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## Previous Project Approvals



# COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

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Director

PATRICK LYNCH, AICP  
Assistant Director

STEVE LEDERER  
Deputy Director

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NAOMI BEATTIE  
Planner

NANCY JOHNSON  
Planner

SUZIE GAMBILL  
Planning Technician

C. RENEE LEDERER  
Planning Administrative  
Specialist

March 30, 2005

Kazuhiko Maruyama  
8999 Wild Horse Valley Road  
Napa, CA 94558

RE: Use Permit Request #03513-UP  
APN: 033-110-060, -008, -015  
075

Dear Mr. Maruyama:

Please be advised that the above-referenced **Use Permit** was **APPROVED** by the Napa County, Development & Planning Commission on March 16, 2005 based on the attached conditions, the Napa County departments' comments, and applicable County regulations. The permit becomes effective on March 30, 2005, if not appealed pursuant to Napa County Code Chapter 2.88.

**EXPIRATION DATE: March 16, 2007**

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

Very truly yours,

Steven Lederer  
Deputy Planning Director

cc. John Tuteur, Assessor  
Gary Brewen, Building Codes Administrator  
Larry Bogner  
Christine Secheli

1195 THIRD STREET  
SUITE 210

NAPA, CALIFORNIA  
94559

TELEPHONE:  
707-253-4417

FAX:  
707-253-4336

WWW.CO.NAPA.CA.US

## CONDITIONS OF APPROVAL

### Kenzo Winery

#### Use Permit #03513-UP

APN: 033-110-060, -008, -015

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

- Wine production of no more than 85,000 gallons per year;
- Construction of a 20,000± square foot winery production facility (crushing, fermentation, barrel aging and storage, bottling, case good storage, administration offices and laboratory);
- Construction of a 2,500 sq. ft. hospitality center building for retail sales and tasting;
- 18,000 sq. ft. caves for barrel storage (Total Winery 40,500 sq. ft.);
- Custom production activities (crushing, fermenting, barrel aging, and bottling, case goods storage and tasting) for a maximum of 5 custom producers utilizing a maximum of 21,250 gallons of the winery's proposed 85,000 gallon per year capacity. Custom production will not include retail wine sales, offices, or distribution/shipping;
- Tours and tasting by appointment only, 9:00 Am to 4:00 PM, maximum 25 persons per day, 75 per week;
- Retail sales and tours and tasting by appointment only;
- Establish a Marketing plan as discussed below;
- 20 parking spaces;
- Package treatment of winery wastewater, to be used to irrigate landscaping;
- Improvements on Hwy 121 to add either (1) a left turn lane from westbound Hwy 121 into the project driveway, or (2) a shoulder area for west bound traffic to use to avoid a car making a left turn into the project driveway;
- Improvements to the project access road (widening and road base stabilization) from Monticello Road (State Hwy 121), with a new alignment from the road intersection (the new alignment was previously approved by Use Permit 96553-UP, but has not yet been constructed) to merge with an existing ranch road alignment;
- A new, wider bridge over White Creek will be constructed from bank to bank;
- Expansion of the existing water tank pad to add one additional 53,000 gallon water tank;
- Employees shall be limited to 9 full-time and 2 part-time (during harvest); and,
- All winery access and egress shall be from Monticello Rd, including employees, guests, and deliveries. All winery traffic is restricted from Wild Horse Valley Road.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, constructors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

## CONDITIONS OF APPROVAL

### Kenzo Winery

#### Use Permit #03513-UP

APN: 033-110-060, -008, -015

2. **MARKETING:** Marketing events shall be limited as follows:

a. Private promotional tasting with meals:

Frequency: 25 times per year  
Number of persons: 50 maximum  
Time of Day: 7:00 PM to 10:00 PM (Friday and weekend)  
Noon to 2:30 PM (weekend)

b. Vintage Release Event

Frequency: Two times per year  
Number of persons: 150 persons  
Time of Day: 7:00 PM to 10:00 PM (Friday and weekend)  
Noon to 2:30 PM (weekend)

Shuttle buses, from a parking area approved by the Department, shall be utilized for all events with 50 or more visitors are to attend.

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development. (Ord. 1104 § 11, 1996; Ord. 947 § 9 (part), 1990: prior code § 12071). All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.

3. **TOURS AND TASTING:**

Tours and tastings are limited to a maximum of 25 persons/day with an average of 75 persons/week. During marketing events, the winery shall be closed for tours and tastings. "Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by a winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. (Ord. 947 § 9 (part), 1990: prior code § 12070). Tours and tasting shall complete by 4:00 PM. Retail sale of wines shall complete by 4:30 PM and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c). A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.

## **CONDITIONS OF APPROVAL**

### **Kenzo Winery**

### **Use Permit #03513-UP**

APN: 033-110-060, -008, -015

#### **4. GRAPE SOURCE:**

At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

#### **5. SIGNS:**

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

#### **6. GATES/ENTRY STRUCTURES:**

Any gate installed at the winery entrance shall be reviewed by the Planning and Public Works Departments and the Napa County Fire Department to assure that it is designed to allow a large vehicles such as motor homes 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 the County Code.

#### **7. LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations 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. Prior to issuance of any building permit for construction of the winery, two (2) copies of a separate detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

## CONDITIONS OF APPROVAL

### Kenzo Winery

### Use Permit #03513-UP

APN: 033-110-060, -008, -015

#### 8. LANDSCAPING/PARKING:

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. **Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.**

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). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" BGH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view the structures. Parking shall be limited to approved parking spaces only and shall not occur along access roads or in other locations except during harvest or approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

#### 9. OUTDOOR STORAGE/SCREENING:

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to 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.

#### 10. RENTAL/LEASING:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than the on-site winery itself, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010)

## **CONDITIONS OF APPROVAL**

### **Kenzo Winery**

### **Use Permit #03513-UP**

APN: 033-110-060, -008, -015

#### **11. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

Department of Environmental Management as stated in their letter of February 9, 2004.

Department of Public Works as stated in their letter of March 10, 2004.

County Fire Department as stated in their letter of January 9, 2004.

Building Division as stated in their letter of December 24, 2004.

Department of Fish and Game as stated in their letter of February 22, 2005

#### **12. SPOILS:**

All spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

#### **13. WELLS:**

The permittee may be required (at the permittee's expense) to provide well monitoring data if it the Director of Environmental Management determines that water usage at the winery is affecting, or would potentially affect groundwater supplies or nearby wells. Data requested could include, but may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gage potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices. In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the director of environmental management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the county code section 13.15.070.G-K.

## **CONDITIONS OF APPROVAL**

### **Kenzo Winery**

#### **Use Permit #03513-UP**

APN: 033-110-060, -008, -015

#### **14. NOISE:**

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Section 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 condition 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 Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings unless a special permit to that effect has been secured through the County.

#### **15. 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 vegetation and shall be reviewed and approved by the Department prior to the issuance of any building permits. Highly reflective surfaces shall be prohibited.

#### **16. 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. Construction activities shall not occur during windy periods.

#### **17. 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 Department will be contacted for further guidance, which will likely include the requirement for the applicant 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 he 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 would be contacted 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.

**CONDITIONS OF APPROVAL**  
**Kenzo Winery**  
**Use Permit #03513-UP**  
APN: 033-110-060, -008, -015

**18. TRAFFIC**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will occur during non-peak travel times to the maximum extent possible (peak hours 4-6 PM). Prior to issuance of any permits, a CalTrans encroachment permit, for improvements to State Highway 121 at the driveway location, shall have been issued.

