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

**PLANNING COMMISSION HEARING – SEPTEMBER 21, 2016  
RECOMMENDED CONDITIONS OF APPROVAL**

**KENZO ESTATES  
MAJOR MODIFICATION #P15-00293-MOD  
3200 MONTICELLO ROAD  
(APN: 033-110-075-000)**

**1.0 SCOPE**

This permit shall be limited to the approval of a modification of the previous project approvals (Use Permit 03513-UP, Very Minor Modification #PO8-00196-MODVMIN, Very Minor Modification #P08-00635MODVIN, Very Minor Modification #P09-00334-VMOD, Very Minor Modification #P10-00025-VMM, Very Minor Modification #P11-00487-VMM, Minor Modification #P12-00434-MOD) for an existing 85,000 gallons per year winery to allow the following:

- 1.1 Increase production from 85,000 gallons to 102,000 gallons annually;
- 1.2 Visitation, tours and tastings, and a marketing plan as set forth in Condition of Approval (COA) 4.0 below;
- 1.4 Increase the number of employees from nine (9) full-time and two (2) part-time employees to 17 full-time and six (6) part-time seasonal employees;
- 1.5 On-site premises consumption of wines produced on site within the existing hospitality building and enclosed/opened patio spaces in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5;
- 1.6 Expand the existing wastewater treatment and disposal systems to handle the increase in winery process wastewater; and
- 1.7 Removal of the previous condition of approval imposing a 25% winery production limitation on custom grape crush producers. (Condition of Approval #1(e) of Use Permit #03513-UP)
  
- 1.8 *By separate action of the Director of Public Works – An exception to the Napa County Road Streets Standards for an exception to the requirement to install a left turn lane on Monticello Road has been granted. The project shall incorporate specific operational characteristics designed to limit the number of trips turning left into the site, including directing daily and marketing event visitors to arrive from Napa.*

There are no changes to the 53,145 sq. ft. existing winery facility, inclusive of 18,000 sq. ft. of existing wine caves, winery hours of operations (7:00 AM to 6:00 PM), visitation hours (9:00 AM to 4:00 PM), marketing event hours (7:00 PM to 10:00 PM Fridays and on weekends, and from Noon to 2:30 PM on weekends) or increase in the number of parking spaces (22 spaces) as part of this proposal.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

\*\*Alternative locations for spoils are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services (the PBES Director), when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

## **2.0 PROJECT CONDITIONS**

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

### **2.1 On-Premises Consumption**

In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the existing hospitality building and enclosed/opened patio spaces as specified in the application. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in Condition 4.0 below.

**2.2** The existing single-family residence is classified for residential purposes only and shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is 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.

**2.3** Permittee shall direct daily and event visitors, as well as, instruct employees, event staff and delivery drivers to the extent feasible, to arrive from Napa. Permittee shall provide visitors to the winery with arrival instructions at the time their appointment is made.

**2.4** All winery access and egress shall be from Monticello Road, including employees, guests and deliveries. All winery traffic is restricted from Wild Horse Valley Road. (Condition of Approval #1p of Use Permit #03513-UP)

## **3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

**3.1** Engineering Services Division – As stated in their Memorandum dated, September 13, 2016.

**3.2** Environmental Health Division - As stated in their Memorandum dated May 27, 2016.

**3.3 Public Works Department-** As stated in their Memorandum dated May 6, 2016.

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

**4.0 VISITATION**

Consistent with County Code Sections 18.16.030 and 18.20.030, marketing and tours and tastings may occur at a winery only where such activities are accessory and “clearly incidental, related, and subordinate to the primary operation of the winery as a production facility.”

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the date of the visits. This record of visitors shall be made available to the PBES Department upon request.

**4.1 TOURS AND TASTING**

Tours and tastings shall be limited to the following:

- a. Frequency: 7 days per week, Monday through Sunday
- b. Maximum number of persons per day:
  - 1. 50 visitors Monday through Thursday and 100 visitors Friday through Sunday for the months May through October with a weekly maximum of 250 visitors
  - 2. 50 visitors Monday through Thursday and 75 visitors Friday through Sunday for the months November through April with a weekly maximum of 150 visitors
  - 3. Tours and Tastings visitors shall not exceed 50 visitors on days (Friday through Sunday) when marketing events are held.
  - 4. Tours and Tastings visitors shall not occur on the days (Monday through Thursday) when marketing events are held pursuant to Condition of Approval #3 Tours and Tastings of Use Permit #03513-UP.
- c. Hours of operation: 9:00 AM to 4:00 PM
- d. Retail sale of wines shall be complete by 4:30 pm and shall be limited to those wines set forth in Napa County Code Section 18.16.030(G)(5)(c) pursuant to Condition of Approval #3 Tours and Tastings of Use Permit #03513-UP.

