



**NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION**
1195 Third Street, Suite 210, Napa, California 94559 • (707) 253-4416
APPLICATION FORM

THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 1/21/09
 TYPE OF APPLICATION: New winery Date Complete: _____
 REQUEST: _____ Date Published: _____

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

PROJECT NAME: Larry Hyde & Sons Winery

Assessor's Parcel #: 047-220-009 Existing Parcel Size: 10.16 acres

Site Address/Location: 1044 Los Carneros Ave Napa CA 94559
No Street City State Zip

Property Owner's Name: CP Family Partnership

Mailing Address: 3250 Carneros Highway Napa CA 94559
No Street City State Zip

Telephone #: (707) 224-3618 Fax#: (707) 25410405 E-Mail: lhyde@napanet.net

Applicant's Name: Larry Hyde

Mailing Address: 3250 Carneros Highway Napa CA 94559
No Street City State Zip

Telephone #: (707) 224-3618 Fax#: () E-Mail: _____

Status of Applicant's Interest in Property: Owner

Representative Name: Rob Anglin, Dickenson, Peatman & Fogarty

Mailing Address: 809 Coombs Street Napa CA 94559
No Street City State Zip

Telephone #: (707) 252-7122 Fax#: (707) 255-6876 E-Mail: ranglin@dpf-law.com

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, plot plan, floor plan, building elevations, water supply/waste disposal system plot plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including with reasonable prior notice the right of access to the property involved.

Larry Hyde 1/15/09
Signature of Property Owner Date

Rob Anglin 1/15/09
Signature of Applicant Date

Print Name

Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

*Application Fee Deposit: \$8265.- Receipt No: 72319 Received by: TH Date: 1/21/09

*Total Fees will be based on actual time and materials

**PROJECT STATEMENT
USE PERMIT APPLICATION
LARRY HYDE & SONS WINERY
1044 LOS CARNEROS AVENUE, NAPA**

APPLICANT AND PROPERTY OWNER:

Larry Hyde/CP Family Partnership
3250 Carneros Highway
Napa, California 94559

APPLICANT'S REPRESENTATIVE:

Dickenson, Peatman & Fogarty
Attention: Rob Anglin
809 Coombs Street
Napa, California 94559
252-7122
ranglin@dpf-law.com

APN: 047-220-009

ACREAGE: 10.56 acres

ZONING DESIGNATION: Agricultural Watershed (AW)

GENERAL PROJECT DESCRIPTION:

The purpose of this application is to obtain approval to construct a winery with a production capacity of 30,000 gallons per year. A new ±8,134 square foot winery production building is proposed to be constructed along with 1,813 square feet of accessory area and a 192 square foot covered loggia. The proposed winery building will be steel frame construction with decorative stucco siding and pilasters. A dark color standing seam metal roof with black solar panels is proposed. Landscaping will be installed around the winery building and in the parking areas. Any security lighting will be low level, shielded and directed downward. A lot line adjustment is being proposed separately which will relocate an adjoining one acre parcel to the rear of this property. The winery is designed to comply with all existing and proposed setbacks resulting from the adjustment.

PROJECT SETTING:

The property is located at the southeast intersection of Los Carneros Avenue and Highway 12/121. Topography is generally flat. The property was historically used as for various agricultural activities including egg production, fruit orchard and fruit drying. The winery site is located in the general vicinity where the previous agricultural buildings were already developed. The property is developed with an existing residence, barn and shed which are proposed to remain but are not part of the winery operation. The County Environmental Sensitivity Maps do not identify any significant

environmental constraints associated with the property. Surrounding land uses include a dog kennel, vineyard, beekeeping and dispersed residences to the west, the Carneros Inn resort and spa to the north, a vacant parcel with an abandoned commercial building to the east and vineyards and dispersed residences to the south. Saintsbury Winery is about ¼ mile from the site.

WASTEWATER TREATMENT AND DISPOSAL:

A soil analysis has been conducted and approved by the Division of Environmental Health. A wastewater treatment analysis has been prepared by Theodore J. Walker, Registered Environmental Health Specialist. The analysis concludes that there is appropriate soils and adequate room to install the new septic tanks and additional leach lines, including the replacement area.

