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

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

**BALDACCI FAMILY VINEYARDS  
USE PERMIT (P15-00422-UP) & VIEWSHED (P16-00295-VIEW)  
6236 (WINERY) & 6171 (DRIVEWAY) SILVERADO TRAIL, NAPA, CALIFORNIA  
(APN'S: 031-230-006 (WINERY) & 031-220-015 (DRIVEWAY))**

**1.0 SCOPE**

This permit encompasses and shall be limited to:

- 1.1 Approval of Viewshed application P16-00295-VIEW to allow construction of the winery production building described in condition of approval (COA) No. 1.2 below to be located below a minor ridgeline, viewable from County designated Viewshed roads (Silverado Trail) per the Viewshed Protection Program (Chapter 18.106 of the Napa County Code).
- 1.2 Approval of a use permit to increase the production capacity of an existing 20,000 gallon per year winery approved under the Small Winery Use Permit Exemption program and subsequent Modification (#03502-MOD) as follows:
  - a. Increase wine production to no more than 40,000 gallons per year;
  - b. Construction of a new 2,619 sq. ft. production building with an enclosed crush pad area, bottling to be handled by a mobile bottling service on an as needed basis within the enclosed crush pad area;
  - c. Conversion of the existing 1,345 sq. ft. winery building to an administrative building and the construction of a 3,510 sq. ft. addition for hospitality use;
  - d. Construction of an 11,031 sq. ft. addition to the existing 7,613 sq. ft. cave area;
  - e. Visitation (tours and tastings, and marketing activities) as set forth in COA No's. 4.0 through 4.2 below;
  - f. On-premises consumption of wines purchased on the property as set forth in COA No. 2.2 below;
  - g. Increase previously approved on-site parking from 6 to 16 spaces;
  - h. Relocation of two (2) existing water storage tanks;
  - i. Relocation of the entrance to the winery through an adjoining property at 6171 Silverado Trail (APN 031-220-015) with a new driveway connection to the winery;
  - j. Up to 10 full and part time employees;
  - k. Hours of operation, seven days a week: production 7:00 AM to 3:30 PM (non-harvest), 7:00 AM to 6:00 PM (harvest) and visitation 10:00 AM to 4:00 PM; and,
  - l. On-site wastewater treatment 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 cave or grading 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 Viewshed**

Prior to the issuance of a building permit, the property owner shall execute and record in the county recorder's office a use restriction, in a form approved by County Counsel, requiring implementation of the landscaping plan, retention of existing vegetation, and earth tone exterior building colors to be maintained by the owner or the owner's successor so as to maintain conformance with County Code Section 18.106.050(C).

### **2.2 On-Premises Consumption**

In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) and the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the tasting room and outdoor courtyard area 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 No. 4.0 below.

### **2.3 Residential Uses**

The existing main residence and farmworkers residence are classified for residential purposes only and shall not be used for commercial purposes or in conjunction with the operation for 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 farmworkers residence (#99136-FLD) shall remain in full force and affect.

### **2.4 Driveway/Access**

An access easement across APN 031-220-015 shall be reserved to the benefit of APN 031-230-006. The easement shall be recorded prior to the sale or transfer of title of either property to a separate entity.

## **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 February 6, 2017.
- 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 February 4, 2016.
- 3.4 Building Inspection Division as stated in their Memorandum dated April 8, 2016.
- 3.5 Department of Public Works as stated in their Memorandum dated November 8, 2016.

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

#### **4.0 VISITATION**

Consistent with County Code Sections 18.16.030 and 18.20.030, marketing and tours 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 (by appointment) shall be limited to the following:

- a. Frequency: 7 days per week, Monday through Sunday
- b. Maximum number of persons per day: 100
- c. Maximum number of persons per week: 700
- d. Hours of operation: 10:00 AM to 4:00 PM
- e. Daily tastings shall not be scheduled when 100 person marketing events are scheduled.

“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).

## 4.2 MARKETING

Marketing events are limited to the following:

- a. Type of Event:
  1. Frequency: 2 times per month
  2. Number of persons: 30 maximum
  3. Time of Day: 10:00 AM to 10:00 PM
  4. All food to be catered
  
- b. Type of Event:
  1. Frequency: 4 times per year
  2. Number of persons: 100 maximum
  3. Time of Day: 10:00 AM to 10:00 PM
  4. All food to be catered
  
- c. Type of Event:
  1. Frequency: 6 times per year
  2. Number of persons: 50 maximum
  3. Time of Day: 10:00 AM to 10:00 PM
  4. All food to be catered

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

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

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

All activity, including quiet cleanup, shall cease by 11:00 PM. If any event is held which will exceed the available on-site parking, the applicant shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

## **5.0 GRAPE SOURCE**

At least 75% of the grapes used to make 20,000 gallons of 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 spot lighting. 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 1.4 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(s) exceed 1.4 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(s) exceed 1.4 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.



