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**Recommended Conditions of Approval
and Final Agency Approval Memos**

**PLANNING COMMISSION HEARING –SEPTEMBER 7, 2016
RECOMMENDED CONDITIONS OF APPROVAL**

**BEAU VIGNE WINERY USE PERMIT MODIFICATION
P15-00200 - MOD
4057 SILVERADO TRAIL, NAPA, 94558
(APN #039-390-016)**

1.0 SCOPE

This permit encompasses and replaces the terms of Use Permit U-708384-UP and shall be limited to:

1.1 Modification to an existing 8,000 gallon per year winery under Use Permit # U-708384 to allow the following:

- a. Wine production increase from 8,000 to 14,000 gallons per year;
- b. Demolition of the existing winery building, crush pad, residence, and outbuildings;
- c. Construction of a new 5,807 sf. winery production building to include:
 1. A 2,673 sf. covered crush pad and a 1,133 sf. receiving area; and,
 2. A 4,473 sf. outdoor pallet storage area;
- d. Construction of a new 1,773 sf. office/hospitality building to include:
 1. A 1,916 sf. covered porch, breezeway, and terrace;
- e. **Construction of 11 visitor and three (3) employee parking spaces, total 14 parking spaces;**
- f. Increase employment from one (1) to three (3) full time employees and one (1) part-time employee;
- g. Visitation, tours and tastings, and marketing plans as set forth in Condition of Approval (COA) 4.0 below;
- h. Change days of operation to 7 days; no change in the hours of operation which are: 8:00 am to 8:00 pm;
- i. On-premise consumption of wines produced on-site within the proposed hospitality building and outdoor courtyard, consistent with the Business and Professions Code §23356, §23390, and §23396.5;
- j. Installation of one 61,000 gallon fire protection water storage tank (27' diameter and 17' high);
- k. Construction of new driveway to county winery standards to improve the internal circulation on the property;
- l. Construction of a left turn lane on Silverado Trail;
- m. Removal of approximately 0.6 acres of vineyard;
- n. Construction of new well, installation of new water, wastewater and fire suppression systems; and,
- o. Installation of site landscaping.

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 applicant 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 changes in use shall be approved in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

**Alternative locations for spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services (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.

2.0 PROJECT CONDITIONS

Should any of the conditions conflict with any of the conditions included in this document the more specific Conditions shall supersede and control.

2.1 On-Premises Consumption

In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and 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 hospitality building and outdoor courtyard area as specified in the application. 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 Condition 4.0 below.

2.2 Mitigation Measures:

The permittee shall comply with all mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project, inclusive of the following:

Mitigation Measure XII-1-To reduce the potential temporary bottling noise impact to the closest receptor, the permittee shall:

1) Prior to the issuance of any building permits implementing the construction of the new winery building authorized by this use permit modification, an operations plan for the mobile bottling activity area located in the "bin/pallet storage area" shall be submitted. The plan shall require that the bottling activity area be at least 35 feet from the southern side of the bin/pallet storage area, or at least 275 feet from the residence located southwest of the bottling area identified as a potential sensitive noise receptor. The bottling operations shall occur only between the hours of 9:00 am and 4:00 pm.

Method of Monitoring:

This mitigation measure requires submission of the operations plan prior to issuance of the building permit for review and approval by the PBES Director.

Responsible Agency: Planning, Building and Environmental Services, Planning Division.

2.3 The number of parking spaces shall be reduced from 14 spaces to eight (8) spaces. This change shall be reflected on the site plan for the Building Permit Application submittal.

2.4 Left Turn Lanes

The applicant shall construct a left turn lane on Silverado Trail prior to the Issuance of Final Certificate of Occupancy by the Building Division. The design of the left turn lane shall be submitted to the Public Works Department for their review and approval. The left turn lane shall be designed in substantial conformance with the submitted site plan, and other submittal materials and shall comply with all requirements of the Napa County Code.

2.5 Archaeological Findings

At least 30 days prior to grading, the permittee shall contact the Yocha Dehe Wintun Nation to extend an invitation for the cultural tribal monitoring to occur during grading as requested in their letter of July 2, 2016.

