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

Regusci Winery, Major Modification to Use Permit P16-00307
& Request for Exception to Road and Street Standards
Planning Commission Hearing Date, November 15, 2017

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

**Regusci Winery
Use Permit Major Modification &
Request for Exception to the Napa County Road & Street Standards
Application No. P16-00307
5584 Silverado Trail, Napa
Assessor's Parcel No. 039-030-023**

This permit encompasses and shall be limited to the project commonly known as Regusci Winery, located at 5584 Silverado Trail, Napa. 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

This permit encompasses and replaces the terms of Use Permit No. 95550-UP and shall be limited to:

- 1.1 An exception to the Napa County Road and Street Standards to allow exclusion of the two-foot wide shoulder in each location where the winery's private access road from Silverado Trail abuts an existing, mature walnut tree.
- 1.2 Approval to modify an existing winery, previously approved under Use Permit No. 95550-UP, to allow the following:
 - a. Increase annual production from 25,000 gallons to 50,000 gallons of wine;
 - b. Utilization of approximately 22,000 square feet of existing building interior space and approximately 4,700 square feet of outdoor production space for wine production and winery accessory uses. Of the 22,000 square feet of building interior space, approximately 7,400 square feet is utilized for winery accessory uses that include administrative offices, a tasting room and commercial kitchen;
 - c. Visitation, tours and tasting, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
 - d. On-premises consumption of wine as set forth in COA No. 4.4 below;

- e. Winery hours of operation between 9:00 a.m. and 5:00 p.m., daily, with operation of a winery tasting room between the hours of 10:00 a.m. and 4:00 p.m., daily;
- c. A maximum of 16 full-time and part-time winery employees;
- d. Up to 17 winery employee and visitor parking spaces;
- e. Operation of a commercial kitchen for preparation of food for events and food and wine pairings
- f. Operation of a transient non-community water system;
- g. Widening of the existing private access roadway to 20 feet with two-foot shoulders, with exceptions as noted in COA No. 1.1, above;
- h. Replacement of four, 100,000-gallon aboveground tanks with one, maximum 15-foot tall steel tank for storage of between 65,000 and 100,000 gallons of water for fire suppression purposes, in the wooded hillside east of the winery buildings; and
- i. Installation of various other utilities and facilities on-site to support the winery operation, including a fire hydrant; a pond northwest of the winery, for storage of up to one acre-foot of treated process wastewater to be reused for vineyard irrigation; a pond infiltration and pumping system; a Lyve or equivalent wastewater treatment system with related aboveground equipment and tanks; and directional traffic markings and signage;

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: Monday through Sunday
- b. Maximum number of persons per day: 150
- c. Maximum number of persons per week: 400
- d. Hours of visitation: 10:00 a.m. to 4:00 p.m.
- e. Winery tours and tastings shall not occur on any day when a 150-person or 200-person marketing event is held that begins before 6:00 p.m.

"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 between 1:45 p.m. and 2:45 p.m. on weekend days (weekend peak hour is 4:30 p.m. to 5:30 p.m., after close of the tasting room), as specified in the traffic analysis prepared by Omni-Means Engineering Solutions and dated June 2017.

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. Food and Wine Pairings
 1. Frequency: Four days per week
 2. Maximum number of persons: 12
 3. Time of Day: 11:00 a.m. to 10:00 p.m.

- b. Marketing Event
 1. Frequency: 10 times per year
 2. Maximum number of persons: 50
 3. Time of Day: 11:00 a.m. to 10:00 p.m.

- c. Marketing Event
 1. Frequency: Five times per year
 2. Maximum number of persons: 150
 3. Time of Day: 11:00 a.m. to 10:00 p.m.

- d. Marketing Event
 1. Frequency: Once per year
 2. Maximum number of persons: 200
 3. Time of Day: 11:00 a.m. to 10:00 p.m.

"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 (County Code).

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: a) the uncovered area west of Building D and the wooded area just southeast of Building E, as those buildings are labeled on the plans submitted with P16-00307 – MOD; b) the existing lawn area southeast of the winery garden and northwest of a bank of existing visitor parking stalls; and c) the grass area northwest of the winery garden, adjacent to the planned recycled water storage pond. 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 single-family residences and farm labor dwelling shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If any 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 evidence¹ 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 evidence¹ 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.

4.11 TRAFFIC

¹ 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.

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 (4:30 p.m. to 5:30 p.m. on weekdays, and 1:45 p.m. to 2:45 p.m. on weekend days). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Road 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 reclaimed water irrigation pond 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 August 3, 2017.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated September 20, 2017.
- c. Building Division operational conditions as stated in their Memorandum dated March 3, 2017.
- d. Fire Department operational conditions as stated in their Inter-Office Memo dated September 11, 2017, except that the design and construction of the private access road between the winery and Silverado Trail may be modified as described in COA No. 1.1, above.

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

- a. **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. 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.

b. **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.

4.21 **PREVIOUS CONDITIONS**

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

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 August 3, 2017.

- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated September 20, 2017.
- c. Building Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated March 3, 2017.
- d. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated September 11, 2017, except that the design and construction of the private access road between the winery and Silverado Trail may be modified as described in COA No. 1.1, above.

