

STAFF REPORT

DATE: September 24, 2013

TO: Mayor and City Council

FROM: Greg Desmond, Interim Planning Director

Item: 11

RE: Introduction of Zoning Ordinance Text Amendments to Municipal Code Title 17, Zoning, Chapter 17.180: Small Winery Ordinance and Chapter 17.20: Twenty-Acre Agricultural District.



BACKGROUND

Beginning in April of 2013, the Planning Commission initiated public hearings to update and streamline the permitting process for small scale winery facilities located within the A-20 District. At their meeting on July 25, 2013 the Planning Commission recommended approval of specific amendments to both Chapter 17.180: Small Winery Ordinance and Chapter 17.20: Twenty-Acre Agricultural District.

On September 10, 2013 the City Council reviewed and suggested revisions to the amendments proposed by the Planning Commission. The Council appointed council member Pitts and White to work with Commissioner Heil and Russell as a committee with the charter of further revising the Small Winery Ordinance and Twenty-Acre Agriculture District language.

The small winery committee held a stakeholder meeting on September 16, 2013. At that meeting the committee, with input from numerous stakeholders, prepared the attached revised language.

DISCUSSION

Review and discuss amended language for Chapter 17.180: Small Winery Ordinance and Chapter 17.20: Twenty-Acre Agricultural District.

CEQA

Staff finds that the amendments are exempt from the requirements of CEQA as provided by Section 15061 (b) (3) of the Guidelines. This section advises that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment, the activity is not subject to CEQA. Staff found no evidence that proposed amendments would create a significant adverse effect on the environment.

NEXT STEPS

Introduce the zoning ordinance text amendments, waive the reading of the ordinance amendments and schedule adoption of the ordinance amendments for the Council meeting scheduled on October 8, 2013 meeting.

ATTACHMENTS:

Revised Draft Chapter 17.180: Small Winery Ordinance Amendments

Revised Draft Twenty-Acre Agricultural District Amendments

Map of 5+ Acre Agriculture Parcel Exhibit

List of Permitted Small Wineries

Napa County Use Permit Form

Napa County Reso – Marketing Events

CHAPTER 17.180: ~~SMALL~~ A-20 WINERIES

- Section 17.180.010. Purpose**
- Section 17.180.020. Definitions**
- Section 17.181.030. Applicability**
- Section 17.182.040. Use Permit Required**
- Section 17.183.050. Design Review Required**
- Section 17.184.060. Pre-Prohibition Wineries**
- Section 17.185.070. Uses Prohibited**
- Section 17.186.080. Development and Use Standards**
- Section 17.187.090. Application Requirements**
- Section 17.188.100. On-Premise Events and Sales**
- Section 17.189.110. Inspections, Fees and Licenses**

Amendment Notes:

~~Purple strike-out text is original language proposed to be removed.~~

Blue unlined text is proposed new language.

Section 17.180.010. Purpose

An A-20 Winery is a winery on five (5.0) acres or greater pursuant to Chapter 17.180.

The intention of the ~~Small~~ A-20 Winery regulations is to promote and implement the policies of the General Plan which aim to preserve agricultural land uses within the City of St. Helena. The establishment of an A-20 Winery on A-20 zoned vineyard property supports continuing agricultural use of the land and promotion of the wine industry within the city limits.

Allowing the development of ~~small wineries~~ A-20 Wineries on agricultural parcels five (5.0) acres or greater is intended to support the establishment of smaller, locally-owned and operated wineries. The size of the winery is determined by Section 17.180.080 of this ordinance. Specific conditions, related to the winery, that will be considered when the applicant applies for their conditional use permit, will include but are not limited to: if the winery is located in reasonable proximity to a major roadway or highway; if the winery demonstrates that there are no potentially significant environmental impacts; and/or if the other land uses in proximity to the winery parcel are other than agricultural.

Section 17.180.020. Definitions

Accessory use means any use subordinate to the main use and customarily a part thereof. An accessory use must be clearly incidental, related and subordinate to the main use, reasonably compatible with the other principal uses in the zoning district and with the intent of the zoning district, and cannot change the character of the main use. Unless

provided otherwise in this title, accessory uses may be conducted in the primary structure or in structures other than the primary structure. Where the zoning regulations applicable to a zoning district specifically identify the accessory uses which are permitted in conjunction with a primary use in that zoning district, no other accessory uses in conjunction with the primary use will be permitted in that zoning district.

Agricultural Parcel is any parcel with the A-20: Twenty Acre Agriculture designation.

Contiguous parcel is defined as any parcel whose property lines adjoin the parcel upon which the ~~Small~~ [A-20 Winery](#) is located, and any parcel that is immediately adjacent to or across any public or private street, excluding Highway 29, from that parcel upon which the winery is located.

Marketing Event is defined as any activity of an [A-20 Winery](#) ~~small winery~~ that is conducted at the [A-20 Winery](#) ~~small winery~~ on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis. Marketing Events must be events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing events may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Marketing Events must be directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's use permit. [A Marketing Plan shall explain the frequency and nature of each Marketing Event that will occur at the A-20 Winery.](#) Marketing Plans in their totality must remain clearly incidental, related and subordinate to the primary operation of the winery as a production facility. During the use permit approval process, careful consideration shall be given to the intent of the marketing event, the proportion of the marketing event's non-wine-related content, and the intensity of the overall marketing plan.

Pre-prohibition winery (Ghost winery) is defined as a building that was used as a winery prior to Prohibition but has since been abandoned from use as a winery. For purposes of this Section, Prohibition took effect on January 16, 1920.

Premises is defined as the parcel on which the [A-20 Winery](#) ~~small winery~~ is located.

Produced is defined as any aspect of the winemaking process.

Tours and Tastings are tours of the [A-20 Winery](#) ~~small winery~~ and/or tastings of wine produced by the [A-20 Winery](#) ~~small winery~~. Tours and tastings are limited to persons who have made ~~unsolicited~~ prior appointments for tours or tastings. Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food

service may not involve menu options and meal service such that the [A-20 Winery small winery](#) functions as a café or restaurant.

Winery is defined as an agricultural processing facility used for the fermenting and processing of grape juice into wine, and the re-fermenting of still wine into sparkling wine.

Section 17.180.030. Applicability

[A-20 Small Wineries](#) shall only be permitted [as defined herein and](#) as specifically allowed within the regulations pertaining to the established A-20: Twenty-Acre Agriculture District. The re-establishment of Pre-prohibition Wineries may be permitted within any district, except the W: Winery zoning district, in compliance with the regulations of Section 27.284.

The re-establishment of pre-prohibition wineries in the W: Winery zoning district shall comply with the W: Winery district regulations in Article II, Division 3.

Section 17.180.040. Use Permit Required

A [winery specific use permit application shall be submitted to the City of St. Helena Planning Department and a conditional use permit](#), [if](#) granted according to the process described in Chapter 17.180 of the St Helena Municipal Code, shall be required prior to the establishment of an [A-20 Winery small winery](#) in any agricultural district.

Section 17.180.050. Design Review Required

Pursuant to Chapter 17.164 all signs, new structures or buildings, or exterior revisions [or modifications](#) (~~not including change in exterior color~~) of any existing structures or buildings for both permitted and conditional uses shall require design review.

Section 17.180.060. Uses Permitted Upon Grant of Use Permit.

The following uses may be permitted at the [A-20 Winery small winery](#), but only upon grant of a use permit pursuant to Section 17.180.040:

- (a) Crushing of grapes outside or within a structure.
- (b) On-Site disposal of waste water generated by the [A-20 Winery small winery](#).
- (c) Aging, processing, and storage of wine in bulk.
- (d) Bottling and storage of bottled wine; shipping and receiving of bulk and bottled wine, provided the wine bottled or received does not exceed the permitted production capacity.

- (e) Any or all of the following uses provided that, in the aggregate, such uses are clearly incidental, related and subordinate to the primary operation of the winery as a production facility:
- (f)
 - i. Office and laboratory use.
 - ii. As defined in Section 17.180.020 and pursuant to Section 17.180.100, marketing events.
 - iii. Retail sale of ~~(1)~~ wine fermented or refermented and bottled at the [A-20 Winery](#) ~~small winery~~, irrespective of the county of origin of the grapes from which the wine was made, providing nothing herein shall excuse the application of Section 17.180.080(d) regulating the source of grapes; ~~and (2) wine produced by or for the Small Winery from grapes grown in Napa County.~~
- (g) The following uses, when accessory to a [A-20 Winery](#) ~~small winery~~:
 - i. Tours and Tastings as defined in Section 17.180.020.
 - ii. Display, but not sale, of art.
 - iii. Display, but not sale, of items [of](#) historical, enological or viticultural significance to the wine industry.
 - iv. Child day centers limited to caring for children of employees at the [A-20 Winery](#) ~~small winery~~.

Section 17.180.070. Pre-Prohibition Wineries

- (a) The re-establishment of a pre-prohibition winery may be permitted with approval of a use permit and design review.
- (b) The following findings must be made in order to approve a use permit for the re-establishment of a pre-prohibition winery:
 - 1. There is substantial evidence proving that the subject structure was used as a winery building prior to January 16, 1920.
 - 2. More than 50% of the exterior of the original historic structure remains standing.
- (c) The appearance of the renovated building must be consistent with the original appearance of the building, as documented by photographs or as recommended by a qualified architectural historian.

- (d) Pre-prohibition winery status may allow modification of regulations of the underlying zoning district to preserve the historic nature of the structure.
- (e) Pre-prohibition wineries shall not be automatically entitled to the prior annual production capacity, or type or intensity of prior social or marketing activities. Pre-prohibition winery operations must be consistent with all [A-20 Winery](#) ~~small winery~~ regulations contained in sections 27.285 through 27.290.
- (f) Conditions of approval for a use permit to re-establish a pre-prohibition winery shall provide for the continued preservation of the historic nature of the structure through rezoning to include an HP: Historic Preservation overlay or other means deemed suitable.
- (g) Construction must comply with the California Uniform Building Code and/or the State Historic Building Code, as amended and adopted by the City of St. Helena.

Section 17.180.080. Development and Use Standards

- (a) [A-20 Wineries](#) ~~small winery~~ shall generally be allowed only on parcels of five (5.0) acres or greater in size; ~~however, exceptions may be granted if it can be demonstrated that there will be minimal impact upon surrounding properties.~~
- (b) The development of the [A-20 Winery](#) ~~small winery~~ shall be consistent with the development standards outlined in Chapter 17.20.060 A-20: Twenty-Acre Agriculture, except that more restrictive and/or additional standards may be applied depending on the size, scale and location of the [A-20 Winery](#) ~~small winery~~ and if it is determined that the winery building or operations will have a negative impact upon other properties in the vicinity.
- (c) Only one [A-20 Winery](#) ~~small winery~~ is permitted per parcel.
- (d) A minimum of 50% of the grape source utilized for the wine produced, sold, and offered for tasting at the [A-20 Winery](#) ~~small winery~~ shall be grown on the Premises or the Contiguous Parcel(s) and a minimum of 85% of the grape source utilized for the wine produced, sold, and offered for tasting at the [A-20 Winery](#) ~~small winery~~ shall be grown in Napa County. During the use permit process, the A-20 winery's maximum production limit shall be established.
- (e) Pursuant to Municipal Code Section 13.04.100(f), no municipal water may be utilized for the [A-20 Winery](#) ~~small winery~~ operations or vineyard irrigation.
- (f) All employees and winery visitors shall be required to park on-site. The number of on-site parking spaces shall be determined during the use permit process depending on the size, scale, and location of the [A-20 Winery](#) ~~small winery~~.

