



A Tradition of Stewardship  
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison  
Director

## MEMORANDUM

To: Jason Hade, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: October 21, 2015	Re: Use Permit – Tench Winery APN 031-070-006 File P15-00001

Environmental Health Division staff has reviewed an application requesting approval to construct a new winery, caves and related improvements as described in application materials. We have no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. A site evaluation was conducted showing adequate area exists for a conventional wastewater treatment system to serve this future winery, however, the area is very limited and a conventional system may not fit in the area. An alternative sewage treatment system (ASTS) will be required if a conventional system will not fit in the area available.

Plans for the proposed conventional or alternative sewage treatment system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. 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. A permit to construct the proposed wastewater treatment system 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. The applicant will be required to provide results of a well yield test to this Division prior to approval of a building permit. The yield test must be conducted by an engineer, geologist, environmental health specialist, pump installer, water treatment specialist or well drilling contractor within the last five (5) years.
4. 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.

During construction and/or prior to final occupancy:

5. An annual alternative sewage treatment system monitoring permit must be obtained for the alternative sewage treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
6. 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.

Upon final occupancy and thereafter:

7. 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.
8. 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.
9. 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](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.

10. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration.

Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.

11. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
12. 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.
13. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Division under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time.



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**Department of Public Works**

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[www.co.napa.ca.us/publicworks](http://www.co.napa.ca.us/publicworks)

Main: (707) 253-4351  
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**Steven E. Lederer**  
Director

## GROUNDWATER MEMORANDUM

**DATE:** October 9, 2015

**TO:** PBES Staff

**FROM:** Annamaria Martinez, Assistant Engineer *AM*  
Phone: 707-259-8378  
Email: [annamaria.martinez@countyofnapa.org](mailto:annamaria.martinez@countyofnapa.org)

**SUBJECT:** Tench Winery, APN# 031-070-006, P15-00001UP

The applicant requests to develop a new winery facility with a production of 43,000 gpy with associated site improvement and marketing/visitation. The project is located on Silverado Trail in Napa, CA.

### COMMENTS:

1. The parcels are located in the "Napa Valley Floor" region.
2. The existing use for the parcel is estimated to be 32.34 acre-feet per year.

### RECOMMENDED CONDITIONS:

1. We have reviewed the Tier 1 water availability analysis for the proposed project. The 60.86 acre parcel is located in the Napa Valley Floor region with a Water Use Criteria of 1.0 AF/Acre, resulting in a total parcel threshold of 11.31 AF/Year. The estimated water demand of 33.11 AF/Year is within the Water Use Criteria for the parcel.

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Based on the information provided, the projected groundwater usage for the project should not have a significant impact on static water levels of neighboring wells.

No further analysis is necessary.



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Napa County Fire Department  
Fire Marshal's Office  
2751 Napa Valley Corporate Dr. #2  
Napa, CA 94559

Office: (707) 299-1464

Joe Petersen  
Fire Marshal

## INTER-OFFICE MEMORANDUM

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TO: Jason Hade  
Planning, Building and Environmental Services

FROM: Justin Story  
Fire Department

DATE: September 23, 2015

Subject: P15-00001                      APN# 031-070-006  
SITE ADDRESS:

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. Identify pressurized hydrant location and quantities of hydrants for type of construction and square footage.
2. Identify pump house.
3. Project shall comply with all applicable NCFD "Commercial Guidelines", CFC, CBC, NFPA Codes and Standards.

