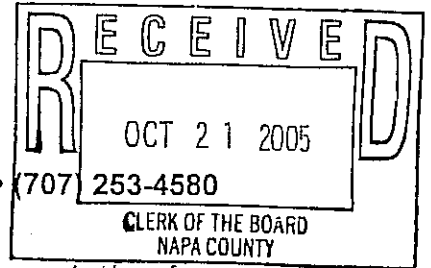


RECEIVED

OCT 25 2005



NAPA COUNTY
CLERK OF THE BOARD'S OFFICE
1195 Third Street, Room 310, Napa, California, 94559 • (707) 253-4580
DEPT. OF PUBLIC WORKS



APPEALS

(Chapter 2.88 of Napa County Code)

10/24/05 CC: M Woodbury

TO BE COMPLETED BY APPELLANT*
(Please type or print legibly)

*N Galambos
H McCallister
A Carey*

Appellant's Name: Dirk Fulton

Telephone #: 707-747-9003 Fax #: 707-747-0604 E-Mail: _____

Mailing Address: 555 First Street Suite 303, Benicia, California 94510
No. Street City State Zip

Status of Appellant's Interest in Property: project applicant
project applicant, adjacent property owner, other (describe)

Action Being Appealed: _____

Permittee Name: Dirk Fulton

Permittee Address: 555 First Street, Suite 303, Benicia, California 94510
No. Street City State Zip

Permit Number: 04065-UP Date of Decision: 10/3/05

Nature of Permit or Decision: Modification request for access road width

Reason for Appeal (Be Specific - If the basis of the appeal will be, in whole or in part, that there was a prejudicial abuse of discretion on the part of the approving authority, that there was a lack of a fair and impartial hearing, or that no facts were presented to the approving authority that support the decision, factual or legal basis for such grounds of appeal must be expressly stated or they are waived. (attach additional sheet if necessary):
see attached

If the basis of the appeal will be, in whole or in part, that the environmental determination under the California for each insignificant or less than significant impact identified in the initial study that the appellant contends maybe significant, a detailed legal and factual statement indicating why the project is not exempt, and a detailed statement supported by substantial evidence describing why the Negative/Mitigated Negative Declaration or EIR is inadequate.) (attach additional sheet if necessary)

N/A

Project Site Address/Location: 263 Petrified Forest Road, Calistoga, California 94515
Street City State Zip

Assessor's Parcel No.: 020-430-006

Thomas Carey 10/6/2005 Tom Carey for Dirk Fulton
Signature of Appellant Date TYPE OR PRINT NAME

TO BE COMPLETED BY CLERK OF THE BOARD

Total Fee: \$ 221.50 Receipt Nos.: 845272 Received by: *Muller* Date: 10-21-05

* The following information, in addition to the information required by this form also needs to be provided as attachments hereto pursuant to County Code Section 2.88.050 (F-I): Title Insurance Report, Assessor's Map Book Pages, and Appeals Fee.



DICKENSON, PEATMAN & FOGARTY
A Professional Law Corporation

THOMAS F. CAREY
tfc@dpfnapa.com

October 20, 2005

809 Coombs Street
Napa, CA 94559-2977
Tel: 707 252 7122
Fax: 707 255 6876
www.dpfnapa.com

Clerk of the Board
Napa County Board of Supervisors
1195 Third Street, Suite 310
Napa, CA 94559

Re: Dirk Fulton/Lazy Susan Vineyards Road Exception Request (263 Petrified Forest Road, Calistoga, APN 020-430-006)

Dear Clerk of the Board:

This office represents appellant Dirk Fulton/Lazy Susan Vineyards ("Fulton") in the above-referenced matter. The basis for this appeal is that the decision of the Napa County Department of Public Works (DPW) to deny a portion of the appellant's road modification request was unsupported by the evidence, constituted a prejudicial abuse of discretion and failed to provide a fair and impartial hearing.

The required fees and supporting materials are attached. This appeal is being filed within 10 working days after the date five calendar days after mailing of the notice of the above decision on October 3, 2005, consistent with Napa County Code section 2.88.040. The following is a statement of the reasons for this appeal.

A. Introduction.

In January 2004, the Appellant filed a use permit application for a 20,000 gallon winery on their property in Calistoga. The existing access to the property is via a private driveway that is \pm 2,060 feet long from its intersection with Petrified Forest Road to the property line. In addition to the applicant's winery parcel, two other parcels, one of which is owned by Richard Graeser (Graeser Winery) and one of which owned by the applicant, utilize the road

As part of their use permit application, Fulton requested an exception from the Napa County Road and Street Standards, which are administered DPW. This request is detailed in a letter from this office dated September 15, 2005 (attached). The Road and Street Standards require the installation of a "Common Drive" (an 18-foot wide roadway with 2-foot shoulders) as a condition of approval for all winery use permits.

As outlined in the road modification letter, the purpose of the exception request was to avoid widening that would involve grading on steep slopes or the removal of mature trees

David W. Meyers
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Herbert M. Rowland, Jr.
Thomas F. Carey

Matthew J. Eisenberg
Kevin W. Teague
Michael J. Holman
David A. Diamond
Amber D. Passno
Deborah E. Quick

Megan Ferrigan Healy
J. Robert Anglin, Jr.

Of Counsel
Joseph G. Peatman

Retired
Howard G. Dickenson
Linda Emerson
Walter J. Fogarty, Jr.
C. Richard Lemon

in the vicinity of the top of bank of a blue line stream running along the west side of the road for virtually its entire length. As an alternative to widening the road in such sensitive areas, several turnouts were proposed along the driveway and a one-way loop road was proposed at the winery site. The Appellant asserted, and maintains, that allowing the proposed winery to use the existing road meets the objectives of the Road and Street Standards and is consistent with the goal of the modification process to protect and preserve unique features of the natural environment.

The proposed road exception was discussed early in the planning process with Fire Chief Kate Dargan, who visited the site in January 2005. Pursuant to an easement agreement between Fulton and Mr. Graeser, Fulton is entitled to use the road for "all lawful purposes." To date, however, discussions between Fulton and Mr. Graeser regarding additional easement to use three existing paved areas along the road as turnouts have not been fruitful. Therefore, the use of these existing paved areas was not a part of the modification request. As an alternative, Chief Dargan indicated that the Fire Department supported the road exception, provided that Fulton post security with the County for payment of an equal share of the cost of any turnouts required by the Fire Department if Mr. Graeser or his successor should seek to obtain a use permit modification for his winery in the future. Fulton has agreed to post such security.