- (g) Accessory uses, buildings and structures. The maximum square footage of structures used for accessory uses that are related to an [A-20 Winery](#) shall not exceed forty percent (40%) of the area of the production facility. "Production facility" for the purpose of this section means crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, but shall not include wastewater treatment or disposal areas which cannot be used for agricultural purposes.
- (h) Development area. The winery development area of a winery shall be contiguous to and shall not exceed one hundred percent of the winery area calculated according to subsection (i) of this section which is existing as of the date of adoption of the ordinance codified in this section.
- (i) The winery area shall be the aggregate paved or impervious or semipermeable ground surface areas of the production facility, storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees.
- (j) Winery Coverage Area. The maximum coverage of new or expanded wineries shall be twenty-five percent of the premises or ten acres, whichever is less. Coverage for the purposes of this measure shall be the aggregate paved or impervious ground surface areas of the production facility, storage areas (except caves), offices, laboratories, kitchens, tasting rooms, paved areas and access roads to public or private roads or rights-of-way and above ground sewage disposal systems.

Section 17.180.090. Application Requirements

- (a) A well water analysis is required to determine if any wells on the property have adequate capacity to support the estimated future water use. If not, the applicant must submit a copy of an approved well expansion plan prior to issuance of a building permit and the expanded well must be installed prior to issuance of a Certificate of Occupancy.
- (b) Application for an [A-20 Winery](#) ~~small winery~~ use permit shall include a Phase I Water Availability Analysis (WAA-1). The report shall describe all current and estimated future water use on the parcel, including residential, [A-20 Winery](#) ~~small winery~~, and irrigation uses. The WAA-1 shall be reviewed by the City Engineer, and if it is determined that water use is likely to exceed one acre foot of water per acre of land per year, the applicant shall be required to complete a Phase II Water Availability Analysis (WAA-2) to determine the impact of the proposed water use upon neighboring monitoring wells. If, through the WAA-2, it is determined that the proposed project will have a significant impact on neighboring wells the applicant will be required to mitigate that impact by revising the project. This mitigation plan is a Phase III Water Availability Analysis (WAA-3). Mitigation could include scaling back the size of the winery or phasing the vineyard

development. All phases of a Water Availability Analysis shall be prepared or conducted by a licensed civil engineer or hydrologist on forms prescribed by the City or with methodology approved by the City Engineer.

- (c) A grading and drainage plan shall be submitted for review and approval with the use permit application.
- (d) A traffic analysis, completed by a licensed traffic engineer, shall be submitted with the use permit application. The analysis should define the projected Average Daily Trips that will be generated by the [A-20 Winery](#) ~~small winery~~ traffic, and should include a determination as to whether the estimated increase in traffic will result in a significant adverse impact on the streets and intersections in the vicinity of the project site.
- (e) The use of mobile bottling lines shall be reviewed during the use permit process to determine impact upon residential uses in the vicinity of the property. If the use of mobile bottling lines is to be allowed, the size and parking of trucks, frequency of use and hours of operations shall be subject to limitations established in the use permit process.
- (f) Disposal of pomace and wastewater shall be reviewed during the use permit process. Wastewater treatment and disposal shall occur on the Premises or shall be distributed through the municipal wastewater system. [A-20 Winery](#) ~~small winery~~ operations shall generate no discernible odors of sewerage or putrefying organic material origin, other than normal fermentation odors, at the property line.
- (g) The construction of caves shall require use permit review. Use Permit applications for caves shall include information pertaining to disposal of spoils.

Section 17.180.100. On-Premise Events and Sales.

- (a) The establishment of on-premise wine sales shall be determined through the use permit process. ~~pursuant to Section 17.180.060 (e)(iii).~~
- (b) The hours of sales shall be by appointment only as reviewed during the use permit process.
- (c) Marketing Events are permitted at the [A-20 Winery](#) ~~small winery~~. During the use permit process careful consideration shall be given to the intent of the marketing event, the proportion of the marketing event's non-wine-related content, and the intensity of the overall Marketing Plan.
- (d) Facilities for assembly, sales or entertaining including, but not limited to, retail sales rooms, visitor centers, ~~event dining~~ rooms, kitchens or food service facilities [accessory to the A-20 Winery](#) shall be [permitted to implement the winery's Marketing Plan.](#) ~~permitted.~~

Section 17.180.110. Inspections, Fees, and Licenses.

- (a) A business license is required prior to the commencement of operation of an A-20 Winery ~~small winery~~.
- (b) The City of St. Helena ~~Planning Director, or his or her designee~~, shall inspect and audit A-20 Wineries ~~small winery~~ as often as necessary to ensure compliance with this Article and use permit conditions. An inspection and audit fee, ~~shall~~ which shall be paid for by the A-20 Winery, shall be set by Council resolution.

CHAPTER 17.20 TWENTY-ACRE AGRICULTURE (A-20) DISTRICT

- Section 17.20.010. Purpose.**
- Section 17.20.020. Permitted uses.**
- Section 17.20.030. Conditional uses.**
- Section 17.20.040. Design Review required.**
- Section 17.20.050. Accessory uses, buildings and structures.**
- Section 17.20.060. Development standards.**
- Section 17.20.070. Other uses, standards and requirements.**

Amendment Notes:

[Blue unlined text is proposed new language.](#)

~~Purple strike-out text is original language proposed to be removed.~~

Section 17.20.010. Purpose.

The twenty-acre agriculture district (A-20) provides for agricultural and residential uses. With the exception of those hillside areas designated woodlands and watershed, and wineries designated winery, all lands outside the urban limit line are designated A-20 regardless of their size or use. The purpose of the A-20 district is to promote and implement the policies of the general plan to preserve agricultural land uses and provide for future orderly development as the urban limit line is adjusted to accommodate urban growth. This district restricts the density of residential use and stipulates the location and area of residential development to promote preservation of agricultural land use and reduce impacts to the provision of infrastructure as the urban area of the city expands. (Prior code § 27.20)

Sec.17.20.020. Permitted uses.

The following are the permitted uses in the A-20 district:

- A. One single-family dwelling per parcel in existence on October 1, 1993 consistent with the development standards and density regulations of the agriculture general plan land use designation;
- B. Cultivated agriculture including, but not limited to farming, pasturage, horticulture, floriculture and viticulture; retail sales area in excess of two hundred (200) square feet regulated by use permit;
- C. Animal husbandry and livestock farming; provided, that not more than one horse, one mule, one cow, one steer or similar large animal shall be kept for each one-half acre of area;

- D. One second unit, as defined in Section 17.04.160, and consistent with the provisions of 17.116.030.
- E. Accessory buildings or structures without toilet plumbing or cooking facilities, consistent with the provisions of 17.116.010.
- F. Other similar uses found consistent with the general plan and the A-20 district pursuant to Chapter 17.08. (Prior code § 27.21)

Sec. 17.20.030. Conditional uses.

The following uses require approval of a use permit as regulated by Chapter 17.168. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the A-20 district:

- A. More than one single-family dwelling per parcel in existence on October 1, 1993; provided that the density and development standards of the A-20 District shall be observed;
- B. An accessory building or structure with toilet plumbing and/or cooking facilities, and consistent with the provision of Section 17.116.030.
- C. Buildings for agriculture-related uses on existing or proposed parcels;
- D. Facilities for the processing of agricultural products primarily produced on the premises; excluding large wineries;
- E. Hog farms, dairies, commercial poultry farms and egg ranches;
- F. Roadside stands which exceed two hundred (200) square feet in floor area and/or the sale of agricultural products not produced on the premises;
- G. Kennels, veterinarian hospitals and clinics, public and private stables, riding academies; commercial and agricultural nurseries;
- H. Farm labor housing for transient labor or agricultural employees in excess of the density limitations of the district;
- I. Other similar uses found consistent with the general plan and the A-20 district pursuant to Chapter 17.08;
- J. Flag lot development subject to the provisions of Chapter 17.112. (Prior code § 27.22)
- K. [A-20 Wineries pursuant to the provisions of Chapter 17.180.](#) ~~Small wineries~~

~~L. subject to the provisions of Chapter 17.138. (Prior Code § 27.279 – 27.289)~~

- * Farm labor supply employee housing as defined by the state of California, Department of Housing and Community Development.

Sec. 17.20.040 Design Review required.

Pursuant to Chapter 17.164 all subdivisions, signs, new structures or buildings, or exterior revisions (not including change in exterior color) of any existing structures or buildings for both permitted and conditional uses shall require design review.

Sec. 17.20.050 Accessory uses, buildings, and structures.

The following are the accessory uses, buildings, and structures permitted in the A-20 district:

- A. Garages, carports, workshops, pool houses, gazebos, patio covers, and other accessory buildings or structures without plumbing or cooking facilities.
- B. Home occupations subject to the provisions of Chapter 17.116;
- C. Roadside stands, not to exceed two hundred (200) square feet in floor area, for the sale of agricultural products produced on site;
- D. Signs subject to the provisions of Chapter 17.148;
- E. Swimming pools when located at least five feet from the property boundary and are fenced in a fashion to protect children in compliance with the Uniform Building Code;
- F. Other uses and structures which are customarily incidental and clearly subordinate to permitted and conditional uses pursuant to Chapter 17.08. (Prior code § 27.23)

Sec. 17.20.060. Development standards.

The following requirements shall be observed in the A-20 district, except as otherwise provided in this title:

- A. Parcel Size.
 - 1. The minimum parcel size for new lots created after October 1, 1993 is twenty (20) acres.

2. Parcels created as a result of lot line adjustments may be less than twenty (20) acres, provided the number of parcels existing prior to the lot line adjustment does not increase.
 3. As set forth in Section 17.20.060, the density allowed on a legal parcel ten (10) acres or larger existing on October 1, 1993 shall be limited to one dwelling unit per five acres. The density allowed shall be determined on the basis of parcels existing on October 1, 1993; parcels created after October 1, 1993 shall not be further subdivided unless consistent with density based on the parcel(s) in existence on October 1, 1993. The units allowed in excess of one unit shall be located on parcels of no greater than one-half acre each in compliance with the policies of the agriculture land use designation of the general plan. One of the permitted residential units shall be located on the remainder parcel devoted to agricultural uses and/or a deed restriction shall be placed on the remainder parcel which precludes additional residential use unless consistent with the general plan.
- B. Standards for Lots Less Than Two Acres in Area. Development regulations and floor area ratio shall be the same as those for the LR:1A: low density residential one acre minimum zoning district (Chapter 17.36).

