoyment of substantial property right.

Staff Comment: This finding requires the applicant to demonstrate that grant of the variance is necessary for the preservation and enjoyment of substantial property rights generally enjoyed by other properties in the same zone and vicinity but would be denied to the applicant's parcel due to special circumstances of the property and unnecessary hardship. This is generally referred to as the parity prong. The property is located within the Planned Development (PD) Zoning District. Denial of a variance would deprive the applicant of the ability to reasonably develop the single-family parcel without excessive costs for the relocation or demolition and reconstruction of the foundation (i.e., concrete piers and retaining walls) and the existing framing, tresses, windows, plumbing and electrical. Approval of the variance would allow the subject property owner to continue constructing the single-family home comparable to the adjacent properties on Headlands Drive, consistent with the site's zoning and General Plan land use designation. Further, the variance to the front-yard setback would allow the applicant to achieve a degree of parity with other properties in the vicinity within the same zoning district that are not constrained by the pre-existing conditions described above. Strict application of the setbacks would result in both practical and financial hardships, which would restrict the ability to develop the property. Granting of the variance would bring the parcel into parity with other properties in the PD zoning district that have been granted development approval.

Constricting the development to the ten-foot setback would create a substantial hardship in that the alternative option for relocation or removal/dismantle would be too costly. The estimated cost to demolish the portion of the house located within the setback would be approximately \$115,000 or 40% of the construction valuation. No estimates were provided for relocation of the residence as it would exceed the overall cost of construction, both that spent to-date and the costs not yet incurred. A comparison table of the costs of constructing the single-family residence in the required

setback versus in the requested (3) feet (6) inch setback was prepared by the project applicant and is included as he Financial Hardship Analysis with the Variance Application. As shown, the costs of removal/dismantle of the portion of residence located within the requested setback without benefit of the approved variance would costs approximately \$115,000 when compared to the proposed variance for (3) feet (6) inches.

4) Grant of the variance will not adversely affect the public health, safety or welfare of the County of Napa.

Staff Comment: The health, safety or welfare of the County is not adversely affected. The project is subject to County Codes and regulations including but not limited to the California Building Code, Napa County Fire Department requirements, Environmental Health Division standards for water and wastewater requirements, and Engineering Division requirements all with recommended conditions that would be incorporated into the project to assure protection of public health, safety and welfare.

Public Comments: No public comments have been received following issuance of the courtesy notice or prior to release of this staff report.

### **SUPPORTING DOCUMENTS**

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Categorical Exemption Memorandum
- D. Variance Application
- E. Graphics



**ZONING ADMINISTRATOR HEARING –SEPTEMBER 28, 2022  
RECOMMENDED FINDINGS**

**Namini Variance  
Application No. P22-00226-VAR  
1037 Headlands Drive, Napa, CA 94558  
APN #019-482-003-000**

**ENVIRONMENTAL:** The Zoning Administrator has received and reviewed the proposed Categorical Exemption pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County’s Local Procedures for Implementing CEQA, and finds that:

1. The project is categorically exempt from the California Environmental Quality Act (“CEQA”) under Section 15303 (Class 3 New Construction or Conversion of Small Structures), which exempts the construction of a new single-family residence second unit, and associated accessory structures.
2. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5 and is not within the boundaries of any airport land use plan.
3. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Second Floor, Napa, California.

**VARIANCE FINDINGS:** The following findings must be made in order for the Zoning Administrator to grant a Variance pursuant to County Code Section 18.128.060.

4. That the procedural requirements have been met.

**Analysis:** An application and required processing fees have been submitted for a variance accompanied with a statement from the applicant outlining the reasons for the request. Site plans depicting the location of the project and elevation drawings showing the appearance of the residential structure and driveway have also been submitted. Noticing and public hearing requirements have been met. The hearing notice was posted on September 17, 2022, and copies were forwarded to property owners within 1,000 feet of the subject parcel and all other interested parties. The public comment period ran from September 17, 2022 to September 27, 2022.

5. Special circumstances exist applicable to the property, including size, shape, topography, location or surroundings, because of which strict application the zoning district regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

**Analysis:** The 0.39-acre parcel has an environmental constraint similar to neighboring parcels that have had to developed near the front yard setback. The average slope of the property from the rear to street level is approximately 24 percent with the flattest area nearest the street. In 2020, much of the Berryessa Highlands was burned during the LNU complex fires, including the rear portion of the subject property. The remaining live oak trees that were spared from the fire are located less than 60 feet from the front of the property, requiring care and preservation considering the overall loss of major oak savannah.

Additionally, although not mapped as a landslide feature there is evidence of slope failure on the property and neighboring parcel to the south that would add considerable cost requiring geotechnical engineering to evaluate and propose stabilization of the slope including but not limited to slope repair, or construction of retaining walls that would remove soil and living oak trees. The granting of this variance would not confer a special privilege as the subject parcel contains a combination of constraints.

6. Grant of the variance is necessary for the preservation and enjoyment of substantial property rights.

**Analysis:** This finding requires the applicant to demonstrate that grant of the variance is necessary for the preservation and enjoyment of substantial property rights generally enjoyed by other properties in the same zone and vicinity but would be denied to the applicant's parcel due to special circumstances of the property and unnecessary hardship. This is generally referred to as the parity prong. The property is located within the Planned Development (PD) Zoning District. Denial of a variance would deprive the applicant of the ability to reasonably develop the single-family parcel without excessive costs for the relocation or demolition and reconstruction of the foundation (i.e., concrete piers and retaining walls) and the existing framing, tresses, windows, plumbing and electrical. Approval of the variance would allow the subject property owner to continue constructing the single-family home comparable to the adjacent properties on Headlands Drive, consistent with the site's zoning and General Plan land use designation. Further, the variance to the front-yard setback would allow the applicant to achieve a degree of parity with other properties in the vicinity within the same zoning district that are not constrained by the pre-existing conditions described above. Strict application of the setbacks would result in both practical and financial hardships, which would restrict the ability to develop the property. Granting of the variance would bring the parcel into parity with other properties in the PD zoning district that have been granted development approval.

