

THOMAS ADAMS
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November 22, 2013

Shaveta Sharma, Planner III
Napa County Planning, Building and Environmental Services
1195 Third Street
Napa, CA 94559**Re: Sinegal Estate Winery Use Permit Modification # P13-00261**

Dear Shaveta:

This letter is in response to your letter dated October 18, 2013 requesting additional information. For your convenience, we have enclosed a complete revised application package that contains the information discussed below and replaces the documents previously submitted. We have also included the revised floor plan and information sheet with the plans reflecting the changed design. There are no changes to the wastewater analysis or water availability analysis prepared by Summit Engineering. We will submit full size plans upon request. We address each item as it is numbered in your letter.

1. Enclosed is an application for a use permit exception to authorize the improvements that are proposed within the stream setback. Included with this request is a detailed riparian restoration and tree replacement plan.
2. We addressed the issue of whether or not the zoning ordinance allows fences and retaining walls within a required yard area in emails to you on November 8 and 11, 2013. A variance is not required for these improvements.
3. Enclosed is the traffic analysis prepared by Omni-Means.
4. The construction of the caves will generate approximately 13,200 cubic yards of spoils. The truck traffic associated with removing the spoils is addressed in the traffic analysis.
5. The application currently proposes 3 employees. This does not include the applicant who lives on the property. We would note that many wineries shown on the County Winery Database have similar employee numbers in relation to their production capacity. Examples include the Buehler and Brown wineries which both produce 50,000 gallons per year with 3 and 1.5 employees respectively, Kuleto Villa with 3 employees and 75,000 gallons per year and Twomey, with 3.5 employees and 81,480 gallons per year. If it is determined that additional employees are needed in the future a modification will be applied for. To err on the side of caution the traffic analysis addressed potential impacts from 6 employees.

Environmental Division Comments:

1. See response # 5 above.
2. The residence is served by the City of St Helena water system. Per the Wastewater Feasibility Report, the total employees and visitors is anticipated to be less than 25 people daily. Therefore, we anticipate that a Water System Feasibility Report and Public Water System Permit is not required.
3. We have updated the plans to show the process waste irrigation area as requested (see attached). Thank you for the clarification regarding the use of an air gap vs. a double check valve. An air gap will be incorporated between the wastewater system and the irrigation systems. The air gap will be reflected on the construction documents submitted for permit.
4. Thank you for the clarification regarding catering and conditions requiring a food facility permit. We understand that no action is required for this item in order to gain completeness of the use permit application.

Building Division Comments:

Thank you for the information. The building permit drawings will be designed with the intent of complying with the current codes at the time of submittal. We understand that no action is required in response to these comments in order to gain use permit application completeness status.

Fire Department Comments:

We understand that these items are recommendations from the fire department for conditions of approval and will incorporate them into the construction drawings as appropriate. We understand that no action is required in response to these comments in order to gain use permit application completeness status.

We hope that this information will be sufficient for you to make a determination that the application is complete and can be scheduled for the next available Planning Commission meeting. If you have any questions regarding this letter give me a call.

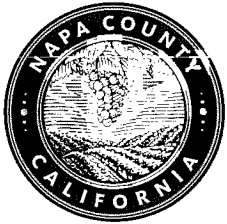
Regards,

DICKENSON, PEATMAN & FOGARTY



Thomas S. Adams

Enc.



A Tradition of Stewardship
A Commitment to Service

Napa County

Planning, Building and Environmental Services

1195 Third Street, Suite 210, Napa, California, 94559 phone (707) 253-4417

web www.countyofnapa.org/cdp/ email cdp@countyofnapa.org

This is an application for a development permit

file No _____

Use Permit Application

To be completed by Planning staff...

Application Type: _____

Date Submitted: _____ Resubmittal(s): _____ Date Complete: _____

Request: _____

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

**Total Fees will be based on actual time and materials*

To be completed by applicant...

Project Name: Sinegal Estates Modification

Assessor's Parcel No: 027-120-008 Existing Parcel Size: 30 ac.

Site Address/Location: 2125 Inglewood Avenue St. Helena CA 94574
No. Street City State Zip

Primary Contact: Owner Applicant Representative (attorney, engineer, consulting planner, etc.)