**19. STORM WATER CONTROL**

For any construction activity that results in disturbance of greater than one acre of total land area, applicant shall file a Notice of Intent with the California Regional Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the applicant shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

**20. INDEMNIFICATION**

An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

**21. MONITORING COSTS:**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the applicant and/or property owner. Generally, costs associated with planning review for building plan clearance and for certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$116.00/hour as of September, 2004). Violations of conditions of approval or mitigations measures caused by the applicant's contractors, employees, and guests are the responsibility of the applicant.

**CONDITIONS OF APPROVAL**  
**Kenzo Winery**  
**Use Permit #03513-UP**  
APN: 033-110-060, -008, -015

**22. ADDRESSING**

All project site addresses shall be determined by the Director, and reviewed and approved by the U.S. Post Office, prior to issuance of any building permit. The 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 modification or tenant improvements.



**HILLARY GITELMAN**  
Director

# COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

**PATRICK LYNCH**  
Assistant Director

June 18, 2008

Kenzo Estate Winery  
8999 Wild Horse Valley Road  
Napa, CA 94558

Re: Kenzo Estate Winery  
Very Minor Modification #P08-00196-MODVMIN  
Assessor's Parcel Number 033-110-060-000

Dear Sirs,

Please be advised that your request for a Very Minor Modification (file number P08-000196-MODVMIN) to the Kenzo Estate Winery Use Permit #03513-UP as described in your submittal letter dated June 17, 2008 and at the location shown on the revised plans dated February 15, 2008 to allow an increase of the cave size from 6,000 square feet to 7,000 square feet and a decrease in the winery structure by 7,000 feet; and allow for a change to the location of the well from off-site to on-site has been **APPROVED** by the Director of Conservation, Development and Planning on June 18, 2008 based on the applicable County regulations and the following condition of approval.

**EXPIRATION DATE:** June 18, 2010

Pursuant to Section 18.124.080 of the Napa County Code, this minor modification must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your minor modification permit. In addition, approval of this minor modification has no effect on the time limits in which to activate the original project use permit.

Please be advised that the Director of Conservation, Development and Planning has determined that this minor modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15301, Class 3, New Construction or Conversion of Small Structures, and Appendix B, Class 1 para., 3., Minor modification to existing wineries, the project consists of a minor alteration to a previously approved project involving no expansion in production or marketing activities and is not located in an environmentally sensitive area.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the

conditions of approval. In the event an appeal is made to the Board by another, you will be noticed.

Should you have any questions, please contact Linda St. Claire, Project Planner at (707)299-1348 or e-mail at [lstclair@co.napa.ca.us](mailto:lstclair@co.napa.ca.us).

Sincerely,

Hillary Gitelman  
Director

By: Linda St. Claire  
Planner

Cc: file  
Lester Hardy, PO Box 667 St. Helena, CA 94574

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

- increase of the cave size from 6,000 square feet to 7,000 square feet;
- decrease in the winery structure by 7,000 feet;
- change the location of the well from off-site to on-site.

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

- The property owner shall comply with all applicable building codes, zoning standards, and requirements of County departments and agencies.
- The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of other County Departments and Agencies may result in the need to modify the approved use permit.

**3. PREVIOUS CONDITIONS:**

- The permittee shall comply with all previous conditions of approval for Use Permit #03513-UP, except as 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 and supersede earlier ones.

**4. MONITORING COSTS:**

- All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$136.27/hour as of July, 2007). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and 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 Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission

may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.



A Tradition of Stewardship  
A Commitment to Service

**Conservation, Development and Planning**

1195 Third Street, Suite 210  
Napa, CA 94559  
www.co.napa.ca.us

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

**Hillary Gitelman**  
Director

January 12, 2009

Kenzo Estate Winery  
8999 Wild Horse Valley Road  
Napa, CA 94558

Re: Kenzo Estate Winery  
Very Minor Modification #P08-00635-MODVMIN  
Assessor's Parcel Number 033-110-075-000

Dear Sirs,

Please be advised that your request for a Very Minor Modification (file number P08-000635-MODVMIN) to the Kenzo Estate Winery Use Permit #03513-UP as described in your submittal letter dated November 25, 2008 and at the location shown on the revised plans dated November 20, 2008 to allow an increase of the Tasting and Administrative building from the approved 3,088 square feet to 3,266 square feet, adding 178 square feet, has been **APPROVED** by the Director of Conservation, Development and Planning on January 12, 2009 based on the applicable County regulations and the following condition of approval.

**EXPIRATION DATE:** January 12, 2011

Pursuant to Section 18.124.080 of the Napa County Code, this minor modification must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your minor modification permit. In addition, approval of this minor modification has no effect on the time limits in which to activate the original project use permit.

Please be advised that the Director of Conservation, Development and Planning has determined that this minor modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15301, Class 1, (e) Additions of existing structures, and Appendix B, Class 1 para., 3., Minor modification to existing wineries, the project consists of a minor alteration to a previously approved project involving no expansion in production or marketing activities and is not located in an environmentally sensitive area.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be noticed.

Should you have any questions, please contact Linda St. Claire, Project Planner at (707)299-1348 or e-mail at [lstclair@co.napa.ca.us](mailto:lstclair@co.napa.ca.us).

Sincerely,

Linda St. Claire  
Planner

Cc: file, Sasha Janev



A Tradition of Stewardship  
A Commitment to Service

Conservation, Development and Planning

1195 Third Street, Suite 210  
Napa, CA 94559  
www.co.napa.ca.us

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

**Hillary Gitelman**  
Director

September 2, 2009

Kenzo Estate Winery  
3200 Monticello Road  
Napa Ca 94558

**Re: KENZO ESTATE WINERY**  
Very Minor Modification Application, #P09-00334-VMOD  
3200 Monticello Road, Assessor's Parcel № 033-110-075-000

*equipment*  
Your application for a Very Minor Modification (P09-00334) to previously approved Use Permit 03513-UP at the above referenced address has been considered by the Conservation, Development, and Planning Director. The Very Minor Modification consists of construction of a new 1,320 square foot winery storage building. Please be advised that your request has been **APPROVED** by the Conservation, Development, and Planning Director subject to the attached conditions of approval.

The Conservation, Development, and Planning Director has determined the project to be Categorically Exempt from the California Environmental Quality Act. [See Class 3 (New Construction which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR § 15303 and Napa County CEQA Guidelines Appendix B, Class 3(a) New Construction or Conversion of Small Structures, This project would allow the construction of a 1,320 sq. ft. winery storage building.

The Use Permit Modification becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by another, you will be notified.

**EXPIRATION DATE: September 2, 2011**

Pursuant to Section 18.124.080 of the Napa County Code, the Use Permit Modification must be activated within two (2) years, or it shall automatically expire and become void on the expiration date noted above. This letter serves as the only notice you will receive regarding the expiration date of your permit.

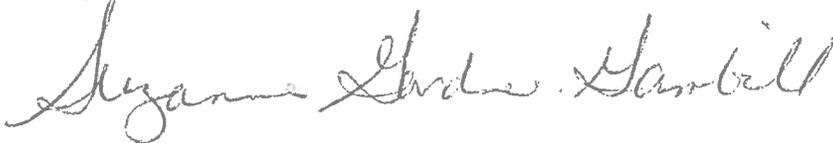
*You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.*

Should you have any questions, please contact Suzanne Gambill at [sgambill@co.napa.ca.us](mailto:sgambill@co.napa.ca.us) or at (707) 299-1334.