C. Standards for Lots Two Acres or Greater in Area:

Maximum nonagricultural coverage	1 acre ¹
Floor area ratio (F.A.R.)	Not regulated
Front setback	50 feet ²
Side setback	50 feet ²
Rear yard	20 feet
Side yard	20 feet
Height of buildings/structures	30 feet

¹ Nonagricultural coverage: No more than one acre of any one parcel shall be removed from active agricultural use. "Active agricultural use" means animal husbandry, crop, tree farming, [wine production](#) and viticulture. All structures, driveways (except for a sixteen (16) foot wide driveway no greater than two-thirds the length of the parcel), parking, patios, lawn or other nonagricultural uses shall be limited to the one acre maximum per parcel.

² Measured from the centerline of abutting streets. (Ord. 00-5 § 2: prior code § 27.24)

Sec. 17.20.070. Other uses, standards and requirements.

- A. Special Yards and Distances Between Buildings. Barns, stables, chicken houses and similar accessory buildings shall not be less than fifty (50) feet from a street, nor less than forty (40) feet from any dwelling on an adjacent parcel or R district boundary line.

B. General Plan. General plan policy 2.6.61 limits residential development on properties existing at the time of adoption of the general plan (October 1, 1993) which are designated agriculture and are outside of the urban limit line in accordance with the following criteria:

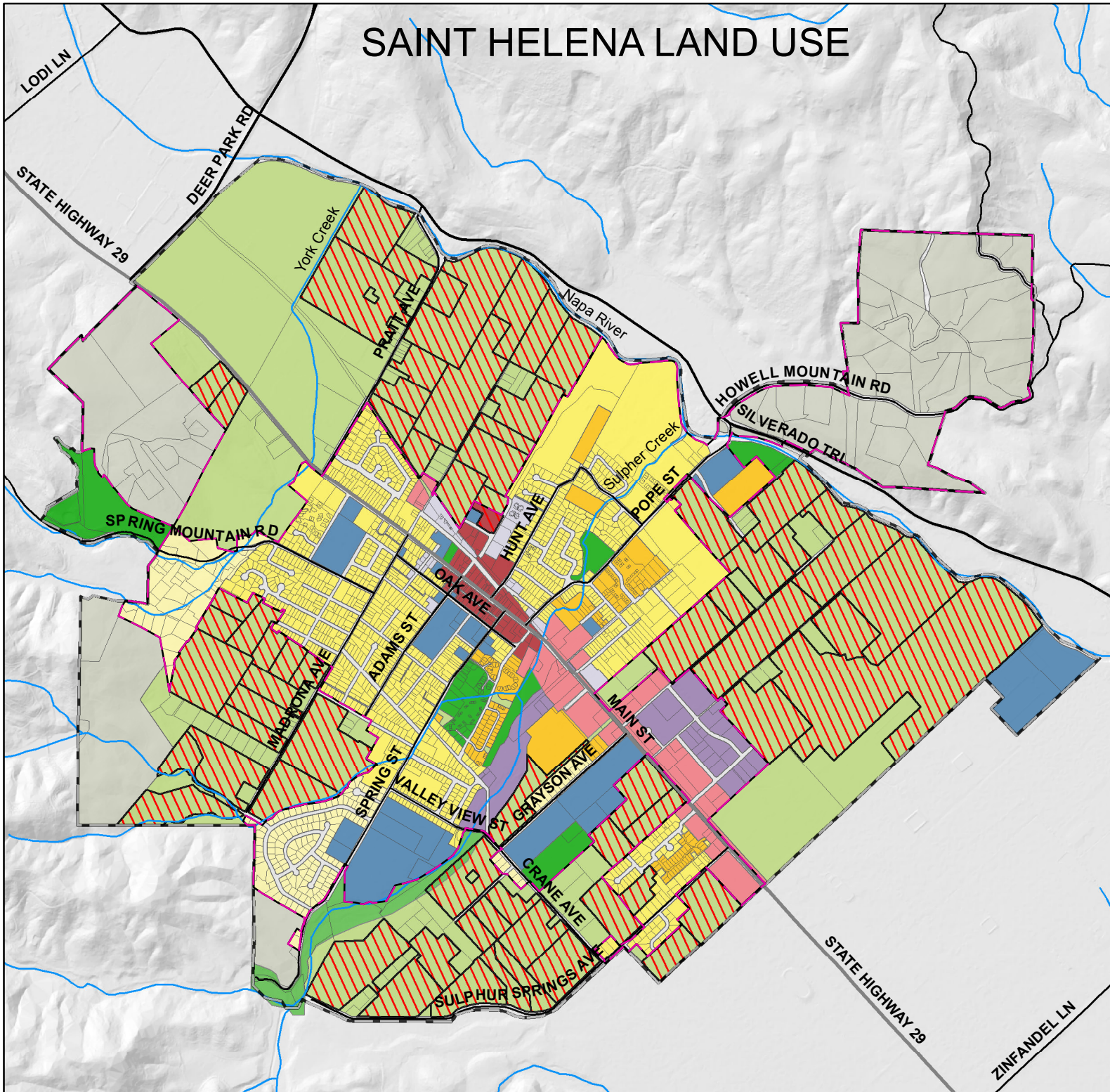
1. Maximum density of one unit for every five acres of base parcel area;
2. New parcels created after October 1, 1993. Parcels created for new development shall not exceed one-half acre in area unless consistent with policy 2.6.62;
3. For a legal parcel existing on October 1, 1993 the total area for new residential developments shall not exceed a ratio of one-half acre per unit allowed. To determine the area of the parcel which can be used for residential development, the maximum number of units allowed shall be multiplied by one-half acre per unit. After determining the area of the parcel which can be used for residential development, any number of units below the maximum permitted may be located within that area;
4. Existing unit(s) on the base parcel shall be included when determining compliance with the criteria establishing the permitted number of parcels;
5. New parcels shall be contiguous and accessible from existing streets;
6. New parcels shall be located so that they minimize the impact on the agricultural viability of the base parcel and adjoining properties;
7. Adequate provision of utilities shall be considered prior to approval of creation of new parcels and/or building sites.

C. Outside Urban Limit Line. In areas outside the urban limit line, new parcels can be created to separate residential development that existed prior to the adoption of the 1993 general plan from remaining agricultural lands. The area of the new parcel on which the existing residential development is located may exceed one-half acre, provided the area does not include existing agricultural land except land which is restricted to agricultural use. The area of the new parcel on which the existing residential development is located and the number of units existing within the area of the new parcel(s) shall be counted against the development potential of the base parcel as set forth in guiding policy 2.6.61. Neither the area (one-half acre per unit) nor the number of units (one unit per five acres) shall be exceeded, except as provided for residential development which existed prior to the adoption of the general plan.

D. Right to Farm. Property owners within this A-20 district shall recognize that there exists a right to farm properties within the district and in the vicinity of the district. There is a good faith expectation that no complaints will occur regarding legal normal agricultural activities on properties in the district or in the vicinity of the district. Such

activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes. (Prior code § 27.25)

SAINT HELENA LAND USE



Legend			
	St Helena City Limit		
	Urban Limit Line		
	NON Winery Ag Parcels ≥ 5 Acres		
	0 0.125 0.25 0.5 Miles		
Map by the County of Napa July 2013			
Landuse			
	Low Density Residential		Agriculture
	Medium Density Residential		Public & Quasi-Public
	High Density Residential		Parks and Recreation
	Central Business		Open Space
	Service Commercial		Water Bodies
	Business / Professional Office	Major Roads	
	Industrial		Highway
	Woodlands / Watershed		Arterials
			Collectors

SMALL WINERY COMPARISON TABLE

	Fulton Mather	Goldfarb	Gamble	Salvestrin	Storv	Varozza	Simpson
Project Number	2000-32	2000-35	2000-37	UPA 2000-82	2001-8	2001-46	2001-54
Address	825 Fulton Lane	455 Bella Vista Ct.	Scott Street	397 Main St.	100 Pratt Ave.	514 Pratt Ave.	2252 Sulphur Springs
Parcel Size	14.47 acres	6.11 acres	7.12 acres	12.05 acres	16.71 acres	21.00 acres	12.9 acres
Acreage for Vineyard	13.5 acres	5.11 acres	6.22 acres	11.5 acres	15.71 acres	20.0 acres	11.9 acres
Size of Winery							
Gallons	13,500 gallons	5,110 gallons	3,500 gallons	11,500 gallons	15,100 gallons	20,000 gallons	11,900 gallons
Floor Area	2,688 sf 1,704 sf cellar	1,152 sf above ground (including barn)	1,463 sf	4,300 sf outdoor crush pad	793 sf 600 sf crush pad	2,420 sf 1,200 sf crush pad	3,300 sf
Grape Source	85% on premises ⁱ	85% on premises	85% on winery parcel	85% on premises	85% on premises	85% on premises	85% on premises
Water	well	well	well	well	well, irrigation pond	well, irrigation pond	well
Sewer	septic	septic	city sewer	septic	septic	septic	septic
Crushing	yes	yes	yes	yes	yes	yes	yes
Fermentation	yes	yes	yes	yes	yes	yes	yes
Barrel aging	yes	yes	yes	yes	no	yes	yes
Bottling	mobile on-site	off-site (future)	mobile on-site mobile on-site)	off-site	off-site	mobile on-site	mobile on-site
Case storage	yes	no	no	no	no	no	no
Custom Crushing	yes	no	no	no	no		no
On-site wine sales	by appointment	no	no	by appointment	by appointment	by appointment	by appt.
Tours, Tasting	by appointment 4days/wk (1 wknd day), 10 people/day	tastings to trade 2 hrs/day, 2 days/wk, people/day	no 1 day/mo, max 2	by appointment people/day	tastings to trade 1 day/wknd, max 4 max 10 people/day	tastings to trade 2 hours/day, 2 days/wk max 10 people/day	by appt. 10am. -2pm, 2 hrs/day, 2 days/wk max 10 people/day
Public Events	none	none	none	none	none	none	none
Marketing Events	none	none	none	none	none	none	1 Harvest – 20 people 2 Release – 40 people 2 Cookouts – 30 people
Employeesⁱⁱ	one	no	one		2 full-time	5 full-time	3 part-time

RESOLUTION NO. 2010-48

A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, ESTABLISHING INTERPRETIVE GUIDANCE ON MARKETING ACTIVITIES FOR WINERIES

WHEREAS, wineries were established shortly after the planting of vineyards in Napa County and have been an important component of Napa County agriculture since the nineteenth century; and

WHEREAS, wineries have historically engaged in accessory uses in order to market and sell wine directly to consumers in addition to sales through other channels; and

WHEREAS, the County adopted a Winery Definition Ordinance in 1990 with the intent of defining uses that are permitted in association with wineries; and

WHEREAS, the resulting sections of Napa County Code have ensured that wineries approved since adoption of the Winery Definition Ordinance have remained agricultural processing facilities with accessory uses, such as tours and tastings, marketing of wine, office, and retail sales; and

WHEREAS, such uses would be deemed inappropriate in agricultural areas and therefore not permitted unless they remain incidental and subordinate to the primary use of a winery as an agricultural processing facility; and

WHEREAS, since adoption of the Winery Definition Ordinance, the County has relied on the ordinance in granting use permits and use permit modifications, and has attempted to implement provisions of the ordinance consistently and fairly; and

WHEREAS, the County, existing winery operators, and applicants seeking approval to construct new wineries all benefit from a common understanding of the requirements and restrictions added to Napa County Code with adoption of the Winery Definition Ordinance; and

