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

RECOMMENDED CONDITIONS OF APPROVAL

PLANNING COMMISSION HEARING – JANUARY 18, 2017

**Sam Jasper Winery
Application Number P15-00077
4059 Silverado Trail, Napa
Assessor's Parcel No. 039-390-023**

1.0 SCOPE

This permit encompasses and shall be limited to:

- 1.1 Approval of a Use Permit for construction and operation of a new Winery, as follows:
- a. Production of no more than 20,000 gallons of wine per year;
 - b. Construction of 17,400 square foot winery building including administrative offices, barrel storage, fermentation and wine tasting, and including partially enclosed and covered work and hospitality areas on the property, consisting of the following:
 1. 14,185 square feet of indoor production and hospitality area;
 2. 1,693 square feet of outdoor, covered work area; and
 3. 1,463 square feet of outdoor, covered hospitality area.
 - c. Hours of operation for the winery limited to 6:00 a.m. to 6:00 p.m., daily (except during crush);
 - d. On-premises consumption of wine purchased at the winery, as set forth in Condition of Approval (COA) 2.1, below
 - e. Visitation, tours and tastings, and a marketing plan as set forth in COA 4.0, below;
 - f. Employment of up to two-full-time, two part-time and two part-time seasonal employees;
 - g. Installation of new on-site utilities that include a wastewater treatment system consisting of seven treatment and holding tanks (five of which would be underground) ranging in size from 750 to 10,000 gallons, as well as a system of subsurface drip lines to allow discharge of treated wastewater into the soil below the vineyard rows east of the existing single-family residence on-site;
 - h. Installation of six, 13- to 16-foot tall water storage tanks (one 50,000-gallon fire suppression water storage tank, two 10,000-gallon treated process wastewater holding tanks installed as components of the wastewater treatment system described above, and two 5,000-gallon tanks for storage of process water and domestic water), with each of the tanks installed aboveground near the western edge of the vineyard rows;
 - i. Improvements to the existing storm drainage system on the property that include subsurface pipes for stormwater conveyance and bioretention areas for stormwater quality;
 - j. Construction of two covered trash enclosures with a combined area of approximately 180 square feet;
 - k. Off-site improvements that include grading and asphalt paving on the eastern side of the right-of-way of Silverado Trail, opposite the property

frontage, and re-striping of the paved road surface in order to extend the left-turn lane at the property frontage;

- l. Installation of 16 on-site parking spaces, inclusive of one handicapped-accessible vehicle stall, and adjacent landscaping;
- m. Construction of a new, 20-foot wide, asphalt-paved driveway extending from Silverado Trail to and around the winery building; and
- n. Reduction in existing vineyard acreage from 7.25 acres to 4.86 acres, in order to accommodate the site modifications and winery facility construction described above.

The winery building and ancillary structures 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 permittee 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 evaluated in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

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

2.0 PROJECT CONDITIONS

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

2.1 On-Premises Consumption

In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the "hospitality room," "VIP room" and adjoining "covered terrace," as those areas are identified on the winery building floor plan, 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 COA 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 or more days, pursuant to Napa County Code Section 18.104.410, Transient Commercial Occupancies of Dwelling Units Prohibited.

2.3 The permittee shall be responsible for extension of the left turn lane in the Silverado Trail right-of-way at the property frontage, in accordance with the preliminary civil improvement plans date stamped May 22, 2015.

Notwithstanding COA 20.0 (below), and in accordance with the January 4, 2017, memorandum from the Deputy Director of Public Works, no Temporary or Final Certificate of Occupancy for the winery shall be issued to the permittee unless construction of the left-turn lane has been completed and approved by the Public Works Department.

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 June 18, 2015.
- 3.2 Environmental Health Division as stated in their Memorandum dated June 5, 2015.
- 3.3 Fire Department as stated in their Inter-Office Memorandum dated June 3, 2015.
- 3.4 Public Works Department as stated in their Memorandum dated January 4, 2017.

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 Section 18.16.030, 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 by appointment only and limited to the following:

- a. Frequency: Seven days per week, Monday through Sunday
- b. Maximum number of persons per day: 25
- c. Maximum number of persons per week: 160
- d. Hours of operation: 10:00 a.m. to 6:00 p.m.