Sincerely,

Hillary Gitelman, Director

By: Suzanne Gardner-Gambill, Planner

A handwritten signature in cursive script that reads "Suzanne Gardner-Gambill".

Cc: John Tuteur, County Assessor  
Darrell Mayes, Building Official  
Chron  
file

**CONDITIONS OF APPROVAL  
KENZO ESTATE WINERY  
USE PERMIT MODIFICATION –FILE #P09-00334-VMOD  
(APN 033-110-075-000)**

**1. SCOPE:**

- This permit shall be limited to the construction of a 1,320 sq. ft. winery storage building
- No change in production, marketing or visitation is authorized by this permit.

The site improvements shall be designed in substantial conformance with the submitted site plan and other submittal materials, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

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

The applicant shall comply with applicable development standards, the zoning regulations and all other applicable building codes, zoning standards and requirements of various County departments and other agencies including the following:

Department of Environmental Management memo dated August 12, 2009.

Department of Public Works memo dated August 27, 2009.

Napa County Fire Department's memo dated August 19, 2009.

Napa County Building Department's memo dated August 26, 2009

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

**3. LIGHTING:**

Lighting shall be subject to review and approval of the CDPD Director prior to the issuance of a building permit. All exterior lighting shall be shielded and directed downward, and located as low to the ground as possible to provide for adequate security, safety, and operations. As determined by the CDPD Director, motion detection sensors shall be utilized to the greatest extent practical. No flood-lighting of the building is permitted. All lighting shall be shielded or placed such that it does not shine directly on any adjoining properties, or impact vehicles on adjacent streets.

**4. GRADING AND SPOILS:**

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

5. **PREVIOUS CONDITIONS/MITIGATION MEASURES:**

The permittee shall comply with all applicable conditions of approval and mitigation measures which were included in the previously approved use permits and use permit modifications. To the extent there is a conflict between this modification and any prior use permit or modification, this modification and these conditions of approval shall control.

6. **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 written approval by the Conservation, Development and Planning Department prior to painting the building. Highly reflective surfaces shall be prohibited.

7. **DUST CONTROL:**

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur during windy periods.

8. **STORM WATER CONTROL:**

For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

9. **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 Conservation, Development and Planning 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 he 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 would be contacted 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.

10. **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 15.60 or as may be amended by the Board of Supervisors.

11. **MONITORING COSTS:**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring. Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and 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 Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

12. **TEMPORARY AND FINAL OCCUPANCY:**

All project improvements, including compliance with all applicable codes, conditions and requirements from all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing, Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions can be requested due to extenuating circumstances and are subject to review and approval by the County Building Official and the Director of Conservation, Development and Planning. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.



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**Conservation Development and Planning**

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Napa, CA 94559  
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Main: (707) 253-4417  
Fax: (707) 253-4336

**Hillary Gitelman**  
Director

February 26, 2010

Kenzo Estate Winery  
% Backen & Gillam Architects  
Sasha Janev  
1028 Main St.  
St. Helena CA 94574

Re: **Kenzo Estate Winery**  
Very Minor Modification #P10-00025-VMM  
Assessor's Parcel Number 033-110-075

Dear Sasha:

Your application for a Very Minor Modification (#P10-00025-VMM) to the previous Use Permit #03513-UP to change reflect changes in the design program. The original layout showed three patios, each with free standing trellis structures and totaling 2900 square feet. The layout now consists of two (2) patios. There will be a smaller patio on the southwest side and a larger patio on the northeast side of the building. The larger of the patios is split in two levels and has a free standing trellis on the upper level. The new total square footage is 3500 s.f.

The proposed modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15301, Class 1, Existing Facilities, and Appendix B, Class 1, Existing Facilities of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project consists of a minor alteration to a previously approved project involving no expansion in production or marketing activities and it is not located in an environmentally sensitive area.

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

**EXPIRATION DATE:** February 26, 2012

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

*of your very minor modification permit. In addition, approval of this very minor modification has no effect on the time limits in which to activate the original project use permit.*

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Should you have any questions, please contact Terri Abraham, Project Planner at (707)299-1331 or e-mail at [tabraham@co.napa.ca.us](mailto:tabraham@co.napa.ca.us).

Sincerely,

A handwritten signature in cursive script that reads "Terri Abraham". The signature is written in black ink and is positioned below the word "Sincerely,".

Terri Abraham  
Planner

Enclosures

cc: file  
John Tuteur

**CONDITIONS OF APPROVAL**

***Kenzo Estate Winery***

***File # P10-00025-MOD***

***APN: #033-110-075***

1. **SCOPE:** This approval is limited to the following:
  - a. To change from three (3) patios with free standing structures, to two (2) patios. A smaller one on the southwest side and the larger on the northeast side of the building. The larger patio is split in two (2) levels and has a free standing trellis on the upper level.
  - b. To expand the total square footage of patios from 2900 square feet to 3500 square feet.

This permit does not include any increase to annual production, tours and tasting and marketing visitor numbers, numbers of employees, hours of operation, etc.

The activities permitted on the site are limited to those shown on the plans and information submitted with the Modification. Any substantial change in use is subject to review and approval as determined by the CDPD Director in accordance with the Zoning Ordinance.

**2. PREVIOUS CONDITIONS**

The permittee shall comply with all previous conditions of approval for Use Permit # 03513-UP, except as 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 and supersede all earlier ones.

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

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

- (a) Environmental Management memo dated February 22, 2010.
- (b) Napa County Fire memo dated February 17, 2010.
- (c) Napa Building Inspection Division Memo dated February 25, 2010.
- (d) Napa County Public Works memo dated February 26, 2010.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of

other County Departments or Agencies may result in the need to modify the approved use permit.

#### **4. MONITORING COSTS**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$154.00/hour). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and 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 Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.



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Planning, Building & Environmental Services

1195 Third Street, Suite 210  
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Hillary Gitelman  
Director

January 31, 2013

Kevin Teague  
1455 First Street, Suite 217  
Napa, Calif. 94559

**Re: Use Permit Very Minor Application № P11-00487  
Kenzo Winery  
3200 Monticello Rd, Napa, Calif.  
APN 033-110-060**

Dear Kevin,

Please be advised that Use Permit Very Minor Modification Application № P11-00487, modifying Use Permit № 03513-UP, has been **APPROVED** by the Director of Planning, Building and Environmental Services subject to the attached findings and conditions of approval and all applicable Napa County regulations. All work shall conform to submitted application materials, except as may be superseded by the adopted conditions of approval.

In approving the above application, the Planning Director found the project Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (Class 1 – Existing Facilities) and Appendix B, Class 1, Subsection 3, of Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project is a very minor alteration to a previously approved winery facility including no increase in production, visitation, or marketing activities, and a very minor increase in facility square footage to enclose an existing patio.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another party. Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

**Pursuant to Napa County Code §18.124.080, this use permit modification must be activated within two (2) years of the date of this letter, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.**

If you have any questions, please feel free to contact project planner Linda St. Claire at 707.299.1348 or via email at linda.stclaire@countyofnapa.org

Best regards,

Hillary Gitelman, Planning Director



By Linda St. Claire, Planner

**Attached:** adopted conditions of approval  
**Copied:** K. Teague (HTRA), J. Tuteur (Assessor), C. Gallina (PBES), FILE

USE PERMIT VERY MINOR MODIFICATION № P11-00487-MOD  
Kenzo Winery Use Permit Very Minor Modification  
3200 Monticello Rd, Napa, Calif. APN 033-110-060

FINDINGS

1. **CEQA Status**

Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (Class 1 – Existing Facilities) and Appendix B, Class 1, Subsection 3, of Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project is a very minor alteration to a previously approved winery facility including an increase of less than 10% of the winery's existing structural square footage.