3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following County, Divisions, Departments and Agency (ies) 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:

3.1 Engineering Services Division as stated in their Memorandum dated October 15, 2015.

3.2 Environmental Health Division as stated in their Memorandum dated April 28, 2016.

3.3 Department of Public Works as stated in their Memorandum dated October 5, 2015.

3.4 Fire Department as stated in their Inter-Office Memo dated July 9, 2015.

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 use permit.

4.0 VISITATION

Consistent with County Code Sections 18.16.030 and 18.20.030, marketing and tours and tastings 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.”

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 date of the visits. This record of visitors shall be made available to the PBES Department upon request.

4.1 TOURS AND TASTING

Tours and tastings shall be limited to the following:

- a. Frequency: 7 days per week, Monday through Sunday
- b. Maximum number of persons per day: 10 weekdays; 15 weekends
- c. Maximum number of persons per week: 80
- d. Hours of operation: 10:00 am – 6:00 pm

“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.

Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant (County Code Section 18.08.620 - Tours and Tastings).

Tours and Tastings shall be limited to those wines set forth in the County Code Section 18.16.030(G) (5) (c) - AP Zoning.

4.2 MARKETING

Marketing events are limited to the following:

- a. Marketing event:
 1. Frequency: one (1) time per month
 2. Number of persons: 25 maximum
 3. Time of Day: between 11:00 am -4:00 pm or 2:00 pm -10:00 pm;
- b. Marketing event:
 1. Frequency: 2 times per year
 2. Number of persons: 30 maximum
 3. Time of Day: 11:00 am -4:00 pm or 2:00 pm -10:00 pm;
- c. All marketing events shall be held solely within the hospitality building.

“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 Chapters 18.16 and 18.20. 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. Marketing plans in their

totality must remain “clearly incidental, related and subordinate to the primary operation of the winery as a production facility” (County Code Sections 18.16.030(G) (5) and 18.20.030(I) (5)). 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 recovery of variable costs, 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 Section 18.08.370 - Marketing of Wine).

All activity, including cleanup, shall cease by 10:30 PM. If any event is held which will exceed the available on-site parking, the applicant 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.

5.0 GRAPE SOURCE

At least 75% of the grapes used to make the winery’s wine shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agricultural Commissioner’s format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

6.0 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (Use Permits and Modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC), 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 permittee loses the required ABC or TTB permits and licenses (or permit/license is revoked), permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

Visitation log books, 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 process.

7.0 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 or entities producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

8.0 SIGNS

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the PBES Department for administrative review and approval. 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 use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116. At least one sign placed and sized in a manner to inform the public must legibly post the words "Tours and Tastings by Prior Appointment Only".

9.0 LIGHTING

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, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. 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 not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, 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 California Building Code.

10.0 LANDSCAPING

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (WELO) requirements in affect at the time of building permit submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Landscaping shall be completed prior to issuance of a Final Certificate of Occupancy, and shall be permanently maintained in accordance with the landscaping plan.

11.0 OUTDOOR STORAGE/SCREENING/UTILITIES

All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and County Code Chapter 18.106) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

12.0 COLORS

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 and the applicant shall obtain the written approval of the PBES Department prior to painting the building. Highly reflective surfaces are prohibited.

13.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

13.1 GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to issuance of a Final Certificate of Occupancy.

13.2 TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4:00 pm – 6:00 pm, weekdays and weekends) travel times to the maximum extent possible. 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.

13.3 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.

13.4 AIR QUALITY

During all construction activities the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Best Management Practices, as provided in Table 8-1, May 2011 Updated CEQA Guidelines:

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- f. 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.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
- h. 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.

13.5. 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 State Regional Water Quality Control Board (SRWQCB).

13.6 PARKING

The location of employee and 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.

13.7 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that 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 and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

14.0 GROUND WATER MANAGEMENT - WELLS

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

- a. The permittee shall (at the permittee's expense) maintain data regarding monthly well monitoring and the total annual groundwater pumped. Such data shall include

water extraction volumes and static well levels of the well. All monitoring shall commence within six months of the issuance of this permit, or immediately upon commencement of the expansion authorized by this permit, whichever occurs first, and shall be submitted not later than January 31st every calendar year thereafter and available upon the County's request at any other time.

