

“H”

Use Permit Application Packet



NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 Third Street, Suite 210, Napa, California, 94559 (707) 253-4417
web www.countyofnapa.org/cdp/ email cdp@countyofnapa.org

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: Dakota Shy Winery- Major Modification

Assessor's Parcel #: 030-120-024 Existing Parcel Size: 6.0 ac *

Site Address/Location: 771 Sage Canyon Road Napa CA 94558
No Street City State Zip

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

Property Owner: DS Properties, LLC

Mailing Address: 1746 Vineyard Avenue St. Helena CA 94574
No Street City State Zip

Telephone No.: (707) 779-1220 E-mail: tom@detert.com

Applicant (if other than property owner): Tom Garrett

Mailing Address: 1746 Vineyard Avenue St. Helena CA 94574
No Street City State Zip

Telephone No.: (707) 779-1220 E-mail: tom@detert.com

Representative (if applicable): Donna B. Oldford, Plans4Wine

Mailing Address: 2620 Pinot Way St. Helena CA 94574
No Street City State Zip

Telephone No.: (707) 963-5832 E-mail: DBOldford@aol.com

*Revised from 7.93 ac. in original winery use permit by recent survey. Original estimated size was in error, even though reported as 7.93 acres in Assessor information.

USE PERMIT INFORMATION SHEET

USE

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

Expansion of a 1,000 gpy legal conforming winery (pre-WDO) to a 14,000 gpy winery; expanded winery marketing plan; commercial kitchen; increased staffing and parking; wastewater treatment facilities and fire protection; production (only) entry off an existing Silverado Trail access; variance to the 600-ft. WDO setback from Silverado Trail; one-way loop access road with both entry and exit from existing access points on Sage Canyon Road.

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

District N/A Regional RWQCB
State ABC Federal BATF

IMPROVEMENTS

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

NONE

Improvements, cont.

Total on-site parking spaces: 6 existing 14 proposed

Loading areas: 0 existing 1 proposed

Fire Resistivity (check one, if not checked, Fire Marshall 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.) 0.64 acres

Employment and Hours of Operation

Days of operation: Weekends existing 7 days/week proposed

Hours of operation: N/A existing 6 am – 6 pm proposed

Anticipated number of employee shifts: N/A existing 1 proposed

Anticipated shift hours: N/A existing 6 am – 6 pm 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) _____

Supplemental Application for Winery Uses

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 checked="" 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 checked="" type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Marketing Events*	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Marketing Events	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Will food be prepared...	<input checked="" type="checkbox"/> On-site?	<input checked="" type="checkbox"/> Catered?		
Public display of art or wine-related items	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None

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

Production Capacity*

Please identify the winery's...

Existing production capacity: 1,000 gal/y Per Permit No: U-298788 Permit Date: 6/15/1988

Current maximum actual production: 1,000 gal/y For what year? 2013

Proposed production capacity: 14,000 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>0</u> existing	<u>24/day</u> proposed
Average daily tours and tastings visitation ¹ :	<u>N/A</u> existing	<u>20/day</u> proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	<u>N/A</u> existing	<u>10 am – 6 pm</u> proposed
Non-harvest Production hours ² :	<u>6 AM – 6 PM</u> existing	<u>6 am – 6 pm</u> proposed

¹Average 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.

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

Grape Origin

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

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.)

Food and Wine Pairing Events: 4 per month with 2 per month at 8 person per event and two per month with 20 person per event.

Wine Club / Release Events: 4 per year with max. 50 persons per event.

Larger Auction-Related Events: 1 per year with max 125 persons per event.

Request the ability to serve light fare with wine tastings.

Request A.B. 2004 ("Picnic" Ordinance) for on-site consumption of alcoholic beverages.

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.)

Proposed commercial kitchen and outdoor pizza oven for on-site food preparation.

Some events may be catered.

Evening events will commence at 6:00 p.m. or later and be concluded no later than 10:00 p.m.


Definitions

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

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

Conservation Development and Planning

Winery Production Process



A Tradition of Stewardship
A Commitment to Service

The Napa County Code contains various references to winery production and refers to production capacity as “the wine bottled or received” at a winery and refers to “bottling and storage of bottled wine and shipping and receiving of bulk and bottled wine” (Code Section 18.16.030(G)(4)).¹

This handout was developed by the County planning staff with the assistance of a number of local industry representatives to assist property owners and other interested parties in interpreting Napa County Code references to winery production. It does not create a new definition or regulation.

A winery’s total annual production equals either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, including all bottled wine received on the premises during the same year; or (2) the amount of wine bottled on the premises in the same given year, *whichever is greater*.

Using the diagram on the right, this means the greater of A+(B-C), or D. If B-C is a negative number, total production is equal to either A or D, whichever is greater.

