

EXHIBIT A

PART I: SECTION 12C

MAINTAINING SAFE AND HEALTHY BUSINESS OPERATIONS DURING THE COVID-19 PANDEMIC

Policy

The Governor of the State of California requires businesses to ensure that all business activities are safely conducted with adequate physical distancing. Where permitted activities cannot be conducted safely entirely indoors, this policy allows individual businesses to conduct activities outdoors in temporary on-site areas, so long as the total legally entitled level of activity is not exceeded while the Proclamation of Local Emergency remains in effect. This policy serves as direction from the Board of Supervisors regarding additional County actions to further the goals stated herein. This policy shall be reviewed by the Board of Supervisors no later than 90 days from the date of adoption to ascertain further business needs and to account for future changes in the pandemic response.

Proclamation of Local Emergency

The Board of Supervisors or Napa County Executive Officer/Director of Emergency Services may make a Proclamation of Local Emergency declaring a specific event as a disaster for the purpose of implementing the provisions of this policy.

CEQA

All temporary uses allowed under this interim policy must be located on a property where the existing primary use is legally entitled and uses occur in previously disturbed areas. The total number of customers, employees, event guests, and vendors shall not exceed existing legal entitlements. All temporary uses allowed under this policy shall strictly comply with all applicable standards herein.

Code Compliance

Following the Proclamation of Local Emergency, the Code Compliance Division will not take action on any activities within temporary on-site areas that are in compliance with the provisions of this policy and the requirements of their legal entitlement. Any violation of this policy may lead to enforcement by the Code Compliance Division.

Parking

If parking areas are used to provide temporary on-site areas, facilities may not offset the loss of

spaces elsewhere on- or off-site.

Temporary Structures

All tents and/or temporary structures shall meet the current requirements of the California Building Code, California Fire Code, Napa County Code, and all applicable county ordinances. All tents and/or temporary structures must be open on all sides and shall require permit approval by the PBES Department and County Fire. Temporary structures shall be sited within 150 feet of their approved fire access roadway, or shall meet the criteria of the California Fire Code to extend outside the prescribed 150 feet. The processing of permits for all temporary structures or tents allowed under this policy will be given priority over other pending applications.

Temporary On-Site Areas

Alternative temporary on-site areas may be allowed within existing, legally established areas, thereby increasing the total area available for business activities, to allow the accommodation of physical distancing requirements. Legally established activities may be allowed in these temporary on-site areas only so long as the Proclamation of Local Emergency is in effect. Examples of alternative equivalent temporary on-site areas may include the following:

- i) Temporary relocation of a portion of a winery's tasting room or other winery related accessory uses, through tents, portable buildings, or to existing on-site structures, so long as all appropriate building and fire code requirements are met, and the temporary facilities do not serve a greater number of visitors or marketing events than allowed under the winery's approved Use Permit or the Winery Definition Ordinance.
- ii) Temporary on-site areas shall occur only in previously disturbed areas such as parking lots, crush pads, hardscape, decomposed granite, lawns and similar landscaped areas, or other comparable areas. Vineyards may not be included within temporary on-site areas. Outdoor temporary on-site areas shall be a minimum of 500 feet from any off-site residence, unless a project specific mitigation measure imposes a greater distance. All temporary on-site areas shall comply with the California Disabled Persons Act, including path of travel. Outdoor areas must comply with applicable ABC regulations that allow outdoor tastings on the licensed premises. For wineries, outdoor areas shall be located within the existing winery development area, and outside of any sensitive environmental areas as defined in the County Code.
- iii) The use of all temporary areas shall immediately cease upon expiration or termination of the Proclamation of Local Emergency. Within 30 days of expiration or termination of the Proclamation of Local Emergency, all temporary areas shall either be restored to their prior condition or the applicant shall promptly apply for a use permit modification to retain the use of these areas on a permanent basis. These temporary areas shall not be used unless and until a use permit modification has been approved.

- iv) For wineries only, the total number of existing, approved marketing events can be increased so long as the overall total number of legally entitled marketing guests is not exceeded. By way of example, if a winery is authorized to hold one 100 person marketing event, it may instead hold 10 marketing events for 10 people each, or similar variation. Marketing events may only be held to the extent that such gatherings are allowed under the State and County Health Orders.
- v) For wineries only, tasting room hours of operation may be extended until 7:00 PM, through October 31, 2020.

Notice of Intent to Participate

Any business owner desiring to use temporary alternative on-site areas pursuant to this Policy shall provide notice to the PBES Director prior to the initiation of any activities within a temporary on-site area. A Notice of Intent to Participate shall be provided on a form approved by the PBES Director and shall indicate the owner's intent to comply with all health orders issued by the State and County Public Health Officer, and the provisions of this Policy.

**NOTICE OF INTENT TO PARTICIPATE
IN TEMPORARY MEASURES FOR BUSINESSES
TO MAINTAIN SAFE AND HEALTHY BUSINESS OPERATIONS
DURING THE COVID-19 PANDEMIC**

Business Owner	Business Information
Name: _____	Name: _____
Mailing Address: _____	Address: _____
City: _____ State: _____ Zip: _____	City: _____ State: _____ Zip: _____
Phone: _____	Assessor's Parcel Number (s): _____
E-Mail Address: _____	Name of Business Contact & Position: _____ _____
	Phone: _____
	E-Mail Address: _____

Winery Visitation and Marketing Program Authorization

Please provide the Permit Number(s) that authorized your visitation and marketing entitlement in effect to date: (e.g., Small Winery Exemption, Use Permit, or Major Modification)

Permit Number(s): _____

_____ I have read and understand Napa County Board of Supervisors Resolution No. 2020- X as attached.

_____ I agree to comply with the standards and requirements contained in Napa County Board of Supervisors Resolution No. 2020-X.

_____ I agree to comply with all Health Orders issued by the State and the County
Public Health Officer.

My signature below constitutes notice of my intent to participate and comply with the temporary measures for businesses to maintain safe and healthy business operations during the COVID-19 pandemic

Business Owner's Signature and Date

Business Owner's Signature and Date

TO BE COMPLETED BY THE PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES DEPARTMENT:

Received by: _____ *Date:* _____