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.
- c. 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, Americans with Disabilities 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-inch 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 **[RESERVED]**

6.9 HISTORIC RESOURCES

All permitted work performed on any historic resources shall follow the latest edition of the Secretary of the Interior's Standards for Historic Preservation and Guidelines for Treatment of Historic Properties (Standards). Written verification that such work meets the Standards shall be submitted by a qualified historic architect for review and approval by the PBES Department prior to issuance of any grading or building permit.

6.10 DEMOLITION ACTIVITIES

- a. Final demolition plans of the 10,000-gallon, aboveground water tanks shall be submitted for building permit issuance. A site plan prepared by a qualified professional shall denote streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities are allowed within established stream setbacks unless specifically approved as part of this permit in COA No. 1.0 (Scope) above. As determined by the PBES Director or designee, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.
- b. A landscape plan or restoration plan for the demolition area (existing residential and accessory structures) shall be submitted showing how the area will be restored to its natural vegetation state to the extent feasible. The landscape plan shall be approved by the PBES Director or designee prior to installation.

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

6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. PRIVATE ACCESS DRIVEWAY IMPROVEMENTS

The permittee shall obtain a grading permit prior to commencing construction of the widening of the existing private access roadway to 20 feet with two-foot shoulders, with exceptions as noted in COA No. 1.1, above.

b. BUILDING CODE COMPLIANCE FOR MODIFICATIONS OF INTERIOR SPACES

Within 40 calendar days of the date of this approval, the permittee shall meet with the Chief Building Official or the Chief Building Official's designee (designee), in order to identify all corrective measures necessary to achieve compliance with Building Code and Title 24 Accessibility requirements, with emphasis on the accessory use areas established in Buildings C and E, as those buildings are labeled on the plans submitted with the Use Permit Major Modification application. The permittee may request a code compliance site inspection from the Chief Building Official or designee, in order to facilitate the effort of identifying the corrective measures necessary to achieve such compliance.

Within 60 calendar days of the date of that meeting between the permittee and Chief Building Official, the permittee shall submit to the Building Division of the PBES Department an application for building permit to correct any identified items of non-compliance with Building Code and Title 24 Accessibility requirements. Upon receiving a building permit for the work, the permittee shall complete construction within 60 days of building permit issuance.

Consistent with the allowances provided in County Code Section 15.04.070, the Chief Building Official may extend either 60-day period specified in this Condition 4.20.a, taking into consideration the severity of the code violation or other factors that the Chief Building Official determines are reasonable. Any request for extension of time must be submitted by the permittee and received by the Chief Building Official before the end of the timelines specified herein, as those timelines may be extended by the Chief Building Official.

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 miles per hour.

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 miles per hour.
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 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 8:00 a.m. to 5:00 p.m.

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 **[RESERVED]**

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

All demolition activities associated with the removal of the existing water tanks shall be completed, landscaping installed, and debris cleared from the subject parcel.

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. COMPLETION OF PRIVATE DRIVEWAY IMPROVEMENTS

The permittee shall complete the widening of the existing private access roadway to 20 feet with two-foot shoulders, with exceptions as noted in COA No. 1.1, above, prior to increasing visitation or conducting marketing event activities as specified in this permit.

**PREVIOUS CONDITIONS
EXHIBIT A**

**Regusci Winery
Use Permit Major Modification &
Request for Exception to the Napa County Road & Street Standards
Application No. P16-00307
5584 Silverado Trail, Napa
Assessor's Parcel No. 039-030-023**

Each of the previous conditions of Use Permit No. 95550-UP have either been completed by the permittee, as in the case of construction of the left-turn lane on Silverado Trail, or have been superseded by the scope of the current use permit and the updated standardized language in the above conditions of approval.



A Tradition of Stewardship
A Commitment to Service

David Morrison
Director

MEMORANDUM

To: Dana Ayers, Planning	From: Daniel Basore, Engineering <i>DB</i>
Date: August 3, 2017	Re: P16-00307 Regusci Winery Modification APN: 039-030-023

The Engineering and Conservation division ('Engineering') has reviewed the use permit application P16-00307 for the Regusci Winery Modification located on assessor's parcel number 039-030-023. In general the project proposes the following:

"An increase in visitation and wine production. No changes to the size and occupancy of the facility structures are proposed"

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

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. Should the existing outdoor/uncovered loading/unloading areas and/or processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, be modified, expanded and/or improved in the future, Napa County may require these area to be paved and performed undercover.
2. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

PREREQUISITES FOR ISSUANCE OF PERMITS

3. All roadway construction associated with this application shall conform to the Road Exception Evaluation composed by this Division, dated August 3, 2017 enclosed herin, and per the accepted construction and inspection practices defined in Federal, State, and Local codes.