Property Owner: David Sinegal

Mailing Address: 2125 Inglewood Avenue St. Helena CA 94574
No. Street City State Zip

Telephone No (714) 330-7128 E-Mail david@orivo.com

Applicant (if other than property owner): _____

Mailing Address: _____
No. Street City State Zip

Telephone No (_____) _____ E-Mail: _____

Representative (if applicable): Tom Adams

Mailing Address: 1455 First Street, Suite 301 Napa CA 94559
No. Street City State Zip

Telephone No (707) 252 - 7122

E-Mail: TAdams@dpf-law.com

Use Permit Information Sheet

Use

Narrative description of the proposed use (please attach additional sheets as necessary):

See attached Project Statement

What, if any, additional licenses or approvals will be required to allow the use?

District _____

Regional _____

State ABC _____

Federal TTB _____

Improvements

Narrative description of the proposed on-site and off-site improvements (please attach additional sheets as necessary):

See attached Project Statement

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

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, food service details, etc. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

See attached project statement

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service. (Attach additional sheets as necessary.)

Catered for food pairings and events

Operations

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

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

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

Production Capacity *

Please identify the winery's...

Existing production capacity: 13,200 gal/y Per permit No: U-438182 Permit date: 8/4/1982

Current maximum actual production: unknown gal/y For what year? _____

Proposed production capacity: 60,000 gal/y

* For this section, please see "Winery Production Process," at page 11.

Visitation and Hours of Operation

Please identify the winery's...

Maximum daily tours and tastings visitation:	<u>1/week</u> existing	<u>21/day</u> proposed
Average daily tours and tastings visitation ¹ :	<u>≤ 1/day</u> existing	<u>60/week</u> proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	<u>10-5 daily</u> existing	<u>10:00-6:00</u> proposed
Non-harvest Production hours ² :	<u>8-5</u> existing	<u>same</u> proposed

Grape Origin

¹ Average daily visitation is requested primarily for purposes of environmental review and will not, as a general rule, provide a basis for any condition of approval limiting allowed winery visitation.

² It is assumed that wineries will operate up to 24 hours per day during crush.

Winery Development Area. Consistent with the definition at "a.," at page 11 and with the marked-up site plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing 9,725 sq. ft. 0.22 acres
Proposed no change sq. ft. 0.17 acres

Winery Coverage. Consistent with the definition at "b.," at page 11 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).

39,315 sq. ft. 0.9 acres 3.5% % of parcel

Production Facility. Consistent with the definition at "c.," at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed *production* square footage. If the facility already exists, please differentiate between existing and proposed.

Existing 8,000 (approved) sq. ft. Proposed 18,690 sq. ft.

Accessory Use. Consistent with the definition at "d.," at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed *accessory* square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing n/a sq. ft. _____ % of production facility
Proposed 1,535 sq. ft. 8.2 % of production facility

Caves and Crushpads

If new or expanded caves are proposed please indicate which of the following best describes the public accessibility of the cave space:

- None – no visitors/tours/events (Class I) Guided Tours Only (Class II) Public Access (Class III)
 Marketing Events and/or Temporary Events (Class III)

Please identify the winery's...

Cave area Existing: n/a sq. ft. Proposed: 13,200 sq. ft.
Covered crush pad area Existing: n/a sq. ft. Proposed: 710 sq. ft.
Uncovered crush pad area Existing: 400 (approved) sq. ft. Proposed: 0 sq. ft.

Improvements, cont.

Total on-site parking spaces: 3 existing 8 proposed

Loading areas: 0 existing 0 proposed

Fire Resistivity (check one; if not checked, Fire Marshal will assume Type V – non rated):

Type I FR Type II 1 Hr Type II N (non-rated) Type III 1 Hr Type III N

Type IV H.T. (Heavy Timber) Type V 1 Hr. Type V (non-rated)
(for reference, please see the latest version of the California Building Code)

Is the project located in an Urban/Wildland Interface area? Yes No

Total land area to be disturbed by project (include structures, roads, septic areas, landscaping, etc): _____ acres

