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

**PLANNING COMMISSION HEARING – SEPTEMBER 20, 2017  
RECOMMENDED CONDITIONS OF APPROVAL**

**Truchard Family Winery  
Use Permit No. P14-00330-UP & Variance No. P14-00331-VAR  
4062 Old Sonoma Road, Napa, CA  
APN 043-040-001**

This permit encompasses and shall be limited to the project commonly known as Truchard Family Winery, located at 4062 Old Sonoma Road. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

**PART I**

**1.0 PROJECT SCOPE**

The permit encompasses and shall be limited to:

- 1.1 Approval of a Variance to allow construction of the winery to encroach 178 feet into the required 600 foot setback from Old Sonoma Road.
- 1.2 Approval of a Use Permit for a new 100,000 gallon per year winery to allow the following:
  - a. Construction of a 33,702 sf winery building and a 1,200 sf attached covered crush pad;
  - b. Visitation, tours and tasting, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
  - c. On-premises consumption of wine as set forth in COA No. 4.4 below;
  - d. Establishment of commercial catering kitchen for food and wine pairing activities for tours and tastings and marketing events;
  - e. Provision of food and wine pairings for the tours and tastings;
  - f. Employment of four (4) full time and three (3) part time employees;
  - g. Establishment of hours of operation: Visitation 10:00 a.m. – 6:00 p.m. and non-harvest production 8:30 a.m. - 5:30 p.m. (Monday – Sunday);

- h. Construction of 13 parking spaces including two (2) ADA accessible spaces, and valet parking for large marketing events on the crush pad and outdoor work areas;
- i. Improvement of the southern existing driveway dedicated to winery visitors in conformance with the Napa County Road and Street Standards. The northern driveway to be dedicated for agricultural purposes, employees and production activities of the winery;
- j. Construction of a new entry gate and winery signage for the southern driveway;
- k. Replacement of the existing wooden bridge with a clearspan bridge in compliance with California Department of Fish and Wildlife and Napa County Conservation Regulations;
- l. Construction of an on-site wastewater system with disposal of treated wastewater on vineyards on the adjacent 26 acre parcel (APN: 043-040-003);
- m. On-site water storage tanks and utilizing the existing connection to the Congress Valley Water Department and/or well on the adjacent parcel (APN 043-061-022).

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 permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

## **2.0 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.

## **3.0 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 of approval 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 property owner or permittee. 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 issuance of a 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 a compliance deficiency 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 so warranted, to commence revocation proceedings in accordance with the County Code.

## PART II

### 4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

#### 4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing 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."

Tours and tastings (defined below) 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.

Retail sales of wine shall be permitted as set forth in the County Code.

#### 4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings shall be by appointment only and shall be limited to the following:

- a. Frequency: Seven (7) days per week, Monday through Sunday
- b. Maximum number of persons per day: 40 Weekdays (Monday – Friday)
- c. Maximum number of persons per day: 60 Weekends (Saturday and Sunday) / Holidays
- d. Maximum number of persons per week: 320
- e. Hours of visitation: 10 a.m. – 6:00 p.m.
- f. Food and wine pairings

"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. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times (4:00 p.m. to 6:00 pm weekdays; 12:00 p.m. to 2:00 p.m. Saturdays and Sundays).

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

dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

#### 4.3 MARKETING

Marketing events shall be limited to the following:

- a. Marketing Event 1
  1. Frequency: Two (2) per month
  2. Maximum number of persons: 30
  3. Time of Day: 11:00 am to 10:00 pm
  4. Includes food and wine pairings
  
- b. Marketing Event 2
  1. Frequency: Four (4) per year
  2. Maximum number of persons: 150
  3. Time of Day: 11:00 am to 10:00 pm
  4. Includes meals
  
- c. Portable restrooms to be provided for larger events over 90 people.

"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. 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. 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 cost recovery, 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.

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 p.m. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan, which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery's marketing plan because they are covered by ANV's Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & 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 winery building and adjacent patio areas. 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 Nos.4.2 and 4.3 above.

4.5 RESIDENCE OR NON-WINERY STRUCTURES

Unless specifically authorized by this permit or a previously approved permit, the existing barn located on APN 043-040-003 used for agricultural operations shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

4.6 GRAPE SOURCE

At least 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling 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 Agriculture Commission'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.

4.7 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and 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 the required ABC and/or TTB permits and/or licenses are suspended or revoked, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are reinstated.

Visitation log books, visitor reports, 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 review process.

