

# “F”

## Applications and Project Narratives

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# NAPA COUNTY

**Planning, Building and Environmental Services**



A Tradition of Stewardship  
A Commitment to Service

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USE PERMIT/MAJOR MODIFICATION APPLICATION  
WINERY USES

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***Before you file an application...***

Before you submit your application materials, and generally as early in the process as possible, applicants should schedule a Pre-Application meeting with a member of the Planning Department staff as well as staff from other applicable Divisions in PBES.

Pre-Application meetings are an opportunity to meet with staff from all Divisions and receive valuable feedback on your project. In particular, staff can identify the type of application and related permits that may be necessary, permit processing steps and timelines, and pertinent information and technical studies that will be required to submit a complete application.

To schedule a Pre-Application meeting, please visit the Planning Division website at: <https://www.countyofnapa.org/1709/Planning-Division> and follow the steps provided to use our Online Permit Center system.

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A Tradition of Stewardship  
A Commitment to Service

Planning, Building, & Environmental Services  
1195 Third Street, Suite 210  
Napa, CA 94559  
Main: (707) 253-4417  
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## PLANNING APPLICATION FORM

### Applicant Information

| Applicant Contact                   | Property Owner Contact              |
|-------------------------------------|-------------------------------------|
| Name: _____                         | Name: _____                         |
| Mailing Address: _____              | Mailing Address: _____              |
| City: _____ State: _____ Zip: _____ | City: _____ State: _____ Zip: _____ |
| Phone: _____                        | Phone: _____                        |
| E-Mail Address: _____               | E-Mail Address: _____               |

| Agent Contact                       | Other Representative Contact                                                                                       |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| Name: _____                         | <input type="checkbox"/> Engineer <input type="checkbox"/> Architect <input type="checkbox"/> Agent<br>Name: _____ |
| Mailing Address: _____              | Mailing Address: _____                                                                                             |
| City: _____ State: _____ Zip: _____ | City: _____ State: _____ Zip: _____                                                                                |
| Phone: _____                        | Phone: _____                                                                                                       |
| E-Mail Address: _____               | E-Mail Address: _____                                                                                              |

### Property Information

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

Assessor's Parcel Number(s): \_\_\_\_\_

Size of site (acreage and/or square footage): \_\_\_\_\_

General Plan Designation: \_\_\_\_\_ Zoning: \_\_\_\_\_

### Application Type<sup>1</sup>

File No(s) \_\_\_\_\_

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

<sup>1</sup>: Include corresponding submittal requirements for each application type.

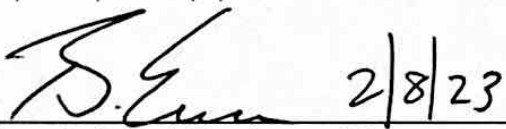
**Detailed Project Description (required):** A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage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

### Conditions of Application

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

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

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

  
 \_\_\_\_\_  
 Property Owner's Signature and Date

\_\_\_\_\_  
 Property Owner's Signature and Date

### Applicant/Agent Statement

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

\_\_\_\_\_  
 Applicant's Signature and Date

|                                                                                               |                         |           |
|-----------------------------------------------------------------------------------------------|-------------------------|-----------|
| Date Received: _____<br><br>Received by: _____<br><br>Receipt No. _____<br><br>File No. _____ | <b>Application Fees</b> |           |
|                                                                                               | <b>Deposit Amount</b>   | <b>\$</b> |
|                                                                                               | <b>Flat Fee Due</b>     | <b>\$</b> |
|                                                                                               | <b>Total</b>            | <b>\$</b> |
|                                                                                               | <b>Check No</b>         |           |

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## Checklist of Required Application Materials

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*Please make sure that the following documents are complete and legible. Consistent with the State Permit Streamlining Act and Departmental policy, the Planning, Building and Environmental Services (PBES) Department will make an application completeness determination within thirty days of application submittal and the payment of all required initial fees.*

- ☐ **General Application Form:** The attached General Application Form must be completed in full and signed by the property owner or their authorized agent. Corporations, partnership, and the like have special signature requirements as noted on the Form.
- ☐ **Application Fee:**
  - Use Permit/Major Modification (All Uses):** Total Fees are based on actual time and materials and flat fees. A deposit in the amount of \$10,000. Check made payable to County of Napa.
  - Small Winery Exemption (Winery Uses):** Total fees are based on actual time and materials and flat fees. A deposit in the amount of \$5,000. Check made payable to County of Napa.
  - Minor Modification (Winery Uses):** Total fees are based upon flat rates with exception to Engineering Services which are based on actual time and materials over 3 hours for Roads & Street Standards evaluation. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.
  - Administrative Permit (Winery Uses):** Total Fees are based on actual time and materials and flat fees. A deposit in the amount of \$1,500. Check made payable to County of Napa.
  - Minor Modification (Non-Residential & Residential Uses):** Total fees are based upon flat rates. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.
  - Very Minor Modification (Non-Residential & Residential Uses):** Total fees are based upon flat rates. All County Counsel fees are based on actual time and materials. Check made payable to County of Napa.
- ☐ **Read and Sign the Hourly Fee Agreement**
- ☐ **Detailed Project Description:** The Project Description should address all of the applicable items listed below:
  1. Existing site conditions and uses.
  2. Proposed type of development and size, proposed uses/business, development phases, changes or alterations to the property or building including new/modified improvements and off-site improvements.
  3. Days of the week and hours of operation.
  4. Maximum number of employees per shift and hours of shifts.
  5. Are there additional licenses and/or approvals from outside agencies needed from a Special District, Regional, State, Federal?
  6. What is your water supply? How/where is liquid/solid waste disposed?
- ☐ **To-Scale Site Development Plans (ALL plans must be to an identified architect's or engineer's scale and shall be legible):**

Submit **three (3) 24" X 36"** and **one 11" x 17"** copies of plans consistent with information contained in the *Building Division – Design Information - Sample Site Plan Handout*: <https://www.countyofnapa.org/1890/Building-Documents> .
- ☐ **To-Scale Floor Plans (ALL plans must be to an identified architect's or engineer's scale, shall show the existing and proposed conditions of the building and shall be legible):**

Submit **three (3) 24" X 36"** and **one 11" x 17"** copies of plans with the following information and details:

  1. Dimensions and area of all rooms, hallways and covered or partially enclosed outdoor areas.
  2. Use of each area within each structure/building.
  3. Location of emergency exists.
- ☐ **To-Scale Building Elevations (ALL plans must be to an identified architect's or engineer's scale, shall show the existing and proposed conditions of the building and shall be legible):**

Submit **three (3) 24" X 36"** and **one 11" x 17"** copies of plans with the following information and details:

  1. All relevant dimensions.
  2. Exterior materials.
  3. Exterior colors.
  4. Existing grade.
  5. Finished grade.
  6. Finished floor level.
  7. Building height consistent with Figure 209-1 of the 1997 UBC Handbook.

☐ **Technical Information and Reports**

The following technical information and studies are generally required unless waived by County Planning Staff at or following a Pre-Application Review Meeting. Please see County Planning Staff for a list of pre-qualified consultants.

1. FOR WINERY PROJECTS: Additional submittal information is necessary and should be included with the submittal packet consistent with the Winery Use Permit Supplemental Submittal Requirements.
2. Traffic Study consistent with Traffic Impact Study Preparation Requirements. Please fill out the enclosed current Trip Generation Sheet for existing and proposed project to determine the need for the preparation of a Traffic Impact Study.
3. Archeological/Cultural Resources Study (consistent with *Guidelines for Preparing Cultural Resource Surveys* and State of California requirements)
4. Historic Resources Study (consistent with State Office of Historic Preservation requirements)
5. Biological Study – Includes Special Status Survey (consistent with *Guidelines for Preparing Biological Resources Reconnaissance Surveys* and *Guidelines for Preparing Special-Status Plant Studies*)
6. Water Availability/Groundwater Study (consistent with the WAA *Guidance Document* adopted by the Board 5/12/2015). Please refer to the following link: <https://www.countyofnapa.org/876/Water-Availability-Analysis>.
7. For projects located within Sensitive Domestic Water Supply Drainages and/or within the Agricultural Watershed (AW) zoning district, please provide vegetation coverage removal and retention information/analysis based on 1993 Vegetation totals and parcel configuration, including a map or figure that includes the following information:

**Tree canopy coverage:**

Tree canopy cover (1993): \_\_\_\_\_ acres  
Tree canopy cover to be removed: \_\_\_\_\_ acres \_\_\_\_\_ %  
Tree canopy cover to be retained: \_\_\_\_\_ acres \_\_\_\_\_ %

**Understory (i.e. brush, shrubs, grasses):**

Understory cover (1993): \_\_\_\_\_ acres  
Understory to be removed: \_\_\_\_\_ acres \_\_\_\_\_ %  
Understory to be retained: \_\_\_\_\_ acres \_\_\_\_\_ %

This information may be provided as part of the Biological Report if one is required for your project. Guidance on how to prepare vegetation removal and retention calculations can be found in the County's Water Quality & Tree Protection Ordinance Implementation Guide, located on our website:

<https://www.countyofnapa.org/DocumentCenter/View/12882/WOTPO-implementation-guide?bidId=>

8. Special Studies (The following may be required on a project-specific basis at the discretion of the PBES Director.)
  - ☐ Noise Study (demonstrating consistency with Napa County Code Chapter 8.16).
  - ☐ Aviation Compatibility Study (consistent with Airport Land Use Compatibility Plan requirements)
  - ☐ Visual Impacts Study (Photographic simulations)
  - ☐ Geological/Geotechnical Hazard Report – Alquist Priolo Act
  - ☐ Hydraulic Analysis (flood impact) if within Floodplain and/or Floodway
  - ☐ Stormwater Control Plan (consistent with Napa County BASMAA Post Construction Manual)
  - ☐ Other: \_\_\_\_\_
  - ☐ Other: \_\_\_\_\_

☐ **Additional Information Required by the Environmental Health Department:**

1. Soil Evaluation Report if an on-site septic system is proposed.
2. Septic Feasibility Report for any new or upgraded septic systems or any expansion of use relying on an existing septic system.
3. Water System Feasibility Report if the water supply system will serve 25 or more people inclusive of employees, visitors, and residents or if kitchen is proposed. See enclosed handout provided by Environmental Services.
4. Water and/or Sewage Disposal Easement if an off-site spring, well, reservoir, storage tank, or individual sewage disposal system is proposed.
5. Completed Business Activities form, enclosed.
6. Solid Waste & Recycling Storage area location and size included on overall site plan. See guidelines at [www.countyofnapa.org/DEM/](http://www.countyofnapa.org/DEM/).
7. Cave setback plan if a cave is proposed. See handout provided by Environmental Services.

Please click on Other Information tab at <https://www.countyofnapa.org/1904/Environmental-Health-Division> for forms and handouts related to use permit application submittal.

☐ **Additional Information Required by the Engineering Services:**

2020 Napa County Road & Street Standards

<https://www.countyofnapa.org/DocumentCenter/View/3787/Napa-County-Road-and-Street-Standards---2020-PDF>

Project Guidance for Stormwater Compliance

<https://www.countyofnapa.org/DocumentCenter/View/3778/Project-Guidance-for-Stormwater-Quality-Compliance-PDF>

BASMAA Post-Construction Stormwater Management Manual

<https://www.countyofnapa.org/DocumentCenter/View/3780/Bay-Area--Stormwater-Management-Agencies-Association-BASMAA-Post-Construction-Manual-PDF>

Napa Countywide Stormwater Pollution Prevention Program (NCSPPP) Erosion and Sediment Control Plan Guidance

<https://www.countyofnapa.org/DocumentCenter/View/3780/Bay-Area--Stormwater-Management-Agencies-Association-BASMAA-Post-Construction-Manual-PDF>

☐ ***Please Note***

While this checklist includes all information generally required to process a Use Permit/Major Modification or other Use Permit related application, it is primarily focused on winery uses. Additional information may be required at the discretion of the Deputy Planning Director, and in particular in those cases where non-winery commercial uses (such as restaurants) or residential use related projects are proposed. **The Planning Division will make every effort to identify any additional required information at or directly following the Pre-application Review Meeting.**

☐ **Plans and Studies provided electronically via file share (coordinated at intake).**

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## Certification and Indemnification

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

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

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

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

Basil Enan

Print Name of Property Owner

\_\_\_\_\_  
Print Name Signature of Applicant (if different)

B. Enan

Signature of Property Owner

2/8/23

Date

\_\_\_\_\_  
Signature of Applicant

Date

## Hourly Fee Agreement

PROJECT File: \_\_\_\_\_; request for \_\_\_\_\_. I, \_\_\_\_\_,

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

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

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

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

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

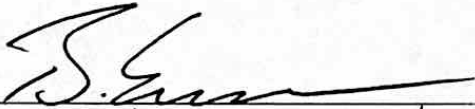
Basil & Robin Enan

Mailing Address of the Applicant responsible for paying processing fees:

1765 Poppy Avenue

Menlo Park, CA 94025

Signature:\*



Email Address:

basilenan@gmail.com

Date:

2/8/23

Phone Number:

650-867-0865

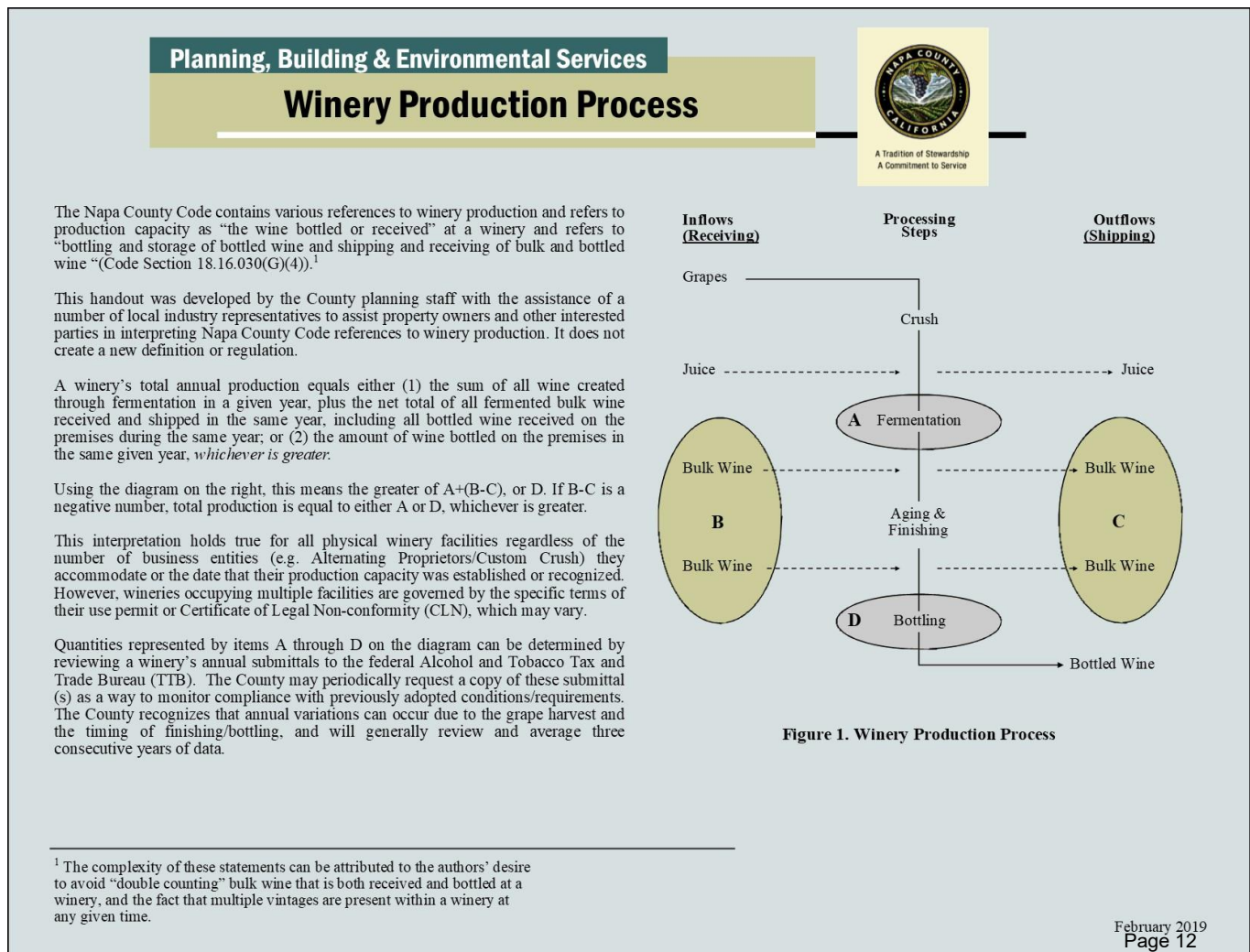
\*ATTENTION - The applicant will be held responsible for all charges.

## Supplemental Application for Winery Uses

### Definitions

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

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



## WINERY OPERATIONS

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

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

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

## Production Capacity \*

Please identify the winery's...

Existing permitted production capacity: NA gal/y Per permit : \_\_\_\_\_ Permit date: \_\_\_\_\_

Current maximum actual production: NA gal/y For what year? \_\_\_\_\_

Average 3 year production: NA gal/y

Proposed production capacity: 5,000 gal/y

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

## Visitation and Operations

Please identify the winery's...

|                                           |                    |                                    |
|-------------------------------------------|--------------------|------------------------------------|
| Maximum daily tours/tastings visitation:  | <u>NA</u> existing | <u>14</u> proposed                 |
| Maximum weekly tours/tastings visitation: | <u>NA</u> existing | <u>98</u> proposed                 |
| Visitation hours (e.g. M-Sa, 10am-4pm):   | <u>NA</u> existing | <u>10 AM - 6 PM daily</u> proposed |
| Production days and hours <sup>1</sup> :  | <u>NA</u> existing | <u>7 AM - 6 PM daily</u> proposed  |

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

## Grape Origin

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

We intend to produce wine from grapes grown on-site, however it will take some time for the newly planted vines to produce fruit suitable to meet our standards. In the interim, at least 75% of the grapes used to make wine will be grown in Napa County.

## Marketing Program

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

In accordance with State law and the Napa County PBES Director's 2008 memo, on-premise consumption of wine will occur within the winery tasting room and outdoor patio areas.

Marketing events are proposed to be held 10 times a year for up to 24 people per event. These events would not exceed 24 vehicle trips (12 vehicles). One larger event is proposed for up to 50 people, not to exceed 40 vehicles trips (20 vehicles). While these marketing events could occur during any portion of the day, we have proposed operational hours of 7AM-10PM for the event days. The 10PM close time is inclusive of cleanup and breakdown.

Food will be offered at the marketing events, but will be catered for the one larger marketing event.

## On-Site Consumption

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

No outdoor tasting is proposed other than the outdoor patio, adjacent to the tasting room.

## Food Service

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

A high-risk commercial kitchen is proposed to allow for food pairings and on-site food preparation. Details can be found in the plan sets included as part of this application.