WATER ANALYSIS:

A Phase 1 water analysis has been provided. The conclusion of the analysis is that there is adequate water available and that the winery will not adversely impact water availability in the area. The amount of water used is well within the thresholds of acceptable use established by the County.

FIRE PROTECTION:

The project is on Los Carneros Avenue, which is a county maintained road. The on-site driveway and turnaround areas meet or exceed county and fire department standards. The building will be provided with automatic fire suppression sprinklers. Water for fire protection is proposed to be available from on-site tanks with a total of 20,000 gallons of capacity.

TRAFFIC:

As shown on the traffic characteristics summary, this project would be expected to generate an average of 20 additional visitor and employee daily trips, with up to 24 on an average peak day, equivalent to two single family dwellings. Large truck traffic will be offset by processing on-site grapes rather than hauling them to another location for processing and will be spread throughout the year, averaging one truck delivery every two weeks. This insignificant increase in overall traffic will not change the level of service on Los Carneros Avenue or result in any traffic hazards. The driveway leading to the winery will be paved to a width of 18 feet as required by the County Standards.

MARKETING PLAN

The following includes all marketing activities to be conducted by the Hyde Winery

- a. Private promotional tastings and meals.

Frequency:	10 times per year
Number of persons:	30 maximum
Time of day:	11:00 a.m. to 10:00 p.m. *

- b. Wine Auction/Premier Napa Valley open house

Frequency:	1 times per year
Number of persons:	100 maximum
Time of day:	11:00 a.m. to 10:00 p.m.*

All marketing events will take place in the winery or on the outdoor patio. Food service will be catered.

*approximately 4 hours per event, depending on morning or evening schedule

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development.

INFORMATION SHEET

- I. USE
- A. Description of Proposed Use (including where appropriate product/service provided):
See attached project statement
- B. Project Phases: one two more than two (please specify) _____
- C. Estimated Completion Dated for Each Phase: Phase 1: 2009 Phase 2: _____
- D. Actual Construction Time Required for Each Phase: less than 3 months
 More than 3 months
- E. Related Necessary On-And Off-Site Concurrent or Subsequent Projects: _____
none
- F. Additional Licenses/Approval Required: none
- District: none Regional: none
- State: ABC Federal: TTB

- II. BUILDINGS
- A. Floor Area/impervious area of Project (in square ft): 9,947 floor area, 30,735 impervious
 Proposed total floor area on site: 9,947
 Total development area (building, impervious, leach filed, driveway, etc.) 0.71 ac
 New construction: 9,947
 existing structures or portions thereof to be utilized: 0
 existing structures or portions thereof to be moved: 0
- B. Floor Area Devoted to each separate use (in square ft): See Winery Calculation Worksheet
- living: _____ storage/warehouse: _____ offices: _____
 sales: _____ caves: _____
 other: _____ septic/leach field: _____
 roads/driveways: _____
- C. Maximum building Height: existing structures: n/a new construction: 26'
- D. Type of New Construction (e.g., wood-frame): steel frame, stucco siding, metal roof
- E. Height of Crane necessary for construction of new buildings (*airport environs*): n/a
- F. Type of Exterior Night Lighting Proposed: shielded
- G. Viewshed Ordinance Applicable (See County Code Section 18.106): Yes _____ No X
- H. Fire Resistivity (check one; If not checked, Fire Department will assume Type V – non rated):

III. PARKING

	Existing	Proposed
A. Total On-Site Parking Spaces:	<u>0</u>	<u>13</u>
B. Customer Parking Spaces:	<u>0</u>	<u>9</u>
C. Employee Parking Spaces:	<u>0</u>	<u>4</u>
D. Loading Areas:	<u>0</u>	<u>1</u>

IV. TYPICAL OPERATION		<u>Existing</u>	<u>Proposed</u>
A.	Days of Operation:	<u>n/a</u>	<u>7</u>
B.	Expected Hours of Operation:	<u>n/a</u>	<u>8:00-5:00</u>
C.	Anticipated Number of Shifts:	<u>n/a</u>	<u>1</u>
D.	Expected Number of Full-Time Employees/Shift:	<u>n/a</u>	<u>2</u>
E.	Expected Number of Part-Time Employees/Shift:	<u>n/a</u>	<u>2</u>
F.	Anticipated Number of Visitors		
	• busiest day:	<u>n/a</u>	<u>20</u>
	• average/week:	<u>n/a</u>	<u>120</u>
G.	Expected Number of Deliveries/Pickups		
	• busiest day:	<u>n/a</u>	<u>2</u>
	• average/week:	<u>n/a</u>	<u>2</u>

