

FILE # P08-00608

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
 1195 Third Street, Suite 210 Napa, California 94559
 (707) 253-4417

APPLICATION FOR TENTATIVE PARCEL MAP OR TENTATIVE SUBDIVISION MAP

FOR OFFICE USE ONLY	
ZONING DISTRICT: <u>AP</u>	Date Submitted: <u>11-13-08</u>
TYPE OF APPLICATION: <u>PARCEL MAP</u>	Date Published: <u>6-8-09</u>
REQUEST: _____	Date Complete: <u>5-09</u>
_____	_____
_____	_____

(Please type or print legibly)

PROJECT NAME: Rombauer Vineyards, Inc. Tentative Parcel Map

Assessor's Parcel #: 017-130-027 Existing Parcel Size: 80 +/- acres

Site Address/Location: 3250 Bennett Lane Calistoga, CA 94515
No. Street City State Zip

Property Owner's Name: Rancho Alto Vineyard's Inc., a California corporation

Mailing Address: 3250 Bennett Lane Calistoga, CA 94515
No. Street City State Zip

Telephone #: (757) 822 - 9596 Fax #: () - E-Mail: sasmar@aol.com

Applicant's Name: Rombauer Vineyards, Inc., a California corporation

Mailing Address: 3522 Silverado Trail St. Helena, CA 94574
No. Street City State Zip

Telephone #: (707) 963 - 5170 Fax #: (707) 963 - 5752 E-Mail: _____

Status of Applicant's Interest in Property: Lessee

Representative Name: Charles W. Meibeyer

Mailing Address: 1236 Spring Street St. Helena, CA 94574
No. Street City State Zip

Telephone #: (707) 963-7703 Fax #: (707) 963-4897 E-Mail: chuck@meibeyerlaw.com

Purpose for Division: residential and vineyard use.

Vesting Map? ☐ YES ☒ NO

I certify that all above statements are correct and that the information contained on the accompanying Parcel/Subdivision Map is accurate. I hereby authorize such investigations, including access to County Assessor's Records, as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

By: Sheila Smart, Its: Secretary 10-22-08 Rombauer Vineyards, Inc. Feb 29, 09
Signature of Property Owner Date Signature of Applicant

By: Brad Aves, Its: president By: Koerner Rombauer, Its President
Print Name Print Name

TO BE COMPLETED BY CONSERVATION DEVELOPMENT AND PLANNING DEPARTMENT

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

*Total Fees will be based on actual time and materials

TENTATIVE PARCEL MAP APPLICATION

Rombauer Vineyards, Inc., a California Corporation ("Rombauer"), the current lessee of real property in Napa County, more particularly described as Napa County Assessor's Parcel Numbers 017-130-027, hereby requests approval of a Tentative Parcel Map. Rombauer is requesting approval to create two (2) parcels under the provisions of Napa County Subdivision Ordinance, Section 17.06.010 (B) for vineyard and residential uses.

The proposed parcels are 40.01 and 45.98 acres, net, in size respectively. The property is zoned Agricultural Preserve. As a result, these proposed parcels meet the minimum forty (40) acre parcel size established under Napa County Subdivision Zoning Ordinance Section 18.104.010.

Although this submittal includes nearly all of the reports and documents required under Section 17.08.04 of the Napa County Subdivision Ordinance for a Tentative Parcel Map, there are some reports which are not applicable for this submission. The following are the reports not provided with this application, as well as the reason they are not applicable:

- 1) Public Facilities Installation/Scheduling Plan: None are proposed.
- 2) Preliminary Soils Report on Entire Property: A final map is not required for this project and this is not a subdivision for which a parcel map is required pursuant to Section 66426(a) or (c) of the Government Code.
- 3) Detailed Soils Report on Impacted Lots and Common Facilities: This is not required because a preliminary soils report was not required.
- 4) Preliminary Geological Hazards Report on Entire Property: Rombauer was advised by the Planning Department that this was not required after reviewing the Napa County environmental sensitivity maps.
- 5) Detailed Geologic Hazards Report on Impacted Lots and Common Facilities: A review of the Napa County environmental maps indicates this is not required.
- 6) Alquist-Priolo Fault Hazard Study: A review of the Napa County environmental maps indicates this is not required.
- 7) Mobile Home Park Conversion Resident Impact Report: The current use of the property is a vineyard and the proposed uses are vineyard and residential. Therefore,

this report is not required for this submittal.

