



A Tradition of Stewardship
A Commitment to Service

David Morrison
Director

MEMORANDUM

To: Emily Hedge	From: Darrell Mayes
Date: November 26, 2014	Re: Planning Use Permit P14-00353

Building Inspection Division Planning Use Permit Review Comments

Address: 759 Technology Way
 APN: 057-330-005
 Owner: Cory and Kristen Phillips
 Contact: Charles Sawyer

Description: This Planning Use permit is for 10,000 gallon a year winery in an existing condominium development and associated improvements. This is a change in use to an existing building.

Comments: The Building Division is not reviewing this Major Modification to an existing Use Permit for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for Use Permit application P14-00353 do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical permits and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, **“only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit”**. The codes adopted at this time are 2013 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part11 Green Buildings.
2. 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 will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a “J” number from the Bay Area Air Quality Management District at the time the applicant applies for a demolition permit if applicable. If there are not any buildings to be demolished disregard this comment.

3. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. The plans provided to me for this Use Permit Major Modification do not show compliance with the Americans with Disabilities Act and/or the California Building Code, chapter 11B, which provides for accessibility in non-residential buildings and sites.
4. All cooking equipment in occupancies other than residential shall be commercial grade. Commercial kitchens are required to comply with the California Mechanical Code. Cooking equipment used in processes producing steam, smoke or grease-laden vapors shall be equipped with an exhaust system that complies with all the equipment and performance requirements of the Mechanical Code, and all such equipment and performance shall be maintained per the Mechanical Code during all periods of operation of the cooking equipment. Specifically, the following equipment shall be kept in good working condition: A. Cooking Equipment. B. Hoods. C. Ducts. D. Fans. E. Fire suppression systems. F. Special effluent or energy control equipment. All airflows shall be maintained. Maintenance and repairs shall be performed on all components at intervals necessary to maintain working conditions. If there will not be a kitchen for this project disregard this comment.
5. **In accordance with the California Building Code No change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.**

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707) 259-8230

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.

Darrell Mayes, CBO
Chief Building Official
County of Napa County
Planning, Building and Environmental Services Department
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David Morrison
Director

MEMORANDUM

To: Emily Henderson, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>JD</i>
Date: November 26, 2014	Re: Sawyer Cellars Use Permit – Engineering CoA 759 Technology Way, Napa, CA P14-00353 APN 057-330-005

The Engineering Division received a referral for comment on a modification to an existing Use Permit, generally requesting the following:

To convert an existing warehouse into a 10,000 gallon per year winery. Application also proposes a visitation and marketing plan that will allow for visitation for up to 8 visitors per day and a total of 11 marketing events per year. The marketing events will consist of ten events per year with up to 30 visitors per event, and one event per year with up to 100 visitors. The marketing events will be catered. Project also proposes to install a hold and haul system and disconnect the interior floor drain from the Napa Sanitation District.

After careful review of the submittal package the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. Napa County parcel 057-330-005 is a condominium on an approximately 1.03 acre parcel on Technology Way in Napa.
2. Parcel is within the boundaries of the Napa County Airport Industrial Area.
3. Site is currently developed with a warehouse and associated parking.

RECOMMENDED CONDITIONS:

PARKING:

1. Any new parking or changes to the existing parking proposed by the applicant or required by the Planning Commission as a condition of this permit must conform to the requirements of the latest edition of the Napa County Road and Street Standards.

OTHER RECOMMENDATIONS:

2. 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.
3. The Applicant must comply with all associated requirements and exhibits relating to water conditions to be imposed on all parcels as described in Napa County Agreement No. 7070, between the County of Napa and the City of American Canyon. This agreement and all its parts shall be effective as of July 3rd, 2008. (See Attached Exhibits E,F,G,H)

AIRPORT SPECIFIC CONDITIONS

4. Applicant will pay the applicable Napa County Airport Industrial Area Traffic Mitigation Fees prior to receiving any building permits for this project. The applicant should contact the Public Works office to obtain information regarding the determination of this fee.
5. All Public Works and civil site related improvements shall conform to the latest Napa County Road and Street Standards and the latest Napa County AIASP.
6. Any necessary storm drainage improvements shall conform to the latest “Napa County Road and Street Standards”.