This interpretation holds true for all physical winery facilities regardless of the number of business entities (e.g. Alternating Proprietors/Custom Crush) they accommodate or the date that their production capacity was established or recognized. However, wineries occupying multiple facilities are governed by the specific terms of their use permit or Certificate of Legal Non-conformity (CLN), which may vary.

Quantities represented by items A through D on the diagram can be determined by reviewing a winery’s annual submittals to the federal Bureau of Alcohol, Tobacco and Firearms (ATF). The County may periodically request a copy of these submittals (s) as a way to monitor compliance with previously adopted conditions/requirements. The County recognizes that annual variations can occur due to the grape harvest and the timing of finishing/bottling, and will generally review and average three to five consecutive years of data.

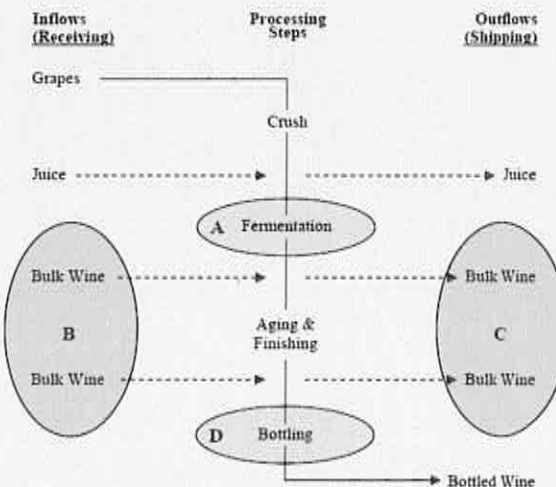


Figure 1. Winery Production Process

¹ The complexity of these statements can be attributed to the authors’ desire to avoid “double counting” bulk wine that is both received and bottled at a winery, and the fact that multiple vintages are present within a winery at any given time.

July 2008

Winery Coverage and Accessory/Production Ratio

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

Existing 1,500 sq. ft. 0.005 acres
Proposed 4,060 sq. ft. 0.5 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).

7,415 sq. ft. 0.17 Acres 2.8 % 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

Existing 750 sq. ft. Proposed 5,894 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 750 sq. ft. N/A % of production facility
Proposed 1,112 sq. ft. 19 % of production facility

Caves and Crushpads -- No caves with this winery.

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) **No wine caves existing or proposed.**


Please identify the winery's...

Cave area Existing: N/A sq. ft. Proposed: N/A sq. ft.
Covered crush pad area Existing: N/A sq. ft. Proposed: 294 sq. ft.
Uncovered crush pad area Existing: N/A sq. ft. Proposed: 2,370 sq. ft. *

* All crush activities occur within the proposed winery structure, other than the unloading of grapes. The uncovered outdoor area in the site plan is for accommodating some of the outdoor tastings and some of the proposed marketing events. Consequently, since the use is not for wine production/crush, the outdoor area does not require covering.

Initial Statement of Grape Source

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



Owner's Signature

9/25/14

Date

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

Initial Statement of Grape Source

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

Will W. Seal

10/01/14

Owner's Signature

Date

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

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

Water Supply

Proposed source of water
(e.g., spring, well, mutual water company, city, district, etc)

Domestic
Groundwater Well

Emergency
Water Storage Tanks

Name of Proposed Water Supplier
(if water company, city, district):

N/A

N/A

Is annexation needed?

Yes No

Yes No

Current Water Use:

6,963 gallons per day (gal/d)

Current water source:

Groundwater Well Storage Tank

Anticipated future water demand

3,481 gal/d

Water availability (in gallons/minute):

50 gal/m Per CDF gal/m

Capacity of water storage system:

21,000 gal Per CDF gal

Type of emergency water storage facility, if applicable
(e.g., tank, reservoir, swimming pool, etc.):

Water storage Tanks: swimming pool

Liquid Waste

Type of Waste:

Domestic
Sewage

Other
N/A

Disposal Method (e.g., on-site septic system, on-site ponds, community system, district, etc.):

Sanitary
Septic

Process
Wastewater System

Name of disposal agency
(if sewage district, city, community system):

N/A

N/A

Is annexation needed?