#### 4.8 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 producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this Permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

#### 4.9 GROUND WATER MANAGEMENT - WELLS

This condition is implemented jointly by the Public Works and PBES Departments:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence<sup>1</sup> indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of Public Works determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of Public Works determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence<sup>1</sup> that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

#### 4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

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<sup>1</sup> Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (4:00 p.m. to 6:00 pm weekdays; 12:00 p.m. to 2:00 p.m. Saturdays and Sundays). 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.

4.12 PARKING

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

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

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized marketing events allowed per COA No. 4.3 above.

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM

The installation, operation and maintenance of the existing reservoir located on APN 043-040-003 shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.
- b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and

building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.

- c. 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. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.
- d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS

Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated February 28, 2017.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated December 8, 2016.
- c. Department of Public Works operational conditions as stated in their Memorandum dated November 23, 2016.
- d. Fire Department operational conditions as stated in their Inter-Office Memo dated September 11, 2017.
- e. Congress Valley Water District operational conditions as stated in their letter dated March 24, 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 County 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 this permit.

- 4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**
- 4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT **[RESERVED]**
- 4.21 PREVIOUS CONDITIONS **[RESERVED]**

### **PART III**

#### **5.0 PREREQUISITE FOR ISSUANCE OF PERMITS**

##### **5.1 PAYMENT OF FEES**

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. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

#### **6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES**

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

##### **6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS**

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' 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:

- a. Engineering Services Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated February 28, 2017.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated December 8, 2016.
- c. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated November 23, 2016.
- d. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated September 11, 2017.

- e. Congress Valley Water District plan review/construction/ preoccupancy conditions as stated in their letter dated March 24, 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 County 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 permit.

## 6.2 BUILDING DIVISION – GENERAL CONDITIONS

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. 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 shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

## 6.3 LIGHTING – PLAN SUBMITTAL

- a. 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 CBC.
- b. 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; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

#### 6.4 LANDSCAPING – PLAN SUBMITTAL

- a. 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 Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. 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.
- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

#### 6.5 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. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

#### 6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. 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 stored item 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.

- b. 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 the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.
- c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. 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 pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. 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.

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES **[RESERVED]**

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.12 PERMIT PREREQUISITE MITIGATION MEASURES

The permittee shall comply with the following permit prerequisite mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

Mitigation Measure IV.1: Prevent Disturbance of Pallid Bat

Prior to construction, the permittee shall have a Bat Habitat Assessment conducted by a qualified biologist. The Habitat Assessment shall evaluate the trees and barn in the immediate vicinity of the overall project area for the presence of bats. The Habitat Assessment shall evaluate the suitable entry points and roost features, and shall provide focused surveys for roosting bats. If a pallid bat species is found, or if suspected roosts for special-status bats are identified, then the Habitat Assessment shall identify suitable performance measures for avoiding impacts as follows:

- a. If hibernation or maternity roosting bats are discovered during the surveys, then a buffer of 100 to 150 feet shall be maintained. No such buffer shall be necessary for day or night roosting bats.
- b. If eviction of bats is necessary, it shall be done by a biologist during the non-breeding season from September 1 to March 31. When evicting bats, by letting them leave and then closing entrances, structures and/or trees shall be removed carefully to avoid harming individuals, and torpid bats given time to completely arouse and fly away.
- c. During the maternity season from April 1 to August 31, prior to construction, a qualified biologist shall determine if a bat nursery is present as potentially housing bats.
- d. If an active nursery is present, disturbance of bats shall be avoided until the biologist determines that breeding is complete and young are reared.

Method of Monitoring:

Prior to issuance of a grading or building permit, the Permittee shall submit the Bat Habitat Assessment to the Planning Division for review and approval.

Responsible Agency(ies): Planning Division

Mitigation Measure IV.2: Prevent Disturbance of Western Pond Turtle

Prior to construction, the permittee shall have a Survey for the presence of western pond turtle conducted by a qualified biologist. The Survey shall evaluate the two ponds and blue line stream in the immediate vicinity of the overall project area for the presence of turtles. If a western pond turtle species is found, then the Survey shall identify suitable performance measures for avoiding impacts as follows:

- a. If turtles are discovered during the surveys, then a buffer of 100 feet shall be maintained until avoidance fencing is installed.
- b. Install silt fencing, or a similar barrier preventing turtle incursion into the construction site, between the limits for work and the adjacent water features where turtle may be present. Fencing shall remain in place during the term of construction, and shall be monitored by the biologist.