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David Morrison  
Director

## MEMORANDUM

To: Sean Trippi, Planning Division	From: Jeannette Doss, Engineering and Conservation Division 
Date: February 6, 2017	Re: Baldacci Family Vineyards Use Permit - Engineering CoA 6236 Silverado Trail & 6171 Silverado Trail, Napa, CA P15-00422 APN 031-230-006/031-220-015

The Engineering and Conservation division (Engineering) has reviewed the submittal package for the above proposed project, generally requesting the following:

*To increase the production of an existing winery established by a small winery exemption from 20,000 gallons per year to 40,000 gallons per year. The application also proposes the construction of new buildings, a cave expansion, construct 16 new parking spaces, and construct a new driveway on APN 031-220-015-000. The request also includes a visitation and marketing plan to increase the number of daily visitors for tours and tastings from 60 visitors per day to 100 visitors per day; add two marketing events per month for up to 30 visitors per event; add four marketing events per year with up to 100 visitors per events; and add six events per year with up to 50 visitors per event.*

After careful review of the information provided in the application, the Engineering Division finds the application **complete** and recommends approval of the project with the following recommended conditions:

### EXISTING CONDITIONS:

1. Napa County parcel 031-230-006 is an approximately 28.72 acre parcel on Silverado Trail approximately 0.6 miles south of the intersection of Silverado Trail and Yountville Cross Road in Napa.
2. Site is currently developed with a winery and vineyards.

### RECOMMENDED CONDITIONS:

### PRIVATE ACCESS ROADS, DRIVEWAYS, AND PARKING AREAS:

1. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for commercial development at the time of use permit approval.
2. All roadway, access driveway, and parking area improvements shall be completed **prior to execution** of any new entitlements approved under this use permit.
3. The applicant must obtain an encroachment permit from the Napa County Public Works Department for any work performed within the County Right-of-Way.
4. A portion of the driveway realignment work is depicted on an adjacent property under different ownership. **Prior to the issuance of any building and/or grading permit** associated with this use permit, the applicant shall demonstrate proof of legal access rights.

#### **SITE IMPROVEMENTS:**

5. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **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.
6. 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.
7. **Prior to issuance of a building and/or grading permit** the owner shall submit the necessary documents for erosion control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program's - "Erosion and Sediment Control Plan Guidance for Applicant and Review Staff" dated December 2014.
8. If excess material is generated that cannot be used onsite, the owner shall furnish to 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.

#### **OTHER RECOMMENDATIONS:**

9. 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.

**POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:**

10. **Prior to issuance of a building permit** the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
11. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner shall submit the final copy of "Operation and Maintenance Agreement", approved by the Engineering Division in PBES for County signatures which will be legally recorded with the Napa County Recorder.
12. 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. It is prohibited to discharge materials other than stormwater to storm drains or to store or deposit materials so as to create a potential discharge to storm drains.
13. 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.
14. All roofs, gutters, and/or downspouts made of copper or other unprotected metals shall discharge to the approved Bioretention facility as described in the approved Stormwater Control Plan and maintained appropriately to prevent soil erosion.
15. 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.
16. Outdoor material and equipment 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.
17. 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.
18. Processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, shall be paved and performed indoors; installation of storm

drains in processing areas is prohibited. For processing areas that generate liquid wastes, slope the area to a drain an approved collection system.

19. Interior floor drains shall be plumbed to the sanitary sewer system or closed loop system and shall not be connected to storm drains.

**Any changes in use may necessitate additional conditions for approval.**

If you have any questions regarding the above items please contact Jeannette Doss with the Engineering Division in the Napa County Planning, Building, and Environmental Services Department (PBES) at (707) 259-8179 or via email at [Jeannette.Doss@countyofnapa.org](mailto:Jeannette.Doss@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: Sean Trippi, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: February 7, 2017	Re: Baldacci Family Vineyards 6236 Silverado Trail Assessor Parcel #031-230-006 & 031-220-015 File # P15-00422

The application requesting approval to expand production, construct new buildings, expand and existing cave among other items 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:

Upon use permit approval:

1. Prior to approval of the new driveway located on 031-220-015 or any structure that will be served by the new driveway, a plan for the proposed relocated wastewater system serving the dwelling on 031-220-015 must be submitted for review and approval. A permit to construct the new wastewater system must be issued and construction of the system completed before work on the driveway begins.

Prior to building permit issuance:

2. Plans for the proposed alternative sewage treatment system(s) as described in the Wastewater Feasibility Study, dated March 24, 2015 (misdated should be 2016) 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.
3. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. Prior to occupancy, the owner must apply for

and obtain an annual operating permit for the water system from this Division. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.

