

“B”

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

**PLANNING COMMISSION HEARING – FEBRUARY 15, 2017
RECOMMENDED CONDITIONS OF APPROVAL**

**WHL WINERY
USE PERMIT AND ROAD & STREET STANDARDS EXCEPTION REQUEST (P15-00215-UP)
1561 SOUTH WHITEHALL LANE, ST. HELENA, CA (APN #027-460-013)**

1.0 SCOPE

This permit shall be limited to:

- 1.1 Approval of an Exception to the Napa County Road and Street Standards (RSS) to allow widths of less than 22-feet (two 10-foot wide travel lanes and two one-foot wide shoulders) for two existing portions of the South Whitehall Lane access drive. Between roadway stations STA 12+75 to STA 21+75 (approximately 900 linear feet) South Whitehall Lane shall be widened to the maximum extent possible and shall have driveway widths of 16-feet, which is the width of the existing access easement. Between roadway stations STA 36+50 to STA 37+65 (115 linear feet) South Whitehall Lane shall have a maximum 14-foot width to minimize potential impacts to the Bale Slough stream crossing. The remainder of the access drive shall be improved as necessary to meet County standards per the November 22, 2016 RSS.
- 1.2 Approval of a use permit for the construction and operation of a new winery as follows:
 - a. Wine production of no more than 10,000 gallons per year;
 - b. A new 6,812 square foot winery building with an 1,230 square foot unenclosed covered outdoor work area, bottling to be handled by a mobile bottling service on an as needed basis within the unenclosed outdoor work area;
 - c. A 384 square foot pump house and trash enclosure;
 - d. On-site parking for two (2) vehicles;
 - e. A new driveway adjoining the west property line
 - f. Fewer than 10 full and part time employees;
 - g. Hours of operation from 6:00 AM to 6:00 PM, 7-days a week;
 - h. Four (4) water storage tanks with a capacity of 10,000 gallons each for fire protection, domestic and irrigation water located a minimum of 20-feet from the west property line; and,
 - i. Installation of an on-site wastewater treatment system and/or hold and haul system.

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

**Alternative locations for spoils 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 project conditions conflict with any of the other conditions included in this document, the more specific conditions shall supersede and control.

2.1 The existing main residence and caretaker's residence are classified for residential purposes only and shall not be used for commercial purposes or in conjunction with the operation of the winery. If the main 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. The conditions of approval related to the caretaker's residence (#U-647374) shall remain in full force and affect.

3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following County, Divisions, Departments and Agency 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 14, 2016 (recommended conditions of approval and road exception request).

3.2 Environmental Health Division as stated in their Memorandum dated February 7, 2017.

3.3 Fire Department as stated in their Inter-Office Memo dated January 26, 2017.

3.4 Building Inspection Division as stated in their Memorandum dated June 14, 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 [RESERVED]

No visitation or marketing events are authorized by this permit.

5.0 GRAPE SOURCE

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

6.0 COMPLIANCE REVIEW

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

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

7.0 RENTAL/LEASING

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

8.0 SIGNS

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the PBES Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116.

9.0 LIGHTING

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

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

10.0 LANDSCAPING

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the County's Water Efficient

Landscape Ordinance (WELO) requirements in effect at the time of building permit submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

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

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

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

11.0 OUTDOOR STORAGE/SCREENING/UTILITIES

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

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

12.0 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the 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, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to issuance of a Final Certificate of Occupancy.

13.2 TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees and deliveries shall not occur during peak hour travel times of 7:45 AM to 8:45 AM and 4:00 PM to 5:00 PM Monday through Friday and 3:15 PM to 4:15 PM on Saturday to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

13.3 DUST CONTROL

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

13.4 AIR QUALITY

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

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). 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.

13.6 PARKING

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

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

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 expansion authorized by this permit, whichever occurs first, and shall be submitted not later than January 31st every calendar year thereafter and available upon the County's request at any other time.