Constricting the development to the ten-foot setback would create a substantial hardship in that the alternative option for relocation or removal/dismantle would be too costly. The estimated cost to demolish the portion of the house located within the setback would be approximately \$115,000 or 40% of the construction valuation. No estimates were provided for relocation of the residence as it would exceed the overall cost of construction, both that spent to-date and the costs not yet incurred. A comparison table of the costs of constructing the single-family residence in the required setback versus in the requested 3 feet 6 inch setback was prepared by the project applicant and is included as the Financial Hardship Analysis with the Variance Application. As shown, the costs of removal/dismantle of the portion of residence located within the requested setback without benefit of the approved variance would cost approximately \$115,000 when compared to the proposed variance for 3 feet 6 inches.

7. Grant of the variance will not adversely affect the public health, safety or welfare of the County of Napa.

**Analysis:** The health, safety or welfare of the County is not adversely affected. The project is subject to County Codes and regulations including but not limited to the California Building Code, Napa County Fire Department requirements, Environmental Health Division standards for water and wastewater requirements, and Engineering Division requirements all with recommended conditions

that would be incorporated into the project to assure protection of public health, safety and welfare.

**ZONING ADMINISTRATOR HEARING – SEPTEMBER 28, 2022  
CONDITIONS OF APPROVAL**

***Namini Variance Application  
P22-00226-VAR  
1037 Headlands Drive  
APN 019-482-003***

This Permit encompasses and shall be limited to the project commonly known as ***Namini Variance Application, located at 1037 Headlands Drive Napa CA, 94558***. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and, therefore, have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

**PART I**

**1.0 PROJECT SCOPE**

This Permit encompasses and shall be limited to:

- 1.1 Approval of a Variance to allow the continued construction of a single-family residence at 1037 Headlands Drive to approximately one to six feet into the required front yard setback where as 10 feet is required from the property line.**

The construction of a new residential structure and associated site improvements shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

**2.0 STATUTORY AND CODE SECTION REFERENCES**

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.



### **3.0 MONITORING COSTS**

All Staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions of approval and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the permittee's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

## **PART II**

### **4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT**

Permittee shall comply with the following during operation of the project:

- 4.1 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**
- 4.2 AMPLIFIED MUSIC **[RESERVED]**
- 4.3 TRAFFIC **[RESERVED]**
- 4.4 PARKING **[RESERVED]**
- 4.5 BUILDING DIVISION – USE OR OCCUPANCY CHANGES **[RESERVED]**
- 4.6 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]**
- 4.7 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**
- 4.8 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS **[RESERVED]**
- 4.9 NO TEMPORARY SIGNS **[RESERVED]**

- 4.10 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - OPERATIONAL CONDITIONS **[RESERVED]**
- 4.11 OPERATIONAL MITIGATION MEASURES **[RESERVED]**
- 4.12 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT **[RESERVED]**
- 4.13 PREVIOUS CONDITIONS **[RESERVED]**

### **PART III**

#### **5.0 PREREQUISITE FOR ISSUANCE OF PERMITS**

##### **5.1 PAYMENT OF FEES**

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

#### **6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES **[RESERVED]****

Permittee shall comply with the following with the submittal of a grading, demolition environmental, building and/or other applicable permit applications:

##### **6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS **[RESERVED]****

##### **6.2 BUILDING DIVISION – GENERAL CONDITIONS **[RESERVED]****

##### **6.3 LIGHTING – PLAN SUBMITTAL **[RESERVED]****

##### **6.4 LANDSCAPING – PLAN SUBMITTAL**

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this permit. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

- b. Plant materials shall be purchased locally when practical, and, to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with project development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.
- d. **[RESERVED]**
- e. **[RESERVED]**

6.5 COLORS **[RESERVED]**

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES **[RESERVED]**

6.7 MECHANICAL EQUIPMENT **[RESERVED]**

6.8 TRASH ENCLOSURES **[RESERVED]**

6.9 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.10 HISTORIC RESOURCES **[RESERVED]**

6.11 DEMOLITION ACTIVITIES **[RESERVED]**

6.12 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.13 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.14 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.15 FINAL MAPS **[RESERVED]**

6.16 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. Building permit BR20-02262-NEW was obtained on August 17, 2021 for all construction occurring on the site not otherwise exempt by the CBC or any State or local amendment adopted thereto.

**7.0 PROJECT CONSTRUCTION**

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENT

Please contact Engineering Services with any questions regarding the following:

- a. **GRADING & SPOILS**  
All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.
- b. **DUST CONTROL**  
Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.
- c. **AIR QUALITY**  
During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:
  - 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
  - 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
  - 3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
  - 4. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - 5. All vehicle speeds on unpaved roads shall be limited to 15 mph.



6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfaq\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board.

**7.2 ARCHEOLOGICAL FINDING**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

**7.3 CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall be staged, loaded, and

unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities only shall occur daily between the hours of 8:00 AM to 5:00 PM.

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

**8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]**

**9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES**

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence:

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS **[RESERVED]**

9.3 GATE/ENTRY STRUCTURES **[RESERVED]**

9.4 LANDSCAPING

Landscaping shall be installed in accordance with the approved landscape plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**

9.6 DEMOLITION ACTIVITIES **[RESERVED]**

9.7 GRADING SPOILS

All spoils piles shall be removed in accordance with the approved grading permit and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**



A Tradition of Stewardship  
A Commitment to Service

**Planning, Building & Environmental Services**

1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

**David Morrison**  
Director

## MEMORANDUM

To:	Zoning Administrator	From:	Kelli Cahill, Planner III
Date:	September 28, 2022	Re:	P22-00226 - Namini Variance Application Categorical Exemption Determination 1037 Headlands Drive, Napa, CA 94558 Assessor Parcel #019-482-003-000

### Background

Pursuant to Section 303 of Napa County's Local Procedures for Implementing the California Quality Act (CEQA), the Planning Division has prepared this environmental evaluation for the proposed 1037 Headlands Drive variance application (File No. P22-00226-VAR).