2. **Purview of the Planning Director**

The Planning Director has the power to issue a use permit very minor modification under the Zoning Regulations in effect as applied to the property. The project is consistent with AW (Agricultural Watershed) zoning district regulations. A winery (as defined in N.C.C. §18.08.640) and uses in connection with a winery (see N.C.C. §18.20.030) are permitted in an AW zoned district subject to an approved use permit. The requirements of the Winery Definition Ordinance (Ord. No. 947, 1990, as amended) and other portions of the Napa County Code (Zoning Regulations, as amended) can be met.

3. **Procedural Requirements**

The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code have been met.

4. **Public Welfare**

The grant of a very minor modification allowing alterations to the floor plan of the approved winery building, as conditioned, will not adversely affect the public health, safety, or welfare of the County of Napa. Relevant County departments have reviewed the project with regard to water, waste water disposal, access, building permits, and fire protection.

5. **Consistency with Standards**

The proposed very minor modification complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan. The goals established by the Napa County General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to concentrate urban uses in existing cities and urban areas. Napa County enacts and

USE PERMIT VERY MINOR MODIFICATION No P11-00487-MOD

Kenzo Winery Use Permit Very Minor Modification

3200 Monticello Rd, Napa, Calif. APN 033-110-060

enforces regulations that act to retain agriculture as a major source of income and employment in Napa County. The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

6. **Groundwater Deficient Areas**

The subject property is not located in a "groundwater deficient area" as identified in N.C.C. §13.15.010.

7. **Other Groundwater Basins**

No substantial evidence that the project would be above the established threshold for groundwater use on the parcel or that it would result in substantial depletion of groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level has been identified.

8. **Public Water Supplies**

This parcel does not have a reasonably foreseeable connection to a public water supply as defined in N.C.C. §13.15.010.

**CONDITIONS OF APPROVAL**

1. **Scope**

This approval modifies the **use permit governing the operation of the Kenzo Winery, only** in the following regards:

- Enclosing a 754 square foot patio attached to the winery for use as additional hospitality space.

This approval does not include changes to approved production capacity, hours of operation, tours and tasting visitation, marketing events, or any adopted environmental mitigation measure.

USE PERMIT VERY MINOR MODIFICATION № P11-00487-MOD  
Kenzo Winery Use Permit Very Minor Modification  
3200 Monticello Rd, Napa, Calif. APN 033-110-060

The winery shall be designed in substantial conformance with the submitted plans and other submittal materials and shall comply with all requirements of the Napa 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 by the approved in accordance with Napa County Code § 18.124.130 and may be subject to the Use Permit modification process.

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

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not necessarily limited to:

- Environmental Health;
- Department of Public Works;
- County Fire Department; and
- The Building Division.

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

**3. PREVIOUS CONDITIONS**

The permittee shall comply with all 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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Napa County Fire Department  
Fire Marshal's Office  
1199 Big Tree Road  
St. Helena, CA 94574

pete.munoa@fire.ca.gov

Office: (707) 967-1421  
Fax: (707) 967-1474  
Cell: (707) 299-7645

Pete Muñoa  
Fire Marshal

## INTER-OFFICE MEMORANDUM

---

TO: Hillary Gitelman - Director  
Planning, Development and Environmental Services

FROM: Pete Muñoa, Fire Department

DATE: January 11, 2013

SUBJECT: Kenzo Winery Patio                      3200 Monticello Rd., Napa CA 94558  
File # P11-00487                                  APN 033-110-060

I have reviewed the "very minor modification" application. I recommend that the following items shall be incorporated as project conditions.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance.**
2. An approved automatic fire sprinkler system will be required for all proposed structures 3,600 feet or greater. The production building will require an automatic fire sprinkler system installed and maintained in accordance with the *National Fire Protection Association Standard (NFPA) #13 (Installation of Automatic Sprinkler Systems 2002 edition)*. A minimum of 60 minutes of water storage to operate the sprinkler system will be required.
3. The **minimum** required fire flow for the protection of the proposed project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 12,000 gallons. The fire flow is based on the square footage of the building and the construction type and has been reduced by 50% since the building will require automatic fire sprinkler protection. The fire flow and storage volume in a sprinklered building is in **addition** to the water demand for the sprinkler system.
4. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard (NFPA) #20 (Installation of Stationary Pumps for Fire Protection 2003 edition)*. Fire pumps are

required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.

Please contact the Napa County Fire Marshal's Office at (707) 967-1419 with questions on items contained within this document if necessary.

Pete Muñoa  
Fire Marshal



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Conservation Development and Planning

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Hillary Gitelman  
Director

## Building Inspection Division Planning Review Comments

Date: January 5, 2012

Planning Use Permit #: P11-00487

APN: 033-110-075

Owner: Kenzo Estates Inc.

Description of Use Permit: Planning Use Permit Modification to construct a 3200 square foot Marketing Events Building with a new commercial kitchen.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards at this time; the 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 only and does not in itself authorize any construction or change in occupancy.

1. The plans provided do not show in sufficient clarity all items to be addressed.
2. The building is required to be accessible to persons with disabilities in accordance with chapter 11B of the California Building Code.

These and other issues of compliance with the California Building Standards Codes will be addressed during the building permit application, review and approval process.

**All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Architect.**

**(Business and Professions Code, Chapter 3, Division 3 and California Building Code Chapter 1)**

Darrell Mayes, CBO  
Chief Building Official  
County of Napa  
Conservation, Development & Planning Department  
1195 Third Street, Suite 210  
Napa, CA 94559  
Phone: (707) 253-4417  
Fax: (707) 299-4434  
E-mail: darrell.mayes@countyofnapa.org



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**Environmental Management**

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Main: (707) 253-4471  
Fax: (707) 253-4545

**Steven Lederer**  
Director

**MEMORANDUM**

To: Napa County Planning Department, Linda St. Claire	From: Christine Secheli, Assistant Director
Date:	Re: Application for Use Permit Modification Located at 3200 Monticello Rd. Assessor Parcel # 033-110-075 File # P11-00487

The submitted application has been reviewed and this department recommends approval with the following condition of approval:

1. Complete plans and specifications for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Department prior to issuance of any building permits for said areas. An annual food permit will be required.
2. Plans for the proposed 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 Department.
3. A permit for the installation of the alternative sewage disposal system must be secured from this Department 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. 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.
5. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities Page shall be submitted and approved by this Department.
6. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

Kenzo Modification  
AP#033-110-075  
January 6, 2012

Page 2 of 2

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.
8. 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.
9. The existing water system is currently permitted and shall remain as such.

cc: Kevin Teague, 1455 First St., Ste. 217, Napa, CA 94559



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Napa, CA 94559  
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Hillary Gitelman  
Director

## MEMORANDUM

To: <b>Linda St. Claire</b> Planner III Planning Division	From: Patrick C. Ryan Assistant Engineer Engineering & Conservation Division
Date: January 14, 2013	Re: P11-00487 – Kenzo Winery VMM APN: 033-110-075 3200 Monticello Road, Napa

The County of Napa Planning, Building, and Environmental Services Department (PBES), Engineering and Conservation Division has completed its review of the Land Use Permit application package requesting the following:

*"Amended Request" by the Kenzo Estate Winery requests a Very Minor Modification approval to construct a 754 sq.ft. enclosure on an existing patio as an addition to the existing tasting room. Other than the physical modifications to the structure, this project does not propose any changes to traffic, production or marketing.*

After careful review of the Kenzo Estate Winery Very Minor Modification Land Use Permit application package the Engineering and Conservation Division has determined that all items are complete and sufficiently detailed. As long as no additional changes are made to the proposed improvements this Division has approved the subject Land Use Permit with the following conditions.

