

“H”

Application Submittal Materials



A Tradition of Stewardship
A Commitment to Service

FILE # PA-00111

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

APPLICATION FOR A ZONE CHANGE

FOR OFFICE USE ONLY

ZONING DISTRICT: RS Date Filed: 4/9/14

REQUEST: Rezone parcel from RS to RC Date Published: _____

_____ Date Posted: _____

_____ ZA CDPC BS APPEAL

_____ Hearing: _____

_____ Action: _____

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

Applicant's Name: DAVID + ELIZABETH CARROLL

Telephone #: (831) 818-2472 Fax#: (707) 666-2686 Email: DVM@RDAVE@AOL.COM

Site Address: 1055 Monticello Rd Napa CA 94558 Assessor's #(s): 049-161-009

Mailing Address: SAME

No. Street City State Zip

Status of Applicant's interest in property: OWNERS

Property Owner(s) Name: DAVID + ELIZABETH CARROLL

Telephone #: (831) 818-2472 Fax#: (707) 666-2686 Email: DVM@RDAVE@AOL.COM

Mailing Address: SAME

No. Street City State Zip

PLEASE ATTACH A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY

Zone Change: From RS To RC Text Change: _____

Explain Fully the reason for zone change or zoning text change: to allow us to plant 2 vineyard and orchard.

I certify that the above statements are correct and that the plot plan is accurate.

Elizabeth Carroll 4/9/14
Signature of Applicant Date

Elizabeth Carroll 4/9/14
Signature of the Property Owner Date

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

*Total Estimated Fees: \$ 2000.00 Receipt No. _____ Received by: JS Date: 4/9/14

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

RECEIVED

SEP 14 2017

Napa County Planning, Building
& Environmental Services

September 13, 2017

JEFF DODD
jdodd@dpf-law.com**VIA US MAIL & EMAIL (John.McDowell@countyofnapa.org)**

Mr. John McDowell
County of Napa, Planning Division
1195 Third Street, Suite 210
Napa, CA 94559

Re: Carroll Property Rezoning; P14-00111-RZG

Dear John:

Thank for your efforts in facilitating Mr. and Mrs. David and Betsy Carroll's application to rezone their property at 1055 Monticello Road (APN: 049-161-009: the "Property"). Based on your July 10, 2017 letter, we understand the County wants to confirm the Carroll's willingness to enter into a development agreement with the County to facilitate the rezoning. We also understand that the County wants supplemental information regarding the Property and current uses thereon. On behalf of the Carrolls, we submit this letter and enclosures to address those requests.

Development Agreement

The Carrolls would like to enter into a development agreement with the County based on the understanding that the County will generate the agreement in a manner that is efficient from both a time and cost perspective compared with rezoning a similar parcel of this limited size. In that regard, the Carrolls would request that both the Planning Commission and Board of Supervisors review this item under their respective consent calendars after staff deems the application and development agreement complete. This is based on the relatively insignificant size of this project and the fact that the rezoning would amend the County's zoning map to confirm to the General Plan. More importantly, as addressed in greater detail below, the rezoning has tremendous neighborhood support with over 30 neighbors providing their names in public support of this project.

Requests for Information

Per your request, the information and materials regarding benefits to the public, ground water use, the site plan, vineyard management, and neighborhood outreach are presented below.

1. **Public Benefit: The County is interested in the development agreement containing elements benefitting the public and/or neighborhood surrounding the project site.**

When considering how uses on the Property may change due to the rezoning, it is important to understand that Property has historically been in agricultural use. Since the 1920s, the owners of the Property have raised horses, goats, sheep, pigs, and chickens and farmed fruit and nut trees. These agricultural uses pre-date the County's Zoning Ordinance and continued thereon in differing degrees through the Carroll's purchase of the Property in 2013. Agriculture uses are permitted on the Property as a legal non-conforming use. However, more importantly for this proposal, the existing vineyard maintains the agricultural uses that have been on the Property.

It is also important to recognize the General Plan designation for the Property is "Rural Residential" in which "Residential County" (RC) is the appropriate zoning district. (General Plan Table AG/LU-B: General Plan & Zoning, p. AG/LU-67.) Since the zoning designation for the Property is Residential Single (RS), the Property's current zoning does not conform to the General Plan. As you know, the County's zoning ordinance must be consistent with its General Plan. (Govt. Code § 65860.) While the County does not need to rezone every parcel that does not conform to its respective General Plan designation, the General Plan states that "rezoning is desirable." (General Plan Policy AG/LU-114, p. AG/LU-67.) In that regard, rezoning the Property from RS to RC ensures the Property's zoning is consistent with the General Plan, which is a public benefit.