Justin Story  
**CAL FIRE/ Fire Captain**  
Fire Prevention Specialist II  
(707) 299-1462




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David Morrison  
Director

## MEMORANDUM

To: Jason Hade, Planning	From: Nate Galambos, Engineering 
Date: August 10, 2015	Re: P15-00001 Tench Winery Use Permit APN: 031-070-006

The Engineering and Conservation division ("Engineering") has reviewed the use permit application P15-00001 for the Tench Winery Use Permit located on assessor's parcel number 031-070-006. In general the project proposes the following:

*A new winery facility with a maximum annual production capacity of 42,840 gallons.*

Based upon the Engineering review of the information provided in the application, the following are Conditions of Approval for the above noted proposed project:

### EXISTING CONDITIONS

- a. Parcel size is 60.86 acres.
- b. Parcel is accessed from Silverado Trail.
- c. Parcel has existing single family residence and vineyards and is served by an existing driveway.

### NEW DRIVEWAY/ ACCESS ROAD

1. **Prior to issuance of a building permit**, the applicant shall design the driveway in accordance with the Napa County Road and Street Standards (RSS), Section 13 "Commercial, Industrial and Non-Residential Driveways", Detail C-7, and Section 20 "Determination of Structural Section". **Prior to issuance of the Certificate of Occupancy**, all driveway improvements and appurtenances shall be installed and inspected by the PBES Engineering division.
2. **Prior to issuance of a building permit**, the applicant shall design a fire truck turn around in accordance with RSS, Section 15.

### PARKING

3. **Prior to issuance of a building permit**, all proposed parking areas shall be designed in accordance with the RSS.

### SITE IMPROVEMENTS

4. **Prior to issuance of a building permit**, the proposed gate shall be designed in accordance with the RSS, Detail D-11.
5. **Prior to issuance of a building permit**, the existing culvert shall be evaluated and certified by a licensed engineer that it is capable of supporting loads equivalent to the H20-44 loading criterion.
6. **Prior to starting any work** related to the construction of the cave, the applicant shall apply for a grading permit from the PBES Engineering division.
7. All grading and drainage for the project shall be designed and installed in a manner that does not affect neighboring properties. All drainage shall be designed to maintain existing drainage patterns and prevent diversion of runoff onto adjacent properties and shall not be collected, concentrated or discharged in a manner that causes damage to downstream properties or drainage facilities.
8. Grading and drainage improvements shall be constructed according to the current Napa County RSS, Napa County Stormwater Program, and the California Building Code (CBC). Specifically, all cut and fill slopes shall be setback to meet the latest CBC. The applicant shall indicate on the plan the location of where spoils will be hauled. The applicant shall indicate whether the destination of the spoils has obtained a grading permit for placing/filling soil on the property. Any off haul from the site to an unauthorized location will be considered a violation of Napa County Code for the placement of fill without first obtaining a grading permit and the violation shall be properly mitigated as determined by Napa County.
- 9.

#### **OFF-SITE IMPROVEMENTS**

10. **Prior to issuance of the Certificate of Occupancy**, the project shall install a left turn lane on Silverado Trail, including all required post construction storm water best management practices. The applicant shall submit for a grading permit to the Planning, Building and Environmental Services (PBES) Engineering division for the installation of the left turn lane. The plans and specifications for the left turn lane shall be designed, signed, and stamped by a licensed Civil Engineer and comply with all Napa County design requirements. **Prior to issuance of the grading permit** for the installation of the left turn lane, the applicant shall obtain an Encroachment Permit from the Department of Public Works, Road division.

#### **POST-CONSTRUCTION STORMWATER MANAGEMENT**

11. The proposed project includes more than 5,000 SF of newly created or replaced impervious area which classifies this as a 'Standard Project' as described in Napa County Code (NCC), Chapter 16.28 'Stormwater Management'. Therefore the project shall be designed in accordance with the following:
  - a. **Prior to issuance of a building permit**, the applicant shall prepare a Stormwater Control Plan (SCP) for the proposed development in accordance with the procedures outlined in the BASMAA Post-Construction Manual (BCPM). All design information shall be submitted with the building plan submittal.
  - b. **Prior to issuance of a building permit**, the applicant shall prepare and submit a facility operation and maintenance plan in accordance with the BPCM to ensure that provisions are made for the maintenance of the post construction BMPs in perpetuity. **Prior to issuance of the Certificate of Occupancy**, the applicant shall enter into an agreement that is recorded on the property that includes the operation and maintenance plan, right of access for inspections by Napa County, and requires the property owner to conduct a

maintenance inspects at least annually and retain a record of the inspection. Please contact the PBES Engineering division for a copy of the agreement.