8) Environmental Health-Dept-Approved Percolation Test: The applicant's representative was advised by a representative of Environmental Management that this was not required until further review by that department.

9) Water Availability Letter from a Qualified Well Driller or Geologist: The applicant's representative was advised by a representative of Environmental Management that this was not required until further review by that department.

10) Water/Sewer Service Availability/Treatment Capacity Non-exceedance letter(s): The city of Calistoga ("City") currently provides water to the residence located on Proposed Parcel 2. In addition, in accordance with the attached Water and Settlement Agreement ("Agreement"), the City's water could be used for agricultural use. Although City water has not been purchased for agricultural use since the date the Agreement was finally executed, the ability to do so under the Agreement has not been waived by the applicant or current property owner. Finally, there will be no sewage disposal agency used for either of the proposed parcels.

11) Building Conversion Notes: This project does not involve a conversion to condominiums, community apartment or stock cooperative.

12) Additional Information as Required by the Planning Director: None have been requested.

Rombauer respectfully requests approval of this Tentative Parcel Map application.

Domestic

WATER SUPPLY/WASTE DISPOSAL INFORMATION

I.	PROPOSED WATER SUPPLY	<u>Domestic</u>	<u>Emergency</u>
A.	Source of Water (eg. spring, well, mutual water company, <u>city</u> , district, etc):	<u>City of Calistoga</u>	_____
B.	Name of Water Supplier (if water company, <u>city</u> , district: Annexation needed?	<u>City of Calistoga</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____ <input type="checkbox"/> Yes <input type="checkbox"/> No
C.	Water Availability (in gallons/minute):	<u>per meter</u>	_____
D.	Capacity of Water Storage System (in gallons):	_____	_____
E.	Nature of Storage Facility (e.g., tank, reservoir, swimming pool, etc):	_____	_____
II	PROPOSED LIQUID WASTE DISPOSAL	<u>Domestic</u> (sewage)	<u>Other</u> (please specify)
A.	Disposal Method (e.g., <u>on-site</u> septic system, on-site ponds, community system, district, etc.):	<u>on site</u> <u>Septic System</u>	<u>none</u>
B.	Name of Disposal Agency (if sewage district, city, community system): Annexation needed?	<u>None</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>None</u> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

The existing residence is served by the City of Calistoga municipal water. The city water line runs through the subject parcel.

Agricultural water use is from on-site wells.

WATER AVAILABILITY ANALYSIS

PHASE 1 STUDY

introduction:

Napa County, It has been determined that Chapter 13.15 of the Napa County Code is applicable to approval of your permit. One step of the permit process is to adequately evaluate the amount of water your project will use and the potential impact your application might have on the static groundwater levels within your neighborhood. The public works department requires that a Phase 1 Water Availability Analysis (WAA) be included with your application. The purpose of this form is to assist you in the preparation of this analysis. You may present the analysis in an alternative form so long as it substantially includes the information required below. Please include any calculations you may have to support your estimates.

The reason for the WAA is for you, the applicant, to inform us, to the best of your ability, what changes in water use will occur on your property as a result of an approval of your permit application. By examining the attached guidelines and filling in the blanks, you will provide the information we require to evaluate potential impacts to static water levels of neighboring wells.

Step #1:

Provide a map and site plan of your parcel(s). The map should be an 8-1/2"x11" reproduction of a USGS quad sheet (1:24,000 scale) with your parcel outlined on the map. Include on the map the nearest neighboring well. The site plan should be an 8-1/2"x11" site plan of your parcel(s) with the locations of all structures, gardens, vineyards, etc in which well water will be used. If more than one water source is available, indicate the interconnecting piping from the subject well to the areas of use. Attach these two sheets to your application. If multiple parcels are involved, clearly show the parcels from which the fair share calculation will be based and properly identify the assessors parcel numbers for these parcels. Identify all existing or proposed wells.

Step #2:

and water allotment factor.

