

“D”

Use Permit Application Packet

NAPA COUNTY

Planning, Building and Environmental Services



A Tradition of Stewardship
A Commitment to Service

USE PERMIT MICRO-WINERY APPLICATION
WINERY USES

Before you file an application...

Before you submit your application materials, and generally as early in the process as possible, you may want to schedule a Pre-Application Review Meeting (or Pre-App) with a member of the Planning Department Staff.

Pre-Application Meetings

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.

Contents

☐	Micro-Winery Procedures
☐	General Application Form
☐	Use Permit/Modification Checklist of Required Application Materials
☐	Signed Indemnification Form
☐	Signed Hourly Fee Agreement
☐	Supplemental Application for Micro-Winery Uses
☐	Initial Statement of Grape Source for a Micro-Winery
☐	Trip Generation Sheet
☐	Voluntary Best Management Practices Checklist for Development Projects Form
☐	Adjoining Property Owner List Requirements

MICRO-WINERY PROCEDURES

WINERY USES ONLY

CHAPTER 18.08 DEFINITIONS

18.08.377 Micro-winery.

"Micro-winery" means a new winery or an existing micro-winery that modifies its use permit pursuant to Section 18.124.130.(F) below, both of which meet all of the requirements of the County Code applicable to a winery as well as the following specific restrictions and prohibitions:

- A. Ferments on-site at least 201 gallons of wine annually and has a production capacity of no more than 5,000 gallons of wine;
- B. At least 75 percent of the grapes used in fermentation on-site are grown on the same property as the micro-winery or contiguous parcels under the same ownership. For the purpose of this section, "the same property as the micro-winery" means any parcel or parcels identified as included within the Use Permit application;
- C. Has a maximum of 5,000 square feet of total enclosed space including storage, processing facilities, tasting areas, and caves;
- D. No more than twenty Average Daily Trips (ADT) (ten daily round trips) are generated by tasting room visitors, all winery employees including seasonal employees, and deliveries to and/or from the winery;
- E. No marketing events as defined in Section 18.08.370, are conducted on site;
- F. Tours and tastings, as defined in Section 18.08.620, and retail sales as defined in Sections 18.16.030(G)(5)(C) for wineries in the Agricultural Preserve and 18.20.030.(H).(5).(C) for the Agricultural Watershed, may be conducted on-site but are limited to between the hours of 9:00 a.m. and 6:00 p.m.;
- G. No subsequent application for an increase in the production of wine or tasting room visitation shall be considered within two years after the approval of the original micro-winery use permit.
- H. Micro-winerries shall only be permitted within the Agricultural Preserve (AP) and Agricultural Watershed (AW) zones.

[Please refer to the County Code for applicable Winery Definition Ordinance provisions including, but not limited to, minimum parcel size and setbacks.]

CHAPTER 18.10 ZONING ADMINISTRATOR

Sections:

18.10.010 General powers and duties.

18.10.020 Duties—Specific subjects.

The zoning administrator shall hear and decide all applications for the following unless, in the zoning administrator's sole discretion, the zoning administrator determines that the matter (1) is of a size, importance, or unique nature such that it is judged not to be a routine matter; (2) involves potentially significant environmental impacts; or (3) is such that the public interest would be furthered by having a particular application heard and decided by the planning commission:

A. Permits and modifications thereof for the following:

5. Following a public hearing noticed in accordance with Section 18.136.040, use permits for Micro-wineries as defined by Section 18.08.377 of this code. No application for a new micro-winery use permit or modification of a micro-winery use permit, whether minor or major, shall be considered beginning three years after May 5, 2022 (the effective date of this Ordinance), unless the provisions in this code pertaining to micro-wineries are extended, re-adopted or amended by the board of supervisors. Applications that are accepted by the Director as complete prior to the deadline shall be allowed to complete their processing. In the event that the provisions in this code pertaining to micro-wineries are not extended, re-adopted or amended by the board of supervisors, use permits for micro-wineries that have been issued under these provisions shall remain valid unless allowed to expire pursuant to Section 18.124.080 or revoked pursuant to 18.124.120;

[APPLICABLE PROCEDURE REQUIREMENTS - MODIFICATIONS TO MICRO-WINERIES]

CHAPTER 18.124 USE PERMITS

Section:

- A. Except as otherwise provided in subsections (B), (C) and (D) of this section, modifications to an approved use permit shall be processed in the same manner and in compliance with the procedures set forth herein for use permits and appeals, including notice and the payment of applicable permit application fees.

