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

RECOMMENDED CONDITIONS OF APPROVAL

PLANNING COMMISSION HEARING – FEBRUARY 1, 2017

**Grassi Family Winery
Application Number P15-00339-UP
1044 Soda Canyon Road, Napa
Assessor's Parcel No. 039-140-027**

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 25,000 gallons of wine per year;
 - b. Construct an approximately 3,072 sq. ft. production facility building for crush, fermentation and barrel aging, and including a 2,435 sq. ft. covered outdoor crush pad and work area and 1,942 sq. ft. outdoor fermentation tank area with mechanical equipment enclosure, storage areas and waste/recycling enclosure;
 - c. Construct an approximately 1,266 sq. ft. hospitality structure with approximately 1,204 sq. ft. outdoor terrace for visitation;
 - d. Operate daily, Monday through Sunday, between the hours of 6:00 a.m. and 6:00 p.m. (except during crush) with an appointment-only tasting room open between the hours of 10:00 a.m. and 6:00 p.m.;
 - e. On-premises consumption of wine purchased at the winery, as set forth in Condition of Approval (COA) 2.1, below
 - f. Visitation, tours and tastings, and a marketing plan as set forth in COA 4.0, below;
 - g. Employ 10 or fewer employees;
 - h. Install parking for 9 vehicles (including ADA accessible parking);
 - i. Extend and widen the site access driveway to a 20-foot width including installation of a new bridge over an intermittent drainage;
 - j. Install a new subsurface drip wastewater treatment system for process and domestic waste; and
 - k. Install three water storage tanks consisting of two 10,000 gallon water storage tanks for winery water needs, and one 48,000 gallon fire suppression located water tank adjacent to the winery.

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 spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services

(the PBES Director), when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

2.0 PROJECT CONDITIONS

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

2.1 On-Premises Consumption

In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the hospitality building and adjoining outdoor 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 Concerning groundwater resources on the subject site and in the surrounding vicinity, on December 17, 2015 the Director of Public Works issued a memo indicating that the County's hydrological consulting engineers will be conducting a groundwater study to determine if the basin is in overdraft. As of the issuance of this permit, that area-wide study is current in process. Until such time further information is known about the basin, the County has not been relying on the standard 1 AF per acre of land groundwater threshold normally applied to Napa Valley floor areas. Instead, the County is relying upon a 'no net increase' threshold as follows: Any project that reduces water usage from existing levels of groundwater use (no net increase) is assumed not to have an impact.

Therefore, consistent with the permittee's request and supporting documents "*Grassi Winery Use Permit - Water Availability Analysis: No Net Increase*" (Delta Consulting & Engineering, November 16, 2016), prior to grant of final occupancy to commence the winery use, the permittee shall demonstrate to the PBES Director's satisfaction that irrigation for 1 acre of vineyard, the garden and landscaping will be provided by the surface irrigation pond. If in the event the area-wide groundwater study concludes that the subject property (and surrounding area) are not in a water deficient area, and are found to qualify as for the Napa Valley floor threshold, then this project specific condition of approval shall no longer apply and the one acre vineyard and landscaping/garden may be irrigated by groundwater. Winery groundwater use shall be subject to the requirements of COA No. 4.0 listed below.

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 March 30, 2016.
- 3.2 Environmental Health Division as stated in their Memorandum dated May 27, 2016.
- 3.3 Fire Department as stated in their Inter-Office Memorandum dated January 17, 2017.
- 3.4 Public Works Department as stated in their Memorandum dated February 4, 2016.
- 3.5 Building Inspection Division as stated in their Memorandum dated January 28, 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 Section 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 by appointment only and limited to the following:

- a. Frequency: Seven days per week, Monday through Sunday
- b. Maximum number of persons per day: 12
- c. Maximum number of persons per week: 70
- 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 18.20.030(G)(5)(c) - AW Zoning.

4.2 MARKETING

Marketing events shall be limited to the following:

- a. Type of Event: Medium
 1. Frequency: 2 times per year
 2. Number of persons: 40 maximum
 3. Time of Day: Between 11:00 a.m. and 10:00 p.m.
- b. Type of Event: Large
 1. Frequency: 1 time per year
 2. Number of persons: 75 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 18.20. 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 Section 18.20.030(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. Except as provided in COA No. 2.2, 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 .866 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 .866 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 .866 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




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David Morrison
Director

MEMORANDUM

To: Shaveta Sharma, Planning Division	From: Jeannette Doss – Engineering and Conservation Division 
Date: March 30, 2016	Re: Grassi Wine Co Use Permit - Engineering CoA 1044 Soda Canyon Road, Napa, CA P15-00339 APN 039-140-006-000

The Engineering Division received a referral for comment on a new use permit for Grassi Wine Co, generally requesting the following:

To establish a new 25,000 gallon per year winery with up to 10 full time employees; construct a new 3,072 square foot winery production building; construct a new 1,266 square foot building for hospitality; construct a new 3,435 square foot covered work area/crush pad; construct a new 1,952 square foot outdoor tank pad area for the proposed water and fire storage tanks; construct a new 1,204 square foot outdoor patio for visitation and marketing events; improve the existing residential access drive to meet the commercial access drive requirements; and construct 9 new onsite parking spaces.