At the time, Fulton understood that DPW's approach to road exceptions was that if the Fire Department was satisfied with the proposal, DPW would approve the road exception. Fulton then proceeded to carefully craft the project to maintain the rural character of the road as well as an appropriate level of safety that would constitute a substantial improvement over the existing road conditions.

DPW granted the road exception request in part and denied it in part, as set forth in a letter dated October 3, 2005 (attached). Fulton appeals DPW's denial of a roadway modification for a 500-foot long section of the road extending from the existing 36" culvert near the pump house and underground water tank through prime vineyard lands to the applicant's property line (Vineyard Section).

B. Substance of Appeal.

Fulton is appealing DPW's decision to deny their road exception request for a portion of the private driveway, referred to as the Vineyard Section. DPW maintains that no exception can be granted for the Vineyard Section, a 500-foot portion of the road between the existing 36" culvert near the pump house and underground water tank to the applicant's property line (See attached map). Therefore, the entire length of the Vineyard Section must be widened to 20 feet; requiring the removal of existing vines and substantial grading. Fulton argues that the disturbance of prime vineyard land and the

removal of mature, productive vines is unwarranted and is inconsistent with the intent of the Road and Street Standards and the County's road exception procedure.

C. Applicable Law.

Any request for an exception to the Road and Street Standards must contend with the County's road exception procedure adopted in 1999 and the California Fire Code, as codified in Chapter 15.32 of the Napa County Code.

1. Road Exception Procedure. The road exception procedure was adopted in 1999 as part of a revision to the Road and Street Standards (Ordinance 1160/ Resolution 99-77). It provides as follows:

Exceptions...are intended to serve as an alternate method by which adherence to the Standards may be achieved at the same time as the Department assures compliance with its goal to protect and ensure the preservation of the unique features of the natural environment. Exceptions to standards may be allowed where the exception provides the same overall practical effect as these standards towards providing defensible space, and consideration towards life, safety and welfare of the public. Standards that effect native trees or other geological features are prime examples of those circumstances where exceptions may be reviewed.... Monetary hardship will not be considered a basis for an exception. (Napa County Road and Street Standards § 3 (2004) pp. 6-7, emphasis added.)

The Road and Street Standards also include the following objectives pertinent to this appeal: "[t]o provide reasonable standards that relate to terrain and parcel size," "[t]o preserve the natural landscape and desirable aesthetic features," and "to encourage the location of roads to minimize disturbance or impacts on wetlands, critical native plant species, or other environmentally sensitive areas." (Napa County Road and Street Standards § 1 (2004) p. 5.) Road exceptions are determined on a case-by-case basis by DPW staff, after consultation with the Fire Department.

The version of the Road and Street Standards in effect from 1990 to 1999 (attached) allowed a winery generating not more than 100 vehicle trips per day without public tours and tastings (such as the proposed winery) to install an "Agricultural Special Purpose Road" consisting of a 10-foot-wide roadway with earth shoulders and intervisible turnouts every 500 feet, instead of a Common Drive. Prior to 1990, DPW used a table (attached) to establish the required access road width based on the annual production capacity of the winery and whether public tours and tastings were permitted at the

winery. Under that regime, a 20,000-gallon winery with tours and tastings was subject to a standard road width of 16 feet with a 4 foot shoulder.

The 1999 revisions replaced the Agricultural Special Purpose Road Standard for such wineries with the current Common Drive Standard in order to bring the County in line with the "fire apparatus access road" standard of the California Fire Code (CFC), discussed below. At the June 1999 Board of Supervisors hearing on this revision, this office sought to clarify the significance of this change to rural wineries. We noted that the Common Drive Standard was neither attainable nor desirable (for reasons of vegetation, geology, aesthetics and neighborly relations) for many rural wineries with limited production and visitation. However, we testified that we understood the road exception procedure would allow applicants, on a case-by case basis, to propose alternatives, such as 20-foot unobstructed passages around individual winery structures and automatic fire sprinkler systems, to achieve the "same overall practical effect" as the Common Drive Standard. Significantly, we emphasized that road exceptions would not be treated like variances, which are disfavored under the law, and applicants would continue to have the flexibility in achieving the same overall practical effect as the Common Drive Standard. (Cassette Tape, Board of Supervisors Regular Meeting, June 22, 1999, tape 2 of 5.) At the conclusion of the hearing, Supervisor Varrelman noted that staff had no objection to this characterization of the road exception procedure.

2. **Fire Code.** The CFC requires a "fire access apparatus road" with an unobstructed width of not less than 20 feet for commercial buildings. (24 Cal. Code Regs. § 902.2.2.1.) Although the Napa County General Plan considers wineries to be agricultural, not commercial uses, the CFC employs the UBC classification of wineries as commercial buildings. CFC section 902.2.1, however, describes three circumstances under which the fire chief may modify the 20-foot fire apparatus access road standard:

- **When buildings are completely protected with an approved automatic fire sprinkler system.**
- **When access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades or other similar conditions.**
- When there is not more than two Group R, Division 3, or Group U Occupancies. (This exception applies to certain residential and agricultural properties that are not the subject of this appeal.)

(24 Cal. Code Regs. § 902.2.1, emphasis added.)

The Napa County Fire Code allows the chief to approve requests for alternatives to the 20-foot fire apparatus access road standard, termed "alternate means of protection":

Napa County Fire Code Exceptions: "The Chief may approve requests for "Alternative means of protection" for any section of this code, pursuant to Section 103.1.2.2, which serves as a method to allow for exceptions or equivalencies providing the same practical effect to protection prescribed in this code. Where requests for alternative means of protection involve matters regulated by the Department of Public Works or Conservation, Development and Planning the request shall notice and be subject to the approval of the appropriate department Director(s)." (Napa County Code §15.32.220, §901.1.1.8 added, tracking CFC §§103.1.2 and 103.1.2.1.)