### The project proposes:

Approval of a variance application to allow the proposed single-family home to encroach into the required front yard setbacks.

### Existing Setting

The project is located on a  $\pm 0.39$ -acre parcel in the Berryessa Highlands. The General Plan land use designation is Rural Residential (RR) and is within the Planned Development (PD) zoning district; 1037 Headlands Drive, APN: 019-482-003.

Development on the property includes a reconstructed single-family home.

### CEQA Exemption Criteria and Analysis

Article 19 of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) establishes a list of classes of projects that are categorically exempt from the provisions of CEQA. The construction of a new single-family home qualifies under Article 19: CCR Section 15303 (Class 3, New Construction or Conversion of Small Structures), which permits one single-family residence in a residential zone to be constructed as an exempt activity from CEQA.

Under CEQA Guidelines Section 15300.2, a Class 3 Categorical Exemption cannot be used if the project substantially affects mapped or designated environmentally sensitive areas or resources. There are no environmentally sensitive resources (source: Napa County Geographic Information System including California Natural Diversity Database layer) on the subject property. According to the County's resource maps, there are no scenic resources, hazardous waste sites, nor historic resources identified on the site. The project does not result in substantial effects to mapped or designated environmentally sensitive areas or resources. No native trees or native vegetation will be removed to construct the proposed residence.

Based upon the above analysis there is no reasonable possibility that the project would have a significant effect on the environment or damage scenic resources because there will be only minor physical changes to the existing development on the project site. Based on the proposed project as described above, the Namini Variance application request meets the criteria for eligibility as a Class 3 Categorical Exemption from CEQA



FILE # \_\_\_\_\_

A Tradition of Stewardship  
A Commitment to Service

**NAPA COUNTY**  
**PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES**  
 1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

**APPLICATION FORM**

FOR OFFICE USE ONLY

ZONING DISTRICT: \_\_\_\_\_ Date Submitted: \_\_\_\_\_  
 TYPE OF APPLICATION: \_\_\_\_\_ Date Published: \_\_\_\_\_  
 REQUEST: \_\_\_\_\_ Date Complete: \_\_\_\_\_

TO BE COMPLETED BY APPLICANT

PROJECT NAME: \_\_\_\_\_ Reza Namini Single Family Home 1037 Headlands Drive \_\_\_\_\_Assessor's Parcel #: \_\_\_\_\_ APN 019-482-003 \_\_\_\_\_ Existing Parcel Size: \_\_\_\_\_ 15903 FT2 \_\_\_\_\_ SiteAddress/Location: \_\_\_\_\_ 1037 \_\_\_\_\_ Headlands Drive \_\_\_\_\_ Napa \_\_\_\_\_ CA \_\_\_\_\_ 94558 \_\_\_\_\_  
No. Street City State ZipProperty Owner's Name: \_\_\_\_\_ Reza \_\_\_\_\_ Reza \_\_\_\_\_ Namini \_\_\_\_\_ MailingAddress: \_\_\_\_\_ P.O. Box 6804 \_\_\_\_\_ San Mateo \_\_\_\_\_ CA \_\_\_\_\_ 94 \_\_\_\_\_  
No. Street City State ZipTelephone #: \_\_\_\_\_ (650) 464-1390 \_\_\_\_\_ Fax #: \_\_\_\_\_ ( ) N/A \_\_\_\_\_ E-Mail: \_\_\_\_\_ rnamini@outlook.comApplicant's Name: \_\_\_\_\_ Reza Namini \_\_\_\_\_ 94403 \_\_\_\_\_Mailing Address: \_\_\_\_\_ P.O. Box 6804 \_\_\_\_\_ San Mateo \_\_\_\_\_ CA \_\_\_\_\_ 94403 \_\_\_\_\_  
No. Street City State ZipTelephone #: \_\_\_\_\_ (650) 464-1390 \_\_\_\_\_ Fax #: \_\_\_\_\_ ( ) N/A \_\_\_\_\_ E-Mail: \_\_\_\_\_ Rnamini@outlook.comStatus of Applicant's Interest in Property: \_\_\_\_\_ owner \_\_\_\_\_Representative Name: \_\_\_\_\_ Stephen M. Samuel PE \_\_\_\_\_Mailing Address: \_\_\_\_\_ 1832 \_\_\_\_\_ Stone Av. \_\_\_\_\_ San Jose \_\_\_\_\_ CA \_\_\_\_\_ 95125 \_\_\_\_\_  
No. Street City State ZipTelephone # \_\_\_\_\_ (408) 781 3955 \_\_\_\_\_ Fax #: \_\_\_\_\_ ( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

I certify that all the information contained in this application, 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 my knowledge. I 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.

\_\_\_\_\_  
 Signature of Property Owner Date 6/22/2022  
Reza Namini  
 Print Name

\_\_\_\_\_  
 Signature of Applicant Date 6/22/2022  
Reza Namini  
 Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

Total Fees: \$ \_\_\_\_\_ 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

6-22-22

Date

Property Owner (if other than Applicant)

1037 Headlands Drive, Napa CA

Project Identification



Dear City of napa,

Thank you in advance for your consideration of an urgent matter. That matter – the variance required for the existing building at 1037 Headlands Drive. Due to a number of factors including, the shape of the plot which is on a curved street, a missing monument, a foundation contractor that was irresponsible and subsequently walked off the job and other coincidental mitigating factors, I regret to inform you that a permit was granted and a building has been constructed. As shown, a corner of the building encroaches over the setback line. The average amount of the encroachment is about 2.5 feet. Everyone including Napa inspectors missed the encroachment and the building was built. In order to cut the corner of the building off it will take an inordinate amount of resources that are not available. The home owner has already spent an outsized amount of money getting the building built and has had many hardships. These include, huge delays in the project schedule due in part to COVID, the foundation contractor leaving without finishing, a framing contractor who nefariously took money and didn't finish the job, and an electrical contractor who did the same thing.