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

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

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

4.2 MARKETING

Marketing events shall be limited to the following:

- a. Type of Event:
 - 1. Frequency: 10 times per year
 - 2. Number of persons: 15 maximum
 - 3. Time of Day: Between 11:00 a.m. and 10:00 p.m.

- b. Type of Event:
 - 1. Frequency: 10 times per year
 - 2. Number of persons: 25 maximum
 - 3. Time of Day: Between 11:00 a.m. and 10:00 p.m.

- c. Type of Event:
 - 1. Frequency: Three times per year
 - 2. Number of persons: 50 maximum
 - 3. Time of Day: Between 11:00 a.m. and 10:00 p.m.

“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 Chapter 18.16. 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 Section 18.16.030(G)(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 quiet cleanup, shall cease by 11:00 p.m. If any event is held which will exceed the available on-site parking, the permittee 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 percent 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 percent 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

No signage plans were submitted with this use permit request. Prior to installation of any winery identification or directional signs, the permittee shall submit detailed plans, including elevations, materials, color, and lighting to the PBES Department for administrative review and 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, the permittee shall submit to the Planning Division two copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property for Planning Division review and approval. All lighting shall comply with the California Building Code.

10.0 LANDSCAPING

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

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

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

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

11.0 OUTDOOR STORAGE/SCREENING/UTILITIES

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

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

12.0 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the permittee shall obtain the written approval of the PBES Department prior to painting the building. Highly reflective surfaces are prohibited.

13.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

13.1 GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities 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 the peak hour (weekdays between 4:30 p.m. and 5:30 p.m. and weekends between 12:00 p.m. and 1:00 p.m.) 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 Road and Street 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 miles per hour.

13.4 AIR QUALITY

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

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.

- 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 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

13.5. STORM WATER CONTROL

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

13.6 PARKING

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

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

13.7 GATES/ENTRY STRUCTURES

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

14.0 GROUND WATER MANAGEMENT - WELLS

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

- a. The permittee shall (at the permittee's expense) maintain data regarding monthly well monitoring and the total annual groundwater pumped. Such data shall include water extraction volumes and static well levels of the well. All monitoring shall commence within six months of the issuance of this permit, or immediately upon commencement of the winery use authorized by this permit, whichever occurs first, and shall be submitted not later than January 31 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 4.14 acre-feet of water 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 4.14 acre-feet of water per year in a calendar year, by 10 percent 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 4.14 acre-feet of water in a calendar year, by less than 10 percent, 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 percent, 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 8:00 a.m. and 5:00 p.m. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

16.0 ARCHEOLOGICAL FINDING

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

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

17.0 ADDRESSING

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

18.0 AFFORDABLE HOUSING MITIGATION

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

19.0 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 permittee'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.

20.0 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.

21.0 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.

22.0 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.



A Tradition of Stewardship
A Commitment to Service

David Morrison
Director

MEMORANDUM

Patrick C. Ryan
06/18/2015

To: Dana Ayers Planning Division	From: Patrick C. Ryan Engineering Service
Date: June 18, 2015	Re: Permit No. P15-00077 Sam Jasper Winery Conditions of Approval APN: 039-390-023

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:

To establish a new winery on a 10.23 acre parcel along Silverado Trail. The proposed winery structure totals 17,093sf. Tours and tastings by prior appointment with wine/food pairings are proposed for a maximum of 25 visitors per day or 160 persons per week, and a marketing plan is included with this application. Food service would be provided by a licensed caterer or within the commercial kitchen facilities proposed in the application. The installation of four (4) Bioretention facilities are proposed (800sf, 520sf, 390sf, and 1,090sf) to treat stormwater runoff from new impervious area from the proposed winery development. The installation of a two-way left turn lane on Public Right-of-Way (Silverado Trail) to enter the proposed winery development.

After careful review of the Sam Jasper Winery Use Permit application the Engineering 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 recommends approval of the project with the following conditions:

EXISTING CONDITIONS:

1. The County of Napa parcel 039-390-023 is located at 4059 Silverado Trail, Napa County, CA.
2. The existing parcel is currently zoned AP, Agricultural Preserve District.
3. The existing property is a developed parcel with existing residence, barn and vineyards
4. Current access to the property is via a residential driveway along the western frontage of Silverado Trail.
5. The existing parcel is part of the Napa River Watershed, Napa River – Upper Napa City Reach tributary.