## Winery Coverage and Accessory/Production Ratio

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

|          |       |         |     |       |
|----------|-------|---------|-----|-------|
| Existing | NA    | sq. ft. | NA  | acres |
| Proposed | 7,125 | sq. ft. | .16 | acres |

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

|        |         |     |       |     |             |
|--------|---------|-----|-------|-----|-------------|
| 28,345 | sq. ft. | .65 | acres | 1.3 | % of parcel |
|--------|---------|-----|-------|-----|-------------|

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

|          |    |         |          |          |         |
|----------|----|---------|----------|----------|---------|
| Existing | NA | sq. ft. | Proposed | 6,477.35 | sq. ft. |
|----------|----|---------|----------|----------|---------|

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

|          |          |         |    |                          |
|----------|----------|---------|----|--------------------------|
| Existing | NA       | sq. ft. | NA | % of production facility |
| Proposed | 2,018.76 | sq. ft. | 31 | % of production facility |

## Caves and Crush pads NA

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

Existing Cave:

- |                                                                               |                                                       |                                                    |
|-------------------------------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> None – no visitors/tours/events (Class I)            | <input type="checkbox"/> Guided Tours Only (Class II) | <input type="checkbox"/> Public Access (Class III) |
| <input type="checkbox"/> Marketing Events and/or Temporary Events (Class III) |                                                       |                                                    |

Expanded or New Cave:

- |                                                                               |                                                       |                                                    |
|-------------------------------------------------------------------------------|-------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> None – no visitors/tours/events (Class I)            | <input type="checkbox"/> Guided Tours Only (Class II) | <input type="checkbox"/> Public Access (Class III) |
| <input type="checkbox"/> Marketing Events and/or Temporary Events (Class III) |                                                       |                                                    |

Please identify the winery's...

|                          |                         |                         |
|--------------------------|-------------------------|-------------------------|
| Cave area (total)        | Existing: _____ sq. ft. | Proposed: _____ sq. ft. |
| Cave area (Production)   | Existing: _____ sq. ft. | Proposed: _____ sq. ft. |
| Cave area (Accessory)    | Existing: _____ sq. ft. | Proposed: _____ sq. ft. |
| Covered crush pad area   | Existing: _____ sq. ft. | Proposed: _____ sq. ft. |
| Uncovered crush pad area | Existing: _____ sq. ft. | Proposed: _____ sq. ft. |
| Cave Spoils total:       |                         | Proposed: _____ cy.     |

Cave Spoils Use: ☐ Onsite ☐ Offsite

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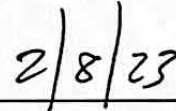
## Initial Statement of Grape Source

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



Owner's Signature



Date

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



A Tradition of Stewardship  
A Commitment to Service

# WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services

1195 Third Street, Suite 210

Napa, CA 94559-3082

(707) 253-4417

## PROJECT DESCRIPTION

|                           |                             |
|---------------------------|-----------------------------|
| <b>Winery Name:</b> _____ | <b>Date Prepared:</b> _____ |
|---------------------------|-----------------------------|

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

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

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

## TRIP GENERATION

| Existing Winery                                                    |                |                                          |                                         | Harvest | Non-Harvest |
|--------------------------------------------------------------------|----------------|------------------------------------------|-----------------------------------------|---------|-------------|
| <u>Maximum Daily Weekday Traffic (Friday)</u>                      |                |                                          |                                         |         |             |
|                                                                    | <u>Harvest</u> | <u>Non-Harvest</u>                       |                                         |         |             |
| FT Employees                                                       |                | 3.05 one way trips/employee              | FT Employee Daily Trips                 |         |             |
| PT Employees                                                       |                | 1.9 one way trips/employee               | PT Employee Daily Trips                 |         |             |
| Max Visitors                                                       |                | 2.6 visitors/vehicle for 2 one way trips | Max Visitor Daily Trips                 |         |             |
| Max Event                                                          |                | 2.6 visitors/vehicle for 2 one way trips | Max Event Daily Trips                   |         |             |
| Gallons of Production                                              |                | 0.000018 truck trips                     | Production Daily Trips                  |         |             |
| Tons of Grape Haul#                                                |                | 0.013889 truck trips                     | Grape Haul Daily Trips                  |         |             |
|                                                                    |                |                                          | <b>Total Weekday Daily Trips</b>        |         |             |
|                                                                    |                |                                          | <b>Total Weekday Peak Hour Trips*</b>   |         |             |
| <u>Maximum Daily Weekend Traffic (Saturday)</u>                    |                |                                          |                                         |         |             |
|                                                                    | <u>Harvest</u> | <u>Non-Harvest</u>                       |                                         |         |             |
| FT Employees                                                       |                | 3.05 one way trips/employee              | FT Employee Daily Trips                 |         |             |
| PT Employees                                                       |                | 1.9 one way trips/employee               | PT Employee Daily Trips                 |         |             |
| Max Visitors                                                       |                | 2.8 visitors/vehicle for 2 one way trips | Max Visitor Daily Trips                 |         |             |
| Max Event                                                          |                | 2.8 visitors/vehicle for 2 one way trips | Max Event Daily Trips                   |         |             |
| Gallons of Production                                              |                | 0.000018 truck trips                     | Production Daily Trips                  |         |             |
| Tons of Grape Haul#                                                |                | 0.013889 truck trips                     | Grape Haul Daily Trips                  |         |             |
|                                                                    |                |                                          | <b>Total Weekend Daily Trips</b>        |         |             |
|                                                                    |                |                                          | <b>Total Weekend Peak Hour Trips*</b>   |         |             |
| <u>Maximum Annual Traffic</u>                                      |                |                                          |                                         |         |             |
|                                                                    |                |                                          | <b>Total Annual Trips**</b>             |         |             |
| Proposed Winery                                                    |                |                                          |                                         | Harvest | Non-Harvest |
| <u>Maximum Daily Weekday Traffic (Friday)</u>                      |                |                                          |                                         |         |             |
|                                                                    | <u>Harvest</u> | <u>Non-Harvest</u>                       |                                         |         |             |
| FT Employees                                                       |                | 3.05 one way trips/employee              | FT Employee Daily Trips                 |         |             |
| PT Employees                                                       |                | 1.9 one way trips/employee               | PT Employee Daily Trips                 |         |             |
| Max Visitors                                                       |                | 2.6 visitors/vehicle for 2 one way trips | Max Visitor Daily Trips                 |         |             |
| Max Event                                                          |                | 2.6 visitors/vehicle for 2 one way trips | Max Event Daily Trips                   |         |             |
| Gallons of Production                                              |                | 0.000018 truck trips                     | Production Daily Trips                  |         |             |
| Tons of Grape Haul#                                                |                | 0.013889 truck trips                     | Grape Haul Daily Trips                  |         |             |
|                                                                    |                |                                          | <b>Total Weekday Daily Trips</b>        |         |             |
|                                                                    |                |                                          | <b>Total Weekday Peak Hour Trips*</b>   |         |             |
| <u>Maximum Daily Weekend Traffic (Saturday)</u>                    |                |                                          |                                         |         |             |
|                                                                    | <u>Harvest</u> | <u>Non-Harvest</u>                       |                                         |         |             |
| FT Employees                                                       |                | 3.05 one way trips/employee              | FT Employee Daily Trips                 |         |             |
| PT Employees                                                       |                | 1.9 one way trips/employee               | PT Employee Daily Trips                 |         |             |
| Max Visitors                                                       |                | 2.8 visitors/vehicle for 2 one way trips | Max Visitor Daily Trips                 |         |             |
| Max Event                                                          |                | 2.8 visitors/vehicle for 2 one way trips | Max Event Daily Trips                   |         |             |
| Gallons of Production                                              |                | 0.000018 truck trips                     | Production Daily Trips                  |         |             |
| Tons of Grape Haul#                                                |                | 0.013889 truck trips                     | Grape Haul Daily Trips                  |         |             |
|                                                                    |                |                                          | <b>Total Weekend Daily Trips</b>        |         |             |
|                                                                    |                |                                          | <b>Total Weekend Peak Hour Trips*</b>   |         |             |
| <u>Maximum Annual Traffic</u>                                      |                |                                          |                                         |         |             |
|                                                                    |                |                                          | <b>Total Annual Trips**</b>             |         |             |
| Net New Trips                                                      |                |                                          |                                         | Harvest | Non-Harvest |
| <u>Maximum Weekday Traffic (Friday)</u>                            |                |                                          |                                         |         |             |
| If total net new daily trips is greater than 40, a TIS is required |                |                                          | <b>Net New Weekday Daily Trips</b>      |         |             |
|                                                                    |                |                                          | <b>Net New Weekday Peak Hour Trips*</b> |         |             |
| <u>Maximum Weekend Traffic (Saturday)</u>                          |                |                                          |                                         |         |             |
| If total net new daily trips is greater than 40, a TIS is required |                |                                          | <b>Net New Weekend Daily Trips</b>      |         |             |
|                                                                    |                |                                          | <b>Net New Weekend Peak Hour Trips*</b> |         |             |
| <u>Maximum Annual Traffic</u>                                      |                |                                          |                                         |         |             |
|                                                                    |                |                                          | <b>Net New Annual Trips**</b>           |         |             |

#Trips associated with Grape Haul represent harvest season only.

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

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



A Tradition of Stewardship  
A Commitment to Service

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

Project name & APN: \_\_\_\_\_

Project number if known: \_\_\_\_\_

Contact person: \_\_\_\_\_

Contact email & phone number: [Martta@nobilimarques.com](mailto:Martta@nobilimarques.com)

Today's date: 2/22/23

## Voluntary Best Management Practices Checklist for Development Projects

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

### Practices with Measurable GHG Reduction Potential

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

Already Plan  
Doing To Do

ID # BMP Name

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

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

- ☐ ☐ **BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)**  
*Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO<sub>2</sub>e and add the County's carbon stock.*
- 
- 
- ☐ ☐ **BMP-4 Alternative fuel and electrical vehicles in fleet**  
*The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.*
- Number of total vehicles** \_\_\_\_\_
- Typical annual fuel consumption or VMT** \_\_\_\_\_
- Number of alternative fuel vehicles** \_\_\_\_\_
- Type of fuel/vehicle(s)** \_\_\_\_\_
- Potential annual fuel or VMT savings** \_\_\_\_\_
- 
- ☐ ☐ **BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2**  
*The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).*
- 
- 
- ☐ ☐ **BMP-6 Vehicle Miles Traveled (VMT) reduction plan**  
*Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.*
- Tick box(es) for what your Transportation Demand Management Plan will/does include:
- ☐ employee incentives
  - ☐ employee carpool or vanpool
  - ☐ priority parking for efficient transporation (hybrid vehicles, carpools, etc.)
  - ☐ bike riding incentives
  - ☐ bus transportation for large marketing events
  - ☐ Other: \_\_\_\_\_
- 
- 
- Estimated annual VMT \_\_\_\_\_
- Potential annual VMT saved \_\_\_\_\_
- % Change \_\_\_\_\_
-

Already  
Doing

Plan  
To Do

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

*See description below under BMP-5.*

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☐ ☐ **BMP-8 Solar hot water heating**

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

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☐ ☐ **BMP-9 Energy conserving lighting**

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

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

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

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☐ ☐ **BMP-11 Bicycle Incentives**

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

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☐ ☐ **BMP-12 Bicycle route improvements**

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

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Already Plan  
Doing To Do

☐ ☐ **BMP-13 Connection to recycled water**

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

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☐ ☐ **BMP-14 Install Water Efficient fixtures**

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

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☐ ☐ **BMP-15 Low-impact development (LID)**

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

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☐ ☐ **BMP-16 Water efficient landscape**

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

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

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☐ ☐ **BMP-17 Recycle 75% of all waste**

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

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☐ ☐ **BMP-18 Compost 75% food and garden material**

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

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☐ ☐ **BMP-19 Implement a sustainable purchasing and shipping programs**

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

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

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

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☐ ☐ **BMP-21 Electrical Vehicle Charging Station(s)**

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

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☐ ☐ **BMP-22 Public Transit Accessibility**

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

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☐ ☐ **BMP-23**

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

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

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☐ ☐ **BMP-24 Limit the amount of grading and tree removal**

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

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

|                   |                          |                                                                |
|-------------------|--------------------------|----------------------------------------------------------------|
| <b>BMP-25 (a)</b> | <input type="checkbox"/> | <b>LEED™ Silver</b> (check box BMP-25 and this one)            |
| <b>BMP-25 (b)</b> | <input type="checkbox"/> | <b>LEED™ Gold</b> (check box BMP-25, BMP-25 (a), and this box) |
| <b>BMP-25 (c)</b> | <input type="checkbox"/> | <b>LEED™ Platinum</b> (check all 4 boxes)                      |

## Practices with Un-Measured GHG Reduction Potential

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

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

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

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

Already Plan  
Doing To Do

☐ ☐ **BMP-28 Use of recycled materials**

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

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☐ ☐ **BMP-29 Local food production**

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

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☐ ☐ **BMP-30 Education to staff and visitors on sustainable practices**

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

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☐ ☐ **BMP-31 Use 70-80% cover crop**

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

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

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

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

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

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**Comments and Suggestions on this form?**

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## **Sources:**

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

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## Adjoining Property Owner List Requirements

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All applications shall include a list of the current owners of all the properties whose outer perimeters are within **1,000 feet** of the property boundary of the project site. The list shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. The list may be expanded to include other affected property owners at the discretion of the Planning Director as well as individuals having a request for notice on file with the Commission Clerk.

Preparation, verification and submission of this list of property owners is the responsibility of the applicant. Lists of the property owners appearing on County tax rolls in the form required are available from all local title insurance companies. Each such list must be certified by a title insurance company as reflecting the most recent County tax roll information. While the mailing list is not necessarily required at initial project submittal, the project cannot be noticed for hearing without it.

### Instructions to the Title Company

Please prepare the property owners' list as follows:

1. Type the property owners' names, parcel numbers and mailing addresses on an 8½" by 11" sheet of Avery #5160 Laser Labels so that this information can be readily used in mailing by the Planning, Building & Environmental Services Department.
2. Submit a full page copy of the assessors' parcel book page(s) and a copy of the latest equalized assessment roll used to compile the property owners' list. Please indicate the location of all parcels listed, by check mark or colored parcel number circled on the pages.

If you have any questions, please contact the Planning, Building & Environmental Services Department at (707) 253-4417.



**Harcross Winery  
Winery Use Permit Application  
Project Statement  
(APN 027-530-006)**

The project consists of a proposed new winery located at 6402 Dry Creek Road. The 51-acre parcel is in the Agricultural Watershed (AW) District and is currently being developed under separate permits with a single-family residence and two acres of vineyards.

The winery will be 7,886 sq. ft. in size, with an accessory to production ratio of 31%. The winery footprint also will be quite small at .65 acres or 1.3 percent of the site, with 4 parking spaces. The winery building will be designed to nestle into the property largely screened from view from Dry Creek Road. By taking advantage of the natural slope, most of the building will be located below grade on three sides, including the covered crush pad and building entry, the fermentation, barrel and storage rooms, the mechanical yard, and the employee break room with commercial kitchen. On the second level there will be the lab, office, restroom, tasting room with an outdoor patio and a rooftop garden. Access between floors will be provided by an internal staircase and elevator. A green roof over portions of the lower level will help to screen a large portion of the winery building from higher elevations on the site and Dry Creek Road, maintaining a natural feel of the sloping property and minimizing impact on the land, and to open it for greater vineyard space.

The combination of the winery location, the excavation of the first level into natural grade, and the use of flat second level and planted roofs helps the winery to blend in with the property and the wooded downslope areas. The property is not visible from SR 29 or Silverado Trail because of the easterly rolling terrain, and the second floor will only be partially visible from sections of Dry Creek Road close to the property entry. Exterior materials will include homogeneous warm colored concrete that will be used extensively throughout the building and retaining walls, with a combination of smooth and board-formed finishes; some troweled shotcrete may be used on the taller exterior retaining walls, and concrete blocks with earth tones will be proposed on the retaining walls that form the down-slope edge of the road and parking areas. Doors and windows to the exterior will be finished in a dark color consistent with Napa County's approved color palette, and one exterior accent wood wall is proposed facing the property gate, to screen some of the light from the building.

The property is served by two existing wells providing sufficient water to accommodate all uses on site, as provided in the attached Water Availability Analysis (WAA). A 40,000 to 60,000 gallon water storage is planned for onsite to provide fire protection (the final size will be confirmed at the time of building permit application), and a 5,000 gallon tank for domestic use.

The winery proposes 14 visitors 7 days per week, representing a maximum of 98 visitors per week. Winery hours of operation will be between 7:00 AM and 6:00 PM. Visitation hours of operation will be between 10:00 AM and 4:00 P.M. Up to 11 marketing events are proposed, to include 10 events per year for up to 24 guests and 1 larger event for up to 50 guests (not more than one small event will occur each month). On the day that marketing events are held no other visitation will occur. Event hours between 10:00 AM and 10 PM, inclusive of cleanup. No outdoor amplified music is envisioned, ~~except for the annual larger event, which the music will stop at 9:00 PM.~~ *Removed from scope - mp* Guests will arrive to the site in personal vehicles; however, during events carpooling will be encouraged at the time of making the reservation, and a shuttle service will be provided for the larger event. The winery will have 4 full-time employees and 1 part-time employee to support winery and hospitality functions.

In accordance with State law and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premise", on-premises consumption of wine produced onsite and purchased from the winery may occur solely in the areas of the winery building approved for hospitality activities and on the outdoor patio areas. Tastings, including events, will be located primarily in the tasting room and adjacent garden, but they may extend to other parts of the building.

Access to the site will be from a shared common driveway between the winery and the residence connecting to Dry Creek Road. The initial 50 feet is 22 feet wide (min. 20' paved with 1' shoulders) then splits as a "Y" with the approved west leg serving the new home and a new east leg serving the winery. The slope of natural ground in the project area (driveway, winery, etc.) averages between 15 and 21 percent within an overall average of 18%.

The winery has been designed consistent with the Minor Modification provisions contained in Napa Code Section 18.125.130.C, albeit with the understanding that a new winery requires approval of a new use permit. The winery will be quite small with a production of up to 5,000 gal/year, 5 employees (4 FT/1 PT), and 14 average daily visitors with no more than 24 daily visitors. Average daily trips (ADT) will be 40 or fewer including the residential trips.

