

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 tasting room, on the porch adjacent to the tasting room, on the lawn south of the residence and on the deck east of the residence 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 **Temporary Events**

There shall be no Temporary Events held at the winery.

2.3 **Residence**

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.

2.4 **No daily tours and tasting shall occur on the same day as the 75 persons marketing events authorized by COA No. 4.2(b).**

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 December 7, 2016.
- 3.2 Environmental Health Division as stated in their Memorandum dated December 2, 2016.
- 3.3 Building Division as stated in their Memorandum dated February 17, 2016.
- 3.4 Department of Public Works as stated in their Memorandum dated June 9, 2016.
- 3.5 Fire Department as stated in their Inter-Office Memo dated December 8, 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



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1195 Third Street, Suite 210  
Napa, CA 94559  
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David Morrison  
Director

## MEMORANDUM

To: Shaveta Sharma	From: Gary J. West, Chief Building Official
Date: February 17, 2016	Re: Laura Michael Wines U.P. P16-00033

### Building Inspection Division Planning Use Permit Review Comments

Address: 2250 State Highway 29, Calistoga CA 94515

APN: 017-230-009-000

Project: Laura Michael Wines Use Permit P16-00033

Owner: Laura L. & Michael G. Swanton

Contact: Laura L. & Michael G. Swanton

Description: U.P. to modify an existing 5,000 gpy winery to add daily visitation for 12 visitors/day; four marketing events; 10 or fewer employees; addition of one parking space to 12 total. Located on a 3.23 acre parcel at 2250 Lake County Highway.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P16-00033; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for Use Permit application P16-00033 do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

Planning Division  
(707) 253-4417

Building Division  
(707) 253-4417

Engineering & Conservation  
(707) 253-4417

Environmental Health  
(707) 253-4471

Parks & Open Space  
(707) 259-5933

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, "only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit". The codes adopted at this time are 2013 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and Part 11 Green Buildings.
2. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a "J" number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.
3. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. The plans provided for this Use Permit P16-00033 do not show compliance with the Americans with Disabilities Act and/or the California Building Code (CCBC), chapter 11B, which provides for accessibility in non-residential buildings and sites.
4. All cooking equipment in occupancies other than residential shall be commercial grade. Commercial kitchens are required to comply with the California Mechanical Code. Cooking equipment used in processes producing steam, smoke or grease-laden vapors shall be equipped with an exhaust system that complies with all the equipment and performance requirements of the Mechanical Code, and all such equipment and performance shall be maintained per the Mechanical Code during all periods of operation of the cooking equipment. Specifically, the following equipment shall be kept in good working condition: A. Cooking Equipment. B. Hoods. C. Ducts. D Fans. E. Fire suppression systems. F. Special effluent or energy control equipment. All airflows shall be maintained. Maintenance and repairs shall be performed on all components at intervals necessary to maintain working conditions. If there is not a kitchen proposed for this winery disregard this comment.
5. In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707)259-8230.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional,

such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.



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