D. Notice of intent to approve or deny, for purposes of subsection (C) above, shall include a general explanation of the matter to be considered, a general description, in text or by diagram, of the location of the subject real property, and a statement that the zoning administrator intends to approve or deny the requested modification on a certain date not less than ten calendar days after the date of mailing of the notice. Notice of intent, for purposes of this subsection, shall be given as follows:

1. To the owner of the subject real property or the owner's duly authorized agent and to the project applicant if the project applicant is neither the owner of the property nor the owner's duly authorized agent;
2. To all owners of real property, including businesses, corporations or other public or private entities, as shown on the latest equalized assessment roll within one thousand feet of the real property that is the subject of the proposed project. In lieu of utilizing the assessment roll, the records of the county assessor or tax collector which contain more recent information than the assessment roll may be used; and
3. By posting the notice on the county's website for the PBES Department.

A notice of decision, for purposes of subsection (C) above, shall be given in the same manner as a notice of intent, but shall include any conditions of approval imposed on the project by the zoning administrator. The date of the notice of decision shall be date of the decision for purposes of appeals pursuant to chapter 2.88 of this code.

F. Upon receipt of a written request from the holder of a use permit relating to a micro-winery, the zoning administrator may approve minor modifications to micro-winery use permits in accordance with the procedures set forth in subsection (D) above. There will be no public hearing for such minor modifications. Modifications to micro-winery use permits are considered minor modifications under this subsection if the change in operations consists of any of the following:

1. Any increase in (1) the number of full-time equivalent existing permitted employees, including seasonal employees, (2) tours and tastings, or (3) deliveries, so long as the total number of vehicle trips for all such uses on the property does not exceed 20 ADT or 10 round trips;
2. An increase in wine production so long as the total annual production does not exceed 5,000 gallons annually;
3. Any change in days of operation provided there is no increase in visitation, except pursuant to this section; and

4. Any increase in aggregate building footprint (including caves) so long as the total does not exceed 5,000 square feet.
- H. Any modification to a use permit that exceeds the thresholds listed above in this section will be considered a major modification subject to consideration and a decision by the planning commission. A micro-winery with an approved major modification shall no longer be classified as a micro-winery.

[Please refer to Ordinance No. 2022-1474 for additional information regarding issuance of Micro-Winery Use Permits and Modifications to Winery Use Permits.]

California Environmental Quality Act (CEQA) Review:

Depending on the site-specific circumstances associated with a particular winery, the project under this Micro-Winery Use Permit Procedure will be subject to CEQA, however, could be treated as exempt under Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B: Additional Categorically Exempt Projects in Napa County.



A Tradition of Stewardship
A Commitment to Service

CLEAR FORM

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

PLANNING APPLICATION FORM

Applicant Information

Applicant Contact

Name: Ozegna Vineyards, LLC c/o Jim Fassio
Mailing Address: 501 El Cerrito Ave
City: Hillsborough State: CA Zip: 94010
Phone: 650-333-3155
E-Mail Address: ozegna@comcast.net

Property Owner Contact

Name: Ozegna Vineyards, LLC c/o Jim Fassio
Mailing Address: 501 El Cerrito Ave
City: Hillsborough State: CA Zip: 94010
Phone: 650-333-3155
E-Mail Address: ozegna@comcast.net

Agent Contact

Name: CMP Civil Engineering & Land Surveying (Cameron P.)
Mailing Address: 1607 Capell Valley Road
City: Napa State: CA Zip: 94558
Phone: 707-266-2559
E-Mail Address: cameron@cmpengineering.com

Other Representative Contact

☐ Engineer ☒ Architect ☐ Agent
Name: Covell Architects c/o Michelle Covell
Mailing Address: 1407 Main St., Ste 102
City: St. Helena State: CA Zip: 94574
Phone: 707-968-9280
E-Mail Address: michelle@covellarchitects.com

Property Information

Project Name: Ontrail Vineyards Micro Winery
Project Address: 3252 Silverado Trail, Napa, CA 94558
Assessor's Parcel Number(s): 039-610-003
Size of site (acreage and/or square footage): 13.33
General Plan Designation: Agriculture, Watershed & Open Space Zoning: AW

Application Type¹

File No(s) P25-00139

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

¹: Include corresponding submittal requirements for each application type.

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

Conditions of Application

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

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

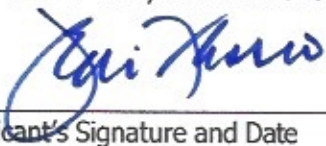
If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

 5/2/2025
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.