## EXHIBITS

- Cover Letter
- Application
- Project Statement
- Civil Plans
- Architectural Plans & Visual Analysis
- Water Availability Report
- Wastewater Feasibility Report
- Archaeological Report

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**Napa County**  
**CONSERVATION, DEVELOPMENT & PLANNING COMMISSION**  
 1195 Third Street, Room 210, Napa, California 94559  
 (707) 253-4416

**BASIC APPLICATION FOR EROSION CONTROL PLAN REVIEW**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------|--|
| <b>FOR OFFICE USE ONLY</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                      |                                          |  | <b>SUBMITTAL DATE:</b> _____                                                                                              |  |
| <b>FILE #:</b> _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                      | <b>APN #:</b> _____                      |  | <b>USGS QUAD:</b> _____                                                                                                   |  |
| <b>[ ] STRUCTURAL [ ] AGRICULTURAL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                      | <b>TOWNSHIP/RANGE:</b> _____             |  |                                                                                                                           |  |
| <b>REQUEST:</b> _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <b>PROJECT TYPE:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Agriculture: New ____ Vineyard Replant (Process I: ____ II: ____) Other: _____<br>Non-Agriculture: Structure ____ Driveway ____ Road ____ Reservoir ____ Other _____ |                                          |  |                                                                                                                           |  |
| <b>PERCENT SLOPE:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Cropland: _____ Structure: _____ Pad: _____ Driveway: _____ Road: _____                                                                                              |                                          |  |                                                                                                                           |  |
| <b>OTHER PERMITS:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Grading Permit ____ Use Permit: ____ Variance: ____ Septic System Permit: ____ Groundwater Permit: ____                                                              |                                          |  |                                                                                                                           |  |
| <b>REVIEW AGENCIES:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | CDPD: <u>X</u> County Consultant: ____ OR RCD: ____                                                                                                                  |                                          |  |                                                                                                                           |  |
| <b>FINAL APPROVAL:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CDPD: <u>X</u> Date: _____                                                                                                                                           |                                          |  |                                                                                                                           |  |
| <b>TO BE COMPLETED BY APPLICANT</b><br>(Please type or print legibly)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <b>Applicant's Name:</b> Basil and Robin Enan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <b>Telephone #:</b> (650) 867-0865                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                      | <b>Fax #:</b> (____)                     |  | <b>E-Mail:</b> basilenan@gmail.com                                                                                        |  |
| <b>Mailing Address:</b> 1765 Poppy Avenue Menlo Park CA 94025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| No Street                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                      | City                                     |  | State Zip                                                                                                                 |  |
| <b>Status of Applicant's Interest in Property:</b> Property owner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <b>Property Owner's Name:</b> Same as applicant.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <b>Telephone #:</b> (____)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                      | <b>Fax #:</b> (____)                     |  | <b>E-Mail:</b> _____                                                                                                      |  |
| <b>Mailing Address:</b> _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| No Street                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                      | City                                     |  | State Zip                                                                                                                 |  |
| <b>Site Address/Location:</b> 6402 Dry Creek Road Napa                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| No Street                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                      | City                                     |  | State Zip                                                                                                                 |  |
| <b>Assessor's Parcel #:</b> 027-530-006                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                      | <b>Existing Parcel Size:</b> 51 ± acres  |  | <b>Development Area Size:</b> 4.0 ± acres                                                                                 |  |
| <b>Slope Range:</b> 11 % to 19 %                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                      | <b>Total Acreage ≥ 30%:</b> 0.15 ± acres |  | <b>Estimated Total Amount of Cut &amp; Fill:</b> <1,000 cubic yards                                                       |  |
| <b>Land or Aerial Survey Prepared By</b> Napa County GIS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                      |                                          |  | <b>Date:</b> 2022                                                                                                         |  |
| <small>(NOTE: Contour map/survey is required for all development areas with an estimated slope of 15% or greater and for all road/driveway projects, Contour map must include all areas within 100' of the cut and fill edges. Percent slope shall be calculated and presented as whole numbers.)</small>                                                                                                                                                                                                                                                     |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <b>Source(s) of Water:</b> Existing well                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <b>Related Permits Filed:</b> <input type="checkbox"/> Water Rights <input type="checkbox"/> Groundwater <input type="checkbox"/> Well <input type="checkbox"/> Sewage Disposal <input type="checkbox"/> Use Permit/Variance?<br><input type="checkbox"/> Timber Harvest <input type="checkbox"/> Stream Alteration <input type="checkbox"/> Others: _____                                                                                                                                                                                                    |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| I hereby certify that all the information contained in this application, including but not limited to, this application form, the supplemental information sheets, site plan, plot plan, cross sections/elevations, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for evaluation of this application and preparation of reports related thereto, including the right of access to the property involved. |                                                                                                                                                                      |                                          |  |                                                                                                                           |  |
| <br>Basil Enan (Nov 8, 2023 14:43 PST)                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                      | Nov 8, 2023                              |  | <br>Basil Enan (Nov 8, 2023 14:43 PST) |  |
| Signature of Applicant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                      | Date                                     |  | Signature of Property Owner                                                                                               |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                      |                                          |  | Date                                                                                                                      |  |

|                                                                             |                              |                          |                   |
|-----------------------------------------------------------------------------|------------------------------|--------------------------|-------------------|
| <b>TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT</b> |                              |                          |                   |
| <b>\$</b> _____                                                             | <b>Receipt Number:</b> _____ | <b>Received By</b> _____ | <b>Date</b> _____ |
| <b>Estimated Fee</b>                                                        |                              |                          |                   |

## EROSION CONTROL PLAN SUPPLEMENTAL INFORMATION

### Project/Construction Phasing Information

1. Project Description: New Vineyard Development. APN: 027-530-006
- Parcel size: 51 ± acres Total land area disturbed: 4.0 ± acres  
Agriculture: NEW plant acres: 2.5 ± Replant acres: \_\_\_\_\_  
Structures: ☐ residence ☐ building ☐ driveway ☐ road ☒ other Winery
2. Project Phases: ☒ one ☐ two or ☐ \_\_\_\_\_
3. Anticipated date to start construction (month/year): April, 2024
4. Estimated date of completion of each phase: Phase 1: October 2024  
Phase 2: \_\_\_\_\_  
Phase \_\_\_\_: \_\_\_\_\_
5. Total construction time estimated: 4-6 months ±
6. Work scheduled between Oct. 1 and Apr. 1? ☐ Yes ☒ No OR  
between Sept. 1 and Apr. 1? ☐ Yes ☐ No (municipal watershed)
7. Winterization measures in the Erosion Control Plan Yes
8. Is a grading permit, a well permit, or a sewage disposal permit required? ☐ Yes ☒ No  
If yes has the Napa Co ☐ Public Works and/or ☐ Environmental Management Departs. been notified? ☐ Yes ☐ No

### Slope Information

9. Earth moving, grading or land clearing on slope(s) of: 11 % to 19 %
10. Total acreage with slopes greater than or equal to 30%: 0.15 ± acres
11. Contour mapping source: Napa County GIS (2022)

### Water Deficient Area, Watershed Area, & Water Rights Diversion Permits

12. Water-deficient area: ☐ Yes (applicant must contact Co Env Mgmt Dept) ☒ No
13. Sub-Watershed Name: Dry Creek  
Municipal Reservoir Watershed: ☐ Yes ☒ No  
If yes: ☐ Bell Canyon ☐ Kimball ☐ Milliken ☐ Lake Hennessey ☐ Rector
14. Have any other erosion control plans effecting this parcel been approved since 1991? ☐ Yes ☒ No
15. Coverage information (required for projects in any watershed):  
(a) Existing acres of tree canopy cover per parcel: 41.4 acres  
Proposed acres of canopy cover to be removed: 0.5 acres  
Percent of canopy cover to be retained per parcel: 99 %  
(b) Existing acres of shrub, brush, grass without tree canopy per parcel: 5.4 acres  
Proposed acres of shrub, brush, grass cover to be removed: 3.5 acres  
Percent of shrubs, brush, grass to be retained per parcel: 35 %
16. Is there a Water Rights permit associated with the project or parcel? ☐ Yes ☒ No  
a) Copy of permit from the State Dept of Water Resources attached? ☐ Yes ☒ No OR  
b) Date application for necessary permit submitted to this board: \_\_\_\_\_  
c) Copy of associated CEQA document attached? ☐ Yes ☐ No acre/feet \_\_\_\_\_

### Streams, Watercourses, & Streambed Alteration Agreements

17. All streams and watercourses in vicinity of project area(s) shown and the required setback(s) indicated with the distance and slope? ☒ Yes ☐ No
18. Is there a State Dept of Fish & Game Streambed Alteration (1603) Permit associated with the project or parcel? ☐ Yes ☒ No
- (a) Copy of State Dept of Fish & Game Permit attached? ☐ Yes **OR**
- (b) Date application for necessary permit submitted to this agency: \_\_\_\_\_
- (c) Copy of CEQA document prepared attached? ☐ Yes ☐ No

### Environmental Setting

19. Is any portion of the project located on or within 500' of a landslide? ☒ Yes ☐ No  
Cite source: See report from RGH Consultants dated April 6, 2022
20. Is any portion of the project located in the vicinity of rare/endangered species, species of special concern (plant, animal), wetland (type), riparian habitat, critical habitat, etc.? ☐ Yes ☒ No  
If yes, list: See report by Kjeldsen Biological Consulting.
- Cite source/reference(s): Biological Resource Survey by Kjeldsen Biological Consulting  
Specific study prepared: Yes by Kjeldsen Biological Consulting date: 9/2023
21. Is any portion of the project located on or within 500' of an archeological or historic site? ☐ Yes ☐ No  
Cite source: Unknown  
Specific study prepared: \_\_\_\_\_ by \_\_\_\_\_ date: \_\_\_\_\_

### Grading Information

22. Are any new roads/driveways associated with the project? ☒ Yes ☐ No
23. Are any new vineyard avenues associated with the project? ☒ Yes ☐ No
24. Will the project involve any recontouring of the land? ☒ Yes ☐ No
25. Will there be any excavation or fill deeper than 12 inches? ☒ Yes ☐ No
26. Total cubic yards of cut & fill: <1,000  
Cubic yards of cut: <500 fill: <500  
Spoils location: on-site 100% off-site None
27. Has a grading permit been filed with the Co Public Works Dept? ☐ Yes ☒ No
28. Will the project involve repair of a landslide? ☐ Yes ☒ No  
Location \_\_\_\_\_ Size \_\_\_\_\_ Report \_\_\_\_\_

### TIMBER HARVEST/TIMBER CONVERSION PERMITS

29. Is there a Timber Harvest or Conversion permit associated with the project/parcel? ☐ Yes ☒ No  
Number of Acres: \_\_\_\_\_
- a) Copy of State Dept of Forestry Permit attached? ☐ Yes **OR**
- b) Date application for necessary permit submitted to this agency: \_\_\_\_\_
- c) Copy of associated CEQA document attached? ☐ Yes ☐ No
- d) Date other County erosion control plan(s) submitted if different than the application date for this plan: \_\_\_\_\_
30. Is there a Timberland Conversion Exception associated with the project or parcel? ☐ Yes ☒ No

# Attachment A

## SUPPLEMENTAL PROJECT INFORMATION

File #: P \_\_\_\_ - \_\_\_\_ - \_\_\_\_ Owner: Basil and Robin Enan Parcel #: 0 2 7 - 5 3 0 - 0 0 6

### Vineyard Development Area Specifics

1. Size of Area Disturbed: 4.0 ± acres
2. Size of Vineyard: 3.0 ± acres
3. Acres of Vines: 2.5 ± acres
4. Slopes of Area Disturbed: 11 % to 19 %
5. Amount of Total Acreage Equal to or Above 30% Slope: 0.15 ± acres
6. Total Number of Trees Removed 32 trees INCLUDES WINERY SITE
  - a) natives 32 trees
  - b) non-natives 0 trees

### Vineyard Development Schedule

1. Pre-Planting Stage:  
(i.e. land clearing, ripping, installation of drainage system., vineyard staking, installation of irrigation system., installation and maintenance of permanent and temporary erosion control measures, planting of cover crop, straw mulching)  
Start Date: April 2024 End Date: October 2024 Duration: 180 days  
Temporary Cover Crop Planted X Yes        No
2. Planting Stage:  
(i.e. planting of vines, seeding permanent cover crop, apply straw mulch, maintenance of erosion control measures)  
Start Date: April 2025 End Date: May 2025 Duration: 60 days
3. Operational Stage:  
(maintenance and adjustment as needed of permanent erosion control practices, implementation of annual vineyard and erosion control measures, commencement of annual harvests)  
Start Date: April 2028

### Vineyard Operations Information

1. Farming Equipment:

|                                                            |                                |
|------------------------------------------------------------|--------------------------------|
| <u>      </u> Track-laying                                 | Percent of Use <u>      </u> % |
| <u>      </u> Rubber-tired                                 | Percent of Use <u>      </u> % |
| <u>X</u> ATV                                               | Percent of Use <u>50</u> %     |
| <u>X</u> Hand/Manual                                       | Percent of Use <u>50</u> %     |
| <u>      </u> Other (describe) <u>                    </u> | Percent of Use <u>      </u> % |
2. Annual Pruning:  
Time of Year: March Number of days: 5-10 Number of Workers: 5-10
3. Annual Sulfuring:  
Time of Year: Spring - Summer Estimated applications/year: 4-12
4. Weed Control:

|                       | <u>Under Vines</u>        | <u>Between Rows</u>       |
|-----------------------|---------------------------|---------------------------|
| Type of control       | <u>Mow / Shovel</u>       | <u>Mow</u>                |
| Method of application | <u>Mechanical / Hand</u>  | <u>Mechanical / Hand</u>  |
| Months:               | <u>March / May / June</u> | <u>March / May / June</u> |
| Applications/year:    | <u>2-3</u>                | <u>2-3</u>                |
| Number of Workers:    | <u>1-2</u>                | <u>1-2</u>                |
5. Harvest (Crush):  
Length 1-5 days Number of Workers: 5-10

# 6. Frost Protection Method(s)

|                                                  | <u>Hours of<br/>Operation</u> | <u>Frequency<br/>(times/year)</u> |
|--------------------------------------------------|-------------------------------|-----------------------------------|
| <input type="checkbox"/> Return-stack heaters    |                               |                                   |
| <input type="checkbox"/> Sprinklers              |                               |                                   |
| <input type="checkbox"/> Mistlers                |                               |                                   |
| <input type="checkbox"/> Wind Machines           |                               |                                   |
| <input checked="" type="checkbox"/> Late Pruning | 7 am - 5 pm                   | 1                                 |
| <input type="checkbox"/> Other _____             |                               |                                   |

# 7. Rodent Protection Method(s):

|                                           |                                             |
|-------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Rodenticides     | <input checked="" type="checkbox"/> Raptors |
| <input checked="" type="checkbox"/> Traps | <input type="checkbox"/> Other _____        |
| <input type="checkbox"/> Fencing          |                                             |

# 8. Bird Protection Method(s):

|                                                                            | <u>Time of Year<br/>(months)</u> | <u>Time of Day</u> | <u>Duration of Use<br/>(days per year)</u> |
|----------------------------------------------------------------------------|----------------------------------|--------------------|--------------------------------------------|
| <input type="checkbox"/> Netting                                           |                                  |                    |                                            |
| <input type="checkbox"/> Bird Cannons                                      |                                  |                    |                                            |
| <input checked="" type="checkbox"/> Visual Distracters (Mylar strips, etc) | June - October                   | 24 hrs             | 150 days                                   |
| <input type="checkbox"/> Raptor Perches                                    |                                  |                    |                                            |
| <input checked="" type="checkbox"/> Other <u>Netting</u>                   | June - October                   | 24 hrs             | 150 days                                   |

# 9. Proposed Nighttime Activities:

|                                                          | <u>Time of Night</u> | <u>Duration of Use<br/>(days per year)</u> |
|----------------------------------------------------------|----------------------|--------------------------------------------|
| <input checked="" type="checkbox"/> Harvest              | Midnight - 6 am      | 1-5                                        |
| <input checked="" type="checkbox"/> Sulphur Application  | Midnight - 6 am      | 4-12                                       |
| <input type="checkbox"/> Pesticide/Herbicide Application |                      |                                            |
| <input type="checkbox"/> Other _____                     |                      |                                            |

# 10. Irrigation Methods

|                                     |                                                 |                                      |
|-------------------------------------|-------------------------------------------------|--------------------------------------|
| <input type="checkbox"/> Sprinklers | <input checked="" type="checkbox"/> Drip System | <input type="checkbox"/> Other _____ |
|-------------------------------------|-------------------------------------------------|--------------------------------------|

# 11. Other Proposed Activities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Traffic Characteristics Information

- Estimated size of grape trucks/truck & trailers to be used: 2-10 tons
- Estimated number of truck/vehicle trips per day: Crush: 4 Vineyard Development: 20 Annually: 80
- Estimated number of farmworkers/vehicle: 2-3 Crush 2-3 Pruning
- Lunch provided on-site for farmworkers: ☐ Yes ☒ No
- Proposed primary access: Existing residential driveway
- Proposed secondary access, if any: None

## Itemized Fertilizer and Pesticide Information

|                | <u>Application<br/>Method</u><br>(broadcast, spray,<br>drip system, etc) | <u>Application<br/>Amount</u><br>(per acre) | <u>Number of<br/>Applications per<br/>Year</u> | <u>Annual Amount<br/>Used</u><br>(per acre) | <u>Total<br/>Annual<br/>Amount<br/>Used<br/>Overall</u> |
|----------------|--------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------|---------------------------------------------|---------------------------------------------------------|
| 1. Fertilizers |                                                                          |                                             |                                                |                                             |                                                         |
| Nitrogen       | Drip                                                                     | 2-5 #                                       | 1-3                                            | 2-15 #                                      | 5-38 #                                                  |
| Magnesium      | Drip                                                                     | 2 qt                                        | 1-3                                            | 2-6 qt                                      | 5-15 qt                                                 |
| Boron          | Foliar                                                                   | 2 qt                                        | 1                                              | 2 qt                                        | 5 qt                                                    |
| Zinc           | Foliar                                                                   | 2 qt                                        | 1                                              | 2 qt                                        | 5 qt                                                    |

|                           |       |       |     |          |          |
|---------------------------|-------|-------|-----|----------|----------|
| <b>2. Mildewcides</b>     |       |       |     |          |          |
| Sonata                    | Spray | 4 qt  | 4-6 | 16-24 qt | 40-60 qt |
| Wetable Sulfur            | Spray | 2-4 # | 2-3 | 4-12 #   | 10-30 #  |
| <b>3. Herbicides</b>      |       |       |     |          |          |
| Lifeline or EQ            | Spray | 60 oz | 2   | 60 oz    | 300 oz   |
| <b>4. Rodenticides</b>    |       |       |     |          |          |
| None                      |       |       |     |          |          |
| <b>5. Other Chemicals</b> |       |       |     |          |          |
| None                      |       |       |     |          |          |

**6. Proposed Storage, Mixing/Handling and Safety Measures:**

Type of onsite chemical storage facility in use or proposed: None planned. Chemicals brought to site as needed by vineyard manager.

Location of current or potential area(s) used for the mixing agricultural chemicals and the description of the facilities present thereat: None planned. Chemicals brought to site as needed by vineyard manager.

Location of current or proposed area designated for the cleaning and washing of chemical application equipment: None planned. Equipment washed offsite.