- c. **Prior to issuance of a building permit**, the project shall meet all aspects of the BCPM as they relate to the project for site, source, and treatment controls.
- d. Processing areas shall be performed indoors; installation of storm drains in processing areas is prohibited. For processing areas that generate liquid wastes, slope the area to drains that shall be plumbed to the sanitary sewer system or other waste disposal system, in no circumstance shall the drains be connected to the storm drain system.

#### **CONSTRUCTION STORMWATER MANAGEMENT**

12. The project proposes soil disturbance greater than one acre, therefore the project is subject to the California State Water Resources Control Board's (SWRCB) latest version of the Construction General Permit (CGP). The applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP), file a Notice of Intent (NOI) and apply for a Waste Discharge Identification (WDID) number in accordance with the CGP. **Prior to issuance of a building permit**, the applicant shall submit the SWPPP and WDID to the PBES Engineering division. At the end of the project the applicant shall file with the SWRCB a Notice of Termination (NOT) indicating that the SWPPP has been completed. **Prior to issuance of a Certificate of Occupancy**, the applicant shall submit to the PBES Engineering division a copy of the NOT from SWRCB.

**ANY CHANGES IN USE MAY NECESSITATE ADDITIONAL CONDITIONS FOR APPROVAL.**

If you have any questions regarding the above items please contact Nate Galambos from Napa County PBES Department Engineering Division at (707) 259-8371 or via e-mail at [nate.galambos@countyofnapa.org](mailto:nate.galambos@countyofnapa.org).





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Department of Public Works

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Steven Lederer  
Director

## MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: May 21, 2015	Re: P15-00001-UP

Thank you for the opportunity to review the subject permit application. I offer the following comments from the Department of Public Works:

**Left-Turn Lane required.** The project as proposed meets the warrants for installation of a left-turn lane on Silverado Trail at the project access driveway. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. Additional right-of-way shall be dedicated to the public as necessary to encompass the improvements.

**Encroachment Permit required.** An encroachment permit will be required for the construction of the left-turn lane improvements. Please contact the Roads office at (707) 944-0196 to initiate the encroachment permit process.

More information on these is available at our website:

<http://www.countyofnapa.org/publicworks/roads/>

Please contact me at [Rick.Marshall@countyofnapa.org](mailto:Rick.Marshall@countyofnapa.org) or call (707) 259-8381 if you have questions or need additional information.



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David Morrison  
Director

## MEMORANDUM

To: Charlene Gallina, Jason Hade	From: Carlos Baltodano, CBO
Date: 1/30/2015	Re: 7631 Silverado Trail, Napa