Water usage shall be minimized by use of best available control technology and best water management conservation practices.

- b. No new on-site or off-site water sources (other than those evaluated as part of this permit) proposed to be used for the winery, including but not limited to wells, imported water, new or existing ponds/reservoir(s) or other surface water impoundments, to serve the winery, shall be allowed without additional environmental review, if necessary, and may be subject to a modification to this permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.
- c. Permittee shall limit groundwater use for the winery to 0.3 acre-ft. per year. Any exceedance of this amount in a calendar year is a material breach of this permit.
- d. If water use for the winery from the well exceeds 0.3 acre-ft. per year in a calendar year by 10% or more (a significant exceedance), the permittee shall both immediately notify the County and cease any activity causing the exceedance, shall begin daily well monitoring, and shall promptly prepare a report to be submitted to the PBES Director regarding the reasons for the significant exceedance and the measures immediately taken and to be taken to bring the significant exceedance into compliance with this condition.

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

- e. If the water use for the winery from the well exceeds 0.3 acre-ft. in a calendar year by less than 10%, the permittee shall notify the County, and promptly provide a report of the following:
 - 1. water volume used;
 - 2. the reason for exceedance;
 - 3. the plan the winery has for reducing water use so as not to exceed the allocation the following year; and
 - 4. other information that may be affecting water use.

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

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

15.0 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact Environmental Health with any questions regarding the following:

15.1 NOISE

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

16.0 ARCHEOLOGICAL FINDING

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

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be

contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

17.0 ADDRESSING

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 INDEMNIFICATION

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

19.0 AFFORDABLE HOUSING MITIGATION

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

20.0 MONITORING COSTS

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

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

21.0 TEMPORARY AND FINAL OCCUPANCY

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

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

22.0 STATUTORY AND CODE SECTION REFERENCES

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

23.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS

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



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Jason Hade Planning Division	From: Patrick Ryan Engineering Services
Date: December 14, 2016	Re: P15-00215 – WHL Winery Conditions of Approval APN: 027-460-013

The Engineering and Conservation division ('Engineering') has reviewed the use permit application P15-00215 for the Whitehall Lane (WHL) Winery located on assessor's parcel number 027-460-013. In general the project proposes the following:

New 10,000 gallon per year maximum production winery; construction of 6,964sf production facility and 1,614sf outdoor covered crush pad; and two (2) full time and two (2) part time employees. No tours, tastings, marketing plan, or food service is proposed.

Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

RECOMMENDED APPROVAL CONDITIONS:

ROAD & STREET STANDARDS:

1. Any roadway and/or parking areas, proposed new or reconstructed, shall meet the requirements for commercial access as defined in the 2016 Road and Street Standards (RSS), Revised Nov. 22, 2016 or shall be designed and constructed to conform to the Road Exception Evaluation composed by Engineering, dated December 14, 2016, (enclosed) and per the accepted construction and inspection practices defined in Federal, State and local codes.
2. All roadway improvements shall be completed prior to execution of any new entitlements approved under this Use Permit. The property owner shall obtain a grading permit for all proposed roadway improvements.

SITE IMPROVEMENTS:

3. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, surface drainage, storm drainage, and process wastewater conveyance shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Napa County PBES Department Engineering Division prior to the commencement of any on site land preparation or construction. Plans

shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.

4. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
5. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 [& Chapter 18.108.027] of the Napa County Code, and Appendix J of the California Building Code.
6. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County PBES Department Engineering Division evidence that the Owner has entered into an agreement(s) with the property owner(s) of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

CONSTRUCTION SITE RUNOFF CONTROL REQUIREMENTS:

7. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with Napa County Stormwater Ordinance 1400 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
8. 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.
9. 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.
10. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
11. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