The homeowner is 62 years of age and is unemployed. His family of three kids is being supported by the income from his wife who is forced by economic times to work two jobs. He is now financially at risk. He has suffered through this project due to the numerous delays and hardships. Reza's health is at risk. The anxiety of this project has caused a situation that is being handled with anxiety medication. Much of the expenses have been financed with temporary lending. Reza needs to complete the building so that the expenses can be put on a permanent loan. If the building is not brought to a certain level of completion this will not be possible and the homeowner will most certainly go bankrupt. The building may sit unfinished for an extended period. This will not serve anyone.

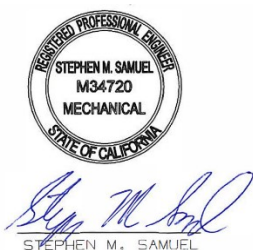
We desperately request that a slight variance be granted so the building can be finished as soon as possible. Should the variance be granted, there will be absolutely no negative impact to the surrounding community. In fact, the variance will allow the homeowner to move forward as fast as possible to remove the eyesore that is a half-built building.

I the engineer of record on this project have spent many pro-bono hours on the project making up for some of these hardships. I plead that the city of Napa be as benevolent as possible, within the confines of public safety, to help grant this slight variance before the homeowner suffers irreparable damage.

Thank you in advance for your immediate attention to this matter.

Sincerely,

Stephen M, Samuel PE



Parity Analysis 1037 Headlands Drive Variance 8-18-22				
Item	Division	Cost per unit	Number of items	Total
Demolition of front of existing structure	Demolition contractor	5200	1	5200
Foundation Excavation	Foundation installer	7500	1	7500
Design Engineering	Design Visionaries and structural engineering company	8500	1	8500
Roof redo	Roofing	16952	1	16952
Disposal of material	Garbage and waste	1200	1	1200
Framing	Framing contractor	5185	1	5185
Uninstall and install windows	Carpentry	5100	1	5100
Electrical	Electrical contractor	2500	1	2500
Foundation re-build	Foundation installer	25000	1	25000
Increased finance costs	Banking	1200	1	1200
Increased insurance payments	Insurance company	600	1	600
Variance cost*	Napa County	6100	1	6100
Survey cost*	Napa County	1800	1	1800
Estimated reduction in property value	This is an alternative to moving the entire house	36000	1	36000
<b>Total</b>				<b>122837</b>
<b>* Costs already paid</b>				
Notes	The assumption of this parity analysis is that we are forced to cut off the front portion of the building that has already been built.			