WHEREAS, the County is now considering adoption of an ordinance clarifying the definition of "Marketing of Wine" and other sections of Napa County Code first adopted as the Winery Definition Ordinance in 1990; and

WHEREAS, the County wishes to complement the proposed ordinance with a resolution of Board policy providing interpretive guidance; and

WHEREAS, the interpretive guidance provided herein is intended to improve the quality of winery applications and compliance with winery requirements, and may be amended or supplemented by Board of Supervisors Resolution from time to time,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Napa as follows:


1. The Interpretive Guidance provided in Exhibit "A" reflects the Board's interpretation of winery-related sections of the zoning ordinance; and
2. The zoning ordinance shall control in the event of any conflict between the ordinance and this Resolution and/or Exhibit "A."
3. This Resolution shall take effect at the same time as the concurrent ordinance clarifying the definition of "Marketing of Wine" and other sections of Napa County Code.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Supervisors of the County of Napa, State of California, at a regular meeting of the Board held on the 11th day of May, 2010, by the following vote:

AYES: SUPERVISORS WAGENKNECHT, CALDWELL and DILLON

NOES: SUPERVISORS LUCE and DODD

ABSENT: SUPERVISORS NONE


DIANE DILLON, Chair
Napa County Board of Supervisors

ATTEST: GLADYS I.COIL
Clerk of the Board of Supervisors

By: 


<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <u>Laura J. Anderson (by e-signature)</u> Deputy County Counsel</p> <p>Date: <u>April 23, 2010</u></p>	<p>APPROVED BY THE BOARD OF SUPERVISORS</p> <p>Date: May 11, 2010</p> <p>Processed by: </p>
--	---

Exhibit A
Interpretative Guidance

I. Events Permitted as part of "Marketing of Wine"

Since the adoption of the Winery Definition Ordinance in 1990, Napa County Code has allowed activities for the education and development of customers and potential customers at wineries under the definition of "marketing of wine." Cultural and social events that are unrelated to education and development are explicitly not permitted, while cultural and social events that are directly related to education and development have always been allowed. Business events are similar to cultural and social events, in that they are only permitted as part of "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of an approved marketing plan that in its totality is "clearly incidental, related and subordinate to the primary operation of the winery as a production facility" (Sections 18.16.030(G)(5) and 18.20.030 (I)(5)).

The following are some examples of marketing events, including cultural and social events that the County considers directly related to education and development of consumers. These events fall within the definition of "marketing of wine." In each case, the example describes the intent of the event, the wine-related content, and the non-wine related content.

1. A winery invites 250 members of their wine club to the winery for a special harvest musical event. Catered food is served, the previous year's vintage is tasted from the barrel, and a string quartet performs.
2. Every year on December 5, a winery throws a Repeal Party for 100 invited distributors, wine shop owners, restaurant owners, and wine writers. No presentations are made, winemaking is not formally discussed, no food is served, but copious amounts of wine are consumed.
3. On Arbor Day, a winery owner invites 15 of her closest friends (many, but not all, of whom are regular purchasers of her wine) to a special luncheon event. Guests assemble around a heritage oak, various smoked and wood-grilled foods are served; the event culminates in the opening of the winery's ultra rare Arbor Day Cuvee, a cabernet sauvignon that has been aged for three years in untoasted oak barrels.

Examples of cultural and social events that are not permitted include weddings, wedding rehearsals, anniversary parties, and similar events where the education and development of consumers is subordinate to non-wine-related content.

The following are some examples of business events that the County considers directly related to education and development of consumers, and therefore fall within the

definition of “marketing of wine.” In each case, the example describes the intent of the event, the wine-related content, and the non-wine related content.

1. A three hour (total) tour of the winery and private tasting event is provided for employees of a national bank. Half of the event is taken up by the regional bank manager delivering a speech addressing business prospects for the coming year.
2. The COO of a Rutherford winery leads a tour of the facility’s state of the art energy efficiency and wastewater recycling programs and hosts a round table discussion about green house gas reduction efforts in the County which includes County staff, Sacramento lawmakers, and local business leaders. The afternoon ends with a wine and cheese reception featuring the winery’s biodynamically certified wines.
3. A half-day corporate retreat for a San Rafael-based software firm’s 35-member account management group. From 10 to 1 they enjoy a tour of the cellars, a tasting, and a winemaker-hosted blending lab. From 1 to 2 there is a buffet luncheon featuring estate-produced wines; over lunch the group discusses the technical aspects of the firm’s new 3D rendering tool.

Examples of business events that are not permitted include non-winery related staff meetings, conferences, shareholder meetings, and similar events where the education and development of consumers is subordinate to non-wine-related content.

The above examples are provided for guidance only. They are not intended to constitute an exhaustive list of all cultural, social, or business marketing events which are either consistent with or inconsistent with the “marketing of wine.”

Under no circumstances may winery facilities be rented out to third parties as venues for parties, meetings, or events the way that restaurants or hotels might rent their banquet halls or meeting rooms.

II. Conversion of Existing Structures:

To discourage property owners from constructing residences and barns with the express intent of converting them to wineries, the County does not generally support use permit proposals seeking to convert existing buildings to winery use if the buildings have been constructed or substantially modified within the last 5-7 years.

III. The Appropriate Intensity of Marketing Programs:

To ensure that the intensity of winery activities is appropriately scaled, the County considers the remoteness of the location and the amount of wine to be produced at a facility when reviewing use permit proposals, and endeavors to ensure a direct relationship between access constraints and on-site marketing and visitation programs.

IV. Annual "Spot" Audits:

The Conservation, Development and Planning Department's code enforcement program is generally complaint-driven; however the Department and the Planning Commission will continue their practice of encouraging compliance with winery production volumes by annually auditing a random sample of permitted wineries, using data provided by the wineries to State and federal agencies. As staffing allows, the annual "spot" audit may be expanded to consider compliance with winery visitation and marketing programs using data collected by the wineries in conformance with their conditions of approval.

V. Temporary Certificates of Occupancy:

The Building Department will continue their practice of allowing new wineries to produce wine after a temporary certificate of occupancy (TCO) has been granted, and to prohibit wineries from opening to the public for tours and tasting or for marketing events until they have a final certificate of occupancy. TCOs are generally not to be used to allow production of wine for more than one year.

Last Amended: May 11, 2010

NAPA COUNTY

Conservation, Development, and Planning Department



A Tradition of Stewardship
A Commitment to Service

USE PERMIT APPLICATION



Before you file an application...

Before you submit your application materials, and generally as early in the process as possible, give the Planning Department a call at 707.253.4417 or send us an email at cdp@countyofnapa.org to schedule a Pre-Application Review Meeting. Pre-Application Meetings (or Pre-Apps) give you an opportunity to get initial feedback from County staff, to discuss the specific items which will need to be included in your submittal, and (as necessary) to review the property's history and the County's environmental sensitivity mapping. Pre-Application Meetings are a required part of the use permit application process; they also help the County provide you with a more thorough and efficient review.

Contents

Page(s)

3-4	Use Permit Checklist of Required Application Materials
5-8	Use Permit Application Forms
9-12	Supplemental Application for Winery Uses
13	Initial Statement of Grape Source
14	Water Supply/Waste Disposal Information Sheet
15-16	Traffic Information Sheet
17-18	Green House Gas Reduction Worksheet
19-21	Water Availability Analysis - Phase I Study
22-27	Additional Environmental Management Information
28	Glassy-Winged Sharpshooter Requirements*
29	Adjoining Property Owner's List Requirements*

**These sheets are informational and are for your use/ records. They need not be returned to the County with your application materials*

Checklist of Required Application Materials

Please make sure that the following documents are complete and legible. Consistent with the State Permit Streamlining Act and Departmental policy, the Conservation, Development, and Planning Department will make an application completeness determination within thirty days of application submittal and the payment of all required initial fees.

Pre-Application Review Meeting with Planning Division Staff

Please call Supervising Planner Jessica Jordan at (707) 299-1355 or via email at jessica.jordan@countyofnapa.org to schedule.

Use Permit Application

The attached Use Permit Application forms must be completed in full and signed by the property owner or their authorized agent. Corporations, partnerships, and the like have special signature requirements as follows:

Corporations (whether for- or non-profit)

The chairman of the board OR the president or vice president AND either the secretary, assistant secretary, chief financial officer, or treasurer. Alternately, the application may be signed by any person who is authorized to do so by a corporate resolution (a copy of the resolution should be provided).

General Partnership

Any partner of the general partnership.

Limited Partnership

A general partner of the limited partnership.

Association

The president or general manager of the association.

Application Fee

Total Fees will be based on actual time and materials. A deposit (amount of deposit will be determined at the Pre Application meeting) in the amount of \$ _____, **check made payable to County of Napa.**

To-Scale Plans

Submit five 24" X 36", one 11" x 17" (or half-scale), and one 8½" x 11" copies of plans indicating the following. All plans must be to an identified architect's or engineer's scale and should legibly and comprehensively include the following details:

1. Name, address, and phone number of the owner of record, applicant, engineer, architect, and other project consultants as relevant.
2. Assessor's parcel numbers for all depicted parcels, north arrow (whenever possible, north should be at the top of the sheet), and graphic map scale.
3. Date of plan preparation (**revised plans must be clearly indicated with a new date and marked "revised"**)
4. All property lines of the subject parcel(s) and the dimensions thereof.

5. Location and names of all streets and right-of-ways serving the parcel(s).
6. Topography and elevation information in sufficient detail to properly assess the relationship of the proposed project and/or use to sea level and the contour of the land. Total project cut, fill, and off-haul should be indicated.
7. Location and top-of-bank of all ponds and/or reservoirs on or directly adjacent to the parcel(s).
8. Existing and proposed drainage patterns, drainage courses, and any other drainage improvements.
9. Limits of the FEMA 100-year floodplain and/or floodway if any portion of the parcel(s) is located within a mapped flood zone.
10. Location, dimensions, property-line setbacks, and road setbacks (as applicable) of all existing and proposed improvements, including, without limitation: all existing and proposed structures, caves, waste disposal systems, septic system reserve areas, wells, access roads, parking areas, ADA parking spaces, and outdoor work areas (whether covered or uncovered).
11. If the project requests a modification to the County's Road and Street Standards- detailed information on the proposed modification and its environmental context.
12. Location and dimensions of the proposed solid waste and recycling storage area.
13. Location and dimensions of all existing and proposed easements.
14. The areas (if any) that will be landscaped, with a description of the plant varieties, size and location of the materials to be planted and a description of proposed irrigation. The total square footage of proposed landscape areas should be indicated. *Note- projects exceeding 5,000 sq.ft. (residential) or 2,500 sq.ft. (non-residential) of landscaping are subject to additional Water Efficient Landscape Ordinance requirements.*
15. All existing trees with diameters at breast height (dbh) ≥ 6", with dbh, species, and whether the tree is to be removed or preserved indicated for each.
16. Temporary and/or permanent grading spoils storage/disposal areas.

IF YOUR PROJECT IS A WINERY, please also submit a single 24" X 36" copy of plans indicating the following. All plans must be to an identified architect's or engineer's scale and should legibly and comprehensively include the following details:

17. Marked-up site plan(s) showing existing and proposed "winery development area" and "winery coverage" in square feet. Please show your work and see the *Supplemental Application for Winery Uses* for definitions.