Employment and Hours of Operation

Days of operation: M-F existing 7 proposed

Hours of operation: 8 am-5 pm existing 8:00 am- 5:00 pm production
10:00 am-6:00 pm visitation

Anticipated number of employee shifts: 1 existing 1 proposed

Anticipated shift hours: 8 existing 8 proposed

Maximum Number of on-site employees:

10 or fewer 11-24 25 or greater (specify number) _____

Alternately, you may identify a specific number of on-site employees:

other (specify number) _____

Water Supply/ Waste Disposal Information Sheet

Water Supply

See Summit Engineering Wastewater and Water Availability Analyses

Please attach completed Phase I Analysis sheet.

	Domestic	Emergency
Proposed source of water (e.g., spring, well, mutual water company, city, district, etc.):	<u>well</u>	<u>tanks</u>
Name of proposed water supplier (if water company, city, district):	<u>n/a</u>	<u></u>
Is annexation needed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Current water use:	<u>1,500 gpd</u> gallons per day (gal/d)	
Current water source:	<u>well</u>	<u>well</u>
Anticipated future water demand:	<u></u> gal/d	<u></u> gal/d
Water availability (in gallons/minute):	<u>40</u> gal/m	<u>500</u> gal/m
Capacity of water storage system:	<u>10,500</u> gal	<u>40,000</u> gal
Type of emergency water storage facility if applicable (e.g., tank, reservoir, swimming pool, etc.):	<u>tanks</u>	<u></u>

Liquid Waste

Please attach Septic Feasibility Report

	Domestic	Other
Type of waste:	<u>sewage</u>	<u>winery process</u>
Disposal method (e.g., on-site septic system, on-site ponds, community system, district, etc.):	<u>on-site septic</u>	<u>on-site septic system</u>
Name of disposal agency (if sewage district, city, community system):	<u></u>	<u></u>
Is annexation needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Current waste flows (peak flow):	<u></u> gal/d	<u></u> gal/d
Anticipated future waste flows (peak flow):	<u></u> gal/d	<u></u> gal/d
Future waste disposal design capacity:	<u></u> gal/d	<u></u> gal/d

Solid Waste and Recycling Storage and Disposal

Please include location and size of solid waste and recycling storage area on site plans in accordance with the guidelines available at www.countyofnapa.org/dem.

Hazardous and/or Toxic Materials

If your facility generates hazardous waste or stores hazardous materials above threshold planning quantities (55 gallons liquid, 500 pounds solid or 200 cubic feet of compressed gas) then a hazardous materials business plan and/or a hazardous waste generator permit will be required.

Grading Spoils Disposal

Where will grading spoils be disposed of?
(e.g. on-site, landfill, etc. If off-site, please indicate where off-site): landfill or Napa Pipe

Winery Traffic Information / Trip Generation Sheet

See Omni Means Traffic Analysis

Traffic during a Typical Weekday

Number of FT employees: _____ x 3.05 one-way trips per employee = _____ daily trips.

Number of PT employees: _____ x 1.90 one-way trips per employee = _____ daily trips.

Average number of weekday visitors: _____ / 2.6 visitors per vehicle x 2 one-way trips = _____ daily trips.

Gallons of production: _____ / 1,000 x .009 truck trips daily³ x 2 one-way trips = _____ daily trips.

Total = _____ **daily trips.**

(No of FT employees) + (No of PT employees/2) + (sum of visitor and truck trips x .38) = _____ **PM peak**
trips.

Traffic during a Typical Saturday

Number of FT employees (on Saturdays): _____ x 3.05 one-way trips per employee = _____ daily trips.

Number of PT employees (on Saturdays): _____ x 1.90 one-way trips per employee = _____ daily trips.

Average number of Saturday visitors: _____ / 2.8 visitors per vehicle x 2 one-way trips = _____ daily trips.

Total = _____ **daily trips.**

(No of FT employees) + (No of PT employees/2) + (visitor trips x .57) = _____ **PM peak trips.**

Traffic during a Crush Saturday

Number of FT employees (during crush): _____ x 3.05 one-way trips per employee = _____ daily trips.

Number of PT employees (during crush): _____ x 1.90 one-way trips per employee = _____ daily trips.

