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Previous Project Conditions



COUNTY *of* NAPA

CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

Charles Wilson
Director

Patrick Lynch
Assistant Director

June 8, 2004

Baldacci Winery
Attn: Thomas Baldacci
12885 Alcosta Blvd., Ste. 1
San Ramon, Ca 94583

Re: Request for Small Winery Exemption Use Permit Modification #03502-MOD, APN:31-230-006

Dear Mr. Baldacci:

Please be advised that your request to modify Small Winery Exemption Use Permit for Baldacci Winery has been administratively **APPROVED** (see attached comments/conditions of approval).

The permit becomes effective unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If others file an appeal, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within two years from the approval date, or it shall automatically expire and become void. No extensions are possible. This letter is your only notice regarding expiration.

This approval applies only to the modifications proposed in your application. All applicable building permits must be applied for and obtained prior to construction. Additionally, approval from the Fire Department, Public Works, and Environmental Management must be obtained and all conditions must be complied with as part of the Building Permit process. All conditions required by the original Small Winery Exemption Use Permit, except as modified herein, remain in full effect.

Should you have any questions, please contact Naomi Beattie at nbeattie@co.napa.ca.us or a (707) 253-4416

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Lederer".

Steven E. Lederer
Assistant Deputy Director

Cc: file
Bob Nelson, Supervising Planner
Gabrielle Avina, County Fire Department
Christine Secheli, Environmental Management Department

**CONDITIONS OF APPROVAL
BALDACCI WINERY
03502-MOD**

1. **SCOPE:** The permit shall be limited to:

- Construction of a 1,000 square foot canopy over an existing tank pad.
- Utilization of 9,240 square feet of existing caves for barrel storage only (Type I cave)

The canopy and caves/portals shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, constructors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

2. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations 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. Prior to issuance of a building permit for construction of the canopy, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the cave portals and canopy shall be submitted for Department review and approval.

3. **OUTDOOR STORAGE/SCREENING:**

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to 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.

4. **RENTAL/LEASING:**

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than the on-site winery itself, except as may be specifically authorized in this Use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010).

5. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

Department of Environmental Management as stated in their letter of January 30, 2004
County Fire Department as stated in their letter of May 28, 2004
Building Division as stated in their letter of December 22, 2003

**CONDITIONS OF APPROVAL
BALDACCİ WINERY
03502-MOD**

6. COLORS:

The color used for the roof of the canopy shall be limited to earth tones that will blend the facility into the colors of the surrounding vegetation and shall be reviewed and approved by the Department prior to the issuance of a building permit. Highly reflective surfaces shall be prohibited.

7. IMPROVEMENTS:

The applicant shall have six (6) months to complete the construction of the canopy and the installation of the stone and landscaping proposed for the cave portals, canopy and surrounding area.

8. 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. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, 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. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$88.00/hour as of December, 2002). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and 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 Planning Commission at some time in the future, the Planning 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 it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

INTER-OFFICE MEMO



TO: Charles Wilson, Director
Conservation, Development, and Planning Department

FROM: Gabrielle Maurino Avina, Fire Department

DATE: May 28, 2004

SUBJECT: Balducci Winery Use Permit Comments
Apn: 031-230-006 03502-MOD

RECEIVED

JUN 04 2004

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Site Address: 6236 Silverado Trail, Napa

The Napa County Fire Marshal staff has reviewed the Use Permit Modification application to construct a 1000 square foot roof structure over a crush pad and use 9,240 square feet of Type 1 winery cave for barrel storage. Based on the use and occupancy of the cave as described in the use-permit application we have classified this cave to be a Type 1 wine cave. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.**
2. Based on the use and occupancy of the cave as described in the use-permit application we have classified this cave to be a Type 1 wine cave. A Type 1 wine cave is used for the storage and/or processing of wine and is constructed and furnished solely of non-combustible materials and does not allow public access. Type 1 wine caves are not allowed to contain combustible contents and hosted events are never allowed in the caves.
3. An approved automatic fire sprinkler system will be required for all structures 3,600 square feet or greater. The proposed winery building will not require automatic fire sprinkler protection since it is below the 3,600 square foot threshold.

4. The caves for this project will not require automatic fire sprinkler protection because they are considered Type 1 wine caves.
5. The ***minimum*** required fire flow for the protection of the ***proposed*** project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 12,000 gallons.
6. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 1999 edition)*. Fire pumps are required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.
7. The private fire service mains shall be installed and maintained in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 1999 edition)*. Fire service mains shall be a minimum of 6" in diameter and shall be listed for fire protection use and comply with AWWA standards.
8. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2001 edition, Appendix III B*.
9. All post indicator valves, control valves, waterflow devices and fire pumps will require monitoring by an approved remote station or central alarm monitoring company. The fire alarm system shall be designed and installed in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*.
10. Fire apparatus access roads shall be provided to within 150' of all structures and to cave portals. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet.
11. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
12. The applicant shall be responsible for maintaining 10 feet of defensible space along each side of the roadway. This defensible space zone shall include the removal of all dead fuel, dry grass mowed to less than four inches in height, the removal or cutting of all brush, the removal of small trees less than 8 inches in diameter and the removal of all ladder fuel on existing trees up to 8 feet in height, within 10 vertical feet of each side of the roadway.