Water usage shall be minimized by use of best available control technology and best water management conservation practices.

- b. No new on-site or off-site water sources (other than those approved as part of this permit) proposed to be used for the winery, including but not limited to wells, imported water, new or existing ponds/reservoir(s) or other surface water impoundments, to serve the winery, shall be allowed without additional environmental review, if necessary, and may be subject to a modification to this permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.
- c. Permittee shall limit groundwater use for the **winery** to .48 acre-ft. per year. Any exceedance of this amount in a calendar year is a material breach of this permit.
- d. If water use for the **winery** from the well exceeds .48 acre-ft. per year in a calendar year by 10% or more (a significant exceedance), the permittee shall both immediately notify the County and cease any activity causing the exceedance, shall begin daily well monitoring, and shall promptly prepare a report to be submitted to the PBES Director regarding the reasons for the significant exceedance and the measures immediately taken and to be taken to bring the significant exceedance into compliance with this condition.

The PBES Director may set this permit for a revocation or modification hearing before the Commission within 60 calendar days of discovery of the significant exceedance for possible modification, revocation, or suspension.

- e. If the water use for the **winery** from the well exceeds .48 acre-ft. in a calendar year by less than 10%, the permittee shall notify the County, and promptly provide a report of the following:
 - 1. water volume used;
 - 2. the reason for exceedance;
 - 3. the plan the winery has for reducing water use so as not to exceed the allocation the following year; and
 - 4. other information that may be affecting water use.

If after two calendar years of reporting the monitoring shows that the annual water allocation identified above continues to be exceeded by less than 10%, the PBES Director shall schedule the permit for review by the Planning Commission and possible modification, revocation or suspension.

- f. The permittee shall be required to include the well in the County's Groundwater Monitoring program upon the County's request.

15.0 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact Environmental Health with any questions regarding the following:

15.1 NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. 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 between the hours of 8 am to 5 pm. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

16.0 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

17.0 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

18.0 INDEMNIFICATION [RESERVED]

19.0 AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.

20.0 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 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 owner. 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 grant of 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 compliance deficiencies is found to exist by the Commission at some time in the future, the 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 hearings in accordance with County Code Section 18.124.120.

21.0 TEMPORARY AND 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 prior to granting of a Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow commencement of production activities 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.

22.0 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.

23.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full.

24.0 PREVIOUS CONDITIONS

As applicable, the permittee shall comply with any previous conditions of approval for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.



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Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Wyntress Balcher Planning Division	From: Patrick C. Ryan Engineering Service
Date: October 15, 2015	Re: Permit No. P15-00200 Beau Vigne Winery – Comments Rev.2 APN: 039-390-016

After careful review of the Beau Vigne Winery Use Permit Major Modification application resubmittal package the Engineering Division has determined the application package to be incomplete or absent adequate detail. For this Division to complete its evaluation of the subject permit the following shall be prepared and submitted to this department:

I. CIVIL IMPROVEMENT PLAN REQUIREMENTS:

1. Provide plan and detail of the required two-way left lane, per Department of Public Works October 5, 2015, comment letter.
2. Provide a Utility Plan showing locations of existing and proposed storm drainage facilities for storage, treatment, or for conveyance of runoff, include but not limited to sumps, basin, Bioretention, channels, culverts, storm drains, downspouts, inlets and outlets.
3. Sheet UP3 – the proposed fire turnaround is outside the required 50 foot distance from the proposed Hospitality Building. Provide a fire turnaround with 50 feet of the Hospitality Building.
4. Sheet UP3 – The identified shipping and receiving area on the east side of the proposed Production building is a potential source of runoff pollutants shall be design to meet the structural source control requirements of Appendix A – Napa County BASMAA Post-Construction Manual. Revise plans to illustrate water from loading area (shipping and receiving) shall be drained to an approved wastewater system.
5. Sheet UP3 – Revise Legend to illustrate the appropriate surfacing with the appropriate hatch, including the proposed chipseal driveway.
6. Sheet UP3 – Provide a minimum 50 foot setback from all well locations to any stormwater treatment facility (e.g. Bioretention Facility #2).
7. Sheet UP3 – Utility Notes – Revise all follows:

