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Use Permit Application Packet

Hard Six Cellars Winery P16-00333 & Use Permit Exception to
Conservation Regulations P19-00315
Planning Commission Hearing October 16, 2019



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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JUL 24 2017

Use Permit Application

Napa County Planning, Building & Environmental Services

To be completed by Planning staff...

Application type: Winery Use Permit
Date Submitted: 8/11/16 Resubmittal(s): 7/24/17 Date Complete: _____
Request: New 20,000 gallon winery

*Application Fee Deposit: \$ 5,000 Receipt No. _____ Received by: _____ Date: 8/11/16
**Total fees will be based on actual time and materials.*

To be completed by applicant....

Project Name: Hard Six Cellars Winery
Assessor's Parcel #: 020-100-014 Existing Parcel Size: 53 acres
Site Address/Location: 1755 S. Fork Diamond Mt. Rd. Calistoga CA 94515
No Street City State Zip
Primary Contact: Owner Applicant Representative (attorney, engineer, consulting planner, etc.)
Property Owner: Wayne and Kara Fingerman
Mailing Address: 1755 S. Fork Diamond Mt. Rd. Calistoga CA 94515
No Street City State Zip
Telephone No.: (707) 942-4806 E-mail: wfingerman44@gmail.com or karafinger@gmail.com
Applicant (if other than property owner): Same as Owner
Mailing Address: _____
No Street City State Zip
Telephone No.: () _____ E-mail: _____
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):

New 20,000 gpy winery with 7,135 sq. ft. winery cave and 3,539-sq. ft. winery structure; 6,671-sq. ft. uncovered outdoor work area; 1,144-sq. ft. outdoor hospitality patio area; winery marketing plan; wastewater treatment system; water storage tanks; road exception request; restoration of existing on-site pond.

See Project Statement and winery plans for details.

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):

Construction of 7,135 sq. ft. wine cave (Class III).

Construction of 3,539 sq. ft. of winery structures.

Construction of 6,671 sq. ft. outdoor uncovered work area (not a crush pad) and a 1,185-sq. ft. outdoor hospitality patio.

Installation of winery process and sanitary wastewater system.
Installation of 55,000 gallon water storage tanks (2).

Construction of 168-sq. ft. pump house.

Construction of winery access road (with road exception request) and a total of four (4) parking spaces, three (3) standard + one (1) ADA.

Restoration of existing pond/reservoir.

Improvements, cont.

Total on-site parking spaces: N/A existing 4 proposed

Loading areas: N/A existing 1 proposed

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

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

Type IV H.T. (Heavy Timber) Type V 1 Hr Type V (non-rated)

(for reference, please see the latest version of the California Building Code)

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

Total land area to be disturbed by project (include structures, roads, septic areas, landscaping, etc.) 0.76 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 1 proposed

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

Maximum Number of on-site employees:

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

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

other (specify number) 6

- 3 full-time
- 1 part-time
- 2 seasonal

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: 20,000 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: N/A existing 16 proposed

Average daily tours and tastings visitation¹: N/A existing 80/week proposed

Visitation hours (e.g. M-Sa, 10am-4pm): N/A existing 10 am – 6 pm proposed

Non-harvest Production hours²: N/A existing 6 am – 6 pm 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.)

Private Tours / Tastings: 16 on busiest day – Max of 80 per week.
Food served with some of the tastings.

Larger Events: 4 per year with maximum 75 persons.

Auction Event: 1 per year (NVVA) with maximum 75 persons.
Portable restroom facilities for this event.
Shuttle services for this event.

A.B 2004 ("Picnic" Ordinance) requested.

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.)

Applicant proposes the ability to serve some (catered) food with some of the wine tastings

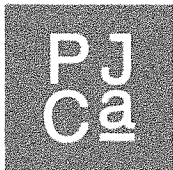
All food service will be catered. No commercial kitchen is proposed.

A.B. 2004 areas will have catered or prepared (off-site) food in some instances.