 5/2/2025
Applicant's Signature and Date

SIGN HERE

SIGN HERE

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

Checklist of Required Application Materials

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:** (Please refer to the following link for applicable application fees per permit type: [Fees & Payments | Napa County, CA \(countyofnapa.org\)](#))
 - 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.
 - Micro-Winery Use Permit:** 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 for project review and 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**
- ☒ **Read and Sign Certification and Indemnification Form**
- ☒ **Read and Sign Initial Statement of Grape Source Form or Micro Winery Grape Source Form**
- ☐ **Provide Adjoining Property Owners List for Courtesy Notice and Public Hearing Notice Mailouts**
- ☒ **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*: [Sample-Site-Plan-PDF \(countyofnapa.org\)](#)
- ☒ **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. FOR MICRO-WINERY PROJECTS: Additional submittal information is necessary and should be included with the submittal packet consistent with the Micro-Winery Use Permit Supplemental Submittal Requirements.
3. Traffic Study consistent with Traffic Impact Study (TIS) Guidelines. 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. Study (TIS). If it is determined that a TIS is not required, physical traffic improvements (such as a left turn lane) or a site distance analysis may be required as determined by the Director of Public Works. Please consult with the Department of Public Works and the current version of the Napa County Road and Street Standards, which can be found following this link: [Napa County Road & Street Standards \(countyofnapa.org\)](http://Napa County Road & Street Standards (countyofnapa.org))
4. Archeological/Cultural Resources Study (consistent with *Guidelines for Preparing Cultural Resource Surveys* and State of California requirements)
5. Historic Resources Study (consistent with State Office of Historic Preservation requirements)
6. Biological Study – Includes Special Status Survey (consistent with *Guidelines for Preparing Biological Resources Reconnaissance Surveys* and *Guidelines for Preparing Special-Status Plant Studies*)
7. Water Availability/Groundwater Study (consistent with the WAA Guidance Document adopted by the Board 5/12/2015). Please refer to the following link: [Attachment-D---Water-Availability-Analysis-Guidelines-5-12-15-PDF \(countyofnapa.org\)](http://Attachment-D---Water-Availability-Analysis-Guidelines-5-12-15-PDF (countyofnapa.org))
8. 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: [Water-Quality-and-Tree-Protection-Ordinance-Implementation-Guide \(countyofnapa.org\)](http://Water-Quality-and-Tree-Protection-Ordinance-Implementation-Guide (countyofnapa.org))

9. 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: _____

10. Voluntary Best Management Practices Checklist – Please fill out enclosed form.

☒ **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
6. Solid Waste & Recycling Storage area location and size included on overall site plan.
7. Cave setback plan if a cave is proposed.

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:**

2021 Napa County Road & Street Standards

[Napa County Road & Street Standards \(countyofnapa.org\)](https://www.countyofnapa.org/DocumentCenter/View/3778/Project-Guidance-for-Stormwater-Quality-Compliance-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>

☐ **Additional Information Required by the Fire and Building for Wine Cave Design:**

Proposed or Modified Winery Caves – Please include a description of uses to be conducted in the Cave. A cave floor plan shall be provided identifying where all production and hospitality uses will be conducted. Please identify how exiting requirements will be met pursuant to Building and Fire Codes.

☒ **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 PBES 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.**

- ☒ Please contact the Planning Division Staff at the following email address: Planning@countyofnapa.org to obtain a PBES Cloud link to upload application materials and to process filing payment.

Certification and Indemnification

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

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

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

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

Jim Fassio

Print Name of Property Owner

Print Name Signature of Applicant (if different)

Jim Fassio

5/2/2025

Signature of Property Owner

Date

Signature of Applicant

Date

Hourly Fee Agreement

PROJECT File: _____; request for _____. I, Jim Fassio

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):

Ozegna Vineyards, LLC c/o Jim Fassio

Mailing Address of the Applicant responsible for paying processing fees:

501 El Cerrito Ave

Hillsborough, CA 94010

Signature:*



Email Address: ozegna@comcast.net

Date:

5/2/2025

Phone Number: 650-333-3155

SIGN HERE

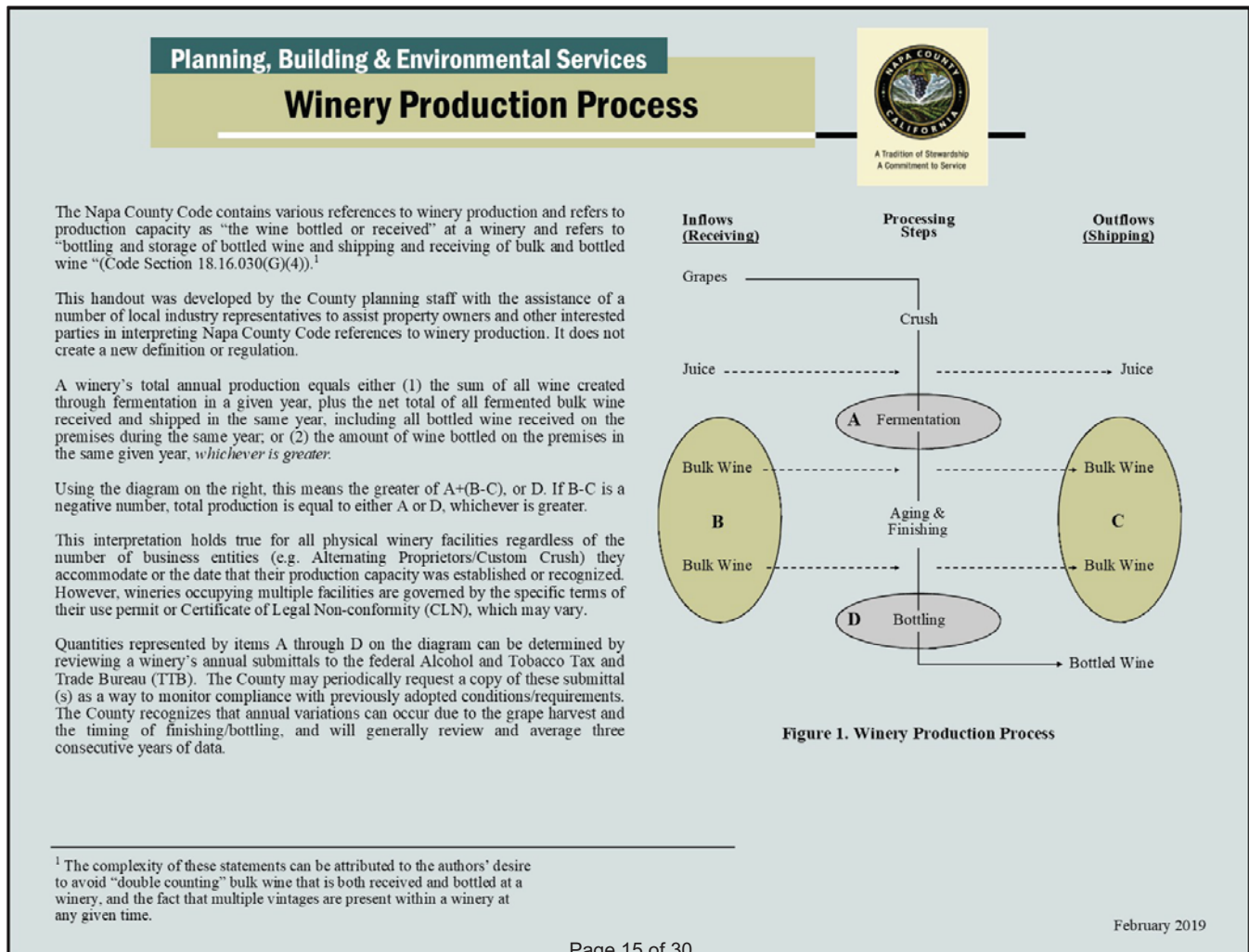
*ATTENTION - The applicant will be held responsible for all charges.

Supplemental Application for Micro-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 **NEWLY PROPOSED** as part of this application, or whether they are not proposed (**NONE**).

Retail Wine Sales	☒	Newly Proposed	☐	None
Tours and Tasting- By Appointment	☒	Newly Proposed	☐	None
Wine Sales/Consumption – AB 2004	☒	Newly Proposed	☐	None
Food at Tours & Tastings	☒	Newly Proposed	☐	None
Will food be prepared	☐	On Site?	☒	Catered

Food type to be served: Prepackaged food and food prepared offsite.

Production Capacity *

Ferments on-site at least 201 gallons of wine annually and has a production capacity of no more than 5,000 gallons of wine (NCC Section 18.337(A)).

Please identify the winery's

Proposed production capacity: 5000 gallons
 Proposed fermentation to be conducted on site: 5000 gallons
 Proposed fermentation utilizing a custom crush facility: up to 4799 gallons
 (Please describe fully your wine production process in the project description)

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

Visitation, Hours of Operations and Employees

No more than twenty Average Daily Trips (ADT) (ten daily round trips) are generated by tasting room visitors, all winery employees including seasonal employees, and deliveries to and/or from the winery (NCC Section 18.08.337(D)). Tours and tastings, as defined in Section 18.08.620, and retail sales as defined in NCC Sections 18.16.030(G)(5)(C) for wineries in the Agricultural Preserve and 18.20.030.(H)(5)(C) for the Agricultural Watershed, may be conducted on-site but are limited to between the hours of 9:00 a.m. and 6:00 p.m. (NCC Section 18.08.337(F)). Please fill out the Trip Generation Sheet provided with these materials.

Please identify the winery's...

Maximum daily tours/tastings visitation: 10 proposed
 Maximum weekly tours/tastings visitation: 70 proposed
 Visitation hours (e.g. M-Su, 10am-4pm): M-Su 9am - 6 pm proposed
 Production days and hours¹: M-Su 8am - 5pm proposed

¹ It is assumed that wineries will operate up to 24 hours per day during crush if it occurs on-site.