Determine total parcel acreage

Determine the allowable water allotment for your parcels:

Parcel Location Factors

The allowable allotment of water is based on the location of your parcel. There are 3 different location classifications. Valley floor areas include all locations that are within the Napa Valley, Pope Valley and Carneros Region, except for areas specified as groundwater deficient areas. Groundwater deficient areas are areas that have been determined by the public works department as having a history of problems with groundwater. All other areas are classified as Mountain Areas. Please circle your location classification below (Public Works can assist you in determining your classification if necessary):

Valley Floor	1.0 acre feet per acre per year
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Mountain Areas	0.5 acre feet per acre per year
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MST Groundwater Deficient Area	0.3 acre feet per acre per year
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Assessor's Parcel Number(s)	Parcel Size (A)	Parcel Location Factor (B)	Allowable Water Allotment (A) X (B)
017-130-027	87.7	1.0	87.7 Ag.Ft./yr.

	TOTAL	
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Step #3:

Using the guidelines in Attachment A, tabulate the existing and projected future water usage on the parcel(s) in acre-feet per year (af/yr). Transfer the information from the guidelines to the table below.

Existing Usage:

Residential *	0	af/yr
Farm Labor Dwelling	0	af/yr
Winery	0	af/yr
Commercial	0	af/yr
Vineyard	48	af/yr
Other Agriculture	_____	af/yr
Landscaping	_____	af/yr
Other Usage	_____	af/yr

TOTAL: 48.0 af/yr
 TOTAL: 15,639,408. gallons*

Future Usage:

Residential	0	af/yr
Farm Labor Dwelling	0	af/yr
Winery	0	af/yr
Commercial	0	af/yr
Vineyard	48	af/yr
Other Agriculture	_____	af/yr
Landscaping	_____	af/yr
Other Usage	_____	af/yr

TOTAL: 48.0 af/yr
 TOTAL: 15,639,408. gallons*

*To determine your existing and proposed total water use in gallons, multiply the totals (in acre- feet) by 325,821 gal/AF.

Is the estimated future usage less than the "allowable" ☒ Yes () No
 If no, is the future usage less than the existing usage () Yes () No () Equal

Step #4:

Provide any other information that may be significant to this analysis. For example, any calculations supporting your estimates, well test information including draw down over time, historical water data, visual observations of water levels, well drilling information, changes in neighboring land uses, the usage if other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

*1. The residence is served by City of Calistoga Water.
 Three on-site wells produce 10 gal./min. each.
 The reservoir holds approximately 30 acre feet of water.

Conclusion:

Congratulations! Just sign the form and you are done! Public works staff will now compare your projected future water usage with a threshold of use as determined for your parcel(s) size, location, topography, rainfall, soil types, historical water data for your area, and other hydrogeologic information. They will use the above information to evaluate if your proposed project will have a detrimental effect on groundwater levels and/or neighboring well levels. Should that evaluation result in a determination that your project may adversely impact neighboring water levels, a phase two water analysis may be required. You will be advised of such a decision.