All catered food will be prepared by caterers licensed to do business in Napa County.

PROJECT AREA

WINERY BUILDING:			
PRODUCTION AREA:		3,076 SF	
ACCESSORY AREA:		<u>893 SF</u>	
	SUB-TOTAL		3,969 SF
PUMP HOUSE:			
PRODUCTION		<u>168 SF</u>	
	SUB-TOTAL		168 SF
CAVE:			
PRODUCTION AREA:		5,991 SF	
ACCESSORY AREA:		<u>1,144 SF</u>	
	SUB-TOTAL		7,135 SF
	TOTAL PRODUCTION:		9,235 SF
	TOTAL ACCESSORY:		2,037 SF
OUTDOOR UNCOVERED IMPERVIOUS AREAS:			
UNCOVERED WORK AREA:		5,486 SF	
UNCOVERED ACCESSORY AREA / A.B. 2004		<u>1,185 SF</u>	
	SUB-TOTAL		6,671 SF



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

Groundwater
Well

Yes No

_____ gallons per day (gal/d)

Groundwater
Well

1,213 gal/d

15 gal/m

5,000 gal

Emergency

Groundwater
Well

Water Storage
Tanks

Yes No

N/A

As Needed

15 gal/m

50,000 gal

Water Storage Tanks

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

On-site
Septic

N/A

Yes No

0 gal/d

138 gal/d

988 gal/d

Other

N/A

N/A

N/A

Yes No

0 gal/d

850 gal/d

988 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):

Total Spoils: 4,230 cubic yards. All spoils will be utilized on-site or County will be advised of removal and location of Disposition.

Winery Traffic Information / Trip Generation Sheet

Traffic during a Typical Weekday

Number of FT employees: <u>3</u> x 3.05 one-way trips per employee	=	<u>9</u> daily trips.
Number of PT employees: <u>1</u> x 1.90 one-way trips per employee	=	<u>2</u> daily trips.
Average number of weekday visitors: <u>11</u> / 2.6 visitors per vehicle x 2 one-way trips	=	<u>8</u> daily trips.
Gallons of production: <u>20,000</u> / 1,000 x .009 truck trips daily ³ x 2 one-way trips	=	<u>1</u> daily trips.
Total	=	<u>20</u> daily trips.
Number of total weekday trips X .38	=	<u>8</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>1</u> x 1.90 one-way trips per employee	=	<u>2</u> daily trips.
Average number of Saturday visitors: <u>16</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>11</u> daily trips.
Total	=	<u>16</u> daily trips.
Number of total Saturday trips X .57	=	<u>9</u> PM peak trips.

Traffic during a Crush Saturday

Number of FT employees (during crush): <u>3</u> x 3.05 one-way trips per employee	=	<u>9</u> daily trips.
Number of PT employees (during crush): <u>1</u> x 1.90 one-way trips per employee	=	<u>2</u> daily trips.
Average number of Saturday visitors: <u>16</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>11</u> daily trips.
Gallons of production: <u>20,000</u> / 1,000 x .009 truck trips daily x 2 one-way trips	=	<u>4</u> daily trips.
Avg. annual tons of grape on-haul: <u>15,050</u> / 144 truck trips daily ⁴ x 2 one-way trips	=	<u>28</u> daily trips.
Total	=	<u>54</u> daily trips.
Number of total Saturday trips X .57	=	<u>31</u> PM peak trips.