Method of Monitoring:

Prior to issuance of a grading or building permit, the Permittee shall submit the Survey for the presence of Western Pond Turtle to the Planning Division for review and approval.

Responsible Agency(ies): Planning Division

Mitigation Measure IV.3: Prevent Significant Impact to Riparian Corridor

Prior to commencing construction of the replacement bridge, the permittee shall secure a Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW). If and when the permittee exercises the option to conduct removal of existing bridge footings, piers, retaining walls, and/or install riprap or conduct other activities within stream channel, prior to commencing these activities within the stream channel the permittee shall secure approval of Nationwide Permit #39 or other appropriate authorization under the Federal Clean Water Act from the U.S. Army Corps of Engineers (USACE). All work performed shall be in conformance with CDFW and USACE requirements.

Method of Monitoring:

Prior to any activities in the Stream Channel (i.e. bridges), the Permittee shall submit to the Planning Division the executed Lake and Streambed Alterations Agreement, Nationwide Permit #39, or other appropriate authorization under the USACE.

Responsible Agency(ies): CDFW; USAC; Planning Division

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. Prior to issuance of any building or grading permit associated with the replacement of the existing wooden bridge, the applicant shall submit to the Planning Division documentation from the California Department of Fish and Wildlife that a Streambed Alteration Agreement has been approved, including any vegetation and monitoring restoration plan.
- b. Prior to issuance of a building permit, the applicant shall prepare and record a water allotment and transfer agreement, as well as, a grant of reservation of utility easement on all involved parcels, to the benefit of the County, in a format approved by County Counsel, that clearly outlines the interrelationship of groundwater uses and restrictions on the winery and vineyard parcels (APNs: 043-040-001 and 043-061-022) to ensure that future property owners are aware of and bound by these agreements.

**7.0 PROJECT CONSTRUCTION**

Permittee shall comply with the following during project construction:

**7.1 SITE IMPROVEMENTS**

Please contact Engineering Services with any questions regarding the following.

a. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by 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.

b. 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.

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. 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.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. 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.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.

8. 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. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **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 California Regional Water Quality Control Board.

7.2 **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 project development, all work in the vicinity must be 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 permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 **CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. 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 daily between the hours of 8 am to 5 pm.

7.4 **CONSTRUCTION MITIGATION MEASURES [RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL [RESERVED]

**8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES**

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. Departments and/or agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

**9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES**

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence.

9.1 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.

9.2 SIGNS

Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. 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 permit approval. All signs shall meet the design standards as set forth in the County Code. At least one legible sign shall be placed at the property entrance with the words “Tours and Tasting by Prior Appointment Only” to inform the public of same. Any off-site signs allowed shall be in conformance with the County Code.

9.3 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows 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 pursuant 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 permit approval.

- 9.4 LANDSCAPING  
Landscaping shall be installed in accordance with the approved landscaping plan.
- 9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**
- 9.6 DEMOLITION ACTIVITIES **[RESERVED]**
- 9.7 GRADING SPOILS  
All spoils shall be removed in accordance with the approved grading permit and/or building permit.
- 9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**
- 9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY
  - a. Prior to issuance of a Final Certificate of Occupancy for the winery, any restoration plan or project mitigation, monitoring and reporting plan required by the California Department of Fish and Wildlife Streambed Alteration Agreement and the U.S. Army Corps of Engineers for the replacement of the existing wooden bridge shall be implemented and installed.



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David Morrison  
Director

## MEMORANDUM

To: Tendai Mtunga Planning Division	From: Patrick C. Ryan Engineering Service
Date: February 28, 2017	Re: <b>Permit No. P14-00330 &amp; 331</b> <b>Truchard Vineyard Winery</b> <b>Conditions of Approval</b> APN: 043-040-003

*[Handwritten signature]*  
2/28/2017

The County of Napa Planning, Building, and Environmental Services Department (PBES), Engineering Division has received a referral for comments on a Use Permit application, generally requesting the following:

*Construction of a new 33,702sf winery and 1,200sf attached covered crush pad to allow an annual wine production of 100,000 gallons with 4 full time and 3 part-time employees; by-appointment tours and tastings including a maximum of 40 visitors during the weekday and 60 visitors on weekend days and holidays; the addition of 12 parking spaces; food and wine pairings; on-site consumption pursuant to AB2004; a commercial catering kitchen; a marketing plan; replacement of an existing bridge; improvements of the existing driveway to conform to the Napa County Road & Street Standards; on-site wastewater system; on-site water storage tank; and a variance to the winery setback from Old Sonoma Road*

