

“D”

Use Permit Application Packet



NAPA COUNTY
Planning, Building, and Environmental Services
 1195 Third Street, Suite 210, Napa, California, 94559 phone (707) 253-4417
 web www.countyofnapa.org email planning@countyofnapa.org

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DEC 13 2017

Use Permit Application

Napa County Planning, Building
 & Environmental Services

To be completed by Planning staff...

Application type: _____

Date Submitted: 12/13/2017 Resubmittal(s): _____ Date Complete: _____

Request: _____

*Application Fee Deposit: \$ 5000.- Receipt No. 124644 Received by: TA Date: 12/13/2017

**Total fees will be based on actual time and materials.*

To be completed by applicant...

Project Name: Bergman Family Winery

Assessor's Parcel #: 022-080-010-000 Existing Parcel Size: 16.24

Site Address/Location: 3285 St. Helena Hwy. St. Helena CA 94574
No Street City State Zip

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

Property Owner: St. Helena Properties / Bergman Family Vineyards

Mailing Address: 530 N. Bristol Avenue Los Angeles CA 90049
No Street City State Zip

Telephone No.: (310) 701-4300 E-mail: pjbergman@mac.com

Applicant (if other than property owner): Pam and Alan Bergman

Mailing Address: 530 N. Bristol Ave. Los Angeles CA 90049
No Street City State Zip

Telephone No.: (310) 701-4300 E-mail: pjbergman@mac.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

USE PERMIT INFORMATION SHEET

USE

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

The proposal is for an 8,000 gpy winery located on a 16.4 acre parcel zoned AW. Includes a 5,174 sq. ft. winery structure; 485 sq. ft. uncovered porch area; winery sanitary and process wastewater treatment facilities; winery access road (with a request for a road exception); 483-sq. ft. metal winery storage structure; five (5) water storage tanks (3 existing + 2 newly proposed); two (2) parking spaces (one (1) ADA).

No visitation or wine marketing events are proposed.
Two (2) full-time and two (2) part-time winery employees.

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:

Proposed safety improvements to an existing asphalt road that serves the residence and existing vineyard. Creation of a winery development envelope that includes winery structures and five (5) water storage tanks (3 existing + 2 newly proposed), outdoor uncovered porch area and equipment area. See civil plans and architectural plans for details.

No ornamental landscaping is proposed for this winery. Therefore, no landscape concept plan is submitted herein.

Improvements, cont.

Total on-site parking spaces: 0 existing 2 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.) 1.026 acres

Employment and Hours of Operation

Days of operation: N/A existing 7 days/week proposed

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

Anticipated number of employee shifts: N/A existing 2 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) 2 full time (one residing on-site)
2 part-time

Certification and Indemnification

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>St. Helena Properties LLC</u>	<u>Pamela J. Bergman</u>
<small>Print Name of Property Owner</small>	<small>Print Name Signature of Applicant (if different)</small>
<u>Pamela J. Bergman</u>	<u>Pamela J. Bergman</u>
<small>Signature of Property Owner</small>	<small>Signature of Applicant</small>
<u>12/11/17</u>	<u>12/11/17</u>
<small>Date</small>	<small>Date</small>

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

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

Production Capacity*

Please Identify the winery's...

Existing production capacity: 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: 8,000 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> None </u> proposed
Average daily tours and tastings visitation ¹ :	<u> N/A </u> existing	<u> None </u> proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	<u> N/A </u> existing	<u> None </u> proposed
Non-harvest Production hours ² :	<u> N/A </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.)

No tours / tastings proposed.

No marketing events proposed.

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.)

No visitation or events, so no food service.

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 N/A sq. ft. N/A acres
Proposed 13,850 sq. ft. 0.32 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).

 44,680 sq. ft. 1.026 Acres < 1 acre – 0.625 % 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 6,142 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 939 sq. ft. 15.3 % 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)

Please identify the winery's...

Cave area Existing: N/A sq. ft. Proposed: 0 sq. ft.
Covered crush pad area Existing: N/A sq. ft. Proposed: 0 sq. ft.
Uncovered crush pad area Existing: N/A sq. ft. Proposed: 0 sq. ft.

