

EXHIBIT A

PROPOSED FINDINGS

**MENAGED RESIDENCE
CONSERVATION REGULATION USE PERMIT & VIEWSHED APPLICATION
FILE NUMBERS #P11-00437& #P11-00448
7830 SILVERADO TRAIL, NAPA, CA 94558
APN 031-050-073**

In approving of Use Permit Exception (#P11-00437) and Viewshed Application (#P11-00448), the Commission has made the following findings:

This approval allows the following:

The construction of a single family residence, a guest house, a garage, a wine room cave, a swimming pool, patio and decking, courtyards, an associated asphalt driveway, site retaining walls, a new septic system, and new water tanks on a slope over 30%. The following components have been specifically included under this approval:

- Construction of a 5,240 sq.ft. 4 bedroom, 4.5 bath single family residence and 2 car 475 sq.ft. garage;
- Construction of a 912 sq.ft. 1 bedroom, 1 bath guest house;
- Construction of associated patios;
- Construction of a 200 sq.ft. wine room into the hillside;
- Construction of a new asphalt driveway section 500 feet in length;
- Installation of a swimming pool and decking;
- Installation of 6'-8' high retaining walls;
- Installation of a decomposite granite/landscaped courtyards;
- Installation of 4-5,000 gallon new water tanks for domestic, fire, and irrigation purposes;
- Installation of 2- 500 gallon propane tanks;
- Installation of a new septic system; and
- Demolition of an existing single family residence (approximately 3,400 sq.ft.in size), related accessory structures and a water tank.

Environmental Determination:

The Conservation, Development, and Planning Commission (Commission) has received and reviewed the draft Mitigated Negative Declaration (Environmental Document) pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and makes the following findings.

That:

1. The Planning Commission has read and considered the Mitigated Negative Declaration prior to taking action on said Negative Declaration and the proposed project.
2. The Mitigated Negative Declaration is based on independent judgment exercised by the Planning Commission.

3. The Mitigated Negative Declaration was prepared and considered in accordance with the requirements of the California Environmental Quality Act (CEQA).
4. The Secretary of the Commission is the custodian of the records of the proceedings on which this decision is based. The records are located at the Napa County Conservation, Development, and Planning Department, 1195 Third Street, Room 210, Napa, California.
5. There is no substantial evidence in the record as a whole, that the project will have a significant effect on the environment, provided mitigation measures and conditions of approval are applied to this project as required.
6. There is no evidence in considering the record as a whole that the proposed project will have a potential adverse effect on wildlife resources or habitat upon which the wildlife depends, provided conditions of approval are applied to this project as required.

Use Permit Required Findings:

7. That Commission has the power to issue a use permit under the zoning regulations in effect as applied to the property;
Analysis: The project is consistent with the AW, Agricultural Watershed Zoning District regulations that apply to this property, which permits the construction of a primary residential dwelling unit and guest house (Section 18.20.020), and Conservation Regulations, which allow construction on slopes between 30 and 50% with issuance of a Use Permit exception (Section 18.08.060)
8. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code (Use Permits) have been met;
Analysis: The use permit application has been filed and notice and public hearing requirements have been met. The hearing notice was posted on March 1, 2012 and copies were forwarded to all interested parties.
9. The grant of the use permit, as conditioned, will not adversely affect the public health, safety, or welfare of the County of Napa;
Analysis: Granting the Use Permit for the single family residence and guest house as proposed and conditioned will not affect the healthy, safety or welfare of the County. Various County departments have reviewed the project and commented regarding water, waste water disposal, building permits and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the protection of the public health and safety.
10. Compliance with the General Plan
Analysis: The goals established by the County General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to concentrate urban uses in the County's existing cities and urban areas. The Agriculture, Watershed and Open Space designation includes single family dwellings at an intensity of one dwelling per parcel as general uses. The proposal is consistent with the General Plan subject to the demolition of the existing residence and accessory structures, as conditioned.
11. The proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected

groundwater basin in Napa County, unless that use would satisfy any of the other criteria specified for approval or waiver of a groundwater permit under Napa County Code § 13.15.070 or § 13.15.080.

Analysis: The property has sufficient water supplies to serve the construction of a single family residence and guest house on this lot will not require a new water system or improvements to the current system causing significant adverse effects.