It is clear from the tapes of the June 1999 Board hearing that the term "same overall practical effect" in the road exception procedure was intended to have the same meaning as "same practical effect" in the Fire Code. The Fire Marshall utilized the discretion provided under this section to approve the modification request provided that a condition was added to the use permit requiring Fulton to post security to widen the road at the time neighboring winery (Graeser) sought to modify its use permit. DPW now seeks substitute its own judgment on the proper exercise of discretion allowed under the Fire Code.

D. Analysis.

In the present case, Fulton has provided DPW with sufficient grounds to justify the grant of the road modification request. Widening the road in the Vineyard Section would require the removal of mature producing vines and disturbance of prime agricultural lands, with very little gained in the way of improved access. These factors justify the road exception request in order to preserve the "unique features of the natural environment," "native trees," "geological features," "the natural landscape" and "desirable aesthetic features." Based on discussions with the Fire Chief Dargan, Fulton understood that the modification request, as conditioned, provided an alternative means of protection having the same overall practical effect as the Common Drive Standard.

E. Conclusion.

For the foregoing reasons, we respectfully request that the Board of Supervisors grant this appeal and allow needed road safety improvements to be constructed while preserving the road's private, rural character. In sum:

- From meetings early in planning process, the appellant understood that the Fire Department agreed that the road exception, combined with the security posting, would have the same overall practical effect as widening the entire length of the road. **Much of the winery use permit design work was predicated on this**

preliminary agreement with the Fire Department and DPW's policy that the Fire Department's determination regarding the road would satisfy DPW.

- **The road exception request is supported by specific provisions in the Road and Street Standards promoting the protection of "unique features of the natural environment," "native trees," "geological features," "the natural landscape" and "desirable aesthetic features." DPW has not provided a compelling reason to set aside the substantial evidence on the record that widening the road to the full 20 feet would destroy these protected natural features, including prime agricultural land planted to wine grapes. In essence, DPW is seeking to substitute its own judgment for that of the Fire Marshal on the proper exercise of discretion allowed under the Fire Code without any factual basis for doing so.**
- **The road exception process was adopted to provide relief for small wineries and protect the rural character of the County. This project, consisting of a 20,000-gallon winery with limited visitation is exactly the type of project contemplated by the road exception process.**

Please call me if you have any questions.

Sincerely,

DICKENSON, PEATMAN & FOGARTY

Thomas F. Carey

Enclosures

cc: Bob Peterson, Director, Department of Public Works
Kate Dargan, Fire Department
Robert Westmeyer, County Counsel
Dirk Fulton

THOMAS F. CAREY
tfc@dpfnapa.com

September 15, 2005

809 Coombs Street
Napa, CA 94559-2977
Tel: 707 252 7122
Fax: 707 255 6876
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HAND DELIVERED

Mr. Nate Galambos, Principal Engineer
Napa County Department of Public Works
1195 Third Street, Room 201
Napa, CA 94559

Re: Lazy Susan Vineyards Road Modification Request
263 Petrified Forest Road, Calistoga (APN 020-430-006)

Dear Nate:

Please find attached a revised Road Modification request, photomontage and associated road map in connection with the above-described project.

Please call me if you have any questions.

Sincerely,

DICKENSON, PEATMAN & FOGARTY

Thomas F. Carey

David W. Meyers
Francis J. Collin, Jr.
Charles H. Dickenson
Paul G. Carey
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Megan Ferrigan Healy
J. Robert Anglin, Jr.

Retired

Howard G. Dickenson
Joseph G. Peatman
Walter J. Fogarty, Jr.
C. Richard Lemon

TFC:bab

Enclosures

cc: Heather McCollister, Principal Planner
Dirk Fulton, applicant

**REQUEST FOR ROAD MODIFICATION
LAZY SUSAN VINEYARDS
263 PETRIFIED FOREST ROAD, CALISTOGA
APN 020-430-006
(Revised 9/15/05)**

Project Description

The applicant is proposing to construct a new winery and cave with a production capacity of 20,000 gallons.

Request

This request is for a modification to Section 12 of the Napa County Road and Street Standards (2004 revision) to allow the winery access road to have a paved width of 15 feet, rather than the "common drive" standard of 18 feet of roadway with 2 feet of shoulder.

Access to the applicant's property is over an existing, ± 2,060 foot long private road connecting to Petrified Forest Road. In addition to the applicant's winery parcel, two other parcels, one of which is owned by Richard Graeser and one of which owned by the applicant, utilize the road. Applicant's right to use the road to access the winery parcel was established in 1914 by court order (Book 110 of Deeds Page 117, Napa County Official Records, attached). The court found that plaintiff had established a prescriptive easement for a right of way for road purposes with a uniform width of fifteen feet. The court also found that plaintiff was entitled to use the road for "all lawful purposes." Discussions between the applicant and the neighbor regarding additional easement to use three existing paved areas along the road (described below) as turnouts have not been fruitful to date. Therefore, the use of these existing paved areas are not a part of this modification request, but the applicant has agreed to post security with the County for payment of an equal share of the cost of any turnouts required by the Fire Department if Mr. Graeser or his successor should seek to obtain a use permit modification for his winery in the future.

The physical constraints justifying the modification are summarized below and are identified on the attached plan and photomontage. These include numerous mature trees, the top of bank of a blue line stream running along the west side of the road for virtually its entire length and steep slopes on both sides of the road. Allowing the proposed winery to use the existing road meets the objectives of the Road and Street Standards and is consistent with the goal of the modification process to protect and preserve unique features of the natural environment.

Narrative

At the intersection with Petrified Forest Road there is a 60 foot long widened paved area that provides room for a vehicle to pull over and not block the entrance to the road in the event of an emergency (see Photos 1, 2 and 3). A portion of this existing paved area is within the County right-of-way for Petrified Forest Road and a portion on the Graeser property. The next ¼ mile is surfaced with hard packed gravel to a width of 15 feet to the intersection of the driveway leading to the winery on the adjoining parcel (Graeser). This portion of the road is bordered by slopes in

excess of 30 percent on the west side of the road and top of bank of an unidentified stream on the east side of the road (see Photos 4,5, 6, 7, 8).

At the entrance to the Graeser winery driveway, there is a widened area on the west side of the road approximately 60 feet long, suitable for a turnout (see Photos 9 and 10). This area lies outside of the 15-foot easement.

