



A Tradition of Stewardship
A Commitment to Service

FILE # P13-00389

**NAPA COUNTY
PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES**
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

APPLICATION FOR USE PERMIT
EXCEPTION TO CONSERVATION REGULATIONS

FOR OFFICE USE ONLY			
ZONING DISTRICT: <u>AW</u>	Date Submitted: <u>11-5-13</u>		
TYPE OF APPLICATION: <u>Use Permit</u>	Date Published: _____		
REQUEST: <u>Construction of a Pool + pool house on Slopes 30% or more</u>	Date Complete: _____		
TO BE COMPLETED BY APPLICANT <small>(Please type or print legibly)</small>			
PROJECT NAME: <u>Mosser Residence Pool</u>			
Assessor's Parcel #: <u>032-170-038</u>	Existing Parcel Size: <u>65.46 ac</u>		
Site Address/Location: <u>90 Longhorn Ridge Rd</u> <u>Napa</u> <u>CA</u> <u>94558</u>			
Property Owner's Name: <u>Neveo & Marlo Mosser</u>			
Mailing Address: <u>308 Jessie St.</u> <u>San Francisco</u> <u>CA</u> <u>94103</u>			
Telephone #: <u>(415) 706-0096</u> Fax #: () _____ E-Mail: <u>nmosser@mosserco.com</u>			
Applicant's Name: <u>Rangel Gonzales, P.E. - Stillwater Civil Design</u>			
Mailing Address: <u>1090 Shetler Ave</u> <u>Napa</u> <u>CA</u> <u>94559</u>			
Telephone #: <u>(707) 974-9261</u> Fax #: () _____ E-Mail: <u>rangel@stillwatercivil.com</u>			
Status of Applicant's Interest in Property: <u>Civil Engineer</u>			
Representative Name: _____			
Mailing Address: _____			
Telephone # () _____ Fax #: () _____ E-Mail: _____			
<p>I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, plot plan, floor plan, building elevations, water supply/waste disposal system plot plan and toxic materials list, is complete and accurate to the best of my knowledge. I 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.</p>			
<u>RG</u> <small>Signature of Applicant</small> <u>J. Rangel Gonzales, P.E.</u> <small>Print Name</small>	<u>11/2/13</u> <small>Date</small> <u>Neveo Mosser</u> <small>Print Name</small>		

TO BE COMPLETED BY PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES			
Application Fee Deposit: \$ <u>5000.00</u>	Receipt No.: <u>899132</u>	Received by: <u>SV</u>	Date: <u>11-5-13</u>

INDEMNIFICATION AGREEMENT

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.

Applicant

Date

Property Owner (if other than Applicant)

Mosser Residence Pool & Pool House
Project Identification 90 Longhorn Ridge Rd.
(APN 032-170-038)

USE PERMIT EXCPTION TO CONSERVATION REGULATIONS APPLICATION

for

Mosser Residence Pool and Pool House
90 Longhorn Ridge Road
Napa, CA 94558
APN: 032-170-038

complete by

J. Rangel Gonzales, P.E., QSP/QSD
Stillwater Civil Design
1090 Shetler Avenue
Napa, CA 94559

November 5, 2013

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Project Narrative

Existing Condition-

The property located at 90 Longhorn Ridge Road was developed in 2006 with a house, garage, and barn. The existing development includes a well water source, an approved standard septic system, a designated septic reserve area, fire water storage and two wet draft fire hydrants. The property is located on a 65.46 acre parcel, however, the majority of the parcel is not accessible. The barn and corral area mark the limit of the accessible area. All area to the west and southwest of the barn is considered to not be accessible at this time.

The road accessing the parcel is a private road named Longhorn Ridge Road and this road may have portions that do not meet current Napa County Road and Street Standards. The proposed improvements presented in this Use Permit Exception Application will not increase the residential use on the property and therefore this improvement project will not be required to consider road improvements as outlined in the Napa County Road and Street Standards.

The existing septic system and designated septic reserve area will be adequate to serve the parcel after the proposed improvements are built. Since no new residential use or bedrooms are proposed for this improvement project, no septic system evaluation or upgrades to the existing septic system are required.