Yes No

Yes No

Current waste flows (peak flow):

810 gal/d N/A gal/d

Anticipated future waste flows (peak flows):

1,427 gal/d N/A gal/d

Future waste disposal capacity:

1,427 gal/d N/A gal/d

Solid Waste and Recycling Storage and Disposal

Please include location and size of solid waste and recycling storage 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) than 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): On-site use

INDEMNIFICATION AGREEMENT

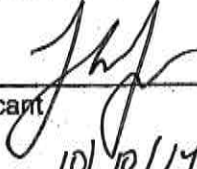
Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and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

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

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

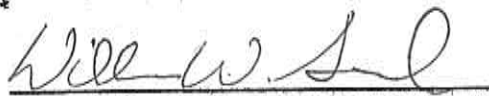
Applicant

Date


10/10/14

Property Owner (if other than Applicant)

Project Identification



APN 030-120-024

Winery Traffic Information / Trip Generation Sheet

Traffic during a Typical Weekday

Number of FT employees: <u>4</u> x 3.05 one-way trips per employee	=	<u>12</u>	daily trips.
Number of PT employees: <u>1</u> x 1.90 one-way trips per employee	=	<u>2</u>	daily trips.
Average number of weekday visitors: <u>20</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>15</u>	daily trips.
Gallons of production: <u>14,000</u> / 1,000 x .009 truck trips daily ³ x 2 one-way trips	=	<u>0.25</u>	daily trips.
Total	=	<u>29.25</u>	daily trips.
(No of FT employees) + (No of PT employees/2) + sum of visitor and truck <u>trips</u> x .38)	=	<u>29.25</u>	PM peak trips.

Traffic during a Typical Saturday

Number of FT employees (on Saturdays): <u>4</u> x 3.05 one-way trips per employee	=	<u>12</u>	daily trips.
Number of PT employees (on Saturdays): <u>1</u> x 1.90 one-way trips per employee	=	<u>2</u>	daily trips.
Average number of Saturday visitors: <u>20</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>14</u>	daily trips.
Total	=	<u>28</u>	daily trips.
(No of FT employees) + (No of PT employees/2) + visitor <u>trips</u> x .57)	=	<u>16</u>	PM peak trips.

Traffic during a Crush Saturday

Number of FT employees (during crush): <u>4</u> x 3.05 one-way trips per employee	=	<u>12</u>	daily trips.
Number of PT employees (during crush): <u>5</u> x 1.90 one-way trips per employee	=	<u>10</u>	daily trips.
Average number of Saturday visitors: <u>20</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>14</u>	daily trips.
Gallons of production: <u>14,000</u> / 1,000 x .009 truck trips daily x 2 one-way trips	=	<u>0.25</u>	daily trips.
Avg. annual tons of grape on-haul: <u>72</u> / 144 truck trips daily ⁴ x 2 one-way trips	=	<u>1</u>	daily trips
Total	=	<u>36.25</u>	daily trips.

Largest Marketing Event – Additional Traffic

Number of event staff (largest event): <u>10</u> x 2 one-way trips per staff person	=	<u>20</u>	trips.
Number of visitors (largest event): <u>125</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>89</u>	trips.
Number of special event truck trips (largest event): <u>4</u> x 2 one-way trips	=	<u>8</u>	trips.

³Assumes 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).

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

**NAPA COUNTY UNIFIED PROGRAM CONSOLIDATED FORM
FACILITY INFORMATION
BUSINESS ACTIVITIES**

Page 1 of 1

I. FACILITY IDENTIFICATION

FACILITY ID# (Agency Use Only)		EPA ID # (Hazardous Waste Only) ²
BUSINESS NAME (Same as Facility Name of DBA-Doing Business As) – Dakota Shy Winery		
BUSINESS SITE ADDRESS: 771 Sage Canyon Road		
BUSINESS SITE CITY: Napa	CA	94558
CONTACT NAME: Todd Newman		PHONE: (707) 779-1220

II. ACTIVITIES DECLARATION

NOTE: If you check YES to any part of this list, please submit the Business Owner/Operator Identification page.

Does your facility	If Yes, please complete these pages of the UPCP...
A. HAZARDOUS MATERIALS Have on site (for any purpose) at any one time, hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in ASTs and USTs); or the applicable Federal threshold quantity for an extremely hazardous substance specified in 40 CFR Part 355, Appendix A or B; or handle radiological materials in quantities for which an emergency plan is required pursuant to 10 CFR Parts 30, 40 or 70?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No HAZARDOUS MATERIALS INVENTORY – CHEMICAL DESCRIPTION
B. REGULATED SUBSTANCES Have Regulated Substances stored onsite in quantities greater than the threshold quantities established by the California Accidental Release Prevention Program (CalARP)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Coordinate with you local agency responsible for CalARP.
C. UNDERGROUND STORAGE TANKS (USTs) Own or operate underground storage tanks?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No UST FACILITY (Formerly SWRCD Form A) UST TANK (one page per tank) (Formerly Form B)
D. ABOVE GROUND PETROLEUM STORAGE Own or operate ASTs above these thresholds: Store greater than 1,320 gallons of petroleum products (new or used) in aboveground tanks or containers.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No NO FORM REQUIRED TO CUPA
E. HAZARDOUS WASTE Generate hazardous waste?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No EPA ID NUMBER-provide at the of this page
Recycle more than 100 kg/month of excluded or exempted recyclable materials (per HSC 25143.2)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Recyclable Materials Report (one per recyclable)
Treat hazardous waste on-site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No On-site Hazardous Waste Treatment – Facility On-site Hazardous Waste Treatment – Unit (one page per unit)
Treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Certification of Financial Assurance
Consolidate hazardous waste generated at a remote site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Remote Waste / Consolidation Site Annual Notification
Need to report the closure/removal of a tank that was classified as hazardous waste and cleaned on-site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Hazardous Waste Tank Closure Certification
Generate in any single calendar month 1,000 kilograms (kg) (2,200 pounds) or more of Federal RCRA hazardous waste, or generate in any single calendar month, or accumulate at any time, 1 kg (2.2 pounds) of RCRA acute hazardous waste; or generate or accumulate at any time more than 100 kg (220 pounds) of spill cleanup materials contaminated with RCRA acute hazardous waste.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Obtain Federal EPA ID Number, file Biennial Report (EPA Form 8700-13 A/B), and satisfy requirements for RCRA Large Quantity Generator
Household Hazardous Waste (HHW) Collection site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No See CUPA for required forms.