Largest Marketing Event – Additional Traffic

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

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

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

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

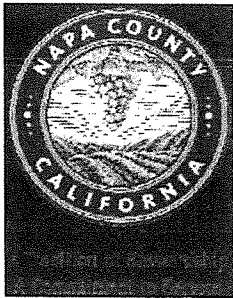
I. FACILITY IDENTIFICATION

FACILITY ID# (Agency Use Only)		1	EPA ID # (Hazardous Waste Only) 2
BUSINESS NAME (Same as Facility Name of DBA-Doing Business As) – Hard Six Cellars Winery			
BUSINESS SITE ADDRESS: 1755 S. Fork Diamond Mt. Rd.			
BUSINESS SITE CITY: Calistoga	CA	ZIP: 94515	
CONTACT NAME: Wayne Fingerman		PHONE: (707) 942-4806	

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 CPR 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? Recycle more than 100 kg/month of excluded or exempted recyclable materials (per HSC 25143.2)? Treat hazardous waste on-site? Treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)? Consolidate hazardous waste generated at a remote site? Need to report the closure/removal of a tank that was classified as hazardous waste and cleaned on-site? 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 <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	EPA ID NUMBER-provide at the of this page Recyclable Materials Report (one per recyclable) On-site Hazardous Waste Treatment – Facility On-site Hazardous Waste Treatment – Unit (one page per unit) Certification of Financial Assurance Remote Waste / Consolidation Site Annual Notification Hazardous Waste Tank Closure Certification 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)		



Project name & APN: Hard Six Cellars Winery - APN 020-100-014
 Project number if known: _____
 Contact person: Wayne or Kara Fingerman
 Contact email & phone number: wfingerman44@gmail.com (707) 942-4806
 Today's date: July 15, 2016

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65(e) and Policy CON-67(d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input type="checkbox"/>	BMP-1	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 checked="" 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-7	<p>Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1 <i>See description below under BMP-5</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-8	<p>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></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-9	<p>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></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-10	<p>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></p> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-11	<p>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></p> <hr/> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-12	<p>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></p> <hr/> <hr/>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input type="checkbox"/>	BMP-13	Connection to recycled water <i>Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-14	Install Water Efficient fixtures <i>WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-15	Low-impact development (LID) <i>LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-16	Water efficient landscape <i>If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. the project will be required to comply with the Water Efficient Landscape Ordinance (WELO).</i> <i>Please check the box if you will be complying with WELO or if your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.</i> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-17	Recycle 75% of all waste <i>Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with the goal in mind.</i> <hr/> <hr/>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-18	<p>Compost 75% food and garden material <i>The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable – see http://www.naparecycling.com/foodcomposting for more details</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-19	<p>Implement a sustainable purchasing and shipping program <i>Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.</i></p> <hr/> <hr/>
<input type="checkbox"/>	<input 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 checked="" 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.ndethevine.com/vine and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.</i></p> <hr/> <hr/>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input checked="" type="checkbox"/>	BMP-23	<p>Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.</p> <p><i>The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building buried into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.</i></p> <p>_____</p> <p>Wine Cave</p> <p>_____</p>
<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> <p>_____</p> <p>_____</p>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-25	<p>Will this project be designed and built so that it could qualify for LEED?</p> <p>BMP-25(a) <input type="checkbox"/> LEED™ Silver (check box BMP-25 and this one)</p> <p>BMP-25(b) <input type="checkbox"/> LEED™ Gold (check box BMP-25 (a), and this box)</p> <p>BMP-25(c) <input type="checkbox"/> LEED™ Platinum (check all 4 boxes)</p>
Practices with Un-Measured GHG Reduction Potential			
<input type="checkbox"/>	<input type="checkbox"/>	BMP-26	<p>Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?</p> <p><i>As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-27	<p>Are you, or do you intend to become a Certified "Napa Green Land"?</p> <p><i>Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.</i></p>

Already Doing	Plan To Do	ID #	BMP Name
<input type="checkbox"/>	<input type="checkbox"/>	BMP-28	Use of recycled materials <i>There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.</i> <hr/>
<input type="checkbox"/>	<input type="checkbox"/>	BMP-29	Local food production <i>There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.</i> <hr/>
<input type="checkbox"/>	<input 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 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 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 type="checkbox"/>	BMP-34	Are you doing anything that deserves acknowledgement that isn't listed above? <hr/> <hr/> <hr/>
			Comments and Suggestions on this form? <hr/> <hr/> <hr/>

**PROJECT STATEMENT
FOR**

**HARD SIX CELLARS WINERY USE PERMIT
(Revised July 20, 2017)**

**APN 020-100-014
1755 South Fork Diamond Mountain Road
Calistoga, CA**

The proposed project is a new 20,000-gallon per year winery located on a 53-acre parcel. Proposed winery improvements include the following:

Winery Buildings:

Production Area: 3,076 sq. ft.