The rezoning has other public benefits as well. As many neighbors have expressed, the vineyard improves their view (compared with the historical field that served farm animals raised on the Property) and property values. The current vineyard use also provides open space and fire protection. Further, neighbors also appreciate that the existing vineyard will decrease the likelihood of future subdivision and, in turn, greater residential development on the Property.

2. **Ground Water: The County requests that a detailed water analysis reflecting the extent of ground water generated uses existing on the property prior to installation of the vineyard, as well as the currently existing and proposed water generating land uses and the method in which they will receive water.**

CMP Civil Engineering prepared a water analysis for the proposed rezoning. The water analysis is included as Attachment A, which acknowledges the use of recycled water for agricultural purposes. . In that regard, it is important to note that, the County, pursuant to General Plan Policy AG/LU-91, supports provision of recycled water to the Milliken-Sarco-Tulocay groundwater deficient area for irrigation use and groundwater recharge.

As part of the Development Agreement, we propose a prohibition on the use of groundwater for agricultural purposes. Any conditions related to the installation of a meter for the existing well is not necessary because all new agricultural uses will either use recycled water or be dry-farmed.

Regarding the water analysis, please note that the environmental analysis under the California Environmental Quality Act (CEQA)—for all components of the environmental review, including waer—should use existing conditions as the baseline for environmental analysis. This is the case even when actual conditions may violate current regulatory provisions or were not subject to previous CEQA review. (See *Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, *Fat v. County of Sacramento* (2002) 97 Cal.App.4th 1270; *Eureka Citizens for Responsible Government v. City of Eureka* (2007) 147 Cal.App.4th 357.)

- 3. Site Plan: The County requests an updated site plan showing the location of the vineyards and any appurtenant agricultural facilities. The County also requests the setback of vineyards and roads from neighboring properties and information on the extent of perimeter fencing to adjoining residential properties.**

A site plan is included as Attachment B. As indicated in that site plan, the agricultural road serving the vineyard runs through the middle of the property from east to west and along the perimeter of the vineyard. The vineyard itself is setback from neighboring properties at least 15 feet and a fence extends along the entirety of the Property's perimeter.

- 4. Vineyard Management: Staff supports the employment of a professional vineyard management company to farm the vineyard. The development agreement should address the extent of neighborhood friendly farming practices to be employed.**

A letter from Nicolas Franco of Franco's Vineyard Management is included as Attachment C. This letter acknowledges the Carroll's use neighborhood friendly farming practices on the vineyard. Mr. Franco has and will continue to manage vineyard operations on the Property.

- 5. Neighborhood Outreach: The County encourages neighborhood outreach throughout this process. Please provide any records regarding the support you have received for this project.**

The Carrolls have gone door-to-door on multiple occasions to speak with neighbors regarding their vineyard and rezoning the property so their agricultural uses comply with the Property's zoning requirements. They have knocked on the door of each neighbor with an adjacent property and more. During this time, the Carrolls have received tremendous support—receiving the support of over 30 of their neighbors, which is significant when you consider the size of this

September 13, 2017
Page 4

small neighborhood. A list of neighbors in support of the project is provided in Attachment D along with supporting documentation. During their neighborhood outreach, the Carrolls did not hear one negative comment about their vineyard or the proposed rezoning.

Conclusion

We appreciate your and the County's efforts to facilitate rezoning the Property from Residential Single to Residential Country so the Carrolls can maintain their small vineyard. In that regard, we do consent to using a development agreement to facilitate the rezoning approval.

As noted above, the Property has historically been in some form of agricultural use since the 1920 and the Carrolls have continued this agricultural use by the development of a vineyard. In consideration of this, General Plan consistency, and the tremendous neighborhood support this project has received, we ask that the Napa County Planning Commission and Board of Supervisors approve this item under consent.

Please do not hesitate to contact me if you have any questions.