**Water Source and Usage Information**

*\* Use Attachment D to calculate information requested\**

**1. Current and/or Proposed Water Supply Source(s):**

**Agricultural Water Source(s) :**

- ☒ Well  
☐ Spring  
☐ Stream or Creek  
☐ Reservoir(s)  
☐ Other \_\_\_\_\_

**Percent of Total  
Agricultural Use:**

100 %  
\_\_\_\_\_%  
\_\_\_\_\_%  
\_\_\_\_\_%  
\_\_\_\_\_%  
100%

**Residential and Non-Agricultural Water Source(s) :**

- ☒ Well  
☐ Spring  
☐ Stream or Creek  
☐ Other \_\_\_\_\_

**Percent of Total  
Resid & Non-Ag**

100 %  
\_\_\_\_\_%  
\_\_\_\_\_%  
\_\_\_\_\_%  
100%

**2. Current and Future/Proposed Water Usage** (acre-foot per year = AF/yr) :

|                                     | <u>Current Usage</u> | <u>Future Usage</u> |
|-------------------------------------|----------------------|---------------------|
| Vineyard & other Agricultural Uses: | <u>0</u> AF/yr       | <u>1.50</u> AF/yr   |
| Residential/Domestic Uses:          | <u>0.75</u> AF/yr    | <u>1.75</u> AF/yr   |
| Other Uses:                         | <u>0</u> AF/yr       | <u>0.22</u> AF/yr   |
| Total Usage:                        | <u>0.75</u> AF/yr    | <u>3.47</u> AF/yr   |
| 3. Allowable Groundwater Allotment: |                      | <u>N/A</u> AF/yr    |

**Rock/Spoils/Debris Disposal Information**

**1. Use/Disposal of Rock Generated** (brought to the surface during the vineyard preparation ripping and raking process) :

| <u>Proposed Use/Disposal Method</u>                                    | <u>Percent of Total</u> | <u>Location</u>                           |
|------------------------------------------------------------------------|-------------------------|-------------------------------------------|
| <u>    </u> Road Base (crushed to aggregate size)                      | <u>    </u> %           | <u>    </u> on-site <u>    </u> off-site  |
| <u>    </u> "Rock Mulch" (crushed to fist size and returned to fields) | <u>    </u> %           | <u>    </u> on-site <u>    </u> off-site  |
| <u>    </u> Decorative Rock                                            | <u>    </u> %           | <u>    </u> on-site <u>    </u> off-site  |
| <u>  X  </u> Fill (buried)                                             | <u>50</u> %             | <u>  X  </u> on-site <u>    </u> off-site |
| <u>    </u> Stacked In Pile                                            | <u>    </u> %           | <u>    </u> on-site <u>    </u> off-site  |
| <u>  X  </u> Other <u>    </u> Erosion Control                         | <u>50</u> %             | <u>  X  </u> on-site <u>    </u> off-site |

2. Estimated Amount of Cut & Fill: 1,000 cubic yards (total)  
500 cubic yards (cut) 500 cubic yards(fill)

**3. If rock/spoils material is to be disposed of off-site, where, what for and how much:**

| <u>Location of Disposal Site</u> | <u>Use of Material</u> | <u>Quantity</u>         |
|----------------------------------|------------------------|-------------------------|
| <u>N/A</u>                       |                        | <u>    </u> cubic yards |
| <u>    </u>                      |                        | <u>    </u> cubic yards |
| <u>    </u>                      |                        | <u>    </u> cubic yards |

**4. Debris Disposal (Location & Method):**

     On-site      Off-site   X   Off-site Landfill

**Related Permits**

**1. Please indicate any other related or required permits associated with the proposed conversion plan:**

County:

Grading: Yes      No   X    
 Building: Yes      No   X    
 Structural ECP: Yes      No   X    
 Sewage Disposal: Yes      No   X  

Groundwater/Well Permit: Yes      No   X    
 Use Permit: Yes   X   No      FOR WINERY  
 Variance: Yes      No   X    
 Other Not Listed:     

State Dept of Forestry:

Timber Harvest Plan: Yes      No   X    
 Timber Conversion Exemption: Yes      No   X  

Timber Conversion Permit: Yes      No      acres  
     acres

State Dept of Fish & Game:

Streambed Alteration Permit: Yes      No   X  

State Division of Water Rights:

Appropriate Water Rights Permit: Yes      No   X  

State Environmental Protection Agency:

Chemical Application Permit(s): Yes      No   X  

Other State & Federal Permits (please list) :

None

**2. Consultation with, or letter of agreement from:**

Regional Water Quality Control Brd: Yes      No       
National Marine Fisheries Service/NOAA: Yes      No       
Army Corps of Engineers: Yes      No       
U.S. Fish and Wildlife Service: Yes      No

## SUPPLEMENTAL ENVIRONMENTAL INFORMATION (ECP)

To be provided by Property Owner: Basil & Robin Enan

Attach response sheets to this page.

### A. GENERAL INFORMATION

1. Name, address, telephone number of property owner.
2. Address of project.
3. APN.
4. Name, Address and telephone number of person to be contacted concerning this project, if different than owner.
5. Indicate type or number of the permit application for the project to which this form pertains.
6. List and describe any other related permits and/or other public approvals required for this project or parcel, including those required by city, regional, state and federal agencies.
7. Existing zoning district.
8. Proposed use of entire site and/or parcel. List and describe any other projects or improvements with site locations anticipated within the next several years (1-3-5 years).

### B. PROJECT DESCRIPTION

9. Parcel(s) size(s), acres per parcel.
10. Project(s) size(s), acres per project.
11. Attach plans.
12. Proposed scheduling.
13. Anticipated incremental or phased development.
14. If the project involves Napa County grading permit, use permit, variance or rezoning application, state this and indicate clearly why the application is required.

*Discuss and check yes the following items which are applicable to your project or its effects (attach additional sheets)*

#### YES NO

15. ☒ ☐ Change in existing features of any watercourses, wetlands, tidelands, beaches, hills or alteration of ground contours.
16. ☐ ☒ Change in scenic views or vistas from existing residential areas or public lands or roads.
17. ☐ ☒ Change in the pattern, scale or character of general area of project.
18. ☐ ☒ Change in bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.
19. ☒ ☐ Site on filled land or on slopes of 5% or more.
20. ☐ ☒ Substantial change in demand for Napa County services (police, fire, water, sewage, etc.)
21. ☒ ☐ Relationship to a larger project or series of projects.

### C. ENVIRONMENTAL SETTING

22. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, wetlands (types), riparian habitat and any cultural, historical or scenic aspects. Describe any/all existing structures on the site, and the use of the structures. Attach photographs of the site, could include current aerial photo.
23. Describe the surrounding properties (approximately ¼ mile radius from parcel boundary), including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (agriculture, residential, commercial, etc.), intensity of land use (vineyards, winery, one-family, multi-family, industry, etc.), and scale of development (acres, height, setback, yard, etc.). Attach photographs of the vicinity, could include current aerial photo.

### D. CERTIFICATION

I hereby certify that the statements furnished responding to the above and in the attached sheets present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Nov 8, 2023

Date

B. Enan  
Basil Enan (Nov 8, 2023 14:43 PST)

Signature of Property Owner

## SUPPLEMENTAL ENVIRONMENTAL INFORMATION (ECP)

### **A. General Information**

1. Property Owner Contact Information:  
Basin and Robin Enan  
1765 Poppy Avenue  
Menlo Park, CA 94025
2. Site Address:  
6402 Dry Creek Road  
Napa, CA 94558
3. Napa County Assessor's Parcel Number:  
Napa County APN 027-530-006
4. Contact Person Contact Information:  
Applied Civil Engineering Incorporated  
Care Of: Mike Muelrath, President  
2160 Jefferson Street, Suite 230  
Napa, CA 94559  
(707) 320-4968
5. Type of Permit  
Agricultural Erosion Control Plan (ECPA)
6. Related Permits  
Winery Use Permit Application P23-00105 is under review. A residence with several associated building permits and grading permit is under construction.
7. Existing Zoning District:  
Agricultural Watershed (AW)
8. Proposed Use of Entire Parcel:  
Residential  
Agricultural  
Winery  
No additional uses are anticipated in the next 0 to 5 years

## 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.

  
Basil Enan (Nov 8, 2023 14:43 PST)

Applicant

Nov 8, 2023

Date

Property Owner (if other than Applicant)

Harcross Winery Vineyard Development ECP  
Project Identification

# Harcross Winery

## Vineyard Development Erosion Control Plan

### Erosion Control Plan Narrative

- I. *The nature and purpose of all/any land clearing, grading or earthmoving activity, the amount of cut & fill, the location of spoils storage and disposal areas, the total number of acres of grading involved including but not limited to roads, vineyards, avenues, trenching for irrigation or pipes, reservoirs, wells, water tanks, septic systems, etc. Indicate the acres of land clearing, grading or earthmoving activity that will occur on 30% or greater slopes. (Note: slopes shall be calculated in whole percent)*

The project site is located northwest of the Town of Yountville on the north side of Dry Creek Road in an unincorporated portion of Napa County, California (Napa County APN 027-530-006). Access to the project area is via an existing residential driveway entrance that provides access to the property from Dry Creek Road.

The purpose of the proposed land clearing, grading and earthmoving is to prepare the project area for planting with new vineyard. Following is a list of planned land preparation activities:

- Clearing and grubbing of existing vegetation
- Re-contouring and land smoothing to promote sheet flow
- Ripping and rock breaking as needed to fracture subsoils and rock to a depth of approximately 24 to 48 inches to prepare soil for planting and to incorporate soil amendments within the vineyard footprint area
- Mechanical and hand rock raking to remove loose rocks from the ground surface
- Discing and harrowing to prepare seedbed for vegetative erosion control measures
- Installation of erosion control features
- Installation of vineyard irrigation and trellis systems

Grading within the project area will be the minimum amount needed to smooth out the existing ground surface and create smooth slopes to promote sheet flow and to install the proposed runoff and erosion control measures. Cuts and fills will be minor and are expected to average from 0 to 12 inches. The estimated quantity of grading is approximately 500 cubic yards of cut and 500 cubic yards of fill. An earthwork balance will be achieved onsite. Import and/or export of soil material is not planned however, soil amendments will be imported and incorporated into the project area as needed to improve soil tilth and thereby support vine and cover crop growth.

All temporary debris, vegetation, soil and soil amendment stockpiles and storage areas, if needed, will be located within the proposed vineyard project area. No long-term stockpiles of rock or soil are anticipated.

No new roads are required to access the proposed vineyard development area. Access is via the existing residential driveway that provides access to the house that is currently under construction and via a future driveway that will service a winery (use permit under review).

The total disturbed area for the vineyard development project is  $3.0 \pm$  acres. The total disturbed area includes the area to be planted with vines and the area used for perimeter avenues and connecting avenues that provide access to the vineyard blocks for farming equipment and incidental disturbance for installation of erosion control features. Including the winery project that is under concurrent review the total disturbed area is  $4.0 \pm$  acres. The total area to be planted with vines  $2.5 \pm$  acres.

Stream and drainage course setbacks will be provided in accordance with the Napa County Conservation Regulations. Stream setbacks are shown on the erosion control plan.

The proposed vineyard development consists of three adjacent vineyard blocks. The blocks are all adjacent and are only separated by the proposed winery access road. The block will have a row spacing of 6 feet and vine spacing along the row of 4 feet for an average vine density of 1,815 vines per acre and a total of approximately 4,538 vines (subject to change pending future viticultural assessments).

The details of the proposed vineyard development are shown on the Harcross Winery Vineyard Development Erosion Control Plan prepared by Applied Civil Engineering Incorporated.

2. *Comprehensive description of existing site conditions, including topography, vegetation (including under-story and canopy cover), and soils. Provide extent of tree canopy covered and shrub and brush without a tree canopy covered areas in acres for each parcel. Identify and indicate the project boundaries in watersheds, including municipal watersheds, and in the water deficient area. The plan preparer is required to visit the site and the narrative must include the date, purpose, and persons making each site visit. The description shall verify the source or validity of the topographic map. Wide angle or panoramic photographs documenting existing site conditions shall be provided. A photo location map indicating the date of the site visit and by whom it was made shall accompany such documentation.*

#### Topography:

The project area is located on a moderately sloping hillside in Napa County northwest of the Town of Yountville (Latitude =  $38.4097^{\circ}$  N & Longitude =  $122.4585^{\circ}$  W). Topography on the property varies and is characterized by gentle to steep slopes ranging from less than 5% to in excess of 30%.

Average slopes within the proposed vineyard development area are moderate and range from 11% to 19% with an overall average slope of 16%. Slopes were determined using topographic data obtained from the Napa County Geographic Information System database and the slope transect method in several representative locations in the proposed development area.

Isolated areas within the project area, totaling approximately 0.15 acres, have slopes slightly in excess of 30%. Most of these areas are steeper than 30% due to previous grading.

#### Vegetation:

The Calveg designations for the subject parcel were obtained from the Napa County GIS database and are as follows:

DF – Pacific Douglas-Fir  
HG – Annual Grass/Forbs  
NX – Mixed Hardwoods

Our visual observation of onsite vegetation in the vicinity of the project area is consistent with the Calveg designations.

A detailed assessment of vegetation within the parcel and subject project area was prepared by Kjeldsen Biological Consulting. According to the report by Kjeldsen Biological Consulting there are no sensitive plant species that will be affected by the proposed project. Please refer to the report prepared by Kjeldsen Biological Consulting for additional information.

Kjeldsen Biological Consulting has estimated the following land use / coverage statistics for the entire property:

|                              |              |
|------------------------------|--------------|
| Developed & Improved         | 4.2 ± acres  |
| Tree Canopy Cover (Woodland) | 41.2 ± acres |
| Grass Cover                  | 5.4 ± acres  |
| Total Parcel Size            | 51 ± acres   |

In total, approximately 0.5 acres of tree canopy cover (woodland) and approximately 3.5 acres that was classified as grass cover will be converted to new vineyard and winery improvements. The calculated tree canopy cover and grass cover retention percentages for the entire parcel are as follows:

|                       |     |
|-----------------------|-----|
| Tree Canopy Retention | 99% |
| Grass Retention       | 35% |

#### Watershed:

The project site is located in the Mayacamas range along the west side of the Napa Valley. Rainfall runoff from the entire parcel and project area flows northerly via sheet and shallow concentrated flow and thence concentrates in the onsite drainage courses that continue northerly and easterly into Dry Creek. Dry Creek flows easterly and southerly ultimately entering the Napa River.

No changes in runoff patterns are proposed as part of this project. All existing drainage patterns will be maintained.

The subject parcel is not located within a municipal drinking water supply watershed.

The subject parcel is not located within the Milliken-Sarco-Tulocay groundwater deficient area.

Site Visits & Photograph Documentation:

Representatives from Applied Civil Engineering Incorporated have visited the site several times. The purpose of the site visits was to review existing site conditions and to verify the general validity of the topographic mapping for this project that was obtained from the Napa County GIS database. Isometric photographs of the project area were obtained from Google Earth and are presented in the Photographic Documentation of Existing Site Conditions for the Harcross Winery Vineyard Development Erosion Control Plan.

3. *All natural and man-made features on-site including but not limited to, streams, watercourses (drainage, channels, etc.), wetlands, riparian habitat, lakes, reservoirs, roads, water tanks, septic systems, reservoirs, ponds, etc. Indicate which ones may be affected by the proposed activity. For blue line and County-definitional streams indicate top, toe, and slope of bank, channel depth, and existing and proposed setback conditions. The entire length of blue line streams & 41 County-named streams on the parcel(s) shall be included in photo documentation (a recent aerial may be included). Provide the name and distance of the nearest blue line and/or County-definitional stream(s) to the project site.*

Existing manmade improvements on the subject parcel include a residence that is under construction, another existing residential structure, fences, driveways, two wells and the related access and utility infrastructure typical of this type of residential development. None of the existing manmade improvements will be affected by the proposed project.

There are no blue-line streams located on the subject property. The nearest blue-line stream is Dry Creek which is located near the northern tip of the parcel, approximately 270 feet northeasterly of the project area at its closest point.

There are smaller drainage courses located nearer to the development area including ephemeral streams and one County Definition Stream. All stream classifications have been confirmed by Kjeldsen Biological Consulting and the appropriate setbacks are identified on the erosion control plans.

4. *Location and source of water for irrigation or other uses. Provide copies of all necessary permits.*

The irrigation source for the proposed vineyard development will be the existing onsite well. No other new wells or other water sources are planned at this time.

Please refer to the Water Availability Analysis prepared by O'Connor Environmental for additional information regarding estimated water use and estimated aquifer recharge rates.

5. *Soil types/soil series identified in the Soil Conservation Service (SCS) Napa County Soil Survey, or, if prepared, a site-specific soils report.*

The United States Department of Agriculture Soil Conservation Service Soils Map for Napa County shows several soil types mapped on the subject property including:

- 136 Felton gravelly loam, 30 to 50 percent slopes
- 139 Forward gravelly loam, 2 to 30% slopes
- 168 Perkins gravelly loam, 2 to 5 percent slopes
- 178 Sobrante loam, 5 to 30 percent slopes

Most of the proposed development occurs in areas mapped as Sobrante loam except for a small portion along the eastern edge of Block B that is mapped as Felton gravelly loam. The approximate soil type boundaries based on data obtained from the Napa County Geographic Information System database are illustrated on Sheet C1 of the Harcross Winery Vineyard Development Erosion Control Plan.

6. *Critical areas of erosion and slope instability such as gullies, landslides, etc. within or potentially affecting the “development site” (i.e., the area disturbed by the project) or potentially affected by the work to be undertaken within the development site. In the case of landslides a report indicating the probable effects of the planned work on slope stability and erosion levels shall be prepared and submitted by a registered geologist.*

Potential landslides are noted on the Napa County GIS database.

Furthermore, RGH Consultants confirms the area is part of an ancient landslide that is not currently active. RGH Consultants prepared a geotechnical report for both the onsite residence and the proposed winery and found the soils to be stable for development. RGH will continue to be consulted to verify stability of the vineyard areas and any remedial grading needed within the planned vineyard development area will be per the recommendations of RGH Consultants.

Furthermore, representatives from Applied Civil Engineering Incorporated have visited the site several times since 2019 to review the project area and have not observed any signs of gullies, landslides, slope instability or excessive erosion within the project area or in close proximity to the project area that would affect, or be affected by, the proposed project.

7. *Any erosion calculations prepared.*

The Universal Soil Loss Equation (USLE) was used to model pre-project and post-project conditions and estimate soil loss rates from the project area due to sheet erosion. The Soil Loss Analysis prepared by Dave Steiner, CPESC, CPSWC is included as an attachment to this document.

The USLE calculations predict that net soil loss rates will decrease slightly relative to existing conditions after implementation of the proposed vineyard erosion control plan and will be less than the prescribed soil loss tolerance (T) for the soil type.

8. *Any/all proposed erosion control methods including, but not limited to:*

- a. *All drainage systems and facilities, walls, cribbing or other erosion protection devices to be constructed with, or as a part of the proposed work.*

The following measures will be implemented to minimize the potential for erosion on the project site during development and following completion of the vineyard development program:

- Sediment Barriers – Temporary silt fence and/or straw wattle type sediment barriers will be installed throughout the development area. The planned locations and installation details are provided on the erosion control plan. Additional sediment barriers will be installed as deemed necessary throughout the course of construction. The sediment barriers are intended to provide temporary sediment control during development and until the cover crop is established.
- Erosion Control Blankets – Erosion control blankets will be installed over seed on all cut and fill slopes that are steeper than 3:1 (Horizontal : Vertical). Erosion control blankets will provide additional protection from rainfall impact on exposed soils while the cover crop is getting established. The erosion control blanket locations, specifications and installation details are provided on the erosion control plan.
- Energy Dissipators – Rock rip-rap energy dissipators will be constructed at the outlet of all water bars that direct flow outside of the vineyard area to dissipate runoff energy and minimize the potential for erosion.
- Water Bars/ Rolling Dips – Temporary water bars or permanent rolling dips will be installed on vineyard avenues to divert runoff from the avenues to prevent rutting along the avenues. Water bar and rolling dip locations and installation details are shown on the erosion control plan.
- Storm Drain Pipe - A permanent storm drain pipe will be installed where indicated on the Erosion Control Plan. The storm drain pipe will collect runoff that might otherwise concentrate and cause erosion within the development area. The storm drain pipe will outlet to a level spreader or infiltration trench as indicated on the plans in order to dissipate runoff energy, return the water to sheet flow conditions, slow down the runoff and promote infiltration.
- Drainage Ditches – Existing drainage ditches that intercept water flowing toward the project area will be maintained.

- **Straw Mulch** – Weed free agricultural straw derived from wheat, rice, barley, or native grass shall be used. Straw mulch can be applied by hand and can be adhered to slopes by roughening the soil surface before the mulch is applied, spreading the straw in a manner that promotes formation of an interwoven matrix, then crimping the straw into the soil. Straw mulch shall be applied at a rate of 3,000 pounds per acre over disturbed areas.
  - **Cross Slope Diversions** – Permanent cross slope diversion ditches will be installed in various locations throughout the project area where indicated on the Erosion Control Plan. The purpose of the cross slope diversions is to limit the effective slope length within the vineyard block. This minimizes the chance for the runoff regimes transitioning from sheet flow to concentrated flow which would lead to increased runoff velocities and an increased potential for excessive erosion. Furthermore, cross slope diversions will be constructed with a mild longitudinal slope to minimize the potential for erosion within the diversion, promote infiltration and mitigate any potential for increasing the rate at which runoff reaches receiving waters. Cross slope diversion locations and installation details are shown on the erosion control plan.
- b. *Proposed vegetative erosion control measures including maintenance of plant material and slopes until a specified percentage of plant coverage is uniformly established.*

Minimum coverage has been calculated for each block in order to maintain soil loss rates at or below existing conditions and also below the soil loss tolerance “T” for each soil type. Minimum coverage rates for each development area are as follows:

| VINEYARD BLOCK COVER CROP<br>SPECIFICATION TABLE |                  |
|--------------------------------------------------|------------------|
| Block ID                                         | Required Cover % |
| A                                                | 80%              |
| B                                                | 80%              |
| C                                                | 80%              |

The seed, fertilizer and mulch specifications are provided on the erosion control plan.