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

12/11/17

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

Please attach completed Phase I Analysis sheet

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

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

Is annexation needed?

Current Water Use:

Current water source:

Anticipated future water demand

Water availability (in gallons/minute):

Capacity of water storage system:

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

Domestic

Groundwater
Well

N/A

Yes No

6,963 gallons per day (gal/d) (average)

Well

7,142 gal/d

80 + gal/m

20,000 gal

Storage Tanks

Emergency

Wells &
Storage Tanks

N/A

Yes No

Well

N/A gal/d

200 + gal/m

20,000 gal

Liquid Waste

Please attach Septic Feasibility Report

Type of Waste:

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

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

Is annexation needed?

Current waste flows (peak flow):

Anticipated future waste flows (peak flows):

Future waste disposal capacity:

Domestic

Sewage

Sanitary Septic
On-Site

N/A

Yes No

600 gal/d

660 gal/d

665 gal/d

Other

N/A

On-site Treatment/
Dispersal

N/A

Yes No

0 gal/d

400 gal/d

400 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) 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): Off-site

Winery Traffic Information / Trip Generation Sheet

Traffic during a Typical Weekday

Number of FT employees: <u>2</u> x 3.05 one-way trips per employee	=	<u>6</u> daily trips.
Number of PT employees: <u>2</u> x 1.90 one-way trips per employee	=	<u>4</u> daily trips.
Average number of weekday visitors: <u>0</u> / 2.6 visitors per vehicle x 2 one-way trips	=	<u>0</u> daily trips.
Gallons of production: <u>0</u> / 1,000 x .009 truck trips daily ³ x 2 one-way trips	=	<u>0</u> daily trips.
Estate grown only	=	<u>10</u> daily trips.
Total	=	<u>10</u> daily trips.
Number of total weekday trips X .38	=	<u>4</u> PM peak trips.

Traffic during a Typical Saturday

Number of FT employees (on Saturdays): <u>1</u> x 3.05 one-way trips per employee	=	<u>3</u> daily trips.
Number of PT employees (on Saturdays): <u>0</u> x 1.90 one-way trips per employee	=	<u>0</u> daily trips.
Average number of Saturday visitors: <u>0</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>0</u> daily trips.
Total	=	<u>3</u> daily trips.
Number of total Saturday trips X .57	=	<u>2</u> PM peak trips.

Traffic during a Crush Saturday

Number of FT employees (during crush): <u>2</u> x 3.05 one-way trips per employee	=	<u>6</u> daily trips.
Number of PT employees (during crush): <u>2</u> x 1.90 one-way trips per employee	=	<u>4</u> daily trips.
Average number of Saturday visitors: <u>0</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>0</u> daily trips.
Gallons of production: <u>8,000</u> / 1,000 x .009 truck trips daily x 2 one-way trips	=	<u><1</u> daily trips.
Avg. annual tons of grape on-haul: <u>0</u> / 144 truck trips daily ⁴ x 2 one-way trips	=	<u>0</u> daily trips.
Total	=	<u>11</u> daily trips.
Number of total Saturday trips X .57	=	<u>6</u> PM peak trips.

Largest Marketing Event – Additional Traffic

Number of event staff (largest event): <u>0</u> x 2 one-way trips per staff person	=	<u>0</u> trips.
Number of visitors (largest event): <u>0</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>0</u> trips.
Number of special event truck trips (largest event): <u>0</u> x 2 one-way trips	=	<u>0</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) – Bergman Family Winery													
BUSINESS SITE ADDRESS: 3285 St. Helena Highway													
BUSINESS SITE CITY: St. Helena										CA		ZIP: 94574	
CONTACT NAME: Pam Bergman										PHONE: (310) 701-4300			

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 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 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 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 type="checkbox"/> No NO FORM REQUIRED TO CUPA
E. HAZARDOUS WASTE Generate hazardous waste?	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No Recyclable Materials Report (one per recyclable)
Treat hazardous waste on-site?	<input type="checkbox"/> Yes <input 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 type="checkbox"/> No Certification of Financial Assurance
Consolidate hazardous waste generated at a remote site?	<input type="checkbox"/> Yes <input 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 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 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 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)
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Project name & APN: Bergman Family Winery – APN 022-080-010
 Project number if known: _____
 Contact person: Pam Bergman
 Contact email & phone number: pjbergman@mac.com – (310) 701-4300
 Today's date: 12-20-2017