### Existing Conditions

1. The County of Napa parcel 033-110-075 is located on Monticello Road in Napa.
2. The existing parcel is approximately 36.13 acres.
3. The existing property is zoned as AW and is developed with a winery.
4. The existing common drive has been constructed and meets County Roads and Streets Standards from the public right-of-way to the winery site.

Planning Division  
(707) 253-4417

Building Division  
(707) 253-4417

Engineering & Conservation  
(707) 253-4417

Environmental Health  
(707) 253-4471

Parks & Open Space  
(707) 259-5933

5. The existing parking surface currently meets County Roads and Streets Standards.

## **Recommended Conditions**

### **Groundwater:**

1. Any zoning applications filed under this title shall disclose whether the proposed use requires or anticipates the use of groundwater as a water source. Where that use requires groundwater review and the issuance of a groundwater permit under Chapter 13.15 of the Napa County Code of Ordinances, the zoning application shall not be approved until that review has been completed and a groundwater permit has been obtained. Groundwater comments are provided in a separate memorandum.

### **Parking:**

2. Any 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.

### **Site Improvements:**

3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this Division prior to the commencement of any on-site land preparation or construction. Plans shall be submitted with the permit documents at the time of permit application. A plan check fee will apply at this time.
4. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of stormwater runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff and shall be accompanied by a hydraulic analysis for the drainage improvements.

### **Construction Site Runoff Control Requirements:**

5. Implement effective erosion control BMPs, as appropriate, during storm events to protect exposed soils from being detached by rainfall, flowing water, or wind. Erosion control BMPs may include, but are not limited to: straw mulch, fiber mat blankets, bonded fiber matrix, soil compaction, and temporary and permanent vegetation.
6. Implement sediment control BMPs, as appropriate, to trap soil particles after they have been detached and moved by rain, flowing water, or wind. Examples of sediment control BMPs that may be used include, but are not limited to: fiber rolls, silt fence, check dams, and storm drain inlet protection.

7. Maintain a designated washout area to remove sediment and chemical pollutants that may be produced from cleaning tools and machinery. A washout area is a temporary wash basin sufficient in size to allow wash water to pond and allow the sedimentation and disposal of particles that have been rinsed off of project equipment. Pollutants include but are not limited to: paint, cement, stucco, etc.
8. Properly maintain all litter, dumps, or stockpiles in such a manner that they will not result in a contaminated discharge.
9. All entrances/exits of a project site shall be protected by a surface that will ensure any vehicles leaving the construction site will not track sediment onto any publicly maintained roadways.
10. The property owner shall inform all individuals, who will take part in the construction process, of these requirements. Failure to follow these requirements to eliminate all illicit discharges may result in work stoppage, a written citation, monetary fine or any combination thereof.

#### **Post Construction Runoff Management Requirements**

11. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions.
12. Establish buffer zones between receiving waters and the project footprint. At a minimum, all projects must comply with the stream setback requirements in the County's Conservation Regulations (Chapter 18.108) and Floodplain Management Ordinance (16.04). Discretionary projects may also be required to implement wider buffer zones to fully protect aquatic resources. Appropriate buffer distances range from 35 to 150 feet depending on the slope, adjacent land use, and the aquatic resources of concern.
13. Install energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels in accordance with applicable specifications to minimize erosion. Energy dissipaters shall be installed in such a way as to minimize impacts to receiving waters.
14. Smaller quantities of materials and wastes (e.g. pesticides, fertilizers, etc.) with the potential to contaminate stormwater must be placed in an enclosure such as a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system.
15. If impracticable to cover larger quantities of materials and wastes (e.g. soil, compost, treated lumber) the area must be designed to preclude stormwater run-on and temporarily covered with tarps during rain events.
16. Storage areas for liquid materials and wastes must have a permanent cover to keep rainwater out of the storage area and protected by secondary containment structures such as berms, dikes, or curbs.

17. All hazardous materials and wastes on the site must be used and stored in compliance with the Napa County's Hazardous Materials Ordinance and Hazardous Materials Management Plan for the site approved by the Department of Environmental Management.
18. If the processing area is outdoors, grade or berm the processing area to prevent run-on from surrounding areas.
19. The installation of storm drains in processing areas is prohibited, unless an approved automatic diversion valve system is installed, operates, and is controlled by the standards approved by the Director of PBES.
20. For processing areas that generate liquid wastes, slope the area to a drain to the sanitary sewer system or other approved collection system.

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**Other Recommendations:**

21. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the conditions of county roads before construction begins, and then re-evaluate 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.
22. All conditions of approval from the the original use permit and subsequent use modifications, 03513-UP, P08-00196-VMM, P09-00334 VMM, and P10-00025-VMM shall remain in effect for P11-00487.

**Any changes in land use may necessitate additional conditions of approval.**

If you have any questions regarding the above items please contact Patrick Ryan at (707) 253-4892 or at [Patrick.Ryan@countyofnapa.org](mailto:Patrick.Ryan@countyofnapa.org). For groundwater questions, please contact Anna Maria Martinez at (707) 259-8600.



A Tradition of Stewardship  
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**Planning, Building & Environmental Services**

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

**Hillary Gitelman**  
Director

July 9, 2013

John McPherson  
c/o Kenzo Estate Winery  
3200 Monticello Rd  
Napa, CA 94558

**Re: Kenzo Estate Winery Use Permit - Minor Modification  
Use Permit # P12-00434-MOD  
3200 Monticello Rd, Napa, CA 94558 - APN 033-110-075**

Dear Mr. McPherson,

The application for Minor Modification #P12-00434 to Kenzo Estate Winery Use Permit #03513-UP has been considered by the Planning, Building and Environmental Services Zoning Administrator on July 8, 2013 for a 12,645 square foot stand alone facility for white wine production, tanks room, storage, covered crush pad, and associated parking. There will be no increase in production, no new employees, no increase in visitation, no additional parking and no increase in marketing events. Please be advised that this request has been **APPROVED** by the Zoning Administrator subject to the attached Conditions of Approval. It should be noted that all previous Use Permit conditions not in conflict with this modification will still apply.

No other changes are being requested. There will be no increases in production (85,000 gallons per year), employees (9 full-time, 2 part-time), visitation and marketing (tours and tastings by appointment only for a maximum of 75 person per week, private tastings with meals 25 times per year with a maximum of 50 persons and two vintage release events per year with a maximum of 150 persons), and parking (20 spaces). There will be no changes in hours of operation.

The proposed project is **Categorically Exempt** from the provisions of the California Environmental Quality Act (CEQA), which exempts minor expansions to existing structures. Pursuant to CEQA Section 15303, Class 1, Existing Facilities and Appendix B, Class 1: minor modification of an existing use permit in conformance with Section 18.124.130 of the County Code of Napa County's Local Procedures for Implementing the California Environmental Quality Act.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Pursuant to Government Code Sec.66020 (d)(1), you are hereby further notified that the ninety day period in which to protest imposition of any fees, dedications, reservations, or other exactions that may have been adopted as conditions of approval has begun.