F. LOCAL REQUIREMENTS

(You may also be required to provide additional information by your CUPA or local agency)

UPCF Rev.

(12/2007)



Project name & APN: Dakota Shy Winery 030-120-024
 Project number if known: _____
 Contact person: Tom Garrett or Todd Newman
 Contact email & phone number: tom@detert.com (707) 779-1220
 Today's date: September 25, 2014

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
<input type="checkbox"/>	<input type="checkbox"/>	BMP-1	<p>Generation of on-site renewable energy <i>If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.</i></p> <hr/> <hr/> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-2	<p>Preservation of developable open space in a conservation easement <i>Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.</i></p> <hr/> <hr/>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-3	<p>Habitat restoration or new vegetation (e.g. planting of additional trees over ½ acre) <i>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.</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-4	<p>Alternative fuel and electrical vehicles in fleet <i>The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.</i></p> <p>Number of total vehicles _____</p> <p>Typical annual fuel consumption or VMT _____</p> <p>Number of alternative fuel vehicles _____</p> <p>Type of fuel/vehicle(s) _____</p> <p>Potential annual fuel or VMT savings _____</p>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-5	<p>Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2 <i>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 1 and CALGREEN Tier 2. 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 1 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).</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-6	<p>Vehicle Miles Traveled (VMT) reduction plan <i>Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.</i></p> <p>Tick box(es) for what your Transportation Demand Management Plan will/does include:</p> <p><input type="checkbox"/> employee incentives</p> <p><input type="checkbox"/> employee carpool or vanpool</p> <p><input type="checkbox"/> priority parking for efficient transportation (hybrid vehicles, carpools, etc.)</p> <p><input type="checkbox"/> bike riding incentives</p> <p><input type="checkbox"/> bus transportation for large marketing events</p> <p><input type="checkbox"/> Other:</p> <p style="padding-left: 40px;">_____ Employee lives on-site _____</p> <p>Estimated annual VMT _____</p> <p>Potential annual VMT saved _____</p> <p>% Change _____</p>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input type="checkbox"/>	BMP-7	Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1 <i>See description below under BMP-5</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-8	Solar hot water heating <i>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.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-9	Energy conserving lighting <i>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 ¼ the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-10	Energy Star Roof/Living Roof/Cool Roof <i>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.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-11	Bicycle Incentives <i>Napa County Zone 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!</i> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-12	Bicycle route improvements <i>(Refer to the Napa County Bicycle Plan (NCTPA, 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 only proposed improvements as part of the project on the site plan or describe below.</i> <hr/> <hr/>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input type="checkbox"/>	BMP-13	Connection to recycled water <i>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.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-14	Install Water Efficient fixtures <i>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%.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-15	Low-impact development (LID) <i>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.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-16	Water efficient landscape <i>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).</i> <i>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.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-17	Recycle 75% of all waste <i>Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with the goal in mind.</i> <hr/> <hr/>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-18	<p>Compost 75% food and garden material <i>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</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-19	<p>Implement a sustainable purchasing and shipping program <i>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.</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-20	<p>Planting of shade trees within 40 feet of the south side of the building elevation <i>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 the site or landscape plan to indicate where trees are proposed and which species you are using.</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-21	<p>Electrical Vehicle Charging Station(s) <i>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.</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-22	<p>Public Transit Accessibility <i>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.</i></p> <hr/> <hr/>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-23	<p>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.</p> <p><i>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 buried 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.</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-24	<p>Limit the amount of grading and tree removal</p> <p><i>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.</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-25	<p>Will this project be designed and built so that it could qualify for LEED?</p> <p>BMP-25(a) <input type="checkbox"/> LEED™ Silver (check box BMP-25 and this one)</p> <p>BMP-25(b) <input type="checkbox"/> LEED™ Gold (check box BMP-25 (a), and this box)</p> <p>BMP-25(c) <input type="checkbox"/> LEED™ Platinum (check all 4 boxes)</p>
Practices with Un-Measured GHG Reduction Potential			
<input type="checkbox"/>	<input type="checkbox"/>	BMP-26	<p>Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?</p> <p><i>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.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-27	<p>Are you, or do you intend to become a Certified "Napa Green Land"?</p> <p><i>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.</i></p>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input type="checkbox"/>	BMP-28	Use of recycled materials <i>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.</i> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-29	Local food production <i>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.</i> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-30	Education to staff and visitors on sustainable practices <i>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.</i> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-31	Use 70-80% cover crop <i>Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.</i>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-32	Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site <i>By selecting this BMP, you agree not to burn the material pruned on site.</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-33	Are you participating in any of the above BMPs at a 'Parent' or outside location? <hr/> <hr/> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-34	Are you doing anything that deserves acknowledgement that isn't listed above? <hr/> <hr/> <hr/>
			Comments and Suggestions on this form? <u>More details available during construction documents phase of project.</u> <hr/> <hr/> <hr/> <hr/>