To-Scale Floor Plans

Submit five 24" X 36", one 11" x 17" (or half-scale), and one 8½" x 11" copies of all floor plans. All plans must be to an identified scale and should clearly indicate existing and proposed conditions. Floor plans should legibly and comprehensively include the following details:

1. Dimensions and area of all rooms, hallways, and covered or partially enclosed outdoor areas.
2. Use of each area within each structure.
3. Location of emergency exits.

IF YOUR PROJECT IS A WINERY, please also submit a single 24" X 36" copy of plans indicating the following. All plans must be to an identified architect's or engineer's scale and should legibly and comprehensively include the following details:

4. Marked-up plan(s) showing existing and proposed interior and exterior "production area" and "accessory area" in square feet. Please show your work and see p. 11 for definitions.

To-Scale Building Elevations

Submit five 24" X 36", one 11" x 17" (or half-scale), and one 8½" x 11" copies of all elevations. Elevations should be to an identified architect's or engineer's scale and should clearly indicate the following existing and proposed information. If no elevation changes are proposed, photographs may be submitted in the place of scaled elevations.

1. All relevant dimensions.
2. Exterior materials.
3. Exterior colors.
4. Existing grade.
5. Finished grade.
6. Finished floor level.
7. Building height consistent with Figure 209-1 of the 1997 *UBC Handbook*.

Site photographs

Submit color photographs of the site and its vicinity adequate to depict existing conditions at the time of application submittal.

Water Supply & Waste Disposal Information

1. For projects using groundwater- the attached Department of Public Works Phase 1 water study.
2. For projects served by a water utility- Water service will-serve letter.
3. For projects served by a sewerage utility- Sewage disposal will-serve letter.

Technical Studies

The following studies are generally required unless waived by County Planning Staff at or following a Pre-Application Review Meeting. Please see County Planning Staff for a list of pre-qualified consultants.

1. Traffic Study
2. Archeological/Cultural Resources Study
3. Historic Resources Study
4. Biological Study – Includes Spring Botanical Survey
5. Special Studies (The following may be required on a project-specific basis at the discretion of the Planning Director.)
 - _____ Noise Study
 - _____ Aviation Compatibility Study
 - _____ Visual Impacts Study (Generally includes photographic simulations)
 - _____ Geological/Geotechnical Hazard Report
 - _____ Hydrology (runoff pre- and post-project) Analysis
 - _____ Hydraulic (flood impact) Analysis
 - _____ Other: _____
 - _____ Other: _____

Additional Information Required by the Department of Environmental Management:

1. Soil Evaluation Report if an on-site septic system is proposed.
2. Engineering Feasibility Report if an on-site pond system or engineered septic system is proposed OR if peak waste flows exceed 1,500 gallons per day.
3. Water System Feasibility Report if the water supply system will serve 25 or more people inclusive of employees, visitors, and residents or if kitchen is proposed. See enclosed handout.
4. Water and/or Sewage Disposal Easement if an off-site spring, well, reservoir, storage tank, or individual sewage disposal system is proposed.
5. Completed Business Activities form, enclosed.
6. Solid Waste & Recycling Storage area location and size included on overall site plan. See guidelines at www.countyofnapa.org/DEM/.
7. Cave setback plan if a cave is proposed. See enclosed handout.

Please Note

While this checklist includes all information generally required to process a Use Permit application, it is primarily focused on winery uses. Additional information may be required at the discretion of the Planning Director, and in particular in those cases where non-winery commercial uses (such as restaurants) are proposed. **The Planning Division will make every effort to identify any additional required information at or directly following the Pre-application Review Meeting.**



A Tradition of Stewardship
A Commitment to Service

file No _____

Napa County Conservation, Development, and Planning Department

1195 Third Street, Suite 210, Napa, California, 94559 *phone* (707) 253-4417
web www.countyofnapa.org/cdp/ *email* cdp@countyofnapa.org

Use Permit Application

To be completed by Planning staff...

Application Type: _____

Date Submitted: _____ Resubmittal(s): _____ Date Complete: _____

Request: _____

*Application Fee Deposit: \$ _____ Receipt No. _____ Received by: _____ Date: _____

**Total Fees will be based on actual time and materials*

To be completed by applicant...

Project Name: _____

Assessor's Parcel No: _____ Existing Parcel Size: _____ ac.

Site Address/Location: _____
No. Street City State Zip

Primary Contact: Owner Applicant Representative (attorney, engineer, consulting planner, etc.)

Property Owner: _____

Mailing Address: _____
No. Street City State Zip

Telephone No(_____) _____ - _____ E-Mail: _____

Applicant (if other than property owner): _____

Mailing Address: _____
No. Street City State Zip

Telephone No(_____) _____ - _____ E-Mail: _____

Representative (if applicable): _____

Mailing Address: _____
No. Street City State Zip

Telephone No(_____) _____ - _____ E-Mail: _____

Use Permit Information Sheet

Use

Narrative description of the proposed use (please attach additional sheets as necessary):

What, if any, additional licenses or approvals will be required to allow the use?

District _____ Regional _____

State _____ Federal _____

Improvements

Narrative description of the proposed on-site and off-site improvements (please attach additional sheets as necessary):

Improvements, cont.

Total on-site parking spaces: _____ existing _____ proposed

Loading areas: _____ existing _____ proposed

Fire Resistivity (check one; if not checked, Fire Marshal will assume Type V – non rated):

Type I FR Type II 1 Hr Type II N (non-rated) Type III 1 Hr Type III N

Type IV H.T. (Heavy Timber) Type V 1 Hr. Type V (non-rated)

(for reference, please see the latest version of the California Building Code)

Is the project located in an Urban/Wildland Interface area? Yes No

Total land area to be disturbed by project (include structures, roads, septic areas, landscaping, etc): _____ acres

Employment and Hours of Operation

Days of operation: _____ existing _____ proposed

Hours of operation: _____ existing _____ proposed

Anticipated number of employee shifts: _____ existing _____ proposed

Anticipated shift hours: _____ existing _____ proposed

Maximum Number of on-site employees:

10 or fewer 11-24 25 or greater (specify number) _____

Alternately, you may identify a specific number of on-site employees:

other (specify number) _____

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.

Print Name of Property Owner

Print Name Signature of Applicant (if different)

Signature of Property Owner

Date

Signature of Applicant

Date

Supplemental Application for Winery Uses

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 type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Tours and Tasting- Open to the Public	<input type="checkbox"/> Existing			
Tours and Tasting- By Appointment	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Tours and Tastings	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Marketing Events*	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Marketing Events	<input 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 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 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 production capacity: _____ gal/y Per permit No: _____ Permit date: _____

Current maximum actual production: _____ gal/y For what year? _____

Proposed production capacity: _____ gal/y

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

Visitation and Hours of Operation

Please identify the winery's...

Maximum daily tours and tastings visitation:	_____ existing	_____ proposed
Average daily tours and tastings visitation ¹ :	_____ existing	_____ proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	_____ existing	_____ proposed
Non-harvest Production hours ² :	_____ existing	_____ proposed

¹ Average daily visitation is requested primarily for purposes of environmental review and will not, as a general rule, provide a basis for any condition of approval limiting allowed winery visitation.

² 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).

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, food service details, etc. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

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.)

Definitions

The below are paraphrased from County Code, please see referenced code sections for full text.

- a. **Winery Development Area** – All aggregate paved or impervious or semi-permeable ground surface areas of the production facility which includes all storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees. *See Napa County Code §18.104.210*
- b. **Winery Coverage** – The total square foot area of all winery building footprints, all aggregate paved or impervious ground surface areas of the production facility which includes all outside work, tank and storage areas (except caves); all paved areas including parking and loading areas, walkways, and access driveways to public or private roads or rights-of-way; and all above-ground wastewater and run-off treatment systems. *See Napa County Code §18.104.220*
- c. **Production Facility** – (For the purpose to calculate the maximum allowable accessory use) The total square footage of all winery crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, and employee-designated restrooms but does not include wastewater treatment or disposal areas which cannot be used for agricultural purposes. *See Napa County Code §18.104.200*
- d. **Accessory Use** - The total square footage of area within winery structures used for accessory uses related to a winery that are not defined as “production facility” which would include offices, lobbies/waiting rooms, conference/meeting rooms, non-production access hallways, kitchens, tasting rooms (private and public areas), retail space areas, libraries, non-employee designated restrooms, art display areas, or any area within winery structures not directly related to wine production. *See Napa County Code §18.104.200*

Conservation Development and Planning

Winery Production Process

The Napa County Code contains various references to winery production and refers to production capacity as “the wine bottled or received” at a winery and refers to “bottling and storage of bottled wine and shipping and receiving of bulk and bottled wine “(Code Section 18.16.030(G)(4)).¹


This handout was developed by the County planning staff with the assistance of a number of local industry representatives to assist property owners and other interested parties in interpreting Napa County Code references to winery production. It does not create a new definition or regulation.

A winery’s total annual production equals either (1) the sum of all wine created through fermentation in a given year, plus the net total of all fermented bulk wine received and shipped in the same year, including all bottled wine received on the premises during the same year; or (2) the amount of wine bottled on the premises in the same given year, *whichever is greater*.

Using the diagram on the right, this means the greater of $A+(B-C)$, or D. If $B-C$ is a negative number, total production is equal to either A or D, whichever is greater

This interpretation holds true for all physical winery facilities regardless of the number of business entities (e.g. Alternating Proprietors/Custom Crush) they accommodate or the date that their production capacity was established or recognized. However, wineries occupying multiple facilities are governed by the specific terms of their use permit or Certificate of Legal Non-conformity (CLN), which may vary.

Quantities represented by items A through D on the diagram can be determined by reviewing a winery’s annual submittals to the federal Bureau of Alcohol, Tobacco and Firearms (ATF). The County may periodically request a copy of these submittal (s) as a way to monitor compliance with previously adopted conditions/requirements. The County recognizes that annual variations can occur due to the grape harvest and the timing of finishing/bottling, and will generally review and average three to five consecutive years of data.



Inflows (Receiving)

Grapes

Juice

Bulk Wine

Bulk Wine

Processing Steps

Crush

A Fermentation

Aging & Finishing

D Bottling

Outflows (Shipping)

Juice

Bulk Wine

Bulk Wine

Bottled Wine

Figure 1. Winery Production Process

¹ The complexity of these statements can be attributed to the authors’ desire to avoid “double counting” bulk wine that is both received and bottled at a winery, and the fact that multiple vintages are present within a winery at any given time.

July 2008

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 _____ sq. ft. _____ acres
Proposed _____ sq. ft. _____ 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).

_____ sq. ft. _____ acres _____ % 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 _____ sq. ft. Proposed _____ 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 _____ sq. ft. _____ % of production facility
Proposed _____ sq. ft. _____ % of production facility

Caves and Crushpads

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 Existing: _____ sq. ft. Proposed: _____ sq. ft.
Covered crush pad area Existing: _____ sq. ft. Proposed: _____ sq. ft.
Uncovered crush pad area Existing: _____ sq. ft. Proposed: _____ sq. ft.

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.

Owner's Signature

Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.