Average number of Saturday visitors: _____ / 2.8 visitors per vehicle x 2 one-way trips = _____ daily trips.

Gallons of production: _____ / 1,000 x .009 truck trips daily x 2 one-way trips = _____ daily trips.

Avg. annual tons of grape on-haul: _____ / 144 truck trips daily⁴ x 2 one-way trips = _____ daily trips.

Total = _____ **daily trips.**

Largest Marketing Event- Additional Traffic

Number of event staff (largest event): _____ x 2 one-way trips per staff person = _____ trips.

Number of visitors (largest event): _____ / 2.8 visitors per vehicle x 2 one-way trips = _____ trips.

Number of special event truck trips (largest event): _____ x 2 one-way trips = _____ trips.

³ Assumes 1.47 materials & supplies trips + 0.8 case goods trips per 1,000 gallons of production / 250 days per year (see *Traffic Information Sheet Addendum* for reference).

⁴ Assumes 4 tons per trip / 36 crush days per year (see *Traffic Information Sheet Addendum* for reference).

**SINEGAL ESTATE
2125 INGLEWOOD AVENUE, ST. HELENA
PROJECT STATEMENT
MODIFICATION OF USE PERMIT**

Owner/Applicant: David Sinegal
2125 Inglewood Avenue
St. Helena, CA 94574

Representatives:

Bill Schaeffer
Cello & Maudru
2505 Oak Street
Napa, CA 94559
707-257-0454
bills@cello-maudru.com

Juancarlos Fernandez
Signum Architecture
1104 Adams St., Ste 203b
St. Helena, CA 94574
707-963-8831
juancarlos@signumachitecture.com

Jasper Lewis-Gehring
Summit Engineering
463 Aviation Way, Ste 200
Santa Rosa, CA
707-527-0775
jasper@summit-sr.com

Tom Adams
Dickenson, Peatman & Fogarty
1455 First Street, Suite 301
Napa, CA 94559
707-252-7122
tadams@dpf-law.com

APN: 027-120-008

PROJECT SETTING

This property is a ±30-acre parcel that is located at the northwest end of Inglewood Avenue, south of the City of St. Helena. The parcel is relatively flat near the portion fronting on Inglewood Avenue and slopes up to the west. Accordingly, the parcel is zoned AP, Agricultural Preserve on the flat portion and AW, Agricultural Watershed on the hillside portion. There is an unnamed stream traversing the property roughly through the middle of the parcel. There is a pond also located near the middle of the parcel on the west side of the stream referenced above which is fed by two additional unnamed streams. There is an existing gazebo near the pond's edge along with other structures housing pumps, tanks and associated infrastructure.

The property is developed with the existing 4,400 square foot winery building, small cave, a main residence, guest house, tennis court, ± 6 acres of vineyard, reservoir, and a small olive orchard. There is an approved Erosion Control Plan to plant an additional 3.6 acres of vineyard (97422 ECPA). There are numerous native trees on the hillside portion of the property between the existing winery and the vineyard and olive orchard.

PROJECT DESCRIPTION:

This application proposes a modification to a use permit approved in 1982 for the William Jaeger winery (U-438182), which allowed the construction of the existing 4,400 square foot winery with a production capacity of 13,200 gallons per year. The winery was constructed and became operational in 1983. The winery has operated as the Wolfe Family Winery for the past several years. David Sinegal obtained the property in 2013 and proposes to update the previous approval via a use permit modification as follows:

1. Structural Improvements

- The existing winery building is proposed to be remodeled within its existing footprint and expanded to the rear by a 14.5 foot addition running the length of the building and extending an additional 16 feet to the south for a VIP tasting room. A separate accessible restroom structure is proposed on the other side of a new cave portal from the VIP tasting room. When completed the winery will have 4,780 square feet of production area within the building, 710 square feet of covered work area on the north side of the winery and 13,200 square feet of caves for a total production area of 18,690 square feet of production area. The proposed accessory areas total 1,535 square feet; 8.2% of the production area.
- New caves are proposed in the hillside behind the new winery structures. The caves will house barrel ageing areas. The caves will include a fire suppression sprinkler system and will be classified as Class 3 caves. Cave spoils are proposed to be removed from the property and delivered to the Napa Pipe property.