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

**Expiration Date:** July 9, 2015

Should you have any questions, please contact Linda St. Claire, Project Planner at (707)299-1348 or e-mail at [linda.stclaire@countyofnapa.org](mailto:linda.stclaire@countyofnapa.org).

Sincerely,



John McDowell  
Zoning Administrator

By: Linda St. Claire, Project Planner

Cc: Kevin Teague, Holman, Teague Roche Anglin, LLP, 1455 First Street, Suite 217, Napa Ca  
94558  
Assessor  
Chron  
Project file

## **FINDINGS**

**Kenzo Estate Winery  
Use Permit Minor Modification Application No. P12-00434  
3200 Monticello Rd., Napa, Ca. 94558  
Assessor's Parcel No. 033-110-075**

### **ENVIRONMENTAL DETERMINATION**

The Zoning Administrator has received and reviewed the project pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA, and makes the following finding(s). That:

1. The project is Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (Class 1 – Existing Facilities) and Appendix B, Class 1, Subsection 3, of Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project is a minor alteration to a previously approved winery facility including an increase of less than 25% of the winery's existing structural square footage.

### **USE PERMIT**

The Zoning Administrator has reviewed the use permit modification request in accordance with the requirements of Napa County Code Section 18.124.070 and makes the following findings. That:

2. The Zoning Administrator has the power to issue a use permit modification under the zoning regulations in effect as applied to the Property. The project is consistent with AW (Agricultural Watershed) zoning district regulations. A winery (as defined in Napa County Code Section 18.08.640) and uses in connection with a winery (see Napa County Code Section 18.20.040) are permitted in an AW-zoned district subject to use permit approval. The project complies with the requirements of the Winery Definition Ordinance (Ord. No. 947, 1990, as amended) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code), as applicable.
3. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code have been met. A notice of intent was filed consistent with Napa County Code Section 18.124.130(B) and copies of the notice were forwarded to property owners within 300 feet of the Property. No requests for a public hearing were received within the allotted time.
4. The grant of a use permit modification, as conditioned, will not adversely affect the public health, safety, or welfare of the County of Napa. Various County departments have reviewed the project and commented regarding water, access, building permits, and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the ongoing protection of public health and safety.

5. The proposed use complies with applicable provision of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.

The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects. The project complies with the requirements of the WDP (Ord. No. 947, 1990) and the remainder of the Napa County Zoning Ordinance (Title 18, Napa County Code) as applicable.

This proposal is consistent with the Napa County General Plan 2008. The subject parcel is located on land designated Agricultural Resource (AR) on the County's adopted General Plan Land Use Map. This project site contains an existing agricultural processing facility (winery), along with wine storage, bottling, and other proposed WDO compliant accessory uses, operational features and physical improvements as outlined in and limited by the approved project scope (see Attachment B, Conditions of Approval). These uses fall within the County's definition of agriculture and thereby preserve the use of agriculturally designated land for current and future agricultural purposes.

**General Plan Agricultural Preservation and Land Use Goal AG/LU-1** guides the County to "preserve existing agricultural land uses and plan for agriculture and related activities as the primary land uses in Napa County." **General Plan Agricultural Preservation and Land Use Goal AG/LU-3** states the County should, "support the economic viability of agriculture, including grape growing, winemaking, other types of agriculture, and supporting industries to ensure the preservation of agricultural lands." Approval of this project furthers both of these key goals.

Additionally, the use of the property for the "fermenting and processing of grape juice into wine" as permitted under Napa County Code Section No. 18.08.640, supports the economic viability of agriculture within the county consistent with **General Plan Agricultural Preservation and Land Use Policy AG/LU-4** ("The County will reserve agricultural lands for agricultural use including lands used for grazing and watershed/open space...") and **General Plan Economic Development Policy E-1** ("The County's economic development will focus on ensuring the continued viability of agriculture...").

The General Plan includes two complimentary policies requiring that new wineries, "...be designed to convey their permanence and attractiveness." (**General Plan Agricultural Preservation and Land Use Policy AG/LU-10** and **General Plan Community Character Policy CC-2**). The design of the winery building will be fully in keeping with the permanence and attractiveness of Napa County.

As analyzed at item No.10, below, the winery will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level. The project is consistent with **General Plan Conservation Policies CON-53 and CON-55**, which require that applicants seeking discretionary land use approvals prove the availability of adequate water supplies which can be appropriated without significant negative impacts on shared groundwater resources.

Napa County's adopted General Plan reinforces the County's long standing commitment to agricultural preservation, urban centered growth, and resource conservation. On balance, this project is consistent with the General Plan's overall policy framework and with the Plan's specific goals and policies.

1. The proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin.

**Analysis:** Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels.

The modification will not result in any significant alteration of the previous conclusions regarding water supply at the winery. The Negative Declaration analyzed the winery's use of an existing onsite well for water uses as well as use of onsite water storage tanks for fire protection. Based on the previously submitted analysis, the 36.13 acre parcel has a water availability calculation of 36.13 acre feet per year (af/yr). The Napa County Valley allowable water allotment is determined by the acreage and a parcel location factor. In this case the factor is 1 acre foot of water per acre. Current water use is 12.31 af/yr. The projected water use for the project is 12.31 af/yr, which is below the established threshold, and no adverse impacts were identified. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

## CONDITIONS OF APPROVAL

**Kenzo Estate Winery  
Use Permit Minor Modification #P12-00199-MOD  
3200 Monticello Rd., Napa, Ca. 94558  
Assessor's Parcel No. 033-110-075**

1. **SCOPE**

The permit shall be limited to a use permit minor modification as follows:

1. Construct a 12,645 square foot winery structure for white wine production, tank rooms, covered crush pad, storage, and associated parking for a new total of approximately 53,145 square feet (to include existing caves).

No other changes are being requested. There will be no increases in production (85,000 gallons per year), employees (9 full-time, 2 part-time), visitation and marketing (tours and tastings by appointment only for a maximum of 75 person per week, private tastings with meals 25 times per year with a maximum of 50 persons and two vintage release events per year with a maximum of 150 persons), and parking (20 spaces). There will be no changes in hours of operation.

The winery shall comply with all requirements of the Napa 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 by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

2. **PROJECT SPECIFIC CONDITIONS**

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document, the Project Specific Conditions shall supersede and control.

- A. Evans Consumption - Consistent with Assembly Bill 2004 (Evans) and the Planning, Building, and Environmental Services Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premise consumption may occur solely in Hospitality Building (tasting rooms/terraces, and picnic area. Any and all visitation associated with on-premise consumption shall be subject to the seventy-five (75) person maximum weekly tours and tastings visitation limitation.
- B. The permittee shall comply during all construction activities with the Bay Area Air Quality Management District Basic Construction Mitigation Measures as provided in Table 8-1, May 2011 Updated CEQA Guidelines as provided below:
  1. All exposed surfaces (e.g. parking areas, staging areas, soil piles, grading areas, and unpaved access (road) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. 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.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. 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.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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.
7. 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.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

- C. Existing single family residences are classified for residential purposes only and cannot be used in conjunction with the operation and/or visitation/marketing program for the winery. If rented, the residence shall only be rented out for periods of 30 days or more, pursuant to Napa County Code Section 18.104.410, Transient Commercial Occupancies of Dwelling Units Prohibited.

