

“F”

Use Permit Application Packet

P19-00346

RECEIVED

AUG 18 2019



Napa County Planning, Building & Environmental Services

Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
Main: (707) 253-4417
Fax: (707) 253-4336

PLANNING APPLICATION FORM

Applicant Information

A Tradition of Stewardship
A Commitment to Service

Applicant's Name: Mike McLoughlin, General Manager	Phone: (707) 963-9454	E-Mail Address: mike@whitehalllane.com
Applicant's Mailing Address: Whitehall Lane Winery 1563 St. Helena Highway	City: St. Helena	State/Zip Code: CA. 94574
Property Owner's Name: (if different from Applicant) Katie Leonardini/Whitehall Lane Winery LLC	Phone: (707) 963-9454	E-Mail Address: katie@whitehalllane.com
Property Owner's Mailing Address: Whitehall Lane Winery 1563 St. Helena Highway	City: St. Helena	State/Zip Code: CA. 94574
Agent's Name: (if different from Applicant) Nick Brereton	Phone: (415) 298-7040	E-Mail Address: nbrereton@brereton.com
Agent's Mailing Address: Nicholas Brereton Consulting Architect 18580 Lomita Avenue	City: Sonoma	State/Zip Code: CA. 95476
Other Representative: (Engineer/Architect) Land Use Planning Services	Phone: (707) 255-7375	E-Mail Address: jreddinga@comcast.net
Representative's Mailing Address: 2423 Renfrew Street	City: Napa	State/Zip Code: CA. 94558

Property Information

Project Name and Address: Whitehall Lane Winery Garden and Barn Renovation, 1563 St. Helena Highway St. Helena. An application for a development permit.

Assessor's Parcel Number(s): 027-100-012

Site of site (acreage and/or square footage): 25.37 ac. +/-

General Plan Designation: Agricultural Resource (AR)

Zoning: Agricultural Preserve (AP)

Application Type¹ (For Staff Use)

Administrative	Zoning Administrator	Planning Commission/ALUC/BOS	Misc. Services
<input type="checkbox"/> Admin Viewshed	<input type="checkbox"/> Certificate of Legal Non Conformity	<input type="checkbox"/> AG Preserve Contract	<input type="checkbox"/> Use Determination
<input type="checkbox"/> Erosion Control Plan: Track II	<input type="checkbox"/> Viewshed	<input type="checkbox"/> Development Agreement	<input type="checkbox"/> Status Determination
<input type="checkbox"/> Erosion Control Plan: Track I	<input checked="" type="checkbox"/> Minor Modification	<input type="checkbox"/> Airport Land Use Consistency Determination	
<input type="checkbox"/> Fence Entry Structure Permit	<input type="checkbox"/> Road Exception	<input type="checkbox"/> General, Specific or Airport Land Use Plan Amendment	
<input type="checkbox"/> Land Division/Mergers	<input type="checkbox"/> Variance	<input type="checkbox"/> Use Permit	
<input type="checkbox"/> Site Plan Approval/Modif.		<input type="checkbox"/> Major Modification	
<input type="checkbox"/> Temporary Event: _____		<input type="checkbox"/> Variance	
<input type="checkbox"/> Very Minor Modification		<input type="checkbox"/> Zoning Map/Text Amendment	
<input type="checkbox"/> Addressing		<input type="checkbox"/> Road Exception	
<input type="checkbox"/> Signs		<input type="checkbox"/> Con. Reg. Exception	
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____

Addendum to August 2019 Project Statement
Request for Minor Modification
Whitehall Lane Winery
1563 St. Helena Highway
St. Helena, California

Background

An application for a minor modification was submitted to Napa County in August 2019. The original application included replacement and construction of a new barn and outdoor pergola where previously approved marketing events would be hosted; an upgrade and augmentation of existing landscaping; and a request to modify the hours during which outdoor evening marketing events could be hosted. Current conditions of approval require outdoor events to end by 6:00 PM. The August 2019 application also sought approval for amplified music consistent with limitations of the county's noise ordinance.

As required by county protocol, public notifications were sent out by the county to project neighbors. In response to this notice, several neighbors had questions and concerns about the scope of the modification. As a result of this feedback, the applicant requested that the original June 24th hearing date be continued to allow the applicant an opportunity to meet directly with project neighbors.

