

Gallina, Charlene

From: Gallina, Charlene
Sent: Tuesday, February 21, 2017 6:02 PM
To: Anne Cottrell; JeriGillPC@outlook.com; Joelle Gallager; napacommissioner@yahoo.com; Terry Scott
Cc: Anderson, Laura; Morrison, David; Mtunga, Tendai; Frost, Melissa
Subject: Agenda Item 8C - Fortunati Vineyards Winery
Attachments: FinalAgencyApprovalMemos.pdf

Planning Commission Mtg.

FEB 22 2017

Agenda Item # 8C

Good Evening Commissioners,

Attached are the Final Agency Approval Memos that were inadvertently left out of Attachment B - Final Conditions of Approval and Final Agency Approval Memos for the Fortunati Vineyards Winery. Please review prior to consideration of this item.

BROWN ACT COMMUNICATION - PLEASE DO NOT REPLY ALL

Charlene Gallina
Supervising Planner
Napa County Planning, Building, & Environmental Services Department
(707) 299-1355



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
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David Morrison
Director

MEMORANDUM

To: Tendai Mtunga, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>JD</i>
Date: January 23, 2017	Re: Fortunati Vineyards Use Permit - Engineering CoA 986 Salvador Avenue, Napa, CA P16-00043 APN 036-180-004

The Engineering and Conservation division ('Engineering') has reviewed the use permit application P16-00043 for the Fortunati Vineyards located on assessor's parcel number 036-180-004. In general the project proposes the following:

To establish a new 12,000 gallon per year winery with 2 employees; construct a new 1,500 square foot production building with a 227 square foot covered crush pad; a seven space parking lot; driveway improvements to comply with the Napa County Road and Street Standards for a one way loop road; and associated landscaping improvements. The application also includes a visitation and marketing plan that would allow for daily tours and tasting by appointment only with a maximum of 10 visitors per day; ten marketing events per year with a maximum of 30 guests per event; and one wine auction event per year with a maximum of 100 guests.

After careful review of the information provided in the application, Engineering finds the application complete and recommends the following conditions of approval:

EXISTING CONDITIONS:

1. Napa County parcel 036-180-004 is an approximately 10.21 acre parcel on Salvador Avenue approximately 0.26 miles west of the intersection of Salvador Avenue and Big Ranch Road in Napa.
2. Site is currently developed with a private residence, 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.

SITE IMPROVEMENTS:

4. 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.
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. 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.
7. 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:

8. 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:

9. **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.
10. **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.
11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
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 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.

18. 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



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1195 Third Street, Suite 210
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David Morrison
Director

MEMORANDUM

To: Jason Hade, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: May 24, 2016	Re: Application for Fortunati Vineyards Located at 986 Salvador Avenue Assessor Parcel # 036-180-004 File # P16-00043

The application requesting approval to construct a new winery with production of 12,000 gallons per year and related improvements as described in application materials has been reviewed. Please include the following conditions if the project is approved:

Prior to building permit issuance:

1. Plans for the proposed sanitary wastewater subsurface drip system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
2. Plans for the proposed process wastewater system (hold and haul or treatment and reuse options included in wastewater feasibility report) 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. Permits to construct the proposed sanitary wastewater and process wastewater systems 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.
4. 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.

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

5. An annual operating permit is required for the process wastewater treatment and reuse system option or an annual operating permit is required for the hold and haul system option. The applicant shall maintain regular monitoring of the above ground process wastewater treatment and reuse system as required by this Division which includes submitting quarterly monitoring reports.
6. An annual alternative sewage treatment system monitoring permit must be obtained for the sanitary wastewater treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
7. 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:

8. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
9. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
10. 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.

11. 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.
12. The applicant shall provide portable toilet facilities for guest use during events of more than 30 persons as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted septic tank cleaning company.
13. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
14. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.
15. The sanitary wastewater treatment system must be monitored by an approved service provider with reports electronically submitted to this Department two times per year.
16. 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.



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

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

Joe Petersen
Fire Marshal

MEMORANDUM

TO: Jason Hade
Planning Division

DATE: **May 10, 2016**

FROM: Joe Petersen
Fire Department

SUBJECT: **P16-00043 Fortunati**

APN: **036-180-004**

The County of Napa has recently approved an updated Road & Street Standards which affect this project. Napa County Fire Marshal's Office has reviewed the Use Permit application package for Fortunati Vineyards. 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 Napa County Road & Street Standards.
2. One Way Loop Roads shall be a minimum of 12 feet in width with a 4 foot shoulder and 15 foot vertical clearance.
3. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25 foot taper on each end.
4. Turnarounds are required on driveways and dead end roadways.
5. Roadway radius shall not have an inside radius of less than 50 feet.

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.



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Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: February 25, 2016	Re: Fortunati Vineyards P16-00043

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

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

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

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

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



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David Morrison
Director

MEMORANDUM

To: Jason Hade	From: Gary J. West, Chief Building Official
Date: February 25, 2016	Re: Fortunati Vineyards P16-00043 UP

Building Inspection Division Planning Use Permit Review Comments

Address: 986 Salvador Ave., Napa CA 94558

APN: 036-180-004-000

Project: Fortunati Vineyards P16-00043 UP

Owner: Gary Luchtel & Ellen Reich-Luchtel

Contact: James Jeffrey

Description: Use Permit application to permit the following; 1) 12,000 gallon per year maximum production winery; 2) 1,500 square foot winery building and covered crush pad; 3) Tasting and tours by appointment maximum 10 visitors per day; 4) 10 marketing events per year 30 person maximum; and 5) One full-time employee and one part-time employee.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P16-00043; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for Use Permit application P16-00043 do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

Planning Division
(707) 253-4417

Building Division
(707) 253-4417

Engineering & Conservation
(707) 253-4417

Environmental Health
(707) 253-4471

Parks & Open Space
(707) 259-5933

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit”. The codes adopted at this time are 2013 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and Part 11 Green Buildings.
2. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a “J” number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.
3. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. The plans provided for this Use Permit P16-00043 do not show compliance with the Americans with Disabilities Act and/or the California Building Code (CCBC), chapter 11B, which provides for accessibility in non-residential buildings and sites.
4. All cooking equipment in occupancies other than residential shall be commercial grade. Commercial kitchens are required to comply with the California Mechanical Code. Cooking equipment used in processes producing steam, smoke or grease-laden vapors shall be equipped with an exhaust system that complies with all the equipment and performance requirements of the Mechanical Code, and all such equipment and performance shall be maintained per the Mechanical Code during all periods of operation of the cooking equipment. Specifically, the following equipment shall be kept in good working condition: A. Cooking Equipment. B. Hoods. C. Ducts. D Fans. E. Fire suppression systems. F. Special effluent or energy control equipment. All airflows shall be maintained. Maintenance and repairs shall be performed on all components at intervals necessary to maintain working conditions. If there is not a kitchen proposed for this winery disregard this comment.
5. Fire separation will be required for future guest cottage and deck.
6. The plans do not show processing equipment.
7. Is the processing and wine tasting occupying the same areas?
8. Is the residence planned to be used for offices, commercial, or tasting use?
9. **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.



GARY J. WEST
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