RECOMMENDED CONDITIONS:

ROAD & STREET STANDARDS:

1. All roadway construction shall be permitted and completed prior to issuance of the proposed winery facilities occupancy.
2. Any roadway, proposed new or reconstructed, shall meet the requirements for a Commercial, Industrial, Non-Residential driveway. Provide a minimum of 18-foot wide driveway with 2-foot of shoulder from the publicly maintained road to the improved structure. Pavement structural sections shall be determined by the designed Traffic Index. The minimum structural section shall be 2-inches of hot mix asphalt (HMA) over 5-inches of Class II Aggregate Base (AB) or an engineered equivalent section in accordance with Section 27 of the 2011 Napa County Road and Street Standards (RSS). All residential, agricultural, and fire lane access shall be clearly identified with signage, as proposed in the Use Permit Plan submittal, Sheet UP4, and meet the minimum design criteria for classified access roadway per the current RSS.
3. 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.
4. The project as proposed meets the warrants for installation of a two-way left-turn lane on Silverado Trail at the project access driveway. The improvements shall be constructed in compliance with current Napa County RSS, and all recommendation and requirements from the Department of Public Works Traffic Engineer. Installation of a left-turn lane on a public road shall require a grading permit issued by the PBES Engineering Division and an encroachment permit issued by the Department of Public Works and the property owner shall be required to enter into a one (1) year maintenance agreement including appropriate bonding.
5. The developer shall obtain an encroachment permit prior to any work performed within the Napa County right-of-way.

SITE IMPROVEMENTS:

6. 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 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.
7. 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.
8. Grading and drainage improvements shall be constructed according to the current Napa County RSS, Napa County Stormwater Program, and the California Building Code (CBC). Specifically, all cut and fill slopes shall be setback to meet the latest CBC.

9. 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:

10. Any Project that requires a building or grading permit shall comply with Napa County's Stormwater Management and Discharge Control Ordinance No. 1400, Napa County Code Section 16.28.
11. 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 Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
12. 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 (CRWQB) 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 PBES Department Engineering Division for review.
13. 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.
14. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
15. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

16. The proposed development is categorized as a Regulated Project under Napa County's BASMAA Post-Construction Manual. Regulated Projects are proposed developments that create or replace 5,000 sf or more of impervious surface and shall meet the following requirements and shall incorporate all proposed development including but not limited to commercial development, access from Public Right-of-way, and all associated infrastructure as described in the proposed projects approved Stormwater Control Plan, dated May 20, 2015:
 - a) Route runoff to Bioretention or other facilities sized and designed according to the criteria in Chapter 4, Napa County's BASMAA Post-Construction Manual.
 - b) Identify potential sources of pollutants and implement corresponding source control measures in Appendix A of the Napa County's BASMAA Post-Construction Manual.
 - c) Provide ongoing maintenance of Bioretention facilities.
 - d) Prepare and submit the Stormwater Control Plan for a Regulated Project per Chapter 3, Napa County's BASMAA Post-Construction Manual, at the time development permits are applied for. A template may be found in Appendix D.

17. 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.
18. 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.
19. All roofs, gutters, and/or downspouts made of copper or other unprotected metals shall discharge to the approved Bioretention facility as described in the approved Stormwater Control Plan and maintained appropriately to prevent soil erosion.
20. Outdoor material storage areas which contain smaller quantities of materials and waste (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.
21. Outdoor material storage areas which contain materials and/or waste associated with wine production and process is prohibited and shall be stored under cover and in an area designed to preclude stormwater run-on and temporarily covered with tarps during rain events.
22. Storage areas for liquid materials and water 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.
23. Processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, shall be paved and performed indoors; installation of storm drains in processing areas is prohibited. For processing areas that generate liquid wastes, slope the area to a drain an approved collection system.
24. Interior floor drains shall be plumbed to the sanitary sewer system or closed loop system and shall not be connected to storm drains.

GROUNDWATER:

25. 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 this code, 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.

ANY CHANGES IN USE MAY NECESSITATE ADDITIONAL 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. For groundwater questions, please contact Anna Maria Martinez at (707) 259.8600.