This temporary cover crop will be cultivated in the spring and replanted in the fall for the first three years of the vineyard establishment period. Straw mulch will also be applied each fall during the vineyard established period. In the Fall, following the vineyard establishment period all vineyard blocks will be planted with a permanent cover crop seed mix and farming practices will transition to a permanent cover, no-till, farming regime. The permanent cover crop will be mowed in the Spring. Spring mowing will be timed to allow maturation of seeds and promote natural stand regeneration. All permanent cover crop areas will be reseeded every two to three years or more frequently as needed to maintain at least 80% cover. Straw mulching will also be implemented as needed to achieve the 80% coverage requirement.

Weed control under the vine rows will be primarily via mechanical means such as string trimmers and minimal herbicide usage. Herbicide used to control weeds within the vineyard block will be limited to spraying of post-emergent herbicide in a narrow 18 inch maximum width strip spray, if necessary to control weeds at the bases of the vines. The post emergent herbicide will be applied in the late winter or early spring to ensure that the spray area has vegetative protection through the rainy season. If the spray areas are not achieving adequate cover, they must be mulched with straw and reseeded each year to provide the required cover.

The cover crop should be irrigated prior to the onset of the rainy season for at least the first Fall following development to establish a dense cover prior to the onset of heavy winter rains.

- c. *Proposed erosion control measures for vineyard avenues to accommodate farm or vineyard equipment and materials storage locations.*

A permanent cover crop will be planted in the vineyard avenues the first Fall following land preparation activities and it will be maintained as permanent cover throughout the life of the vineyard. No tilling will occur in the vineyard avenues. The permanent cover crop will be mowed in the Spring. Mowing will be timed to allow maturation of seeds and promote natural cover crop regeneration. All permanent cover crop areas will be reseeded every two to three years or more frequently as needed to maintain at least the coverage specified for each vineyard block. Straw mulching and / or pre-irrigation of the cover crop will also be implemented as needed to achieve the 80% coverage requirement. No herbicides will be used in the vineyard avenues.

Alternatively, vineyard avenues may be lined with crushed rock to limit their susceptibility to erosion and provide all weather access.

Water bars and / or straw wattles will be installed across the sloping vineyard avenues to force runoff to adjacent stable areas so that runoff does not concentrate on the vineyard avenues and cause erosion. Locations are shown on the erosion control plans.

9. *Storm water stabilization measures to handle any increased peak rates of runoff from the development of the site that would result in flooding or channel degradation downstream. Include calculations of estimated increased runoff and/or an explanation of why an increase is/is not expected.*

Detailed calculations of predicted runoff rates within the project area for both pre- and post-project conditions utilizing the United States Department of Agriculture Technical Release 55 (USDA TR-55) methodologies are presented in the Hydrologic Analysis prepared by David Steiner, CPESC, CPSWQ. These calculations indicate that post-project conditions, including built in project design parameters, will result in runoff rates that are not greater than current conditions for the 2, 5, 10, 25, 50 and 100 year design storm events.

Since the project has been designed to maintain existing drainage patterns and since there will be no increase in peak runoff rates, the proposed project will not result in any significant

change to local or regional hydrology / runoff patterns that could result in downstream flooding or channel degradation.

*10. An implementation schedule indicating:*

- a. The proposed vegetation clearing, earth moving/grading, and construction/planting schedule.*
- b. The proposed schedule for winterizing the site (by October 15th of each year the permit is in effect except in a municipal watershed where it is by September 1st).*
- c. The proposed schedule for installation of all interim erosion and sediment control measures (including vegetative measures) and the state of completion of such devices/measures at the end of the grading season (i.e., on October 15th [except in 5 designated municipal watersheds where it is September 1st] of each year the permit will be in effect).*
- d. The proposed schedule for installation of any permanent erosion and sediment control devices required.*

Vineyard Development Schedule

The schedule below is an estimate and is subject to change. Implementation of winterization and erosion control measure must be adjusted to accommodate any changes in development and planning under consultation with the Engineer. All land preparation, planting and erosion control work is to be performed by the property owner or by their contractor / vineyard manager.

|                           |                                                                                                                                                                                                                                                                                                                                                             |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| April 2024                | Commence Vineyard Development Program<br><br>Begin clearing and grubbing of existing vegetation. Complete land preparation for vineyard planting including: ripping, discing, rock removal and processing, recontouring and incorporation of soil amendments. Install waterbars and rock energy dissipators.<br><br>Install irrigation and trellis systems. |
| Prior to October 1, 2024  | Complete all drainage system improvements including cross slope diversions, drainage pipes and outfalls.                                                                                                                                                                                                                                                    |
| Prior to October 15, 2024 | Complete all earth disturbing activities.<br><br>Winterize Site<br>Seed vineyard with temporary cover crop seed mix<br>Seed vineyard avenues with permanent cover crop seed mix<br>Place fertilizer, straw mulch and erosion control blankets<br>Install sediment barriers<br>Install water bars                                                            |

Pre-irrigate cover crop to establish cover prior to rainy season.

Establish reserve of erosion control measures to be maintained onsite throughout the rainy season to facilitate rapid deployment. Materials shall include silt fence, straw wattle, straw, erosion control seed mix, erosion control blanket and plastic sheeting.

October 15, 2024 - April 2025

Inspect and maintain vegetative cover and erosion control devices at least once per week, prior to each anticipated rainfall event, at least once every 24 hours during extended rainfall events and following each rainfall event. Reseed and mulch any erosion damaged areas or areas with less than the specified cover percentage and repair or replace erosion control devices as necessary.

Spring 2025

Cultivate temporary cover crop within vineyard block footprint area and perform fine site grading to repair any storm damaged areas. No tilling of vineyard avenues is to be performed.

Plant rootstock.

Prior to October 15, 2025

Complete all earth disturbing activities

Winterize Site

Seed vineyard with temporary cover crop seed mix  
Seed vineyard avenues with permanent cover crop seed mix

Place fertilizer, straw mulch and erosion control blankets

Install sediment barriers

Install water bars

October 15, 2025 - April 2026

Inspect and maintain vegetative cover and erosion control devices at least once per week, prior to each anticipated rainfall event, at least once every 24 hours during extended rainfall events and following each rainfall event. Reseed and mulch any erosion damaged areas or areas with less than the specified cover percentage and repair or replace erosion control devices as necessary.

|                               |                                                                                                                                                                                                                                                                                                                                                                                                   |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Spring 2026                   | Cultivate temporary cover crop and perform fine site grading to repair any storm damaged areas.                                                                                                                                                                                                                                                                                                   |
| Prior to October 15, 2026     | <p>Complete all earth disturbing activities</p> <p>Winterize Site</p> <ul style="list-style-type: none"> <li>Seed vineyard with temporary cover crop seed mix</li> <li>Seed vineyard avenues with permanent cover crop seed mix</li> <li>Place fertilizer, straw mulch and erosion control blankets</li> <li>Install sediment barriers</li> <li>Install water bars</li> </ul>                     |
| October 15, 2026 - April 2027 | Inspect and maintain vegetative cover and erosion control devices at least once per week, prior to each anticipated rainfall event, at least once every 24 hours during extended rainfall events and following each rainfall event. Reseed and mulch any erosion damaged areas or areas with less than the specified cover percentage and repair or replace erosion control devices as necessary. |
| Spring 2027                   | Cultivate temporary cover crop and perform fine site grading to repair any storm damaged areas.                                                                                                                                                                                                                                                                                                   |
| Prior to October 15, 2027     | <p>Complete all earth disturbing activities</p> <p>Winterize Site</p> <ul style="list-style-type: none"> <li>Seed vineyard rows with permanent cover crop seed mix</li> <li>Seed vineyard avenues with permanent cover crop seed mix</li> <li>Place fertilizer, straw mulch and erosion control blankets</li> <li>Install sediment barriers</li> <li>Install water bars</li> </ul>                |
| October 15, 2027 - April 2028 | Inspect and maintain vegetative cover and erosion control devices at least once per week, prior to each anticipated rainfall event, at least once every 24 hours during extended rainfall events and following each rainfall event. Reseed and mulch any erosion damaged areas or areas with less than the specified cover percentage and repair or replace erosion control devices as necessary. |

Spring 2028 & Beyond

See Annual Maintenance Schedule

#### Annual Maintenance Schedule

Spring

Mow permanent cover crop in vineyard and vineyard avenues and perform fine site grading to repair any storm damaged areas.

Prior to October 15

Winterize Site

Repair any damage to vineyard and vineyard avenues that has occurred during the farming season. Place seed and straw on all vineyard avenues as needed to achieve the specified cover percentage. Install water bars.

Place erosion control seed, fertilizer, straw mulch, erosion control blankets and sediment barriers as necessary to stabilize any erosion prone areas outside and adjacent to the vineyard areas.

October 15 - April 1

Inspect and maintain vegetative cover and erosion control devices at least once per week, prior to each anticipated rainfall event, at least once every 24 hours during extended rainfall events and following each rainfall event. Reseed and mulch any erosion damaged areas or areas with less than the specified percentage cover and repair or replace erosion control devices as necessary.

#### *11. The estimated cost of implementation of the erosion and sediment control measures.*

Implementation of erosion and sediment control measures for this project is anticipated to cost approximately \$5,000 per acre for installation and maintenance. This estimate includes only the erosion and sediment control portions of the project, not the entire cost of permitting, engineering, land preparation, development, irrigation systems, trellis systems, and plants.

COUNTY OF NAPA  
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

**VIEWSHED PROTECTION PROGRAM**

**APPLICATION PACKET**

1. Applicant's Checklist
2. Viewshed Protection Program Application
3. Indemnification Agreement
4. Application Completeness Requirements and Checklist
5. Adjoining Property Owner's List Requirements
6. Excerpts from Viewshed Protection Program Ordinance
7. Viewshed Protection Design Manual
8. Slope Determination Methodology

**NOTE:**

PLEASE INCLUDE THREE COPIES OF  
ALL REQUIRED APPLICATION MATERIALS SUBMITTED.

## VIEWSHED PROTECTION PROGRAM

### APPLICANT'S CHECKLIST

1. ☒ Completed and Signed Application and Indemnification Form\*

\*A signed Indemnification Form will only be required if a public hearing is conducted (i.e. if this is an item before the Zoning Administrator or Commission).

2. ☒ Vicinity Map
3. ☒ Proposed Site Plan
4. ☒ Topographic Map/Preliminary Grading Plan
5. ☒ Building/Structural Elevations
6. ☒ Landscaping and/or Vegetation Retention Plan
7. ☒ Exterior Lighting Plan
8. ☒ Visual Impact Analysis
9. ☒ Title Insurance Company Certified List of Adjoining Property Owners within 1000 feet
9. ☐ Application Fee of \$\_\_\_\_\_ (to be determined at time of Pre Application meeting) (Napa County Policy Manual, Part 3 § 80.050). Checks made payable to the County of Napa.

Note:

- 1) Items numbered 2-4 above may be combined and submitted on the same drawing.
- 2) A detailed list of all the required submittal items is provided herein under "Application Completeness Requirements and Checklist".
- 3) Many of the items required for review under the Viewshed Ordinance are the same items that would be normally be required for an Erosion Control Plan (ECP) Review. If you are concurrently applying for an ECP Review, provide us with a copy of the appropriate items. Please, do not duplicate your efforts.



A Tradition of Stewardship  
A Commitment to Service

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

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

**APPLICATION FOR VIEWSHED PROTECTION PROGRAM**

FOR OFFICE USE ONLY

ZONING DISTRICT: \_\_\_\_\_ DATE SUBMITTED: \_\_\_\_\_  
TYPE OF APPLICATION: \_\_\_\_\_ DATE PUBLISHED: \_\_\_\_\_  
REQUEST: \_\_\_\_\_

Project Type: Structure \_\_\_\_\_ Driveway \_\_\_\_\_ Road \_\_\_\_\_ Reservoir \_\_\_\_\_ Mass Grading \_\_\_\_\_ Other \_\_\_\_\_  
Other Permits Applied/Pending/Required:  
ECP \_\_\_\_\_ Grading Permit \_\_\_\_\_ Use Permit \_\_\_\_\_ Variance \_\_\_\_\_  
SDSDS \_\_\_\_\_ Groundwater Permit: \_\_\_\_\_  
# \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_ # \_\_\_\_\_

Review Agencies: PBES: X County Consultant: \_\_\_\_\_ Name/Contact: \_\_\_\_\_

Final Approval: PBES X Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Conditions: Yes \_\_\_\_\_ No \_\_\_\_\_

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

Applicant's Name: Marta Marques, Nobili Marques Architectura

Telephone #: (415) 218 - 6258 Fax #: ( ) - E-Mail: marta@nobilimarques.com

Mailing Address: PO Box 10398 Napa CA 95581  
No. Street City State Zip

Status of Applicant's Interest in Property: Architect

Property Basil & Robin Enan, Enan Family Trust Owner's Name: \_\_\_\_\_

Telephone #: (650) 867 - 0565 Fax #: ( ) - E-Mail: basilenan@gmail.com

Mailing Address: 1765 Poppy Avenue Menlo Park CA 94025  
No. Street City State Zip

Site Address/Location: 6402 Dry Creek Road Napa CA 94558  
No. Street City State Zip

Assessor's Parcel #: 027 - 630 - 006 Parcel Size: 51 acres acres Development Area Size: 1 acre acres

Slope Range of Development Area: 15 % to 21 % 10% average in driveway and development area

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

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

Signature of Applicant Marta Marques Date 10/26/23  
Marta Marques

Signature of Property Owner Basil Enan Date 10/26/23  
Basil Enan

Print Name

Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

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

## INDEMNIFICATION AGREEMENT

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

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

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

\_\_\_\_\_  
Applicant

10-26-2023  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner (if other than Applicant)

6402 Dry Creek Road, (APN 027-530-006)

\_\_\_\_\_  
Project Identification

## VIEWSHED PROTECTION PROGRAM

### APPLICATION COMPLETENESS REQUIREMENTS AND CHECKLIST

1. ☒ Completed and Signed Application and Indemnification Form.
2. ☒ Vicinity Map.
  - A. A 7" by 5 ½" portion of a 7.5-minute (1"=2000') United States Geological Survey (USGS) topography map.
  - B. Map shall show improvements in their relationship to abutting properties/structures and major and minor ridgelines.
3. ☒ Proposed Site Plan. A proposed site plan shall be prepared to locate only the proposed site improvements and areas to be disturbed (i.e. building site, graded area). Scale of the plan shall be appropriate to the area disturbed either through grading, construction or clearing of vegetation. The area surrounding the building pad/site shall be scaled at 1" = 20' or finer and roads or driveways at 1"=100' or finer. A scaled Site Plan shall include:
  - A. Location of all existing structure(s) to be removed or remain on site; note on plan whether to remain or to be removed.
  - B. Location of all existing vegetation six inches in diameter or greater, measured in diameter at breast height (DBH), including variety, height and canopy width.
  - C. Location of all proposed impervious surfaces (i.e. driveways, motor courts, patios).
  - D. Location of all wastewater disposal systems on site.
  - E. Proposed setbacks from property lines(s) and other structures.
  - F. Location of all spoils/stock pile area for all excavated and/or imported soils.
  - G. Total floor area shown, including all floors, of all structures, regardless of use.
4. ☒ Topographic Map/Preliminary Grading Plan. Map shall note the following:
  - A. Existing and proposed contours of the building site before and after all construction is completed, drawn at 2' or 5' intervals at a scale of 1"=20' or better; driveways or access roads must show 5' intervals at a scale of 1"=100' or better.
  - B. Map shall include the following section(s) at minimum:
    - i. Disturbed areas, including proposed/existing roads;
    - ii. Building(s) height(s), measured according to the most recently County adopted California Building Code;
    - iii. Roadways/Driveways, shown at intervals as required in County Slope Determination Methodology, Conservation Regulations Exhibit A (Resolution 91-61), shorter intervals may be required in areas of changing topography;
    - iv. Retaining walls or man-made embankments and berms, illustrating location and height (scale of ¼" = 1').
  - C. Preliminary drainage plans for the site, showing the pattern and direction of flow, as well as any on site natural or man-made drainage/waterways.
  - D. Highest point of the proposed structure(s) measured vertically to top of nearest ridgeline.
5. ☒ Building/Structure Elevations.
  - A. Elevations shall scaled and include type of building material, color treatment and sample color-chip, roofing material and color.
  - B. Include information on window reflectivity and extent of window coverage.
  - C. "Building Height(s)," as defined in the most recent County adopted edition of the California Building Code, must also be shown on the elevations (See item #3 C. Determining Building Height in the Viewshed Protection Manual for measurement details).

6. ☒ Landscaping and/or Vegetation Retention Plan. Newly planted vegetation for the purpose of visual screening, must be of sufficient size to adequately screen the proposed structure(s) in two (2) to five (5) years. A complete plan shall include the following:
- A. Identify and locate all the existing vegetation to remain as visual screening for the proposed structure(s), indicate variety, height and canopy width.
  - B. Identify initial planting sizes and varieties of all materials to be installed.
  - C. Illustrate the size and canopy width of planted materials, as they would appear 10 years after installation.
  - D. Distinguish the natural and/or installed landscaping to be included in the visual impact analysis.
  - E. Installed landscaping must be compatible with existing vegetation and landscape.
  - F. Establish a comprehensive landscape maintenance program, including a protection and pruning program for existing and planted trees.
7. ☒ Exterior Lighting Plan. Identifying the location, type of fixture, focus/purpose, as well as the use of any timers or motion sensor devices
8. ☒ Visual Impact Analysis. One or more of the following may be required to determine the visual impact of the structure(s) and its associated improvements and their conformance with the Viewshed Protection Program.
- A. Story poles (the temporary placement of a mock wooden skeleton in the general shape of the building, then draping plastic orange snow fencing around the roofline to portray the visual prominence and bulk of the proposed structure).
  - B. Computer simulation.
  - C. Photomontage.
  - D. Picture or visual as viewed from designated public road at point(s) where the structure(s) is/are visible.
  - E. Appropriately scaled model.
  - F. Additional views or materials as required by staff from other vantage points.
9. ☒ Title Insurance Company Certified List of Adjoining Property Owners within 1000 feet. Identifying all property owners within 1000' of the subject parcel, specifying name, address and parcel number; included on two sets of mailing labels with accompanying Assessor's Pages used to compile the above property owner list. Please see "ADJOINING PROPERTY OWNER LIST REQUIREMENTS" for details on preparing the requested list.
10. ☐ Application Fee of \$\_\_\_\_\_ (to be determined at Pre-App meeting) plus an Initial Environmental Review Fee (if applicable) of \$ See P23-00105 (to be determined at Pre-App meeting) (Napa County Policy Manual, Part 3 § 80.050). Checks made payable to the County of Napa.

## **ADJOINING PROPERTY OWNER LIST REQUIREMENTS**

All applications shall include a list of the current owners of all the properties whose outer perimeters are within **1000 feet** of the property boundary of the project site. The list shall include the property owner's names, their addresses and the assessor's parcel numbers of the property owned.

Preparation, verification and submission of this list of property owners is the responsibility of the applicant. Lists of the property owners appearing on County tax rolls in the form required are available from all local title insurance companies. A title insurance company must certify each such list, ensuring that it reflects the most recent County tax roll information.