The next section of the road is cut into a densely wooded hillside, with mature redwood trees on both sides (see Photos 11, 12, 13 and 14). However, this \pm 130 foot section of road is straight and allows sufficient visibility to a paved area adjacent to the road, which provides access to a water tank and is suitable for a turnout (see Photos 15 and 16). This area lies outside of the 15 foot easement.

At approximately 90 feet past this paved area, the road surface is paved for the remaining 400 feet to the property line. Portions of this section of the road narrow to 12 feet. Beyond the property line, the applicant intends to construct the access road to the winery in full compliance with the County standards.

Section 3 of these standards allows such a modification when certain criteria are met, paraphrased as follows:

- The modified standard is necessary to protect and ensure the preservation of the unique features of the natural environment. Strict adherence with the existing road standard would result in removal of existing trees and extensive grading on steep slopes flanking both sides of the road.
- The modified standard allows a situation that provides the same overall practical effect as the normal standard would in providing defensible space and does not adversely affect the life, safety and welfare of the public or the persons coming to the property. In this regard, the existing improvements have been adequate for the existing winery on the adjoining parcel, the vineyards on both parcels and the residences on the properties. It is recognized that if in the future traffic levels on the road are increased by expansion of either of the wineries or if additional right-of-way becomes available then additional road improvements may be required.
- The practical effect of installing an 18-foot wide road with a 2-foot shoulder is to provide a continuous two-lane road appropriate for numerous vehicles associated with large production facilities, multiple employees, visitation, and marketing events that provides for safe two-way travel. Given the low level of daily traffic, as shown on the application form, the existing roadway will provide for safe, two-way traffic flow of non-emergency and emergency vehicles.
- The Fire Department has visited the site and preliminarily determined the existing roadway to be adequate for the proposed winery. The Fire Department, however, will require applicant to enter into a deferred improvement with the County providing that, in the event that Mr. Graeser or his successor obtains approval to modify his winery use

permit, the applicant will share equally with Mr. Graeser the cost of any turnout improvements that the Fire Department requires as a condition of Mr. Graeser's application. Applicant will be required to post good and sufficient security for these future improvements in a form acceptable to the County.



COUNTY *of* NAPA

ROBERT J. PETERSON, P.E.
Director of Public Works
County Surveyor-County-Engineer
Road Commissioner

DONALD G. RIDENHOUR, P.E.
Assistant Director of Public Works

October 3, 2005

Mr. Tom Carey
Dickenson, Peatman & Fogarty
809 Coombs Street
Napa, CA 94559-2977

RE: **Modification Request for Access Road Width at Lazy Susan Vineyards**
A.P.N. 020-430-006, 263 Petrified Forest Road, Calistoga
Fulton Use Permit 04065-UP

Dear Mr. Carey:

County Road and Street Standards, Section 3 "Exceptions to Standards" grants the Director of Public Works the authority to allow exceptions to the standards where the exception provides the same overall practical effect as the standards towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public.

Public Works has carefully evaluated the details associated with the proposed winery at the above noted location as they relate to the impacts of not widening the road to the full 20-feet required by the code and to the environmental constraints associated with the access driveway. In our consideration of the request, we have examined the Napa County Road and Street Standards for a Commercial Access road (page 10, paragraph g), the site plan and photos attached to your letter dated September 15, 2005, and have visited the site. Additionally, Public Works has discussed the road modification request with the Napa County Conservation, Development and Planning Department and the County Fire Department.

Given the information provided by your firm and that obtained through site visits, Public Works considers a small portion of the driveway warranting a road modification. The section of roadway beginning at the existing 36" culvert near the pump house and underground water tank extending north approximately 180-feet towards the Graeser Winery entrance contains environmental constraints consistent with the Department's goal to protect and preserve the unique features of the natural environment. The unique features consist of small clusters of mature redwood trees located on either side of the road and the fairly steep terrain that the road has been cut through. The roadway section mentioned above shall be widened to the maximum extent practicable and surfaced to comply with County's road and street standards. The section of road is straight and vehicles will be inter-visible on either end of the modified road section which is a critical factor when determining whether the modified road section will

provide the same overall practical effect as the minimum standard towards providing defensible space and the consideration towards the life, safety and welfare of the public.

In regards to the remaining sections of roadway from Petrified Forest Road to the applicant's winery entrance, Public Works requires it to be improved to comply with commercial, industrial and non-residential driveways as defined in Section 12 of the Napa County Road and Street Standards.

The section of roadway from Petrified Forest Road to the Graeser Winery entrance in general meets the 20-foot travel width requirement; however, a few areas need minor improvements to comply with County code. Additionally, there are no unique environmental features that would prevent the road section from the existing 36" culvert near the pump house and underground water tank to the applicant's property line to be improved to a 20-foot width.

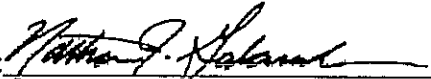
Inasmuch as Public Works understands that the applicant only has rights to an existing 15-foot access easement over the neighboring parcel, that fact does not warrant the granting of a road modification. The applicant is required to obtain the necessary access easements to allow the road to be improved to County standards for the approved use.

Should the winery request changes to its use permit at some time in the future, the roadway shall be re-examined and required to comply with minimum County standards for roadways at that time.

Should you have any questions or comments regarding the documentation contained in this transmittal, please contact Larry Bogner or Nate Galambos of this office.

Sincerely Yours,

ROBERT J. PETERSON
Director of Public Works

By: 

Nathan J. Galambos
Principal Engineer

cc: Kate Dargan, CDF
Heather McCollister, CDPD

PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO



DATE: October 3, 2005
TO: Heather McCollister – CDPD
FROM: Nate Galambos – Public Works *NG*
SUBJECT: Fulton Use Permit 04065-UP (Lazy Susan Vinerards)
263 Petrified Forest Road, A.P.N. 020-430-006

The use permit application for the above noted applicant is still considered complete; however, Public Works is modifying their conditions for the use permit.

Established in a memo from Public Works to Conservation, Development and Planning Department dated February 3, 2004, are recommended conditions on the above noted use permit to ensure that the project complies with Napa County code as it pertains to the Public Works department. Since then, Public Works has received a request for 'Road Modification' from the applicant on March 2, 2005, and subsequently received a revised 'Road Modification' request on September 15, 2005.