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	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> _____ _____ _____
<input type="checkbox"/>	<input type="checkbox"/>	BMP-2	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> _____ _____

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input type="checkbox"/>	BMP-3	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> <hr/> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-4	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> 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 _____
<input type="checkbox"/>	<input type="checkbox"/>	BMP-5	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> <hr/> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-6	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> Tick box(es) for what your Transportation Demand Management Plan will/does include: <input type="checkbox"/> employee incentives <input type="checkbox"/> employee carpool or vanpool <input type="checkbox"/> priority parking for efficient transportation (hybrid vehicles, carpools, etc.) <input type="checkbox"/> bike riding incentives <input type="checkbox"/> bus transportation for large marketing events <input type="checkbox"/> Other: <hr/> <hr/> <hr/> Estimated annual VMT _____ Potential annual VMT saved _____ % Change _____

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 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 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 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 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 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 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 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" 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 type="checkbox"/>	BMP-33	Are you participating in any of the above BMPs at a 'Parent' or outside location? <hr/> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-34	Are you doing anything that deserves acknowledgement that isn't listed above? <u>Minimize VMT by no visitors policy.</u>
			Comments and Suggestions on this form? <hr/> <hr/> <hr/>

PROJECT STATEMENT
FOR
BERGMAN FAMILY VINEYARDS
WINERY USE PERMIT

APN 022-080-010-000
3285 ST. HELENA HIGHWAY, ST. HELENA, CA

The application is a request for approval of a new 8,000-gallon per year winery on a 16.4-acre parcel located north of the City of St. Helena, near Bale Grist Mill Road. The applicant proposes that one hundred percent of the wine will be made from estate-grown grapes from an existing 8.6-acre vineyard on the property. The project consists of a winery structure, where wine will be processed within the structure (no crush pad) and a freestanding winery storage building; a winery access road that currently serves the residence and for which there is a request for a road exception; fire protection surfaces in proximity to the winery; two parking space (one ADA accessible); a process and sanitary wastewater treatment system; five water storage tanks for winery use and fire suppressant. There is no proposal for winery tours/tastings and no winery marketing events are proposed.

The winery proposes production (only) hours of 6:00 AM until 6:00 PM, seven days per week. A total of two full-time and two part-time employees are proposed, with one of the full-time employees residing at the property. Currently, the grapes must be off-hauled to a production custom crush facility in the City of Napa. The ability to process the fruit on-site will protect the quality of the wine and will also remove current vehicle trips from the access road and Highway 29.

Relationship to Public Plans and Regulations

The property has a General Plan land use designation of Agriculture and the zoning district is AW (Agricultural Watershed). Wineries are an allowed use in the AW zoning district, on parcels of a 10-acre minimum and with an approve winery use permit. The proposed winery is consistent with all General Plan goals and with County zoning regulations. The exception is the road exception request that certain portions of the winery access road can be less than 20 feet in width, so long as “same practical result” has been achieved relative to access and public safety. This application includes a road exception request to the County’s Street and Road Standards.

County Environmental Setting

The proposed winery is not in conflict with any of the County environmental data base (GIS).

Alquist Priolo Faults: None evidenced.

Archaeology: No archaeological sites evidenced.

CalVeg: Douglas Fir, Mixed Hardwoods, multiple results found.

CalWater Watershed: HR: San Francisco Bay
HU: San Pablo
HA: Napa River
HAS: Napa River
SPW: Larkmead
PW: York Creek

Faults: No faults evidenced.

FEMA Flood Zone: Parcel not in FEMA flood zone.

Fire Hazard Severity: High fire hazard severity (SRA). Compliance with Chapter 7A of the California Building Code is required for new construction.

GW Ordinance: Parcel is not in a designated Groundwater Deficiency Area (actual groundwater conditions may vary).

Landslides: No landslides evidenced.

Local Drainage: Mill Creek
Hirsch Creek
Multiple results found.