The following findings must be made in order for the Commission to grant and exception to the Conservation regulations in the form of a use permit pursuant to County Code Section 18.108.040 for structural and road development projects.

12. Roads driveways, buildings and other man-made structures have been designed to complement the natural landform and to avoid excessive grading;

Analysis: To minimize the extent of grading, the cut and fill slopes range between 2:1 and 1.5:1 (horizontal:vertical). The residence has been designed with its long axis parallel to the contours and the short axis perpendicular to the contours. The building pad and road grading design has been integrated to create a single land form after construction. Therefore, no significant grading will be required by this project.

13. Primary and accessory structures employ architectural and design elements which in total serve to reduce the amount of grading and earthmoving activity required for the project, including the following elements:

- a. Multiple floor levels which follow existing, natural slopes,
- b. Foundation types such as poles, piles or stepping levels which minimize cut and fill and the need for retaining walls,
- c. Fence lines, walls and other features which blend with the existing terrain rather than strike off at an angle against it.

Analysis: The proposed residence will consist of a slab on grade foundation and floor system. The residence will be designed as a one story ranging in a building height of 11'6" to 14'-1" to the roof. The garage and wine cellar will be of a "cut and cover" construction and will be located in the cut slope on the rear side of the residence. The proposed water and propane tanks will also be located on the rear side of the residence. The proposed access drive and the residence pad have been designed to create a single grading mass to soften the effects of the pad construction.

14. The development minimizes removal of existing vegetation, incorporates existing vegetation into the final design plan, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects;

Analysis: The proposal and associated earthwork includes the removal of a total of eight (8) trees, all oak trees with a diameter range of 8-14", height range of 9-30', and a width range of 10-30'. The large andesite boulder located at the north end of the building pad is slated to remain and proposed to be integrated into the landscaping for the home site. To remain in compliance with the Zoning Code Section 18.108.100(c), trees not designated for removal shall be protected through the use of barricades or other appropriate methods during the construction phase. To remain consistent with Zoning Code Section 18.108.100(d), and the General Plan Conservation Element Policy Con 24, each oak tree removed during construction will be replaced at a two to one ratio with a live oak species. The proposed landscape plan for the project identifies that these oak trees will be replaced with Coastal Live Oaks (30'-60' height; 35' width - 15' initial height) in a two to one ratio (16 trees) and will be located along the upper portion of the driveway alignment and along the downhill side of the residence in front of the swimming

pool and landscape area. Consistent with Zoning Code section 18.108.100(E), if any trees, other than the eight designated on the application materials, are removed, they shall be replaced at a ratio of 2:1 with fifteen gallon trees at locations approved by the director of designee, or preplaced with smaller trees at a higher ratio to be determined by the director or designee.

15. Adequate fire safety measures have been incorporated into the design of the proposed development;

Analysis: Fire storage tanks are proposed to be located on the grading bench on the rear side of the residence thereby providing gravity flow to the on-site fire hydrant. The project has been reviewed and conditioned by the Fire Marshal to provide defensible space, residential fire sprinklers system, fire resistant roofing and siding, and fire resistant ground cover plantings within the Firewise Landscape plan.

16. Disturbance to streams or watercourses shall be minimized and setbacks shall be retained as specified in Section 18.108.025;

Analysis: Two well defined blue-line streams exist to the northeast and southeast. No new development is proposed near these streams. The northern blue line stream located 100 feet from an existing septic area. The southern blue-line stream (named Vinehill Creek) is located 90 feet from the existing residence to be demolished. The placement and design of this project has taken these streams into consideration and has not only placed the home construction in the most feasible location, but also designed it to minimize any earth movement to not disrupt the watercourse. As conditioned, this project requires implementation of best management principles, a storm water pollution prevention plan, and temporary construction fencing to prevent unauthorized encroachments during demolition of the existing residence and accessory structures, and therefore disturbance to the watercourse is minimized and required setbacks will be maintained.

17. The project does not adversely impact threatened or endangered plant or animal habitats as designated by state or federal agencies with jurisdiction and identified on the County's environmental sensitivity maps;

Analysis: There are no threatened or endangered plants or animal habitats as designed by state or federal agencies with jurisdiction or as identified on the County's environmental sensitivity maps.

18. An erosion control plan has been prepared in accordance with Section 18.108.080 and has been approved by the Director of his designee.