V. SUPPLEMENTAL INFORMATION FOR SELECTED USES

A.	Commercial Meeting Facilities Food Serving Facilities	<u>n/a</u>	
	• restaurant/deli seating capacity:	<u> </u>	<u> </u>
	• bar seating capacity:	<u> </u>	<u> </u>
	• public meeting room seating capacity:	<u> </u>	<u> </u>
	• assembly capacity:	<u> </u>	<u> </u>
B.	Residential Care Facilities (6 or more residents): Day Care Centers	<u>Existing</u>	<u>Proposed</u>
	• type of care:	<u>n/a</u>	<u> </u>
	• total number of guests/children:	<u> </u>	<u> </u>
	• total number of bedrooms:	<u> </u>	<u> </u>
	• distance to nearest existing/approved: facility/center:	<u> </u>	<u> </u>

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

	<u>Domestic</u> (winery)	<u>Emergency</u>
I. WATER SUPPLY		
A. Proposed source of Water (e.g., spring, well mutual water company, city, district, etc.)	<u>well</u>	<u>tanks</u>
B. Name of Proposed Water Supplier (if water company, city, district): annexation needed?	<u>n/a</u> Yes ___ No <u>X</u>	<u>n/a</u> Yes ___ No <u>X</u> <u>Winery</u>
C. Current Water Use (in gallons/day): Current water source:	<u>n/a</u> <u>well</u>	<u>well</u>
D. Anticipated Future Water Demand (in gallons/day)	<u>600 avg</u>	<u>included</u>
E. Water Availability (in gallons/minute):	<u>300</u>	<u>n/a</u>
F. Capacity of Water Storage System (gallons):	<u> </u>	<u>20,000</u>
G. Nature of Storage Facility (e.g. tank, Reservoir, swimming pool, etc.):	<u>tanks</u>	<u>tank</u>
H. Completed Phase I Analysis Sheet (N/A)		
II. LIQUID WASTE	<u>Domestic</u> (sewage)	<u>Other</u> (please specify) <i>winery process</i>
A. Disposal Method (e.g., on-site septic system On-site ponds, community system, district, etc.)	<u>on-site septic</u>	<u>underground</u> Noreco system
B. Name of Disposal Agency (if sewage district, city, community system): annexation needed?	<u>n/a</u> Yes ___ No <u>X</u>	<u>n/a</u> Yes ___ No <u>X</u>
C. Current Waste Flows (peak flow in gallons/day):	<u>n/a</u>	<u>n/a</u>
D. Anticipated Future Waste Flows (peak flows in gallons/day)	<u>see REHS analysis</u>	<u> </u>
E. Future Waste disposal Capacity (in gallons/day):	<u>per REHS report</u>	<u> </u>
III. SOLID WASTE DISPOSAL		
A. Operational Wastes (on-site, landfill, garbage co., etc)	<u>garbage co.</u>	<u>garbage co.</u>
B. Grading Spoils (on-site, landfill, construction, etc.)	<u>off-site</u>	<u>off-site</u>
IV. HAZARDOUS/TOXIC MATERIALS (Please fill out attached hazardous materials information sheet)		
A. Disposal Method (on-site, landfill, garbage co., waste hauler, etc)	<u>garbage co.</u>	<u>garbage co.</u>
B. Name of Disposal Agency (if landfill, garbage co private hauler, etc.):	<u>Napa</u>	<u>Napa</u>

USE PERMIT APPLICATION
SUPPLEMENTAL INFORMATION SHEET
FOR WINERY USES

1. **Operations.** (In the blank in front of each operation, place an "E" for Existing, a "P" for Proposed, an "X" for Expanding, or an "N" for None.)