4. Any roadway, access driveway, and parking areas not included in the above mentioned Road Exception Evaluation 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.
5. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
6. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
7. **Prior to issuance of a building 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 Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

8. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification. **** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

9. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Daniel Basore from Napa County Planning, Building, and Environmental Services Department, Engineering and Conservation Division, at (707)259-8328 or by email at Daniel.Basore@countyofnapa.org



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Dana Ayers, Planning	From: Daniel Basore, Engineering <i>DB</i>
Date: August 3, 2017	Re: P16-00307 Regusci Winery Modification Road Exception Evaluation APN: 039-030-023

ROAD EXCEPTION REQUEST:

The Engineering Services Division received a request, dated June 28, 2017 for an exception to the Napa County Road and Street Standards (NCRSS) for the Regusci Winery Use Permit Modification. Access to the subject parcel is via a shared private drive off of Silverado Trail. The shared private drive currently provides access to three (3) residences, a vineyard development, and Regusci Winery. The private drive is 12 to 20 feet wide paved with a gravel shoulder varying from 6 to 11 feet with gentle longitudinal slopes (1-5%).

The Regusci Winery Modification project proposes roadway improvements to provide safe ingress and egress to the winery site while providing the same practical effect as the 2016 NCRSS. The project seeks an exception to the NCRSS to allow for a reduced commercial roadway width in several areas along STA 9+00 to STA 21+00 to preserve existing fully mature walnut trees. All other portions of the driveway will be improved to conform to the requirements as outlined in the NCRSS.

ENGINEERING DIVISION EVALUATION AND RECOMMENDATION:

Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the RSS as adopted by Resolution No. 2016-131 by the Board of Supervisors on October 4, 2016, this division has determined the following:

COMMERCIAL ROADWAY WIDTH REDUCTION EXCEPTION:

The request to an exception for a reduction in commercial roadway width based upon constraints from existing topographical features, trees, steep slopes, and setback from the natural water course as allowed by the NCRSS Section 3, (d)i and (d)ii. For this project specifically to preserve "...other trees of at least 6" diameter breast height and found by the decision-maker to be of significant importance..." The improvement achieves the same overall practical effect of the RSS by providing defensible space and consideration toward life, safety and public welfare by providing the following permanent measures:

1. Horizontal and Vertical vegetation management shall be implemented along the entire length of the private lane and around any existing and proposed structures to create defensible space.
2. The existing driveway will be widened and paved to 20 feet plus 2 feet of gravel shoulder where the trees are not located. In the areas where there is an existing walnut tree, the driveway will be widened and paved to a maximum of 20 feet up to the walnut tree. The driveway is flat with longitudinal slopes ranging from 1-5% and two existing paved turnouts at STA 11+00 and 17+00. Additionally, there is a clear line of sight throughout the driveway.
3. The one way loop road that provides access around the winery facilities is proposed to be improved with three (3) new standard turnouts each providing a fire hydrant and able to serve as a fire truck staging area.

ENGINEERING DIVISION EXCEPTION SUPPORT:

The Request has provided the necessary documentation as required by RSS Section 3(D) for the Engineering Division to support the Exception Request for approval by the required approving body. The following conditions are in addition to any and all conditions placed on the project as part of this application:

1. The roadway shall be constructed and maintained to the approved condition prior to new commercial use and occupancy and throughout the life of the parcel or until such time the County deems that future road design changes or changes in use of this roadway beyond the use proposed shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.
2. The private drive surface shall be periodically maintained by the property owner to assure sufficient structural section for loading conditions equivalent to the H20-44 criterion and the design Traffic Index.

ATTACHMENTS

1. Exception Request prepared by Delta Consulting and Engineering dated June 28, 2017.



June 28, 2017

Patrick Ryan
Napa County Planning Building and Environmental Services
1195 Third Street, 2nd Floor
Napa, California 94559

Subject: Use Permit Modification Road Exception Request
Regusci Winery
5584 Silverado Trail
Napa, CA 94558
APN: 039-030-023

Patrick,

This letter is to request specific exceptions to the Napa County Road and Street Standards (RSS) dated November 22, 2016, for an existing driveway from Silverado Trail to an existing winery located on the subject parcel. The parcel is currently accessed by a 12 to 20 feet private paved driveway with a gravel shoulder varying 6 to 11 feet. The subject parcel is flat with slopes ranging from 1-5% and has a ditch on the east side of the driveway approximately 20 feet away.

Approval of all projects which require a use permit will be conditioned to meet the RSS. These standards include: driveway sufficient to meet the common driveway standard of twenty feet in width with a maximum centerline slope of 18%, horizontal curves with a minimum inside radius of 50 feet, and vertical curves with a minimum length of 100 feet. In certain cases, meeting these standards is limited due to environmental or legal constraints. In these cases, the RSS allows for exceptions to the RSS be submitted for consideration by the Napa County Fire and Engineering Services departments.

Exception requests are reviewed to determine whether the requested substandard alternative or mitigation provides the "same overall practical effect" as the standard. Road exceptions, after review and hearing, are granted by the County Zoning Administrator, Planning Director, Planning Commission, or other approving body. Monetary hardship shall not be considered as a basis for an exception. If the proposed winery is approved, the existing driveway must meet the RSS requirements unless an exception is granted. Based on research, ground survey, and site visits, the driveway has certain constraints which preclude from meeting these standards.