### **INSTRUCTIONS TO TITLE COMPANY**

Please prepare the property owners' list as follows:

1. Type the property owners' names, parcel numbers and mailing addresses on an 8½" by 11" sheet of Avery #5160 Laser Labels so that this information can be readily used in mailing by Planning, Building, and Environmental Services.
2. Submit a full page copy of the assessors' parcel book page(s) and a copy of the latest equalized assessment roll used to compile the property owners' list. Please indicate the location of all parcels listed, by check mark or colored parcel number circled on the pages.

If you should have any questions, please contact Planning, Building, and Environmental Services at (707) 253-4417.

## Chapter 18.106 - VIEWSHED PROTECTION PROGRAM

### 18.106.010 - Purpose.

The purpose and intent of these regulations is to protect the public health, safety, and community welfare and to otherwise protect the scenic quality of the county both for visitors to the county as well as for its residents by ensuring that future improvements are compatible with existing land forms, particularly county ridgelines and that views of the county's many unique geologic features and the existing landscape fabric of the county's hillside areas are protected and preserved. These regulations are consistent with the goals and policies of the Napa County general plan, particularly as specified in the land use, open space and conservation, circulation and the scenic highways elements. Furthermore, it is intended that these regulations accomplish the following:

- A. Provide hillside development standards to minimize the impact of man-made structures and grading on views of existing landforms, unique geologic features, existing landscape features and open space as seen from designated public roads within the county;
- B. Protect and preserve views of major and minor ridgelines from designated public roads;
- C. Create a development review process that maximizes administrative, staff level approval of projects which meet administrative standards, while also providing a vehicle for review by the zoning administrator or planning commission of those projects that do not meet the administrative standards;
- D. Minimize cut and fill, earthmoving, grading operations and other such man-made effects on the natural terrain to ensure that finished slopes are compatible with existing land character; and
- E. Promote architecture and designs that are compatible with hillside terrain and minimize visual impacts.

### 18.106.030 - General provisions.

- A. **Applicability—New and Expanded Structures.** No building permit, erosion control plan for structural development, grading or other administrative permit shall be issued by any county staff, agency or department for any new structure or improvement to an existing structure if the structure is located on a slope of fifteen percent or more as defined in Section [18.106.020](#) or if the structure is located on any minor or major ridgeline as defined in Section [18.106.020](#) except as specifically provided for herein. The ordinance codified in this section shall apply to all new structures located on slopes of fifteen percent or more or located on a minor or major ridgeline. In the event of a conflict among the regulations in this chapter and those elsewhere in this code, the regulations in this chapter shall prevail. The provisions of this chapter shall also apply to projects undertaken by public agencies and special districts except for the maintenance of existing county public roads within existing rights-of-way.
- B. **Applicability—Grading or Earthmoving Activities.** No permit or administrative or discretionary approval shall be issued to authorize any grading or earthmoving activity, including grading or earthmoving necessary to create or improve an existing or new driveway, road or other access, or benches or shelves, if such earthmoving or grading would occur on slopes of fifteen percent or more until the applicant has complied with the applicable provisions of this chapter. Agricultural roads within planted areas subject to erosion control plans under [Chapter 18.108](#) of the code shall not be subject to this requirement.
- C. **Relationship to the Review of Tentative Parcel Maps, Final Maps, and Subdivision Maps.** All future building sites identified on either a tentative parcel map, final map, or subdivision map shall be reviewed and conditions of approval established to ensure conformity with the purpose and intent of this chapter.

- D. Relationship to Previously Approved Use Permits and Small Lot Subdivisions. All structures described in a use permit approved prior to the effective date of Ordinance Number 1189 shall not be subject to the requirements of this chapter. Parcels in small lot subdivisions (defined as groups of at least five parcels of less than two acres each for the purposes of this section) established prior to the effective date of Ordinance Number 1268 shall not be subject to the requirements of this chapter.
- E. Relationship to Previously Accepted or Approved Building Permits. All residential structures or accessory structures for which a building permit was approved prior to the effective date of Ordinance Number 1189, or for which a building permit application had been accepted and deemed complete for departmental review by the county prior to December 1, 2001, shall not be subject to the requirements of this chapter. Such structures and the accompanying permits may be modified prior to the final occupancy inspection if the predominant portion of the proposed modifications to the structure is screened from view from a designated public road by natural vegetation, landscaping, architectural design, and color/tone that is in accordance with the Design Manual and provisions of this chapter.
- F. Relationship to Use Permit Applications. Applications requiring the issuance of a use permit or use permit modification, as required by the code, will be reviewed for their adherence to the requirements of this chapter during the application process for the issuance of the use permit or use permit modification.
- G. Relationship to Conservation Regulations. The structures or activities referred to in Section 18.108.050, except subsections (A) and (B), shall be exempt from the requirements of this chapter and will be cleared for further processing.
- H. Determination of Adverse Effects on Ridgelines. The director shall determine whether the proposed location of a structure could adversely affect a minor or major ridgeline for the purpose of administering this chapter based upon elevation of the proposed structure, the height of its roof line and the location of the structure in relationship to surrounding topography.
- I. Application Form and Fee. Applications for new, expanded or remodeled structures subject to this chapter shall be submitted to the department on a form provided by the department accompanied by a fee determined by a resolution adopted by the board of supervisors.

*(Ord. 1278 § 1 (part), 2006: Ord. 1268 § 8, 2005: Ord. 1232 § 2, 2003: Ord. 1189 § 3 (part), 2001)*

#### **18.106.040 - Projects subject to administrative review.**

- A. General Provisions. Permit applications which meet the criteria in subsection (A) or (E) of Section 18.106.030, and/or grading or earthmoving activities meeting the criteria in subsection (B) of Section 18.106.030, shall be submitted to the department for review by the director. If the application, either as submitted, or upon the inclusion of specified measures, meets the criteria specified in subsection (B) or (C) of this section, the director shall certify that the project complies with the applicable provisions of this chapter and the project will then be cleared for continuing processing pursuant to Title 15 of the code. The director may require the submittal of additional information including, but not limited to, a photo or computer simulation of the project and associated improvements, prior to determining that the project meets the criteria contained in this chapter.
- B. Visibility Determination. If the director determines that the project cannot be viewed from any designated public road, because of its relationship to surrounding topography or existing vegetation, then the project will be cleared for further processing pursuant to the code. If the determination was made based on existing vegetation coverage, then the property owner, prior to the issuance of a building permit, shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring the existing covering vegetation to be maintained, or replaced with equivalent

vegetation, by the owner or the owner's successors, so as to prevent the project from being viewed from any designated public road.

C. Administrative Criteria. A project shall be certified and cleared for further processing, if the director determines that a project meets all of the following conditions:

1. The highest point of the proposed structure is located more than twenty-five vertical feet below a major or minor ridgeline;
2. The project as designed and sited meets all of the following standards and substantially conforms to the Design Manual:
  - a. The maximum floor area, including all floors, of the main residence or agricultural structure is four thousand square feet or less and the maximum floor area, including all floors, for accessory structures are a combined total of two thousand five hundred square feet or less,
  - b. The height of the structure is twenty-four feet or less as measured from finished grade along fifty percent or more of the longest wall as viewed from any designated public road,
  - c. The improvement(s), including any required earthmoving or grading associated with the structure shall minimize removal of existing vegetation with emphasis on preserving mature trees. If the improvements require the removal of any tree with a diameter of six inches or greater, a detailed landscaping plan shall be prepared showing the location and replacement of trees and vegetation in a manner which screens the improvements from substantial views from designated public roads and provides for defensible space in conformance with state law,
  - d. A significant portion of natural on-site vegetation has been retained to naturally screen the project from views of designated public roads,
  - e. Landscaping will be installed and designed to screen the project from substantial views from designated public roads,
  - f. The project lighting, including site lighting, has been designed to minimize off-site visibility and glare,
  - g. The exterior color treatment of the structure will blend with the color of surrounding vegetation and landforms,
  - h. Exterior windows and trim are nonreflective, and
  - i. Roof angles and composition are designed to conform to existing landforms and landscape;
3. If the structure is an addition to an existing residence or an agricultural structure, the total floor area, including all floors shall not exceed four thousand square feet. If the addition pertains to an accessory structure, the total floor area, including all floors, shall not exceed a combined total of two thousand five hundred square feet;
4. The project as sited and designed shall be in substantial compliance with the Design Manual to reduce its visual impact on the views of major and minor ridgelines as viewed from any designated public road and unique topographic or geologic features as viewed from any county road. The following landforms will be considered to be unique topographic or geologic features for the purposes of this subsection: Mt. St. Helena, Stag's Leap, Calistoga Palisades, Round Hill, Mt. George and Mt. St. John;
5. Involves the grading of less than one and one-half acres of land;

6. Future structures, including roads, driveways, wastewater disposal systems, and necessary earthmoving to construct project improvements shall be located to avoid environmentally sensitive areas as defined by Section 18.08.270 of the code;
  7. A detailed landscape plan prepared by a qualified landscape professional shall be prepared which incorporates the criteria set forth in the Design Manual for review and approval by the director.
- D. Prior to the issuance of a building permit for any project authorized under this section, the property owner shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to maintain conformance with either subsection (B) or (C) of this section.
- E. Projects that do not satisfy the criteria and standards contained in Section 18.106.040 shall be subject to review and approval under Section 18.106.050

*(Ord. 1278 § 1 (part), 2006: Ord. 1232 § 3, 2003: Ord. 1189 § 3 (part), 2001)*

### **18.106.050 - Processing of projects subject to review and approval by the zoning administrator or the commission.**

- A. If the director determines that a project does not meet the criteria in Section 18.106.040 the project shall not be cleared for further processing until the findings contained in subsection (B) of this section are made and a permit is issued by the zoning administrator, or upon referral, by the commission.
- B. The zoning administrator or commission shall make all of the following findings prior to approving a project:
1. The project as designed or modified is consistent with Chapter 18.108 of the code;
  2. If the highest point of the proposed project is located more than twenty-five vertical feet below a major or minor ridgeline, that measures have been included in the project to reduce its visual impact on the major or minor ridgeline through use of existing natural vegetation, landscaping, topographical siting, architectural design, and colortone; or if the highest point of the proposed structure is within twenty-five vertical feet of a major or minor ridgeline, that the existing vegetation, proposed landscaping, topographical siting, architectural design, and colortone screen the predominant portion of the proposed structure;
  3. The proposed structure, access roads and other site improvements are sited and designed to minimize adverse effects on views from designated public roads;
  4. The proposed structure, access road and other site improvements, including earthmoving or grading, and benches or shelves minimize the removal of vegetation;
  5. The siting and design of site improvements and access roads minimize grading and alteration of natural landforms and topography;
  6. A landscape and/or vegetation retention plan in conformance with the Design Manual has been submitted and approved for the site that would provide maximum screening from designated public roads through preservation of existing vegetation and the planting of new vegetation and provide for defensible space in conformance with state law;
  7. The proposed structure and associated improvements substantially conform with the Design Manual in order to reduce their visual impact on the views of major and minor ridgelines as viewed from any designated public road and unique topographic or geologic features as viewed from any county road. The following landforms will be considered to be unique topographic or

geologic features for the purposes of this subsection: Mt. St. Helena, Stag's Leap, Calistoga Palisades, Round Hill, Mt. George and Mt. St. John;

- C. Prior to the issuance of a building permit for any project authorized under this section, the property owner shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successor so as to maintain conformance with subsection (B) of this section;
- D. If one or more of the findings in subsection (B) of this section cannot be made, the application shall be forwarded to the commission for a possible exception pursuant to Section 18.106.070

*(Ord. 1278 § 1 (part), 2006: Ord. 1232 § 4, 2003: Ord. 1189 § 3 (part), 2001)*

### **18.106.060 - Required public and private notification.**

- A. Within seven days of the issuance of a tentative decision that the project is subject to administrative approval under Section 18.106.040, the director shall give notice of his tentative decision, including the date on which the tentative decision will become final, which date shall be ten calendar days following the date notice of the tentative decision is mailed.
  - 1. The notice shall be provided to the city or town closest to where the project is proposed to be built and to all public or private property owners located within three hundred feet of the outer perimeter of the property on which the project would be constructed as shown on the latest equalized assessment roll.
  - 2. The tentative decision shall be final once the period identified in the notice has expired unless an appeal has been filed by the applicant or any interested person pursuant to Chapter 2.88 of this code, in which case the tentative decision shall become final only if and when the appeal is withdrawn, dismissed or denied. If the appeal is granted, in whole or in part, the decision of the board on appeal shall become final in the manner and within the time set forth in Chapter 2.88
- B. At least ten days prior to a decision by the zoning administrator or the commission under Section 18.106.050 or 18.106.070, notice of a public hearing shall be provided to the city or town closest to where the project is proposed to be built and to all property owners located within three hundred feet of the outer perimeter of the property on which the project would be constructed as shown on the latest equalized assessment roll.

*(Ord. 1278 § 1 (part), 2006: Ord. 1232 § 5, 2003: Ord. 1201 § 7, 2002; Ord. 1189 § 3 (part), 2001)*

### **18.106.070 - Exceptions.**

Upon application by the property owner of a site, an exception to the requirement contained in subsection (B) of Section 18.106.050 may be granted by the commission. Such exception may be granted if, after conducting a public hearing and reviewing available building sites on the subject property, the commission makes all of the following findings:

- A. Compliance with the provisions of subsection (B) of Section 18.106.050 would result in greater visual impact than would the proposed construction on the proposed building site;
- B. Compliance with the provisions of subsection (B) of Section 18.106.050 would result in greater impact on existing landforms and landscape than would the proposed construction on the proposed building site;
- C. Measures have been included in the project to reduce its visual impacts as seen from any designated public roads. Such measures include but are not limited to:

1. Installation of landscaping designed to screen the project from view of designated public roads;
  2. Low level lighting on buildings and site which minimize off-site visibility and glare;
  3. Nonreflective exterior windows and window frames;
  4. Use of earth tone colors on building exteriors;
  5. Roof angles and composition designed to conform with the existing land forms and landscape; and
  6. Building height has been designed to minimize the silhouetting against the sky when viewed from any designated public road or open space owned or managed by a public agency or land trust.
- D. Prior to the issuance of a building permit for any project authorized under this section, the property owner shall be required to execute and record in the county recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to maintain conformance with subsection (C) of this section.
- E. The project as designed or modified is consistent with the requirements of Chapter 18.108 of the code.

*(Ord. 1278 § 1 (part), 2006: Ord. 1232 § 6, 2003: Ord. 1189 § 3 (part), 2001)*

## **VIEWSHED PROTECTION DESIGN MANUAL**

### **VIEWSHED PROTECTION PROGRAM**

#### **A. Purpose.**

The purpose of this manual is to detail the requirements of the Viewshed Protection Ordinance. The manual utilizes text and graphical examples accompanied with brief explanations intended to standardize hillside development and convey the intent of the Ordinance. Where possible, the manual provides examples explains of practices intended to minimize the impact of man-made structures and grading on views of existing landforms and landscape, unique geologic features as seen from designated public roads within Napa County.

#### **B. General Requirements and Conventions.**

1. All final grades, including all cut and fill slopes, visible from any designated public road shall be:
  - a. Consistent with the existing landscape to the greatest extent possible, avoiding uninterrupted slope surfaces that stand out against existing topographic contours;
  - b. Contoured to resemble existing terrain by varying slope increments and breaking the visual surface of banks and inclines both vertically and horizontally as naturally as possible;
  - c. Constructed to allow for the creation of berms or mounding at the top of slopes and in other locations for the screening of structures and assurance proper site drainage.
2. Design, height and massing of hillside development shall:
  - a. Maintain a balance of scale and proportion using design components that are harmonious with natural landforms and landscaping;
  - b. Be small scale and low in height, conforming with hillside topography by stepping or staggering the mass of the proposed building up or down slope, avoiding flat pad construction and vertical massing;
  - c. Utilize structural elements, building materials and color tones which blend artificial surfaces with surrounding native elements;
  - d. Utilize construction materials, glass, roofing and other surfaces that are of a non-reflective nature;
  - e. Ensure articulated walls that utilize reveals, cornice detailing, alcoves or other features which are appropriate to the scale of the building and building projections, trellises, landscaping or other devices, which in total, serve to break up long, continuous building walls which are visible from designated public roads; and
  - f. Ensure that the proposed structure is not silhouetted against the sky when viewed from any designated public road.
3. Roadways, driveways and utility alignments shall be:
  - a. Located to minimize grading and earthmoving activity, by following existing contours and positioned upon gradual slopes whenever possible;
  - b. Constructed to blend with the existing landscape, through alignment with the natural curving contour of the land instead of keeping to straight lines or geometric patterns;
  - c. Concealed from view through preservation and maintenance of existing vegetation or through planned landscaping that is constant with the natural character of the area.
4. Landscape planting and vegetation preservation shall:
  - a. Incorporate trees where appropriate, planted in random groupings or clusters that mimic or maintain natural assemblages rather than in systematic rows;
  - b. Maintain vegetation lines which convey the existing slope of the hillside;
  - c. Preserve native vegetation, including grasses and open space when ever possible;
  - d. Use native materials to the greatest extent possible and/or non-natives that are compatible with indigenous vegetation and confined to the adjacent vicinity of the proposed structure;

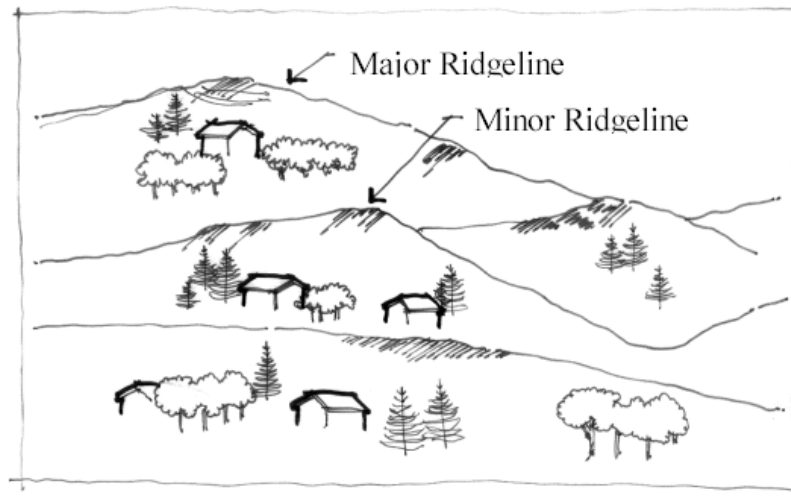
- e. Include a sufficient irrigation, maintenance and monitoring program designed to provide species requirements as well as protect against sedimentation, soil loss and land sliding;

5. Exterior and landscape lighting applications shall be:

- a. Designed to minimize nighttime disruption and visual glare by shielding lamp sources downward and away from view of designated public roads;
- b. Controlled by timers and/or motion sensors, to limit the duration of use and reduce prolonged glare;
- c. Sized with the minimum wattage possible to meet desired application.