The application also includes a visitation and marketing plan that would allow for daily tours and tasting by appointment only with a maximum of 12 visitors per weekday and a maximum of 70 visitors per week; marketing events throughout the year; and activities conducted in accordance with AB 2004.

After careful review of the Use Permit submittal package the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. The project site is located at 1044 Soda Canyon Road, CA 94558.
2. The parcels 039-140-006 and 039-140-007 have undergone a recent lot line adjustment (LLA 1830) and are approximately 13.32 acres combined. The parcels have not been assigned new numbers at the time of this memo but the proposed winery parcel is 10.05 acres with the remaining 3.27 acre parcel being used for the residence.

3. The existing parcel is zoned AW, Agricultural Watershed District.
4. The existing property is currently developed with a barn, residence, and guest cottage.
5. The existing parcel is located within the Napa River Watershed, Hardman Creek tributary.

RECOMMENDED CONDITIONS:

PARKING:

1. Any parking proposed by the developer or required by the Planning Commission as a condition of this use permit must have a minimum structural section equivalent to support an H20 load designed by a licensed Civil or Geotechnical Engineer and shall not be less than two inches of asphalt concrete over five inches of Class II Aggregate. (NCRSS, Page 37, Section 20).
2. Parking lot details shall conform to the requirements of the latest edition of the NCRSS. (NCRSS, Page 82, Detail D-8).
3. Project proposes 9 new parking stalls. No visitation or marketing events shall exceed this available parking without prior approval of a parking and traffic management plan.

NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:

4. All roadway construction associated with this application shall conform to the current Napa County Road and Street Standards (NCRSS) at the time of permit submittal and accepted construction and inspection practices.
5. Access drives shall meet the requirements of a commercial drive and be a minimum of 20 feet wide (18 feet paved travel way with 2 feet of shoulder).
6. All access roads must be a paved surface meeting the minimum pavement section as defined in Section 20 of the NCRSS and structural sections of all drive isles shall be calculated by a licensed Civil or Geotechnical Engineer to hold a minimum H20 loading and shall conform to the procedures contained in Chapter 600 of the State of California Department of Transportation Design Manual or approved equivalent.
7. The driveway connection to the publicly maintained road shall meet the design specifications as depicted in detail P-2 of the NCRSS for Driveway Connection to Arterial Roads in Rural Areas.
8. The applicant shall obtain an encroachment permit from the Napa County Public Works Department for any work performed within the Napa County Right-of-Way.

9. All roadway/driveway construction approved and/or required pursuant to this use permit modification shall be permitted and completed prior to issuance of the proposed winery facility's occupancy.

SITE IMPROVEMENTS:

10. All on site civil improvements proposed, including but not limited to, the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office prior to the commencement of any on site land preparation or construction. Plans shall be submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
11. 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 include a hydraulic analysis for the drainage improvements indicating the path and changes in runoff.
12. Any grading, drainage and parking improvements approved by this Use Permit modification shall be constructed according to the latest "Napa County Road and Street Standards" and the California Building Code and shall be reviewed and approved by this office prior to construction. Specifically, all cuts and fills slopes shall be setback to meet the latest CBC.
13. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur prior to issuance of any construction permits.
14. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Engineering Division of the Napa County Planning, Building and Environmental Services Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.
15. Prior to the issuance of applicable building or grading permits the applicant must obtain all appropriate regulatory permits from the Regional Water Quality Control Board, Army Corp. of Engineers and Fish & Game.
16. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of

any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.

CONSTRUCTION STORMWATER REQUIREMENTS:

17. Any Project that requires a building or grading permit shall complete a Project Guidance for Stormwater Compliance checklist and shall submit this form to the Napa County Planning, Building and Environmental Services Department for review.
18. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance 1400 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
19. Any construction activity that equals or exceeds one acre of total disturbed area shall require the permittee to file a Notice of Intent (NOI) with the State Regional Water Quality Control Board (SRWQCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with Napa County's General Permit for Discharges of Storm Water Associated with Construction Activity and the latest version of the Construction General Permit issued by the SRWQCB prior to any grading or construction activity. Construction activity subject to this permit includes but is not limited to clearing, grading and disturbances to the ground such as stockpiling, or excavation. The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP. Prior to issuance of a construction permit (building or grading), the applicant must provide to the Engineering division a copy of the NOI that is filed with the SRWQCB and the associated WDID issued by the SRWQCB.
20. Any construction activity that will result in disturbance of greater than 10,000 sq ft of total land area but less than one acre of total land area will require the permittee to prepare and maintain an erosion & sediment control plan (ESCP) to be submitted with the building permit application. A plan check fee will apply.
21. 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.

22. All construction trash enclosures must be covered and protected from rain, roof, and surface drainage.
23. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

24. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for Post-Construction Runoff Management Requirements which is available at the PBES Department office.
25. 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:
 - 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.
26. 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.
27. 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.