The applicant met with project neighbors on two separate occasions to go over project details not included in the use permit packet and to discuss any project concerns with the neighbors. Neighbors made clear that they did not object to indoor marketing events but had concern about the scope of the proposed evening outdoor events. Specifically, four (4) were brought to the applicant's attention. These are summarized in the email dated May 20, 2020. The neighbors requested that:

1. Outside evening activities end no later than 8 PM rather than the 10:00 curfew originally proposed by the applicant;
2. A project landscaping include additional mature landscaping to screen the outdoor use area on the north and south;
3. The project include a lighting plan that minimizes glare for nearby residences;
and
4. The application now deletes any request for amplified music.

The proposal to light the new structures and outdoor garden area was discussed during the neighborhood meetings. During those meetings county requirements relating to lighting was discussed. The neighbors requested that the applicant upgrade proposed plantings to add mature trees to better screen neighbors to the north and south of the property from potential lighting impacts.

Project Objectives

The requested modification is to enhance the experience of existing winery visitors by providing alternatives to the existing indoor tasting venues to better showcase the winery property, vineyards and views of the surrounding Mayacamas Mountains.

No change to the number of approved daily visitors, marketing events and marketing event guests, the number of winery employees or approved winery production levels.

Proposed Modifications

Changes to the Site

The applicant requests approval to demolish and replace the existing deteriorated 912 s.f. barn and pergola. The replacement barn would now measure approximately 812 s.f. As stated in the original application, the proposed barn would be approximately 16 feet tall, with corten steel roofing and board on redwood siding. The new barn will provide both storage and hospitality functions. The replacement building would be located near the center of the parcel, approximately 516' from Highway 29, 350' from Whitehall Lane and 175' from the north property line.. Construction will utilize vintage post and beam construction techniques, re-use existing barn wood where feasible and comply with ADA and seismic requirements.

The barn, adjacent pergola and garden area would be used for approved marketing events as well as storage of garden furniture and related materials. The new barn would not be conditioned but would be insulated to reduce noise transmission. The proposed roof top cupolas are designed to facilitate natural cooling of the barn's interior.

Other changes to the site include:

- Modification of the existing, freestanding women and men's restrooms adjacent to the existing residence to provide ADA compliant accommodations;
- A van accessible parking stall will be provided immediately adjacent to the Barn with accessible paths from winery parking to all areas and structures in the garden and barn.

Existing site landscaping will be supplemented as shown on the attached landscaping plan. Landscaping has been upgraded since the original project submittal to better

screen the outdoor area from neighbors to the north and south of the project site. The existing vineyard south of the outdoor area is undergoing replanting at this time. The replanted vineyard, existing vineyard across the gravel road from the outdoor area together with the upgraded landscaping will effectively screen the outdoor area and new barn from the views of neighbors across Whitehall Lane and north of the project site. The applicant agreed during meetings with neighbors to supplement the landscaping proposed in the original submittal to include significant additions of more mature vegetation on the north and south sides of the barn area.

The revised landscape plan included significant new plantings as requested by the neighborhood during our meetings. Upgraded landscape plantings, in compliance with county lighting requirements, the proposed fencing, and mature vineyards effectively reduce impacts of lighting. The existing winery buildings to the east and the new barn will prevent lighting sources from being seen from the east and west.

The proposed improvements to the site and landscape are depicted in more detail on the attached plans prepared by the Architect Nick Brereton and Landscape Architect Stephanie McAllister.

Approved Marketing Plan

Winery marketing events are governed by use permit #95034-MOD. Condition 1a(4) reads in part as follows:

All events shall observe a curfew. Outdoor events are to end by 6:00PM.
Indoor events . . .

Condition 1a(5) of the 1995 use permit prohibited outdoor amplified music.

Proposed Modification to Marketing Plan

In addition to replacement of the barn and pergola and the upgraded landscaping, the original August 2019 application requested that the ending time for evening outdoor events be extended from 6:00 PM to 10:00PM. The original application sought approval for amplified music as regulated by the county noise ordinance.

In consultation with the neighbors, the applicant has agreed to drop the request for amplified music and agrees to end outdoor evening events by 8:00 PM. While the neighbors expressed their preference that the county limit outdoor evening clean up to ½ hour (from 8:00PM—8:30PM) the applicant requests that outdoor clean up be allowed to extend to 9:00PM. Typically outdoor evening events for wineries in Napa County are required to end at 10:00PM. The applicant has agreed to a more restrictive time line for conclusion of evening marketing events and necessary clean

up out of respect for the neighborhood context in where the winery is located.