Proposed Improvements-

The attached Conceptual Plan completed by Stillwater Civil Design shows the proposed improvements. The improvements include an unconditioned pool house, an infinity pool, an outdoor kitchen, an outdoor fire place, and patio space. The proposed improvements will be located above the existing house to the east on a hillside where the average slope exceeds 30%. In order to develop a flat area to build the proposed features, new retaining walls will be required as shown on the attached plans. Stormwater management will be completed to comply with Napa County and the State of California requirements. Please refer to the architectural plans completed by WJD Design Studio for the proposed pool house, outdoor kitchen and outdoor fire place. Please refer to the structural engineering plans completed by JVC Structural for retaining wall design details. Please refer to the geotechnical engineering report completed by Jim Glomb Geotechnical and Environmental Consulting, Inc. for site geotechnical information.

Viewshed-

The proposed improvements and existing improvements are located in a secluded part of Napa Valley several miles off of Monticello Road. The proposed and existing improvements are not visible from any public roads. The proposed improvements will not be visible from any roads or from any of the neighboring houses.

Grading-

Substantial grading will be required in order to build a flat area as shown on the conceptual plans for the pool and pool house area. Approximately 2,075 yd³ of earth will be moved to complete the project. The grading has been designed to produce a balanced yield of material. No import or export of earthen material will be required to complete the project. Therefore, no borrow or spoil area has been designated for this project.

Vegetation Removal-

The majority of the proposed project area is free of vegetation other than grass as shown on the attached

photo exhibits. The southwestern portion of the proposed development area contains a grove of California Buckeye trees (*Aesculus Californica*) as determined by a representative of the U.S. Natural Resource Conservation Service. Please refer to the attached Proposed Tree Removal Exhibit and Images. The development project proposes to remove approximately 28 of these small (<12" diameter) California Buckeye (*Aesculus Californica*) trees.

Landscape Plan-

An area of approximately 5,000 ft² has been designated to be landscaped as part of the development project. Please refer to the attached Proposed Landscaped Area Exhibit. A detailed landscape plan will be provided along with the building permit application upon approval of the Use Permit Exception.

Greenhouse Gas Reduction-

The Napa County form Voluntary Best Management Practices Checklist for Development Projects, Projects with Measurable GHG Reduction Potential has been completed and is attached.

Use Permit Exception to Conservation Regulation Supplemental Application Responses

1. Please explain the reason for the exception request.

The property at 90 Longhorn Ridge Road is currently developed with a house and a barn. The property owner is proposing to build a pool and pool house on the sloped area above the existing house. The proposed area for the pool and pool house is on a hillside where the average slope is over 30%.

2. Are there any alternatives to the project which would not require an exception? Please explain.

Although the subject parcel is over 60 acres, the majority of this land is not accessible. The only suitable area to install a pool and pool house is above the existing house the hillside. There are no alternative areas to build a pool and pool house which would not require a use permit exception.

3. Describe how the project can meet the findings described in Section 18.108.040 A (structural or road project, or Section 18.108.040 B (agricultural project).

Section 18.108.040.A. Structural/road development projects

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

The pool and pool house have been designed to minimize the area disturbed. The proposed grading will be balance and not require import or export of material. The pool house building has been designed to compliment the natural landform and blend into the surrounding landscape. Landscaping will also compliment the surrounding area and help to blend the project into the natural surroundings. The pool and pool house is located in an area which will not be seen from any roads or by any neighboring houses.

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

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

The unconditioned accessory pool house structure employs architectural design elements which serve to reduce the amount of grading and earth moving activity. The size of the pool house was minimized and will be less than 1,000 square feet. The pool house structure utilizes the retaining wall as one of the building walls and therefore reduces the required area to install the structure.

Retaining walls are designed to blend into the surrounding terrain. The grading and retaining walls were designed to prouce a balanced amount of cut and fill and therefore no earthen material will need to be imported or exported as part of this project. The proposed development is hidden from all surrounding roads and neighboring houses.

- c. The development project minimizes removal of existing vegetation, incorporates existing vegetation into final design plans, and replacement vegetation of appropriate size, quality and quantity is included to mitigate adverse environmental effects.