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.

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

Tours and Tastings shall be limited to those wines set forth in the County Code Section 18.20.030(G)(5)(c) - AW Zoning.

#### 4.2 **MARKETING**

Marketing events with catered food service are limited to the following:

- a. Type of Event: Marketing
  1. Frequency: 36 times per year
  2. Number of persons: 50 maximum
  3. Time of Day: 11:00 AM to 9:30 PM
  
- b. Type of Event: Marketing
  1. Frequency: Four (4) times per year
  2. Number of persons: 150 maximum
  3. Time of Day: 11:00 AM to 9:30 PM
  
- c. Type of Event: Marketing
  1. Frequency: Two (2) times per year
  2. Number of persons: 75 maximum
  3. Time of Day: 11:00 AM to 9:30 PM

“Marketing of wine” means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code Chapters 18.16 and 18.20. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s use permit. Marketing plans in their totality must remain “clearly incidental, related and subordinate to the primary operation of the winery as a production facility” (County Code Sections 18.16.030(G)(5) and 18.20.030(I)(5)). To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of recovery of variable costs, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event’s non-wine-related content, and the intensity of the overall marketing plan (County Code Section 18.08.370 - Marketing of Wine).

All activity, including cleanup, shall cease by 10:00 PM. If any event is held which will exceed the available on-site parking, the applicant shall prepare an

event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

#### **5.0 GRAPE SOURCE**

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

#### **6.0 COMPLIANCE REVIEW**

Permittee shall obtain and maintain all permits (Use Permits and Modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC), United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event permittee loses the required ABC or TTB permits and licenses (or permit/license is revoked), permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

Visitation log books, custom crush client records, and any additional documentation determined by staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance process.

#### **7.0 RENTAL/LEASING**

No winery facilities, or portions thereof including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons or entities producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

#### **8.0 SIGNS**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the PBES Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116. At least one sign placed and sized in a manner to inform the public must legibly post the words "Tours and Tastings by Prior Appointment Only".

#### **9.0 LIGHTING**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and

spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

#### **10.0 LANDSCAPING**

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

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

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

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

#### **11.0 OUTDOOR STORAGE/SCREENING/UTILITIES**

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

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

#### **12.0 COLORS [RESERVED]**

#### **13.0 SITE IMPROVEMENT CONDITIONS**

Please contact Engineering Services with any questions regarding the following:

**13.1 GRADING AND SPOILS**

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

**13.2 TRAFFIC**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak hours identified as between 7:15 a.m. and 8:15 a.m. and 4:30 p.m. and 5:30 p.m. weekdays, and 3:30 p.m. and 4:30 p.m. on Saturday and Sunday to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

**13.3 DUST CONTROL**

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

**13.4 AIR QUALITY**

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

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13,

Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.

- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

### **13.5. STORM WATER CONTROL**

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

### **13.6 PARKING**

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

### **13.7 GATES/ENTRY STRUCTURES [RESERVED]**

## **14.0 GROUND WATER MANAGEMENT - WELLS**

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

- a. The permittee shall (at the permittee's expense) maintain data regarding monthly well monitoring and the total annual groundwater pumped. Such data shall include water extraction volumes and static well levels of the well. All monitoring shall commence within six months of the issuance of this Permit, upon commencement of the winery use authorized by this Permit, whichever occurs first, and shall be submitted not later than January 31st every calendar year thereafter and available upon the County's request at any other time. Water usage shall be minimized by use of best available control technology and best water management conservation practices.
- b. No new on-site or off-site water sources (other than those evaluated as part of this Permit) proposed to be used for the winery, including but not limited to wells, imported water, new or existing ponds/reservoir(s) or other surface water impoundments, to serve the winery, shall be allowed without additional environmental review, if necessary, and may be subject to a modification to this permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.
- c. Permittee shall limit groundwater use for the winery to 3.14 acre-ft. per year. Any exceedance of this amount in a calendar year is a material breach of this permit.
- d. If water use for the winery from the well exceeds 3.14 acre-ft. per year in a calendar year by 10% or more (a significant exceedance), the permittee shall

both immediately notify the County and cease any activity causing the exceedance, shall begin daily well monitoring, and shall promptly prepare a report to be submitted to the PBES Director regarding the reasons for the significant exceedance and the measures immediately taken and to be taken to bring the significant exceedance into compliance with this condition.