Accessory Area: 893 sq. ft.

Winery Exterior

Paved Uncovered Work Area: 5,486 sq. ft.

Pump House

Covered Pump House: 168 sq. ft.

Wine Cave: Total 7,135 sq. ft.

Production Area: 9,235 sq. ft.

Accessory Area: 1,144 sq. ft.

Total Production Areas: 9,235 sq. ft.

Total Accessory Areas: 893 sq. ft.

Accessory Uncovered Patio Area/A.B. 2004: 1,185 sq. ft. (not calculated in ratio)

See architect's matrix and architectural plans for breakdown of square footage and winery use.

Total Winery Development Area is 3,700 sq. ft., or 0.085 percent of the overall site. Production to accessory ratio (including wine cave space) is 10.6 percent, well below the 60/40 percent ratio in the County's *Winery Definition Ordinance (WDO)*.

Additional winery facilities include installation of a winery process and sanitary wastewater treatment system; installation of a 55,000-gallon water storage tank(s); construction of a winery access road; and a winery marketing plan. The project also

involves the restoration of an existing pond/reservoir, utilizing some of the wine cave spoils.

The requests are for approval of a winery use permit and approval of a road exception request. There are no variances or other exception requests involved with this application.

Existing Conditions

The subject parcel is 53 acres in size, located in a hillside area off Diamond Mountain Road, off Highway 29 near the City of Calistoga. In addition to a single-family residence on the parcel, there are four acres of producing vineyards, another two acres available for vineyards, and an existing reservoir/pond. The proposal includes plans for a complete restoration of the lake, which will be used as a landscape element. The elevations on-site range from fairly level spots to areas in excess of 30 percent slope. There are several small wineries located on Diamond Mountain Road and a number of rural residential uses in existence.

Local Plans and Regulations

The *Napa County General Plan* land use designation for this parcel is Agricultural Watershed and the zoning designation is also Agricultural Watershed (AW). Wineries are an allowed use in this zoning district, with an approved winery use permit. The proposed project is consistent with all County plans and regulations, including the *Napa County Winery Definition Ordinance (WDO)*. Subject to the *County Road and Street Standards*, the project either is required to meet the minimum road standards or secure approval of a road exception request prior to the County taking an action on the use permit.

This project does not involve any variances or exceptions, other than the road exception request outlined in the civil engineering documents submitted in association with this application.

Diamond Mountain Road is a County-maintained road characterized as having steep slopes in some areas and narrower widths that accommodate natural features such as mature trees, significant rock outcroppings, and minor stream crossings. The County's road standard has a minimum of 20 feet in width (18 feet of paved area and two feet of unpaved shoulder) and the regulations require that all road grades either meet the 16 percent maximum grade or receive an exception to that standard. In this case, the request has provided a proposal for achieving a "same practical result" as that implied by the County standards. The road will meet the County standard on-site, where it becomes a winery access road. Off-site, the road is narrower in certain segments and the grade is slightly in excess of the prescribed 16 percent grade. Road improvements that contribute to safety and adequate sight distance are proposed as part of the road exception request.

Napa County Conservation Regulations also apply to the project, which is consistent with the measures contained therein. During the winery planning and design phase, the project team met with a representative from the Conservation Division, who concurred that the

plans to restore the existing reservoir/pond were valid and constituted a net positive result. The reservoir/pond is not used in connection with either the winery (wastewater treatment) or vineyards (for irrigation or frost protection). It is a decorative water feature.

Environmental Setting/Geographic Information Systems Review

A review of the County's GIS data base yields the following environmental base data.

Alquist Priolo Faults: No faults indicated.