Total Number of Winery Employees (including winery ownership): 2 proposed
 Total Number of Winery Employees (residing on the property): 1 proposed
 Total Number of Winery Employees (not residing on the property): 1 proposed

Grape Origin

All new wineries shall must comply with the 75% rule pursuant to NCC Section 18.104.250 (B) & (C). The Micro-Winery shall have at least 75 percent of the grapes used in fermentation on-site are grown on the same property as the micro-winery or contiguous parcels under the same ownership. For the purpose of this section, "the same property as the micro-winery" means any parcel or parcels identified as included within the Use Permit application. See NCC Section 18.08.377(B).

The project description should include information regarding the following:

- On-site vineyard acreage and quantity of grapes;
- The Assessors Parcel Number (APN) of contiguous parcels under the same ownership (if proposed for production) and the vineyard acreage and quantity of grapes;
- Additional vineyard sources; and
- Information on anticipated custom crush activities, including quantity of "production" occurring off-site.

On-Site Consumption

If requesting On-Site Consumption, please provide a site plan showing where such activities will occur and include the proposed area(s) in your project description.

Winery Coverage and Accessory/Production Ratio

Has a maximum of 5,000 square feet of total enclosed space including storage, processing facilities, tasting areas, and caves (See NCC Section 18.08.377(C)).

Total square feet of Enclosed Winery Facility:	<u>5000</u>	sq.ft.
Total square feet of Outdoor Hospitality Space:	<u>1475</u>	sq.ft. (Please show area on site plan to evaluate ADA accessibility)

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.

Proposed	<u>9854</u>	sq. ft.	_____ 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).

<u>35816</u>	sq. ft.	_____ acres	<u>10.96</u>	% 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.

Proposed	<u>3326</u>	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)

Proposed	<u>1307</u>	sq. ft.	<u>39.3</u>	% of production facility
----------	-------------	---------	-------------	--------------------------

Caves and Crush pads and Other Outdoor Work Areas

If new caves are proposed, please indicate which of the following best describes the public accessibility of the proposed cave space: Please denote on cave floor plans the location of proposed cave type/activities and identify location of on-site cave spoils on a site plan. Please identify all proposed outdoor work areas including the winery's proposed covered crush pad area on a site plan.

New Cave:

☐ None – no visitors/tours/events (Class I)

☐ Guided Tours Only (Class II)

☐ Public Access (Class III)

Please identify the winery's...

Cave area (total)

Proposed:_____sq.ft.

Cave area (Production)

Proposed:_____sq ft.

Cave area (Accessory)

Proposed:_____sq.ft.

Covered crush pad area

Proposed:730_____sq.ft.

Other Outdoor Work Areas

Proposed:_____sq.ft.

Cave Spoils total: Proposed:_____cy.

Cave Spoils Use*:

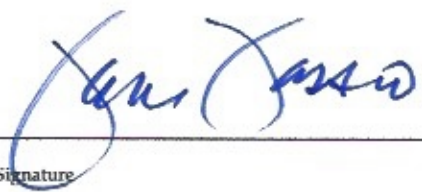
☐ Onsite

☐ Offsite

*Indicate location of spoils on-site on-site plan.

Initial Statement of Grape Source for a Micro-Winery

Pursuant to Napa County Zoning Ordinance Sections 18.08.377(B), I hereby certify that the current application for establishment of a Micro winery pursuant to the Napa County Micro Winery Use Permit Ordinance #2022-1474 will employ sources of grapes in accordance with the requirements of Section 18.08.377(B) of that Ordinance.



Owner's Signature

5/2/2025

Date

SIGN HERE

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



A Tradition of Stewardship
A Commitment to Service

WINERY TRIP GENERATION WORKSHEET

Planning, Building & Environmental Services

1195 Third Street, Suite 210

Napa, CA 94559-3082

(707) 253-4417

PROJECT DESCRIPTION

Clear Form

Winery Name: Ontrail Vineyards Micro-Winery **Date Prepared:** 10/8/25

Existing/Permitted Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>
Number of Part Time Employees*	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>
Maximum Daily Visitation	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>
Annual Gallons of Production		<u>0</u>	<u>0</u>
Annual Tons of Grape Haul		<u>0.0</u>	<u>N/A</u>
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>

Proposed Winery		Harvest	Non-Harvest
Number of Full Time Employees*	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>
Number of Part Time Employees*	Weekday	<u>1</u>	<u>1</u>
	Weekend	<u>1</u>	<u>1</u>
Maximum Daily Visitation	Weekday	<u>10</u>	<u>10</u>
	Weekend	<u>10</u>	<u>10</u>
Annual Gallons of Production		<u>1,250</u>	<u>1,250</u>
Annual Tons of Grape Haul		<u>7.8</u>	<u>N/A</u>
Number of Visitors at the Largest Event that occurs two or more times per month, on average	Weekday	<u>0</u>	<u>0</u>
	Weekend	<u>0</u>	<u>0</u>