2. Production Increase

This application proposes to bring the winery into conformance with current trends by increasing its existing approved 13,200 gallon production to 60,000 gallons and increasing the number of employees from one to three full-time employees, in addition to the residents on the property.

3. Visitation/Marketing Plan

The existing permit allows one visitor per week. Winery marketing trends have evolved over the past 10 years and now it is necessary for wineries to be able to provide a more personal experience to visitors in order to develop and maintain returning customers. The applicant intends to develop an exclusive label catering to a small clientele and proposes to keep visitation to a minimum as well. The Sinegal family is sensitive to the neighbors in the vicinity and does not want to disturb the quiet nature of the neighborhood. To that end this application is proposing a similar visitation and marketing plan approved on July 7, 2010 for the Sandpoint Winery located across the street from this property. Daily visitation by prior appointment will be limited to an average of 60 guests per week with a maximum of 21 on the busiest day. Food pairings by outside catering may be offered at daily tastings. The marketing plan consists of 48

small events per year with no more than 10 guests, six events per year with no more than 30 guests, two events with no more than 60 guests and participation in Auction Napa Valley. Marketing events may include food pairings or full meals supplied by an outside catering service. Events will be scheduled to minimize guests arriving between 4:00 p.m. and 6:00 p.m. and all activity, including clean up will be completed by 10:00 p.m.

Daily tours and tastings may include the pairing of food and/or the sale of wine by the glass or bottle and private picnicking, all of which is proposed to take place in the tasting room, caves, outdoor patios, lawn area and lakeside gazebo.

4. Other Operational Characteristics

This application also proposes to keep operational characteristics similar to the Sandpoint Winery with the exception that the annual production capacity is proposed to be a maximum of 60,000 gallons rather than 30,000 gallons and 3 employees rather than six. The hours of operation will be identical to Sandpoint; 8:00 a.m. to 5:00 p.m. for production and 10:00 a.m. to 6:00 p.m. for visitation.

Traffic/ Parking

A detailed analysis of traffic conditions on Inglewood Avenue and its intersection with Highway 29 was prepared Omni Means traffic engineers and is included with this application. The conclusion of the analysis is that the traffic generated by this project will not result in any significant traffic impacts, including delays and safety concerns. The analysis includes traffic from construction activities, including the removal of cave spoils.

A new parking lot is proposed with eight spaces, including one accessible space. Overflow parking at the larger events will be handled by valet parking in the areas above the winery to the west.

Water Supply/Wastewater Disposal

A Phase 1 Water availability analysis has been prepared that demonstrates that the amount of groundwater use will be below the established threshold for this property. Summit Engineering has prepared a wastewater treatment feasibility analysis that shows that both process and domestic wastewater can be treated and disposed of on the property.

Interior Access

The existing access road from Inglewood Avenue to the winery is proposed to be improved to 18 feet wide with a shoulder width of 2 feet for a total width of 20 feet. There is one location where a smaller width is proposed. The existing bridge over the unnamed creek running through the property is proposed to be reconstructed to handle the weight of a fire truck but is not proposed

be widened beyond the current nine foot wide bridge in order to minimize impacts to the creek. There is ample visibility from either side of the bridge.

Greenhouse Gas Reduction Measures

In addition to converting the winery operation from an older building to one that meets all current, more stringent building code standards that include the Title 24 Energy Code, the project will include caves which require less energy consumption than other structures for temperature control. As shown on the Voluntary Best Management Practices checklist the project includes the conversion of both existing tank rooms from conditioned spaces with poor or non-insulation with an older and inefficient HVAC system to non-conditioned spaces. This is achieved by improving on the ventilation of the building, insulating the walls on those spaces and relaying on the individual tank cooling systems. The tasting room, offices, break room and lab will be conditioned with high efficient equipment, warm floors and improved insulation. The spaces will have enough day light to operate without any artificial light during most of the day. The new tasting room and restroom structures will include a cool roof. The project also proposes a covered crush pad to replace the existing un-covered area.