- i. Note 1 – Revise to UP4
 - ii. Note 2 – Revise Rood Leaders to Roof Leaders. Omit final design to be finalized with construction plans (preliminary design shall be shown on plans)
 - iii. Note 6 – Revise to UP4
 8. Sheet UP3, A1.1, A1.2, L-1 – Revise plans show consistency with civil, Architectural and Landscaping Plans for the location of the proposed fire turnaround, and employee parking.
 9. Sheet A1.1; A2.2 & UP3 – the proposed pallet and bin storage area is a potential source of pollution and shall be design to meet the structural source control requirements of Appendix A – Napa County BASMAA Post-Construction Manual.
 10. Sheet UP4 – Notes #4 – Refer to Napa County BASMAA Post-Construction Manual for Bioretention Facility Design Criteria
 - i. Gravel layer. “Class 2 permeable,” Caltrans specification 68-2.02F(3), is recommended. Drain rock or other granular material may be used; however, a membrane layer of pea gravel or other intermediate-sized material should cover the top of the gravel layer to prevent movement of fines from the soil layer into the interstices of the gravel layer. Do not use filter fabric for this purpose, as it tends to clog.
 - ii. Planting Medium. A mixture of sand (60%-70%) and compost (30%-40%) should be used. The specification developed by the Bay Area Stormwater Management Agencies Association (BASMAA) is recommended.
 11. Sheet UP4 – Bioretention Basin Detail – Revise detail to reflect Figure 4.1 Napa County BASMAA Post-Construction Manual; including but not limited to minimum depth of drain rock of 12 inches; and maximum embankment slopes of 3:1 (H:V).
 12. Sheet UP4 – DMA #14 – includes areas of concrete which sheet flow southwest over the building pad and onto the adjacent parcel and an area which conv northwest toward Bioretention #1. Based on the proposed site grading and drainage patterns these areas of DMA #14 will not convey to Bioretention #3 as specified. Revise drainage design and/or the Stormwater Control Plan to address.
- II. NAPA COUNTY/BASMAA POST-CONSTRUCTION RUNOFF MANAGEMENT / LOW-IMPACT DEVELOPMENT (LID):**
13. Revise Stormwater Control Plan (SCP) to address the following:
 - i. See Comment #12 above.
 - ii. Self-Treating Areas – DMA #2 & #5 – revise gravel driveway to chipsealled driveway in Section IV.A.2 of SCP. Provide table showing that the impervious area included in these DMAs are 5% or less.
 - iii. Section IV.A.2 – DMA #8 & #9 - revise gravel driveway to chipsealled driveway.

P15-00200 – BEAU VIGNE WINERY REV.2

ENGINEERING SERVICE

APPLICATION COMMENTS

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- iv. Sections V.B – Potential Sources of Runoff Pollutants – include structural source control measures for the proposed Pallet/Bin Storage areas around the Production building, per Architectural Sheet A1.1 and A2.2.
- v. Section V.B - Section V.B – Potential Sources of Runoff Pollutants – include structural source control measures for the proposed Loading Area (i.e. Shipping and Receiving Area), per Architectural Sheet A2.2.

Please note that the comments noted above are based on Engineering review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Please resubmit to the County's Planning Division when all Department and Division's comments are addressed. Should you have any questions of me, please feel free to contact me at (707) 253.4892 or via e-mail at Patrick.Ryan@countyofnapa.org.



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David Morrison
Director

MEMORANDUM

To: Wyntress Balcher, Project Planner	From: Kim Withrow, Environmental Health Supervisor <i>KW</i>
Date: April 28, 2016	Re: Use Permit – Beau Vigne Winery APN 039-390-016 File P15-00200

Environmental Health staff has reviewed an application requesting approval to modify an existing use permit by increasing the annual production, removing the existing winery and houses and constructing new production and administrative/hospitality buildings among other items described in application materials. The application includes constructing a new sanitary wastewater system and converting the existing standard system to process wastewater only. Environmental Health has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. Prior to the approval of a building permit, an inspection of the existing sewage disposal system must be performed by a licensed sewage contractor and a report submitted to this Division for review and approval. Any deficiencies noted in the wastewater system inspection report must be corrected (with permit, if necessary) prior to final occupancy being granted.

