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Recommended Conditions of Approval and Final Agency Approval Memos

**PLANNING COMMISSION HEARING – FEBRUARY 3, 2021
RECOMMENDED CONDITIONS OF APPROVAL**

**SHANTI WINES
USE PERMIT No. P20-00188
194 Camino Oruga #9
APN 057-270-013**

This permit encompasses and shall be limited to the project commonly known as **Shanti Wines**, located at **194 Camino Oruga, Unit 9**. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

- 1.1** Approval of a Use Permit for a 12,500 gallon per year winery to allow the following:
- a. Conversion of an existing, 1,435 square foot industrial condominium unit into a winery facility to include a 160 square foot tasting area, a 373 square foot production area, a 170 square foot office, 466 square foot storage area, a 28 square foot restroom and a hallway;
 - b. Installation of floor drains, a crush pad and a holding tank in the production area;
 - c. Visitation, tours and tasting, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
 - d. On-premises consumption of wine as set forth in COA No. 4.4 below;
 - e. Daily production between the hours of 9:00 a.m. and 6:00 p.m. (Monday-Sunday) and visitation between the hours of 10:00 a.m. and 7:00 p.m. daily (Monday-Sunday);
 - f. One (1) full time employee and two (2) part time employees;
 - g. Hold and haul system for process waste;
 - h. Installation of an awning over the pedestrian doorway;
 - i. Signage consistent with the NVBP Specific Plan standards.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 MONITORING COSTS

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions of approval and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."

Tours and tastings (defined below) 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 winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings shall be by appointment only and shall be limited to the following:

- a. Frequency: Seven days per week, Monday through Sunday
- b. Maximum number of persons per day: 12
- c. Maximum number of persons per week: 84
- d. Hours of visitation: 10:00 a.m. to 7:00 p.m.

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times 4:00 p.m. to 6:00 p.m.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

4.3 MARKETING

Marketing events shall be limited to the following:

- a. **Wine club event**
 - 1. Frequency: ten times per year, no more than one per month
 - 2. Maximum number of persons: 30
 - 3. Time of Day: between 5:00 p.m. and 10:00 p.m. weekdays;
between 11:00 a.m. and 10:00 p.m. weekends
- b. **Wine auction event**
 - 1. Frequency: One time per year or month or week
 - 2. Maximum number of persons: 100
 - 3. Time of Day: between 11:00 a.m. and 10:00 p.m. weekends
- c. All food to be catered.

"Marketing of wine" means any activity of a winery which is conducted at the 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 pursuant to the County Code. Marketing of wine may include cultural and social 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 of wine 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.

Business events are similar to cultural and social events, in that they will only be considered as “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 a marketing plan approved as part of the winery’s Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event’s non-wine-related content, and the intensity of the overall marketing plan (County Code).

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 p.m. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery’s marketing plan because they are covered by ANV’s Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director’s July 17, 2008 memo, “Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises,” on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the tasting room. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee’s marketing plan set forth in COA Nos.4.2 and 4.3 above.

4.5 RESIDENCE OR NON-WINERY STRUCTURES [RESERVED]

4.6 GRAPE SOURCE [RESERVED]

4.7 COMPLIANCE REVIEW [RESERVED]

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event the required ABC and/or TTB permits and/or licenses are suspended or revoked, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are reinstated.

Visitation log books, visitor reports, custom crush client records, and any additional documentation determined by Staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance review process.

4.8 RENTAL/LEASING

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this Permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

4.9 GROUND WATER MANAGEMENT – WELLS [RESERVED]

4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (4:00 p.m. to 6:00 p.m.). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.12 PARKING

The location of visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized marketing events allowed per COA No. 4.3 above.

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM [RESERVED]

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.
- b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
- c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.
- d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS

Temporary off-site signage, such as “A-Frame” signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies’ requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Environmental Health Division operational conditions as stated in their memorandum dated January 13, 2021.
- b. Napa County Airport operational conditions as stated in their Request for Comments response dated July 23, 2020.
- c. City of American Canyon operational conditions as stated in their “will serve” letter dated October 21, 2020.
- d. NapaSan operational conditions as stated in their “will serve” letter dated August 14, 2020.

to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify this permit.

4.19 OPERATIONAL MITIGATION MEASURES [RESERVED]

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT [RESERVED]

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Environmental Health Division operational conditions as stated in their memorandum dated January 13, 2021.
- b. Napa County Airport operational conditions as stated in their Request for Comments response dated July 23, 2020.
- c. City of American Canyon operational conditions as stated in their "will serve" letter dated October 21, 2020.
- d. NapaSan operational conditions as stated in their "will serve" letter dated August 14, 2020.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the permit.