Archaeology: No archaeological sites indicated.

Cal/Veg: Northern mixed Chaparral, Pacific Douglas fir, mixed hardwoods

CalWater Watershed: HR: San Francisco Bay
HU: San Pablo
HA: Napa River
HSA: Napa River
SPW: Old Faithful Geyser
PW: Simmons Canyon

Faults: No faults indicated.

FEMA Flood Zone: Parcel not in FEMA Flood Zone.

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

Groundwater Ordinance: Parcel not in Groundwater Deficient Area.

Landslides: Landslides found. Geotechnical report for wine cave included in application.

Local Drainage: Kortum Canyon Creek, Kellet Mine Creek

Soil Type: Aiken loam (30 to 50 percent slopes); Forward-Kidd complex (50 to 75 percent slopes)

Special Species: Special species indicated. Biology site reconnaissance report included in application.

Spotted Owls: Spotted owls found. Spotted owl survey report included in application.

HazMat Releases: No LOP hazardous materials releases found and no Non-LOP hazardous materials releases found.

County Zoning: AW (Agricultural Watershed)

Nearby Wineries: Ballantine, Folie a Deux, Napa Cellars, Freemark Abbey, Stony Hill, Schramsberg, Tudal, Ehlers Lane

Winery Improvements

Wine Cave: Most of the winery production operations will be conducted in a 7,135-square foot cave. This includes crush pad areas, which will be interior in the cave, fermentation, and barrel storage. Of the 7,135 square feet represented by the cave, all areas except for 1,144 square feet will be production in use. The hospitality areas consist of a 1,144-sq. ft. area designated for tastings during wine tours and a wine library that can serve a dual purpose as the venue for small winery marketing events. The cave will be a Class III-designated cave, with sprinklers and special provisions for exiting and lighting, as per the *California Building Code* and CDF specifications.

Wine cave spoils will total approximately 4,230 cubic yards, much of which will be utilized on-site. Temporary spoils areas are shown on the site plan. Some of the cave spoils will be used in the restoration on the existing on-site pond, as explained in the biological report contained with these use permit application materials. An on-site visit which included a representative from Napa County Conservation was involved with the landscape restoration plan devised for the pond.

The geotechnical support document for the proposed wine cave, prepared by Scott Lewis of Condor Earth Technologies, is included with these use permit application materials.

A biological assessment of the site and specifically, for the pond restoration is included with this resubmittal of documents.

The Winery: The winery structure is a total of 3,969 square feet and includes both production and accessory uses. The total production space of the winery, including the wine cave production areas, is 9,235 sq. ft. The total accessory winery use, including 893 sq. ft. in the winery building and 1,144 sq. ft. in the wine cave is 2,037 sq. ft. This calculates to a production-to-accessory ratio of 22 percent, well below the 60/40 percent threshold reflected in the County's *WDO*.

The design of the winery is contemporary combined with the Napa Valley vernacular for wineries. Building materials include gray concrete walls with steel finish, steel trellising, glass façade with aluminum and glass storefront doors, wood trim, and a metal roof of pre-finished metal with grey or zinc tone color. The maximum height for the slope-roof winery structure is 23 feet measured from grade. Since the winery structure is under 3,600 square feet, sprinklers should not be required according to the *California Building Code* and CDF fire regulations.

Exterior Work Areas/Winery Space: Exterior production areas total 5,486 square feet in a covered crush pad, and exterior accessory areas total 1,434 square feet, for a total exterior non-structural winery area of 6,920 square feet.

Production and crush areas are located within the wine cave, as is the mobile bottling area. Bottling of wine will be via small mobile bottling trucks.

The total winery coverage area of 32,947 square feet, which includes mechanical and other ancillary facilities, equates to less than one percent (0.085 percent) of the overall 53-acre site. This is far below the 25 percent threshold for site coverage, contained in the County's *WDO*.