Water Supply/ Waste Disposal Information Sheet

Water Supply

Please attach completed Phase I Analysis sheet.

	Domestic	Emergency
Proposed source of water (e.g., spring, well, mutual water company, city, district, etc.):	_____	_____
Name of proposed water supplier (if water company, city, district):	_____	_____
Is annexation needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Current water use:	_____ gallons per day (gal/d)	
Current water source:	_____	_____
Anticipated future water demand:	_____ gal/d	_____ gal/d
Water availability (in gallons/minute):	_____ gal/m	_____ gal/m
Capacity of water storage system:	_____ gal	_____ gal
Type of emergency water storage facility if applicable (e.g., tank, reservoir, swimming pool, etc.):	_____	

Liquid Waste

Please attach Septic Feasibility Report

	Domestic	Other
Type of waste:	<u>sewage</u>	_____
Disposal method (e.g., on-site septic system, on-site ponds, community system, district, etc.):	_____	_____
Name of disposal agency (if sewage district, city, community system):	_____	_____
Is annexation needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Current waste flows (peak flow):	_____ gal/d	_____ gal/d
Anticipated future waste flows (peak flow):	_____ gal/d	_____ gal/d
Future waste disposal design capacity:	_____ gal/d	_____ gal/d

Solid Waste and Recycling Storage and Disposal

Please include location and size of solid waste and recycling storage area on site plans in accordance with the guidelines available at www.countyofnapa.org/dem.

Hazardous and/or Toxic Materials

If your facility generates hazardous waste or stores hazardous materials above threshold planning quantities (55 gallons liquid, 500 pounds solid or 200 cubic feet of compressed gas) then a hazardous materials business plan and/or a hazardous waste generator permit will be required.

Grading Spoils Disposal

Where will grading spoils be disposed of?
(e.g. on-site, landfill, etc. If off-site, please indicate where off-site): _____

Winery Traffic Information / Trip Generation Sheet

Traffic during a Typical Weekday

Number of FT employees: _____ x 3.05 one-way trips per employee = _____ daily trips.

Number of PT employees: _____ x 1.90 one-way trips per employee = _____ daily trips.

Average number of weekday visitors: _____ / 2.6 visitors per vehicle x 2 one-way trips = _____ daily trips.

Gallons of production: _____ / 1,000 x .009 truck trips daily³ x 2 one-way trips = _____ daily trips.

Total = _____ **daily trips.**

(No of FT employees) + (No of PT employees/2) + (sum of visitor and truck trips x .38) = _____ **PM peak trips.**

Traffic during a Typical Saturday

Number of FT employees (on Saturdays): _____ x 3.05 one-way trips per employee = _____ daily trips.

Number of PT employees (on Saturdays): _____ x 1.90 one-way trips per employee = _____ daily trips.

Average number of Saturday visitors: _____ / 2.8 visitors per vehicle x 2 one-way trips = _____ daily trips.

Total = _____ **daily trips.**

(No of FT employees) + (No of PT employees/2) + (visitor trips x .57) = _____ **PM peak trips.**

Traffic during a Crush Saturday

Number of FT employees (during crush): _____ x 3.05 one-way trips per employee = _____ daily trips.

Number of PT employees (during crush): _____ x 1.90 one-way trips per employee = _____ daily trips.

Average number of Saturday visitors: _____ / 2.8 visitors per vehicle x 2 one-way trips = _____ daily trips.

Gallons of production: _____ / 1,000 x .009 truck trips daily x 2 one-way trips = _____ daily trips.

Avg. annual tons of grape on-haul: _____ / 144 truck trips daily⁴ x 2 one-way trips = _____ daily trips.

Total = _____ **daily trips.**

Largest Marketing Event- Additional Traffic

Number of event staff (largest event): _____ x 2 one-way trips per staff person = _____ trips.

Number of visitors (largest event): _____ / 2.8 visitors per vehicle x 2 one-way trips = _____ trips.

Number of special event truck trips (largest event): _____ x 2 one-way trips = _____ 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).

Traffic Information Sheet Addendum

Information for Caltrans Review

Application should include:

Project Location

- Site Plan showing all driveway location(s)
- Show detail of Caltrans right-of-way
- Aerial photo at a readable scale

Trip Generation Estimate

- Please provide separate **Winery Traffic Information / Trip Generation Sheets** for existing and proposed operations.

Napa County Winery Traffic Generation Characteristics

Employees

Half-hour lunch: All - 2 trips/day (1 during weekday PM peak)
Hour lunch: Permanent Full-Time – 3.2 trips/day (1 during weekday PM peak)
Permanent Part-Time – 2 trips/day (1 during weekday PM peak)
Seasonal: 2 trips/day (0 during weekday PM peak) – crush
see full time above – bottling
Auto Occupancy: 1.05 employees/auto

Visitors

Auto occupancy:
Weekday = 2.6 visitors/auto
Weekend = 2.8 visitors/auto

Peaking Factors:

Peak Month: 1.65 x average month
Average Weekend: 0.22 x average month
Average Saturday: 0.53 x average weekend
Peak Saturday: 1.65 x average Saturday
Average Sunday: 0.8 x average Saturday
Peak Sunday: 2.0 x average Sunday

Peak Weekend Hour: Winery (3-4 PM) - 0.57 x total for weekend day involved

Average 5-Day Week (Monday-Friday) - 1.3 x average weekend

Average Weekday: 0.2 x average 5-day week

Peak Weekday Hour: Winery (3-4 PM) - 0.57 x total for weekday involved

Roadway PM Peak(4-5 PM?) - 0.38 x total for weekday involved

Service Vehicles

Grapes (36 days (6weeks)/season): 1.52 trips/1000 gals/season (4 ton loads assumed)

Materials/Supplies (250 days/yr): 1.47 trips/1000 gals/yr

Case Goods (250 days/yr): 0.8 trips/1000 gal/yr

Checklist of Voluntary Greenhouse Gas Emission Reduction Measures



**A Tradition of Stewardship
A Commitment to Service**

An addendum to the Entitlement Application and a supplement for Initial Studies as required by CEQA

PROJECT NAME	_____	
PROJECT ADDRESS	_____	
APPLICANT	_____	
CONTACT INFO	email _____	phone _____

- | | yes | no | I don't know |
|---|--------------------------|--------------------------|--------------------------|
| 1 Have you designed to U.S.G.B.C.™ LEED™ or Build It Green™ standards?
If yes, please include a copy of their required spreadsheets. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2 Do you have an integrated design team?
if yes, please list: _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

3 SITE DESIGN

- | | | | |
|---|--------------------------|--------------------------|--------------------------|
| 3.1 Does your design encourage community gathering and is it pedestrian friendly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.2 Are you building on existing disturbed areas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.3 Landscape Design | | | |
| 3.31 native plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.32 drought tolerant plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.33 Pierce Disease resistant planting? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.34 Fire resistant planting? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.35 Are you restoring open space and/or habitat? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.36 Are you harvesting rain water on site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.37 planting large trees to act as carbon sinks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.38 using permeable paving materials for drive access and walking surfaces? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.4 Does your parking lot include bicycle parking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.5 Do you have on-site waste water disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.6 Do have post-construction stormwater on site detention/filtration methods designed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.7 Have you designed in harmony with existing natural features, such as preserving existing trees or rock outcroppings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.8 Does the project minimize the amount of site disturbance, such as minimizing grading and/or using the existing topography in the overall site design (such as cave design)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3.9 Is the structure designed to take advantage of natural cooling and passive solar aspects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

4 ENERGY PRODUCTION & EFFICIENCY

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 4.1 Does your facility use energy produced on site?
If yes, please explain the size, location, and percentage of off-set: _____ | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.2 Does the design include thermal mass within the walls and/or floors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.3 Do you intend to commission the performance of the building after it is built to ensure it performs as designed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.4 Will your plans for construction include: | | | |
| 4.41 High density insulation above Title 24 standards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.42 Zones for heating and cooling to provide for maximum efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.43 Energy Star™ or ultra energy efficient appliances? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.44 A "cool" (lightly colored or reflective) or a permeable/living roof? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.45 Timers/time-outs installed on lights (such as the bathrooms)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| If yes, please explain: _____ | | | |

5 WATER CONSERVATION

- | | | | |
|--|--------------------------|--------------------------|--------------------------|
| 5.1 Does your landscape include high-efficiency irrigation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.2 Does your landscape use zero potable water irrigation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.3 Is your project in the vicinity to connect to the Napa Sanitation reclaimed water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.4 Will your facility use recycled water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.41 If no, will you prepare for it by pre-installing dual pipes and/or purple lines? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.5 Will your plans for construction include: | | | |
| 5.51 a meter to track your water usage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.52 ultra water efficient fixtures and appliances? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.53 a continuous hot water distribution method, such as an on-demand pump? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5.54 a timer to insure that the systems are run only at night/early morning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

yes no I don't know

6 MATERIAL RECYCLING

6.1 Are you using reclaimed materials?

--	--	--

 If yes, what and where: _____

6.2 Are you using recycled construction materials-

6.21 finish materials?

--	--	--

6.22 aggregate/concrete road surfaces?

--	--	--

6.23 fly ash/slag in foundation?

--	--	--

6.3 Will your contractor be required to recycle and reuse construction materials as part of your contract?

--	--	--

6.4 Does your facility provide access to recycle-

6.41 Kitchen recycling center?

--	--	--

6.42 Recycling options at all trash cans?

--	--	--

6.43 Do you compost green waste?

--	--	--

6.44 Provide recycling options at special events?

--	--	--

7 NATURAL RESOURCES

7.1 Will you be using certified wood that is sustainably harvested in construction?

--	--	--

7.2 Will you be using regional (within 500 miles) building materials?

--	--	--

7.3 Will you be using rapidly renewable materials, such as bamboo?

--	--	--

7.4 Will you apply optimal value engineering (studs & rafters at 24" on center framing)?

--	--	--

7.5 Have you considered the life-cycle of the materials you chose?

--	--	--

8 INDOOR AIR QUALITY

8.1 Will you be using low or no emitting finish and construction materials indoors-

8.11 Paint?

--	--	--

8.12 Adhesives and Sealants?

--	--	--

8.13 Flooring?

--	--	--

8.14 Framing systems?

--	--	--

8.15 Insulation?

--	--	--

8.2 Does the design allow for maximum ventilation?

--	--	--

8.3 Do you plan for a wood burning fireplace (US EPA Phase II certified)?

--	--	--

8.4 Does your design include dayling, such as skylights?

--	--	--

9 TRANSPORTATION DEMAND MANAGMENTMENT

9.1 After your project is complete, will you offer your employees incentives to carpool, bike, or use transit?

--	--	--

9.2 After your project is complete, will you allow your employees to telecommute or have alternative work schedules?

--	--	--

9.3 Does your project include design features that encourage alternatives modes of transportation, such as preferred parking for carpooling, ridesharing, electric vehicles?

--	--	--

secured bicycle parking, safe bicycle access?

--	--	--

loading zones for buses/large taxi services?

--	--	--

9.4 How close is your facility to public transportation?

--	--	--

10 Are there any superior environmental/sustainable features of your project that should be noted?

11 What other studies or reports have you done as part of preparing this application?
1 _____
2 _____
3 _____
4 _____

12 If your project involves an addition or modification to an existing building, are you planning to improve energy conservation of existing space (such as insulation, new windows, HVAC, etc.)?