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

Ontrail Vineyards Micro-Winery

TRIP GENERATION

Existing Winery					Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	0	0	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	0		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
					Total Weekday Daily Trips	0
					Total Weekday Peak Hour Trips*	0
<u>Maximum Daily Weekend Traffic (Saturday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	0	0	1.9 one way trips/employee	PT Employee Daily Trips	0.0	0.0
Max Visitors	0	0	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	0.0	0.0
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	0		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	0.0		0.013889 truck trips	Grape Haul Daily Trips	0.0	0.0
					Total Weekend Daily Trips	0
					Total Weekend Peak Hour Trips*	0
<u>Maximum Annual Traffic</u>						
					Total Annual Trips**	0

Proposed Winery					Harvest	Non-Harvest
<u>Maximum Daily Weekday Traffic (Friday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	1	1	1.9 one way trips/employee	PT Employee Daily Trips	1.9	1.9
Max Visitors	10	10	2.6 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	7.7	7.7
Max Event	0	0	2.6 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	1,250		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	7.8		0.013889 truck trips	Grape Haul Daily Trips	0.1	0.0
					Total Weekday Daily Trips	10
					Total Weekday Peak Hour Trips*	4
<u>Maximum Daily Weekend Traffic (Saturday)</u>						
	<u>Harvest</u>	<u>Non-Harvest</u>				
FT Employees	0	0	3.05 one way trips/employee	FT Employee Daily Trips	0.0	0.0
PT Employees	1	1	1.9 one way trips/employee	PT Employee Daily Trips	1.9	1.9
Max Visitors	10	10	2.8 visitors/vehicle for 2 one way trips	Max Visitor Daily Trips	7.1	7.1
Max Event	0	0	2.8 visitors/vehicle for 2 one way trips	Max Event Daily Trips	0.0	0.0
Gallons of Production	1,250		0.000018 truck trips	Production Daily Trips	0.0	0.0
Tons of Grape Haul#	7.8		0.013889 truck trips	Grape Haul Daily Trips	0.1	0.0
					Total Weekend Daily Trips	10
					Total Weekend Peak Hour Trips*	5
<u>Maximum Annual Traffic</u>						
					Total Annual Trips**	3,650

Net New Trips					Harvest	Non-Harvest
<u>Maximum Weekday Traffic (Friday)</u>						
If total net new daily trips is greater than 110, a TIS is required						
					Net New Weekday Daily Trips	10
					Net New Weekday Peak Hour Trips*	4
<u>Maximum Weekend Traffic (Saturday)</u>						
If total net new daily trips is greater than 110, a TIS is required						
					Net New Weekend Daily Trips	10
					Net New Weekend Peak Hour Trips*	5
<u>Maximum Annual Traffic</u>						
A Traffic Impact Study is NOT Required					Net New Annual Trips**	3,650

#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 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

Project name & APN: Ontrail Vineyards Micro-Winery, 039-610-003

Project number if known: _____

Contact person: Jim Fassio

Contact email & phone number: ozegna@comcast.net, 650-333-3155

Today's date: 5/2/2025

Voluntary Best Management Practices Checklist for Development Projects

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

Practices with Measurable GHG Reduction Potential

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

Already Plan
Doing To Do

ID # BMP Name

- | | | |
|---|--------------------------|---|
| ☐ | ☐ | BMP-1 Generation of on-site renewable energy |
| <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/> | | |

- | | | |
|---|--------------------------|--|
| ☐ | ☐ | BMP-2 Preservation of developable open space in a conservation easement |
| <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/> | | |

Already Plan
Doing To Do

- ☐ ☐ **BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)**
Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO₂e and add the County's carbon stock.

- ☐ ☐ **BMP-4 Alternative fuel and electrical vehicles in fleet**
The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.
- Number of total vehicles** _____
- Typical annual fuel consumption or VMT** _____
- Number of alternative fuel vehicles** _____
- Type of fuel/vehicle(s)** _____
- Potential annual fuel or VMT savings** _____

- ☐ ☐ **BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2**
The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

- ☐ ☐ **BMP-6 Vehicle Miles Traveled (VMT) reduction plan**
Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.
- Tick box(es) for what your Transportation Demand Management Plan will/does include:
- ☐ employee incentives
 - ☐ employee carpool or vanpool
 - ☐ priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
 - ☐ bike riding incentives
 - ☐ bus transportation for large marketing events
 - ☐ Other: _____

Estimated annual VMT _____

Potential annual VMT saved _____

% Change _____

Already
Doing

Plan
To Do

☐☐

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

See description below under BMP-5.

☐☐

BMP-8 Solar hot water heating

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

☐☐

BMP-9 Energy conserving lighting

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

☐☐

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

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

☐☐

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!