12. The proposed development is categorized as a Regulated Development Project under Napa County's BASMAA Post-Construction Manual and is required to meet the design criteria of the current Post-Construction Runoff Management / Low-Impact Development Requirements. A revised Stormwater Control Plan for Regulated Projects shall be submitted prior to any permit approval and shall comply with the site design measures, stormwater treatment and hydromodification, source control measures, and on-going maintenance and operation of these facilities.
13. All proposed Bioretention facilities may be of any shape. However, each layer must be designed and built flat and level. Bioretention facility design shall be sized according to the BASMAA Post-Construction Manual and the drainage management area (DMA) be drain to the facility, see Figures 4-1 and 4-2 from the BASMAA Post-Construction Manual for a

typical detail. All stormwater facilities shall meet all required setbacks identified in Federal, State and Local codes and regulations.

14. On-site storm drain inlets shall be marked with the words “No Dumping! Flows to River” or similar.
15. Interior floor drains shall be plumbed to sanitary sewer or approved closed loop system (e.g. processed waste system).
16. Refuse Areas shall be covered, graded, and paved to prevent run-on and runoff. And drains within a refuse area shall be connected to a grease removal device before discharge to a sanitary sewer or approved closed loop system (e.g. processed waste system).
17. Processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, shall be paved and performed under permanent cover during all phases of the proposed development.
18. Loading Docks shall be covered and/or graded to minimize run-on to and runoff from the loading area during all phases of the proposed development. Roof downspouts shall be positioned to direct stormwater away from the loading area.
19. Pervious Pavements and other pervious systems shall be designed to meet the minimum design criteria of Napa County’s BASMAA Post-Construction Manual.
20. Provide for ongoing Operation and Maintenance Plan including executing a Stormwater Management Facilities Agreement, which runs with the land and provides for periodic inspections and reporting at the facilities owner’s expense.

ANY CHANGES IN USE OR DESIGN MAY NECESSITATE ADDITIONAL REVIEW AND CONDITIONS FOR APPROVAL.

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



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Jason Hade Planning Division	From: Patrick C. Ryan Engineering Services
Date: December 14, 2016	Re: P15-00215 – WHL Winery Road Exception Evaluation APN: 027-460-013

ROAD EXCEPTION REQUEST:

The Engineering Services Division received a request (Request), by Applied Civil Engineering dated May 6, 2016, for exception to the Napa County Road and Street Standards (RSS) for the Whitehall Lane Winery (WHL) Winery commercial access road. The applicant has requested exception to the current Road and Street Standards to allow roadway width of less than 20 feet due to environmental and legal constraints along the existing access drive.

A new 10,000 gallon winery with no tours, tastings, or marketing plan is proposed at 1561 South Whitehall Lane. Access to the WHL Winery property is via South Whitehall Lane. South Whitehall Lane is a shared private driveway off of Whitehall Lane. South Whitehall Lane serves the subject parcel as well as several other properties in the vicinity. The subject property is located approximately 0.6± miles from Whitehall Lane and traverses gently sloping valley floor. The entire length of the driveway from Whitehall Lane to the project site is paved with asphalt. The first 0.4± miles of the driveway, starting from Whitehall Lane, has a paved width averaging 15 to 16 feet. The remaining 0.2± miles have a paved width of approximately 10 feet.

The applicant is pursuing an exception to the November 2016 RSS to allow roadway widths of less than the required 22 feet along two (2) section of the existing roadway alignment to accommodate existing environmental and legal constraints. Between roadway station (STA) 12+75 to STA 21+75 (approximately 900 linear feet) the applicant is proposing to widen the road to the maximum extent possible. Total driveway widths along this section of roadway will be 16 feet; the total width of granted ingress/egress easement. Between roadway STA 36+50 to STA 37+65 (115 linear feet) the applicant is requesting an exception to the required width standard to a proposed width of 14 feet to minimize any environmental impacts to the existing Bale Slough Stream crossing. All other portions of the proposed roadway will be improved to minimum design standards for commercial access, per the November 2016 RSS.