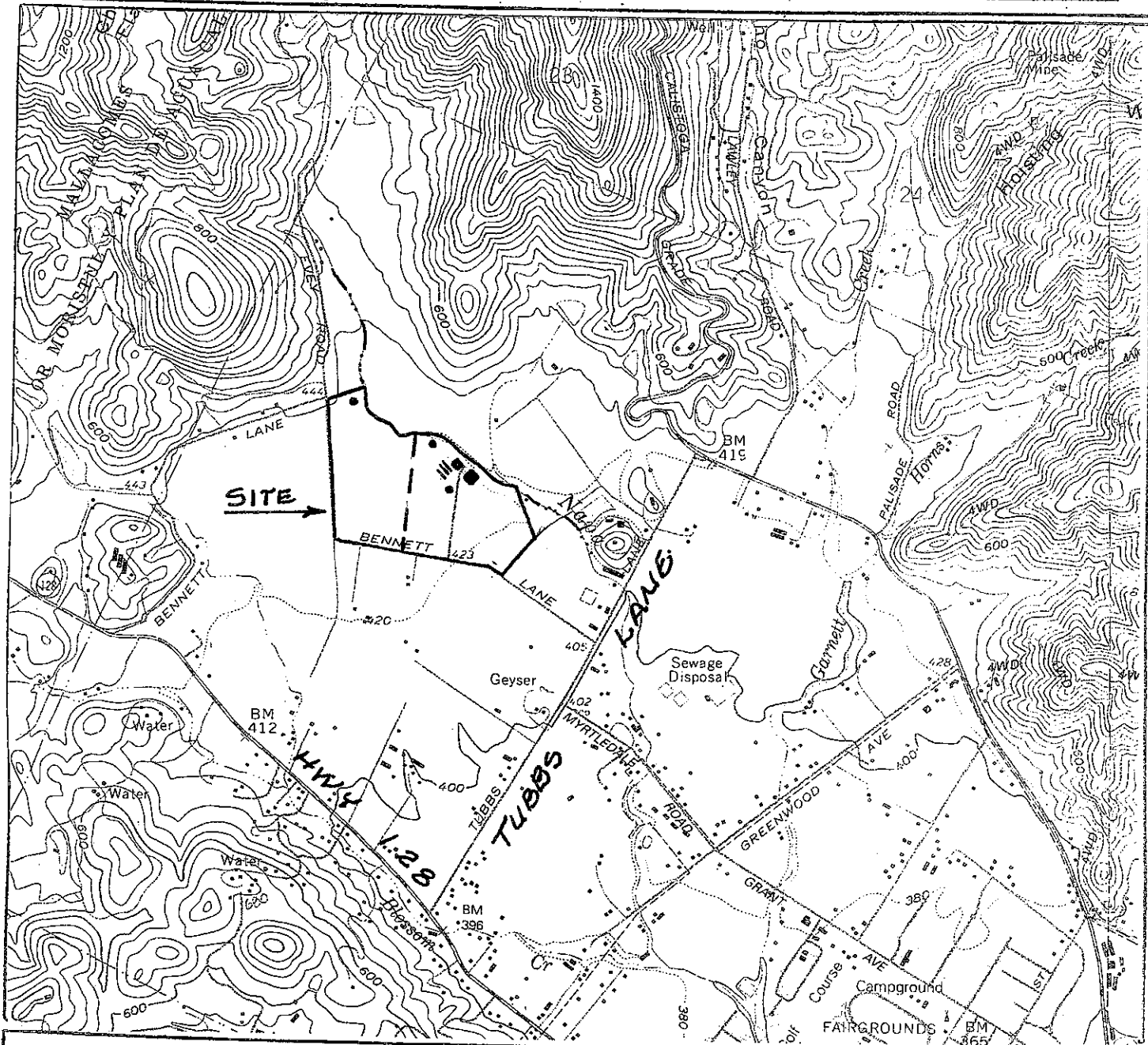
Signature: Christopher K. Cole Date: 9/25/2008 Phone: 707.963.7565

Terra Firma Surveys, Inc.
 P.O. Box 533
 St. Helena CA 94574

TOPOGRAPHIC SITE LOCATION INFORMATION

QUADRANGLE TITLE: CALISTOGA

FILE NO. _____



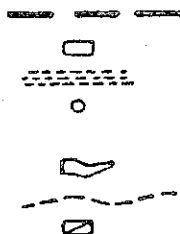
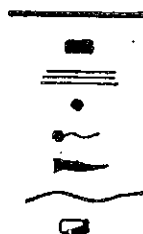
LEGEND

The following information shall be shown on topographic map:

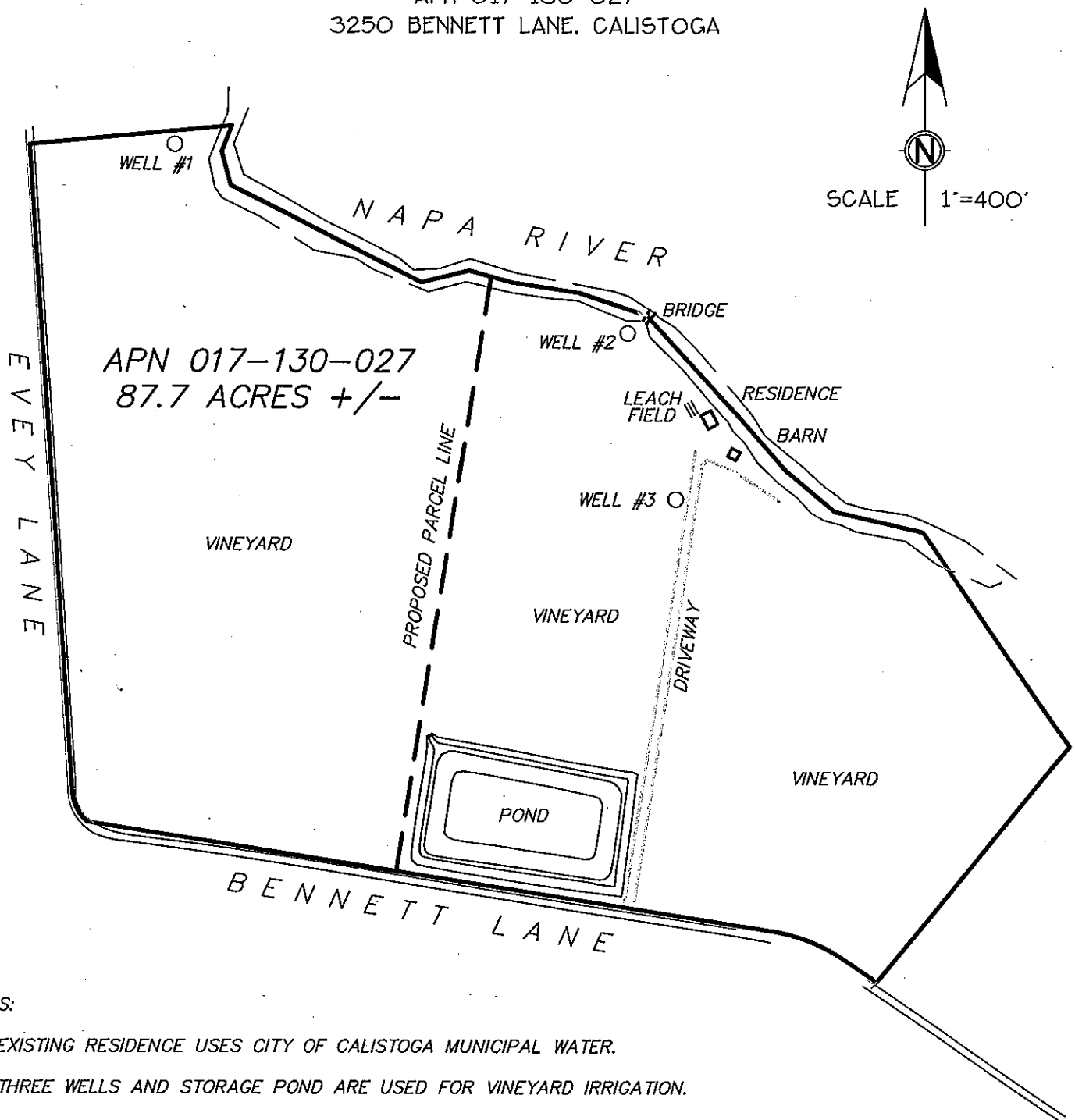
Parcel Boundary —————
 Structure —————
 Septic System —————
 Well —————
 Spring —————
 Reservoir —————
 Road —————
 Parking Lot or
 Outdoor Storage Area —————

Existing

Proposed



SITE PLAN
OF THE LANDS OF
RANCHO ALTO VINEYARDS INC.
APN 017-130-027
3250 BENNETT LANE, CALISTOGA



NOTES:

THE EXISTING RESIDENCE USES CITY OF CALISTOGA MUNICIPAL WATER.

THE THREE WELLS AND STORAGE POND ARE USED FOR VINEYARD IRRIGATION.

PREPARED BY:
TERRA FIRMA SURVEYS, INC.
P.O. BOX 533
ST. HELENA CA 94574
PHONE: (707) 963-7565

SEPTEMBER 2008
SHEET 1 OF 1

FOR STAFF ONLY:	
Phase 1 complete? ____ Yes ____ No	Phase 2 Required? ____ Yes ____ No
Additional Information required to complete this application: _____	

Attachment A: Guidelines For Estimating Water Usage:

Residential Guidelines-part I: Indoor use

1. Determine the number of potential bedrooms.
2. Assume 2 people /bedroom
3. Add 0.2 people for employees not living on site
4. Multiply the total number of people by a factor of 0.084 AF.