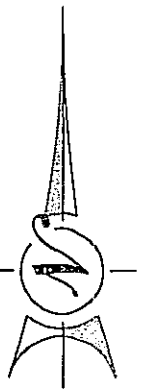
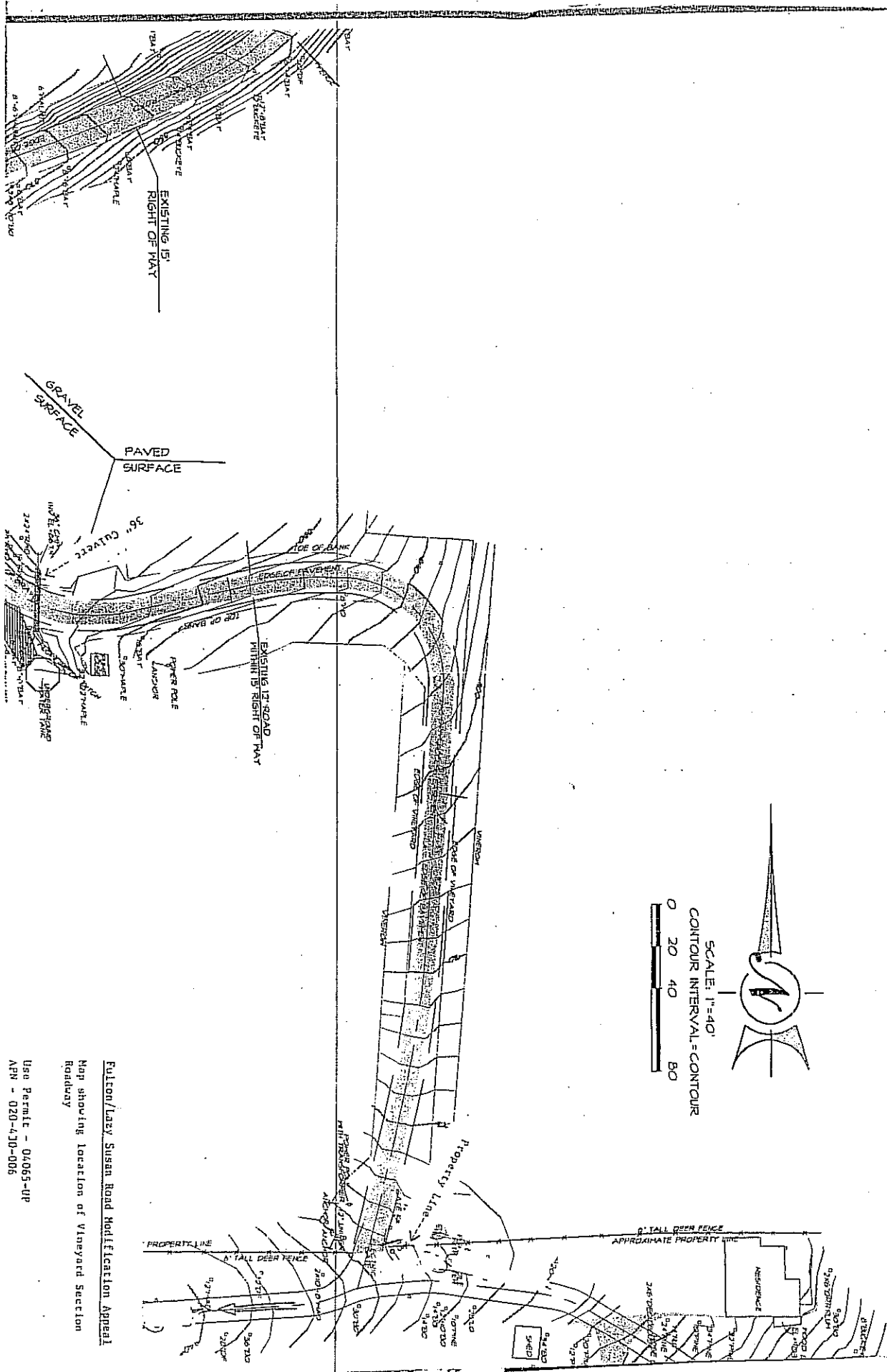
The applicant requested modification to the entire length of the driveway citing unique environmental features, limitations of the existing 15-foot access easement, and historic use of the road serving two residences and a winery.

Public Works has evaluated the 'Road Modification' request by the applicant and has determined that a short section of the existing roadway contains the unique natural environmental features that warrant a road modification. Public Works is preparing a response to the applicants request for road modification that will grant a modification for the portion of road mentioned above.

The remainder of the roadway is not eligible for a road modification and is required to be improved to comply with County standards for a roadway serving a winery. Therefore, this memorandum shall modify the condition for road access as follows:

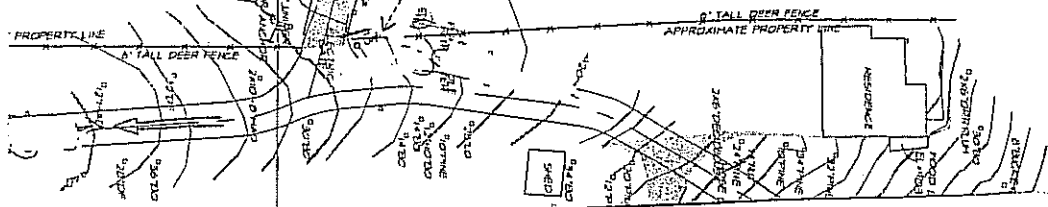
Prior to issuance of any building permits related to the above noted winery use permit the applicant shall secure a sufficient access easement width to install a minimum roadway width of 18-feet with a two foot shoulder over the entire existing roadway with exception for the area that is eligible for a roadway modification as described in the 'Lazy Susan Vineyards Road Modification' letter dated October 3, 2005.

All other conditions shall remain as described in the inter-office memo from Public Works to CDPD dated February 3, 2004.