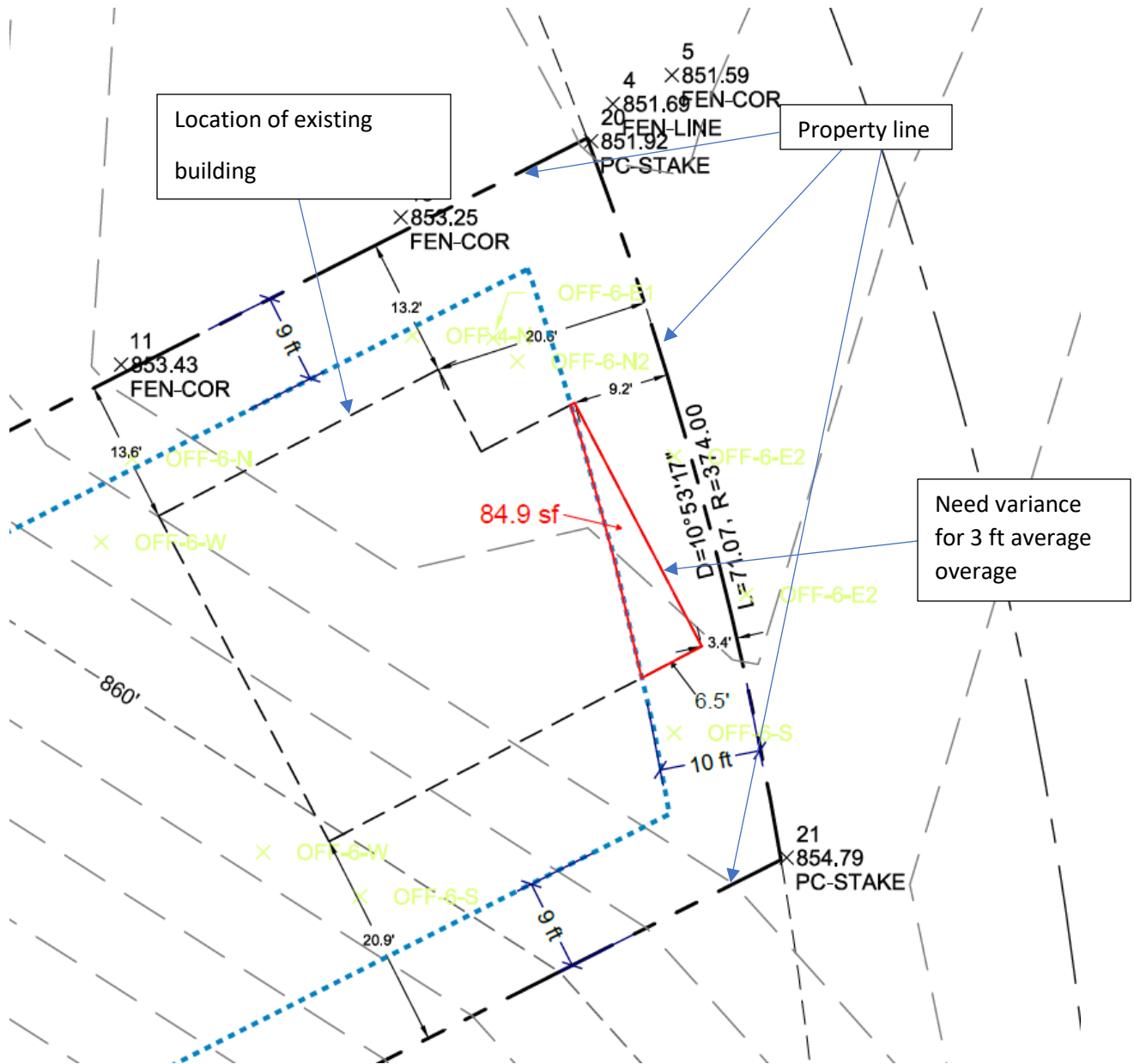


*Stephen M. Samuel*  
STEPHEN M. SAMUEL

**APN 019-482-003**

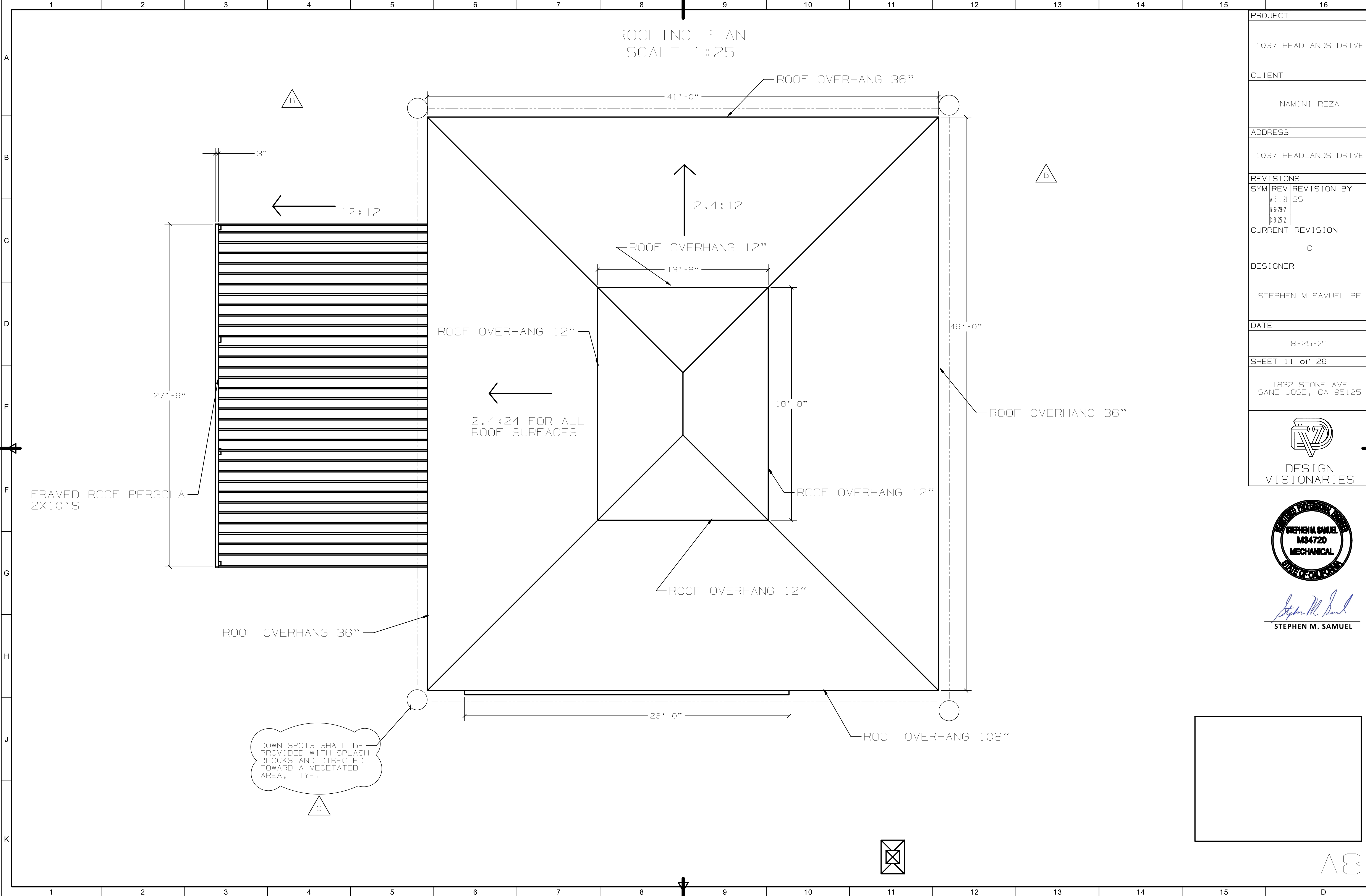
## Narrative

Due to exceptional circumstances that exist on the property known as 1037 Headlands Dr. we are requesting a slight variance be granted. The nature of the problem is that the front of the house encroaches on the set back lines in the South East corner by the amount shown in the diagram drawn in a recent survey. The maximum amount is approximately 6' 5". The average amount is 3'3". The full survey and site plan are attached to this variance package.

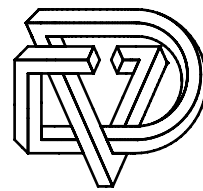


Magnified view of a recent survey





PROJECT		
1037 HEADLANDS DRIVE		
CLIENT		
NAMINI REZA		
ADDRESS		
1037 HEADLANDS DRIVE		
REVISIONS		
SYM	REV	REVISION BY
	A 8-1-21	SS
	B 8-29-21	
	C 8-25-21	
CURRENT REVISION		
C		
DESIGNER		
STEPHEN M. SAMUEL PE		
DATE		
8-25-21		
SHEET 11 of 26		
1832 STONE AVE SANE JOSE, CA 95125		