CONSTRUCTION STORMWATER REQUIREMENTS:

7. 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 submit this form to the Napa County Planning, Building and Environmental Services Department for review.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

8. 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 Planning, Building and Environmental Services Department office.

9. All processing areas, barrel washing, and bottling shall be performed indoors or under a cover and drained to the new “hold and haul” system. Direct connections to the storm drain system from processing areas are prohibited.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss at 253-4417.

EXHIBIT E

Water Conditions To Be Imposed On All Parcels (City Customers and Outside Customers) For Which New Water Service is Requested

The City of American Canyon ("City") may impose the conditions listed below on new water services for Outside Customers by including these conditions in the "will-serve" letters that the City provides to such Outside Customers, but only if the City also imposes the same conditions on all new water services for parcels with similar uses within the City's limits. The County shall include these same conditions in all new land use development permits for parcels within the Airport Industrial Area Specific Plan area.

1. **City Capacity Fees and Conditions of Approval for Water Service.** Capacity Fees charged for parcels within the City's Water Service Area shall be established by the City and will be periodically reviewed and updated. Capacity Fees (also known as Connection Fees) will be uniform throughout the Water Service Area, regardless of whether the parcel to which the fee applies is inside or outside the City's Limits. The Capacity Fee and any conditions on new water service will be determined based on the Water Supply Report, which shall contain the analysis described in Part II.C. of Exhibit "F" of this Agreement, and which will be consistent with the City's Zero Water Footprint Policy, adopted by the City on October 23, 2007.

2. **Cost of Water Service.** The cost of new water service shall be imposed through the capacity fees in the City's Ordinance 2007-09 or through new capacity fees approved by the County and enacted in a new City ordinance. However, if the Water Supply Report finds, consistent with the City's Zero Water Footprint Policy (see Exhibit F), that the City will have to obtain additional water supplies to meet "dry year" shortfalls, then the cost of water to meet such "dry year" shortfalls will be the sole responsibility of the Applicant. In determining whether or not such "dry year" shortfalls will occur, the City shall include in the base supplies available to the City during "dry years" the new water supplies that have been or will be included in the calculations used to set the City's Capacity Fees and water rates. The City will conclude that "dry year" shortfalls will occur only if such base supplies will not be adequate to meet anticipated "dry year" demands. The City may not impose any costs on the Applicant under this section to reimburse the City for any capital or operating costs that have been or will be included in the calculations used to set the City's Capacity Fees or water rates. The City may impose the additional costs described in the preceding sentence on Outside Customers only if the City also imposes such additional costs uniformly on City Customers.

3. **Maximum Allowable Water Use.** Water received from the City for use on parcels within the Airport Industrial Area Specific Plan area and on parcels with similar uses within the City's limits shall be limited to an average of 650 gallons of water per day per acre (measured monthly), and Applicants for new or increased City water service for all such parcels shall be required to demonstrate to the City while the City is preparing the Water Supply Report for the Applicant the maximum extent to which the Applicant can further reduce its water consumption by applying the following best management practices:

- **No Flow or Low Flow Fixtures.** These Applicants shall be required to install no flow or low flow water fixtures, and to implement other reasonable water conservation measures that are described in the City's Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.
- **Drought Tolerant Landscape & Irrigation with Recycled Water.** These Applicants shall be required to use only drought tolerant landscaping, and they may only irrigate landscaped areas with recycled water, when it is available.
- **Purple Pipe.** These Applicants shall be required to dual plumb their buildings and install "purple pipe" in all landscape areas in anticipation of the availability of recycled water and shall use the recycled water when available.
- These Applicants shall follow the water conservation methods that are described in the Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.

The City may apply the provisions of this Paragraph 3 to Applicants for new or increased City water service for parcels within the Airport Industrial Area Specific Plan area only if the City also uniformly applies these provisions to all Applicants for new or increased City water service for parcels with similar uses within the City's limits.

4. **Water Offsets.** Applicants for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits that wish to use more than an average of 650 gallons of water per day per acre (measured monthly) shall offset the proposed water use over 650 gallons per day per acre (measured monthly) through the use of one or more options that are made available by the City to the Applicants. These options include, but are not limited to, retrofitting of existing residences with low flow fixtures, purchase of otherwise developable land as permanent open space, or acquisition of other water supply resources as provided for by a water supply analysis that follows the Zero Water Footprint Methodology described in Exhibit F. The City shall make all such options available uniformly to Applicant for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits, and that seek such offsets.