No other changes to the adopted conditions of approval are requested.

Summary of Requested Changes

The applicant proposes both structural/physical and regulatory modifications to the existing winery operation. A summary of the requested changes to the winery site include:

- Replacement of the existing barn and pergola. The proposed barn would measure approximately 811 s.f. The size of the barn has increased from the original submittal of 592 s.f.
- Replacement of the existing attached pergola, new fence and cantilevered garden trellises all located within the previously disturbed areas of the site;
- Use of the new barn for hospitality and storage;
- Installation of landscaping;
- Construction of ADA parking area;
- Conversion of existing bathrooms to ADA compliance bathrooms;
- Code compliant lighting.

Note that the bocce ball courts shown on the originally submitted site plan have been removed from the revised site plan.

In addition to the above changes to the winery site, the applicant requests approval to modify a portion of the second sentence (**bolded**) of condition 1(a4) to read:

All events shall observe a curfew. **Outdoor evening events are to end by 8:00PM, with outdoor clean up to be completed by 9:00PM;**
indoor events . . .

The applicant also proposes the following condition be added to the approved modification:

- All outdoor landscape lighting shall be turned off by 10:00PM;
- Emergency and low-level security lighting is permitted after 10:00PM but will be equipped with motion sensors.

Please note that the applicant no longer requests approval for amplified music.

We believe that the proposed changes to the original project address the concerns of the neighbors as expressed at the two neighborhood meetings and summarized in the May 20th email submitted by John Williams. It is important to note that neighbors registered no objection to the location of new barn and pergola, if insulation was

provided in the barn for noise attenuation. Further, the proposal for outdoor amplified music has been deleted from the proposed modification.

As requested by neighbors, originally proposed landscaping has been significantly upgraded to include additional planting of more mature landscaping to better screen the outdoor area from the neighbors to the north and south. The existing winery building and proposed barn will screen the outdoor area from existing uses to the east and west.

Lighting is and will conform to county standards; outdoor evening events would end by 8:00PM as requested by the neighbors. The only deviation from the neighbor's request is to allow clean up for one hour (from 8:00PM to 9:00PM) for outdoor evening events rather than the ½ hour clean up requested by the neighbors.

WINERY 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 checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Tours and Tasting- Open to the Public	<input checked="" type="checkbox"/> Existing			
Tours and Tasting- By Appointment	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Tours and Tastings	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Marketing Events*	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Marketing Events	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input 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 type="checkbox"/> Newly Proposed	<input checked="" type="checkbox"/> None
Wine Sales/Consumption – AB 2004	<input type="checkbox"/> Existing		<input type="checkbox"/> 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 permitted _____ 200,000 gal/y Per permit: P06-01505-UP Permit date: September 5, 2007
production capacity:

Current maximum actual production: _____ 111,700 gal/y For what year? 2018

Average 3 year production: _____ 123,075 gal/y

Proposed production capacity: 200,000—No change from approved

* For this section, please see "Winery Production Process," at page 11.

Visitation and Operations

Please identify the winery's...

Maximum daily tours/tastings visitation: _____ 25 (WD); 500 (WE) existing _____ 25 (WD); 500 (WE) proposed

Maximum weekly tours/tastings visitation: _____ 625/wk./26,000 on annual basis existing _____ 625/wk./26,000 on annual basis proposed

Visitation hours (e.g. M-Sa, 10am-4pm): _____ M-Thurs 10-5; 10-4 F-Sat;10-3 Sun existing _____ M-Thrs 10-5; 10-4 F-Sat;10-3 Sun proposed

Production days and hours¹: _____ M-Sat 7:00am-5:00pm existing _____ M-Sat 7:00am-5:00pm proposed

¹ It is assumed that wineries will operate up to 24 hours per day during crush.

Grape Origin

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

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, hours, location/facilities to be used, food service details, etc. Provide a site plan showing where the marketing event activities will occur, including overflow/off-site parking. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

Approved Marketing Plan (95034-MOD)

Sixty (60) events/year; not to exceed seven-(7) pr month. Maximum number of attendees: 80 guests/event.