After careful review of the Truchard Vineyard Winery Use Permit Minor Modification application the Engineering Division has determined that all items are complete and sufficiently detailed. As long as no additional changes are made to the proposed improvements this Division recommends approval of the project with the following conditions:

### EXISTING CONDITIONS:

1. The County of Napa parcel 043-040-003 is located at 3234 Old Sonoma Road, Napa County, CA.
2. The existing parcel is currently zoned AW, Agricultural Watershed District.
3. The existing parcel is located within Fire Local Responsibility Area (LRA).
4. The existing property is currently developed with an Agricultural Barn, wine grape vineyards and associated infrastructure.
5. The existing property is served by an existing agricultural special purpose road with existing bridge.
6. The existing parcel is part of the Napa River Watershed, Congress Valley Creek tributary.

**RECOMMENDED CONDITIONS:**

**ROAD & STREET STANDARDS:**

1. Any roadway and/or parking areas, proposed new or reconstructed, shall meet the requirements for commercial access as defined in the 2016 Road and Street Standards (RSS), Revised November 22, 2016; and per the accepted construction and inspection practices defined in Federal, State and local codes.
2. Any new or reconstructed bridge shall be designed to provide two-way traffic flow with a minimum width of 20 feet and shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges. Bridges shall be designed to pass a 100-year runoff with a minimum of 2 feet of freeboard. Streams which carry large floating debris may require greater freeboard at bridge sites. Abutments shall be protected from erosion damage which may necessitate use of rip-rap or other suitable material and methods. Abutments on fill material will not be allowed unless supported on piles and the fill is adequately protected from erosion. Piers in the waterway area shall have no opening. Bridges shall generally conform to standards and guidelines of the Caltrans.
3. All roadway improvements shall be completed prior to execution of any new entitlement(s) approved under this Use Permit. The property owner shall obtain a grading permit for all proposed roadway improvements.

**SITE IMPROVEMENTS:**

4. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, surface drainage, storm drainage, and process wastewater conveyance shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Napa County PBES Department Engineering Division prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
5. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
6. Grading and drainage improvements shall be constructed according to the current Napa County RSS, Napa County Stormwater Quality Ordinance 1400, and the California Building Codes (CBC).
7. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County PBES Department Engineering Division evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

**CONSTRUCTION SITE RUNOFF CONTROL REQUIREMENTS:**

8. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with Napa County Stormwater Ordinance 1400 and the latest adopted state

regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.

9. Any construction activity that equals or exceeds one acre of total disturbed area shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of California Regional Water Quality Control Board (CRWQB) and shall file a Notice of Intent (NOI) prior to commencement of any construction activity. The completed SWPPP shall be submitted to the Napa County PBES Department Engineering Division for review.
10. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
11. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
12. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

**POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:**

13. The proposed development is categorized as a Regulated Development Project under Napa County's BASMAA Post-Construction Manual and is required to meet the design criteria of the current Post-Construction Runoff Management / Low-Impact Development Requirements. Per the October 13, 2016 Stormwater Control Plan (SCP), by RSA+, all new and/or reconstructed impervious surface area will be routed to Bioretention facilities or dispersed to other facilities sized and designed according to the criteria in Chapter 4 of the BASMAA Post-Construction Manual.
14. 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.
15. All potential sources of pollutants, as defined in Appendix A of the BASMAA Manual, shall implement the permanent Source Control BMPs for as long as the identified activities (sources) continue at the site.
16. Provide for ongoing Operation and Maintenance Plan including executing a Stormwater Management Facilities Agreement, which runs with the land and provides for periodic inspections and reporting at the facilities owner's expense.

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

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



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David Morrison  
Director

## MEMORANDUM

To: Tendai Mtunga, Project Planner	From: Kim Withrow, Environmental Health Supervisor <i>KW</i>
Date: Revised – December 8, 2016 May 27, 2016	Re: Application for Truchard Vineyards Winery 4062 Old Sonoma Road Assessor Parcel #043-040-001 File P14-00330

The application requesting approval to construct a new winery with production of 100,000 gallons per year and related improvements as described in revised application materials received October 13, and December 12, 2016 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 system subsurface drip system as described in Winery Wastewater Feasibility Report, dated October 13, 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.
2. Plans for the proposed process wastewater treatment and reuse system as described in Winery Wastewater Feasibility Report, dated October 13, 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. Since all or part of the proposed process wastewater system is to be installed on a separate parcel from the facility it is to serve, an agreement to grant a sewage easement or an approved sewage easement must be filed with this Division prior to issuance of a

construction permit and prior to approval of a building clearance for any structure that generates wastewater.