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

- e. If the water use for the winery from the well exceeds 3.14 acre-ft. in a calendar year by less than 10%, the permittee shall notify the County, and promptly provide a report of the following:
  - 1. water volume used;
  - 2. the reason for exceedance;
  - 3. the plan the winery has for reducing water use so as not to exceed the allocation the following year; and
  - 4. other information that may be affecting water use.

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

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

## **15.0 ENVIRONMENTAL HEALTH SPECIFIC CONDITIONS**

Please contact Environmental Health with any questions regarding the following:

### **15.1 NOISE**

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

## **16.0 ARCHEOLOGICAL FINDING**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely

include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

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

**17.0 ADDRESSING [RESERVED]**

**18.0 INDEMNIFICATION [RESERVED]**

**19.0 AFFORDABLE HOUSING MITIGATION**

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

**20.0 MONITORING COSTS**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the owner. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with County Code Section 18.124.120.

**21.0 TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow commencement of production activities prior to completion of all project improvements. In special circumstances, departments and/or

agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

**22.0 STATUTORY AND CODE SECTION REFERENCES**

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

**23.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS**

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

**24.0 PREVIOUS CONDITIONS**

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



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A Commitment to Service

David Morrison  
Director

## MEMORANDUM

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|---|--|
| To: Charlene Gallina<br>Planning Division | From: Patrick C. Ryan<br>Engineering Service |
|---|--|

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|--------------------------|--|
| Date: September 13, 2016 | Re: <b>Permit No. P15-00293</b><br><b>Kenzo Winery – Major Mod.</b><br><b>Conditions of Approval</b><br>APN: 033-110-075 |
|--------------------------|--|

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

*Major Modification – An expansion of production and hospitality uses for an existing winery, which includes a commensurate increase in the number of employees and the wastewater system. There is also a request to allow for on-site premises consumption of wine within the hospitality building and enclosed patio space.*

After careful review of the Kenzo Winery Use Permit Major Modification application the Engineering Division has determined that sufficient information has been provided to complete an evaluation of the project. Providing no changes are made to the proposed project or Federal, State or Local codes and regulations this Divisions supports this proposed development with the following required conditions listed herein.

### EXISTING CONDITIONS:

1. The County of Napa parcel 033-110-075 is located at 3200 Monticello Road, Napa, CA.
2. The existing parcel is currently zoned AW, Agricultural Watershed District.
3. The existing parcel is located within Cal Fire’s State Responsibility Area (SRA).
4. The existing property is currently developed with a production winery, wine grape vineyards and associated infrastructure
5. The existing parcel is part of the Suisun Creek Watershed, Wooden Valley Creek-West Fork tributary.

### REQUIRED CONDITIONS:

**ROAD & STREET STANDARDS:**

1. Any roadway, proposed new or reconstructed shall meet the requirements for a Road, Streets, or Private Lane. Provide a minimum of two ten (10) foot traffic lanes, not including should and striping from the publicly maintained road to the improved structures. The grades for all roads, streets, private lanes and commercial access driveways shall not exceed 16-percent. Roadways shall be designed and maintained to support the imposed load of a fire apparatus weighing at least 75,000 pounds and provide an aggregate base. Project proponents shall provide engineering specifications to support design during development permit process.
2. Any proposed or required new/reconstructed parking shall meet the requirements outlined in the current Napa County RSS, Section 9 and/or Detail D-8, page 82.