No change to approved marketing plan is proposed as part of this modification

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.)

Food service would involve the assembly and presentation of pre-packaged food items such as cheese, nuts, salami and crackers. Assembly would occur in the kitchen located on the south side of the winery. County approved and licensed caterers would prepare food served at marketing events.

Winery Coverage and Accessory/Production Ratio

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

Existing	_____ 16,358 +/- _____ sq. ft.	_____ 0.38 _____ acres
Proposed	_____ 16,358 +/- _____ sq. ft.	_____ 0.38 _____ 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).

_____ 56,649 +/- _____ sq. ft. _____ 1.30 _____ acres _____ 5 +/- _____ % 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	_____ 35,388 +/- _____ sq. ft.	Proposed	_____ 35,388 +/- _____ 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	_____ 6,631 _____ sq. ft.	_____ 18.7 _____ % of production facility
Proposed	_____ 7,217 _____ sq. ft.	_____ 20.4 _____ % of production facility

Caves and Crush pads

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 (total)	Existing: <u>None</u> _____ sq. ft.	Proposed: _____ sq. ft.
Cave area (Production)	Existing: <u>N/A</u> _____ sq. ft.	Proposed: <u>N/A</u> _____ sq. ft.
Cave area (Accessory)	Existing: <u>N/A</u> _____ sq. ft.	Proposed: <u>N/A</u> _____ sq. ft.
Covered crush pad area	Existing: <u>5,400</u> _____ sq. ft.	Proposed: <u>5,400</u> _____ sq. ft.
Uncovered crush pad area	Existing: <u>None</u> _____ sq. ft.	Proposed: <u>None</u> _____ sq. ft.
Cave Spoils total:		Proposed: <u>None</u> _____ cy.
Cave Spoils Use:	<input type="checkbox"/> Onsite	<input type="checkbox"/> Offsite.

Existing and Proposed Conditions Winery Traffic Information / Trip Generation Sheet

Maximum Daily Weekday Traffic (non-harvest season)

Total number of FT employees: <u>7</u> x 3.05 one-way trips per employee	=	<u>21.35</u> daily trips.
Total number of PT employees: <u>2</u> x 1.90 one-way trips per employee	=	<u>3.80</u> daily trips.
Anticipated weekday visitors: <u>25</u> / 2.6 visitors per vehicle x 2 one-way trips	=	<u>19.23</u> daily trips.
Gallons of production: <u>111,700</u> / 1,000 x .009 truck trips daily ³ x 2 one-way trips	=	<u>2.01</u> daily trips.
Total	=	<u>46.39</u> daily trips.
(No of FT employees) + (No of PT employees/2) + (sum of visitor and truck trips x .38)	=	<u>8.07</u> PM peaktrips.

Maximum Daily Weekend Traffic (non-harvest Saturday)

Number of FT employees (on Saturdays): <u>3</u> x 3.05 one-way trips per employee	=	<u>9.15</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.
Anticipated Saturday visitors: <u>250</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>89.29</u> daily trips.
Total	=	<u>98.44</u> daily trips.
(No of FT employees) + (No of PT employees/2) + (visitor trips x .57)	=	<u>53.90</u> PM peaktrips.

Maximum Daily Weekend Traffic – Saturday Harvest Season

Number of FT employees (during crush): <u>7</u> x 3.05 one-way trips per employee	=	<u>21.35</u> daily trips.
Number of PT employees (during crush): <u>2</u> x 1.90 one-way trips per employee	=	<u>3.80</u> daily trips.
Anticipated Saturday visitors: <u>250</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>89.29</u> daily trips.
Gallons of production: <u>111,700</u> / 1,000 x .009 truck trips daily x 2 one-way trips	=	<u>2.01</u> daily trips.
Avg. annual tons of grape on-haul: <u>677</u> / 144 truck trips daily ⁴ x 2 one-way trips	=	<u>9.40</u> daily trips.
Total	=	<u>125.85</u> daily trips.

Largest Marketing Event- Additional Traffic

Number of event staff (largest event): <u>0</u> (ex. winery personnel) x 2 one-way trips per staff person	=	<u>0</u> trips.
Number of visitors (largest event): <u>80</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>28.57</u> trips.
Number of special event truck trips (largest event): <u>0</u> x 2 one-way trips	=	<u>0</u> trips.