### Building Inspection Division Planning Use Permit Review Comments

Address: 7631 Silverado Trail, Napa

APN: 031-070-006-000

Project: Tench Winery

Owner: Tench Family Vineyards, LLC

Contact: Elizabeth Burks, AICP, LACO Associates

Description: New Winery

Comments: The Building Division is not reviewing this project 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 P15-00001 and Variance P15-00002 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 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. The path of travel of the ADA parking stall on the South East corner of the proposed winery is blocked by a retaining wall. There needs to be direct access to the ramp, without going into the road.
2. There does not appear to be any accessible path to the second level offices. Individuals with disabilities need to be able to gain access to any office area. Either provide access, or consider building an office area in the first floor.
3. California Building Code, Section 436.1, has been amended to modify the definition of a Type 3 wine cave. Type 3 Winery Caves are natural or manmade caves used for the storage and/or processing of wine at a winery facility. Type 3 winery caves are accessible to the public on **guided tours** or by **hosted events**. Any cave or any portion of a cave that exhibits any of the following is also considered a Type 3 cave; Contains an area classified as a Group A occupancy, Contains an area classified as other than Group F or S occupancy or if constructed or furnished with any amount of combustible materials not otherwise permitted in the CBC. For the purposes of this section the following definitions have been added to the California Building Code, Section 436.4; **Hosted Events**; any event held within the winery cave and attended by non-employees. This includes, but not limited to, wine tasting, banquets, receptions, seminars or any other event attended by non-employees of the winery. Hosted Events are only allowed in, or portions of, a Type 3 cave. **Tours**; whenever people that are not employees of the winery pass through or otherwise occupy a winery cave, for any purpose, including the tasting of wine. All tours must comply with 436.8.1, requirements for public tours, which states, tours for the public shall be continuously guided by staff knowledgeable in the location of exits and the use of emergency notification devices.
4. California Building Code has been amended to read as follows, Permits for the excavation, occupancy, construction, alteration, enlargement or repair of Type 1, 2 and 3 winery caves, including all retaining walls, associated equipment and facilities, shall be per Chapter 1 and Appendix J of the CBC, which states, except as exempted in Section J103.2, **no grading shall be performed without first having obtained a permit from the building official.**
5. Section 336.7.3 has been added to the California Building Code to read as follows, Type 1 and Type 2 winery caves must be constructed of noncombustible materials throughout. Exception: Doors and other openings in exterior and interior walls and partitions may be made out of combustible materials unless otherwise limited by the CBC.
6. Section 436.8.4 has been added to the California Building Code to read as follows: Contents of Type 1 and Type 2 winery caves shall not include combustible contents other than wine itself. Exceptions: 1. Wooden barrels or tanks. Combustible storage vessels filled with wine, or to be filled with wine in the immediate future; may be empty as part of the wine processing and storage. Long term storage of empty wooden barrels or tanks is prohibited. 2. Wooden barrel supports that are constructed of at least 2-inch nominal dimension lumber.
7. Small quantities of combustible materials needed for immediate or frequent use in the processing and storage of wine, or to service and maintain restrooms, wine laboratories or wine libraries, are allowed.
8. Section 436.8.5 has been added to the California Building Code to read as follows, prohibited equipment, no hydrocarbon powered mechanized equipment shall be used within the wine cave. Electrical, hydraulic, and/or pneumatic powered mechanized equipment is permitted.
9. Section 436 has been added to the California Building Code to read as follows, only hazardous materials storage directly related to and essential for wine processing operations in the cave is allowed. Hazardous materials storage shall be maintained in compliance with Article 80 of the Fire Code.
10. Special requirements for Type 3 wine caves; caves or portions of caves classified as Type 3 winery cave shall be provided with an automatic sprinkler system compliant with CBC Section 903.

11. Fire alarm systems; an approved manual fire alarm system conforming to the provisions of CBC Section 907.2.1 shall be provided in Type 1 or Type 2 winery caves containing restrooms, wine laboratories or wine libraries, and in all Type 3 wine caves.
12. Exit access: CBC Section 436.11 has been added to the California Building Code. Exit access travel distance; the maximum length of exit access travel in barrel storage and fermentation areas in winery caves, portions of F and S occupancy, shall be a maximum of 300 feet in areas without an automatic sprinkler system or a maximum of 400 feet if the area is provided with an automatic sprinkler system. When non-cave buildings are attached to a cave portal the cumulative travel distance to an exit shall apply. Areas classified as other than F and S occupancies shall comply with exit access travel distance requirements of CBC, chapter 10 and CBC Table 1016.1
13. Section 436.16 has been added to the California Building Code to read as follows, Fire Department approved emergency communications capability shall be provided for emergency responders.

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.**

CARLOS BALTODANO  
CHIEF BUILDING OFFICIAL  
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