4. 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.
5. Complete plans and specifications for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Division prior to issuance of any building permits for said areas. An annual food permit will be required.
6. A licensed well driller must obtain a permit prior to drilling a well to serve this project as proposed in the water system feasibility report.
7. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. If domestic water is not obtained from a public water supply, plans for a small public water system shall be submitted for review and approval prior to approval of building permits. The applicant shall obtain concurrence from the State Water Quality Control Board in accordance with the California Health and Safety Code, Section 116527. 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.
8. 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:

9. Obtain all required operating permits from this Division prior to final occupancy being granted.
10. 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:

11. 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.

12. 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.
13. 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.
14. 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.
15. The applicant shall provide portable toilet facilities for guest use on days where more than 90 persons are onsite 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.
16. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
17. 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.



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Department of Public Works

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[www.countyofnapa.org/publicworks](http://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: November 23, 2016	Re: Truchard Winery P14-00330

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 proposed project plans, as well as the *Traffic Analysis for the Truchard Vineyards Winery*, prepared by W-Trans and dated January 28, 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 not required.** I concur with the traffic study that the project as proposed does not meet the warrants for installation of a left-turn lane on Old Sonoma Road at the project access driveway.

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

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

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.



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Napa County Fire Department  
Fire Marshal's Office  
Hall of Justice, 2nd Floor  
1125 3rd Street  
Napa, CA 94559

Office: (707) 299-1461

Garrett Veyna  
Fire Marshal

## MEMORANDUM

TO: Planning Division	DATE: 09/11/2017
FROM: Garrett Veyna Fire Department	
SUBJECT: P14-00330/ 331	APN: 043-040-003

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

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance.
2. An approved automatic fire sprinkler system shall be required for all proposed structures 3,600 feet or greater. The production building will require an automatic fire sprinkler system installed and maintained in accordance with the National Fire Protection Association Standard (NFPA) #13 (Installation of Automatic Sprinkler Systems 2013 edition). A minimum of 60 minutes of water storage to operate the sprinkler system will be required.
3. The minimum required fire flow for the protection of the proposed project is 1250 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 75,000 gallons. The fire flow is based on the square footage of the building and the construction type and has been reduced by 50% since the building will require automatic fire sprinkler protection. The fire flow and storage volume in a sprinklered building is in addition to the water demand for the sprinkler system.
4. 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 (NFPA) #20 (Installation of Stationary Pumps for Fire Protection 2013 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.
5. The private fire service mains shall be installed and maintained in accordance with the National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 2013 edition).



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Garrett Veyna  
Fire Marshal

## MEMORANDUM

6. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the California Fire Code, 2013 edition. Fire hydrants shall be placed within 250 feet of all exterior portions of the building.
7. All post indicator valves, control valves, waterflow devices and fire pumps will also 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, 2013 edition).
8. Fire apparatus access roads shall be provided to within 150 feet of all portions of the structures. 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.
9. 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.
10. 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.
11. 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 and vertical clearance of 13'6".
12. A defensible space zone shall be created around all structures. This defensible space zone shall be 100' from all portions of a structure. 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.
13. The request for beneficial occupancy will not be considered until all fire and life safety issues have been installed, tested and finalized.
14. 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



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Fire Marshal

## MEMORANDUM

in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.

15. The approved address numbers shall be placed on the building by the applicant in such a position as to be plainly visible and legible from the street or streets fronting the property and shall be placed as to be seen 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 6" in height for the building, contrasting in color with their background and shall be illuminated.

16. 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.

17. Show all gates on civil plans. All gates to conform with Napa County Standards and submitted under separate permit. All gates to have an electric Knox key switch or Knox pad lock.

18. 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 or on signs.

19. 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.

20. Currently serviced and tagged fire extinguishers with a minimum rating of 2A10BC shall be provided within 75 feet of travel distance from any portion of the facility and shall be mounted 3 1/2 to 5 feet to the top of the extinguisher.

21. All exit doors shall be operable without the use of a key or any special knowledge or effort.

22. Illuminated exit signs and emergency back up lighting shall be installed throughout the building per the California Building Code, section 1004, 2013 edition.