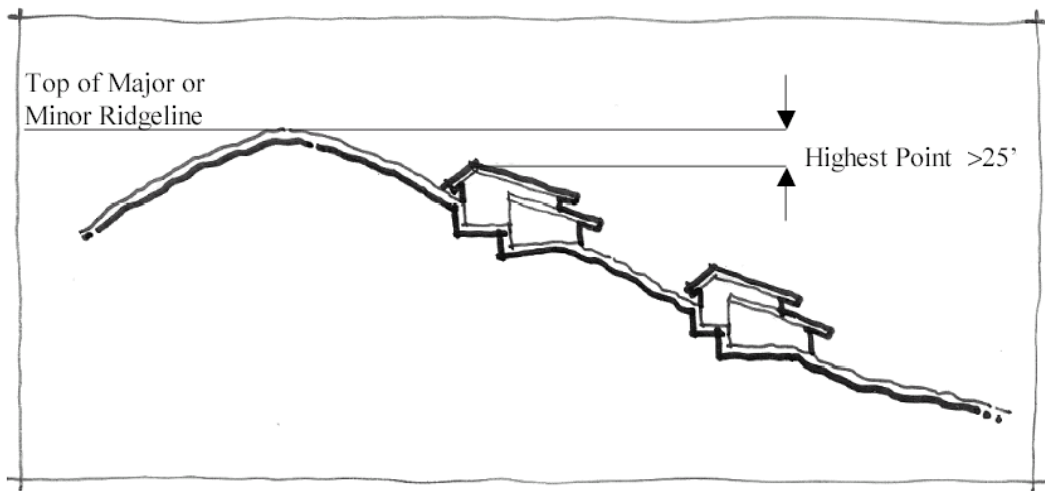
C. Graphical examples.

1. Major and minor ridgelines:



- a. "Major Ridgelines" shall mean a ridgeline, which is prominently visible from a substantial land area within the County, characterized by the lack of a topographical backdrop where the sky is visible beyond the ridge;
- b. "Minor Ridgelines" shall mean a ridgeline that is not prominently visible to a large area of the County and those typically lower in height, when compared to the surrounding terrain and which may be visible only to a limited area, or have a backdrop of a nearby higher topographical feature.

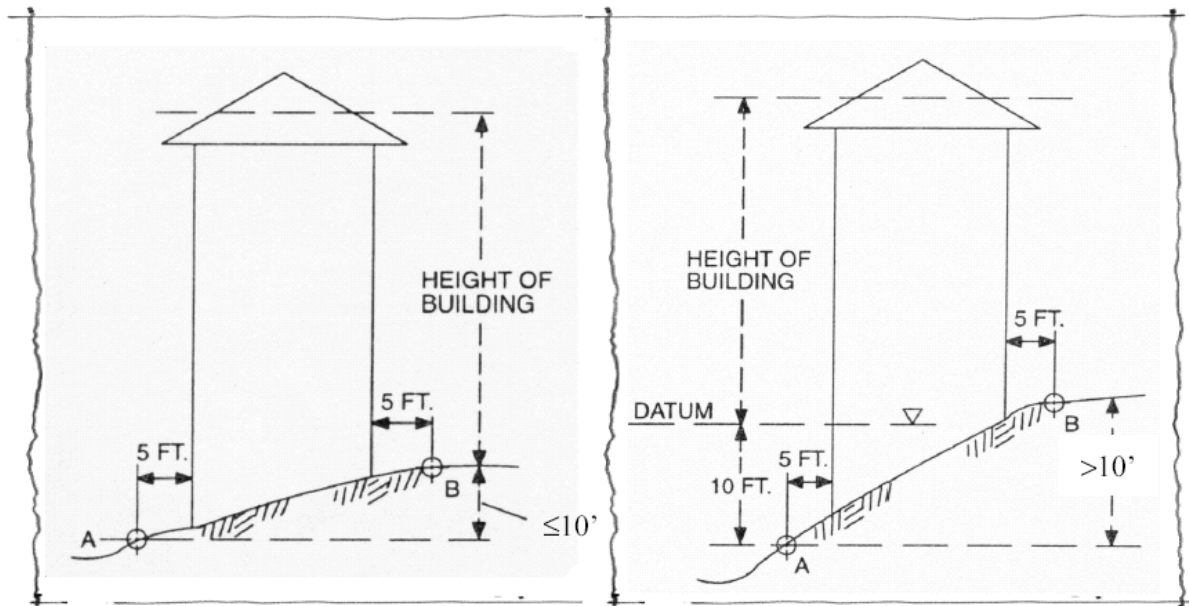
2. Restricted development area for administrative review:



- a. A project shall be certified and cleared for further processing under 18.106.040(B) if the project cannot be seen from a designated public road or under 18.106.040(C) if all the administrative criteria listed in

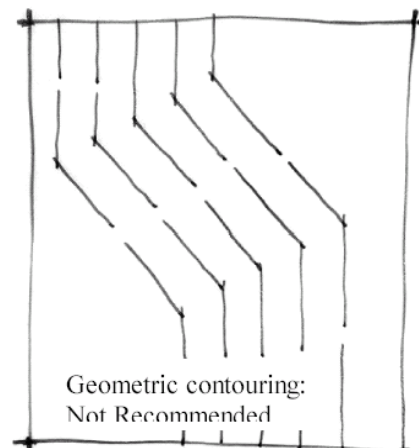
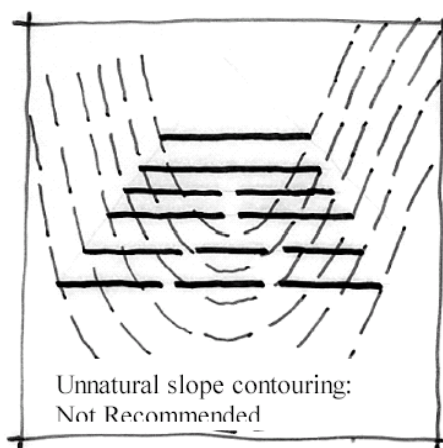
that section are met, including that the highest point of the proposed structure is located more than 25' below a major or minor ridgeline.

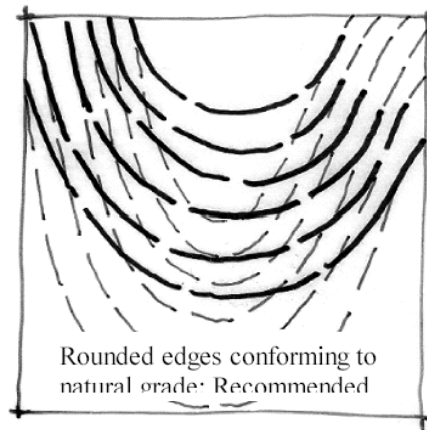
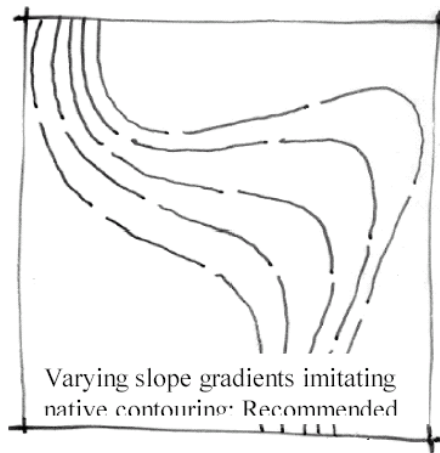
### 3. Determining height of a building:



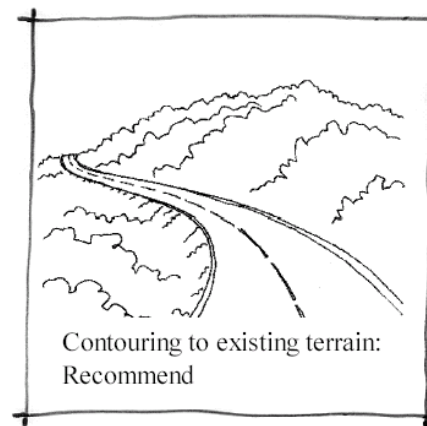
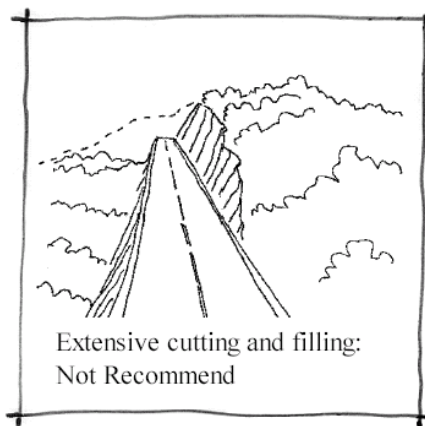
- a. Height of a building is the vertical distance above the highest point of the coping of a flat roof or deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be either of the following, whichever yields the greater height of building:
  - i. The elevation of the highest adjoining sidewalk or ground surface within a 5' horizontal distance of the exterior wall when such sidewalk or ground surface is not more than 10' above lowest grade;
  - ii. An elevation 10' higher than the lowest grade when the sidewalk or ground surface described in item a. above is more than 10' above lowest grade;
- b. The height of a stepped or terraced building is the maximum height of any segment of the building.

### 4. Grading cut and fill slopes, roadways and driveways:

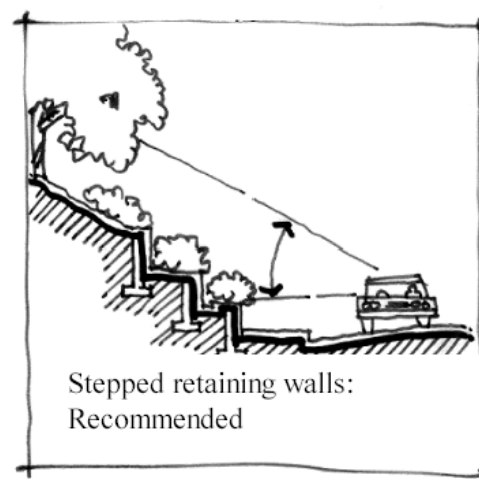
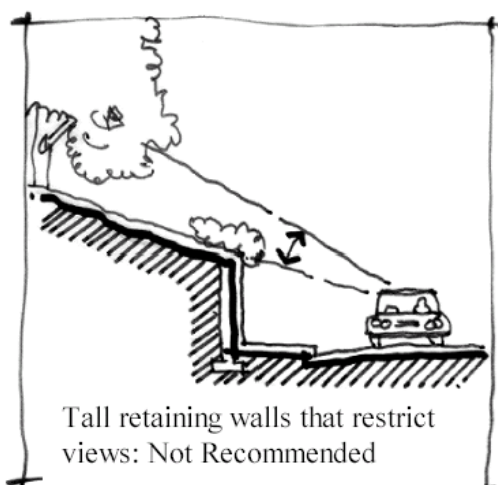


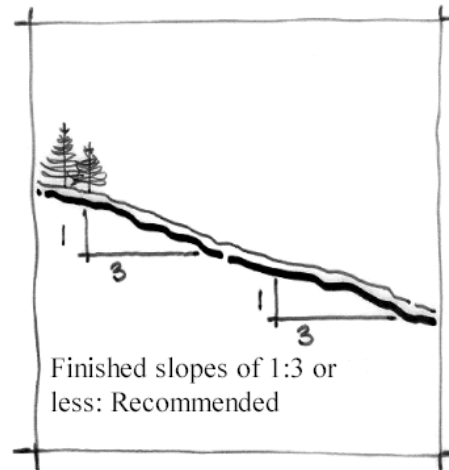


- a. Finished cut and fill slopes shall be constructed to blend with the existing landscape, curving with the natural contour of the land, avoiding straight lines and/or geometric patterns;



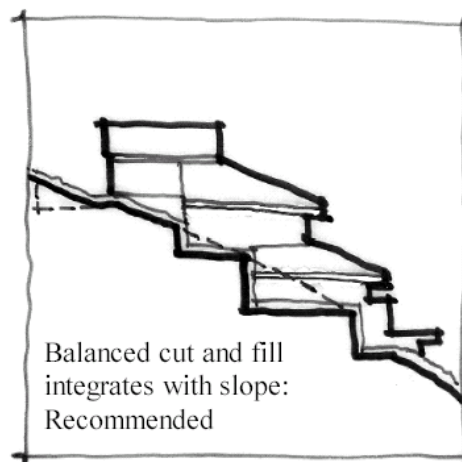
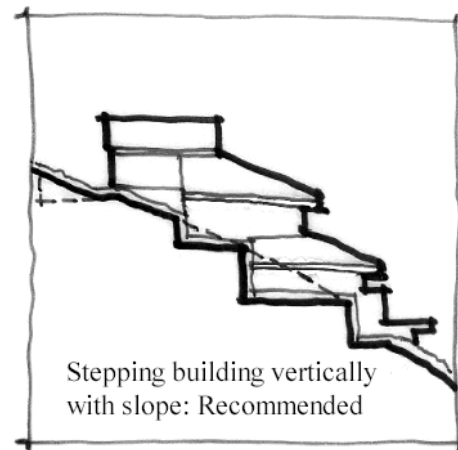
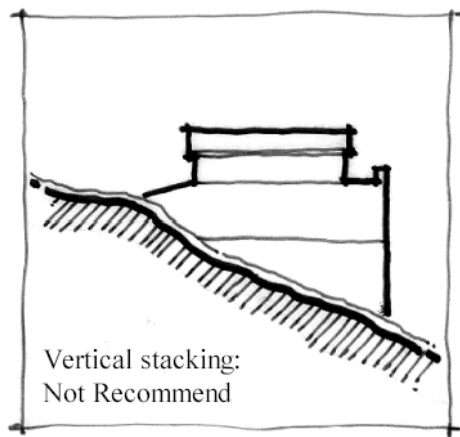
- b. Unwarranted cutting and filling should be avoided when constructing roads, driveways and other related structures, using measures such as laterally balancing cut and fills, alignment with natural contours and restricting development to gentle climbing gradients;

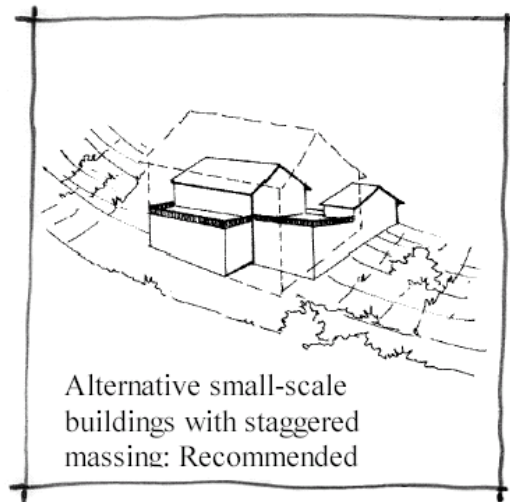
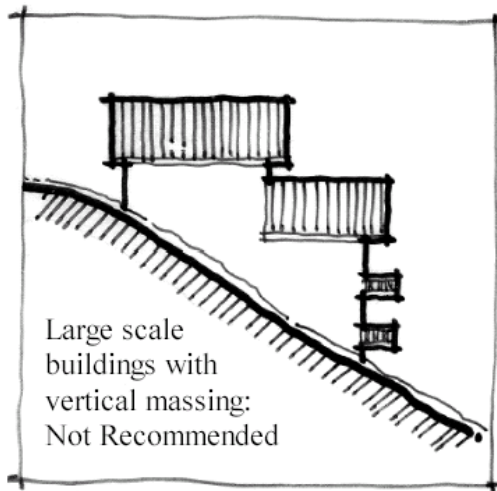




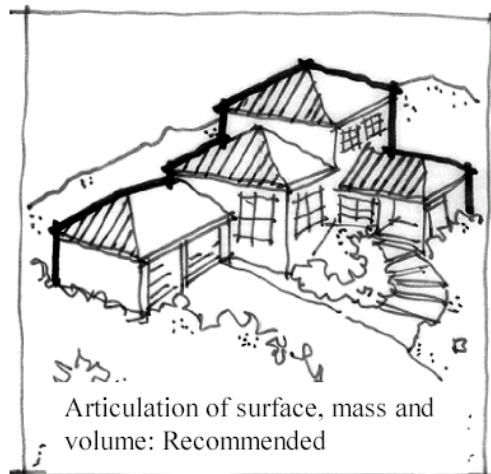
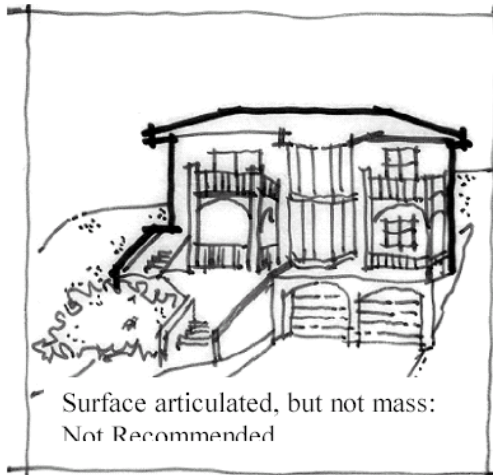
- c. Retaining walls along roadways or associated with structural developments should be stepped and terraced incrementally, avoiding tall flat surfaces that restrict views and slopes steeper than 1:3;

#### 5. Building design, massing and configuration:

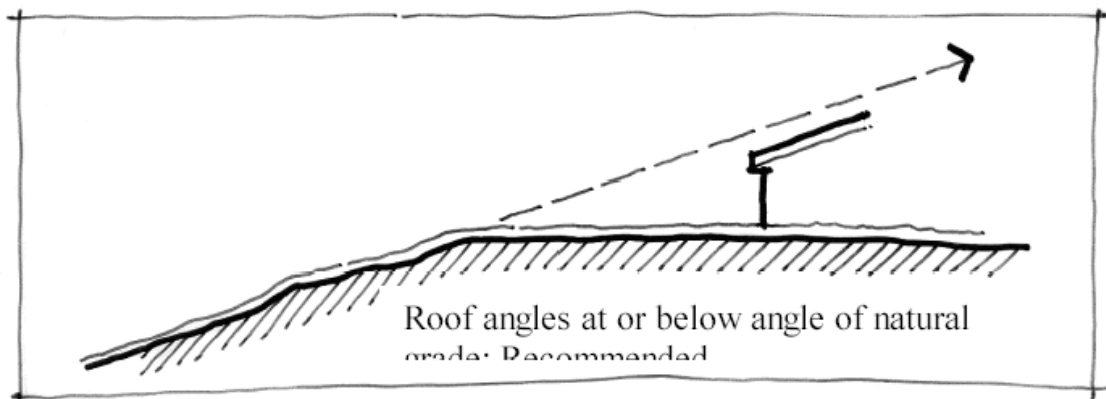
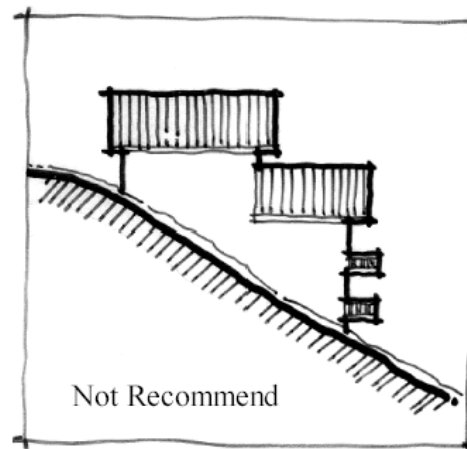
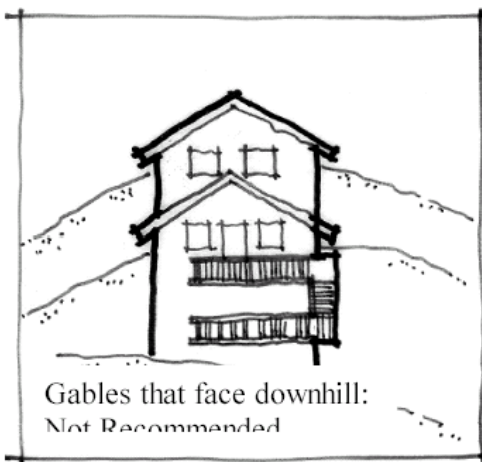
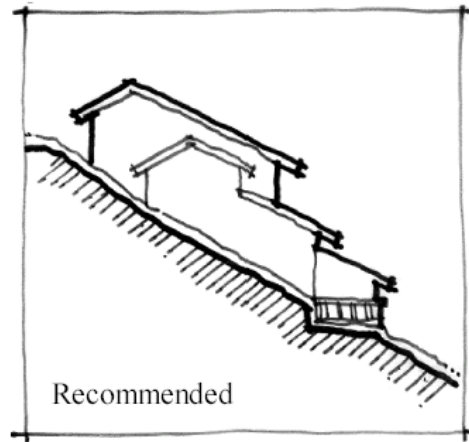
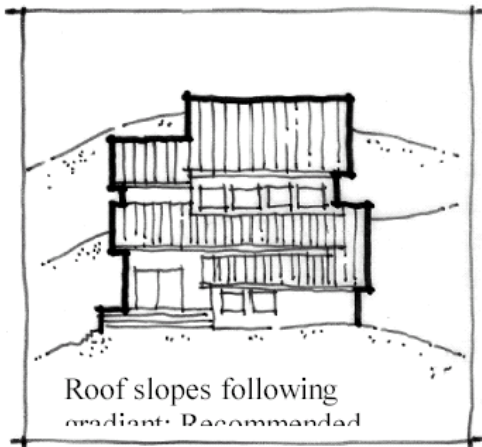