SCALE: 1"=40'
 CONTOUR INTERVAL=CONTOUR
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Fulton/Lazy Susan Road Modification Appeal
 Map showing location of Vineyard Section
 Roadway
 Use Permit - 04065-0P
 APN - 020-470-006



PTN. SEC'S. 2,3,10,11 T.8N., R.7W., M.D.B.&M.
 COUNTY ASSESSOR'S PARCEL MAP

DEC 1 6 1998
 Tax Area Code
 55000
 20-43
 PHN. 30-04

NOTE: This Map Was Prepared For Assessment Purposes Only. No Liability Is Assumed For The Accuracy Of The Data Delineated Hereon.

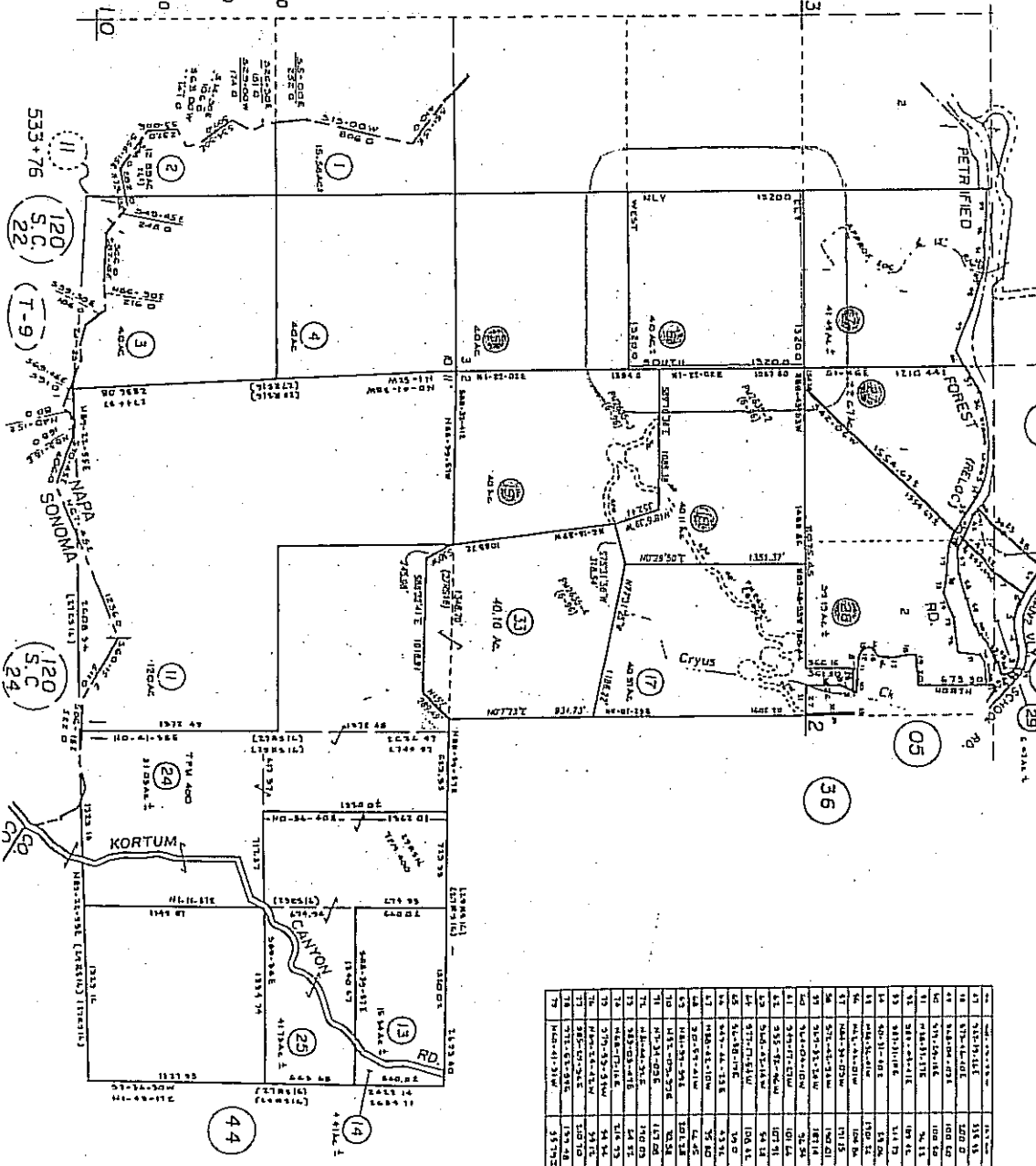
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6	1.000-45-535W	101.06
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24	1.000-45-535W	101.24
25	1.000-45-535W	101.25
26	1.000-45-535W	101.26
27	1.000-45-535W	101.27
28	1.000-45-535W	101.28
29	1.000-45-535W	101.29
30	1.000-45-535W	101.30
31	1.000-45-535W	101.31
32	1.000-45-535W	101.32
33	1.000-45-535W	101.33
34	1.000-45-535W	101.34
35	1.000-45-535W	101.35
36	1.000-45-535W	101.36
37	1.000-45-535W	101.37
38	1.000-45-535W	101.38
39	1.000-45-535W	101.39
40	1.000-45-535W	101.40
41	1.000-45-535W	101.41
42	1.000-45-535W	101.42
43	1.000-45-535W	101.43
44	1.000-45-535W	101.44
45	1.000-45-535W	101.45
46	1.000-45-535W	101.46
47	1.000-45-535W	101.47
48	1.000-45-535W	101.48
49	1.000-45-535W	101.49
50	1.000-45-535W	101.50

