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Use Permit Application Packet

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SEP 14 2017

file No P17-00343



Napa County Planning, Building & Environmental Services

Napa County

Planning, Building, and Environmental Services

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

web [www.countyofnapa.org](http://www.countyofnapa.org) email [planning@countyofnapa.org](mailto:planning@countyofnapa.org)

A Tradition of Stewardship  
A Commitment to Service

Use Permit Application

To be completed by Planning staff...

Application Type: \_\_\_\_\_

Date Submitted: 9-14-2017 Resubmittal(s): \_\_\_\_\_ Date Complete: \_\_\_\_\_

Request: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Application Fee Deposit: \$ 8000 Receipt No. 122940 Received by: [Signature] Date: 9/14/2017

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

To be completed by applicant...

Project Name: Dry Creek-Mt. Veeder Project

Assessor's Parcel No: 027-310-039 Existing Parcel Size: 55.50 ac.

Site Address/Location: Dry Creek and Mt. Veeder Road S  
No. Street City State Zip

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

Property Owner: Oakville Winery LLC

Mailing Address: P.O. Box 222 Oakville CA 94562-9200  
No. Street City State Zip

Telephone No( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

Applicant (if other than property owner): same as above.

Mailing Address: \_\_\_\_\_  
No. Street City State Zip

Telephone No( ) \_\_\_\_\_ E-Mail: \_\_\_\_\_

Representative (if applicable): Thomas F. Carey, attorney-at-law

Mailing Address: P.O. Box 5662 Napa CA 94581  
No. Street City State Zip

Telephone No (707) 479-2856 E-Mail: tcarey.law@gmail.com

## Use Permit Information Sheet

### Use

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

see attached Project Description.  
New winery, 30,000 gallons/year production,  
2,400 SF building, 17,220 SF cave, 619 SF  
winemaker/caretaker residence, tours  
and tasting, marketing events, retail  
sales.

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

District \_\_\_\_\_

Regional RWQCB

State ABC

Federal TTB

### Improvements

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

1. Covered crush Pad, 800 SF
2. Covered concrete Pad/work Area, 2,942 SF
3. Winery Building, 2400 SF Total
  - Production, 2,222 SF
  - Accessory/hospitality, 178 SF
4. Winemaker/caretaker Residence, 619 SF
5. Covered Patio, 519 SF
6. On-site Subsurface wastewater Disposal system
7. Winery Cave, 17,220 SF
  - Barrel storage, 15,890 SF
  - Equipment/utility/Tanks, 1,176 SF
  - Accessory/Lab, 154 SF
8. Bio-retention Area, +/- 700 SF

Improvements, cont.

Total on-site parking spaces: N/A existing 6 proposed  
Loading areas: N/A existing 1 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: N/A existing Mon - Sun proposed  
Hours of operation: N/A existing 8:00 - 6:00 proposed  
Anticipated number of employee shifts: N/A existing 2 proposed  
Anticipated shift hours: N/A existing Varies proposed

Maximum Number of on-site employees:

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

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## Certification and Indemnification

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

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

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

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

<u>Oakville Winery LLC</u> Print Name of Property Owner	<u>Oakville Winery LLC</u> Print Name Signature of Applicant (if different)
 Signature of Property Owner	 Signature of Applicant
Steven Christopherson LLC manager	Steven Christopherson LLC manager
Date	Date
9/5/17	9/5/17

## 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 type="checkbox"/> Expanded	<input checked="" 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 type="checkbox"/> Expanded	<input checked="" 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 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 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: N/A gal/y Per permit No: N/A Permit date: N/A  
 Current maximum actual production: N/A gal/y For what year? N/A  
 Proposed production capacity: 30,000 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>N/A</u> existing	<u>10</u> proposed
Average daily tours and tastings visitation <sup>1</sup> :	<u>N/A</u> existing	<u>10</u> proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	<u>N/A</u> existing	<u>M-Su 10-4</u> proposed
Non-harvest Production hours <sup>2</sup> :	<u>N/A</u> existing	<u>8-6</u> proposed

<sup>1</sup> 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.

<sup>2</sup> It 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.)

1. Daily Tours and Tasting, 10 visitors per day maximum;
2. Marketing Events, 10 per year, 30 guests maximum; catered food service only.
3. Release Events, 1 per year, 100 guests maximum; catered food service only; portable restrooms for guest use; winery closed to visitors during day of event.

## 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 only.

Winery Coverage and Accessory/Production Ratio

**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           N/A           sq. ft.           N/A           acres  
 Proposed           5,142           sq. ft.           0.118           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).

          15,615           sq. ft.           55.50           acres           0.6469           % 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           N/A           sq. ft. Proposed           20,808           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.           N/A           % of production facility  
 Proposed           851           sq. ft. \*           4%           % of production facility

\* see Rada A-1  
 Condor UP-2.0

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:           17,220           sq. ft.  
 Covered crush pad area Existing:           N/A           sq. ft. Proposed:           3,742           sq. ft.  
 Uncovered crush pad area Existing:           N/A           sq. ft. Proposed:           0           sq. ft.




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**Initial Statement of Grape Source**

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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.

 Steve Christopherson  
LCC manager

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Owner's Signature Date

9/15/12

*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

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>Tank</u>
Name of proposed water supplier (if water company, city, district):	<u>N/A</u>	<u>N/A</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>N/A</u> gallons per day (gal/d)	
Current water source:	<u>Well</u>	<u>N/A</u>
Anticipated future water demand:	_____ gal/d	_____ gal/d
Water availability (in gallons/minute):	_____ gal/m	_____ gal/m
Capacity of water storage system:	_____ gal	_____ gal
Type of emergency water storage facility if applicable (e.g., tank, reservoir, swimming pool, etc.):	_____	

### Liquid Waste

Please attach Septic Feasibility Report

	Domestic	Other
Type of waste:	<u>sewage</u>	<u>process WW</u>
Disposal method (e.g., on-site septic system, on-site ponds, community system, district, etc.):	<u>o-s septic</u>	<u>o-s septic</u>
Name of disposal agency (if sewage district, city, community system):	<u>N/A</u>	<u>N/A</u>
Is annexation needed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Current waste flows (peak flow):	_____ gal/d	_____ gal/d
Anticipated future waste flows (peak flow):	_____ gal/d	_____ gal/d
Future waste disposal design capacity:	_____ gal/d	_____ 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](http://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): spoils to be hauled off-site

## Winery Traffic Information / Trip Generation Sheet

Number of FT employees: 4 x 3.05 one-way trips per employee = 12.2 daily trips.  
 Number of PT employees: 0 x 1.90 one-way trips per employee = 0.0 daily trips.  
 Average number of weekday visitors: 10 / 2.6 visitors per vehicle x 2 one-way trips = 7.7 daily trips.  
 Gallons of production: 30,000 / 1,000 x .009 truck trips daily<sup>3</sup> x 2 one-way trips = 0.54 daily trips.  
Total = 20.44 daily trips.  
Number of total weekday trips x .38 = 7.7 PM peak trips.

Number of FT employees (on Saturdays): 4 x 3.05 one-way trips per employee = 12.2 daily trips.  
 Number of PT employees (on Saturdays): 0 x 1.90 one-way trips per employee = 0.0 daily trips.  
 Average number of weekend visitors: \_\_\_\_\_ / 2.8 visitors per vehicle x 2 one-way trips = 7.14 daily trips.  
Total = 19.34 daily trips.  
Number of total Saturday trips x .57 = 11.02 PM peak trips.

Number of FT employees (during crush): 4 x 3.05 one-way trips per employee = 12.2 daily trips.  
 Number of PT employees (during crush): 0 x 1.90 one-way trips per employee = 0.0 daily trips.  
 Average number of weekend visitors: 10 / 2.8 visitors per vehicle x 2 one-way trips = 7.14 daily trips.  
 Gallons of production: 30,000 / 1,000 x .009 truck trips daily x 2 one-way trips = 0.54 daily trips.  
 Avg. annual tons of grape on-haul: 200 x .11 truck trips daily<sup>4</sup> x 2 one-way trips = 44.0 daily trips.  
Total = 63.88 daily trips.  
Number of total Saturday trips x .57 = 36.41 PM peak trips.

Number of event staff (largest event): 6 x 2 one-way trips per staff person = 12.0 trips.  
 Number of visitors (largest event): 100 / 2.8 visitors per vehicle x 2 one-way trips = 71.43 trips.  
 Number of special event truck trips (largest event): 1 x 2 one-way trips = 2.0 trips.

<sup>3</sup> 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).

<sup>4</sup> Assumes 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

**I. FACILITY IDENTIFICATION**

FACILITY ID # (Agency Use Only)		EPA ID # (Hazardous Waste Only)	
BUSINESS NAME (Same as Facility Name or DBA-Doing Business As)			
BUSINESS SITE ADDRESS			
BUSINESS SITE CITY	104	CA	ZIP CODE 105
CONTACT NAME	106	PHONE	107

**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 UPCF...
<b>A. HAZARDOUS MATERIALS</b> 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 50, 40 or 70?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 4 HAZARDOUS MATERIALS INVENTORY - CHEMICAL DESCRIPTION
<b>B. REGULATED SUBSTANCES</b> 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 4a Coordinate with your local agency responsible for CalARP.
<b>C. UNDERGROUND STORAGE TANKS (USTs)</b> Own or operate underground storage tanks?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 5 UST FACILITY (formerly SWPCD Form A) UST TANK (see page per tank) (formerly Form H)
<b>D. ABOVE GROUND PETROLEUM STORAGE</b> 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 6 NO FORM REQUIRED TO CUPAs
<b>E. HAZARDOUS WASTE</b> Generate hazardous waste?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 9 EPA ID NUMBER - provide at the top 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 10 RECYCLABLE MATERIALS REPORT (see per recycler)
Treat hazardous waste on-site?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 11 ON-SITE HAZARDOUS WASTE TREATMENT - FACILITY ON-SITE HAZARDOUS WASTE TREATMENT - UNIT (see 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 12 CERTIFICATION OF FINANCIAL ASSURANCE
Consolidate hazardous waste generated at a remote site?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 13 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 14 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 14a Obtain federal EPA ID Number, file Biennial Report (EPA Form 8700-13A/B), and satisfy requirements for RCRA Large Quantity Generator.
Household Hazardous Waste (HHW) Collection site?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 14b 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)

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A Commitment to Service

Napa County Planning, Building  
and Environmental Services

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

Project name & APN: Dry Creek - Mt. Veeder Project  
Project number if known: (APN 027-310-039)  
Contact person: Tom Carey  
Contact email & phone number: tcarey.10w@gmail.com  
Today's date: 9/10/2017

### 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 checked="" type="checkbox"/>	BMP-1	<b>Generation of on-site renewable energy</b> <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>
			<u>Solar panels on roof cover (Hwd.)</u>

<input type="checkbox"/>	<input type="checkbox"/>	BMP-2	<b>Preservation of developable open space in a conservation easement</b> <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>

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 CO<sub>2</sub>e and add the County's carbon stock.*

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**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).*

*To be considered for cave*

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**BMP-6 Vehicle Miles Traveled (VMT) reduction plan**

*Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.*

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- employee incentives
- employee carpool or vanpool
- priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- bike riding incentives
- bus transportation for large marketing events
- Other: \_\_\_\_\_

Estimated annual VMT \_\_\_\_\_

Potential annual VMT saved \_\_\_\_\_  
% Change \_\_\_\_\_

Already Doing  Plan To Do

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

*See description below under BMP-5.*

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**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.*

*To be considered*

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**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.*

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**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.*

*To be considered*

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**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!*

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**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.*

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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.*

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**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%.*

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**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.*

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**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.*

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

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

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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.*

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**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.*

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**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.*

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**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.*

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**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.*

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Already Doing  Plan 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.*

Cave is energy efficient.

**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.*

7 trees to be removed; cave obviates need for signif. trees removal!

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

- |                   |                          |  |
|-------------------|--------------------------|--|
| <b>BMP-25 (a)</b> | <input type="checkbox"/> | <b>LEED™ Silver</b> (check box BMP-25 and this one)            |
| <b>BMP-25 (b)</b> | <input type="checkbox"/> | <b>LEED™ Gold</b> (check box BMP-25, BMP-25 (a), and this box) |
| <b>BMP-25 (c)</b> | <input type="checkbox"/> | <b>LEED™ Platinum</b> (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](http://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.*

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**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.*

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**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.*

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**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?**

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

*Retention of vast majority of existing forest canopy.*

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**Comments and Suggestions on this form?**

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## **Sources:**

1. *Napa County Bicycle Plan, NCTPA, December 2011*
2. *California Air Pollution Control Officers Associate (CAPCOA). January 2008. CEQA and Climate Change*
3. *Napa County General Plan, June 2008.*
4. *California Office of the Attorney General. 2010. Addressing Climate Change at the Project Level available at [http://ag.ca.gov/global\\_warming/pdf/GW\\_mitigation\\_measures.pdf](http://ag.ca.gov/global_warming/pdf/GW_mitigation_measures.pdf)*
5. *U.S. Green Building Council (2009). LEED 2009 for New Construction and Major Renovations Rating System. Washington, DC: United States Green Building Council, Inc.*
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7. *U.S. Department of Energy (2010). Cool roof fact sheet.*
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SEP 18 2017

Napa County Planning, Building  
& Environmental Services

**USE PERMIT PROJECT DESCRIPTION FOR DRY CREEK-MT. VEEDER PROJECT**

**OAKVILLE WINERY LLC**

**DRY CREEK AND MT. VEEDER ROADS, NAPA, CALIFORNIA (APN 027-310-039)**

Dry Creek-Mt. Veeder Project/Oakville Winery LLC is applying for a Use Permit to establish a small winery and barrel storage cave on a 55.50-acre parcel located at the Southwest corner of Dry Creek Road and Mt. Veeder Road approximately 3 miles west of Oakville, unincorporated Napa County.

The proposed winery development, with the exception of a portion of the proposed winery caves, is located within the 300-foot setback for new and expanded wineries required by Napa County Code section 18.104.230 A2. We therefore are requesting a variance to locate the winery approximately 84 feet (measured from Crush Pad Roof Cover) and 104 feet (measured from Winery Production Building) from the centerline of Mt. Veeder Road. The proposed winery meets the criteria for a Class 3 Categorical Exemption under the California Environmental Quality Act (CEQA) except for two elements (1) the parcel is identified on the environmental sensitivity maps maintained by the Napa County Department of Planning, Building and Engineering Services (PBES) as having Potential Spotted Owl occurrence and small landslide deposits; and (2) the area of proposed winery cave exceeds 5,000 square feet and the spoils will be hauled off-site to an approved location. In all other respects, the projects meets the criteria for the Categorical Exemption. Importantly, traffic generation, the project will limit traffic to less than 40 vehicle trips per day and 5 peak hour trips under typical operations.

In addition to this Project Description, and the attached Use Permit Application Forms and Supplemental Application for Winery Uses, the following materials are submitted in support of this application:

1. Michael Rada Architect, cover sheet and architectural drawings, dated September 8, 2017 (the "Architectural Plans").
  - a. Sheet A1 Floor Plans and Square Footage Diagram
  - b. Sheet A2 Exterior Elevations North and East
  - c. Sheet A3 Exterior Elevations South and West
2. Applied Civil Engineering, Use Permit Conceptual Site Improvement Plans, dated September 13, 2017 (the "Civil Plans").
  - a. Sheet C1 Overall Site Plan
  - b. Sheet C2 Grading & Layout Plan
  - c. Sheet C3 Impervious Surface Exhibit
  - d. Sheet C4 Stormwater Control Plan
  - e. Sheet V1 Opportunities & Constraints Site Plan for Variance Request
3. Condor Earth, Dry Creek Mt. Veeder Project Wine Cave Plans, dated August 14, 2017 (the "Cave Plans").
  - a. Sheet UP2.0 Tunnel Plan
  - b. Sheet UP3.0 Tunnel Profiles and Cave Section
  - c. Sheet UP4.0 Portal Elevation

4. Applied Civil Engineering, Onsite Wastewater Feasibility Study for the Dry Creek-Mt. Veeder Project, dated September 13, 2017.
5. Applied Civil Engineering, Stormwater Control Plan for the Dry-Creek-Mt. Veeder Project, dated September 13, 2017.
6. Condor Earth, Preliminary Geologic Hazards Evaluation dated September 8, 2017 (the "Geotechnical Evaluation").
7. Condor Earth, Water Availability Analysis for Dry Creek-Mt. Veeder Project, dated September 8, 2017.
8. Northwest Biosurvey, letter "Status of Biological Resource Assessment for the Dry Creek-Mt. Veeder Project," dated September 8, 2017.
9. Napa County Department of Public Works, Traffic Counts in unincorporated Napa County, retrieved online September 14, 2017.

### **Project Setting**

The subject parcel is located in an AW Agricultural Watershed Zoning District and designated as Agriculture, Watershed and Open Space (AWOS) on the Napa County General Plan.

As shown on the Environmental Sensitivity Maps and Sheet VI of the Civil Plans, the parcel is comprised of mixed hardwood forest with varied terrain, with areas of relatively steep slopes interspersed with very steep slopes equal to or exceeding 30 percent. As described on Page 1 of the Geotechnical Evaluation, there are two small existing clearings on the parcel: (1) a small, relatively flat clearing southwest of the intersection of Dry Creek Road and Mt. Veeder Road at the confluence of Dry Creek and Montgomery Creek (the "Lower Flat"), and (2) a small clearing located approximately 1,000 feet horizontal feet and 300 feet vertical upslope from the Lower Flat (the "clearing with brush"). The Environmental Sensitivity Maps indicate that the parcel has "Potential Spotted Owls [occurring] in this general area" and three (3) areas abutting the winery site on the Lower Flat are marked with arrows noting "small landslide deposits." As is customary for properties located in the western range of Napa Valley, the parcel is located in an area designated as Very High Fire Hazard Severity.

Access to the parcel is from Mt. Veeder Road. According to the most recent traffic counts maintained by the Napa County Department of Public Works (DPW), Average Daily Traffic (ADT) on Mt. Veeder Road was 141 vehicles northbound and 132 vehicles southbound. AM Peak Traffic was 12 vehicles northbound and 11 vehicles southbound. PM Peak traffic was 15 northbound and 11 southbound.

The proposed winery site is on the southern tip of the Lower Flat, as shown on Sheets C1 and C2 of the Civil Plans and on Figures 2A and 2B of the Geotechnical Evaluation.

### **Project Description**

As stated on the Use Permit Information Sheet, the project would establish a new winery with a maximum annual production capacity of 30,000 gallons. Site improvements include a 2,400 SF wine production building; a 17,220 SF Type II winery cave to be used for barrel storage and other wine production activities (racking, blending, finishing, laboratory); an 800 SF covered crush pad; a 2,942 SF covered concrete pad/work area; an onsite wastewater disposal system; six (6) parking spaces, including one (1) handicapped accessible space; a 700 SF stormwater bioretention area; and a 519 SF covered patio for winery and visitor use under AB 2004. A 619 SF winemaker/caretaker's residence is included in

the project, as data related to the residence's water use, wastewater generation and traffic trips use are included in the engineering calculations for the WAA, Wastewater Feasibility Report and other materials submitted in connection with this application.

Consistent with the traffic trip generation limitations for a Class 3 Small Winery Categorical Exemption, winery employees will amount to 4 full-time workers; the proposed Marketing Plan is limited to a maximum of 10 visitors per day, 10 marketing events per year with no more than 30 guests, and one (1) wine auction/release event with no more than 100 guests, catered food service only and no temporary events.

### **Environmental Sensitivity.**

As stated above, the subject parcel is comprised of mixed hardwood forest with varied terrain, with areas of relatively steep slopes interspersed with very steep slopes equal to or exceeding 30 percent. The County's Environmental Sensitivity Maps indicate that the parcel has "Potential Spotted Owls [occurring] in this general area" and three areas north of the proposed winery site on the Lower Flat contain arrows noting "small landslide deposits."

From the outset of the winery design process, the applicant has focused on locating the winery in those areas of the property that minimize impacts related to sensitive plant and animal species, streams and other watercourses, and to avoid areas with significant landslide potential, particularly areas with steep slopes, landslide potential and other geologic hazards.

Condor Earth performed a Preliminary Geologic Hazards Evaluation of the property consisting of site reconnaissance and review of project site conditions and available published data. As discussed on Page 2 of the Geotechnical Evaluation, the proposed winery location avoids areas underlain by historic landslides noted in published studies and containing deposits from small, non-recent landslides. The "clearing with brush" upslope from this site was considered less desirable for winery construction due to geologic conditions, the proximity of a seasonal drainage (see Figure 2B of the Geotechnical Evaluation), and the excessive grading and tree removal required to comply with CalFire construction standards for winery access roads. The clearing, however, was considered suitable for the winery's subsurface drip septic system and reserve area. (See Sheet C1 of the Civil Plans.) This project incorporates as a condition the recommendation on Page 3 of the Geotechnical Evaluation that the owner/applicant conduct subsurface geological exploration (drilling) of the proposed winery site prior to Building Permit submittal and include a geologic hazard report containing the information enumerated in Napa County Code section 15.08.050, subsections A and B.

Northwest Biosurvey has conducted two field surveys of the parcel and completed a wetlands delineation. A follow-up survey has been scheduled for October for late-blooming grasses. No Spotted Owl nests were observed. The preliminary biosurvey work completed so far indicates that there are no special plant species present at the winery site. A follow-up survey has been scheduled for October for late-blooming grasses. To the extent that Spotted Owl habitat does or comes to exist on the parcel, the project incorporates as an environmental protection best management practice (BMP) a condition stating that prior to the commencement of any construction activities during critical nesting periods (April 1 through August 1), a field survey shall be conducted by a qualified biologist. To the extent any Spotted Owl (*Strix occidentalis*) nesting activities are observed, an appropriate "no-construction zone" consistent with the regulations and professional practices then in effect shall be established. Such an

approach has been implemented by numerous Napa County projects on parcels designated as having potential Spotted Owls occurring "in the general area." (This designation commonly applies to virtually every parcel located in the western range of Napa Valley.)

The application estimates that the winery at maximum operation will generate eight (8) PM peak weekday trips and eleven (11) PM peak weekend trips. In order to provide the most efficient travel experience for local motorists, this application incorporates as an environmental protection BMP a requirement that reoccurring vehicle trips to and from the site for employees, visitors and deliveries be limited to no more than four trips during peak travel times (4:00 PM to 6:00 PM on weekdays; 2:00 PM to 4:00 PM on Saturdays and Sundays). Vehicle trips related to daily tours and tastings will not be scheduled at the winery during marketing events. Compliance with this BMP should be readily achievable due to the low level of vehicle trips generated by this project.

#### **Environmental Protection BMPs.**

- Prior to Building Permit submittal, a subsurface geological exploration of the proposed winery building and cave site shall be conducted by a qualified geologist and shall include a geologic hazard report containing the information and technical recommendations required under Napa County Code section 15.08.050. A copy of the geologic hazard report shall be submitted to Napa County PBES prior to Building Permit submittal.
- Prior to the commencement of any construction work occurring between April 1 and August 1, a field survey shall be conducted by a qualified biologist for the presence of the Spotted Owl (*Strix occidentalis*) on the project parcel. If any Spotted Owl nesting sites are observed, no construction work shall occur within 300 feet (or a larger radius consistent with the regulations and professional practices then in effect) of the site or sites until August 1, or until nesting and fledgling is completed as determined by a qualified biologist. A copy of the survey shall be submitted to the Napa County PBES prior to commencement of construction work.
- Reoccurring vehicle trips to and from the site for employees, visitors and deliveries shall be scheduled to limit such trips to no more than four trips during peak travel times (4:00 PM to 6:00 PM on weekdays; 2:00 PM to 4:00 PM on Saturdays and Sundays). Vehicle trips related to daily tours and tastings will not be scheduled at the winery during marketing events occurring during peak travel times.