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

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


Detailed Project Description (required): A typed, detailed project description is required that describes the proposed development or use(s); the existing site conditions/uses; the number, size, type and nature of any proposed residential dwelling units or total amount of new non-residential square-footage by type of use. Please refer to specific Supplemental Application submittal handouts for details to describe the project and required special studies.

Conditions of Application

1. All materials (plans, studies, documents, etc.) and representations submitted in conjunction with this form shall be considered a part of this application and publicly available for review and use, including reproduction.
2. The owner shall inform the Planning Division in writing of any changes.
3. Agent authorization: The property owner authorizes the listed agent(s) and/or other representative(s) to appear before staff, the Director, the Zoning Administrator, and Planning Commission to represent the owner's interests and to file applications, plans and other information on the owner's behalf.
4. Certification and Indemnification Form: Refer to attached form for notifications and required signature.
5. Fees: The applicant agrees to pay the County any and all processing fees imposed by Board of Supervisor Resolution No. 2018-102 including the establishment of an hourly fee application agreement and initial deposit (Section 80.250 Hourly Project Policies and Procedures). Applicant understands that fees include, but not limited to: Planning, Engineering, Public Works, and County Counsel staff time billed at an hourly rate; required Consultant service billed rates; production or reproduction of materials and exhibits; public notice advertisements; and postage. In the event the property owner is different than the applicant, the property owner must sign to indicate consent to the filing and agreement to pay fees in the event of the applicant's failure to pay said fees. Failure to pay all accumulated fees by the time of public hearing will result in a continuance.
6. This form, together with the corresponding application forms for specific permits, will become the Permit Document.

I have read and agree with all of the above. The above information and attached documents are true and correct to the best of my knowledge. All property owners holding a title interest must sign the application form. If there are more than two property owners, list their names, mailing addresses, phone numbers and signatures on a separate sheet of paper.

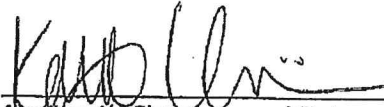
If you wish notice of meetings/correspondence to be sent to parties other than those listed on Page 1, please list them on a separate piece of paper.

 8.13.19
 Property Owner's Signature and Date

 Property Owner's Signature and Date

Applicant/Agent Statement

I am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

 8.13.19
 Applicant's Signature and Date

Date Received: <u>8.15.2019</u> Received by: <u>ST</u> Receipt No. <u>137523</u> File No. <u>P19-00344</u>	A p p l i c a t i o n F e e s	
	Deposit Amount	\$ <u>10000</u>
	Flat Fee Due	\$
	Total	\$
	Check No	<u>31874</u>

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.

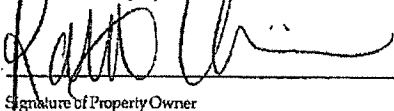
In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not 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.

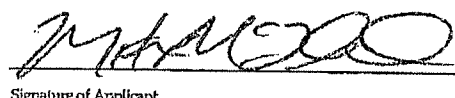
Katie Leonardini

Mike McLoughlin

Print Name of Property Owner

Print Name Signature of Applicant (if different)

 8.13.19

 8/13/19

Signature of Property Owner

Date

Signature of Applicant

Date

7. I may file a written request for a further explanation or itemization of invoices, but such a request does not alter my obligation to pay any invoices in accordance with the terms of this agreement.

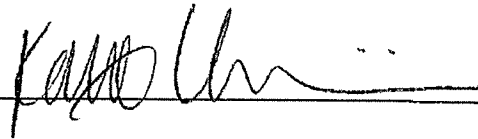
Name of Applicant responsible for payment of all County processing fees (Please Print):

Katie Leonardini

Mailing Address of the Applicant responsible for paying processing fees:

Whitehall Lane Winery
1563 St. Helena Highway
St. Helena, CA. 94574

Signature:*



Email Address: katie@whitehalllane.com

Date:

8.13.19

Phone Number:

707-963-9454 x23

*ATTENTION - The applicant will be held responsible for all charges.