1	1.000-45-535W	101.01
2	1.000-45-535W	101.02
3	1.000-45-535W	101.03
4	1.000-45-535W	101.04
5	1.000-45-535W	101.05
6	1.000-45-535W	101.06
7	1.000-45-535W	101.07
8	1.000-45-535W	101.08
9	1.000-45-535W	101.09
10	1.000-45-535W	101.10
11	1.000-45-535W	101.11
12	1.000-45-535W	101.12
13	1.000-45-535W	101.13
14	1.000-45-535W	101.14
15	1.000-45-535W	101.15
16	1.000-45-535W	101.16
17	1.000-45-535W	101.17
18	1.000-45-535W	101.18
19	1.000-45-535W	101.19
20	1.000-45-535W	101.20
21	1.000-45-535W	101.21
22	1.000-45-535W	101.22
23	1.000-45-535W	101.23
24	1.000-45-535W	101.24
25	1.000-45-535W	101.25
26	1.000-45-535W	101.26
27	1.000-45-535W	101.27
28	1.000-45-535W	101.28
29	1.000-45-535W	101.29
30	1.000-45-535W	101.30
31	1.000-45-535W	101.31
32	1.000-45-535W	101.32
33	1.000-45-535W	101.33
34	1.000-45-535W	101.34
35	1.000-45-535W	101.35
36	1.000-45-535W	101.36
37	1.000-45-535W	101.37
38	1.000-45-535W	101.38
39	1.000-45-535W	101.39
40	1.000-45-535W	101.40
41	1.000-45-535W	101.41
42	1.000-45-535W	101.42
43	1.000-45-535W	101.43
44	1.000-45-535W	101.44
45	1.000-45-535W	101.45
46	1.000-45-535W	101.46
47	1.000-45-535W	101.47
48	1.000-45-535W	101.48
49	1.000-45-535W	101.49
50	1.000-45-535W	101.50

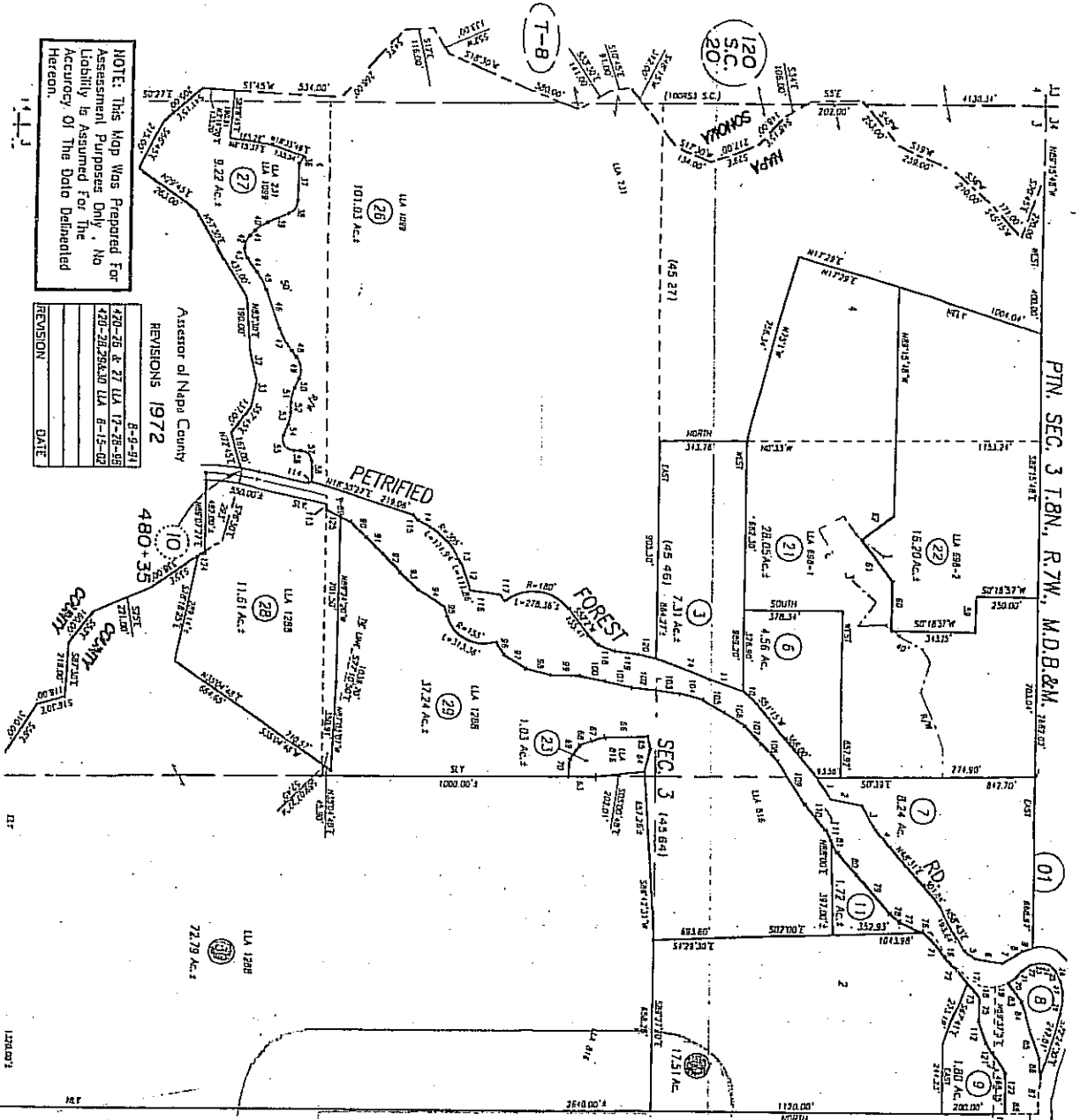
11 - IRON STAKE B STA. NO
 T-9 - OUR TOPO MAP NO
 120 S.C. = SONOMA CO MAP NO
 22 REVISIONS 1972