Pursuant to section 3.D of the RSS, in order for exceptions to the RSS to be granted, certain findings are required to be made which include:

1. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of at least 6" diameter a breast height and found by the decision-maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like;
2. The exception is necessary to accommodate physical site limitations such as grade differentials; and/or
3. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.



Exceptions to the State Responsibility Area (SRA) Fire Safe Regulations are only allowed "where the exceptions provide the same practical effect as 'the SRA Fire Safe Regulations' towards providing defensible space." Exceptions to the SRA Fire Safe Regulations shall be made on a case-by-case basis only as noted on pages 3 and 4 in the RSS.

This letter shall be considered a formal request for an exception from the RSS for the access drive based on environmental and/or legal constraints which are described below. Included with this request letter is a set of exhibits which detail the sections of the drive which meet the standard, do not meet the standard where exceptions are being requested, and sections where mitigation improvements are proposed to allow the drive to meet the same overall practical effects of the RSS. The plans are titled Regusci Winery: Road Exception Exhibit dated June 28, 2017.

Road Exception Request Descriptions

Exception #1: Station 9+00 to 21+00

Request for driveway to be less than 20 feet paved with the two foot wide gravel shoulder

The current driveway ranges from 13 feet to 19 feet paved with a gravel shoulder varying from 7 feet to 1 foot. Due to the existing fully mature walnut trees, widening the driveway to 20 feet paved plus 2 feet of gravel shoulder would damage and ultimately kill the walnut trees. The walnut trees are part of the natural surrounding environment and preserves the site's unique features.

Proposed Mitigation

The walnut trees are spaced along the specified station range approximately every 25 feet. The existing driveway will be widened and paved to 20 feet plus the 2 feet of gravel shoulder where the trees are not located. In the areas where there is an existing walnut tree, the driveway will be widened and paved to a maximum of 20 feet up to the walnut tree. The driveway is flat with slopes ranging from 1-5% longitudinal slope and there are two paved turnouts at station 11+00 and 17+00. Additionally, there is clear line of sight from the beginning to the end of the driveway. With the flat slope, widening of driveway where feasible, and clear line of sight, the existing paved driveway and gravel shoulder provides the same overall practical effect as if the paved driveway were to be widened to 20 feet with the 2 feet of gravel shoulder. See the attached road exception exhibit for more information on the existing driveway specifications.

Summary

The applicant proposes to widen and improve the driveway per the RSS where feasible. The reason for the road exception request is to preserve the natural environment to the maximum extent.

All sections of the common driveway not requesting a road exception will meet the RSS after the road improvements are completed as discussed in this letter.

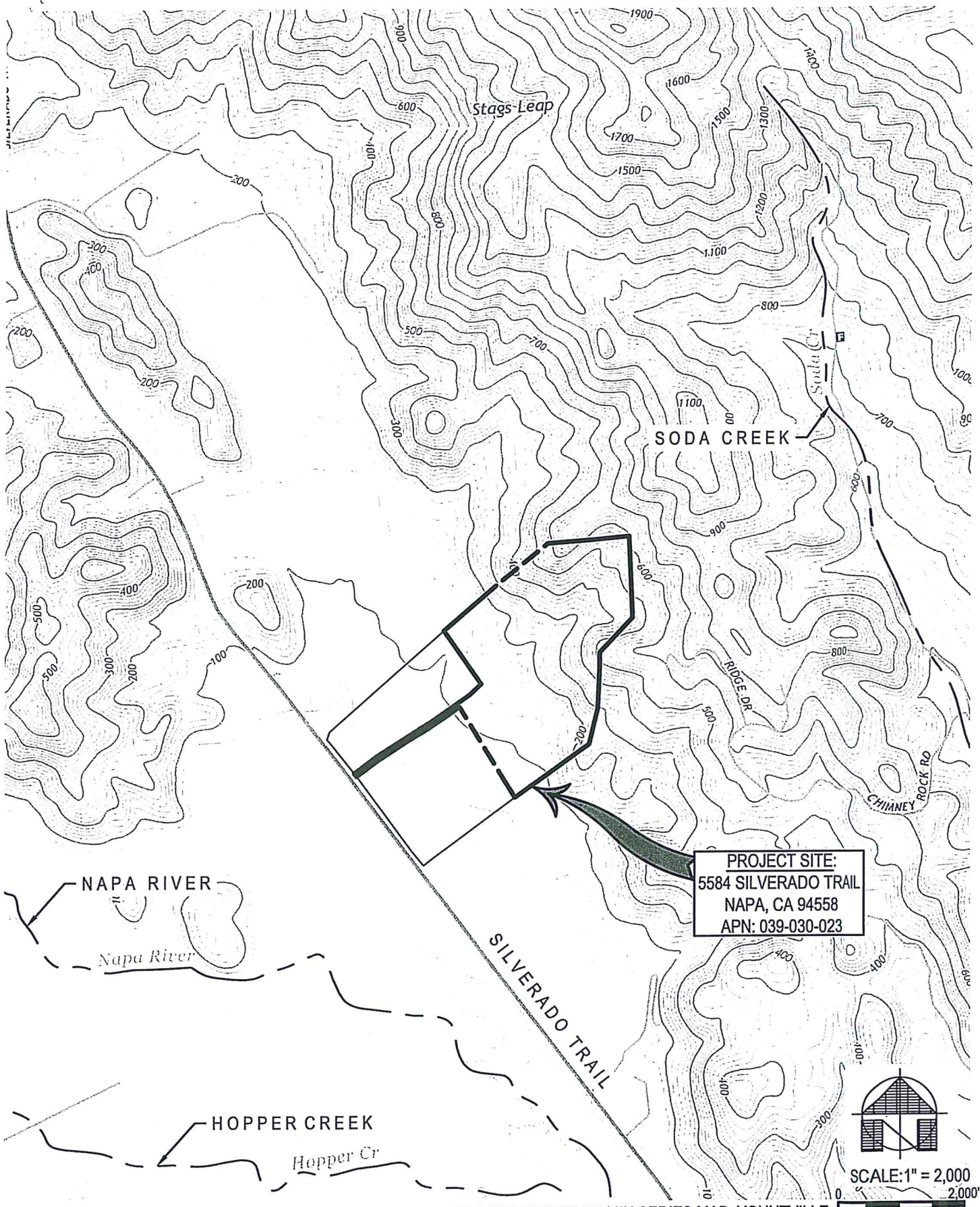
It is our request that this modification to the RSS be approved with the proposed improvements described above.