6.2 BUILDING DIVISION – GENERAL CONDITIONS

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- a. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

6.4 LANDSCAPING – PLAN SUBMITTAL [RESERVED]

6.5 COLORS [RESERVED]

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES [RESERVED]

6.7 TRASH ENCLOSURES [RESERVED]

6.8 ADDRESSING [RESERVED]

6.9 HISTORIC RESOURCES [RESERVED]

6.10 DEMOLITION ACTIVITIES [RESERVED]

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION [RESERVED]

6.12 PERMIT PREREQUISITE MITIGATION MEASURES [RESERVED]

6.13 PARCEL CHANGE REQUIREMENTS [RESERVED]

6.14 FINAL MAPS [RESERVED]

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. CONSTRUCTION CRANES

Any crane used in the construction of the phases shall be lighted and have flags for improved visibility from aircraft; no crane shall exceed 80 feet in height without first obtaining the Federal Aviation Administration's express approval.

b. AIRCRAFT OVERFLIGHT EASEMENT

Upon building permit submittal, the permittee shall submit verification that an aircraft overflight easement has been recorded on the property that provides for the right of aircraft operation, overflight and related noises, and for the regulation of light emissions, electrical emissions, or the release of substances such as steam or smoke which could interfere with aircraft operations.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

a. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

c. AIR QUALITY

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the California Regional Water Quality Control Board.

7.2 ARCHEOLOGICAL FINDING [RESERVED]

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8 am to 5 pm.

7.4 CONSTRUCTION MITIGATION MEASURES [RESERVED]

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. Departments and/or agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence.

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS

Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. At least one legible sign shall be placed at the property entrance with the words "Tours and Tasting by Prior Appointment Only" to inform the public of same. Any off-site signs allowed shall be in conformance with the County Code.

9.3 GATES/ENTRY STRUCTURES [RESERVED]

9.4 LANDSCAPING

- a. The applicant shall place wine barrels and/or decorative landscaping at the building entrance.
- b. Landscaping shall be installed in accordance with the approved landscaping plan.

9.5 GRADING SPOILS [RESERVED]

9.6 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

The applicant shall install a black fabric awning over the pedestrian entrance of the winery.



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Melanie Jackson-Couch, Planner III	From: Darell Choate, EHS
Date: 01/13/21	Re: Use Permit – Shanti Wines 194 Camino Oruga #9 Assessor Parcel 057-270-013-000 Permit# P20-00188

Environmental Health Division staff has reviewed an application for Shanti Wines. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. If the proposed hold and haul system is located outside the building, plans shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions and submitted to this Division. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
2. If the proposed hold and haul system is located outside the building, a construction permit must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
3. If the proposed hold and haul system is located outside the building, it will be regulated by this Division. The hold and haul tank must be pumped by a Napa County licensed pumping company. The applicant shall maintain pumping records and make available upon request. Additionally, the applicant may be required in the future to connect all wastewater lines to Napa Sanitation District if hauling waste is no longer feasible. The applicant shall meet Napa Sanitation District requirements prior to connection.
4. If the proposed hold and haul system is located within the building, it will not be regulated by this Division. However, the hold and haul tank must be pumped by a Napa County licensed pumping company. The applicant shall maintain pumping records and make available upon request. Additionally, the applicant may be required in the future to connect all wastewater lines to Napa Sanitation District if hauling waste is no longer feasible. The applicant shall meet Napa Sanitation District requirements prior to connection.

During construction and/or prior to final occupancy being granted:

1. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
2. All domestic waste water lines of the proposed development must be connected to the Napa Sanitation District.
3. The proposed parcel(s) must be connected to the City of American Canyon water system.

Upon final occupancy and thereafter:

1. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities.
2. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.
3. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
4. The applicant shall file a Notice of Intent (NOI) and complete a Storm Water Pollution Prevention Plan with the State of California Water Resources Control Board's (SWRCB) Industrial Permitting program, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Additional information, including a list of regulated SIC codes, may be found at: http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml Additionally, the applicant shall file for a storm water permit from this Division, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Certain facilities may be exempt from storm water permitting. A verification inspection will be conducted to determine if exemption applies.
5. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
6. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.



October 21, 2020

Melanie Jackson
Planner III
Planning, Building and Environmental Services
County of Napa, 1195 Third Street, Suite 210 Napa,
CA 94559

SUBJECT: Shanti Wines
194 Camino Oruga #9
APN 057-270-013

Dear Ms. Jackson:

The City of American Canyon has received a New Project Submittal Courtesy Notice from your office on August 20, 2020 informing the City of American Canyon of the proposed Shanti Wines located at 194 Camino Oruga, Suite 9.

It is the City's understanding that the Property is located within its Extraterritorial Water Service Area and that a Will-Serve Letter for water service to the Property is required prior to the County's approval of a Use Permit.

The Property has an approved Will Serve issued on August 15, 2014. The proposed winery's anticipated water demand will not exceed the water demand in the approved Will Serve. Therefore, a new Will Serve is not required.

Sincerely yours,

DocuSigned by:

C9D723B92AF94C2...