**SITE IMPROVEMENTS:**

3. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, surface drainage, storm drainage, and process wastewater conveyance shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Napa County PBES Department Engineering Division prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
4. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
5. Grading and drainage improvements shall be constructed according to the current Napa County RSS, Napa County Stormwater Management and Discharge Control Ordinance; Napa County Code (NCC) Chapter 16.28, and the California Building Codes (CBC).
6. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County PBES Department Engineering Division evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

**CONSTRUCTION SITE RUNOFF CONTROL REQUIREMENTS:**

7. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with Napa County Stormwater Management and Discharge Control Ordinance (NCC Chapt. 16.28) and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.

**POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:**

8. The proposed development shall meet the design criteria of the current Post-Construction Runoff Management / Low-Impact Development Requirements. A Stormwater Control Plan shall be submitted prior to any permit approval and shall comply with the site design measures, stormwater treatment and hydromodification, source control measures, and on-going maintenance and operation of these facilities.

9. If at any time in the future the processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, are modified, expanded and/or improved Napa County may require these area to be paved and performed undercover.
10. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

**ADDITIONAL RECOMMENDATIONS:**

11. All conditions of approvals from the original use permit and subsequent use modifications shall remain in effect from P15-00293.
12. Any changes in use or design may necessitate additional review and conditions for approval.

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



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Planning, Building & Environmental Services

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

David Morrison  
Director

## MEMORANDUM

|                                     |  |
|-------------------------------------|--|
| To: Shaveta Sharma, Project Planner | From: Kim Withrow, Environmental Health Supervisor   |
| Date: May 27, 2016                  | Re: Application for Kenzo<br>3200 Monticello Road<br>Assessor Parcel # 033-110-075<br>File # P15-00293 |

The application requesting approval to increase production construct a new winery with production of 102,000 gallons per year and related improvements as described in application materials has been reviewed. Please include the following conditions if the project is approved:

Prior to building permit issuance:

1. Plans for the proposed process wastewater system expansion shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
2. A permit to construct the proposed process wastewater system expansion 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. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.

During construction and/or prior to final occupancy being granted:

4. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes

generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

5. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
6. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities information shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
7. 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.
8. The applicant shall provide portable toilet facilities for guest use during events of more than 75 persons as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted septic tank cleaning company.
9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
10. 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.
11. The sanitary wastewater treatment system must be monitored by an approved service provider with reports electronically submitted to this Department two times per year.



A Tradition of Stewardship  
A Commitment to Service

May 6, 2016

Bruce Fenton, Project Manager, RSA+  
1515 Fourth Street  
Napa, CA 94559

Subject: Kenzo Estates  
P15-00293

Department of Public Works

1195 Third Street, Suite 101  
Napa, CA 94559-3092  
[www.countyofnapa.org/publicworks](http://www.countyofnapa.org/publicworks)

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

Steven Lederer  
Director

Dear Bruce,

Thank you for your letter of May 4, 2016 regarding the requirement for left-turn lane improvements on State Route 121 Monticello Road at your project's main access driveway. The project, as proposed, warrants the installation of a left-turn pocket at this location. You have demonstrated a thorough exploration of the impact of complying with the left-turn lane requirement, having produced an exhibit depicting construction of the widening required to install the left-turn pocket. Your request for an exception to this requirement is acceptable; I find as follows in making this determination:

1. *The requested exception will preserve these unique features of the natural environment.* Steep terrain on both sides of SR 121 at this location would require substantial grading, as demonstrated with the exhibit noted in #1 above. In addition, approximately 50 mature black oak, live oak and madrone trees would be removed with construction of the left-turn pocket.

2. *The requested exception will provide the same overall practical effect as the left-turn pocket required by application of the Road & Street Standards, as follows:*

a. The applicant has proposed specific operational characteristics designed to limit the number of trips turning left into the site, including directing daily and marketing event visitors to arrive from Napa. Measured traffic movements at the site indicate the success of these measures already in effect with the existing development on the site.

b. The applicant has previously provided improvement on SR 121 Monticello Road in the form of an eight-foot wide shoulder along the north side of the road, a total length of 500 feet, centered on (and across from) the project entry driveway, based on Caltrans' request at the time of the original development on the site. This widening provides an area where westbound traffic on Monticello Road can carefully bypass a waiting left-turning vehicle, if necessary.

I will convey this recommendation to the Department of Planning, Building and Environmental Services, related to your application P15-00293.

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

Regards,

Rick Marshall  
Deputy Director of Public Works  
Road Commissioner & County Surveyor

C: PBES staff