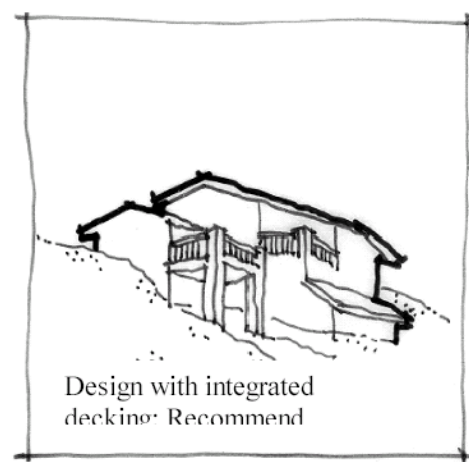
- a. Small scale and low in height construction is recommended, conforming with hillside topography by stepping or staggering the mass of the proposed structure up or down slope, avoiding flat pad construction;
- b. Maintain a balance of scale and proportion using design components which are harmonious with natural landforms and landscaping;



- c. Building shall ensure articulated walls and utilize reveals, cornice detailing, alcoves or other features which breakup the scale of the building. Uses of projections, trellises, landscaping or other devices which in total serve to breakup long, continuous building walls is encouraged;



- d. Roof slopes that follow the gradient of the site are recommended over those that diverge from the hill slope;
- e. Construction materials, glazing, roofing and other surfaces that are of a non-reflective nature are encouraged;

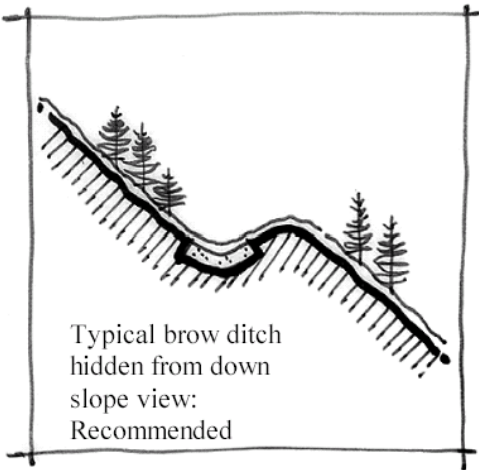
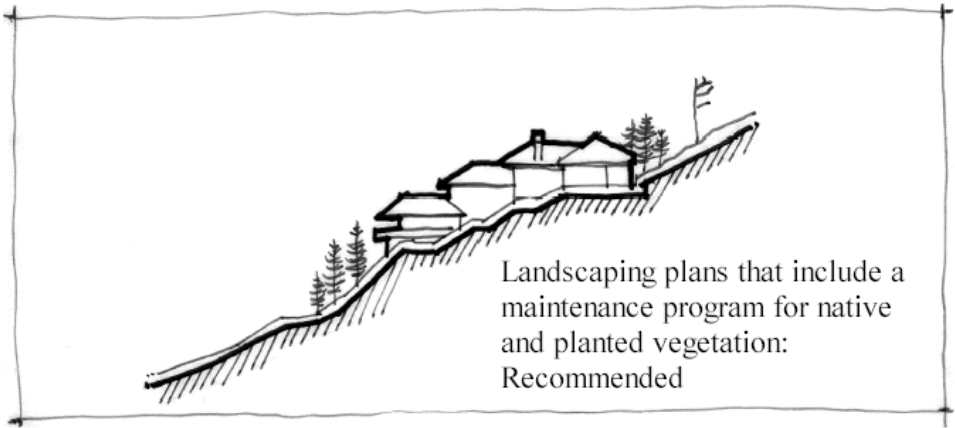
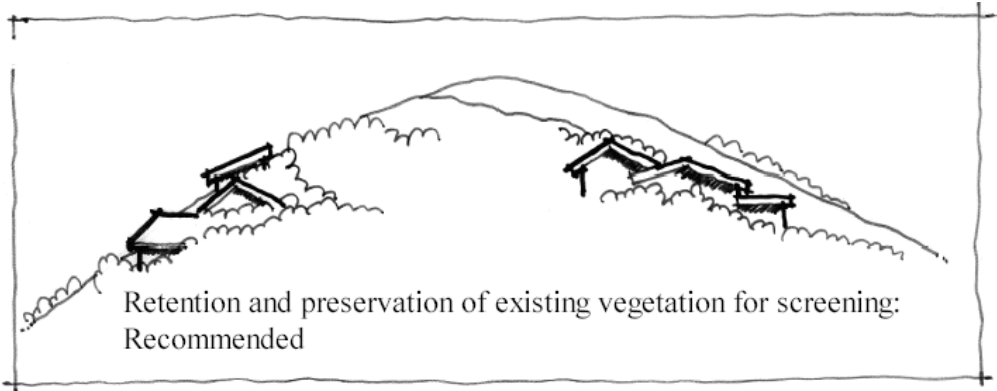


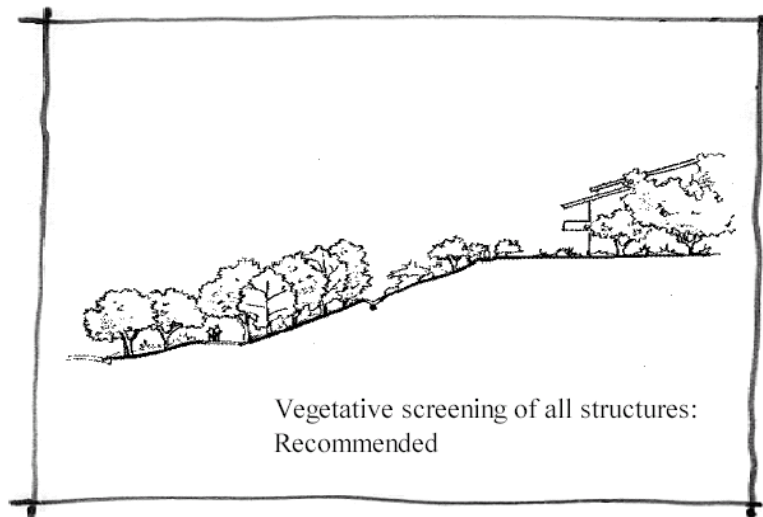
- f. Installation of decking that is integrated into the building is recommended over that which is attached or tacked on to exterior walls;
- g. To the greatest extent possible, structural elements, building materials and color tones shall blend artificial surfaces with surrounding native elements;



- h. Proposed structures shall not be sited atop peaks nor silhouetted against the sky when viewed from any designated public road.

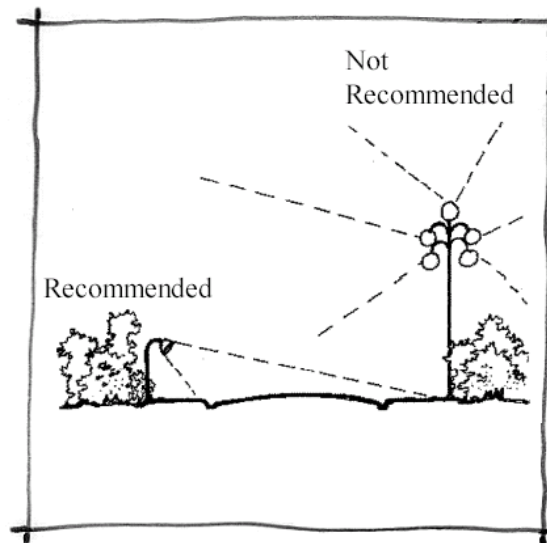
6. Landscape planning and vegetation preservation:





- a. Whenever possible, structures, including roads shall be concealed from view through preservation and maintenance of existing vegetation or through planned landscaping that is consistent with the natural character of the area.

#### 7. Exterior lighting of structures and landscaping:



- a. Outdoor lighting shall be designed to minimize nighttime disruption. Lamp sources should be shielded from view and light source directed downward. Timers and motion detectors should be used wherever possible.

**NOTE: The Viewshed Protection Manual has not been updated to reflect the revisions to the Viewshed Protection Program Ordinance. The Ordinance shall prevail if there's a conflict between the Manual and the Ordinance**

**SLOPE DETERMINATION METHODOLOGY**  
**VIEWSHED PROTECTION PROGRAM**

Slope is the ratio of the vertical distance to the horizontal distance, or the elevation change in feet divided by the distance in feet. The percent slope of a development area (ie, the entire contiguous area that will be disturbed by the land clearing, grading, or other earthmoving activities) is the natural slope of the existing terrain, **NOT** the finished or proposed percent slope resulting from the project.

**Structures & Related Improvements:** The percent slope of each contiguous development area shall be measured perpendicular to the contours across the area being disturbed including the driveway when the driveway is less than 50 feet in length. Its average slope shall be determined by averaging at least 3 typical cross sections. The slope determination will be made using a site plan with a contour interval of 2 to 5 feet and a scale of 1"=20' or better.

When a driveway exceeds 50 feet in length, the slope of the "structural development area" is measured perpendicular to the contours across the area being disturbed excluding the driveway. The driveway slope is measured separately as identified in the Roads and Driveways category below.

If the average slope of each development area is less than 30%, an administrative approval may be granted. If the average slope of any development area is 30% or greater, work in that area cannot be undertaken unless a use permit is approved by the Napa Co. Zoning Administrator or Conservation Development and Planning Commission. If the average slope is greater than 50%, approval of a variance will be required (*For further information regarding a variance please contact a planner*).

**Roads & Driveways:** The percent slope of a road or driveway longer than 50 feet shall be measured using the following procedure:

- a) Stations will be established on the plan along the centerline of the proposed roadway at 100 foot intervals with 0+00 being assigned to the point where grading commences (at the new roads juncture with the existing road)
- b) Cross sections at a scale of 1" = 10' horizontal and vertical extending **100 feet** from outer limits (edges) of the grading shall be taken at each station (i.e. at 0+00, 1+00, 2+00 etc). When the roadway is less than 200' long, 3 equally spaced cross sections shall be taken. The axis of each cross section shall be perpendicular to the existing contours pertinent to that section. The average slope of each cross section shall be calculated by dividing the difference in elevation of the cut and/or fill catch points by the intervening distance.
- c) The average slope of the roadway shall be determined by averaging all these cross sections excluding those measured at less than 5% slope.

This slope determination will be made by evaluating a site plan with a contour interval of 5 feet or less and a scale of 1"= 100' or better.

If the average slope calculated is less than 30%, an administrative approval may be issued. If the average is 30% or greater **OR** if three (3) or more cross sections exceed 50%, road development cannot be undertaken unless a use permit is approved by the Napa Co Conservation Development and Planning Commission. If the average slope is greater than 50%, approval of a variance will be required (*For further information regarding a variance please contact a planner*).

**General Land Clearing:** The methodology for determining slope and the criteria applied thereto are the same as those utilized for agricultural projects under the Conservation Regulations (see section below).

**Agriculture:** The percent slope of each contiguous area cleared (i.e., each area not separated by roads, streams, or non-cleared areas) shall be measured perpendicular to the contours across said area. Its average slope shall be determined by averaging at least 3 typical cross sections

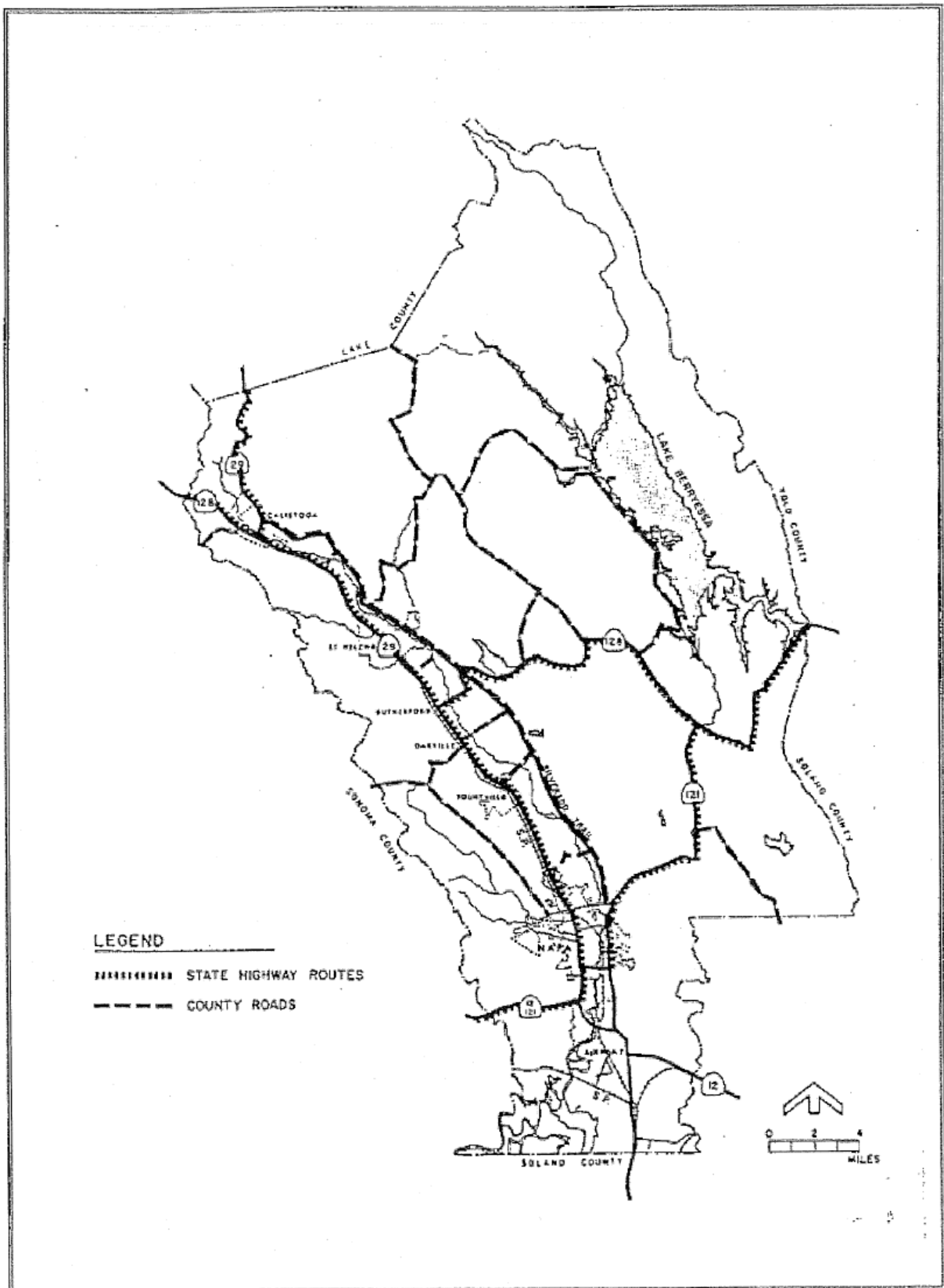
The slope determination will be made by evaluating a site plan with a scale of 1"=200' or greater. When the project involves less than 30 acres contour intervals of 20 feet or less shall be used. When the project involves more than 30 acres, contours intervals of 5 feet or an interval acceptable to the CDPD shall be used.

If the slopes of all portions of each contiguous area are less than 30%, an administrative approval may be issued. However, if any portion within each contiguous area to be cleared is 30% or greater in slope, the following standards then apply:

- a) If the total area of the contiguous clearing is larger than 1 acre, sub-areas completely inside the boundaries of the area being cleared up to 1 acre in size in the 30%-50% slope range may upon the recommendation of the Napa Co Resource Conservation District or County Consultant AND written approval by the Director or his/her designee be cleared. Clearing of areas in the 30%-50% slope range (1) adjacent to the boundaries of the proposed clearing, or (2) exceeding 1 acre in size will require approval of a use permit by the Napa Co Conservation, Development and Planning Commission.
- b) If the total contiguous area to be cleared or graded is less than 1 acre, up to 1/3 of the area to be cleared or graded may exceed 30% in slope but only upon the recommendation of the Napa Co Resource Conservation District or County Consultant AND written approval by the Director or his/her designee.
- c) Any area with a greater than 50% slope cannot be cleared or graded unless a variance is approved (*For further information please contact a planner*)

If the average slope of any area is 30% or greater development of that area cannot be undertaken unless the Napa County Planning, Building, and Environmental Services and Planning Commission approve a use permit. Moreover, any area with an average slope greater than 50% cannot be cleared or graded unless a variance is approved (*For further information regarding a variance please contact a planner*).

FIGURE 75: CANDIDATES FOR SCENIC HIGHWAY DESIGNATION



## **DESIGNATED PUBLIC ROADS**

(Figure 76 – Scenic Highways Element Napa County General Plan)

### **COUNTY ROADS**

Silverado Trail  
Dry Creek Road – Oakville Grade  
Petrified Forest Road  
Deer Park Road and Howell Mountain Road (from St. Helena to Pope Valley Road)  
Butts Canyon, Pope Valley and Chiles Valley Roads  
Pope Canyon Road  
Wooden Valley Road  
Berryessa Knoxville Road  
Oak Knoll Avenue  
Yountville Cross Road  
Zinfandel Lane  
Lodi Lane  
Bale Lane  
Jameson Canyon Rd from Hwy 29 to the Solano County Line;  
American Canyon Rd from Flosden/Fairgrounds Rd. to Interstate 80;  
Highway 29 in its entirety;  
Mt. Veeder Road;  
Partrick Road;  
Lokoya Road;  
Wall Road;  
Larkmead Lane;) )  
Dunaweal Lane;  
Tubbs Lane;  
Redwood Road;  
Spring Mountain Road; and  
Old Sonoma Road

### **STATE HIGHWAYS**

State Hwy 128 (from Rutherford to Monticello Dam)  
State Hwy 29 (from American Canyon to Lake County Line)  
State Hwy 121 (from Sonoma County to Napa; from Napa to State Hwy 128)

### **VIEWSHED UPDATES**

ORDINANCE #1232 adopted 12-9-03 amended the Viewshed regulations to include the following;

1. The extension of applicability to include “benches and shelves” which are defined as “flat areas which could be used as a building site which are otherwise surrounded by slopes of fifteen percent or greater”;
2. The definition of “substantially” as “fifty one percent or more of viewable areas as it relates to views or screening of structures and benches and shelves from the designated road(s)”; and
3. A requirement, depending on the project, to execute and record a “use restriction” prior to the issuance of building permit.

**Be advised that the above is only a summary of the amendments. For specific information on the viewshed program and regulations in its entirety, consult Chapter 18.106 of the Napa County Code.**