13. A defensible space zone shall be created around all structures. This defensible space zone shall be a minimum of 30' from all portions of a structure and may be up to 100' dependent on fuel types and topography. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
14. The winery cave shall have a minimum of two exits and all exits must be clearly identified. All exits shall be illuminated when the winery cave is occupied and the fixtures providing exit illumination shall be supplied from a dedicated circuit or source of power used only for exit illumination. All exit doors shall have single action, common knowledge hardware.
15. The request for beneficial occupancy will not be considered until all fire and life safety issues have been installed, tested and finalized.
16. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
17. The approved address numbers shall be placed by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be visible from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 10" in height, contrasting in color with their background and shall be illuminated.
18. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
19. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.
20. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building

openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.

21. A Knox box or a Knox Cabinet shall be installed at an approved location by the Napa County Fire Marshal's Office. If a fire alarm system is required the box will require "tamper" monitoring.
22. The Knox rapid entry system shall have one or all of the following items placed in the Knox box or Knox cabinet, dependant on requirements of this facility:
 1. A minimum of 2 master keys to the buildings and cave(s) for emergency access.
 2. Scaled site plan of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 3. Scaled floor plans of all structures and caves showing doors, offices, etc.
 4. Napa County Hazardous Materials Business including all MSDS forms, etc.
23. When the Napa County Fire Department deems it necessary for Fire and Life Safety, the owner, agent or lessee shall put in writing the intended use of the cave areas; i.e.: storage, processing of wine at a winery and/or assembly use areas. This information is based off the use permit application.
24. The applicant shall provide the Fire Department the ability to communicate between emergency personnel inside the cave.
25. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
26. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
27. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at **no** charge to the County (California Fire Code section 103.1.1) for the following circumstances:
 - a. Independent peer review of alternate methods proposals.
28. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.

BYRON J. CARNIGLIA
Fire Chief

By:

Gabrielle Maurino Avina
Assistant Fire Marshal

cc: Applicant, CFM Files, and Chron



CHARLES WILSON
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection

APPLICATION TITLE: Baldacci Winery APN: 031-230-006

RESPONSE REQUEST DATE: 12-15-03 RESPONSE RETURN DATE: 12-26-03
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

PLEASE RESPOND VIA E-MAIL TO: _____ @co.napa.ca.us

OR DIRECT FAX TO: _____ (707)299-_____

FOR QUESTIONS ON THIS REQUEST, PLEASE CONTACT: _____

This application (see enclosed project description and maps) is being sent to you for your review and comment .

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you recommend: Do you have jurisdiction by law over this project? Yes No

2. Indicate areas of environmental concern and availability of appropriate technical data:
NONE

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions of approval (use additional page if needed). SECURE PERMITS AS NECESSARY

5. Have you previously reviewed an application on any portion of this project? Yes No

6. Name of contact person: [Signature] Telephone #: 253-4417

Prepared by: E. BREWEN
Title: Supv. Codes Admin.
Date: 12-22-03



MEMORANDUM

RECEIVED

January 30, 2004

FEB 03 2004

TO: Napa County Planning Department, Charley Wilson, Director

FROM: Napa County Environmental Management Department,
Christine Secheli, R.E.H.S., Environmental Health Manager

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

SUBJECT: Use Permit Application for Baldacci Winery Use Permit Modification
Located at 6236 Silverado Trail, Napa
Assessor Parcel 31-230-06
File # 03502-MOD

We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. All wastewater generated in the cave must be directed to the existing septic system. A sewer line permit to make this connection shall be obtained from the Department of Environmental Management prior to installation.
2. If any uncovered outdoor processing areas are proposed, the applicant must submit a proposal from their engineer that addresses proper diversion and direction of storm water and process wastewater from such areas. This proposal must include a detail on the diversion valve (or equivalent) must be provided to this department prior to issuance of sewage permits.
3. Any hazardous waste produced on the site including any laboratory wastes, must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Code of Regulations.
4. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall obtain a permit and file an approved plan with the Department of Environmental Management within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Hazardous Materials Negative Declaration shall be filed.

cc: Thomas Baldacci, Baldacci Winery, 12885 Alcosta Blvd., Suite 1, San Ramon, CA 94583