5. **Drought Restrictions.** To the extent permitted by law, the City may curtail or ration the use of water provided by the City below the limit of 650 gallons per day per acre (measured monthly) in dry years through the imposition of drought restrictions that are uniformly applied throughout the City's Water Service Area.

EXHIBIT F

Zero Water Footprint and Water Supply Report Methodology

I. PURPOSE

To implement the Zero Water Footprint Policy adopted by the City Council on October 23, 2007. In this policy, "Zero Water Footprint" is defined as:

"No loss in reliability or increase in water rates for existing water service customers due to requested increased demand for water within the City's Water Service Area."

II. PROCEDURES

- A) **Initial Request.** Applicants for all projects requiring additional water supplies from the City of American Canyon, either inside City limits or in the City's Water Service Area but outside of City limits, shall complete a water supply worksheet estimating average and peak use for indoor and outdoor uses and provide the completed worksheet to the City's Engineering Division.
- B) **Evaluation of Water Footprint.** The Engineering Division shall evaluate the water footprint of the project, using the water supply worksheet provided by the Applicant, to determine whether a Water Supply Report is required. A Water Supply Report will not be required if the project meets the adopted Zero Water Footprint definition. This can be accomplished by projects with no additional water demand or by projects which offset increased water demand by off-site conservation measures.
- C) **Water Supply Report.** A Water Supply Report shall be prepared for all projects that do not meet the adopted Zero Water Footprint definition. The Water Supply Report shall be prepared by the City of American Canyon at the cost of the project applicant. The Water Supply Report shall be substantially in the form of the report approved in the City's Resolution No. 2008-02, or in a new form approved by the County and approved by the City in a new resolution and shall include the following analysis:
- 1) Water service request
 - a) Description of project
 - b) Water service request
 - (i) Average Daily Demand
 - (ii) Peak Day Demand
 - c) Conservation Measures Included in Project
 - 2) Consistency
 - a) Urban Water Management Plan
 - b) Recycled Water Facilities Plan
 - c) Water Conservation Implementation Guidelines
 - 3) Water footprint
 - a) Zero Water Footprint Definition
 - b) Project's impact on reliability
 - c) Project's impact on rates

- d) Project's water footprint
- 4) Project's contribution
 - a) Capacity fee
 - b) Reimbursable improvements
- 5) Capital program status
 - a) Summary
 - b) System planning status
 - c) Water supply
 - (i) Water supply implementation status
 - (ii) Water supply alternatives
 - d) Water treatment
 - (i) Water treatment implementation status
 - (ii) Water treatment alternatives
 - e) Water storage, transmission, and distribution status
 - f) Water capital program financial status
- 6) Vineyards analysis
 - a) Vineyards decision
 - b) Facts with respect to solutions to water supply problems
 - c) Water supply over the life of the project
 - d) Impacts of likely future water sources
 - e) Possible replacement sources and their impacts
- 7) Recommended mitigations
 - a) Long term water mitigations
 - b) Short term water mitigations
- 8) Opportunities to reduce project's water footprint
 - a) On-site conservation opportunities
 - b) Off-site conservation opportunities

D) Applicant Review of Water Supply Report. The Water Supply Report, once approved by the City, will be furnished to the project applicant. If the applicant elects to revise the project to reduce the water footprint, the Water Supply Report may be revised at the applicant's cost.

E) Water Will Serve Letter. Water will-serve letters are required for projects outside of the Napa Valley Gateway project limits that are requesting increased water services from the City. The Napa Valley Gateway project is subject to the terms and conditions of a will-serve letter for the entire project agreed upon between the City of American Canyon and Charles Slutzkin of Napa Valley Gateway Limited in a will-serve letter agreement dated December 13, 2002. So long as the terms and conditions of that will-serve letter agreement are complied with, developments of parcels within the Napa Valley Gateway project limits will not require any Water Supply Report or additional will-serve letters.