Note: The residence is served by City of Calistoga municipal water.

If the residence was on well water, the usage would be 0.4 (AF)

Calculations:

A	B	C	D	E	F
Potential Bedrooms	People per Bedroom	Number of Employees <i>est.</i>	Additional people [0.2 x C]	Total Number of people [B + D]	Total Estimated Indoor Water Use (AF) [E x 0.084]
2	4 [2 x A]	4	.8	4.8	.40

Residential-part II: Additional Annual Water Use

Determine if you will be using passive or active water saving techniques on your parcel. Passive techniques will require that all appliances and fixtures be of the low flow water saving type. It will also require that the area of your lawn be of drought tolerant turf and be no larger than the square footage of your house. If there is a pool, it must be covered whenever it is not in use to prevent evaporation. Active techniques will require that all appliances and fixtures be of the low flow water saving type. The lawn area cannot exceed 1000 square feet of drought tolerant turf, xeriscape landscaping techniques must be employed. All plant watering will be accomplished through drip irrigation. No swimming pools are allowed.

Passive water use factor = 0.08 per person.

Active water use factor = 0.04 per person.

No water saving techniques = 0.14 per person.

G	H	I
Total Number of People	Water Use Factor	Total Additional Water Use (AF)

[From E above]	Active: 0.08 Passive: 0.04 Unlimited: 0.14	[G x H]

No other usage: no pool, landscaping, etc.

Other Usage To Be Added

1. Add an additional 0.1 acre-feet of water for each additional 1000 square feet of drought tolerant lawn or 2000 square feet of non-xeriscape landscaping above that already counted above.
2. Add an additional 0.05 acre-feet of water for a pool with a pool cover.
3. Add an additional 0.1 acre-feet of water for a pool without a cover.

I	J	K
Total Additional Water Use (AF) (from above)	Other water use to be added	Total Water Use (AF) [I + J]

If you have very limited outdoor irrigation and feel the “additional” or “other” water use included above is not relative to your property, you must submit evidence in the form of pictures or a site plan of existing/proposed landscaping (or other indication of vegetation or lack thereof) on the property. The department of public works will evaluate the evidence and a lesser number may be allowed. On the contrary, if there is extensive landscaping and outdoor irrigation, you must account for this additional irrigation as noted below

The total above (K) from above should be transferred to page 2. Do a similar exercise for any other residential use (second dwelling, guest house, etc.).

Typical Water Use Guidelines:

Primary Residence	0.5 to 1.5 acre-feet per year (includes landscaping)
Secondary Residence	0.25 to 1.0 acre-feet per year
Farm Labor Dwelling	1.0 acre-feet per year (six people)

Non-Residential Guidelines:

Agricultural:

Vineyards

Irrigation only

0.2 to 0.5 acre-feet per acre per year

Heat Protection	0.25 acre feet per acre per year
Frost Protection	0.25 acre feet per acre per year
Farm Labor Dwelling	1.0 acre-feet per year (6 people)
Irrigated Pasture	4.0 acre-feet per acre per year
Orchards	4.0 acre-feet per acre per year
Livestock (sheep or cows)	0.01 acre-feet per acre per year

Winery:

Process Water	2.15 acre-feet per 100,000 gal. of wine
Domestic and Landscaping	0.50 acre-feet per 100,000 gal. of wine

Industrial:

Food Processing	31.0 acre-feet per employee per year
Printing/Publishing	0.60 acre-feet per employee per year

Commercial:

Office Space	0.01 acre-feet per employee per year
Warehouse	0.05 acre-feet per employee per year

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.

Rancho Alto Vineyard's, Inc.
a California corporation

By: [Signature]
Applicant
Koerner Ranbauer
Its: President

Date

Rancho Alto Vineyard's, Inc.
a California corporation

By: [Signature]
Property Owner (if other than Applicant)
Sheila Start
Its: 017-130-027 Secretary

Project Identification

Rancho Alto Vineyard's, Inc.
a California corporation

By: [Signature] President
Brad Aves
Its: