



A Tradition of Stewardship
A Commitment to Service

August 12, 2013

Ryan Waugh
4290 Kingsford Drive
Napa Ca 94558

Re: Napa Custom Crush Winery – Road Modification Request
2275 Soda Canyon Road, Napa (APNs 039-640-011)

Dear Mr. Waugh,

Please be advised that your request for an exception to the Napa County Road and Street Standards (RSS) along an existing shared driveway, and associated with building permit B13-00372 and B13-00605 for a winery has been **APPROVED** by the Zoning Administrator based on the attached Exhibit A Findings, and subject to Napa County reviewing agency comments and conditions of approval as provided in Exhibit B.

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), which exempts existing roads undergoing minor improvements and modifications. Pursuant to CEQA Section 15303, Class 1, Existing Facilities and Appendix B, Class 1(1) of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project consists of a minor alteration to an existing road in connection with the construction of a new winery.

The exception becomes effective immediately unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Expiration Date: August 12, 2013

Pursuant to Section 18.124.080 of the Napa County Code, this exception must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of this exception.

APVL P13-00048
39-640-011

Planning, Building & Environmental Services

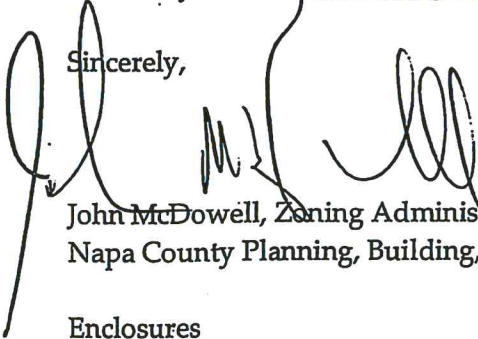
1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Hillary Gitelman
Director

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 10-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Should you have any questions, please contact Suzanne Gardner-Gambill, Planner at (707) 299-1334 or by e-mail at Suzanne.gambill@countyofnapa.org

Sincerely,

A handwritten signature in black ink, appearing to read "John McDowell". The signature is written in a cursive style with a large initial "J" and "M".

John McDowell, Zoning Administrator
Napa County Planning, Building, & Environmental Services

Enclosures

cc: Kelvin Morasch
Nathan Galambos, Engineering & Conservation Division
Pete Munoa, Fire Department
Project File
Chron File

EXHIBIT A
NAPA COUNTY PLANNING, BUILDING & ENVIRONMENTAL SERVICES
FINDINGS
NAPA CUSTOM CRUSH
EXCEPTION TO COUNTY ROAD & STREET STANDARDS
2275 SODA CANYON ROAD, NAPA
APN: 039-640-011

The Zoning Administrator has reviewed the attached described Road and Street Standards Exception request in accordance with the County's Road and Street Standards (RSS) Sections 3(D) and 3(E), and makes the following findings:

3(D-1) The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least 6" dbh and found by the decision-maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like.

Analysis: The Engineering and Conservation Division and Cal Fire has reviewed this request and determined that the requested exception will preserve unique features in the natural environment such as, excessively steep slopes, natural drainage ways and dense bedrock.

3(E) The Zoning Administrator shall not grant an exception unless it finds that grant of the exception, as conditioned by the Zoning Administrator provides the same overall practical effect as these Standards towards providing defensible space, and consideration towards life, safety and public welfare. Monetary hardship alone shall not be considered as a basis for an exception.

Analysis: The Engineering and Conservation Division and Cal Fire have discussed the improvements proposed in the request and determined, subject to recommended conditions of approval, that the proposed improvements to the driveway in the areas noted in the request would serve as an alternate method by which adherence to the RSS may be achieved and would provide the same overall practical effect as the RSS towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public.

EXHIBIT B
NAPA COUNTY PLANNING, BUILDING & ENVIRONMENTAL SERVICES
CONDITIONS OF APPROVAL
NAPA CUSTOM CRUSH
EXCEPTION TO COUNTY ROAD & STREET STANDARDS
2275 SODA CANYON ROAD, NAPA
APN: 039-640-011

1. **SCOPE:** The permit shall be limited to:

An exception to the Napa County Road and Street Standards for a driveway that will serve a new winery. All roadway construction associated with this application, outside the request for a road and street standard variance shall conform to the current Road and Street Standards of Napa County at the time of permit submittal and accepted construction and inspections practices. The exception request generally consists of the following:

- A. Station 9+79 to 12+40: Road Exception Request for fourteen foot traffic lane with two foot of compacted earth shoulder;
- B. Station 13+20: to 16+20: Road Exception Request for fourteen foot traffic lane with two foot of compacted shoulder;
- C. Station 17+00: to 20+00: Road Exception Request for fourteen traffic lane and two foot of compacted earth shoulder;
- D. Station 20+80 to 23+50; Road Exception Request for a fourteen traffic lane and two foot of compacted earth shoulder;
- E. Station 12+40: an inter-visible turnout;
- F. Station 16+20: an inter-visible turnout;
- G. Station 20+00 an inter-visible turnout.