EXHIBIT G

Appeal Procedure: Zero Water Footprint Methodology

1. **Grounds for Appeal- Conditions of Approval.** If the water service application is for a parcel outside the City's limits, then the City shall, within 30 days of receipt of such application, provide to the Applicant and the County any conditions of approval that the City proposes to impose on the parcel at least 90 days before imposing the conditions of approval.

Conditions of approval that result from the Water Supply Report and that the City proposes to include in a water service will-serve letter that will be issued by the City for a parcel outside of the City's limits may be appealed by an Applicant under the process described in Section 3 below.

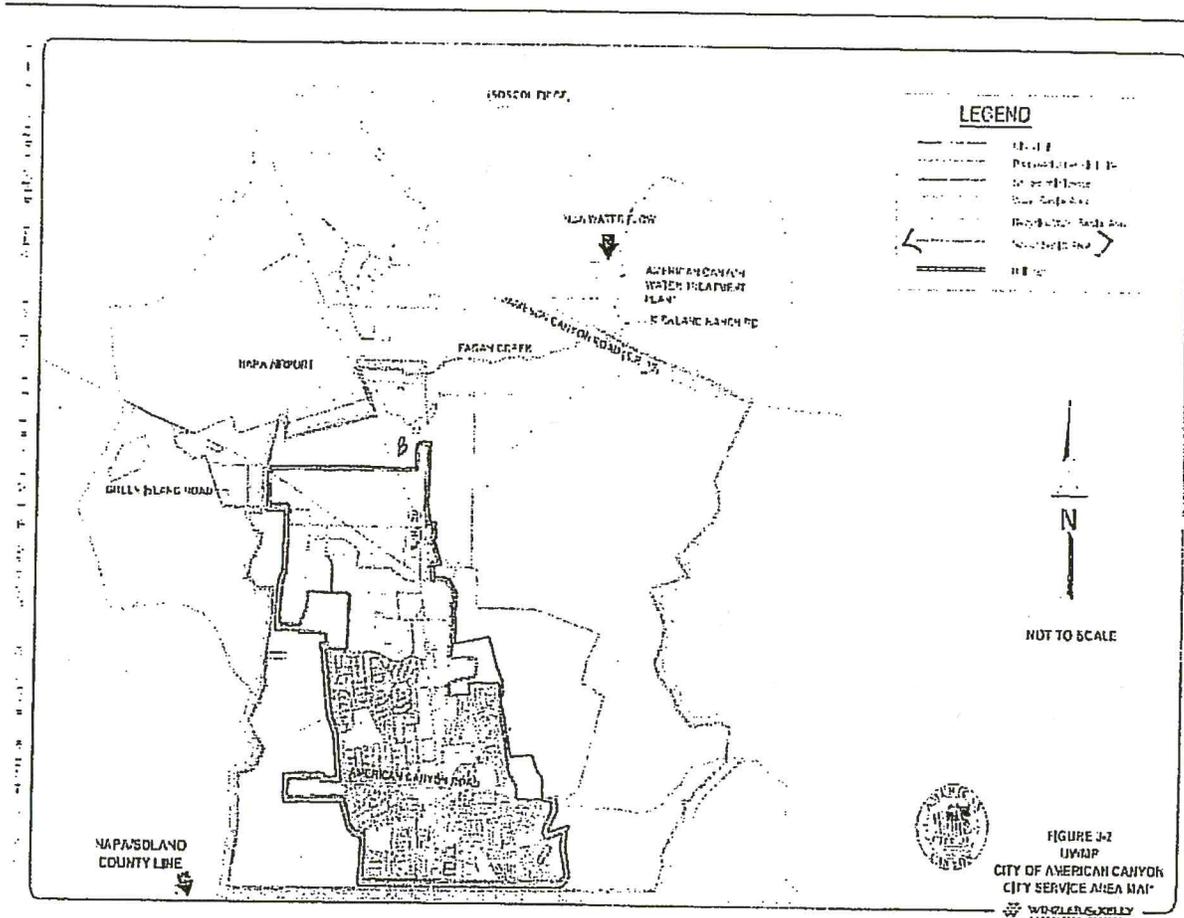
2. **Exceptions:** An appeal may not challenge water rates imposed by the City that are consistent with *Hansen v. City of San Buenaventura* (1986) 42 Cal.3d 1172, and the City's Ordinance 2007-13. An appeal also may not challenge Capacity Fees that are set pursuant to the City's Ordinance 2007-09, or new capacity fees approved by the County and enacted in a new City ordinance.