Drainage

Post construction runoff management will be incorporated into the project improvements. Summit Engineering has prepared pre-construction and post construction hydrology calculations and a preliminary Post Construction Stormwater Runoff Management Plan (SRMP). The project has been determined to be a standard project for post-construction runoff requirements.

Conservation Regulations/Tree Removal

In order to comply with the County Road and Street Standards some improvements are required to occur within the stream setback adjacent to the winery. The project includes a request for an exception to the setback to authorize the encroachments. A separate use permit application for this exception is included with this application. As part of the exception request a detailed re-vegetation plan has been prepared that proposes to remove non-native species from the riparian corridor to be replaced with appropriate native plants, as well as a tree replacement plan for native trees that will be removed to accommodate the winery expansion.



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

Project name & APN: Sinegal Family Estate Winery
 Project number if known: _____
 Contact person: David Sinegal
 Contact email & phone number: c/o bills@cello-maudru.com 707-738-8956
 Today's date: 7-30-13

A Tradition of Stewardship
 A Commitment to Service

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 Doing Plan To Do

ID # BMP Name

BMP-1 Generation of on-site renewable energy

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.

BMP-2 Preservation of developable open space in a conservation easement

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.

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.

See Riparian Corridor Restoration and Tree Replacement Plan

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 Plan
Doing 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.

Cool roof on new addition

- 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 Doing Plan 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

Do 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.

Trees exist, but plan is to fill in and augment with native specimens

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.

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

BMP-25 (a)	<input type="checkbox"/>	LEED™ Silver (check box BMP-25 and this one)
BMP-25 (b)	<input type="checkbox"/>	LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)
BMP-25 (c)	<input type="checkbox"/>	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 Doing Plan 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?



A Tradition of Stewardship
A Commitment to Service

FILE # _____

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

**APPLICATION FOR USE PERMIT
EXCEPTION TO CONSERVATION REGULATIONS**

This is an application for a development project

FOR OFFICE USE ONLY

ZONING DISTRICT: _____ Date Submitted: _____
TYPE OF APPLICATION: _____ Date Published: _____
REQUEST: _____ Date Complete: _____

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

PROJECT NAME: Sinegal Estates

Assessor's Parcel #: 027-120-008 Existing Parcel Size: 30 acres

Site Address/Location: 2125 Inglewood Avenue St. Helena CA 94574
No. Street City State Zip

Property Owner's Name: David Sinegal

Mailing Address: 2125 Inglewood Avenue St. Helena CA 94574
No. Street City State Zip

Telephone #: (714) 330-7128 Fax #: () - _____ E-Mail: david@orivo.com

Applicant's Name: Same

Mailing Address: _____
No. Street City State Zip

Telephone #: () - _____ Fax #: () - _____ E-Mail: _____

Status of Applicant's Interest in Property: _____

Representative Name: Tom Adams

Mailing Address: 1455 First Street Suite 301 Napa CA 94559
No. Street City State Zip

Telephone # (707) 252-7122 Fax #: () E-Mail: tadams@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 the right of access to the property involved.

Signature of Applicant Date

Signature of Property Owner Date

Print Name

Print Name

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

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

SUPPLEMENTAL APPLICATION FORM
USE PERMIT EXCEPTION TO CONSERVATION REGULATION

1. Please explain the reason for the exception request.

Encroachment into a stream setback is required for compliance with the County Road and Street Standards for driveway width and parking improvements

2. Are there any alternatives to the project which would not require an exception? Please explain.

The project proposes to improve an existing driveway and replace existing impervious surfaces within the stream setback. There is limited space between the existing building and the stream setback and there are no alternatives if the improvements are designed in conformance with the County Road and Street Standards

3. Describe how the project can meet the findings described in Section 18.104.040 A (structural or road project), or Section 18.108.040B (agricultural project).

N/A

Section 18.108.040.A. Structural/road development projects

a. Roads, driveways, buildings and other man-made structures have been designed to complement the natural landform and to avoid excessive grading:

See Attached

b. Primary and accessory structures employ architectural and design elements which in total serve to reduce the amount of grading and earthmoving activity required for the project, including the following elements:

- i. Multiple-floor levels which follow existing, natural slopes;
- ii. Foundation types such as poles, piles, or stepping level which minimize cut and fill and the need for retaining walls;
- iii. Fence lines, walls, and other features which blend with the existing terrain rather than strike off at an angle against it.