REVISED PROJECT STATEMENT (06-01-15)
FOR
DAKOTA SHY WINERY
APN 030-120-024
771 Sage Canyon Road, Napa, CA 94558

The application is a for a major modification to an existing winery use permit which was issued prior to the adoption of the Napa County *Winery Definition Ordinance (WDO)* in January, 1991. The date of the original winery use permit approval is June 15, 1977. Therefore, the presently approved winery use permit is for a legal conforming use, as has been confirmed by County planners. This application proposes an expansion of the winery facilities, a production increase from 1,000 gpy to 14,000 gpy, an expanded wastewater treatment system consistent with the winery's revised production level and visitation level as proposed. The application requests approval of daily visitation for of up to a maximum of 20 persons per day on the busiest day, along with a winery marketing plan consisting of two (2) marketing events per year with up to 40 persons in attendance at each. This visitation and marketing plan represents a significant reduction from the visitation and marketing plans submitted with the initial winery use permit application, and is a direct response to the issues currently facing the County today relative to visitation and marketing.

This revised Project Statement also includes changes in the winery design that translate into only one variance request, as compared to two requests in the original application. Due to the configuration of the subject parcel and the proximity to both the referenced roadways, the entire parcel would be precluded from development by either the 600-ft. setback from Silverado Trail and/or the 600-ft. setback from Sage Canyon Road (State Highway 128) without benefit of a variance. Had the original winery use permit been filed subsequent to the adoption of the WDO, a 300-ft. setback from Sage Canyon Road would not have been required. And although the applicant could propose building area further from the road on this structure, that development would not be sufficient for the winery's production needs and it would be more visible than siting the proposed winery within the 600-ft. setback associated with Silverado Trail. The applicant now proposes leaving the existing approved building as it is, utilizing it for winery storage, and consolidating the winery uses into the new proposed structure. Although that structure lies within the 600-ft. setback, it is not discernible from the Silverado Trail as a vantage point, due to existing trees and vegetation, as well as an existing structural wall. As such, the intent of the setbacks in the WDO seemed better met with the choice of the Silverado Trail setback for siting of the winery in the least visible and best operational location. The winery is not within the 600-ft. setback associated with Sage Canyon Road/State Highway 128, a setback that is required due to the status of Sage Canyon Road as a State Highway.

The proposed new winery structure is a total of 6,060 sq. ft. in size. An existing approved winery production and accessory structure of 1,500 sq. ft. will remain, with its future use being 750 sq. ft. of winery equipment storage space and 750 sq. ft. of accessory winery

storage space. Interior space within the newly proposed winery building is 5,894 sq. ft. and space dedicated to accessory uses is 1,112 sq. ft. Including the existing building utilized for winery storage, this results in a production-to-accessory ratio of 19 percent. This is well below the 40 percent threshold in the WDO.

Existing Conditions

The existing site contains a primary residence, a guesthouse and a pool house, along with an existing 1,500-sq. ft. structure that serves as the small winery approved prior to the adoption of the WDO. There are vineyards and orchards on the site and an outdoor pool area and terrace. The parcel is fairly level. The subject parcel has access onto Sage Canyon Road/State Highway 128 from two points and a legal access onto Silverado Trail.

The winery does not propose any use of the Silverado Trail access, except for emergency fire vehicular access. This represents a revision from the earlier application, which proposed the possible use of the Silverado Trail access for production (only) trips. The applicant has chosen to remove this request, based on a review of the access with County Road Commissioner Rick Marshall. (See memo from Marshall in the Planning Commission packet.)

Water is provided by a groundwater well and through an agreement with the City of Napa, whose water lines are immediate to the property because of the early alignment of “Old Silverado Trail,” where the City maintains existing lines.

Existing wastewater treatment for the residential uses is provided by an in-ground septic system.

The parcel size was original reported as 7.93 acres in size and was reported and taxed accordingly by the Napa County Tax Assessor’s Office for years. When the current owner began due diligence for the winery use permit modification, the survey revealed that the parcel was actually 6.01 acres in size. Although the parcel size is not consistent with the minimum parcel size in the *WDO*, this winery is a legal conforming use with the existing winery approved prior to the adoption of the *WDO*.

County Plans and Policies

The subject parcel is shown as Agriculture in the *Napa County General Plan Land Use Element*. The zoning is AW (Agricultural Watershed). Wineries are an allowed use in the AW District, with an approved winery use permit. This parcel has an approved small winery and this modification proposal is for an expansion of the current winery use permit.

The proposed winery project is consistent with the County’s *WDO* except in two areas. The first is the minimum parcel size, since the original winery was approved prior to the adoption of the County’s *WDO*. The original winery permit was approved on June 15, 1988. The winery use permit was recognized as “used” via design and installation of the

wastewater treatment system on-site. These points and the *status of the winery as a legal conforming use* was confirmed by County Planning Technician Suzie Gambill during the due diligence period when the present owners acquired the property. Consequently, the winery can be expanded, since its status is not legal non-conforming. Ms. Gambill also confirmed that the original winery use permit had been legally “used” via the wastewater treatment system. There is an inspection report in the file on the project stipulating this.

The other area where the project is inconsistent with the *WDO* has to do with the road setbacks required therein. The required setback associated with the Silverado Trail is also a 600-ft. setback and the one associated with Sage Canyon Road/State Highway 128 is a 600-ft. setback. At the time this winery was originally approved, the *WDO* had not yet been adopted, therefore there was no *WDO* road setback from Sage Canyon Road or Silverado Trail. Due to the configuration of the parcel, and how both these road define its access, it happens that the two setbacks encompass almost the entire area of the site so that development can only occur with the benefit of a variance to one of the setbacks. The application includes a request for a variance to the setback associated with the Silverado Trail and the project has been redesigned to remove the variance request associated with Sage Canyon Road/State Highway 128. (See revised variance exhibit prepared by Bartelt Engineering.)

Winery Improvements

Winery: The proposal is for a new winery structure of 6,060 sq. ft. in size. This structure will house winemaking activities such as crushing (accomplished completely inside the building), fermentation, and barrel storage, as well as 1,112 sq. ft. of accessory use that includes a small tasting room. There is a 363-sq. ft. equipment area show, which will house mechanical equipment for the winery. Design of the winery will be wood panel with a non-reflective metal roof.

Accessory Structures: The existing 1,500-sq. ft. winery tasting room is proposed to remain in its current configuration. The spaces within will include 750 sq. ft. of winery equipment storage and 750 sq. ft. of winery accessory storage.

The commercial kitchen originally proposed for this structure has been eliminated, as have any outdoor food preparation facilities such as outdoor grills or pizza ovens.

Winery Access Road and Parking: The winery access road will be a one-way loop, with ingress at the easternmost access point off Sage Canyon Road, with the egress located at the access point to the west. All winery employees and visitor traffic will utilize these access points. Access and safety have been evaluated in the *Cumulative Traffic Analysis* draft developed for this project by Crane Transportation Group.

A total of 14 parking and ADA spaces are proposed on-site, and the vineyard roads provide space for quite a few additional cars. The only two marketing events now proposed are two release events of 40 persons each, so these events will be valet-parked if necessary, so that no shuttle buses will be utilized. (A 40-person event would translate

into only 14 cars, using the County standard of 2.8 persons per car for marketing events.) The larger Auction-related events have been eliminated from the proposal.

Water Supply: The site is presently served by a well with a yield of approximately 50 gallons per minute. The site also has City of Napa water service for their residential use and that will continue.

The *Phase One Water Analysis* developed by Bartelt Engineering shows that the projected water usage will be lower than the current water usage and less than the acceptable threshold water usage for the subject parcel. The olive orchard is proposed for removal, to be replaced by on-site vineyards and this translates into a significant reduction in the amount of water usage associated with the proposed project.

Wastewater Treatment: The proposed winery wastewater system will be a new alternative sewage treatment system, disposing of the wastewater effluent via a septic tank effluent pressure distribution system. This represents an expansion of the existing wastewater system on-site.