Please feel free to contact me if you have any questions.

Sincerely,



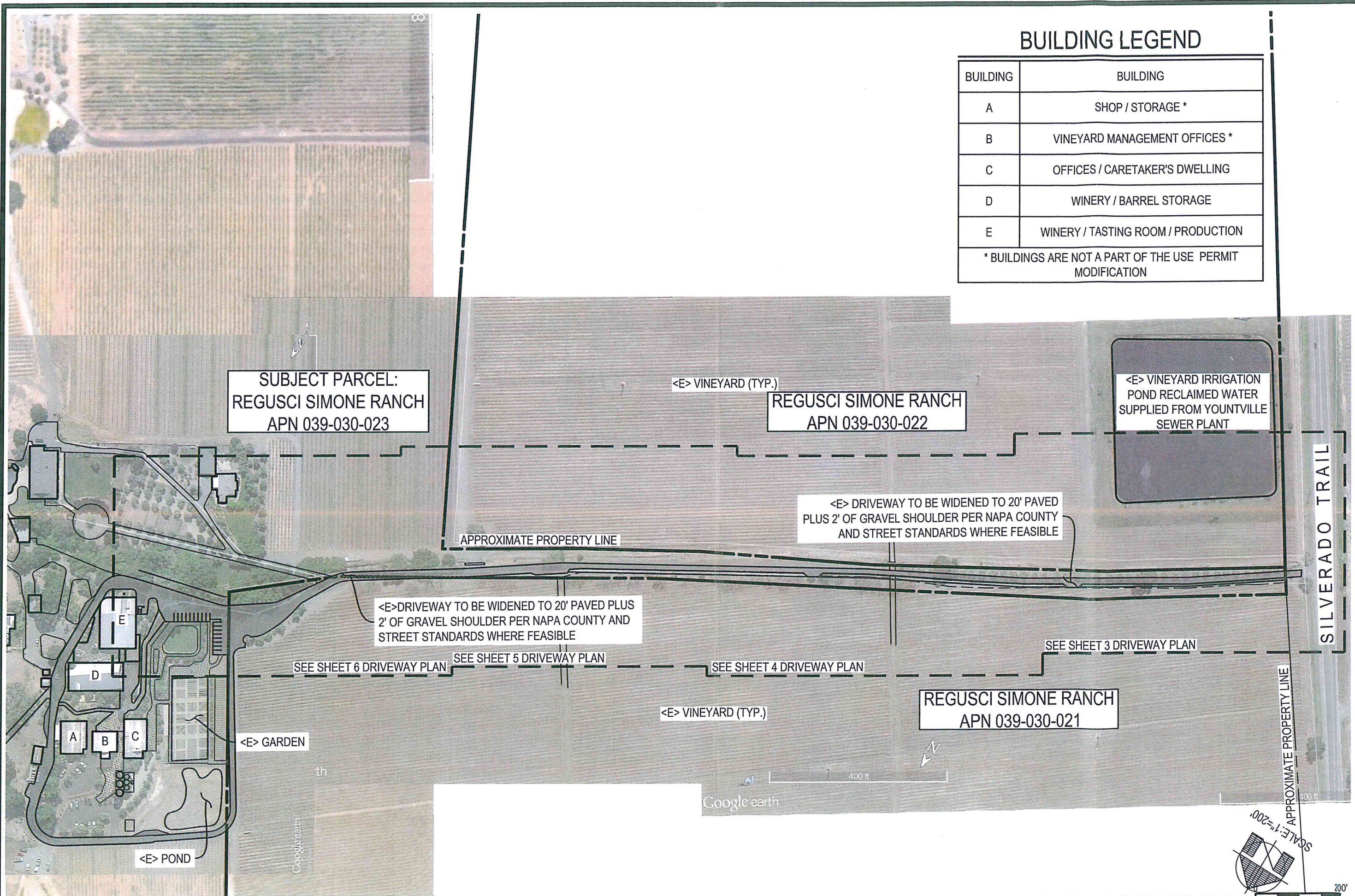
Kevin Zhang, P.E.
Project Engineer
kzhang@deltacivil.com