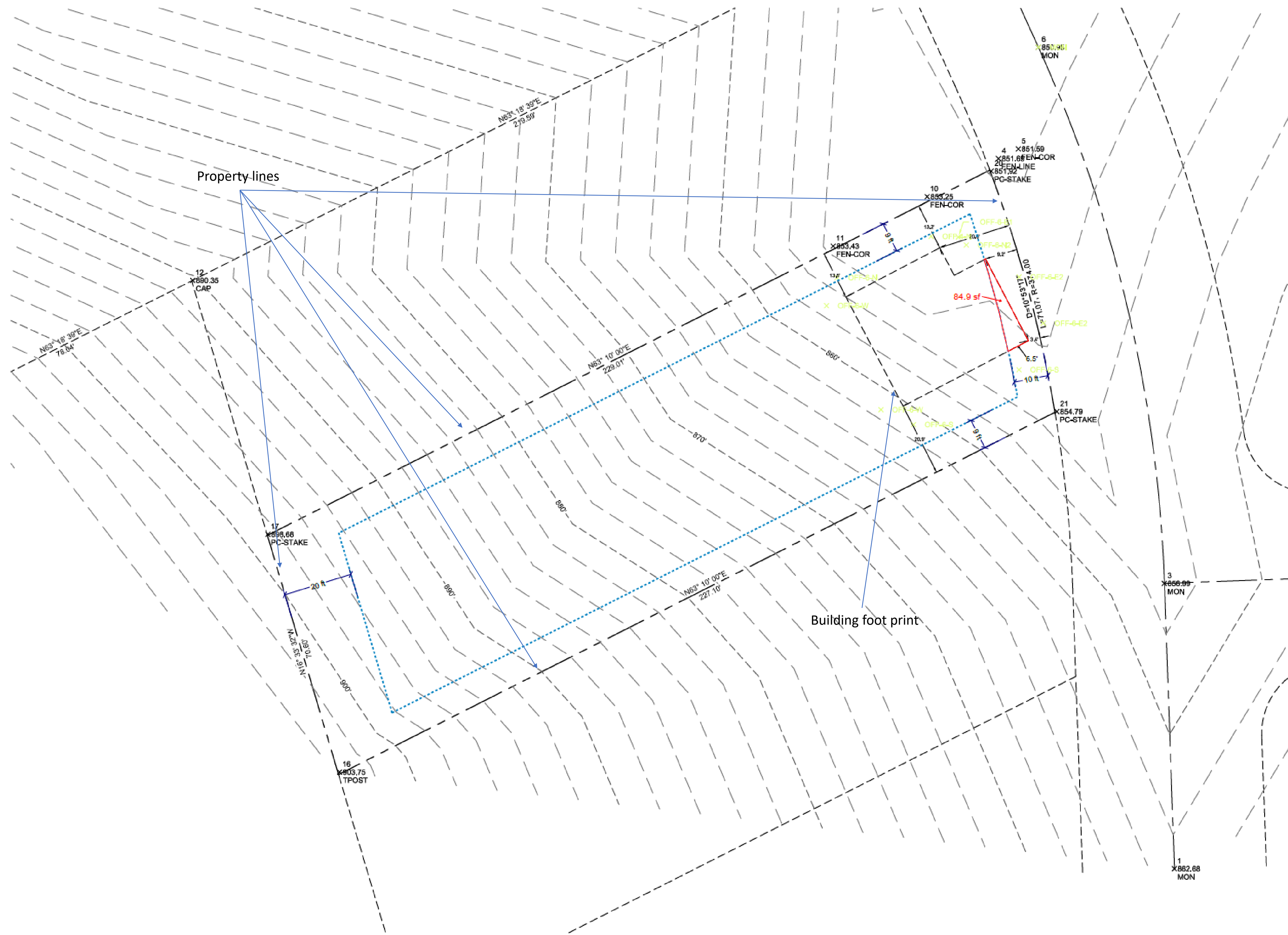


DESIGN  
VISIONARIES



*Stephen M. Samuel*  
STEPHEN M. SAMUEL

A8



SITE SURVEY LEGEND	
KEY	DESCRIPTION
X	FOUND GRIND IN CURB
O	DIMENSION POINT (SFNF)
[Hatched Box]	NOT USED
[Diagonal Lines Box]	NOT USED
[Solid Black Box]	NOT USED

\* (E) = EXISTING, (P) = PROPOSED, CONC = CONCRETE, OH = OVERTHANG  
(F) = FUTURE, CONT. = CONTINUATION, SB = SETBACK, HP = HIGH POINT

- | SITE SURVEY NOTES |   |
|-------------------|---|
| 1.                | ALL WORK PERFORMED ON THIS PROJECT SHALL BE IN CONFORMANCE WITH THESE PLANS AND THE STANDARDS SET BY THE LOCAL BUILDING OFFICIAL.   |
| 2.                | NO DEVIATION FROM THESE DRAWINGS SHALL BE MADE WITHOUT PRIOR DOCUMENTED CONSENT OF THE ENGINEER. REPORT ANY PLAN DISCREPANCIES TO ENGINEER AND OWNER.                           |
| 3.                | ALL DIMENSIONS SHALL BE VERIFIED ON PLANS AND DIMENSIONS SHALL BE VERIFIED WITHIN THE PROJECT PRIOR TO COMMENCEMENT OF WORK. DO NOT SCALE DRAWINGS, WRITTEN DIMENSIONS PREVAIL. |
| 4.                | FEMA FLOOD PLAIN: UNSHADED ZONE X.  |

DATE:	
REVISIONS:	



**ELEMENT**  
engineering

3359 Peace Court  
Sacramento 95826  
775.762.5461  
andrew@elementengineer.com

A SURVEY PLAN FOR:  
**HEADLANDS DR**  
NAPA, CA 94558  
APN: 019-482-003

SCALE: 1"=15'
DRAWN: AMH
CHECKED: AMH
DATE: 6/21/22
NOTES:

SHEET  
**SP**

**SURVEY PLAN**  
SCALE: 1" = 15'



UPDATED SITE PLAN  
1037 HEADLANDS DRIVE, NAPA CA

1037 HEADLANDS DRIVE  
BUILDING FOOTPRINT

— PROPERTY LINE

—ROADWAY CENTER LINE

JASMINE COURT

205 JASMINE COURT

1033 HEADLANDS DRIVE

PROPERTY LINE

1037 HEADLANDS DRIVE

1041 HEADLANDS DRIVE

— PROPERTY LINE

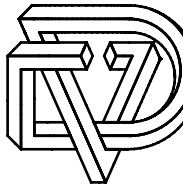
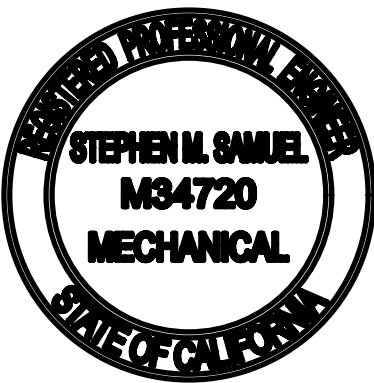

## SETBACK LINES

— 25' - 11  $\frac{7}{16}$ '  
RIGHT OF WAY

1038 HEADLANDS DRIVE

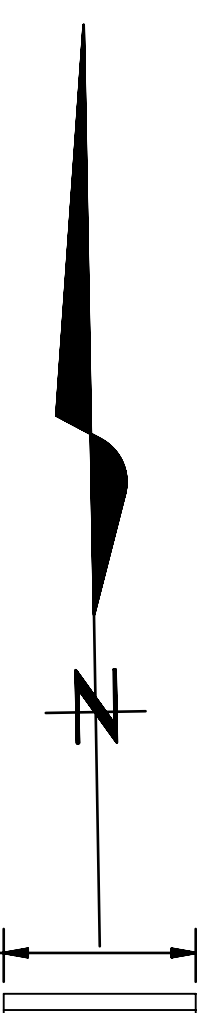
EASTRIDGE DRIVE

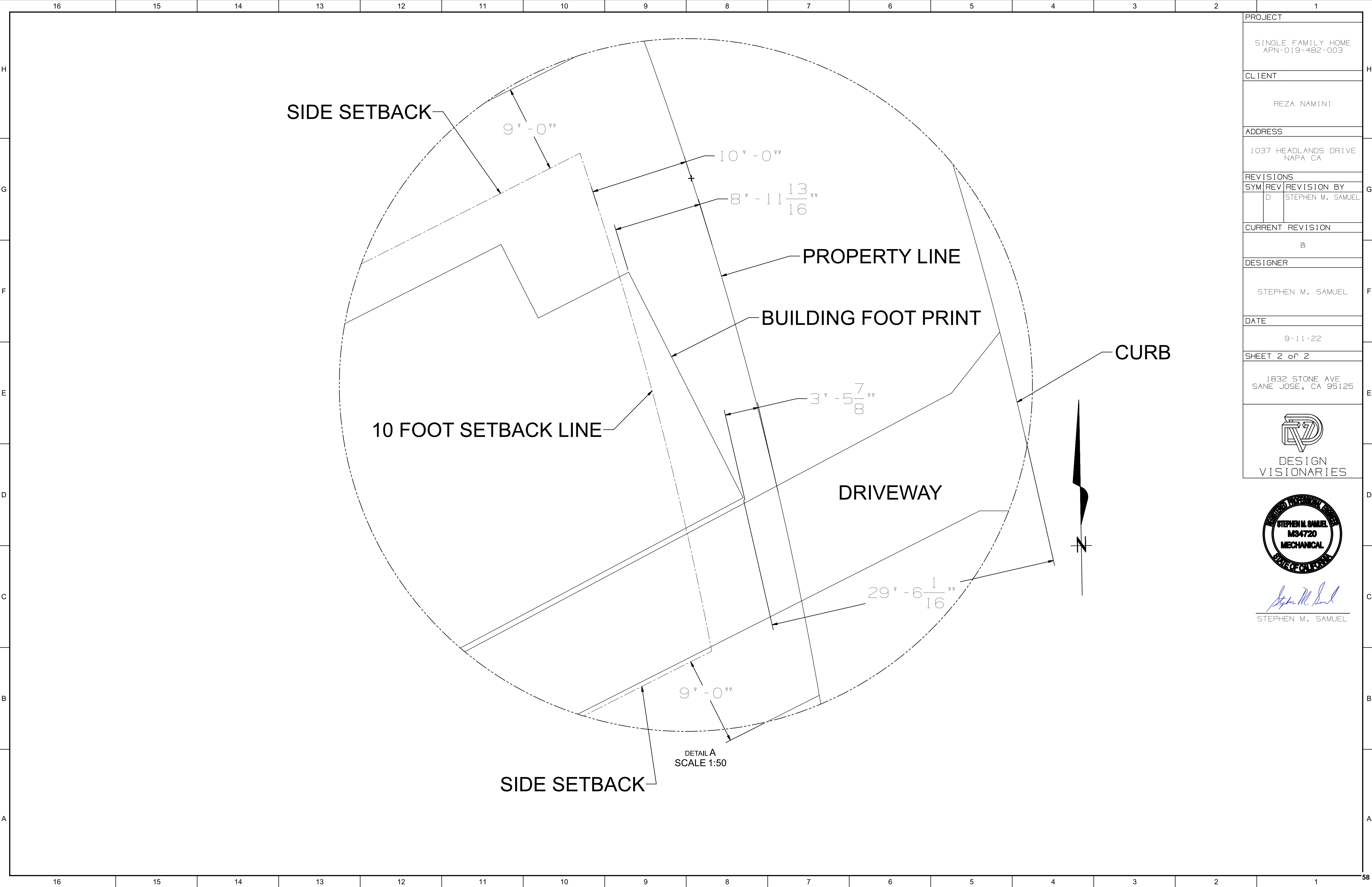
SCALE: 1" = 20'

PROJECT		
SINGLE FAMILY HOME APN-019-482-003		
CLIENT		
REZA NAMINI		
ADDRESS		
1037 HEADLANDS DRIVE NAPA CA		
REVISIONS		
SYM	REV	REVISION BY
	D	STEPHEN M. SAMUEL
CURRENT REVISION		
D		
DESIGNER		
STEPHEN M. SAMUEL		
DATE		
9-11-22		
SHEET 1 of 2		
1832 STONE AVE SANE JOSE, CA 95125		
 DESIGN VISIONARIES		
  STEPHEN M. SAMUEL		