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## MEMORANDUM

23. A Knox cabinet and all weather housing unit (model #1307 and #1201) will be required to allow emergency vehicle access to the site. Because an alarm system is required, the Knox box/cabinet will require "tamper monitoring".

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. Napa County Fire Marshal's Office Development Guidelines can be found @ [www.countyofnapa.org/firemarshal](http://www.countyofnapa.org/firemarshal). Should you have any questions of me, contact me at (707)299-1461 or email at [garrett.veyna@fire.ca.gov](mailto:garrett.veyna@fire.ca.gov)

**MITIGATION MONITORING AND REPORTING PROGRAM**

TRUCHARD FAMILY WINERY / USE PERMIT #P14-00330-UP & VARIANCE #P14-00331-VAR (APN 043-061-022)

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<b>Biological Resources (Section IV)</b>			
<p>1. Prevent Disturbance of Pallid Bat:</p> <p>Prior to construction, the permittee shall have a Bat Habitat Assessment conducted by a qualified biologist. The Habitat Assessment shall evaluate the trees and barn in the immediate vicinity of the overall project area for the presence of bats. The Habitat Assessment shall evaluate the suitable entry points and roost features, and shall provide focused surveys for roosting bats. If a pallid bat species is found, or if suspected roosts for special-status bats are identified, then the Habitat Assessment shall identify suitable performance measures for avoiding impacts as follows:</p> <ul style="list-style-type: none"> <li>a. If hibernation or maternity roosting bats are discovered during the surveys, then a buffer of 100 to 150 feet shall be maintained. No such buffer shall be necessary for day or night roosting bats.</li> <li>b. If eviction of bats is necessary, it shall be done by a biologist during the non-breeding season from September 1 to March 31. When evicting bats, by letting them leave and then closing entrances, structures and/or trees shall be removed carefully to avoid harming individuals, and torpid bats given time to completely arouse and fly away.</li> <li>c. During the maternity season from April 1 to August 31, prior to construction, a qualified biologist shall determine if a bat nursery is present as potentially housing bats.</li> <li>d. If an active nursery is present, disturbance of bats shall be avoided until the biologist determines that breeding is complete and young are reared.</li> </ul>	<p>Permittee/Planning Division</p>	<p>a. Prior to issuance of a grading or building permit, the Permittee shall submit the Bat Habitat Assessment to the Planning Division for review and approval.</p>	<p>Planning Division</p> <p align="center">_/_/_</p>
<p>2. Prevent Disturbance of Western Pond Turtle</p> <p>Prior to construction, the permittee shall have a Survey for the presence of western pond turtle conducted by a qualified biologist. The Survey shall evaluate the two ponds and blue</p>	<p>Permittee/Planning Division</p>	<p>b. Prior to issuance of a grading or building permit, the Permittee shall submit the Survey for the presence of Western Pond Turtle to the Planning Division for review and approval.</p>	<p>Planning Division</p> <p align="center">_/_/_</p>

Mitigation Measure	Monitoring Responsibility	Monitoring/Reporting Action and Schedule	Monitoring Compliance Complete (Name / Date)
<p>line stream in the immediate vicinity of the overall project area for the presence of turtles. If a western pond turtle species is found, then the Survey shall identify suitable performance measures for avoiding impacts as follows:</p> <ul style="list-style-type: none"> <li>a. If turtles are discovered during the surveys, then a buffer of 100 feet shall be maintained until avoidance fencing is installed.</li> <li>b. Install silt fencing, or a similar barrier preventing turtle incursion into the construction site, between the limits for work and the adjacent water features where turtle may be present. Fencing shall remain in place during the term of construction, and shall be monitored by the biologist.</li> </ul> <p>3. Prevent Significant Impact to Riparian Corridor Prior to commencing construction of the replacement bridge, the permittee shall secure a Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW). If and when the permittee exercises the option to conduct removal of existing bridge footings, piers, retaining walls, and/or install riprap or conduct other activities within stream channel, prior to commencing these activities within the stream channel the permittee shall secure approval of Nationwide Permit #39 or other appropriate authorization under the Federal Clean Water Act from the U.S. Army Corps of Engineers (USACE). All work performed shall be in conformance with CDFW and USACE requirements.</p>	<p>Permittee/Planning Division</p>	<p>c. Prior to any activities in the Stream Channel (i.e. bridges), the Permittee shall submit to the Planning Division the executed Lake and Streambed Alterations Agreement, Nationwide Permit #39, or other appropriate authorization under the USACE.</p>	<p>Planning Division</p> <p>__/__/__</p>