**NAPA COUNTY CODE COMPLIANCE PROGRAM
RESOLUTION NO. 2018-164
ACKNOWLEDGEMENT DOCUMENTATION**

PLEASE SELECT ONE BOX:

- Applicant represents that this project **WILL NOT BE** participating in the County's Voluntary Compliance Program established through Resolution No. 2018-164. This application represents a standard Major Modification of the project's existing Use Permit.
- Applicant represents that this project **WILL BE** participating in the County's Voluntary Compliance Program.

The following information shall be submitted with this application in order to qualify under this program:

1. Visitation and/or Marketing Changes - Please provide visitation logs/records for all "Public" and "By Appointment Only" tours and tastings and/or all marketing events occurring at the winery within the past 12 months based upon your date of application submittal. Please include a complete listing of temporary events conducted at the winery under Napa County Code Chapter 5.36, Temporary Events.
2. Employee Changes – Please provide official employee records and/or signed employee affidavits confirming the number of all employees at the winery within the past 12 months, including vineyard workers, based upon your date of application submittal.
3. Production Changes – Please provide the following information from the past 12 months, based upon your date of application submittal:
 - One copy of the Federal *Report of Wine Premises Operations* TTB Form 5120.17 (sometimes referred to as the 702 form). Please provide only the forms for the winery located at the subject application address.
 - A copy of your current license from the California Department of Alcoholic Beverage Control.
 - One copy of the State of California of Food and Agriculture Grape Crush Workbook, showing all sources and amounts of grapes/juice and/or bulk use.
 - Information for all custom crush clients who utilize your winery for their production. Please write a very short narrative describing the name of each client and the amount of wine produced for each client.

Pursuant to Napa County Resolution No. 2018-164, I hereby certify that the current application submittal and submitted documentation with regards to the requested information above is to the best of my knowledge true and correct under penalty of perjury.



Winery Owner's Signature

8-13-19

Date



Property Owner's Signature

8-13-19

Date



A Tradition of Stewardship
A Commitment to Service

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

Project name & APN: Whitehall Lane Barn Renovation

Project number if known: 027-100-012

Contact person: Nicholas Brereton

Contact email & phone number: nbrereton@brereton.com (415) 298-7040

Today's date: August 15, 2019

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 Plan
Doing To Do

ID # BMP Name

BMP-1 Generation of on-site renewable energy

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.

The winery roof is equipped with an array of PV panels on the main building. The barn roof is oriented and will be structurally capable of accommodating PV panels in the future.

BMP-2 Preservation of developable open space in a conservation easement

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.

Already Doing Plan To Do

BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO2e and add the County's carbon stock.

No sensitive areas are impacted by this project. The project will reduce the amount of permanent hardscape and replace it with more permeable surfaces to increase groundwater infiltration. Storm drainage will be conveyed to existing vineyard to further increase potential groundwater recharge

BMP-4 Alternative fuel and electrical vehicles in fleet

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles _____

Typical annual fuel consumption or VMT _____

Number of alternative fuel vehicles _____

Type of fuel/vehicle(s) _____

Potential annual fuel or VMT savings _____

BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

The proposed barn will be similar to the existing, neither heated nor cooled. It will include a high-efficiency fan for cooling. Additionally the plumbing will meet CALGREEN water efficiency requirements. All light will be high efficiency LED; replacing existing incandescent and fluorescent lighting. Irrigation will be specifically designed to minimize water use.

BMP-6 Vehicle Miles Traveled (VMT) reduction plan

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

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

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

Estimated annual VMT _____

Potential annual VMT saved _____

Already Doing Plan To Do

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

See description below under BMP-5.

- BMP-8 Solar hot water heating**

Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.

- BMP-9 Energy conserving lighting**

Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.

All lighting will be replaced in the area of work with high efficiency LED lighting

- BMP-10 Energy Star Roof/Living Roof/Cool Roof**

Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.

The anticipated barn roof will be Corten steel painted metal, with an SRI of approximately 40. Additionally the roof system will include 4" of rigid insulation for better climate control

- BMP-11 Bicycle Incentives**

Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (§18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!

The winery already provides four (4) bicycle parking stalls

- BMP-12 Bicycle route improvements**

Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.

The Winery is located on SR 29 proximate to the existing north-south bicycle pathway

Already Doing Plan To Do

BMP-13 Connection to recycled water

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

BMP-14 Install Water Efficient fixtures

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

All new plumbing in the proposed work are will have watersense labels

BMP-15 Low-impact development (LID)

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

See BMP-3 above

BMP-16 Water efficient landscape

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or If your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.