  
STEPHEN M. SAMUEL





PROJECT		
SINGLE FAMILY HOME APN-019-482-003		
CLIENT		
REZA NAMINI		
ADDRESS		
1037 HEADLANDS DRIVE NAPA CA		

REVISIONS		
SYM	REV	REVISION BY
	D	STEPHEN M. SAMUEL

CURRENT REVISION		
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DESIGNER		
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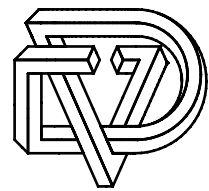
STEPHEN M. SAMUEL		
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DATE		
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9-11-22		
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SHEET 2 of 2		
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1832 STONE AVE SANE JOSE, CA 95125		
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DESIGN  
VISIONARIES



  
STEPHEN M. SAMUEL



September 22, 2022

I received the letter concerning 1037 Headlands Drive Variance.

I find it interesting that the owner does not want to follow the setbacks for our community.

I myself am building a home in the neighborhood and have to follow the setbacks,

I question why he feels we should give him a variance that will allow him to ignore our community planned setback. The main purpose of setbacks is to prevent owners from crowding their neighborhoods. This ensures that one's property doesn't block their neighbor's view. They also ensure every property in the area has enough access to light and ventilation.

The setbacks are there to keep our neighborhood safe and signaling neighborhood character patterns that help create a pleasing small town character. A planned out community keeps our community from looking trashed, and a trashed looking community has lower property values.

I know exactly who this is and I myself pointed it out to him before he even poured the footings for his foundation, he basically told me to go pound sand and that he was within the county required setback. I was upset that the county allowed him to build in to the planned community setback, although I was not sure what to do about it.

The home next door (1041 Headlands) was just recently built and had a survey stake marked on the corner of the two property's showing where the setback was located, and he paid no attention to it.

I know of 2 other builders in the neighborhood rebuilding their homes from the fires and they also stopped by and questioned him building in to the required set back and he told them to go pound sand as well,

Everybody in the Neighborhood pointed it out to him, and he choose to keep building and paid no attention to the required setbacks for our neighborhood.

I would like to know how he got this far in the building process, he had to have an inspection in order to pour the footings, and then to start framing, how did it go this far and nobody from the county said anything to him?

It is also a safety issue, now the neighbors have to pull down there driveway and stick out into the street in order to be able to see if any cars or people walking are coming down the road to pull out of there driveway safely. Safety plays an important role in planned community setback and should be enforced by the county.

Since there is no garage on the home, where do the owners and guest park their cars, in the street? This creates another safety issue for the neighbors pulling out of their driveways.



How safe is it for someone walking down the street and not being able to see if a car is pulling out of a driveway.

Setbacks are there for a reason and I feel he needs to abide by them, we all have too, and he should as well.

I cannot make the meeting and I hope my voice is heard, it is the County of Napa responsibility to make sure our neighborhood is safe for everyone, and everyone abides by the same rules that are in place for our community.

Anonymous

**From:** [Ken Matson](#)  
**To:** [Cahill, Kelli](#)  
**Subject:** Re: Naming Variance Application # P22-00226-VAR  
**Date:** Friday, September 23, 2022 8:31:03 PM

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[External Email - Use Caution]

Hello Kelli,

Unfortunately I work a lot and am not always available for meeting or close to an internet service. Just wanted to let you know my take and under certain conditions I am more than willing to support a neighbor. But at the same time we all have to make allowances for the community and I do recognize the reasons why. So if you could include my commits to the Zoning Administration I would greatly appreciate it. Thank you, Ken

On Sep 23, 2022, at 7:49 AM, Cahill, Kelli <[Kelli.Cahill@countyofnapa.org](mailto:Kelli.Cahill@countyofnapa.org)> wrote:

Ken,

Thank you for your comment. I will clarify that the building permit included off street parking with a carport. Given this information, would you still like your comment included as part of the Zoning Administrator Hearing? Would you like to attend the meeting? It is offered via zoom or call in if you would like to participate.

Thank you,

Kelli Cahill  
Planner III – Planning Division

Napa County | Planning, Building & Environmental Services Department  
1195 Third Street, Napa, CA 94559  
☎ ph: (707) 265-2325 | 📠 fax: (707) 299-4271 | ✉: [kelli.cahill@countyofnapa.org](mailto:kelli.cahill@countyofnapa.org)

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**From:** Ken Matson <[klmroofing@yahoo.com](mailto:klmroofing@yahoo.com)>  
**Sent:** Thursday, September 22, 2022 6:56 PM  
**To:** Cahill, Kelli <[Kelli.Cahill@countyofnapa.org](mailto:Kelli.Cahill@countyofnapa.org)>  
**Subject:** Naming Variance Application # P22-00226-VAR

[External Email - Use Caution]

Hello Kelli,

I am the owner of 309 Kona Court and this is my take on the application for variance. As for the first 10' feet from the road, my understanding that this area is used for utilities and that impacts the community so that area I believe should be clear of

buildings. The second 10' after the utility access was for parking of at least one vehicle off of the road. Normally that may not be a big issue but since this is a resort area having a lake being the main attraction for living here. Having vehicles in the street becomes more of a problem, not to say that it still doesn't happen. My concern is more for a vehicle "like a boat" being left on the street. Even if this owner does not plan on doing this, if the house sells the next owner might. For this reason I feel that a parking spot off the road is important. Now if you allow the to make one sideways or they have another space to park a vehicle off the street then I do not have any other issues with them building in the second 10' area. With neighbors having boats and having to weave around or the street being blocked when the neighbor across the street has company parking becomes more important. Thank you for your time, Ken Matson

[KLMroofing@yahoo.com](mailto:KLMroofing@yahoo.com)

916-247-8902

(lot owned 309 Kona Court)

9025 Hooded Crane Court

Sacramento, Ca. 95829