ENGINEERING DIVISION EVALUATION AND RECOMMENDATION:

Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, and the Fire Marshal's office, including an on-site evaluation, and supports the conclusions presented by the

applicant's design professionals. With respect to Section (3) of the RSS as adopted by Resolution No. 2016-06 by the Board of Supervisors on January 26, 2016, this division has determined the following:

The applicant has provided the necessary documentation and assurances as required by RSS Section 3(A) and has demonstrated that existing environmental and legal constraints are present to support the request for exception to the November 2016 RSS required minimum commercial driveway width of two 10-foot traffic lanes and one foot of shoulder on either side.

In addition to the proposed improvements that will be constructed to improve ingress and egress to the property several other measures have been incorporated into the project design to provide the "same overall practical effect" as the Standards and SRA Fire Safe Regulations towards providing defensible space and consideration towards life, safety and public welfare such as installation of 'One Lane Road Ahead' signage at STA 12+25, 22+25, 36+50, and 38+05.

The applicant shall implement the following conditions that are in addition to any and all conditions previously placed on the project:

1. The roadway shall be constructed and maintained to the approved condition prior to obtaining certificate of occupancy and throughout the life of the parcel or until such time the County deems that future road design changes or changes in use of this roadway beyond the use proposed shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.
2. The private drive surface shall be periodic maintained by the property owner to assure sufficient structural section for loading conditions equivalent to the imposed loads of fire apparatus weighing at least 75,000 pounds and the design Traffic Index.
3. The property owner will implement a horizontal and vertical vegetation management plan consistent with California Department of Forestry and Fire Protection requirements along the entire length of the driveway to provide defensive space and improve sight distance. The vegetation management plan shall be reviewed and approved by the Napa County Fire Marshall.
4. All mitigation measures shall be installed and remain in place for the life of the access drive or until the drive is upgraded to meet current RSS for commercial access.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Sean Trippi, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: February 7, 2017	Re: WHL Winery 1561 South Whitehall Lane Assessor Parcel #027-460-013 File # P15-00215

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

Prior to building permit issuance:

1. Plan(s) for the proposed wastewater treatment system improvements as described in the Onsite Wastewater Disposal Feasibility Study, dated June 15, 2015, 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. Permit(s) to construct the proposed wastewater treatment system improvements 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. The designated area shall remain available and be properly maintained for its intended use.

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

4. An annual alternative sewage treatment system monitoring permit or annual operating permit must be obtained depending upon the option selected for wastewater treatment prior to issuance of a final on the project. The septic system monitoring, as required by this permit(s), must be fully complied with.
5. 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:

6. 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.
7. 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.

8. 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 prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.
9. 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.
10. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.



A Tradition of Stewardship
A Commitment to Service

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: Sean Trippi
Planning Division

DATE: **January 26, 2017**

FROM: Joe Petersen
Fire Department

SUBJECT: **P15-00215 WHL Winery**

APN: **027-460-013**

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, High Piled Storage (any combustible stacked over 12 feet in height).

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.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Jason Hade	From: Gary J. West, Chief Building Official
Date: June 14, 2016	Re: WHL Winery Use Permit P15-00215

Building Inspection Division Planning Use Permit Review Comments

Address: 1561 S. Whitehall Ln., St. Helena CA 94574

APN: 027-460-013-000

Project: WHL Winery Use Permit P15-00215

Owner: SWLD LLC

Contact: Jeffrey Woods

Description: Use Permit application to permit the following: 1) 10,000 gallon per year maximum production winery; 2) 6,964 square foot production facility and 1,614 square foot outdoor covered crush pad; and 3) Two full-time & two part-time employees. No tours, tastings, marketing plan, or food service is proposed.

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 P15-00215; 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 P15-00215 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.

A handwritten signature in blue ink, appearing to read "Gary J. West".

GARY J. WEST
CHIEF BUILDING OFFICIAL
NAPA COUNTY BUILDING DIVISION
1195 THIRD STREET
NAPA CA 94559
(707)259-8230
gary.west@countyofnapa.org