The conclusions of the *Wastewater Disposal Feasibility Study* prepared by Bartelt Engineering are that the parcel will be capable of supporting the proposed 14,000-gallon per year winery and tasting room by disposing the combined process wastewater and the sanitary sewer wastewater effluent through a pressure distribution type dispersal field.

Fire Protection: Capacity of the existing water storage tanks is 21,000 gallons. The project design has provided all necessary access and fire equipment turnaround areas as per CDF requirements. Two on-site water storage tanks are proposed.

Winery Operations

The winery proposes to operate seven days per week. Production work schedules are from 6:00 AM until 6:00 PM, in order to allow for flexible work hours and avoidance of peak commute hours. The hospitality aspects of the winery will operate from 10:00 AM until 6:00 PM on all days, with evening marketing events being scheduled at 6:00 PM or later and ending by 10:00 PM in the evening.

Employees: The winery proposes four full-time employees, one part-time employee, and two part-time harvest employees. One of the full-time winery employees (winemaker) will reside on-site.

Tours/Tastings: On the busiest day, the winery proposes a total of 20 visitors for tours and tastings or a weekly maximum of 112 visitors. The applicant requests the ability to serve light fare food with some of the tastings. Food will be prepared exclusively by a licensed caterer, as the proposed commercial kitchen has been eliminated from the proposed project. The applicant has chosen to minimize marketing events, with the emphasis of their wine marketing efforts focused on daily tours and tastings.

Winery Marketing Plan: The *WDO* requires that wineries include their plans for marketing wine, along with the dynamics associated with those events. Currently, the winery use permit does not allow any visitation, although there is some discrepancy in permits in the older files. In some places a very small number of visitors is referred to; in others, the language in the permit indicates that there will be no public tours/tastings. The winery application does not ask any recognition of a public tasting activity. All tastings will be by-appointment only, consistent with the *WDO*.

The winery marketing plan consists of the following:

Food and Wine Pairings: This category, which originally proposed 48 events per year, has been eliminated from the proposal in this application.

Wine Club/Release Events: Two events per year, with up to 40 persons attending at each event. On days when one of these events is held, the private tours/tastings will be reduced, depending on the time of day of the larger event.

Larger Auction-related Events: No larger Auction-related events are proposed.

Assembly Bill 2004 (“Picnic” Ordinance): The applicant has removed their request for the A.B. 2004 “Picnic” Ordinance approval for this property.

No outdoor amplified music is proposed in association with winery marketing events. All evening events will end by no later than 10:00 PM.

The Philosophy Behind the Dakota Shy Winery Marketing Plan

The Dakota Shy business incorporates intimate tastings in a private setting that range from 90 to 120 minutes in duration. The focus will be on “quality of experience,” just as the new winery plan focuses on the quality of our wines. All tastings will be “by appointment only,” as stipulated in the County’s *Winery Definition Ordinance (WDO)*.

The requested visitation, as revised based on current challenges in the County, will be changed from a maximum of 24 persons on the busiest day to a maximum of 20 persons on busiest day. Since tastings are the most essential element of our winery marketing plans, Dakota Shy has elected to try and preserve what we believe is an already reasonable and imminently justifiable level of tours/tastings for the winery.

In a review of all wineries in the County on parcels smaller than ten acres (see attachment), we averaged those wineries with production levels between 10K gpy and 15K gpy and found as follows.

The average weekly numbers of persons were a maximum of 182 or 26 persons per day.

The average yearly maximum visitation was 9,457 or 26 persons per day.

The average number of marketing events per year was 36.

Attached to this Project Statement is a list of wineries in Napa County that are on parcels of less size than the current 10-acre minimum parcel size for a winery. We chose wineries from this inventory that had a production size of between 10K gallon per year and 15K gallons per year (Dakota Why Winery proposes 14K gpy.) and averaged their annual visitation and marketing events. The wineries used as comparables included the following:

Black Cat Winery (12,500 gpy)
120/busiest day or 130/week and 4 events/year

Grace Family Vineyards (7,000 gpy)
20/busiest day and no marketing events

Cosentino Winery (12,850 gpy)
350/week and no marketing events

St. John Cellars (15,280 gpy)
50/day and no marketing events

KR Winery (18,554 gpy)
336/busiest day and 64 marketing events/year

Turley Winery (13,171 gpy)
75/busiest day and 9 marketing events/year

The averages reflected on the previous page report the results of this comparison, with the Dakota Shy Winery proposal clearly within (and even lower) than the average, with a maximum of 20 persons per day (as compared to an average of 26 per day) and only two (2) marketing events per year, as compared to an average of 36 events for the wineries researched.

Since we hope to focus the Dakota Shy Winery marketing efforts on this modest daily visitation plan, we have revised the application to significantly reduced the marketing events. This involves completely eliminating the 48 annual food-and-wine pairing events, and reducing the wine club and release events to only two events annually. The larger wine auction-related events have also been completely eliminated from the proposed plan.