The proposed improvement will require removal of vegetation. The majority of the proposed project area is free of vegetation other than grass as shown on the attached photo exhibits. The southwestern portion of the proposed development area contains a grove of California Buckeye trees (Aesculus Californica) as determined by a representative of the U.S. Natural Resource Conservation Service. Please refer to the attached Proposed Tree Removal Exhibit and Images. The development project proposes to remove approximately 28 of these small (<12" diameter) California Buckeye (Aesculus Californica) trees.

The proposed area between the existing house and the pool area will be re-vegetated with appropriate native plants as will be presented in the landscaping plan to be submitted with the building permit application.

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

Adequate fire safety measures were installed during the development of the main house structure in the year 1996. No new fire safety measures will be required for the proposed development of a pool and pool house.

5. Disturbance to streams and watercourses shall be minimized, and setbacks shall be retained as specified in Section 18.108.025.

No streams or watercourses are in the immediate vicinity of the proposed development.

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

No environmentally sensitive areas were indicated on the County's environmental sensitivity maps.

Section 18.108.040.B. Agricultural projects, or Agricultural roads as defined by Planning, Building and Environmental Services, Engineering Division.

7. The erosion rate that results two years from the completion of the proposed agricultural development does not exceed the soil tolerance factor approved by the Natural Resource Conservation Service for the soil type, topography and climatic conditions in which the project is located; (please attach a copy of the USLE worksheet used to determine the erosion rate).

No agricultural improvements are proposed. Not applicable.

8. Impacts on streams and watercourses are minimized, and adequate setbacks along these drainage ways are or will be maintained.

No agricultural improvements are proposed. Not applicable.

9. Project does not adversely impact sensitive, rare, threatened or endangered plant or animal habitats

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as designated by state or federal agencies with jurisdiction and identified on the county's environmental sensitivity maps.

No agricultural improvements are proposed. Not applicable.

Please feel free to contact Rangel Gonzales, P.E., QSP/QSD of Stillwater Civil Design at (707) 974 – 9261

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A Tradition of Stewardship
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Director

WATER AVAILABILITY ANALYSIS - PHASE ONE STUDY

Introduction: As an applicant for a permit with Napa County, It has been determined that Chapter 13.15 of the Napa County Code is applicable to approval of your permit. One step of the permit process is to adequately evaluate the amount of water your project will use and the potential impact your application might have on the static groundwater levels within your neighborhood. The public works department requires that a Phase 1 Water Availability Analysis (WAA) be included with your application. The purpose of this form is to assist you in the preparation of this analysis. You may present the analysis in an alternative form so long as it substantially includes the information required below. Please include any calculations you may have to support your estimates.

The reason for the WAA is for you, the applicant, to inform us, to the best of your ability, what changes in water use will occur on your property as a result of an approval of your permit application. By examining the attached guidelines and filling in the blanks, you will provide the information we require to evaluate potential impacts to static water levels of neighboring wells.

Step #1:

Provide a map and site plan of your parcel(s). The map should be an 8-1/2"x11" reproduction of a USGS quad sheet (1:24,000 scale) with your parcel outlined on the map. Include on the map the nearest neighboring well. The site plan should be an 8-1/2"x11" site plan of your parcel(s) with the locations of all structures, gardens, vineyards, etc in which well water will be used. If more than one water source is available, indicate the interconnecting piping from the subject well to the areas of use. Attach these two sheets to your application. If multiple parcels are involved, clearly show the parcels from which the fair share calculation will be based and properly identify the assessor's parcel numbers for these parcels. Identify all existing or proposed wells

Step #2: Determine total parcel acreage and water allotment factor. If your project spans multiple parcels, please fill a separate form for each parcel.

Determine the allowable water allotment for your parcels:

Parcel Location Factors

The allowable allotment of water is based on the location of your parcel. There are 3 different location classifications. Valley floor areas include all locations that are within the Napa Valley, Pope Valley and Carneros Region, except for areas specified as groundwater deficient areas. Groundwater deficient areas are areas that have been determined by the public works department as having a history of problems with groundwater. All other areas are classified as Mountain Areas.