Adopted procedures and regulations for process wastewater treatment systems in Napa County are currently being reviewed and may be modified to comply with Regional Water Quality Control Board (RWQCB) minimum standards. The owner will have to comply with process wastewater system requirements in place at the time the application for a building permit is filed.

2. Plans for the proposed sanitary wastewater 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.
3. A permit to construct the proposed subsurface drip sanitary wastewater 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.

4. A permit to install process wastewater tanks (or any other required improvements) 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. The applicant shall meet the requirements for process wastewater in place at the time construction permits are issued. Pretreatment of process wastewater may be required in the future.
5. 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.

During construction and/or prior to final occupancy:

6. The applicant shall obtain annual operating permit(s) for the wastewater treatment system(s).
7. 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

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. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
11. The applicant shall provide portable toilet facilities for guest use during events over 30 persons as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.
12. 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. The applicant will be required to provide minimal information on the water system prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.



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A Commitment to Service

Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

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

Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: October 5, 2015	Re: Beau Vigne Winery P15-00200

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. I have reviewed the information in the *Focused Traffic Impact Study for the Beau Vigne Winery*, prepared by W-Trans and dated September 28, 2015. For the most part, the analysis is acceptable and I concur with the assumptions made, the methods used in the evaluation, and the conclusions reached. **However**, the study author makes unrealistic assumptions about the number of people who will work at the winery, as has been discussed by County staff and decision-makers many times recently. By assuming only **three** full-time and **one** part-time employee on weekdays, the author concludes that the project will generate **19** trips on an average day, just one trip below the warrant for requiring that a left-turn lane be provided.

Based on these figures, and the conditions of the proposed project site being located on the portion of Silverado Trail with the highest volumes and speeds, I recommend the project be required to provide left-turn improvements at the site access driveway. The good news is that there is adequate pavement width to provide this safety improvement with a simple re-striping project – no roadway widening will be required. **The project should be conditioned to slurry seal over the existing pavement delineation fronting the property and continuing to the intersection of Petra Drive, approximately 175 feet south, then re-stripe the area for a continuous two-way left turn lane.** The minor nature of this work will keep this improvement reasonably related to the magnitude of the impact of the proposed project.

Encroachment Permit required. In addition to the left-turn lane improvements described above, the plans indicate a revised driveway connection to Silverado Trail, a County-maintained road. An encroachment permit will be required during the building permit phase. 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 or call (707) 259-8381 if you have questions or need additional information.



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Napa County Fire Department
Fire Marshal's Office
2741 Napa Valley Corporate Drive, Bldg 2
Napa, CA 94558

Office: (707) 299-1464
Direct: (707) 299-1461

Joe Petersen
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Wyntress Balcher
Planning, Building and Environmental Services

FROM: Joe Petersen
Fire Department

DATE: July 9, 2015

SUBJECT: P15-00200

SITE ADDRESS: 4057 Silverado Trail APN: 039-390-016

The Napa County Fire Marshal's Office has reviewed the Use Permit application to replace an existing winery with a new winery. The Fire Department requires the following conditions to be incorporated prior to approval of permit issuance.

1. **On- Site Water Systems:** Buildings not served by a public water system shall provide water storage and fire flow calculations certified by a State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with Table B105.2 through Table 105.4 of the Napa County Code Amendments.
2. **Water Storage Facilities:** Water supply may consist of tanks or commercial reservoirs. Open commercial reservoir systems shall be proposed as a concept for review by the Fire Marshal prior to approval. **The plan submitted refers to NCFD Detail 4 which is for Residential applications.**
3. **Fire Pumps:** Projects that are not served by community water may require a fire pump to meet the required fire flow and/or the demand for fire sprinklers. Fire Pumps shall be UL listed and installed in accordance with NFPA 20, 2013 edition. Fire Pumps may be either diesel driven or electric with an emergency backup generator for a backup power source.
4. **Fire Hydrants:** The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2013 edition for the installation of Underground Fire Protection Mains. **The plan submitted refers to NCFD Detail 2 which is for Residential applications.**