Soil Type: Aiken loam, 2 to 15 percent slopes
Boomer gravelly loam, 30 to 50 percent slopes
Forward gravelly loam, 9 to 30 percent slopes
Multiple results found.

Special Species: No special species evidenced.

Spotted Owls: Potential spotted owls may occur in this general area. A spotted owl survey was conducted by Scott Butler, biologist and is included with this submittal.

HazMat Releases – Local Oversight Program (LOP) (within 1500 feet): None evidenced.

HazMat Releases – Non-local Oversight Program (Non-LOP) (within 1500 feet): No Non-LOP hazard materials releases evidenced.

Agricultural Use USTs (within 1500 feet): No agricultural use USTs evidenced.

County Zoning: AW (Agricultural Watershed)

Nearby Wineries: Beringer, San Clemente, Freemark Abbey, Morlet Estate, William Cole, Stoney Hill Vineyards, Sodhani Estate, Markham and Charles Krug, and many other large and small family wineries.

Existing Conditions of Site

The 16.4-acre site contains a primary residence and a guesthouse. The existing vineyard is an 8.6-acre hillside vineyard planted in prime Cabernet grapes. No structures on this parcel are visible from public roads, as they are screened by the existing topography and vegetation. The closest neighbor is the Bale Grist Mill State Park. There is an existing access road off Bale Grist Mill Road. On a separate road to the southwest of the subject property, there are a number of rural residential properties but these properties do not share access with the proposed winery access road.

Proposed Winery Facilities

The proposed project consists of a 5,174-sq. ft., two-story winery structure with a 485-sq. ft. covered outdoor porch. The other structure proposed is a 483-sq. ft. utility and storage building. There is no covered crush pad or outdoor work area proposed, as the fruit will be taken into the winery for all production and (mobile) bottling activities. The ground level of the winery structure encompasses a fermentation room, barrel aging area, a lab office, winery storage, a restroom and mechanical storage area. The upper level of the winery structure will include a second winery administrative office, winery storage, and employee break area and an employee restroom. The fermentation area portion of the lower level will be open to the upper level. The winery structure has a covered outdoor porch on its southeast side.

The architectural design of the winery is in the vernacular of a Napa Valley barn or winery. The structure is sited on an existing level area just below the primary residence, an area that is not visible from any public road and is sheltered by the existing topography. The building materials are plaster with stone trim on the lower level and a board-and-bat wood exterior on the upper level. The roof will be corrugated metal in a color scheme compatible with the other structural building elements. Atop the roof is a corrugated metal cupola with clerestory windows that allow filtered natural light into the winery.

The applicant proposes no ornamental landscaping in association with this project. Rather, they believe that the natural elements and topography are appropriate as a backdrop and they wish to conserve water that would otherwise be used for irrigation of landscaping. Therefore, we are submitting no landscape concept as is otherwise required in the County Use Permit Checklist and there is no water use associated with landscaping in the water use analysis.

Winery Infrastructure

In addition to the winery structure and freestanding equipment/storage building, there will be a sanitary and process wastewater treatment facility and five water storage tanks for winery use and fire suppressant purposes.

The wastewater treatment facility will utilize the existing residential septic system for accommodating the small amount of sanitary wastewater processing associated with the winery. Since the winery has only two full-time and two part-time employees (one of whom will reside on-site), and the winery proposes no visitors or marketing events, this is a very minimal amount of wastewater generated. The winery process wastewater will be pretreated and disposed of via surface irrigation as described in the *Wastewater Feasibility Report* prepared by Applied Civil Engineering and submitted with this application.

The applicant proposes five water storage tanks that will provide water for the winery, irrigation water storage, and storage for fire suppressant uses. As noted earlier, this area is designated as a high fire hazard area. The location, dimensions and capacity of each of the tanks is shown in the site plans submitted with this application.

Winery Access Road

As noted, this use permit application includes a request for a road exception, that is, an exception to the minimum 20-ft. width in the *Napa County Road and Streets Standards*. The exception is necessary in order to avoid certain environmental degradation that would otherwise occur with the widening of the road, to minimize grading in steep hillside areas, and to accommodate other limiting factors such as recorded historic sites or legal constraints.