- | | |
|--|---|
| a. <u> P </u> crushing | g. <u> P </u> underground waste disposal |
| b. <u> P </u> fermentation | h. <u> N </u> above-ground waste disposal |
| c. <u> P </u> barrel ageing | i. <u> P </u> administrative office |
| d. <u> P </u> bottling | j. <u> P </u> laboratories |
| e. <u> P </u> case goods storage | k. <u> N </u> day care |
| f. <u> N </u> caves: | l. <u> P </u> tours/tastings: |
| ___ barrel storage | <u> N </u> public drop-in |
| ___ case goods storage | <u> E </u> public by appointment |
| ___ other _____ | <u> E </u> wine trade |
| <i>accessibility to public:</i> | m. <u> P </u> retail wine sales |
| ___ none-no visitors/tours/events | <u> E </u> public drop-in |
| ___ guided tours only | <u> E </u> public by appointment |
| ___ public access-no guides/unescorted | n. <u> N </u> public display of art or |
| ___ marketing events and/or temporary events | wine-related items |
| | o. <u> N </u> food preparation |

2. **Marketing Activities.** (Describe the nature of any marketing or educational events not listed above including the type of events, whether public or private, frequency of events, average attendance, etc. Differentiate between existing and proposed activities. Attach additional sheets of necessary): 10 per year with up to 30 persons at each event

3. **Napa Valley Wine Auction Activities.** (Describe the size and type of event that you may conduct as part of the annual Wine Auction): one with up to 100 persons

4. **Food Service.** (Describe the nature of any food service including type of food, whether public or private, whether profit or non-profit, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Differentiate between existing and proposed food service. Attach additional sheets if necessary): catered

5. **Production Capacity**
 - a. existing capacity: n/a date authorized: n/a
 - b. current maximum actual production (year): n/a (____)
 - c. proposed capacity: 30,000

6. **Grape Origin.** (Fill out a "Initial Statement of Grape Source" form if establishing a new winery or expanding an existing winery development area.)

7. **Winery Development Area.** (see a below – for existing winery facilities)
Will the project involve construction of additional facilities beyond the winery development area? n/a

8. **Total Winery Coverage.** (see b below – maximum 25% of parcel or 15 acres, whichever is less)
 - a. square feet/acres: ± 30,735
 - b. percent of total parcel: 7%

9. **Production Facility.** (see c below – include the square footage of all each structure)
 - a. square feet: ± 8,134

10. **Accessory Use** (see d below – maximum permitted 40% of the production facility)
 - a. square feet: ± 1,831
 - b. percent of production facility coverage: 22%

Marketing Definition (paraphrased from County Code)

Marketing of Wine – Any activity conducted at the winery shall be limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development.

Coverage Definitions (paraphrased from County Code)

- a. **Winery Development Area** - All aggregate paved or impervious or semi-impervious ground surface areas of the production facility, storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved areas for the exclusive use of winery employees.

- 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.

- 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.

- 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.

WINERY CALCULATION WORKSHEET

1. WINERY COVERAGE

All paved or impervious ground surface areas of the production facility:

Footprint of all winery structures	9429
Outside work areas (crushing)	Included above (covered outdoor)
Tank areas (fermentation)	Included above
Storage areas (excluding caves)	Included above

All paved areas: total

Parking areas	4608
Loading areas	2319
Walkways	548
Access driveways to the public or private road	13831

Above-ground wastewater and run-off treatment systems:

Wastewater pond or SDDS	n/a
Spray disposal field	n/a
Parcel size: 10.56 acres	Percent of winery coverage of parcel size: 6.7%
Total winery coverage: 0.71 ± acres	

2. PRODUCTION FACILITY

Total square footage within structures and caves utilized for the following:

Crushing/outdoor work areas	2413
Fermenting	Included above
Bottling	Included below
Bulk & bottle storage	5219
Shipping	Included above
Receiving	Included above
Laboratory	189
Equipment storage & maintenance facilities	255
Employee-designated restrooms	58
Total square footage of production facility:	8134

3. ACCESSORY USE

Total square footage within structures and caves utilized for the following:

Office space	639
Lobbies/waiting rooms	n/a
Conference/meeting rooms	n/a
Non-production access hallways/storage	454
Kitchens	n/a
Tasting rooms (private & public areas)	654
Retail space areas	n/a
Visitor restrooms	66
Art display areas	n/a
Any other areas within the winery structure not directly related to production	
Total square footage of accessory use space:	1821
Percent of accessory use to production use:	22 %