MAP FROM USGS 7.5 MIN SERIES MAP: YOUNTVILLE

REGUSCI WINERY ROAD EXCEPTION VICINITY MAP

DELTA CONSULTING & ENGINEERING OF ST. HELENA 1104 ADAMS STREET, SUITE 203 - ST. HELENA, CALIFORNIA 94574 707-963-8456 + 707-963-8528 FAX		SHEET 1 OF 6		
DATE:	06/28/2017		JOB #	O1-60
SCALE:	1"=2,000'		APN:	039-030-023



BUILDING LEGEND

BUILDING	BUILDING
A	SHOP / STORAGE *
B	VINEYARD MANAGEMENT OFFICES *
C	OFFICES / CARETAKER'S DWELLING
D	WINERY / BARREL STORAGE
E	WINERY / TASTING ROOM / PRODUCTION
* BUILDINGS ARE NOT A PART OF THE USE PERMIT MODIFICATION	

SUBJECT PARCEL:
REGUSCI SIMONE RANCH
APN 039-030-023

REGUSCI SIMONE RANCH
APN 039-030-022

REGUSCI SIMONE RANCH
APN 039-030-021

<E> VINEYARD IRRIGATION
POND RECLAIMED WATER
SUPPLIED FROM YOUNTVILLE
SEWER PLANT

<E> DRIVEWAY TO BE WIDENED TO 20' PAVED
PLUS 2' OF GRAVEL SHOULDER PER NAPA COUNTY
AND STREET STANDARDS WHERE FEASIBLE

<E> DRIVEWAY TO BE WIDENED TO 20' PAVED PLUS
2' OF GRAVEL SHOULDER PER NAPA COUNTY AND
STREET STANDARDS WHERE FEASIBLE

SEE SHEET 6 DRIVEWAY PLAN

SEE SHEET 5 DRIVEWAY PLAN

SEE SHEET 4 DRIVEWAY PLAN

SEE SHEET 3 DRIVEWAY PLAN

<E> VINEYARD (TYP.)

<E> VINEYARD (TYP.)

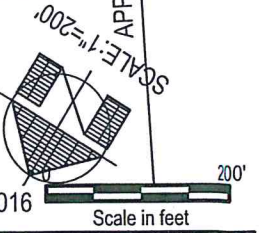
<E> GARDEN

<E> POND

APPROXIMATE PROPERTY LINE

APPROXIMATE PROPERTY LINE

SILVERADO TRAIL



<E> VINEYARD IRRIGATION POND RECLAIMED
WATER SUPPLIED FROM YOUNTVILLE SEWER PLANT

SUBJECT PARCEL:
REGUSCI SIMONE RANCH
APN 039-030-023

SUBJECT PARCEL:
REGUSCI SIMONE RANCH
APN 039-030-023

REGUSCI SIMONE RANCH
APN 039-030-022

<E> DRIVEWAY TO BE WIDENED TO
20' PAVED PLUS 2' OF GRAVEL
SHOULDER PER NAPA COUNTY
ROAD AND STREET STANDARDS*

<E> 18' GATE TO BE WIDENED TO 20' AND
TO PROVIDE AN ADDITIONAL 2' OF
CLEARANCE FOR A TOTAL OF 22' PER NAPA
COUNTY ROAD AND STREET STANDARDS

<E> DITCH

APPROXIMATE PROPERTY LINE

TO OAK KNOLL AVENUE

SILVERADO TRAIL

TO YOUNTVILLE CROSS ROAD

<E> LEFT TURN LANE

APPROXIMATE PROPERTY LINE

6+00 5+00 4+00 3+00 2+00 1+00 0+00

<E> EGR

APPROXIMATE PROPERTY LINE

<E> GATE TO BE WIDENED TO 20'
AND TO PROVIDE AN ADDITIONAL
2' CLEARANCE FOR A TOTAL OF
22' PER NAPA COUNTY ROAD
AND STREET STANDARDS

18'

15'

LOOKING EAST FROM SILVERADO
TRAIL TOWARD REGUSCI WINERY

STATION 0+00

<E> VINEYARDS

<E> PAVED TURNOUT

20.5'

9'

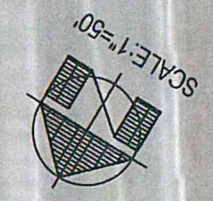
12.5'

LOOKING EAST TOWARD
REGUSCI WINERY

~ STATION 3+50

MATCHLINE SEE SHEET 3

OUT



DRIVEWAY PLAN STA: 0+00 -6+00

IMAGE TAKEN FROM GOOGLE EARTH PRO DATED 08/13/2016

REGUSCI WINERY ROAD EXCEPTION
DRIVEWAY PLAN
NAPA CA

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OF ST. HELENA
1104 ADAMS STREET, SUITE 203 - ST. HELENA, CALIFORNIA 94574
707-963-8456 + 707-963-8528 FAX