Please underline your location classification below (Public Works can assist you in determining your classification if necessary):

Valley Floor
Mountain Areas
MST Groundwater Deficient Area

1.0 acre feet per acre per year
0.5 acre feet per acre per year
0.3 acre feet per acre per year

Assessor's Parcel Number(s)	Parcel Size (A)	Parcel Location Factor (B)	Allowable Water Allotment (A) X (B)
032-170-038	65.46	0.5	32.73

Step #3:

Using the guidelines in Attachment A, tabulate the existing and projected future water usage on the parcel(s) in acre-feet per year (af/yr). Transfer the information from the guidelines to the table below.

EXISTING USE:

Residential	0.75	af/yr
Farm Labor Dwelling		af/yr
Winery		af/yr
Commercial		af/yr
Vineyard*		af/yr
Other Agriculture		af/yr
Landscaping	0.4	af/yr
Other Usage (List Separately):		
		af/yr
		af/yr
		af/yr

PROPOSED USE:

Residential	0.75	af/yr
Farm Labor Dwelling		af/yr
Winery		af/yr
Commercial		f/yr
Vineyard*		af/yr
Other Agriculture		af/yr
Landscaping	0.4	af/yr
Other Usage (List Separately):		
POOL EVAPORATION	0.0195	af/yr
		af/yr
		af/yr

TOTAL: 1.15 af/yr
377,785 gallons**

TOTAL: 1.1695 af/yr **TOTAL:**
TOTAL: 381,140 gallons**

Is the proposed use less than the existing usage? ☐ Yes ☒ No ☐ Equal

Step #4:

Provide any other information that may be significant to this analysis. For example, any calculations supporting your estimates, well test information including draw down over time, historical water data, visual observations of water levels, well drilling information, changes in neighboring land uses, the usage of other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

Please see the attached evaporation estimation resource from the California Irrigation Management Information System (CIMIS). Evaporation from the pool is estimated to occur on half of the days of the year since the pool should be covered for approximately half of the days of the year. No evaporation will occur when the pool is covered.

The proposed pool house will not increase the usage of water on the site only the pool house and outdoor kitchen or the main house will be used at any one given time.

This estimate shows only a slight increase of approximately 6,355 gallons per year for the proposed improvements. The total estimated water use of 1.1695 acre-feet per year is much less than the parcel allocation of 32.73 acre-feet per year.

Conclusion: Congratulations! Just sign the form and you are done! Public works staff will now compare your projected future water usage with a threshold of use as determined for your parcel(s) size, location, topography, rainfall, soil types, historical water data for your area, and other hydrogeologic information. They will use the above information to evaluate if your proposed project will have a detrimental effect on groundwater levels and/or neighboring well levels. Should that evaluation result in a determination that your project may adversely impact neighboring water levels, a phase two water analysis may be required. You will be advised of such a decision.

Signature: _____

Date: _____

Phone: _____

Rangel Gonzalez, P.E., QSP/QSD
Lead Civil Engineer
Stillwater Civil Design

WATER AVAILABILITY ANALYSIS - PHASE ONE STUDY

Attachment A: Estimated Water Use Guidelines

Typical Water Use Guidelines:

Primary Residence	0.5 to 0.75 acre-feet per year (includes some landscaping)
Secondary Residence	0.20 to 0.30 acre-feet per year
Farm Labor Dwelling	0.06 to 0.10 acre-feet per person per year

Non-Residential Guidelines:

Agricultural:

Vineyards	
Irrigation only	0.2 to 0.5 acre-feet per acre per year
Heat Protection	0.25 acre feet per acre per year
Frost Protection	0.25 acre feet per acre per year
Farm Labor Dwelling	0.06 to 0.10 acre-feet per person per year
Irrigated Pasture	4.0 acre-feet per acre per year
Orchards	4.0 acre-feet per acre per year
Livestock (sheep or cows)	0.01 acre-feet per acre per year

Winery:

Process Water	2.15 acre-feet per 100,000 gal. of wine
Domestic and Landscaping	0.50 acre-feet per 100,000 gal. of wine

Industrial:

Food Processing	31.0 acre-feet per employee per year
Printing/Publishing	0.60 acre-feet per employee per year

Commercial:

Office Space	0.01 acre-feet per employee per year
Warehouse	0.05 acre-feet per employee per year