Analysis: Project specifications have been submitted and approved by the Department of Public Works, as conditioned.

Viewshed Application

19. The project as designed or modified is consistent with Chapter 18.108, *Conservation Regulations*, of the code;

Analysis: Based upon Findings 7 through 18 above, the project as proposed is consistent County's Conservation Regulations.

20. If the highest point of the proposed project is located more than twenty-five (25) vertical feet below a major or minor ridgeline, that measures have been included in the project to reduce its visual impact on the major or minor ridgeline through use of existing natural

vegetation, landscaping, topographical siting, architectural design, and color tone; or if the highest point of the proposed structure is within twenty-five (25) vertical feet of a major or minor ridgeline, that the existing vegetation, proposed landscaping, topographical siting, architectural design, and color tone screen the predominant portion of the proposed structures;

Analysis: The project is not located more than twenty-five (25) vertical feet of a major or minor ridgeline.

21. The proposed structures, access roads and other site improvements are sited and designed to minimize adverse effects on views from designated public roads;

Analysis: The residence has been designed with its long axis parallel to the contours and the short axis perpendicular to the contours. The proposed residence will consist of a slab on grade foundation and floor system. The residence will consist of one story ranging in a building height of 11'6" to 14'-1" to the roof. The garage and wine cellar will be of a "cut and cover" construction and will be located in the cut slope on the rear side of the residence. The proposed water and propane tanks will also be located on the rear side of the residence. The proposed access drive and the residence pad have been designed to create a single grading mass to soften the effects of the pad construction. The south elevation architectural design of the residence will include a mixture architectural components that will consists of painted metal panel fascia and cap, light colored integral stucco (smooth troweled texture), painted metal panel siding, color integral concrete – natural finish board formed or steel troweled, clad wood windows/doors with kynar painted metal exterior, painted metal panel to match adjacent windows/doors, painted metal louvers, painted metal frame, and aluminum anodized trellis. Given these design elements in addition to the placement of trees strategically located along the proposed access drive and in front of the new residence, adverse effects on views from Oakville Cross Road will be minimal.

22. The proposed structures, access road and other site improvements, including earthmoving or grading, and benches or shelves minimize the removal of vegetation;

Analysis: The proposal and associated earthwork includes the removal of a total of only eight (8) trees, all oak trees with a diameter range of 8-14", height range of 9-30', and a width range of 10-30'. The large andesite boulder located at the north end of the building pad is slated to remain and proposed to be integrated into the landscaping for the home site. Each oak tree removed during construction will be replaced at a two to one ratio (16 trees) with Coastal Live Oaks (30'-60' height; 35' width - 15' initial height) and will be located along the upper portion of the driveway alignment and along the downhill side of the residence in front of the swimming pool and landscape area. Given the proposed location of development and site improvements, the removal of vegetation has been minimized to the maximum extent feasible.

23. The siting and design of site improvements and access roads minimize grading and alteration of natural landforms and topography;

Analysis: To minimize the extent of grading, the cut and fill slopes range between 2:1 and 1.5:1 (horizontal:vertical). The residence has been designed with its long axis parallel to the contours and the short axis perpendicular to the contours. The building pad and road grading design has been integrated to create a single land form after construction. Therefore, no significant grading will be required by this project.

24. A landscape and/or vegetation retention plan in conformance with the Design Manual has been submitted and approved for the site that would provide maximum screening

from designated public roads through preservation of existing vegetation and the planting of new vegetation and provide for defensible space in conformance with state law;

Analysis: As proposed, the submitted landscape plan provides the maximum screening feasible from Highway 29, Oakville Cross Road and Silverado Trail public roads in addition to providing defensible space in conformance with state law.

25. The proposed structures and associated improvements substantially conform to the Design Manual in order to reduce their visual impact on the views of major and minor ridgelines as viewed from any designated public road and unique topographic or geologic features as viewed from any county road. The following landforms will be considered to be unique topographic or geologic features for the purposes of this subsection: Mt. St. Helena, Stag's Leap, Calistoga Palisades, Round Hill, Mt. George and Mt. St. John, all of which are not applicable to this site;

Analysis: As designed the proposed project and associated improvements substantially conform to the County's Design Manual thereby reducing any visual impacts on ridgelines. No unique topographic or geologic features are applicable to this subject site.