Existing non-drought tolerant plantings will be replace with water efficient landscaping. The project will comply with WELO standards

BMP-17 Recycle 75% of all waste

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

The project will meet or exceed the 75% recycle waste standard

Already Plan
Doing To Do

BMP-18 Compost 75% food and garden material

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

BMP-19 Implement a sustainable purchasing and shipping programs

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

BMP-21 Electrical Vehicle Charging Station(s)

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

Two (2) electrical vehicle charging stations have already been installed within the winery parking lot

BMP-22 Public Transit Accessibility

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

Already Plan
Doing To Do

BMP-23

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building 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.

BMP-24 Limit the amount of grading and tree removal

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

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

BMP-25 (a)	<input type="checkbox"/>	LEED™ Silver (check box BMP-25 and this one)
BMP-25 (b)	<input type="checkbox"/>	LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)
BMP-25 (c)	<input type="checkbox"/>	LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Doing Plan To Do

BMP-28 Use of recycled materials

There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.

BMP-29 Local food production

There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.



BMP-30 Education to staff and visitors on sustainable practices

This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.

All winery employees are educated in sustainable practices to conserve water and energy



BMP-31 Use 70-80% cover crop

Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.

All vineyards are planted on slopes less than 5% and utilize cover cropping

BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site

By selecting this BMP, you agree not to burn the material pruned on site.

BMP-33 Are you participating in any of the above BMPS at a 'Parent' or outside location?

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

Comments and Suggestions on this form?

Hourly Fee Agreement

PROJECT File: _____; request for minor permit modification for proposed garden and barn renovation at Whitehall Lane Winery I, Katie Leonardini, the undersigned, hereby authorize the County of Napa to process the above referenced permit request in accordance with the Napa County Code. I am providing \$ 10,000 as a deposit to pay for County staff review, coordination and processing costs related to my permit request based on actual staff time expended and other direct costs. **In making this deposit, I acknowledge and understand that the deposit may only cover a portion of the total processing costs. Actual costs for staff time are based on hourly rates adopted by the Board of Supervisors in the most current Napa County fee schedule. I also understand and agree that I am responsible for paying these costs even if the application is withdrawn or not approved.**

I understand and agree to the following terms and conditions of this Hourly Fee Agreement:

1. Time spent by Napa County staff in processing my application and any direct costs will be billed against the available deposit. "Staff time" includes, but is not limited to, time spent reviewing application materials, site visits, responding by phone or correspondence to inquiries from the applicant, the applicant's representatives, neighbors and/or interested parties, attendance and participation at meetings and public hearings, preparation of staff reports and other correspondence, or responding to any legal challenges related to the application during the processing of your application. "Staff" includes any employee of the Planning, Building and Environmental Services Department (PBES), the Office of the County Counsel, or other County staff necessary for complete processing of the application. "Direct costs" include any consultant costs for the peer review of materials submitted with the application, preparation of California Environmental Quality Act (CEQA) documents, expanded technical studies, project management, and/or other outside professional assistance required by the County and agreed to by the applicant. The cost to manage consultant contracts by staff will also be billed against the available deposit.
2. Staff will review the application for completeness and provide me with a good faith estimate of the full cost of processing the permit. Any requested additional deposit shall be submitted to PBES to allow continued processing of the project.
3. I understand that the County desires to avoid incurring permit processing costs without having sufficient funds on deposit. If staff determines that inadequate funds are on deposit for continued processing, staff shall notify me in writing and request an additional deposit amount estimated necessary to complete processing of my application. I agree to submit sufficient funds as requested by staff to process the project through the hearing process within 30 days of the request.
4. I understand that if the amount on deposit falls below zero, staff will notify me and stop work on the application until sufficient additional funds are provided
5. If the final cost is less than the amount remaining on deposit, the unused portion of the deposit will be refunded to me. If the final cost is more than the available deposit, I agree to pay the amount due within 30 days of billing.
6. If I fail to pay any invoices or requests for additional deposits within 30 days, the County may either stop processing my permit application, or after conducting a hearing, may deny my permit application. If I fail to pay any amount due after my application is approved, I understand that my permit may not be exercised, or may be subject to revocation. I further agree that no building, grading, sewage, or other project related permits will be issued if my account is in arrears.