Sincerely,

DICKENSON, PEATMAN & FOGARTY



Jeff Dodd

cc: David & Elizabeth Carroll
Chris Apallas, Deputy County Counsel
Kelli Cahill, Napa County Code Compliance

Attachment “B”
Well Yield Reports



Well Drilling & Pump Service
878 El Centro Ave. Napa Ca, 94558
Office 707-255-6450
Fax 707-255-6489
Lic. #396352

WELL INSPECTION REPORT FOR:

Attn: First American Title/ Ferrah Garber Date of test: March 12th, 2013

Upon your request, we have checked the well and/or pressure system at
1055 Monticello Rd., Napa Ca, 94558

Our findings are as follows:

WELL INFORMATION

Casing Size: 8" steel well casing base on casing type well estimated to be from 1970's

Static Water Level: 54' from top of well casing at time of test

Well Depth: * 297' draw down during test: 163' from top of well casing

Total water draw down level at end of flow test 109' from top of well casing

How tested: Open discharge using existing pumping equipment in well

Well yield after test: 22 gallons per minute after 2 hours @ 163' pumping level

Well comments: * approximate measurements taken with well pump inside well.

Measurements may not be accurate.

Base on well test and data collected during flow test we estimated well to yield more water approx 30 gpm whit a larger pump.

WELL EQUIPMENT INFORMATION

Pump Make: N/A HP 2 Pump Setting: * 240' top of well casing approx)

Type: Submersible Voltage: 230 Pipe Size: 1 1/4" PVC drop pipe

Pump Model: N/A Phase: 1 Wire Size: submersible pump cable #10-3/ wg

Pressure tank: 2-Well Rite 85 gallon total volume (Dated 06-13-90)

Comments: Well pump controls are dated 1996. This may also be the date code for the pump install. Both pressure tanks that are dated 1990 are bad a will have to be replaced.

Pressure system plumbing is in galvanized and may need additional parts replaced when pressure tanks are replaced. No filtration was noticed during inspection.

* Approximate / estimated measurements. taken with well pump inside well

Measurements may not be accurate.

WELL TEST INFORMATION

<u>TIME:</u>	<u>WATER LEVEL:</u>	<u>GPM:</u>	<u>COLOR:</u>	<u>PUMP AMPS</u>
03-12-2013				
09:05a.m.	54'	24	cloudy	12.0
09:15	105'	23	cloudy	12.0
09:25	126'	22	cloudy	12.0
09:35	145'	22	cloudy	12.0
09:45	155'	22	cloudy	12.0

<u>TIME:</u>	<u>WATER LEVEL:</u>	<u>GPM:</u>	<u>COLOR:</u>	<u>PUMP AMPS</u>
09:55	159'	22	cloudy	12.0
10:05	161'	22	cloudy	12.1
10:15	161'	22	clear	12.1
10:25	162'	22	clear	12.0
10:35	162'	22	clear	12.1
10:45	162'	22	clear	12.1
10:55	162'	22	clear	12.1
11:05	162'	22	clear	12.1

22 gallons per minute is the final well yield after 2 hours of continuous pumping. The well yield results were limited by the size of the existing pump. A larger pump would be required to determine the actual well yield. All measurements were taken to the top of wellhead using an electronic water level indicator 1-1/10th of an inch measurement.

FILTRATION

No filtration equipment was noticed at the time of the inspection.

BACTERIAL

A bacteria sample was collected and taken to be analyzed. Please see results below. Water results show present for total Coliform and absent for E. Coli.

RECOMMENDATIONS

- 1-System is old and will require immediate repair for proper function of the system. The pressure tanks are bad and need to be replaced immediately to prevent potential failure of the controls or well pump due to short cycling approx cost \$ 1,688.80 (5 year warranty) Customer should be aware that equipment may need repair or replacement in the near future based on condition and pumps age (expectancy equip met life average 14 years)
- 2- Well should be shock chlorinated in an attempt to disinfect it from bacterial present. Well is disinfected by pumping heavy chlorine and water in to well. After 12-24 hours Contac hours chlorine is pump out of well a water sample is collected and taking to the lab 7 days later chlorination to be check for bacteria. Approx cost 450.00
- 3- Install a UV disinfection system and 5 micron paper filter for house water disinfection only at the house point of connection approx cost \$.1,800.00 to 2,100.00 depending on location of unite and electrical to power UV.

FINAL COMMENTS

Please note that flow test results by McLean and Williams Inc. represents the well water yield and system condition for the time of the test only. Please call us or email if you have any questions.