3. **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:

- A. Engineering Services Division as stated in their Memorandum dated June 24, 2013.
- B. Environmental Health Division as stated in their Memorandum dated June 25, 2013.
- C. Cal Fire as stated in their Memorandum dated January 11, 2013.
- D. Building Division as stated in the Memorandum dated January 17, 2013.

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

4. **VISITATION**

Consistent with Sections 18.16.030 and 18.20.030 of the Napa County Code, 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.” Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exist and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building and Environmental Services.

Permittee shall maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation. In the event permittee loses required ABC and/or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

A log book (or similar record) shall be maintained which documents the number of visitors to the winery (be they tours and tastings or marketing event visitors), and the dates of their visit. This record of visitors shall be made available to the Planning, Building and Environmental Services Department upon request.

A. **TOURS AND TASTING**

“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. (Ord. 1340, 2010; Ord. 947 § 9 (part), 1990; prior code § 12070).

Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code 18.16.03(G)(5)(c).

B. **MARKETING**

“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 Chapters 18.16 and 18.20 of the Napa County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the

winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s use permit. Marketing plans in their totality must remain “clearly incidental, related and subordinate to the primary operation of the winery as a production facility” (subsection (G)(5) of Sections 18.16.030 and subsection (I)(5) of 18.20.030 of the Napa County Code). To be considered directly related to the education and development of customers or potential customer 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 operation of the business event’s non-wine-related content, and the intensity of the overall marketing plan. (Ord. 1340, 2010; Ord. 1104 § 11; 1996; Ord. 947 § 9 (part), 1990; prior code § 12071).

All activities including cleanup shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM.

5. **GRAPE SOURCE**

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

6. **RENTAL/LEASING**

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the on-site 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 (Napa County Code Chapter 5.36).

7. **SIGNS**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning, Building, and Environmental Services 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 Chapter 18.116 of the Napa County Code. At least one sign placed and sized in a manner to

inform the public must legibly include wording stating “Tours and Tasting by Prior Appointment Only”.

8. **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, 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. All lighting shall comply with the California Building Code.

9. **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 County’s Water Efficient Landscape Ordinance (WELO), 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 (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6” DBH 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.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residence that can view these areas.

Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the landscaping plan.

10. **OUTDOOR STORAGE/SCREENING/UTILITIES**

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to 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

Chapter 18.106 of the Napa County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

11. **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 Planning, Building & Environmental Services Department prior to painting the building. Highly reflective surfaces are prohibited.

12. **SITE IMPROVEMENTS AND ENGINEERING SERVICES-SPECIFIC CONDITIONS**

Please contact (707) 253-4417 with any questions regarding the following.

A. **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 final occupancy.

B. **TRAFFIC**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) 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.

C. **DUST CONTROL**

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur during windy periods.

D. **STORM WATER CONTROL**

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

E. **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. In no case shall parking impede emergency vehicle access or public roads.

F. **GATES/ENTRY STRUCTURES**

Any gate installed at the winery entrance shall be reviewed by the Planning, Building & Environmental Services 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 Napa 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.

13. **ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS**

Please contact (707) 253-4471 with any questions regarding the following.

A. **WELLS**

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Planning, Building and Environmental Services determines that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. If the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the Director of Planning, Building and Environmental Services shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the Director has provided notice and the opportunity for hearing in compliance with the Napa County Code §13.15.070 (G-K).

B. **NOISE**

Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

14. **ARCHEOLOGICAL FINDING**

In the event that archeological artifacts or human remains are discovered, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Planning, Building and Environmental Services 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, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he 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 would be contacted 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.

15. **ADDRESSING**

All project site addresses shall be determined by the Planning, Building and Environmental Services Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The 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.

16. **INDEMNIFICATION**

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the Planning, Building and Environmental Services Department's standard form.

17. **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 15.60 or as may be amended by the Board of Supervisors.

18. **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.

19. **MONITORING COSTS**

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

The 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 §18.124.120 of the Napa County Code.

20. **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 Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exists and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building and Environmental Services. 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. Consistent with Board of Supervisors Resolution № 2010-48, "Temporary Certificates of Occupancy are generally not to be used to allow production of wine for more than one year."



A Tradition of Stewardship  
A Commitment to Service

Conservation Development and Planning

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**Hillary Gitelman**  
Director

## Building Inspection Division Planning Review Comments

Date: January 17, 2013

Planning Use Permit #: P12-00434

APN: 033-110-075

Owner: Kenzo Estate Inc.

Description of Use Permit: This Use Permit is to construct a new 12,645 square foot winery facility.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards at this time; the 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 only and does not in itself authorize any construction or change in occupancy.

**The plans provided for Use Permit application #P12-00434 does not provide enough information in sufficient clarity and 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 construction permits.**

1. This facility will be required to comply with the California Code of Regulations, Title 24, and local ordinances that are adopted at the time of building permit application. At the time of this letter the current editions adopted are the 2010 Building, Plumbing, Mechanical, Electrical, Energy, Residential and the Green Building Standards Code

Issues of compliance with the California Building Standards Codes, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any question please do not hesitate contact me at (707) 253-4417.

**All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Architect (Business and Professions Code, Chapter 3, Division 3 and California Building Code Chapter 1).**

Darrell Mayes, CBO  
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County of Napa  
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A Tradition of Stewardship  
A Commitment to Service

**Hillary Gitelman**  
Director

## MEMORANDUM

To: Linda St. Claire, Project Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: June 25, 2013	Re: Kenzo Estate Winery, 3200 Monticello Rd AP # 033-110-075 File # P12-00434

The application requesting approval to construct a new production tank room, covered crush pad and storage building has been reviewed. This Division has no objection to approval of the application with the following conditions of approval:

1. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities Page shall be submitted and approved by this Division.
2. A permit to install septic tanks and sewer lines 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. To secure a permit to install a the tanks and sewer line, the applicant must submit plans to this Division for review and approval. The plans must show the location of the proposed modification relative to the proposed project and other structures, the required 100% expansion area, and all other site features such as storm drainage, wells, roads, slope, etc. The plans must be drawn to scale.
4. 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.
5. The owner must continue to comply with the alternative sewage treatment system monitoring which includes submitting regular monitoring inspection reports to this Division.
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. 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.
8. 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.
9. 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.
10. The drinking water supply and related components is currently regulated as a transient non-community water system in accordance with the California Safe Drinking Water Act and Related Laws. The owner must continue to comply with water system monitoring and reporting as required.



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Hillary Gitelman  
Director

## MEMORANDUM

To: Linda St. Claire, Planning Division	From: Jeannette Doss, Engineering and Conservation Division 
Date: June 24, 2013	Re: Kenzo Estate Winery Use Permit - Engineering CoA 3200 Monticello Road, Napa, CA P12-00434 APN 033-110-075

The Engineering Division received a referral for comment on a modification to an existing use permit for Kenzo Estate Winery, generally requesting the following:

*To construct a new enclosed winery production tank room, parking lot, crush pad and storage building on the current winery parcel to accommodate the white wine production. The new building will total approximately 13,225 sq ft. No changes to the number of employees, the visitation or production are proposed as part of this request.*

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

### EXISTING CONDITIONS:

1. Napa County parcel 033-110-075 is located at 3200 Monticello Road in Napa.
2. The existing parcel is approximately 36.13 acres.
3. The parcel is currently developed with a winery.