The project is on a 31.35 acre parcel located on Soda Canyon Road, approximately 3,300 feet from the intersection of Chimney Rock Road within the AW (Agricultural Watershed) Zoning District.

Minor changes to these roadway improvements may be permitted subject to review and approval by the Engineering Manager in consultation with the Fire Marshal, and consistent with the Road and Street Standard Exception Findings made for this request.

2. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments, and Agencies. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as if enumerated herein:

- A. Napa County Fire Marshal's Office as stated in their Memorandum dated March 14, 2013.
- B. Engineering & Conservation Division as stated in their Memorandum dated April 5, 2013.

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 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 approved building permit.

3. **GATES/ENTRY STRUCTURES**

Any gate installed at the residence entrance shall be reviewed by the Planning, Building & Environmental Services, and the Napa County Fire Department to assure that it is designed to ensure public safety and fire suppression access is available at all times. If the gate is part of an entry structure, an additional permit shall be required according to the County Code.

4. **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 during windy periods.

5. **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 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. 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. 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 Zoning Administrator may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Zoning Administrator at some time in the future, the Zoning Administrator may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Administrator) as needed until compliance assurance is achieved. The Zoning Administrator may also use the data, if so

warranted, to commence revocation hearings in accordance with §18.124.120 of the Napa County Code.

6. **TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with all applicable codes, conditions and requirements from all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.



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Planning, Building & Environmental Services

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

Hillary Gitelman
Director

MEMORANDUM

To: Suzie Gambill Planner Planning Division	From: Patrick C. Ryan Assistant Engineer Engineering Division
Date: April 5, 2013	Re: Permit No. P13-00048 Napa Custom Crush-Road Modification Conditions of Approval APN: 039-640-011 2275 Soda Canyon Rd. Napa

The County of Napa Planning, Building, and Environmental Services Department (PBES), Engineering Division has received a referral for comments on a Use Permit Major Modification application, generally requesting the following:

Modifications to use permit P05-0391, proposing a variance to Napa County Road and Street Standards for commercial non-residential facility. The proposal is requesting an exception to the minimum 18 foot wide driveway with a 2 foot shoulder for the portions of the driveway that would require significant environmental impacts to construct.

After careful review of the Napa Custom Crush Road Modification Use Permit application submittal package the Engineering Division has determined that all items are complete and sufficiently detailed. As long as no additional changes are made to the proposed improvements this Division recommends approval of the project with the following conditions:

EXISTING CONDITIONS:

1. The County of Napa parcel 039-640-011-000 is located at 2275 Soda Canyon Road, Napa, CA, and is a secondary parcel to primary parcel 039-640-012-000, where Napa Custom Crush Winery is in construction.
2. The existing parcel is approximately 31.35 acres.
3. The existing parcel is zoned AW, Agricultural Watershed District.

Planning Division
(707) 253-4417

Building Division
(707) 253-4417

Engineering & Conservation
(707) 253-4417

Environmental Health
(707) 253-4471

Parks & Open Space
(707) 259-5933

4. Existing property is currently developed with an existing access road, varying in width, and drainage facilities. The existing road travels to Napa County Parcel No. 039-640-012-000, where a winery is being constructed
5. The subject parcel is part of the Napa River Watershed, which conveys to the Soda Creek a tributary of Napa River.
6. An unnamed blueline stream is located to the south of the proposed improvements and Conn Creek is located east of the proposed improvements.

RECOMMENDED CONDITIONS:

COMMERCIAL ACCESS ROADS AND DRIVEWAYS:

1. All roadway construction associated with this application, outside the request for a road and street standard variance shall conform to the current Road and Street Standards of Napa County at the time of permit submittal and accepted construction and inspection practices.
 - i. **Driveway Apron** - Driveway connection to arterial roads in rural areas shall conform to the 2011 Napa County Road & Street Standards, Detail P-2, page 63.
 - ii. **Station 0+40± to 3+76.54** – This portion of the driveway shall be designed and constructed to meet a minimum of two nine-foot traffic lanes and two-foot earth shoulder providing two-way traffic flow. See the 2011 Napa County Road & Street Standards, Detail C-7, page 29, Common Drive without parallel parking lanes.
2. The variance to the 2011 Napa County Road and Street shall apply to the following road stations:
 - i. **Station 9+79 to 12+40** – Driveway width shall be constructed to meet approved fourteen-foot traffic lane and two-foot of compacted earth shoulder, due to the unique features of the natural environment which includes: dense bedrock and steep slopes. The driveway section shall be constructed to meet the three inches of asphalt-concrete over six inches of class II aggregate base, per the approved plans.
 - ii. **Station 13+20 to 16+20** - Driveway width shall be constructed to meet approved fourteen-foot traffic lane and two-foot of compacted earth shoulder, due to the unique features of the natural environment which includes: dense bedrock and steep slopes. The driveway section shall be constructed to meet the three inches of asphalt-concrete over six inches of class II aggregate base, per the approved plans.
 - iii. **Station 17+00 to 20+00** - Driveway width shall be constructed to meet approved fourteen-foot traffic lane and two-foot of compacted earth shoulder, due to the unique features of the natural environment which includes: dense bedrock and steep slopes. The driveway section shall be constructed to meet the three inches of asphalt-concrete over six inches of class II aggregate base, per the approved plans.
 - iv. **Station 20+80 to 23+50** - Driveway width shall be constructed to meet approved fourteen-foot traffic lane and two-foot of compacted earth shoulder, due to the unique features of

the natural environment which includes: dense bedrock and steep slopes. The driveway section shall be constructed to meet the three inches of asphalt-concrete over six inches of class II aggregate base, per the approved plans.

3. The approval of the variance to the road and street standards are conditioned that the mitigating measures proposed, intervisible turnouts located at driveway stations 12+40, 16+20, and 20+00, and drainage improvements for the entire length of roadway, are constructed per the approved plans.
4. The applicant must obtain an encroachment permit prior to any work performed within the Napa County right-of-way.

SITE IMPROVEMENTS:

5. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this Division prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
6. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
7. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards and the California Building Code (CBC). Specifically, all cut and fill slopes shall be setback to meet the latest CBC.
8. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County PBES Department Engineering Division evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.
9. The applicant shall furnish a complete set of the electronic files of all approved improvement plans on a storage media acceptable to the County Engineer.
10. At the completion of construction, and prior to the final approval by the County, the applicant shall verify that all electronic files provided to the County reflect any changes to the approved plans made during construction and that all plans reflect the as built conditions.

CONSTRUCTION STORMWATER REQUIREMENTS

11. Any Project that requires a building or grading permit shall complete a Napa County Construction Site Runoff Control Requirements Appendix A - Project Applicability Checklist

and shall wet sign and submit this form to the Napa County PBES Department Engineering Division for review.

- i. The subject project is considered a 'High Priority' Project and shall amend the current Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of California Regional Water Quality Control Board (CRWQB), WDID 2 28C353676. The revised SWPPP shall be submitted to the Napa County PBES Department Engineering Division for review.
12. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
13. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
14. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
15. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS

16. Any Project that requires a building or grading permit shall complete a Napa County Post-Construction Runoff Management Requirements Appendix A - Project Applicability Checklist and shall wet sign and submit this form to the Napa County PBES Department Engineering Division for review.
 - i. Standard and Priority Projects must submit a complete Stormwater Runoff Management Plan (SRMP) to this Division
17. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for Post-Construction Runoff Management Requirements which is available at the PBES Department office.
18. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. infiltration, and/or retention/detention systems) may be used to capture and infiltrate the excess volume.

19. Provide concrete stamping, or equivalent, of all stormwater conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping – Drains to Napa River"). Signage shall identify the receiving water the drain discharges to and include a message in Spanish.

OTHER RECOMMENDATIONS:

20. All conditions of approval from the original use permit P05-00005, P05-0391, and P08-00527 shall remain in effect for P13-00048.
21. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Patrick Ryan from Napa County PBES Department Engineering Division at (707) 253.4892 or via e-mail at Patrick.Ryan@countyofnapa.org.



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Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

Office: (707) 967-1419
Fax: (707) 967-1474

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Suzie Gambill
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: March 14, 2013
P13-00048 APN# 039-640-011

Subject: Napa Custom Crush

SITE ADDRESS: 2275 Soda Canyon Road

The Napa County Fire Marshal's Office has reviewed the Use Permit application for a road modification to a portion of an existing road. Based on the site visit with Kelvin Moresch the Napa County Fire Marshal's Office approves the road modification as outlined in the statement request. The remainder of the road shall comply with Napa County Public Works Road & Street Standards. If you have any questions please don't hesitate to call our office at 707-967-1423.