Parcel Location Factors

The allowable allotment of water is based on the location of your parcel. There 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
Mountain Areas	0.5 acre feet per acre per year
MST Groundwater Deficient Area	0.3 acre feet per acre per year

Assessor Parcel Number(s)	Parcel Size (A)	Parcel Location Factor (B)	Allowable Water Allotment (A) X (B)
047-220-009	10.16	0.5	5.1

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 USE:

Residential	<u>0.5</u> af/yr
Farm Labor Dwelling	_____ af/yr
Winery	<u>0</u> af/yr
Commercial	_____ af/yr
Vineyard*	<u>0.86</u> af/yr
Other Agriculture	_____ af/yr
Landscaping	<u>0</u> af/yr
Other Usage (List Separately):	
_____	_____ af/yr
_____	_____ af/yr
_____	_____ af/yr

PROPOSED USE:

Residential	<u>0.5</u> af/yr
Farm Labor Dwelling	_____ af/yr
Winery	<u>0.65</u> af/yr
Commercial	_____ af/yr
Vineyard*	<u>0.6</u> af/yr
Other Agriculture	_____ af/yr
Landscaping	<u>0.2</u> af/yr
Other Usage (List Separately):	
_____	_____ af/yr
_____	_____ af/yr
_____	_____ af/yr

TOTAL: 1.36 af/yr
TOTAL: 443,157 gallons**

TOTAL: 1.95 af/yr
TOTAL: 635,400 gallons**

*Water use for vineyards should be no lower than 0.2 AF-unless irrigation records are available that show otherwise.

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

Is the proposed use less than the existing usage () Yes (X) 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 of other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

Winery process treated wastewater will be used to irrigate the on-site vineyard which reduces the actual amount of groundwater use. See water balance analysis.

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 areas, 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: *Constance A. [unclear]* Date: *1/15/09* Phone: *2243618*

LARRY HYDE AND SONS WINERY TRAFFIC CHARACTERISTICS

Proposed Production Capacity

30,000 gallons 12,600 cases (2.38 gls/case)

Grapes Processed

165 gallons per ton crushed; $30,000 \div 165 = 182$ tons
On-site grapes processed; existing vineyard: 8 acres X 4 tons/acre = 32 tons
32 tons X 165 gallons = 5,280 gallons from on-site grapes
 $30,000 - 5,280$ gallons = 24,720 gallons from off-site grapes

Truck Traffic Characteristics, Crush

Grape deliveries

24,720 gallons $\div 165 = 149$ tons
10 tons per truck delivery; $149 \text{ tons} \div 10 = 15$ grape deliveries
4-6 week crush period = 3-4 trips per week, less 1 trip per week from processing
on-site fruit = 2-3 new trips per week net

Truck Traffic Characteristics, Non-Crush

Glass deliveries

2,310 cases per truckload
 $12,600 \text{ cases} \div 2,310 = 5.4$ (6) deliveries

Cork, labels, empty cases, etc.

3 deliveries per bottling cycle X 2 bottling cycles = 6 deliveries

Outbound wine deliveries

1,232 cases per truckload
 $12,600 \text{ cases} \div 1,232 = 10.2$ (13) deliveries

Total Non-Crush deliveries 25

Delivery frequency; 46-48 week non-crush period
One truck delivery every 2 weeks

Employee/Visitor Traffic

Average Daily Traffic

2 employees	4 trips/day
15 visitors/day, avg. 2.6 persons/vehicle ¹	<u>12</u> trips/day
Total average daily trips	20

Peak Daily Traffic

4 employees:	8 trips
20 visitors; avg. 2.6 persons/vehicle	<u>16</u> trips
Total peak day trips	24

¹ Source: Napa County Conservation, Development & Planning Department Winery Traffic Characteristics Memorandum, November 8, 1990

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.

[Handwritten Signature]
Applicant

CPFP
Property Owner (if other than Applicant)

1/13/2009
Date

1044 LOS CARNEROS AVE
Project Identification

USE PERMIT APPLICATION
SUPPLEMENTAL INFORMATION SHEET
FOR WINERY USES

REVISION pages
per incomplete
letter.

1. **Operations.** (In the blank in front of each operation, place an "E" for Existing, a "P" for Proposed, an "X" for Expanding, or an "N" for None.)