Thank you, 

Gonzalo Salinas
McLean & Williams Inc.
Gonzalo.mwine@sbcglobal.net

CUSTOMER #: C389
NAME: Carroll, Dave
STREET: 1055 Monticello Rd
CITY: Napa
WELL LOCATION:

HOME PHONE:
WORK PHONE:
OTHER PHONE:

McLEAN & WILLIAMS INC.
878 EL CENTRO AV.
NAPA CA 94558

COMMENTS:
May be able to yield 30gpm with bigger pump per flow test 4-12-13

WELL #:	A P #:	PUMP MAKE:	N/A
CLASS:	DEPTH: 297 (03-02-13)	PUMP TYPE:	Sumpersible
CASING SIZE AND TYPE:	8" steel	PUMP MODEL:	N/A
CASING DEPTH:		H P:	2 VOLT 230 PH: 1
PERF:	SEAL:	PUMP SERIAL #:	N/A
STATIC LEVEL:	66' (10-21-14)	WARRANTY:	N/A
DRAWDOWN:	109' AFTER: 2hrs	PUMP INSTALL DATE:	1996 (date on control box)
YIELD:	22gpm TESTED:	PUMP SETTING:	N/A
TEST PIPE SETTING:	Open Discharge	CHECK VALVE(S):	1
EQUIPMENT:		PUMP SAVER:	None
WELL DRILLED DATE:		PIPE SIZE:	1 1/4 TYPE / SCH: PVC
WELL CLEANED DATE:		WIRE:	#10w/g
CLEANED WELL FROM:		PRESSURE TANK:	2 Flexcon 85 gal
BOOSTER PUMP:	N/A	TANK INSTALL DATE:	4-14-13
STORAGE TANK:	N/A	OPEN DISCHARGE DATE:	4-12-13
		LAB WORK B/T:	4-12-13

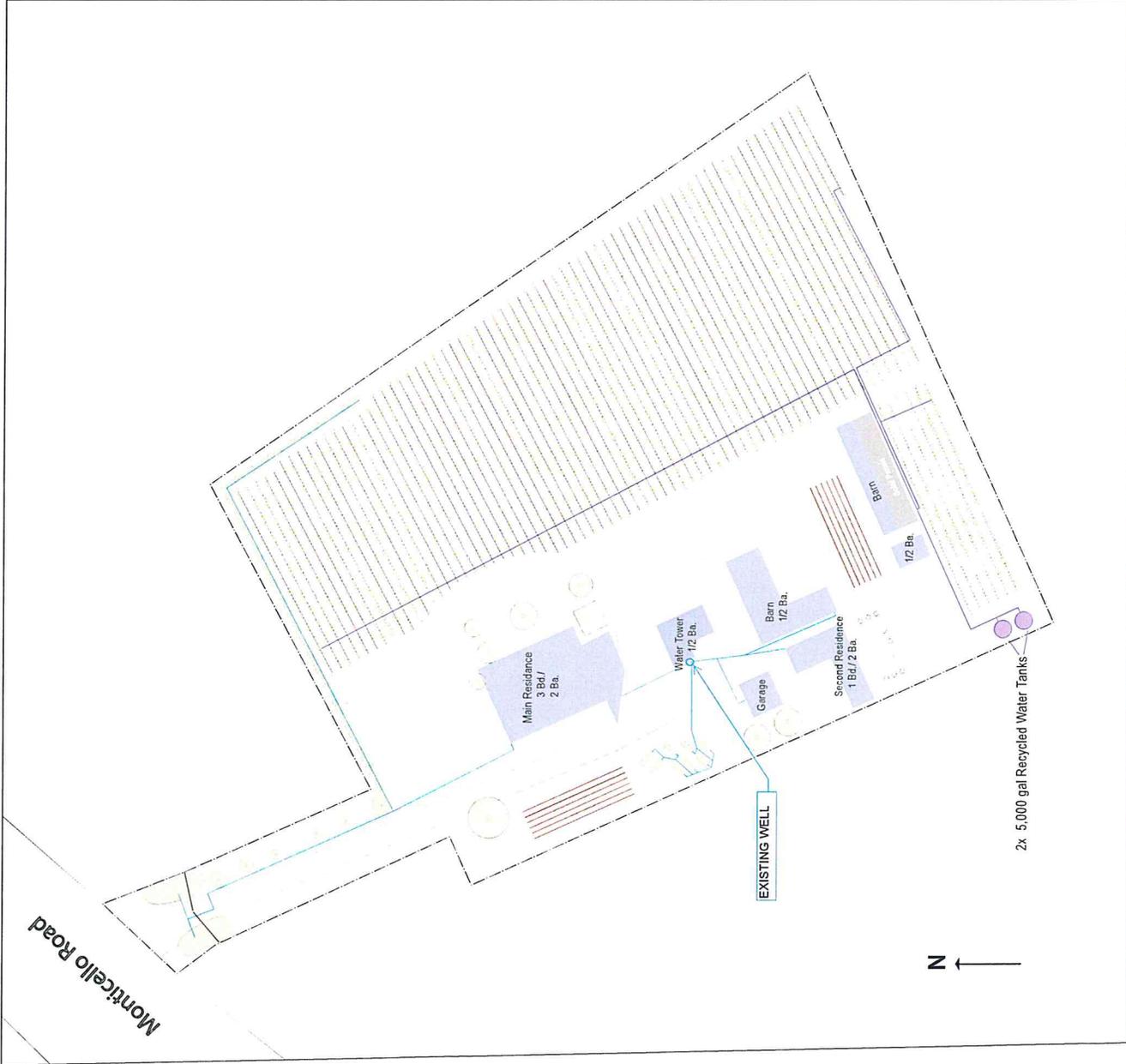
BACKFLOW MAKE	PSI:	METER #:
BF SERIAL #:	BF MODEL:	BF SIZE:

LOCATION:

PURPOSE:
WELL LOG:

GENERAL INFORMATION:
04-05-13 Flush well, connect to system, flush system, remove temp water wagon & pump
04-12-13 Draw & deliver sample
04-14-13 Chlorinate well, connect 1000G water wagon & pump to provide water during work
04-14-13 Install 2 new tank
4-8-14 Connect new water line to pressure system, replac gate valve.
10-21-14 Check water level indicator, check pressure tanks, Install copper air vent at well head.

Attachment “C”
Well Location Map



- Domestic Water Pipe
- Reclaimed Water Pipe
- Leach Field
- Gravel Road
- Hand-Watered Vegetation
- 2.1 acre Vineyard watered with reclaimed water
2,495 vines

Dave and Betsy Carroll
 1055 Monticello Road Napa, California 94558
 Parcel #049-161-009-000
 3.94 ac.
 scale 1"=50'

Attachment “D”
Napa Sanitation District
Documentation

Napa Sanitation District

INVOICE

Napa Sanitation District
 1515 Soscol Ferry Road
 Napa, CA 94558

707-258-6032
 707-258-6048
 Dmannon@napasan.com

Invoice # 13832
 Account # C1146
 Date 06-30-2017
 Due By 06-30-2017
 Terms On Receipt

Bill To

David Carroll
 1055 Monticello Road
 Napa, CA 94558

Ship To

David Carroll
 1055 Monticello Road
 Napa, CA 94558

Code	Description	QTY	Rate	Amount
47110	Reclaimed Water - Peak - June 2017	21.4	\$1.62	\$34.67
Notes				
Due and payable upon receipt. Past due invoices are subject to a service charge of 1% per month.				
Payment Details				

Subtotal \$34.67
 Tax \$0.00
 Total \$34.67
 Balance Due \$34.67

For questions contact Donell @ 707-258-6032 or dmannon@napasan.com



NapaSan

Napa Sanitation District
1515 Soscol Ferry Road
Napa, CA 94558

707-258-6032
707-258-6048
Dmannon@napasan.com

INVOICE

Invoice # 13625
Account # C1146
Date 03-31-2017
Due By 03-31-2017
Terms On Receipt

Bill To

David Carroll
1055 Monticello Road
Napa, CA 94558

Ship To

David Carroll
1055 Monticello Road
Napa, CA 94558

Code	Description	QTY	Rate	Amount
47110C	Reclaimed Water - March	2.0	\$1.09	\$2.18
Notes				
Due and payable upon receipt. Past due invoices are subject to a service charge of 1% per month.				
Payment Details				

Subtotal	\$2.18
Tax	\$0.00
Total	\$2.18
Balance Due	\$2.18

For questions contact Donell @ 707-258-6032 or dmannon@napasan.com



NapaSan

Napa Sanitation District
1515 Soscol Ferry Road
Napa, CA 94558

707-258-6032
707-258-6048
Dmannor@napasan.com

INVOICE

Invoice # 13806
Account # C1146
Date 05-31-2017
Due By 05-31-2017
Terms On Receipt

Bill To

David Carroll
1055 Monticello Road
Napa, CA 94558

Ship To

David Carroll
1055 Monticello Road
Napa, CA 94558

Code	Description	QTY	Rate	Amount
47110	Reclaimed Water - Peak - May 2017	8.9	\$1.62	\$14.42
Notes				
Due and payable upon receipt. Past due invoices are subject to a service charge of 1% per month.				
Payment Details				

Subtotal	\$14.42
Tax	\$0.00
Total	\$14.42
Balance Due	\$14.42

For questions contact Donell @ 707-258-6032 or dmannor@napasan.com

TRUCKED RECYCLE WATER USE PERMIT

This use permit must be available for inspection at all times. The reclaimed water Distributor shall carry a copy in the tanker truck at all times and be prepared to present it to the producer (NSD) for water pickups.