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

July 24, 1986

Robert D. Egan
6236 Silverado Trail
Napa, Ca. 94558

Dear Mr. Egan:

Please be advised that on July 22, 1986 the Board of Supervisors decided not to hear your appeal to a decision by the Conservation, Development and Planning Department on May 1, 1986 to deny a Small Winery Use Permit Exemption Permit request to establish a 20,000 gallons per year winery with no public tours or tasting within an existing structure on a 28.72 acre parcel located on the west side of Silverado Trail approximately 2700 feet south of Yountville Cross Road within an AP District. (Assessor's Parcel #31-230-06)

However, the Board of Supervisors at the same meeting did approve amending the required setback from Silverado Trail for existing structures proposed to be used as a winery from 400 feet to 200 feet. The structure you propose to use for a winery would now meet all the small winery criteria.

Very truly yours,

A handwritten signature in cursive script that reads "James H. Hickey".

JAMES H. HICKEY
Director

JHH:ml:2c
Attachment

cc: Bill Hall, Building Codes Administrator



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding
Director

1195 Third Street, Room 210 • Napa, CA 94559-3092
Telephone 707/253-4416 FAX 707/253-4336

December 7, 1999

Thomas A. Baldacci
2291 Via De Mercados
Concord, CA 94520

RE: Request for Farmworker Housing Use Permit #99136-FLD (6236 Silverado Trail)
APN 031-230-006

Dear Mr. Baldacci:

Use permit request #99136-FLD came before the Zoning Administrator for action on December 3, 1999. The request was to use 1200 sq.ft. of an existing 3000 sq.ft. two-story structure for a farmworker dwelling on a 28.72-acre parcel. The permit was **APPROVED** with the attached conditions. The conditions comprise important limitations on the extent of the permitted activity and other uses of the structure.

The permit must be used in compliance with the conditions, or a request for extension applied for pursuant to Napa County Code Chapter 18.124, by **December 13, 2000**.

The conditions of approval may be appealed to the Board of Supervisors within ten working days of this action in accordance with the procedures in Chapter 2.88 of the Napa County Code. The appeal fee in this matter is \$125.00.

Please contact Brian Bordona, Project Planner, if you have any further questions.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael Miller".

Michael Miller
Zoning Administrator

cc. John Tuteur, Assessor
Brian Bordona

CONDITIONS OF APPROVAL

1. The permit is limited to the designation and use of 1,200 square feet portion of the upper story of an existing 3,000 square foot dwelling as a farm labor residence in conformance with the attached plans and supplemental information contained in the use permit application.
2. There shall be no access from the upstairs "storage" room to the designated 1,200 square foot farm labor unit nor to the downstairs storage areas. The farm labor unit shall also have separate means of access.
3. A minimum of two (2) parking spaces shall be provided screened from all on and off-site residences and public streets.
4. The permittee shall certify, on a continuing annual basis, the full name, location(s) of employment, duration of tenancy of at least one full-time farmworker who is resident in the approved unit.
5. This permit shall automatically terminate if the unit is not occupied by a person in qualifying agricultural employment.
6. The permittee shall comply with all building codes, zoning standard and requirements of various County departments and agencies including but not limited to the comments from Building Inspection dated October 8, 1999.
7. If the farmworker housing unit ceases to be occupied in compliance with this permit, it shall not be converted to another use or occupancy until each public housing authority operating within fifteen miles of the site has been notified of the intent to convert at least sixty days prior to the conversion and has had the opportunity to meet and confer with the property owner. A public housing authority, or another housing provider designated by the authority, may continue to operate the farmworker housing unit for occupancy by persons employed in agriculture within fifteen miles of the housing site, upon submittal to the department of an occupancy agreement executed by the authority, its agent if any, and the owner. However, if such an agreement is not reached, the use permit shall be subject to review for revocation or modification pursuant to Section 18.104.300(M) to the extent it is occupied by persons who are not qualified farmworkers as defined by Section 18.08.294.
8. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

RECEIVED

OCT 11 1999

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Building Inspection Division

APPLICATION TITLE: Baldacci Fld FILE #: 99/36-F11

RESPONSE REQUEST DATE: 10-8-99 RESPONSE RETURN DATE: 10-22-99

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

This application (see enclosed project description and/or maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: BUILDING; ELECTRICAL; MECHANICAL

2. Indicate areas of environmental concern and availability of appropriate technical data: NONE

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed):
1. SECURE PERMITS AS NECESSARY FROM ITEM NO. 1 ABOVE

5. Have you previously reviewed an application on any portion of this project?
 Yes No

6. Name of contact person: [Signature] Telephone: 253-4416

Response Prepared by: GARY W. BREWEN

Title: BUILDING CODES ADMIN.

Date: 10-8-99