### RECOMMENDED CONDITIONS:

#### PARKING:

1. Any 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.

**NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:**

2. All roadway construction associated with this application shall conform to the current Road and Street Standards of Napa County at the time of building permit submittal and accepted construction and inspection practices.
3. The applicant must obtain an encroachment permit from the Public Works Department for any work performed within the Napa County Right-of-Way.
4. The applicant must obtain an encroachment permit from the California Department of Transportation for any work performed within the State Right-of-Way.

**SITE IMPROVEMENTS:**

5. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office prior to the commencement of any on site land preparation or construction. Plans shall be submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
6. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of stormwater runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
7. Grading and drainage improvements shall be constructed according to the latest “Napa County Road and Street Standards” and the California Building Code. Specifically, all cuts and fills slopes shall be setback to meet the latest CBC.
8. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Planning, Building and Environmental Services Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

**OTHER RECOMMENDATIONS:**

9. Prior to the issuance of applicable building or grading permits the applicant must obtain all appropriate regulatory permits from the Regional Water Quality Control Board, Army Corp. of Engineers and Fish & Game.

10. Prior to the granting of occupancy (be it temporary or final) of any new building permits associated with this Use Permit, the driveway and parking improvements as outlined above shall be implemented.
11. 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.

**CONSTRUCTION STORMWATER REQUIREMENTS:**

12. 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.
13. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
14. Any construction activity that equals or exceeds one acre of total disturbed area shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of California Regional Water Quality Control Board (SRWQCB) and shall file a Notice of Intent (NOI) prior to commencement of any construction activity. The completed SWPPP shall be submitted to the Napa County Planning, Building and Environmental Services Department for review.
15. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
16. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
17. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

**POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:**

18. 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.
19. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. bio-retention unit) may be used to capture and infiltrate the excess volume.
20. Loading/unloading dock and processing areas must be covered or designed to preclude stormwater run-on and runoff. All direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
21. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.
22. In design of retention facilities, the maximum percolation rate shall be two inches per hour.
23. For on-site common retention basins, the side slopes shall not exceed 3:1.
24. Provide concrete stamping, or equivalent, of all stormwater conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping – Drains to Napa River"). Signage shall identify the receiving water the drain discharges to and include a message in Spanish.
25. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.
26. Prior to final occupancy the property owner must legally record an "*implementation and maintenance agreement*" approved by the Public Works department to ensure all post-construction structures on the property remain functional and operational for the indefinite duration of the project.

27. Each year the entity responsible for maintenance is required to complete an annual report. The report shall be signed by the property owner and include copies of completed inspection and maintenance checklists to document that maintenance activities were conducted during the previous year. The annual report shall be retained for a period of at least five years and made available upon request by the County.

**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. For groundwater questions and/or traffic questions, please contact the Napa County Department of Public Works at (707) 253-4351 and ask for Anna Maria Martinez (groundwater) or Paul Wilkinson (traffic).



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Pete Muñoa  
Fire Marshal

## INTER-OFFICE MEMORANDUM

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TO: Hillary Gitelman - Director  
Conservation, Development and Environmental Services

FROM: Pete Muñoa – Fire Marshal  
Fire Department

DATE: January 11, 2013

SUBJECT: Kenzo Estates Winery                      3200 Monticello Rd., Napa CA 94558  
APN: 033-110-075                                      P12-00434

The Napa County Fire Marshal's Office has reviewed the applicant's project submittal. We recommend that the following items be incorporated as project conditions or mitigation measures if the commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance.**
2. An approved automatic fire sprinkler system shall be required for all proposed structures 3,600 feet or greater. The production building will require an automatic fire sprinkler system installed and maintained in accordance with the *National Fire Protection Association Standard (NFPA) #13 (Installation of Automatic Sprinkler Systems 2002 edition)*. A minimum of 60 minutes of water storage to operate the sprinkler system shall be required.
3. The **minimum** required fire flow for the protection of the proposed project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 12,000 gallons. The fire flow is based on the square footage of the building and the construction type and has been reduced by 50% since the building will require automatic fire sprinkler protection. The fire flow and storage volume in a sprinklered building is in **addition** to the water demand for the sprinkler system.
4. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard (NFPA)*

#20 (*Installation of Stationary Pumps for Fire Protection 2003 edition*). Fire pumps are required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.

5. The private fire service mains shall be installed and maintained in accordance with the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 2002 edition)*.
6. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the California Fire Code, 2010 edition. Fire hydrants shall be placed within 250 feet of all exterior portions of the building.
7. All post indicator valves, control valves, waterflow devices and fire pumps will also require monitoring by an approved remote station or central alarm monitoring company. The fire alarm system shall be designed and installed in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 2002 edition)*.
8. Fire apparatus access roads shall be provided to within 150 feet of all portions of the structures. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet.
9. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
10. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
11. The applicant shall be responsible for maintaining 10 feet of defensible space along each side of the roadway. This defensible space zone shall include the removal of all dead fuel, dry grass mowed to less than four inches in height, the removal or cutting of all brush, the removal of small trees less than 8 inches in diameter and the removal of all ladder fuel on existing trees up to 8 feet in height, within 10 vertical feet of each side of the roadway and vertical clearance of 13'6".
12. A defensible space zone shall be created around all structures. This defensible space zone shall be 100' from all portions of a structure. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
13. The request for beneficial occupancy ***will not*** be considered until all fire and life safety issues have been installed, tested and finalized.
14. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any

construction or storage of combustible materials on site.

15. The approved address numbers shall be placed on the building by the applicant in such a position as to be plainly visible and legible from the street or streets fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 6" in height for the building, contrasting in color with their background and shall be illuminated.
16. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
17. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb or on signs.
18. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.
19. Currently serviced and tagged fire extinguishers with a minimum rating of 2A10BC shall be provided within 75 feet of travel distance from any portion of the facility and shall be mounted 3 1/2 to 5 feet to the top of the extinguisher.
20. All exit doors shall be operable without the use of a key or any special knowledge or effort.
21. Illuminated exit signs and emergency back up lighting shall be installed throughout the building per the California Building Code, section 1004, 2007 edition.
22. All Cave construction shall comply with the 2010 California Building Code requirements and Napa County Ordinances.
23. A Knox cabinet and all weather housing unit (model #1307 and #1201) will be required to allow emergency vehicle access to the site. Because an alarm system is required, the Knox box/cabinet will require "tamper monitoring".
24. The Knox Cabinet shall have one or all of the following items placed in the Knox cabinet, dependent on requirements of this facility:
  - A minimum of 2 master keys to the structure(s) for emergency access.
  - 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.

- 2 scaled floor plans of all structures showing doors, offices, etc.
- Napa County Hazardous Materials Business including all MSDS forms, etc.
- **A digital file of the site and floor plans in a PDF format must be submitted at building final in addition to the hard copies listed above.**

25. When the Napa County Fire Department deems it necessary for Fire and Life Safety, the owner, agent or lessee shall put in writing the intended use of the cave areas; i.e. storage, processing of wine at a winery and/or assembly use areas. This information is based off the the use permit.
26. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
27. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
28. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at **no** charge to the County for independent peer review of alternate methods and materials proposals.
29. 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.
30. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established rate as adopted by the Napa County Board of Supervisors by resolution.

Please feel free to contact the Napa County Fire Marshal's Office at (707) 967-1421 to discuss any fire protection issues regarding this project.

Pete Muñoa  
Fire Marshal