1-71-87	6-18-93
5-78-93	10-29-93
4-90-93	9-1-97
4-90-93	10-7-98

DATE



1	1.000-45-535W	101.01	101.01
2	1.000-45-535W	101.02	101.02
3	1.000-45-535W	101.03	101.03
4	1.000-45-535W	101.04	101.04
5	1.000-45-535W	101.05	101.05
6	1.000-45-535W	101.06	101.06
7	1.000-45-535W	101.07	101.07
8	1.000-45-535W	101.08	101.08
9	1.000-45-535W	101.09	101.09
10	1.000-45-535W	101.10	101.10
11	1.000-45-535W	101.11	101.11
12	1.000-45-535W	101.12	101.12
13	1.000-45-535W	101.13	101.13
14	1.000-45-535W	101.14	101.14
15	1.000-45-535W	101.15	101.15
16	1.000-45-535W	101.16	101.16
17	1.000-45-535W	101.17	101.17
18	1.000-45-535W	101.18	101.18
19	1.000-45-535W	101.19	101.19
20	1.000-45-535W	101.20	101.20
21	1.000-45-535W	101.21	101.21
22	1.000-45-535W	101.22	101.22
23	1.000-45-535W	101.23	101.23
24	1.000-45-535W	101.24	101.24
25	1.000-45-535W	101.25	101.25
26	1.000-45-535W	101.26	101.26
27	1.000-45-535W	101.27	101.27
28	1.000-45-535W	101.28	101.28
29	1.000-45-535W	101.29	101.29
30	1.000-45-535W	101.30	101.30
31	1.000-45-535W	101.31	101.31
32	1.000-45-535W	101.32	101.32
33	1.000-45-535W	101.33	101.33
34	1.000-45-535W	101.34	101.34
35	1.000-45-535W	101.35	101.35
36	1.000-45-535W	101.36	101.36
37	1.000-45-535W	101.37	101.37
38	1.000-45-535W	101.38	101.38
39	1.000-45-535W	101.39	101.39
40	1.000-45-535W	101.40	101.40
41	1.000-45-535W	101.41	101.41
42	1.000-45-535W	101.42	101.42
43	1.000-45-535W	101.43	101.43
44	1.000-45-535W	101.44	101.44
45	1.000-45-535W	101.45	101.45
46	1.000-45-535W	101.46	101.46
47	1.000-45-535W	101.47	101.47
48	1.000-45-535W	101.48	101.48
49	1.000-45-535W	101.49	101.49
50	1.000-45-535W	101.50	101.50



NOTE: This Map Was Prepared For Assessment Purposes Only. No Liability is Assumed For the Accuracy Of The Data Delimited Hereon.

Assessor of Napa County
REVISIONS 1972

REVISION	DATE
420-26 & 27 LLA 17-26-85	8-9-81
420-28, 29, 30, 31 LLA 6-15-82	

480+35
10

43

43

PARCEL	ACRES	ASSESSOR'S VALUE	MARK
1	11.01	11,010.00	
2	11.01	11,010.00	
3	11.01	11,010.00	
4	11.01	11,010.00	
5	11.01	11,010.00	
6	11.01	11,010.00	
7	11.01	11,010.00	
8	11.01	11,010.00	
9	11.01	11,010.00	
10	11.01	11,010.00	
11	11.01	11,010.00	
12	11.01	11,010.00	
13	11.01	11,010.00	
14	11.01	11,010.00	
15	11.01	11,010.00	
16	11.01	11,010.00	
17	11.01	11,010.00	
18	11.01	11,010.00	
19	11.01	11,010.00	
20	11.01	11,010.00	
21	11.01	11,010.00	
22	11.01	11,010.00	
23	11.01	11,010.00	
24	11.01	11,010.00	
25	11.01	11,010.00	
26	11.01	11,010.00	
27	11.01	11,010.00	
28	11.01	11,010.00	
29	11.01	11,010.00	
30	11.01	11,010.00	
31	11.01	11,010.00	
32	11.01	11,010.00	
33	11.01	11,010.00	
34	11.01	11,010.00	
35	11.01	11,010.00	
36	11.01	11,010.00	
37	11.01	11,010.00	
38	11.01	11,010.00	
39	11.01	11,010.00	
40	11.01	11,010.00	
41	11.01	11,010.00	
42	11.01	11,010.00	
43	11.01	11,010.00	
44	11.01	11,010.00	
45	11.01	11,010.00	
46	11.01	11,010.00	
47	11.01	11,010.00	
48	11.01	11,010.00	
49	11.01	11,010.00	
50	11.01	11,010.00	
51	11.01	11,010.00	
52	11.01	11,010.00	
53	11.01	11,010.00	
54	11.01	11,010.00	
55	11.01	11,010.00	
56	11.01	11,010.00	
57	11.01	11,010.00	
58	11.01	11,010.00	
59	11.01	11,010.00	
60	11.01	11,010.00	
61	11.01	11,010.00	
62	11.01	11,010.00	
63	11.01	11,010.00	
64	11.01	11,010.00	
65	11.01	11,010.00	
66	11.01	11,010.00	
67	11.01	11,010.00	
68	11.01	11,010.00	
69	11.01	11,010.00	
70	11.01	11,010.00	
71	11.01	11,010.00	
72	11.01	11,010.00	
73	11.01	11,010.00	
74	11.01	11,010.00	
75	11.01	11,010.00	
76	11.01	11,010.00	
77	11.01	11,010.00	
78	11.01	11,010.00	
79	11.01	11,010.00	
80	11.01	11,010.00	
81	11.01	11,010.00	
82	11.01	11,010.00	
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85	11.01	11,010.00	
86	11.01	11,010.00	
87	11.01	11,010.00	
88	11.01	11,010.00	
89	11.01	11,010.00	
90	11.01	11,010.00	
91	11.01	11,010.00	
92	11.01	11,010.00	
93	11.01	11,010.00	
94	11.01	11,010.00	
95	11.01	11,010.00	
96	11.01	11,010.00	
97	11.01	11,010.00	
98	11.01	11,010.00	
99	11.01	11,010.00	
100	11.01	11,010.00	

NOTE:
 (10) = IRON STAKE & STATION NO.
 (T-8) = OUR TRIP MAP NO.
 (120 S.C. 20) = SONOMA CO. MAP NO.

APN 020 420 010 000
William & Mary Cary
PO Box 527
Calistoga, CA 94515-0527

APN 020 420 030 000
STERLING VINEYARDS INC
1111 Dunaweal Ln
Calistoga, CA 94515

APN 020 430 005 000
Dirk Fulton & Becky Kukkola Tr
555 1st St #303
Benicia, CA 94510

APN 020 430 006 000
Dirk Fulton & Becky Kukkola Tr
555 1st St #303
Benicia, CA 94510

APN 020 430 007 000
Mark Schulte Etal
255 Petrified Forest Rd
Calistoga, CA 94515

APN 020 430 018 000
Alfred & Helen Clarke Tr
505 Petrified Forest Rd
Calistoga, CA 94515-9705

APN 020 430 019 000
Witold & Norma Willer Tr
1685 Euclid #4
Berkeley, CA 94709

APN 020 430 027 000
Allan & Eleanor Martini Tr
223 Round Hill Rd
Tiburon, CA 94920-1519

APN 020 430 028 000
Kendal & Alice Green Tr
491 Franz Valley School Rd
Calistoga, CA 94515-2002

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