Winery Operations: The winery is proposed to be open from 10:00 A.M. until 6:00 P.M., seven days per week. Production hours are from 6:00 A.M. until 6:00 P.M. Tours/tastings and marketing events, except for the evening events, will be conducted between the hours of 10:00 A.M. and 6:00 P.M. Evening events will commence after 5:00 P.M. and will be concluded and cleanup achieved by 10:00 P.M.

The winery proposes three full-time and one part-time employee, plus two additional part-time seasonal employees during harvest.

As per standard conditions of approval for wineries, there will be no outdoor amplified music at the winery. Outdoor areas where some of the tastings and marketing events may be held are indicated on the site plan. All winery activities will observe the *Napa County Noise Ordinance* thresholds for noise.

Winery Access Road/Parking: The winery takes its access off Highway 29 via Diamond Mountain Road. The subject parcel is located along the segment of this County-maintained road referred to as South Fork Diamond Mountain Road. The road is narrow in places and some short segments exceed the 16 percent grade, necessitating approval of a road exception request in order to show the "same practical result" as the *Napa County Street and Road Standards* criteria. Napa County allows an exception to these standards when sight distance is largely effective and if environmental degradation to natural features such as creeks, mature trees, significant rock outcroppings would be incurred with the widening of the road. Private access and on-site roads require widening where there are not such environmental constraints, and turnouts at critical locations are required to compensate when exceptions are granted.

South Fork Diamond Mountain Road will require a road exception request approval. The approval letter, justification and plans are included with this use permit application. Site visits with County personnel have been conducted on two occasions.

Parking for the winery includes a total of four spaces, three standard spaces and one ADA-accessible space. There is room for additional parking along vineyard roads and along the shoulders of the winery access road. The applicant envisions the use of shuttle buses to transport visitors from a lower parking area, when larger marketing events occur.

Water Supply: Water for the winery will be provided by an on-site groundwater well that yields 15 gallons per minute. Water storage for winery and fire suppressant uses will be in two proposed water storage tanks, as reflected on the site plans.

Wastewater Treatment: Based on field investigation and a *Wastewater Feasibility Report* prepared by Delta Engineering, the site is feasible for accommodating adequate facilities for treating both sanitary and process wastewater, via an in-ground system. The site is also feasible for the required wastewater reserve system. Systems and the details of wastewater treatment are included in the *Wastewater Feasibility Report* submitted with this use permit application.

Portable restroom facilities will be utilized for each of the four proposed larger marketing events and for any auction-related activities with larger numbers of attendees involved.

75 Percent Grape Source Agreement: The applicant envisions being able to comply with the County's *75 Percent Grape Source Agreement*. Maximum production level of 20,000 gallons per year will be achieved utilizing fruit from on-site vineyards and some off-site vineyards owned by the applicants. There are currently four acres of existing vineyards on-site and an additional two acres that can be added, all six acres envisioned as producing by the time the winery is built and ready for crush. The applicant also owns a total of four acres of vineyards on Hennessey Ridge and is actively looking for other grapes from Napa County growers.

Winery Marketing Plan: The following is proposed as a Winery Marketing Plan for Hard Six Cellars.

Private by-appointment Tours/Tastings: Maximum of 16 per day or 80 per week.

Applicant proposes to serve some catered food with some of the tastings.

Release and Wine Club Events: Maximum of 4 per year with up to 75 persons each.

Catered food will be used for these events.

Wine Auction-related Events: One per year with up to 125 persons each.

Portable restroom facilities and shuttle buses envisioned for this event.

The applicant also proposes Assembly Bill 2004 ("Picnic" Ordinance) to allow purchase and consumption of alcohol on the premises. The area envisioned for A.B. 2004 activities is at the top of the vineyard and another area next to the pond, which is proposed for restoration. See locations on site plans submitted with this application.

In keeping with Napa County standard conditions of approval for wineries, no outdoor amplified music is proposed in association with marketing events. All events planned during the evening hours will begin after 5:00 P.M. and will be concluded (and cleanup accomplished) by no later than 10:00 P.M.