3. **Appeal Process and Appeal Panel.** An appeal of water service conditions of approval that the City proposes for a parcel outside the City's limits may be filed within ninety (90) days after the proposed conditions are forwarded to the Applicant and the County for inclusion in a development permit. The appeal will be heard by the panel described in the following paragraph, and this panel will determine whether any of the conditions under appeal is inconsistent with any provision of this Agreement.

The Appeal Panel will be made up of one member selected by the County Executive Officer, one member selected by the City Manager and one member selected by the two appointed members. If the two appointed members cannot agree on the third member, the name of each candidate shall be placed in a hat to be drawn for selection. The decision of the Appeal Panel will be final, but subject to judicial review pursuant to Code of Civil Procedure section 1094.5. The reasonable cost of the Appeal Panel shall be borne by the Applicant.

EXHIBIT H

City's Water Service Area





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Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Emily Hedge, Project Planner	From: Kim Withrow, Environmental Health Supervisor <i>KW</i>
Date: April 23, 2015	Re: Sawyer Cellars, 759 Technology Way APN 057-330-005 File #P14-00353

We have reviewed the application requesting approval for a new 10,000 gallon per year winery in an existing condominium development including construction of a hold and haul system among other improvements detailed in application materials. This Division has no objection to approval of the application with the following conditions of approval:

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. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
2. Sanitary waste water lines of the proposed development must be connected to the Napa Sanitation District.
3. The proposed hold and haul system will not be regulated by this Division since it will be located within the building. 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. A commercial food facility is not included in this project. The architectural plans submitted with the use permit application show a kitchen located within the proposed facility. This kitchen is approved for employee use only and must be designed considering this use. If the proposed break room includes components typical of a commercial kitchen facility the applicant will be required to redesign the break room or

apply for a use permit modification for approval of a commercial kitchen meeting all applicable requirements.

5. The applicant has indicated proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
6. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
7. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.
8. The proposed development must be connected to the American Canyon water system.



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Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1461

Barry Bierman
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Emily Hedge
Planning, Building and Environmental Services

FROM: James Bales
Fire Department

DATE: January 10, 2015

Subject: P14-00353 APN# 057-330005

SITE ADDRESS: 759 Technology Way Napa, CA 94558

The Napa County Fire Marshal's Office has reviewed the Use Permit Modification application for the project listed above. I am requesting that the comments below be incorporated into the project conditions should the Planning Commission approve this project.

1. **All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. All fire department access roads and driveways shall comply with the **Napa County Road and Street Standards.**
3. The numerical address of the facility shall be posted on the street side of the buildings visible from both directions and shall be a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.
4. Currently serviced and tagged 2A 10BC fire extinguishers shall be mounted 3.5 to 5 feet from the top of all extinguishers to the finished floor and be reachable within 75 feet of travel distance from any portion of all buildings.
5. All exit doors shall open without the use of a key or any special knowledge or effort.
6. Install illuminated exit signs throughout the buildings per the California Building Code 2013 edition.

7. Install emergency back-up lighting throughout the buildings per the California Building Code 2013 edition.
8. Install laminated 11" x 17" site plans and building drawings in NCFD specified KNOX CABINET. Two Master keys to all exterior doors shall be provided in the KNOX CABINET. A PDF file shall be sent to the Napa County fire Marshal's Office.
9. Beneficial occupancy **will not be granted** until all fire department fire and life safety items have been installed, tested and finalized.
10. Provide 100 feet of defensible space around all structures.
11. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
12. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in all weather conditions.
13. Designated fire lanes shall be painted red with white 4 inch high white letters to read "NO PARKING FIRE LANE-CVC22500.1" stenciled on the tops of the curbs every 30 feet.
14. Barricades shall be provided to protect any natural gas meter, fire hydrants, or other fire department control devices, which may be subject to vehicular damage.
15. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.
16. All post indicator valves and any other control valve for fire suppression systems shall be monitored off site by a Central Station or Remote receiving Station in accordance with NFPA 72 2013 edition.
17. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.

James Bales
CAL FIRE/ Fire Captain
Assistant Fire Marshal