Edison C. Bisnar, Jr., P.E.
Engineer III



COLLECTION • TREATMENT • RECOVERY • REUSE

August 14, 2020

Conservation, Development, and Planning
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

SUBJECT: P20-00188 Shanti Wines Use Permit, REFRL-001126, Shanti Wines, LLC, 194 CAMINO ORUGA #09-#12 (Jackson-Couch)

The Napa Sanitation District has reviewed the above-named application. The following are the conditions of approval for the project.

The owner shall pay to the District the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a County Building Permit, and shall adhere to the rules and regulations as they apply to the application.

The District has identified the following comments based on the current application. The District reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan. The proposed project shall be subject to the following conditions of approval:

The proposed project shall be subject to the following conditions of approval:

1. A plan showing the required sanitary sewer improvements shall be prepared conforming to NapaSan standards, and shall be submitted to NapaSan for approval.
2. No floor drains are allowed in the building except in the restroom and food service areas. Any existing floor drains shall be permanently abandoned.
3. Should there be a drain in the trash enclosure, it shall be connected to a grease interceptor and the trash enclosure shall meet the NapaSan standards. Contact NapaSan for more information.
4. While the application does not state the winery waste will be stored and hauled, Napa County Staff have indicated the applicant plans to hold and haul. For winery waste handled by a hold and haul method, no discharge to NapaSan's sanitary sewer facilities will occur. Documentation of who will be hauling the waste shall be provided to NapaSan. The applicant shall enter into a zero-waste discharge permit with NapaSan.
5. For wineries hold and hauling winery waste, discharge of winery waste to sanitary sewer will not be allowed.
6. If the owner desires to discharge the process wastewater to the District in the future, the owner would be required to pay capacity charges to NapaSan based on the rates in effect at the time

and would be subject to the rules and regulations in effect at that time. At a minimum the facility would be subject to the following:

1. Installation of a flow meter and sampler on the process waste line
 2. Ensure that the discharge conforms with the District's Local Limits
 3. Provide NapaSan with a wastewater treatment plan
 4. Obtain an Industrial Waste Discharge Permit from NapaSan for the winery operation. Permit conditions would be established by NapaSan at the time an application is made by the owner.
7. All waste discharged to the sanitary sewer shall meet NapaSan's most current Local Limits published in NapaSan Code.
8. NapaSan has not been involved in this project's planning process. NapaSan strongly encourages applicant to reach out to NapaSan to discuss facility and waste discharge plans and options.
9. The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:
- a. Agreement Fees
 - b. Plan Check Fees
 - c. Inspection Fees
 - d. Capacity Charges (based on use and square footage for commercial. Outdoor dining and event space is included in the square footage)
 - e. Capacity Charges (The capacity charges for the process waste stream shall be calculated per Section 5 of District Code. Contact NapaSan for additional information).
10. NapaSan has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at NapaSan's website (www.NapaSan.com). NapaSan may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

The capacity charge for an equivalent dwelling unit currently is \$9,959 and will increase by the Consumer Price Index (CPI) annually in July. Commercial capacity charges are determined per NapaSan Code Section 5.02.030.B. Contact NapaSan Staff for additional information regarding capacity charges.

Sincerely,



Simon Kobayashi, P.E.
Associate Engineer



A Tradition of Stewardship
A Commitment to Service

FILE # P19 - 00273

Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Main: (707) 253-4417
Fax: (707) 253-4336

David Morrison
Director

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: Greg Baer, Airport Manager, Napa County Airport

APPLICATION TITLE: Shanti Wines Use Permit (P20-00188)

APN: 057-270-013-000

DESCRIPTION OF PROJECT: Request of approval for a use permit to allow for an approximately 1,500 square foot winery with a maximum number of tastings of 12 per day, two to four winery events per month and up to four wine club events per year. Wine club and special events will be catered. The applicant also requests approval for the installation of stainless steel wine tanks, a crush pad and winery signage. The winery would include one employee working 8 hour shifts daily, from 9:00 a.m. to 6:00 p.m.. A maximum of ten additional employees would be present during winery events. Visitation would occur between the hours of 10:00 a.m. and 6:00 p.m.. The applicant also proposes a maximum of 12 tastings per day, 2-4 wine events per month and four wine club events per year. Additional details are included in the attached application materials.

RESPONSE REQUEST DATE: July 21, 2020 RESPONSE RETURN DATE: August 14, 2020

PLEASE RESPOND VIA E-MAIL TO melanie.jackson-couch@countyofnapa.org OR VIA TELEPHONE (707) 259-8194.

This application (see enclosed application submittal documents) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

1. Do you have any comments on this project? ☒ Yes ☐ No
2. Do you have jurisdiction by law over this project? ☒ Yes ☐ No
3. Attach your agency's comments, or list them below: ☐ Comments attached
☒ Comments below

Comments:

Applicant must provide an Aviation and Hazard
Easement Deed in compliance with Napa County
Code Chapter 11.08

Name of contact person: Kathy Wagenknecht
for GREG BAER

Telephone #: 707-259-8683

Email: Kathy.wagenknecht@countyofnapa.org

Title: Staff Services Analyst

Date: 7/23/20