- | | |
|--|---|
| a. <u> P </u> crushing | g. <u> P </u> underground waste disposal |
| b. <u> P </u> fermentation | h. <u> N </u> above-ground waste disposal |
| c. <u> P </u> barrel ageing | i. <u> P </u> administrative office |
| d. <u> P </u> bottling | j. <u> P </u> laboratories |
| e. <u> P </u> case goods storage | k. <u> N </u> day care |
| f. <u> N </u> caves: | l. <u> P </u> tours/tastings: |
| ___ barrel storage | <u> N </u> public drop-in |
| ___ case goods storage | <u> P </u> public by appointment |
| ___ other _____ | <u> P </u> wine trade |
| <i>accessibility to public:</i> | m. <u> P </u> retail wine sales |
| ___ none-no visitors/tours/events | <u> P </u> public drop-in |
| ___ guided tours only | <u> P </u> public by appointment |
| ___ public access-no guides/unescorted | n. <u> N </u> public display of art or |
| ___ marketing events and/or temporary events | wine-related items |
| | o. <u> N </u> food preparation |

2. **Marketing Activities.** (Describe the nature of any marketing or educational events not listed above including the type of events, whether public or private, frequency of events, average attendance, etc. Differentiate between existing and proposed activities. Attach additional sheets of necessary): 10 per year with up to 30 persons at each event

3. **Napa Valley Wine Auction Activities.** (Describe the size and type of event that you may conduct as part of the annual Wine Auction): one with up to 100 persons

4. **Food Service.** (Describe the nature of any food service including type of food, whether public or private, whether profit or non-profit, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Differentiate between existing and proposed food service. Attach additional sheets if necessary): catered

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
- Mountain Areas 0.5 acre feet per acre per year
- MST Groundwater Deficient Area 0.3 acre feet per acre per year

Assessor Parcel Number(s)	Parcel Size (A)	Parcel Location Factor (B)	Allowable Water Allotment (A) X (B)
047-220-009	10.16	0.5	5.1

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 USE:

Residential	<u>0.5</u>	af/yr
Farm Labor Dwelling	<u> </u>	af/yr
Winery	<u>0</u>	af/yr
Commercial	<u> </u>	af/yr
Vineyard*	<u>0.86</u>	af/yr
Other Agriculture	<u> </u>	af/yr
Landscaping	<u>0</u>	af/yr
Other Usage (List Separately):		
<u> </u>	<u> </u>	af/yr
<u> </u>	<u> </u>	af/yr
<u> </u>	<u> </u>	af/yr

PROPOSED USE:

Residential	<u>0.5</u>	af/yr
Farm Labor Dwelling	<u> </u>	af/yr
Winery	<u>0.65</u>	af/yr
Commercial	<u> </u>	af/yr
Vineyard*	<u>0.6</u>	af/yr
Other Agriculture	<u> </u>	af/yr
Landscaping	<u>0.2</u>	af/yr
Other Usage (List Separately):		
<u> </u>	<u> </u>	af/yr
<u> </u>	<u> </u>	af/yr
<u> </u>	<u> </u>	af/yr

TOTAL: 1.36 af/yr
TOTAL: 443,157 gallons**

TOTAL: 1.95 af/yr
TOTAL: 635,400 gallons**

635,350

*Water use for vineyards should be no lower than 0.2 AF-unless irrigation records are available that show otherwise.

** To determine your existing and proposed water use in gallons, multiply the totals (in acre-feet) by 325,851 gal/AF.

Is the proposed use less than the existing usage () Yes (X) 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 of other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

Winery process treated wastewater will be used to irrigate the on-site vineyard which reduces the actual amount of groundwater use. See water balance analysis.

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 areas, 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: _____ **Date:** _____ **Phone:** _____



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Date: April 16, 2009 Job #: 4109007.0

To: Linda St. Claire
Napa County Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

cc: _____

Re: Use Permit #P09-00025 - Larry Hyde & Sons Winery

We are sending you via hand delivery the following items:

Copies	No. of Sheets	Descriptions
2	2	Use Permit drawings by RSA

REMARKS:

Use Permit Plans for your review and comment.

Regards,

Francis Adrias, P.E.
Project Manager

RECEIVED

APR 17 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

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