N/A

c. The development project minimizes removal of existing vegetation , incorporates existing vegetation into final design plans, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects.

See attached

4. Adequate fire safety measures have been incorporated into the design of the proposed development.

See attached

5. Disturbance to streams and watercourses shall be minimized, and setbacks shall be retained as specified in Section 18.108.025.

See attached

6. The project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

See attached

Section 18.108.040.B. Agricultural projects, or Agricultural roads as defined by Planning, Building, and Environmental Services, Engineering Division

7. The erosion rate that results two years from the completion of the proposed agricultural development does not exceed the soil tolerance factor approved by the Natural Resource Conservation Service for the soil type, topography and climatic conditions in which the project is located; (Please attach a copy of the USLE worksheet used to determine the erosion rate).

8. Impacts on streams and watercourses are minimized, and adequate setbacks along these drainageways are or will be maintained.

9. The project does not adversely impact sensitive, rare, threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

Section 18.108.040 A of the Conservation Regulations in the zoning ordinance authorizes exceptions to the standards provided six findings can be made, as analyzed below.

1. Roads, driveways, buildings and other man-made structures have been designed to complement the natural landform and to avoid excessive grading.

The existing parking lot and patio already encroach into the stream setback. This project proposes to redesign the parking area and widen the access drive to conform to the County Road and Street Standards. As part of the proposed redesign, some of the existing parking spaces will be removed and revegetated with native riparian plants. The newly designed parking lot is proposed to be located where the existing patio area is thereby minimizing the amount of vegetation removal and associated grading required. The existing and proposed areas of encroachment into the stream setback are shown in the following tables for comparison:

Existing Condition	
	<u>Area (SF)</u>
Bridge	233
Gravel Driveway	7,749
Gravel Parking Spaces	850
Patio (near olive trees)	972
Total Area	9,804

Proposed Condition	
	<u>Area (SF)</u>
Bridge	233
Gravel Driveway	4,005
New Paved Driveway	4,569
New Parking Lot	1,036
New Tasting Patio & Pathway	321
Total Area	10,164

2. Finding #2 pertains to proposed structures. This project does not propose any new structures in the stream setback so Finding #2 does not apply.

3. The development project minimizes removal of existing vegetation, incorporates existing vegetation into the final design plan, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects.

Per the discussion above, the project will take advantage of the existing patio area and thereby minimize the amount vegetation removal and associated grading required. The project will result in the removal of 1 native tree and 3 non-native trees within the stream setback. The entire project, inside and outside of the stream setback proposes the removal of a total of 21 trees. 12 native replacement trees are proposed for the project (at a 3:1 ratio for removals), 7 of which are located within the creek setback. 14 (non-native) Olive trees will be relocated elsewhere on the property. The revegetation plan along the riparian corridor includes the removal of all exotic species within the setback and the planting of native riparian understory vegetation.

4. Adequate fire safety measures have been incorporated into the design of the proposed development.

The widening of the access drive will provide improved emergency access to the existing and proposed development in conformance with the County Road and Street Standards.

5. Disturbance to streams and watercourses shall be minimized, and the encroachment if any, is the minimum necessary to implement the project.

As stated above, the project will minimize the amount vegetation removal and associated grading required. There is limited space between the existing building and the stream setback, and the proposed encroachment is the minimum necessary to provide safe access and achieve conformance with the County Road and Street Standards.

6. The project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

The project does not propose to undertake any work within the stream channel. There are no known sensitive species or habitat identified along this stream corridor. The project will comply with all necessary permitting requirements associated with potential impacts to waters of the State and waters of the U.S., including any required mitigation measures to address potential impacts of the project (see discussion of stormwater management plan below).

7. An erosion control plan, or equivalent NPDES stormwater management plan, has been prepared in accordance with Section 18.108.080 and has been approved by the director or designee.

An engineered NPDES storm water management plan will be prepared and filed with the State Water Resources Control Board and will be provided to Napa County Planning, Building and Environmental Services as part of the building permit application