USER/DISTRIBUTOR INFORMATION

NAME OF USER: David Canole PHONE: 831-818-2472

ADDRESS: 1055 Monticello Rd. CONTACT PERSON: _____

TRUCK SIZE, GALS. 1,000

NAME OF DISTRIBUTOR: _____ PHONE: _____
(IF DIFFERENT FROM USER)

ADDRESS: _____ CONTACT PERSON: _____

The recycled water available to User is located at the Napa Sanitation District Socol Plant. This water is dispensed through a high pressure line and hydrant (approximately _____ p.s.i.) The User shall use the hydrant with caution and at its own risk. User releases, holds harmless and indemnifies the District, its officers, officials, employees and agents from and against any and all injury or damages resulting from User's use of the subject hydrant and line.

TRUCK SIZE, GALS. 1,000

USER AND DISTRIBUTORS SHOULD FOLLOW THE ATTACHED GUIDELINES FOR WORKER PROTECTION

TYPE OF USE (check all that apply)

APPLICATION METHOD TRUCK SPRAY OTHER (DESCRIBE) _____

USE OF WATER: SOIL COMPACTION DUST CONTROL STREET CLEANING

PESTICIDE DILUTION HERBICIDE DILUTION

NONRESIDENTIAL LANDSCAPE OTHER (DESCRIBE) _____

WHERE APPLIED: CITY/COUNTY OF NAPA OTHER _____

PRODUCER INFORMATION (DISTRICT USE ONLY)

LEVEL OF TREATMENT: TERTIARY (2.2MPN)

CARD NUMBER(S) _____

VOLUME OF RECYCLED WATER AUTHORIZED PER DAY: _____ GALS.

FEE SCHEDULE:	DESCRIPTION	AMOUNT	
	PERMIT FEE	\$50-00	\$50 - 10/17 c/c #3512
		100-	\$50 - 17/18 7/3/17

CARD FEE (\$20.00 EACH, NONREFUNDABLE) _____

TRUCKED RECYCLE WATER USE PERMIT

This use permit must be available for inspection at all times. The reclaimed water Distributor shall carry a copy in the tanker truck at all times and be prepared to present it to the producer (NSD) for water pickups.

USER/DISTRIBUTOR INFORMATION

NAME OF USER: David Carroll PHONE: 831-818-2472

ADDRESS: 1055 Monticello Rd. CONTACT PERSON: _____

TRUCK SIZE, GALS. 1000

NAME OF DISTRIBUTOR: _____ PHONE: _____

(IF DIFFERENT FROM USER)

ADDRESS: _____ CONTACT PERSON: _____

The recycled water available to User is located at the Napa Sanitation District Socol Plant. This water is dispensed through a high pressure line and hydrant (approximately _____ p.s.i.) The User shall use the hydrant with caution and at its own risk. User releases, holds harmless and indemnifies the District, its officers, officials, employees and agents from and against any and all injury or damages resulting from User's use of the subject hydrant and line.

TRUCK SIZE, GALS. 1000

USER AND DISTRIBUTORS SHOULD FOLLOW THE ATTACHED GUIDELINES FOR WORKER PROTECTION

TYPE OF USE (check all that apply)

APPLICATION METHOD TRUCK SPRAY OTHER (DESCRIBE) _____

USE OF WATER: SOIL COMPACTION DUST CONTROL STREET CLEANING

PESTICIDE DILUTION HERBICIDE DILUTION

NONRESIDENTIAL LANDSCAPE OTHER (DESCRIBE) _____

WHERE APPLIED: CITY/COUNTY OF NAPA OTHER _____

PRODUCER INFORMATION (DISTRICT USE ONLY)

LEVEL OF TREATMENT: TERTIARY (2.2MPN)

CARD NUMBER(S) _____

VOLUME OF RECYCLED WATER AUTHORIZED PER DAY: _____ GALS.

FEE SCHEDULE:

DESCRIPTION	AMOUNT
PERMIT FEE	\$50.00

pot. 7/14/15 OK# 3454

CARD FEE (\$20.00 EACH, NONREFUNDABLE) _____