DATE: 06/28/2017
SCALE: 1"=50'
JOB #: O-160
APN: 039-030-023

3 OF 6

MATCHLINE SEE SHEET 5

SUBJECT PARCEL:
REGUSCI SIMONE RANCH
APN 039-030-023

<E> DRIVEWAY TO BE
WIDENED TO 20' PAVED
PLUS 2' OF GRAVEL
SHOULDER PER NAPA
COUNTY ROAD AND
STREET STANDARDS*

STA 9+00-21+00
ROAD EXCEPTION #1
ROAD WIDTH LESS THAN STANDARD



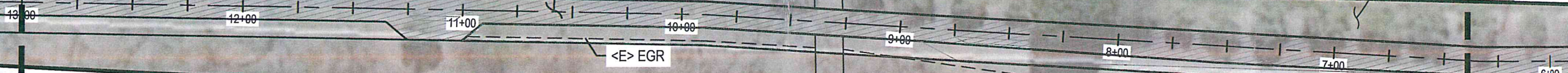
SUBJE
REGUSCI SIM
APN

<E> DITCH

<E> DITCH

<E> CULVERT

APPROXI

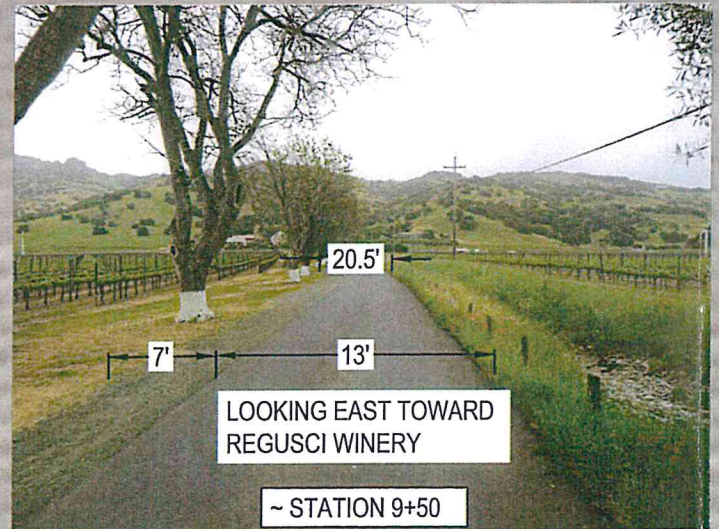


APPROXIMATE PROPERTY LINE



LOOKING EAST TOWARD
REGUSCI WINERY

~ STATION 12+00

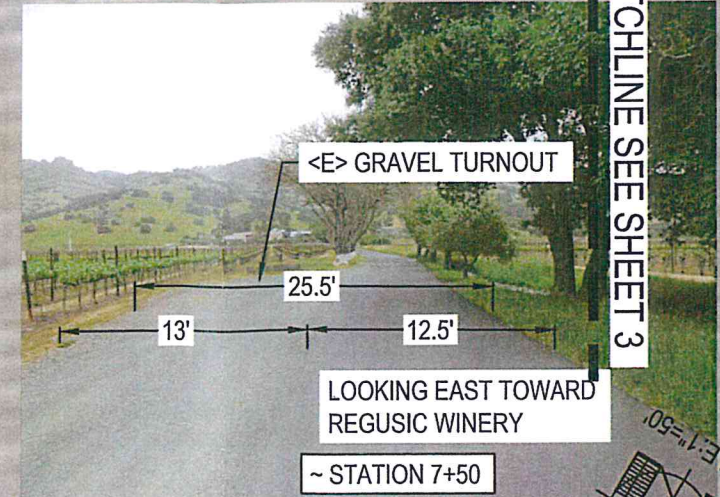


LOOKING EAST TOWARD
REGUSCI WINERY

~ STATION 9+50

<E> VINEYARD ACCESS ROAD

REGUSCI SIMONE RANCH
APN 039-030-021

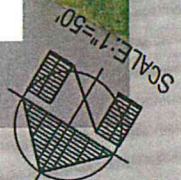


<E> GRAVEL TURNOUT

LOOKING EAST TOWARD
REGUSCI WINERY

~ STATION 7+50

MATCHLINE SEE SHEET 3



DRIVEWAY PLAN STA: 6+00 -13+00

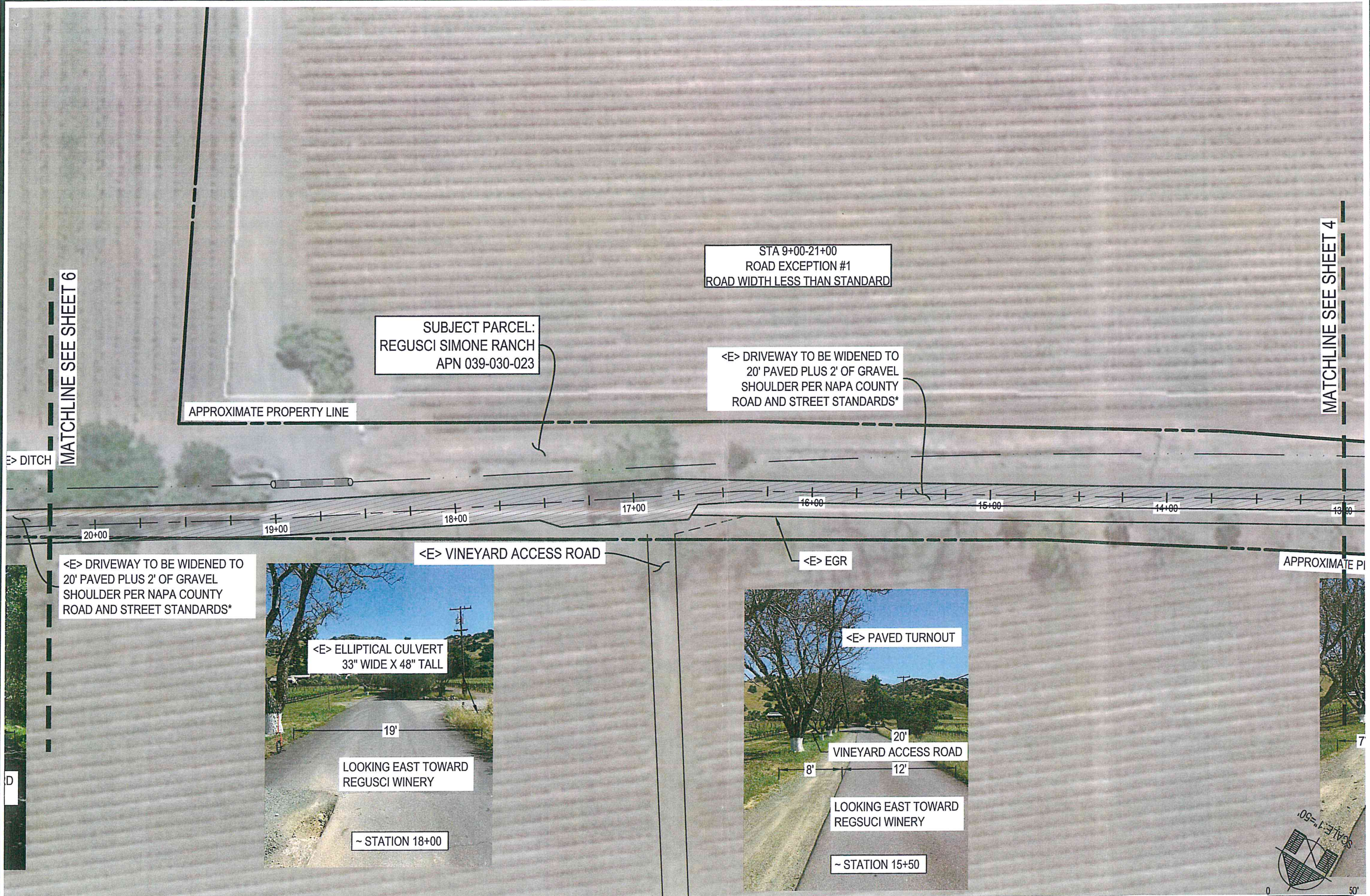
IMAGE TAKEN FROM GOOGLE EARTH PRO DATED 08/13/2016