A Tradition of Stewardship
A Commitment to Service

David Morrison
Director

MEMORANDUM

To: Dana Ayers, Planner	From: Christine Secheli
Date: June 5, 2015	Re: Use Permit Application for Sam Jasper Winery Located at 4059 Silverado Trail Assessor Parcel # 039-390-023 Permit# P15-00077

Environmental Health Division staff has reviewed an application for the construction of a new 20,000 gallon winery with associated marketing. This division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

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 Division prior to issuance of any building permits for said areas. An annual food permit will be required.
2. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.
3. Plans for the proposed alternative sewage treatment systems for both winery and domestic waste 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.
4. A permit to construct the winery process wastewater system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.

5. A permit to construct the domestic drip disposal system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.

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

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

7. The applicant shall maintain regular monitoring of the above ground winery process wastewater treatment system as required by this Division which includes submitting quarterly monitoring reports. An annual operating permit is required for the waste water system.

8. 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.

9. 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. In particular, the proposal as shown on the resubmitted plans with the enclosure area located along the access drive.

10. Applicant shall apply for and obtain an annual operating permit for the food facility (kitchen) prior to final on the project.

Upon final occupancy and thereafter:

11. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.

12. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.



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

Office: (707) 299-1464

Joe Petersen
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Dana Ayers
Planning, Building and Environmental Services

FROM: James Bales
Fire Department

DATE: June 3, 2015

Subject: P15-00077 APN# 039-390-023

SITE ADDRESS: 4059 Silverado Trail

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

1. **All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. All fire department access roads and driveways shall comply with the **Napa County Road and Street Standards.**
3. All buildings over 3,600 square feet shall be equipped with an automatic fire sprinkler system conforming to NFPA 13 2013 edition with water flow monitoring to a Central Receiving Station.
5. The required fire flow for this project is 500 GPM for a 60 minute duration with 20 psi residual pressure. A UL listed fire pump conforming to NFPA 20, 2013 edition may be required to meet or exceed the required fire flow for the project.
6. Provide a minimum of 30,000 gallons of water dedicated for fire protection. **Water storage for fire sprinkler systems shall be in addition to the water storage requirement for your fire flows and domestic use.**

7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings. Fire department access roads shall be a minimum of 20 feet in width with a 15 foot clear vertical clearance.
8. Beneficial occupancy **will not be granted** until all fire department fire and life safety items have been installed, tested and finalized.

James Bales

CAL FIRE/ Fire Captain

Assistant Fire Marshal

(707) 299-1463



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Department of Public Works

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

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

Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: January 4, 2017	Re: Sam Jasper Winery P15-00077

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

I have reviewed the information in the *Traffic Impact Study for Sam Jasper Winery*, prepared by W-Trans and dated September 16, 2015. The analysis is acceptable and I concur with the assumptions made, the methods used in the evaluation, and the conclusions reached. The study adequately demonstrates that the proposed use in the proposed location will not result in any significant impacts, either project-specific or cumulative, on traffic circulation in the vicinity. Therefore, no mitigation measures are required with this project.

Permit Requirements

PRIOR TO ISSUANCE OF GRADING PERMIT AND/OR BUILDING PERMIT

Left-Turn Lane required. The project as proposed meets the warrants for installation of a left-turn lane on Silverado Trail at the project access driveway. Improvement plans shall be prepared by a Registered Civil Engineer in accordance with the Napa County Road & Street Standards, for approval by the Department of Public Works, Road Commissioner. Additional right-of-way shall be dedicated to the public as necessary to encompass the improvements. Improvement plans and right-of-way dedication, if needed, shall be completed prior to issuance of any permits.

Encroachment Permit required. The plans indicate a revised driveway connection, including the left-turn lane improvements noted above, to Silverado Trail, a County-maintained road. An encroachment permit will be required during the building permit phase. Please contact the Roads office at (707) 944-0196 to initiate the encroachment permit process.

More information on these is available at our website:

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

PRIOR TO OCCUPANCY OF ANY NEW OR EXPANDED STRUCTURE OR ESTABLISHMENT OF ANY NEW OR EXPANDED USE

Left-Turn Lane required.

The improvements shall be constructed in compliance with the Napa County Road & Street Standards. The Registered Civil Engineer, upon completion of the Improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of

approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use.

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