--	--	--

If yes, please describe: _____

13 Once your facility is in operation, will you:

13.1 calculate your greenhouse gas emissions?

--	--	--

13.2 implement a GHG reduction plan?

--	--	--

13.3 have a written plan to reduce your vehicle miles traveled of your operations and employee's commute?

--	--	--

14 Does your project provide for education of green/sustainable practices?

--	--	--

If yes, please describe: _____

15 Any comments, suggestions, or questions in regards to the County's efforts to reduce greenhouse gases?

Form filed out by: _____

Please feel free to include additional sheets of paper as necessary.



A Tradition of Stewardship
A Commitment to Service

Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
www.co.napa.ca.us/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Donald G. Ridenhour, P.E.
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	1.0 acre feet per acre per year
Mountain Areas	0.5 acre feet per acre per year
MST Groundwater Deficient Area	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)

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:		PROPOSED USE:	
Residential	_____ af/yr	Residential	_____ af/yr
Farm Labor Dwelling	_____ af/yr	Farm Labor Dwelling	_____ af/yr
Winery	_____ af/yr	Winery	_____ af/yr
Commercial	_____ af/yr	Commercial	_____ f/yr
Vineyard*	_____ af/yr	Vineyard*	_____ af/yr
Other Agriculture	_____ af/yr	Other Agriculture	_____ af/yr
Landscaping	_____ af/yr	Landscaping	_____ af/yr
Other Usage (List Separately):		Other Usage (List Separately):	
_____	_____ af/yr	_____	_____ af/yr
_____	_____ af/yr	_____	_____ af/yr
_____	_____ af/yr	_____	_____ af/yr

TOTAL: _____ af/yr
_____ gallons**

TOTAL: _____ af/yr **TOTAL:**
TOTAL: _____ 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 if other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

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:** _____

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

Additional Environmental Management Information



A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

Memorandum

DATE: January 5, 2005
TO: All interested parties
FROM: Department of Environmental Management
SUBJECT: Use Permits and Regulated Water Systems

The purpose of this memo is to provide information regarding the current requirements for regulated water system permitting. The Department of Environmental Management has a contract with the State to administer the small water system program. County Code Chapter 13.08 addresses the requirements for local public water systems and includes the definition of a "public water system". This definition states that a public water system is one that is required to be permitted or approved by the Department of Health Services (DHS) Office of Drinking Water or the environmental management director pursuant to the California Safe Drinking Water Act and related laws (which contain selected portions of the Health and Safety Code, Water Code, Business and Professions Code and the California Code of Regulations, Titles 17 and 22). The State regulates the large public water systems and as stated above, this department regulates the small water systems.

The most common new small water system is that serving a winery. During the use permit process, this department reviews the numbers of anticipated visitors and employees and makes a determination if the proposed winery will meet the threshold for a regulated water system. In general, we are looking for either (1) a combined number of peak users (visitors and employees) greater than 25 on a daily basis or (2) the total number of employees equal to or greater than 25. If either of these thresholds is met, the water system will be regulated. If you have questions on whether your proposed project will be regulated as a small water system, you may contact this department as discuss this with the district inspector. If you do not meet these thresholds, but will have a regulated kitchen used for food service for marketing events, you will be regulated as a different type of water system. You will need to submit bacteriological quality sample results from your source(s) with your use permit application, but not the full feasibility report as discussed below.

If your project will be regulated as a small water system, a water system feasibility report will be required as a completeness item at the time of a Use Permit application. This report will ensure that the proposed project can satisfy the technical, managerial and financial requirements of this department and DHS and must include the information listed on the attached worksheet. There is a good chance that existing wells will not meet the construction requirements for a regulated water system. As such, a new supply will have to be developed. If this is the case, the information provided in the feasibility report must reflect this fact. Prior to issuance of a building permit the new water supply must be developed and full plans for the water system must be submitted to and approved by this department.

New Community and Non-Community Water Systems

Technical, Managerial and Financial Capacity Worksheet (Use Permit Applications and Water System Feasibility Reports)

1. **Water system name**
2. **Name of person who prepared the report**
3. **Technical Capacity:**
 - System description-from source to point of use-what is expected (including treatment, etc).
 - One year projection for water demand and an analysis of the water system to meet the projected demand (project expansion and improvements for a ten year period).
 - Source adequacy:
 - Groundwater: Does the well have a 50-foot seal with a 3-inch annular space? Is a well log available?
 - Surface water treatment: Can the water system comply with the Surface Water Treatment Rule?
 - Water supply capacity. Can the water system (including all sources and storage facilities) supply a minimum of three gallons per minute for at least 24 hours for each service connection served?
 - Provide a characterization of the water quality (or expected water quality if a new source is required), including a comparison with established or proposed drinking water standards and the feasibility of meeting these standards.
 - An evaluation of the feasibility of consolidation with other (existing) water systems.
4. **Managerial:**
 - Description of the organization's ability to manage a water system (personnel to be hired and/or job descriptions for water system maintenance responsibilities). For systems that use land that is not owned by the water system, the terms for a long-term agreement for use of the land/facilities must be disclosed.
 - Document the system's water rights.
5. **Financial:**
 - Budget projection and description of system's financial capacity (your ability to financially support the operation of a water system).

Please address and questions on this worksheet or the information required to the water specialist in the Department of Environmental Management.

Business Activities

Please submit the Business Activities page, the Business Owner/Operator Identification page, and Hazardous Materials Inventory - Chemical Description pages for all submissions. (Note: the numbering of the instructions follows the data element numbers that are on the Unified Program Consolidated Form (UPCF) pages. These data element numbers are used for electronic submission and are the same as the numbering used in Division 3, Electronic Submittal of Information). Please number all pages of your submittal. This helps your CUPA or AA identify whether the submittal is complete and if any pages are separated.

1. FACILITY ID NUMBER - Leave this blank. This number is assigned by the Certified Unified Program Agency (CUPA) or Administering Agency (AA). This is the unique number which identifies your facility.
2. EPA ID NUMBER - If you generate, recycle, or treat hazardous waste, enter your facility's 12-character U.S. Environmental Protection Agency (U.S. EPA) or California Identification number. For facilities in California, the number usually starts with the letters CA. If you do not have a number, contact the Department of Toxic Substances Control (DTSC) Telephone Information Center at (916) 324-1781, (800) - 61-TOXIC or (800) 61-86942, to obtain one.
3. BUSINESS NAME - Enter the full legal name of the business. This is the same as the terms Facility Name or DBA - Doing Business As that might have been used in the past.
103. BUSINESS SITE ADDRESS - Enter the street address where the facility is located. No post office box numbers are allowed. This information must provide a means to geographically locate the facility.
104. BUSINESS SITE CITY - Enter the city or unincorporated area in which business site is located.
105. ZIP CODE - Enter the zip code of business site. The extra 4 digit zip may also be added.
106. CONTACT- Enter a contact person's name.
107. PHONE- Enter a contact phone number
4. HAZARDOUS MATERIALS –
Check the box to indicate whether you have a hazardous material onsite. You have a hazardous material onsite if:
 - It is handled in quantities equal to or greater than 500 pounds, 55 gallons, or 200 cubic feet of compressed gas (calculated at standard temperature and pressure),
 - It is handled in quantities equal to or greater than the applicable federal threshold planning quantity for an extremely hazardous substance listed in 40 CFR Part 355, Appendix A,
 - Radioactive materials are handled in quantities for which an emergency plan is required to be adopted pursuant to Part 30, Part 40, or Part 70 of Chapter 10 of 10 CFR, or pursuant to any regulations adopted by the state in accordance with these regulations.If you have a hazardous material onsite, then you must complete the Business Owner/Operator Identification page and the Hazardous Materials Inventory - Chemical Description page, as well as an Emergency Response Plan and Training Plan.
Do not answer YES to this question if you exceed only a local threshold, but do not exceed the state threshold.
- 4a. REGULATED SUBSTANCES – Refer to 19 CCR 2770.5 for regulated substances. Check the box to indicate whether your facility has CalARP regulated substances stored onsite.
5. OWN OR OPERATE UNDERGROUND STORAGE TANK (UST) - Check the appropriate box to indicate whether you own or operate USTs containing hazardous substances as defined in Health and Safety Code (HSC) 25316. If YES, then you must complete one UST Facility page and UST Tank pages for each tank. You must also submit a plot plan and a monitoring program plan.
8. OWN OR OPERATE ABOVEGROUND PETROLEUM STORAGE TANK OR CONTAINER - Check the appropriate box to indicate whether there are ASTs onsite which exceed the regulatory thresholds. (There is no UPCF page for ASTs.) This program applies to all facilities storing petroleum in aboveground tanks. Petroleum means crude oil, or any fraction thereof, which is liquid at 60 degrees Fahrenheit temperature and 14.7 pounds per square inch absolute pressure (HSC 25270.2 (g)). The facility must have a cumulative storage capacity greater than 1,320 gallons for all ASTs. NOT Subject to the Act (exemptions):
An aboveground petroleum storage tank (AST) facility with one or more of the following (see HSC 25270.2 (k)) is not subject to this act and is exempt:
 - A pressure vessel or boiler which is subject to Division 5 of the Labor Code,
 - A storage tank containing hazardous waste if a hazardous waste facility permit has been issued for the storage tank by DTSC,
 - An aboveground oil production tank which is regulated by the Division of Oil and Gas,
 - Certain oil-filled electrical equipment including but not limited to transformers, circuit breakers, or capacitors.
9. HAZARDOUS WASTE GENERATOR - Check the appropriate box to indicate whether your facility generates hazardous waste. A generator is the person or business whose acts or processes produce a hazardous waste or who causes a hazardous substance or waste to become subject to State hazardous waste law. If your facility generates hazardous waste, you must obtain and use an EPA Identification number (ID) in order to properly transport and dispose of it. Report your EPA ID number in #2. Hazardous waste means a waste that meets any of the criteria for the identification of a hazardous waste adopted by DTSC pursuant to HSC 25141. "Hazardous waste" includes, but is not limited to, federally regulated hazardous waste. Federal hazardous waste law is known as the Resource Conservation and Recovery Act (RCRA). Unless explicitly stated otherwise, the term "hazardous waste" also includes extremely hazardous waste and acutely hazardous waste.
10. RECYCLE - Check the appropriate box to indicate whether you recycle more than 100 kilograms per month of recyclable material under a claim that the material is excluded or exempt per HSC 25143.2. Check YES and complete the Recyclable Materials Report pages, if you either recycled onsite or recycled excluded recyclable materials which were generated offsite. Check NO if you only send recyclable materials to an offsite recycler. You do not need to report.
11. ONSITE HAZARDOUS WASTE TREATMENT - Check the appropriate box to indicate whether your facility engages in onsite treatment of hazardous waste. "Treatment" means any method, technique, or process which is designed to change the physical, chemical, or biological character or composition of any hazardous waste or any material contained therein, or removes or reduces its harmful properties or characteristics for any purpose. "Treatment" does not include the removal of residues from manufacturing process equipment for the purposes of cleaning that equipment. Amendments (effective 1/1/99) add exemptions from the definition of treatment for certain processes under specific, limited conditions. Refer to HSC 25123.5 (b) for these specific exemptions. Treatment of certain laboratory hazardous wastes do not require authorization. Refer to HSC 25200.3.1 for specific information. Please contact your CUPA to determine if any exemptions apply to your facility. If your facility engages in onsite treatment of hazardous waste then complete the Onsite Hazardous Waste Treatment Notification - Facility page and one set of Onsite Hazardous Waste Treatment Notification - Unit pages with waste and treatment process information for each unit.
12. FINANCIAL ASSURANCE - Check the appropriate box to indicate whether your facility is subject to financial assurance requirements for closure of an onsite treatment unit. Unless they are exempt, Permit by Rule (PBR) and Conditionally Authorized (CA) operations are required to provide financial assurance for closure costs (per 22 CCR 67450.13 (b) and HSC 25245.4). If your facility is subject to financial assurance requirements or claiming an exemption, then complete the Certification of Financial Assurance page.
13. REMOTE WASTE CONSOLIDATION SITE - Check the appropriate box to indicate whether your facility consolidates hazardous waste generated at a remote site. Answer YES if you are a hazardous waste generator that collects hazardous waste initially at remote sites and subsequently transports the hazardous waste to a consolidation site you also operate. You must be eligible pursuant to the conditions in HSC 25110.10. If your facility consolidates hazardous waste generated at a remote site, then complete the Remote Waste Consolidation Site Annual Notification page.
14. HAZARDOUS WASTE TANK CLOSURE - Check the appropriate box to indicate whether the tank being closed would be classified as hazardous waste after its contents are removed. Classification could be based on:
 - Your knowledge of the tank and its contents
 - Testing of the tank
 - Inability to remove hazardous materials stored in the tank.
 - The mixture rule
 - The listed wastes in 40 CFR 261.31 or 40 CFR 261.32.If the tank being closed would be classified as hazardous waste after its contents are removed, then you must complete the Hazardous Waste Tank Closure Certification page.
- 14a. RCRA LQG - Check the appropriate box to indicate whether your facility is a Large Quantity Generator. If YES, you must have or obtain a US EPA ID Number.
- 14b. HOUSEHOLD HAZARDOUS WASTE COLLECTION - Check the appropriate box to indicate whether your facility is a HHW Collection site.
15. LOCAL REQUIREMENTS - Some CUPAs or AAs may require additional information. Check with your CUPA before submitting the UPCF to determine if any supplemental information is required.