☐☐

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.

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.

☐ ☐ **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%.

☐ ☐ **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.

☐ ☐ **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.

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

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

Already Plan
Doing To Do

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

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

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

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

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

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

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

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

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

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

Already Plan
Doing To Do

☐ ☐ **BMP-23**

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

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building 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.

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

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

This project proposes converting existing buildings thus it will significantly reduce the amount of grading and tree removal necessary, thus decreasing the amount of CO2 released during the construction of this project.

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

BMP-25 (a) ☐

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

BMP-25 (b) ☐

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

BMP-25 (c) ☐

LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

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

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

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

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

Already 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.

☐ ☐ **BMP-29 Local food production**

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

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

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

☐ ☐ **BMP-31 Use 70-80% cover crop**

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

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

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

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

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

Comments and Suggestions on this form?

Sources:

1. *Napa County Bicycle Plan*, NCTPA, December 2011
2. *California Air Pollution Control Officers Associate (CAPCOA)*. January 2008. *CEQA and Climate Change*
3. *Napa County General Plan*, June 2008.
4. *California Office of the Attorney General*. 2010. *Addressing Climate Change at the Project Level* available at http://ag.ca.gov/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
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>

Adjoining Property Owner List Requirements

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.

May 2, 2025

[Revised 11/17/2025 – Per Plan check comments received 11/12/2025 – added comments in red for clarity]

[Revision 5/13/26 – Per Wendy Atkin’s request to include note in Project Narrative per Noise Study Addendum]

Ontrail Vineyards Micro-Winery Use Permit Submittal

3252 Silverado Trail Napa

APN: 039 610 003

NOTE: Per the Noise Study Addendum dated 4.20.26, the winery will NOT operate the crush pad between the hours of 10pm to 7am.

Supplemental Narrative Regarding the Proposed Use of the Existing Barn as a Micro-Winery

This supplemental narrative addresses the proposed use of the existing barn as a micro-winery. The question at hand is whether the existing agricultural barn can be used under this submittal for a proposed micro-winery. Below is our argument supporting the position that the existing barn can and should be used for micro-winery purposes.

Certified Legal Nonconformity (CLN)

CLN stands for Certified Legal Nonconformity. Its purpose is to certify that a building was constructed prior to the establishment of specific zoning regulations that would otherwise render it nonconforming. According to the barn’s approved CLN (#P22-00261-CLN – 2022), the structure was built in 1906, predating the 1955 zoning regulations that introduced setbacks and height limitations. The approved CLN grants the owner the right to “rehabilitate the barn in its present location and continue to utilize the space as storage and workspace with the existing on-site agriculture (vineyard).”

The barn has been rehabilitated within its original footprint and updated to meet current code requirements. As indicated in the CLN, the barn is currently used for storage and workspace in conjunction with vineyard operations. The vineyard workers and the property owner use the barn to store tools, machinery, trucks, tractors, and other equipment essential for vineyard farming. Additional uses include bringing equipment in and out, as well as the maintenance, repair, and cleaning of tools and machinery.

To address the County Code Section 18.132.030 conditions for continuance:

A:

- The barn was in dire need of restoration, so it underwent a repair/rehabilitation/renovation complying with the CLN whereby the work was done within the existing original footprint, there was no enlarging of the building. The current Micro winery use permit scope of work is as shown in the existing and proposed plans submitted, the barn does not propose any enlargement or additions to the existing building, as it was renovated, and as it stood in 1906. It has no plumbing, is unconditioned space and consists of a raw shell similar to that which it was back in 1906 less the building upgrade required by the county code.
- The repair/rehabilitation/renovation did not relocate the barn, it was restored in place, in its original location, thereby not increasing the legal nonconformity. The current Micro winery use permit scope of work as shown in the existing and proposed plans submitted, the barn has not and will not be relocated. It will remain in the same location as it stood in 1906.
- Per the proposed micro winery use permit submittal, the barn will not increase the degree of nonconformity as to the volume of business or production, hours of operation, volume of traffic generated, or volume of waste produced or natural resources consumed.
 - The micro winery is considered agriculture, and the existing barn is an agriculture use, therefore the use remains agriculture for the barn.

- The intended use of the barn is for barrel storage, and storage. See above for the current use of the barn. The storing of barrels and storage will reduce the volume of business, hours of operation, volume of traffic and volume of waste or natural resources consumed, as it will be where barrels of wine will be laid to quietly ferment, and sit for months at a time, until it is ready to be bottled. This overall reduces the uses in the barn as compared to the current existing uses, listed above.
- Furthermore, the current existing barn hours of operation is 24 hours a day for agricultural farming. With the proposed use as barrel storage, the hours of use by the employees will be during regular business hours as noted in the micro-winery use permit application. This reduces the intensity of use.
- Visitors of the micro-winery will be restricted to the farm labor office that is proposed in this application to be converted to winery tasting area, and will not utilize the barn.