28. All roofs, gutters, and/or downspouts made of copper or other unprotected metals shall discharge to landscaping or other pervious surface designed and maintained appropriately to prevent soil erosion.
29. 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.
30. 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.
31. 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.
32. Loading/unloading dock and processing areas must be covered or designed to preclude stormwater run-on and runoff. All direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
33. Processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling (including mobile 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.
34. Interior floor drains shall be plumbed to the sanitary sewer system or closed loop system and shall not be connected to storm drains.
35. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.
36. Prior to final occupancy the property owner must legally record an "Implementation and Maintenance Agreement" approved by the PBES Department Engineering Division to ensure all post-construction structures (i.e. Treatment Control BMPs, and Diversion Systems) on the property remain functional and operational for the indefinite duration of the developed site.

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

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss at 259-8179



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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: February 4, 2016	Re: Grassi Wine Company P15-00339

Thank you for the opportunity to review the subject permit application.

I have reviewed the information in the *Traffic Impact Report – Grassi Winery*, prepared by Crane Transportation Group and dated December 15, 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.

I offer the following comments from the Department of Public Works:

Left-Turn Lane not required. Based on the forecast of traffic to be generated by the proposed project, and the volume of traffic on Soda Canyon Road, this project will not require the installation of a left-turn lane at the location of the project access driveway.

Encroachment Permit required. The plans indicate a revised driveway connection to Soda Canyon Road, 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/>

Other. The Public Works Department has the following other concerns: The traffic study recommends striping the driveway approach to Soda Canyon Road to guide exiting vehicles so that they will approach the road at an angle closer to 90 degrees. This should be included within the conditions of approval for the project.

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



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David Morrison
Director

MEMORANDUM

To: Shaveta Sharma	From: Gary J. West, Chief Building Official
Date: January 28, 2016	Re: Grassi Wine Co UP P15-00339

Building Inspection Division Planning Use Permit Review Comments

Address: 1044 Soda Canyon Rd., Napa CA 94558-9473

APN: 039-140-006-000 & 039-140-007-000

Project: Grassi Wine Co. UP P15-00339

Owner: Mark Anthony & Jami Lee Grassi

Contact: Donna Oldford

Description: UP to establish a new 25k gpy; 3072 s.f. winery production building; 1,266 s.f. hospitality building; 3,435 covered crush pad; 1,952 outdoor tank pad area; 1,204 s.f. outdoor patio; AB 2004 request; daily visitation for 12 visitors/weekday 70/week; marketing events; 10 or fewer employees; landscaping improvements. Located on a 10.5 acre parcel at 1044 Soda Canyon Road.

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 P15-00339; 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 P15-00339 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.

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 P15-00339 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. Occupant load appears to require separate bathrooms for men and women in Production Building.
6. 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.

A handwritten signature in black ink, appearing to read "Gary J. West". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

GARY J. WEST
CHIEF BUILDING OFFICIAL
NAPA COUNTY BUILDING DIVISION
1195 THIRD STREET
NAPA CA 94559
(707)259-8230
gary.west@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 Grassi Wine Co. Located at 1044 Soda Canyon Road Assessor Parcel # 039-140-006 File # P15-00339

The application requesting approval to construct a new winery with production of 25,000 gallons per year and related improvements as described in application materials has been reviewed. This Division has no objection to approval of the application with the following conditions:

Prior to building permit issuance:

1. Plans for the proposed combined wastewater subsurface drip system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
2. A permit to construct the proposed combined 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.
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.
4. If any prepackaged food or beverage facilities are included in the project, plan review and approval shall be obtained from this Division prior to issuance of any building permits. An annual food permit will be required.

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

5. An annual alternative sewage treatment system monitoring permit must be obtained for the combined wastewater treatment system/private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
6. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

7. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
8. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
9. The applicant shall file a Notice of Intent (NOI) and complete a Storm Water Pollution Prevention Plan with the State of California Water Resources Control Board's (SWRCB) Industrial Permitting program, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Additional information, including a list of regulated SIC codes, may be found at:
http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml

Additionally, the applicant shall file for a storm water permit from this Division, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Certain facilities may be exempt from storm water permitting. A verification inspection will be conducted to determine if exemption applies.

10. 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.

11. The applicant shall provide portable toilet facilities for guest use during events of more than 40 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.
12. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
13. 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.
14. The sanitary wastewater treatment system must be monitored by an approved service provider with reports electronically submitted to this Department two times per year.
15. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Division under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system (yield test) prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.



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Napa County Fire Department
Fire Marshal's Office
2721 Napa Valley Corporate Drive
Napa, CA 94558

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

Joe Petersen
Fire Marshal

MEMORANDUM

TO: John McDowell
Planning Division

DATE: **January 17, 2017**

FROM: Joe Petersen
Fire Department

SUBJECT: **P15-00339 Grassi Winery**

APN: **039-140-006**

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.
4. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stacked over 12 feet in height).
5. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards.
6. Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Should you have any questions of me, contact me at (707)299-1461 or email at joe.petersen@fire.ca.gov.

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.