4. If any 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.
5. A permit to construct the proposed alternative sewage treatment system(s) 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.
6. 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:

7. Annual alternative sewage treatment system monitoring permit(s) must be obtained for the alternative sewage treatment system /private sewage disposal system(s) prior to issuance of a final on the project. The septic system monitoring, as required by this permit(s), must be fully complied with.
8. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
9. Annual operating permits for the small public water system and food facility, if required, must be secured prior to final occupancy being granted. All construction must be finalized and approved by this Division before operating permits will be issued.

Upon final occupancy and thereafter:

10. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
11. 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](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.

12. All catered 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.
13. 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.
14. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.



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Napa County Fire Department  
Fire Marshal's Office  
2741 Napa Valley Corporate Drive, Bldg 2  
Napa, CA 94558

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

Joe Petersen  
Fire Marshal

## MEMORANDUM

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TO: Sean Trippi  
Planning, Building and Environmental Services

FROM: Joe Petersen  
Fire Department

DATE: February 4, 2016

SUBJECT: P15-00422

**SITE ADDRESS: 6236 Silverado Trail APN: 031-230-006**

The Napa County Fire Marshal's Office has reviewed the Use Permit application for 6236 Silverado Trail. The Fire Marshal requires the following conditions to be incorporated prior to approval of permit issuance.

1. 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 CFC section 503, Napa County Road & Street Standards and CA Fire Safe Regulations for projects within the SRA.
2. Identify on plans that grades for all roadways shall not exceed 20 percent for paved surfaces.
3. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
4. Gates for roadways shall comply with the California Fire Code §503.5, the Napa County Road & Street Standards and Napa County Fire Marshal's Office Commercial Guidelines.
5. Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with Table B105.2 through Table 105.4 of the Napa County Code Amendments.
6. Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2013 edition.



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Joe Petersen  
Fire Marshal

## MEMORANDUM

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7. Identify that Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
8. The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2013 edition for the installation of Underground Fire Protection Mains
9. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
10. Provide 100 feet of defensible space around all structures.
11. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
12. All cave development shall comply with CBC Section 436 as well as the Napa County Fire Marshal's Office Cave Development Guidelines.

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](mailto:joe.petersen@fire.ca.gov).



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Planning, Building & Environmental Services

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David Morrison  
Director

## MEMORANDUM

To: Sean Trippi	From: Gary J. West, Chief Building Official
Date: April 8, 2016	Re: Baldacci Family Vineyards P15-00422/431

### Building Inspection Division Planning Use Permit Review Comments

- Address: 6236 Silverado Trl., Napa CA 94558
- APN: 031-230-006-000 & 031-220-015
- Project: Baldacci Family Vineyards P15-00422/431
- Owner: Archangel Investments LLC
- Contact: Douglas Thomley
- Description: Increase in production from 20,000 to 40,000 gal/yr; construction of new buildings; cave expansion and relocated project entrance. Also, a variance to the 600' setback from Silverado Trail.
- 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 P15-00442/431; 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 P15-00442/431 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. All buildings or areas of building must comply with the code requirements for that occupancy classification and/or use.
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.
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. Pictures of handrails in plans are not code compliant. Will review at time of building permit submittal.
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 that reads "Gary West". The signature is written in a cursive, flowing style.

GARY J. WEST  
CHIEF BUILDING OFFICIAL  
NAPA COUNTY BUILDING DIVISION  
1195 THIRD STREET  
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Department of Public Works

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Steven Lederer  
Director

## MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: November 8, 2016	Re: Baldacci Family Vineyards P16-00295

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

I have reviewed the information in the *Transportation Impact Analysis – Baldacci Family Vineyards Project*, prepared by Abrams Associates and dated November 7, 2016. The analysis is acceptable and I concur with the assumptions made, the methods used in the evaluation, and the conclusions reached. The study adequately demonstrates that the proposed use in the proposed location will not result in any significant impacts, either project-specific or cumulative, on traffic circulation in the vicinity. Therefore, no mitigation measures are required with this project.

**Left-Turn Lane required.** The project as proposed meets the warrants for installation of a left-turn lane on Silverado Trail at the project access driveway. The application materials indicate the owner's proposal to relocate the driveway access to a location along Silverado Trail which already has a left-turn lane, which is acceptable.

### Permit Requirements

#### PRIOR TO ISSUANCE OF GRADING PERMIT AND/OR BUILDING PERMIT

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

**Proof of legal access.** A portion of the driveway realignment work is depicted on an adjacent property under different ownership. The applicant shall demonstrate legal access rights to realign the driveway as proposed, prior to start of construction.

More information on these is available at our website:  
<http://www.countyofnapa.org/publicworks/roads/>

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