B: The legal nonconformity has not been determined by the director or any others to be conducted in such a manner as to constitute a public nuisance.

C: The certificate: P22-00261-CLN

D: The barn has not lost its legal nonconforming status through abandonment.

Per Resolution No. 2010-48:

"To discourage property owners from constructing residences and barns with the express intent of converting them to wineries, the County does not generally support use permit proposals seeking to convert existing buildings to winery use if the buildings have been constructed or substantially modified within the last 5-7 years."

The 1906 barn needed restoration and was repaired, rehabilitated, and renovated within its original footprint. It was in dire need of repair to remain standing. During restoration, repair and rehabilitation, the building was not substantially modified, it was not relocated, and there was no addition. The barn was an existing agricultural use, and is staying agricultural use. See existing and proposed plans as submitted in the micro-winery use permit submittal. The work included repair and rehabilitating the existing walls, structural framing, siding, roofing, and waterproofing. Windows and doors were replaced in kind. The building is 119 years old, and per the County requirements the repair included bringing the work up to code structurally, and commercial use codes. Only renovations needed to comply with current codes were done in the upgrades and repairs.

Historical Intent of the Property

When the property was developed in 1906 in Napa Valley, the original intention was for a family to live on the land, farm it, earn a living, and hopefully one day produce wine. The current property owner now wishes to continue that original intent.

Review of Winery Definition Ordinance No. 947 – Section 1: Findings of Fact

- a. Napa County now enjoys worldwide acclaim for the quality of the wine produced within the County.*
- b. The vineyards and wineries, together with their support services, constitute the largest segment of the County's economy*
- c. The unique combination of geography, climate, micro-climates, and soils makes possible the production of excellent quality wine grapes.*

d. The preservation of agricultural land requires a reliable market to justify the investment required to acquire, develop and maintain vineyards capable of producing high quality fruit.

e. Napa County is one of the smallest counties in California and within the County areas suitable for quality vineyards are limited and irreplaceable. Any project that directly or indirectly results in the removal of existing or potential vineyard land from use depletes the inventory of such land forever.

f. The cumulative effect of such projects is far greater than the sum of individual projects. The interspersing of non-agricultural structures and activities throughout agricultural areas in excess of what already exists will result in a significant increase in the problems and costs of maintaining vineyards and discourage the continued use of the land for agricultural purposes.

Proposed Use of the Existing Barn

The owner proposes using the existing agricultural barn for the storage, processing, and production of wine.

Regarding plan check comment 6 (11.12.2025), the existing barn does not meet the 600-foot setback. Please see below for the environmental benefits of using the existing barn in the existing location.

Key Arguments Supporting the Use of the Existing Barn

- a. By using the existing barn, no vines or agricultural land will need to be removed or disturbed.
- b. Environmental impact is minimized by avoiding the construction of a new building, by using the existing barn, less carbon will be expelled.
- c. There are sustainability and environmental benefits in upcycling and reusing the existing structure, thereby reducing material waste.
- d. Producing a portion of the grapes on-site will reduce the number of trucks transporting fruit off-site, which lowers traffic and benefits the environment.
- e. Given the current downturn in the wine industry, using the barn as a micro-winery adds operational efficiency and supports the long-term sustainability of small-scale wine production. As fruit prices drop and demand declines, small family farms must explore alternative means to justify the investment needed to maintain their vineyards. Using the existing barn is an economically sustainable, reducing costs for small-scale farmers in this economic downturn.
- f. This use results in a more environmentally beneficial winery placement, as outlined in Section 18.104.230(C):
"Legally constructed structures, existing prior to the enactment of the Winery Definition Ordinance (January 23, 1990), may be exempted from the setback provisions of subsection A of this section if it is found that use of this exemption will result in a more environmentally beneficial placement of the winery."
- g. No additional impervious surfaces will be added, and overall lot coverage will not increase.
- h. The CLN exists only because zoning regulations were enacted after the barn was built. It certifies that the structure legally existed before those regulations were created. The building cannot be relocated to meet current zoning requirements.

COVELL ARCHITECTS

Conclusion

The spirit of the micro-winery ordinance is to enable small family farms to invest in their property and support their operations without undergoing the expensive and complex process of building a full-scale winery. The proposed use of the existing barn aligns with this intent and provides a sustainable, economically viable solution that supports the continued agricultural use of the land benefiting the owner, and Napa County.

Thank you for your consideration.

Pictures of the existing barn as it stands now per the approved building permits BR22-01929-Alt, BR23-01531-Alt, and approved CLN P22-00261

Exterior photos.



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Interior photos: Unfinished, unconditioned, Ag Barn for storage, tools, equipment, farming supplies as described in the Barn Narrative