A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

Unified Programs (Hazardous Materials Business Plan, Hazardous Waste, Extremely Hazardous Substances, Aboveground Storage Tanks, and Underground Storage Tanks):

Be sure to complete the Napa County Department of Environmental Management Business Activities Form included in the Use Permit Application Package. Essentially, facilities that store hazardous materials above threshold planning quantities (55 gallons of liquid, 200 cubic feet of compressed gas, or 500 pounds of a solid), generate hazardous waste(s), handle extremely hazardous substances (aqueous ammonia, anhydrous ammonia, peracetic acid, sulfur dioxide gas, etc), store petroleum products in excess of 1,320 gallons in aboveground tanks, and/or plan on storing hazardous substances in underground storage tanks shall contact the Napa County Department of Environmental Management at 707.253.4471 to obtain the required permits in addition to completing the required forms. Please keep in mind that facilities that are required to complete a Hazardous Materials Business Plan shall file said plan within 30 days of bringing above threshold planning quantities of hazardous materials onsite.

Stormwater:

There are two different stormwater programs that facilities may qualify for in Napa County. The first program is based on the State of California Water Resources Board's (SWRCB) Industrial Permitting program. If a facility has a regulated Standard Industrial Classification (SIC) Code, it must register with the SWRCB by completing a Notice of Intent and complete a Stormwater Pollution Prevention Plan. Additional information, including a list of regulated SIC codes, may be found at:

http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml

The most prevalent regulated industry in Napa County is wineries with a SIC code of 2084.

The second program requires facilities that do not have a regulated SIC code but may still pose a threat to stormwater obtain a permit from Napa County, but the preparation of a SWPPP is not required.

Please provide accurate information as this information will be used to determine what conditions, if any, will be placed on the Use Permit Application. If questions arise, you are encouraged to contact the Napa County Department of Environmental Management at 707.253.4471 for further assistance.



A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

MEMORANDUM

To:	All interested parties (applicants, engineers, property owners)	From:	Department of Environmental Management
Date:	Revised March 7, 2011 Revised November 2009 January 2004	Re:	Procedure to verify septic system and cave clearance distances

The clearance distances between caves and septic systems were established to ensure that appropriate health and safety considerations have been made with respect to the location of cave structures and septic systems. Napa County Code, Section 13.28.040 establishes minimum clearance distances between septic systems and cave structures and this memo describes the process for demonstrating the proposed cave meets the appropriate clearance. In developing the clearance distances and this procedure, the potential impact of cave drains on existing septic systems was considered as well as the potential impact of the septic system on a cave.

The following procedure will be used to verify distances between the cave and septic system(s) meet the minimum clearance distances specified in County Code, Section 13.28.040:

Prior to this Department recommending approval of Use Permit applications and building permit applications not requiring a Use Permit, an accurate legible plan showing all existing septic systems within 1500 feet of the cave must be submitted for review and approval. Full scaled drawings of the cave structure must be submitted showing cave tunnel elevations. Additionally, if a cave is proposed upgradient of an existing or proposed septic system the plan must include details on cave drainage to evaluate the potential impact on existing or proposed septic systems located downgradient of the cave structures.

Glassy-Winged Sharpshooter Requirements

A NEW REQUIREMENT FOR ALL DEVELOPERS AND LANDSCAPE CONTRACTORS FROM THE COUNTY AGRICULTURAL COMMISSIONER

Please notify our office of all impending deliveries of live plants with points of origin outside Napa County.

Napa County needs your help in preventing the introduction of the Glassy-Winged Sharpshooter (GWSS) into our area. The magnitude of the threat that this half-inch long leafhopper insect poses to our local economy, the environment and our quality of life cannot be overstated.

GWSS feeds off a wide variety of plants and possesses the capability of transmitting a bacterium that causes Pierce's Disease (PD). Grapevines are highly susceptible to a particular strain of this bacterium, which chokes off the water and nutrient flow and eventually kills the plant. GWSS is a stronger flier and a more voracious eater than the common native vectors of PD, and it can quickly spread to all types of habitats in a given location. Ornamental plants and native vegetation may not show any symptoms, but they can serve as reservoirs of PD for many years. GWSS picks up the disease from these infected plants and transmits it to the vineyards while feeding on the grapevines. No other county has as much at risk economically from the threat of PD spread by GWSS.

To combat this threat, Napa County has gone beyond the standard state quarantine regulations in implementing the most rigorous inspection program of any county in the state for incoming plant shipments. *We are asking for your cooperation to purchase plant materials locally when possible and notify our office of all impending deliveries of live plants with points of origin outside Napa County.* An evaluation based on the origin and contents of each shipment will then be made, and, if necessary, trained personnel will be promptly dispatched to perform an inspection upon its arrival at your destination site. When you purchase ornamental plants from local nurseries, the special restrictions imposed by this county program would not apply.

In conjunction with these plant inspections, the Napa County Agricultural Commissioner's Office has developed an extensive year-round pest detection program aimed at discovering any possible existing GWSS infestations. Thousands of traps have been set up throughout the county and are routinely monitored by staff members and with the help of vineyards personnel. Sweep surveys are conducted at developments which have been landscaped within the last few years as well as at other high-risk locations. We also participate in meetings, discussions and the distribution of informational materials to educate the public and members of the industry about this matter. Please look over the attached brochures, share them with your employees and contact us if you have any training needs, questions or concerns. Our goal is to have everyone in the community aware and helping us look for GWSS!

Thank you for your continued assistance in providing a greater level of protection to safeguard our community from this serious menace.

Sincerely,

David R. Whitmer

Napa County Agricultural Commissioner

Adjoining Property Owner List Requirements

All applications shall include a list of the current owners of all the properties whose outer perimeters are within **300 feet** of the property boundary of the project site. The list shall include the property owner's names, their addresses, and the assessor's parcel numbers of the property owned. The list may be expanded to include other affected property owners at the discretion of the Planning Director as well as individuals having a request for notice on file with the Commission Clerk.

Preparation, verification and submission of this list of property owners is the responsibility of the applicant. Lists of the property owners appearing on County tax rolls in the form required are available from all local title insurance companies. Each such list must be certified by a title insurance company as reflecting the most recent County tax roll information. While the mailing list is not necessarily required at initial project submittal, the project cannot be noticed for hearing without it.

Instructions to the Title Company

Please prepare the property owners' list as follows:

1. Type the property owners' names, parcel numbers and mailing addresses on an 8½" by 11" sheet of Avery #5160 Laser Labels so that this information can be readily used in mailing by the Conservation, Development and Planning Department.
2. Submit a full page copy of the assessors' parcel book page(s) and a copy of the latest equalized assessment roll used to compile the property owners' list. Please indicate the location of all parcels listed, by check mark or colored parcel number circled on the pages.

If you have any questions, please contact the Conservation, Development, and Planning Department at (707) 253-4417.



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: _____
Project number if known: _____
Contact person: _____
Contact email & phone number: _____
Today's date: _____

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.

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 Plan
Doing 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.

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).

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 _____
% Change _____

Already Plan
Doing 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.

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.

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!

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.

Already Plan
Doing 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%.

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.

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.

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.

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.

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 burned 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 Plan
Doing 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.
-

- 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.

- 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?

Sources:

1. *Napa County Bicycle Plan, NCTPA, December 2011*
2. *California Air Pollution Control Officers Associate (CAPCOA). January 2008. CEQA and Climate Change*
3. *Napa County General Plan, June 2008.*
4. *California Office of the Attorney General. 2010. Addressing Climate Change at the Project Level available at http://ag.ca.gov/global_warming/pdf/GW_mitigation_measures.pdf*
5. *U.S. Green Building Council (2009). LEED 2009 for New Construction and Major Renovations Rating System. Washington, DC: United States Green Building Council, Inc.*
6. *California Energy Commission (2008). Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings. Sacramento, CA: California Energy Commission.*
7. *U.S. Department of Energy (2010). Cool roof fact sheet.*
8. <http://www1.eere.energy.gov/buildings/ssl/ledlightingfacts.html>
9. *Compact Fluorescent Light Bulbs". Energy Star. Retrieved 2013-05-01.*
10. <http://energy.gov/energysaver/articles/solar-water-heaters>. Retrieved 2013-05-02.
11. <http://energy.gov/energysaver/articles/solar-water-heater>. Retrieved 2013-05-09
12. http://www.bchydro.com/powersmart/residential/guides_tips/green-your-home/cooling_guide/shade_trees.html
13. <http://www.napagreen.org/about>. Retrieved 2013-05-09
14. <http://www.countyofnapa.org/pages/departmentscontent.aspx?id=4294971612>
15. <http://www.napasan.com/Pages/ContentMenu.aspx?id=109>
16. <http://water.epa.gov/polwaste/green/index.cfm>