In the opinion of our consultant team, the road exception would provide the following.

1. Preserve mature native trees;
2. Minimize the need for grading on the steep slopes;
3. Abide by the limitations of the existing legal constraint (driveway easement);
4. Provide the same overall practical effect as the *Standards* towards providing defensible space and consideration towards life, safety and public welfare; and
5. Improve emergency vehicle access to the subject properties and the area in general.

Access to the subject property is via a shared private driveway off the west side of State Highway 29 (St. Helena Highway) approximately 0.6 miles north of the intersection of

S.H. 29 and Ehlers Lane, in an unincorporated area of Napa County. The shared driveway serves as the entrance to Bale Grist Mill State Park and other adjacent properties. The improvements made in association with this road exception request will improve ease of access and emergency vehicle access for all who utilize the access road.

In recognition of the topographic features and other natural features, and the narrow road in a hillside area, the applicant is proposing no visitation to the winery and no winery marketing events. There are only two full-time employees of the winery (and two part-time), with one of the two full-time employees likely living on-site. The 8,000-gpy production level of the winery, with all wine made from estate-grown grapes, minimizes the traffic on the road. Currently, this fruit is now off-hauled to a processing facility in Napa. So approximately 12 to 16 truckloads of grapes will be eliminated.

The details of the proposed road exception request, which has been discussed extensively with Public Works, County Engineering, and CDF (fire) are reflected in the *Road Exception Request* and mapping prepared by Applied Civil Engineering and submitted with this application.

Winery Visitation and Winery Marketing

The *Napa County Winery Definition Ordinance (WDO)* requires that each winery in the County have a plan for daily visitation for tours and tastings, as well as a defined Winery Marketing Plan. In this case, the winery applicant wishes only to have the ability to process his grapes on-site and plans that he will be able to sell his entire limited production through family friends and business associates, or by other means. His primary objective is not to sell a lot of wine but to make a small amount of superior quality wine, in much the same manner as his neighbor has demonstrated, the Arvind Sodhani Estate Winery.

No visitation or marketing events are proposed in connection with this winery.

RE: Tree Replacement Review for Bergman Family Winery

This letter is a review of the options available for an existing tree replacement requirement for the proposed winery and access easement.

The number of trees to be removed, as determined by Scott Butler and Michael Muelrath, will allow the access road and production area paving area to meet the standards of width, vertical clearance, and vehicle turning radius required by the County. The number of trees to be removed at the new winery building shall also be determined by Scott Butler and Michael Muelrath. The removal of these trees is required as they are either directly in the proposed improvements or too close to maintain their health.

The existing trees to be removed have been located and their species and size are shown on the survey and civil engineering plans. The design of the roads, paving, and buildings has taken care to minimize the removal of existing trees. In some cases, the trees to be removed are clustered together and are too close to each other for healthy growth patterns, a common issue for this property.

The existing trees to be removed are a mix of *Quercus* (oak), *Sequoia* (redwood), *Arbutus* (madrone), *Pseudotsuga* (fir), and a fruit tree planted by the previous owner.

We recommend approval of the winery development without any replacement trees due to the following issues:

1. The existing conditions in the project area consist of an overcrowded mix of trees and shrubs. The density of these plants is unsafe. The planting is too dense to allow for the health of the existing plants due to their competition for adequate root zone, air-circulation space and natural light. The existing congestion is inadequate for healthy plant growth and many of the existing plants are in decline.
2. The owner has been taken positive steps and is selectively removing unhealthy plants a short distance adjacent to the vineyard in order to manage the remaining trees and understory plants in a healthy condition. The owner is proactive in preserving existing native oaks and madrone and the trees that remain will flourish in this healthy environment.
3. The owner is restoring the site for successful growth of the trees and understory and has increased the safety of the site (and adjoining properties) from wildfire due to responsible management of the existing tree canopy.
4. Eliminating the replacement tree requirement decreases the amount of irrigation for the project.

We are happy to respond to any concerns and would invite you to meet with the owner on site to review the dramatic positive effects their clearing effort has made.

Sincerely,



Robert Cleaver, landscape architect, PLA 4145