Attached is a comprehensive explanation of the winery marketing plans, prepared by the Dakota Shy Winery partnership, winemaker and winery personnel. As the plan reflects, there has been considerable thought and planning put into this plan.

In addition, the winery has offered their plan for securing fruit and complying with the County's 75 Percent Grape Source Rule. The applicant also plans to replace the olive orchard on-site with a vineyard for estate-grown wines.

□

Based on an average bottle cost, to generate income for four full-time employees and one to four part-time employees, cover all costs and allow space for minimal production increases, we have requested a production limit of 14,000 gallons per year.

At 14,000 gallons per year, the permit equates to 5,800 cases annually. We anticipate that approximately 80 percent of this wine will be sold utilizing the current industry model of direct-to-consumer. Approximately 29 percent of the wine will be sold through wholesale channels.

Current conditions show 856 active buyers on the winery's customer list and those buyers purchased 700 cases of wine in 2014. That is an average of 0.8 cases of wine per customer. There was not enough wine in 2014 to meet demand and the winery is basing their production increased on current demand. There are another 1,100 customers on the winery's list who are prospective buyers. Focusing the wine marketing on daily tours/tastings is clearly the basis for wine promotion for Dakota Shy Winery, as well as keeping the wine club membership list fresh and updated.

Production of the winery and phasing of anticipated production is as follows:

Production for the 2013 vintage was 1,000 cases (2,400 gallons).

Production for 2014 vintage was 1,800 cases (4,320 gallons)

Production for 2015 vintage is estimated at 2,000 cases (4,800 gallons).

Production for 2016 vintage is estimated at 2,500 cases (6,000 gallons).

By 2025, production is estimated to be 5,800 cases (14,000 gallons).

An analysis of production to customer balance shows that if the winery averages 0.8 cases per customer (customer defined as two visitors), it needs approximately 5,800 direct-to-consumer customers to sell 4,640 cases of wine. The customer base will be built over time, based on demand. Daily tours/tastings are the most critical aspect of the winery's ability to achieve this marketing plan. Dakota Shy anticipates that it will take five years of being open for business in order to reach a maximum of 70 customer (couples) visiting per week (140 visitors).

With a maximum of 70 customer (couples) visiting per week (140 visitors), Dakota Shy can see 3,360 (70 customers x 48 weeks per year) customers per year. Approximately 30 percent of those will be existing, repeat customers. If the winery can add 2,352 new customers per year, it can reach its required customer base by the year 2025 and then will need to maintain that base with the expectation that 10 percent of members may fall off each year.

To recap:

14,000 gallon production = 5,800 cases annually

80 percent sold direct to consumer = 4,640 cases

20 percent via wholesale channels = 1,160 cases

Max of 140 visitors per week = 3,360 couples visits per year

30 percent are repeat customers = 2,352 new customers per year

80 percent purchase = 1,881 new buying customers per year

10 percent attrition = 1,692 new “real” customers per year

0.81 cases per customer X 1,692 = 1,371 cases sold from tasting room

3,270 cases sold via wine club/mailling list of 4,040 persons (after ten years of operations)

Although different types of marketing events are a very important part of keeping a customer base interested and the brand/product fresh, we have opted to eliminate some of the more sophisticated types of marketing out of recognition of the County’s concerns about winery marketing levels. Instead of having food and wine pairings, we simply request the ability to serve light fare (catered) with some of our wine tastings. We have reduced the number of wine club and release events, as well as reducing the number of persons attending these events. And we have eliminated the larger auction-related events.

In short, we will be relying rather exclusively on our tours and tastings allowance to market and sell our wines.

75% Grape Source Background

Dakota Shy wines are made from 100 percent Napa Valley grapes. The owners are committed to making world class Cabernet and having a home for the Dakota Shy brand represents the culmination of a long-held dream for the partners.

Dakota Shy has entered into a formal grape purchase agreement with Dutch Canyon LLC a grower it has worked with since 2014. As reflected in the attached letter from Dutch Canyon LLC, the intent is to continue selling Napa Valley Cabernet grapes to Dakota Shy Winery. The purchase history is as follows.

2014 vintage: Dakota Shy purchased 16.27 tons of Cabernet Sauvignon grapes

2015 vintage: Dakota Shy intends to purchase 12 to 16 tons of Cabernet grapes

Future vintages: Based on the current relationship, Dutch Canyon intends to sell grapes from their vineyards to Dakota Shy.

In addition to the above grower relationship, Dakota Shy Winery will have a small vineyard on the winery site and they continue to pursue opportunities with other Napa Valley growers whose vineyards meet their standards for excellence.