REGUSCI WINERY ROAD EXCEPTION
DRIVEWAY PLAN
NAPA CA

DELTA CONSULTING & ENGINEERING
OF ST. HELENA
1104 ADAMS STREET, SUITE 203 - ST. HELENA, CALIFORNIA 94574
707-963-8456 + 707-963-8528 FAX

DATE: 06/28/2017
SCALE: 1"=50'
JOB #: O-160
APN: 039-030-023

4
OF
6



SUBJECT PARCEL:
REGUSCI SIMONE RANCH
APN 039-030-023

STA 9+00-21+00
ROAD EXCEPTION #1
ROAD WIDTH LESS THAN STANDARD

<E> DRIVEWAY TO BE WIDENED TO
20' PAVED PLUS 2' OF GRAVEL
SHOULDER PER NAPA COUNTY
ROAD AND STREET STANDARDS*

<E> DRIVEWAY TO BE WIDENED TO
20' PAVED PLUS 2' OF GRAVEL
SHOULDER PER NAPA COUNTY
ROAD AND STREET STANDARDS*

<E> ELLIPTICAL CULVERT
33" WIDE X 48" TALL

LOOKING EAST TOWARD
REGUSCI WINERY

~ STATION 18+00

<E> PAVED TURNOUT

VINEYARD ACCESS ROAD

LOOKING EAST TOWARD
REGSUCI WINERY

~ STATION 15+50

MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 4

E> DITCH

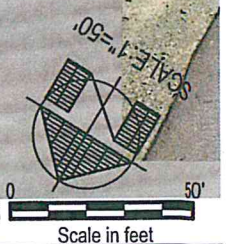
APPROXIMATE PI

D

7

DRIVEWAY PLAN STA: 13+00 -20+00

IMAGE TAKEN FROM GOOGLE EARTH PRO DATED 08/13/2016

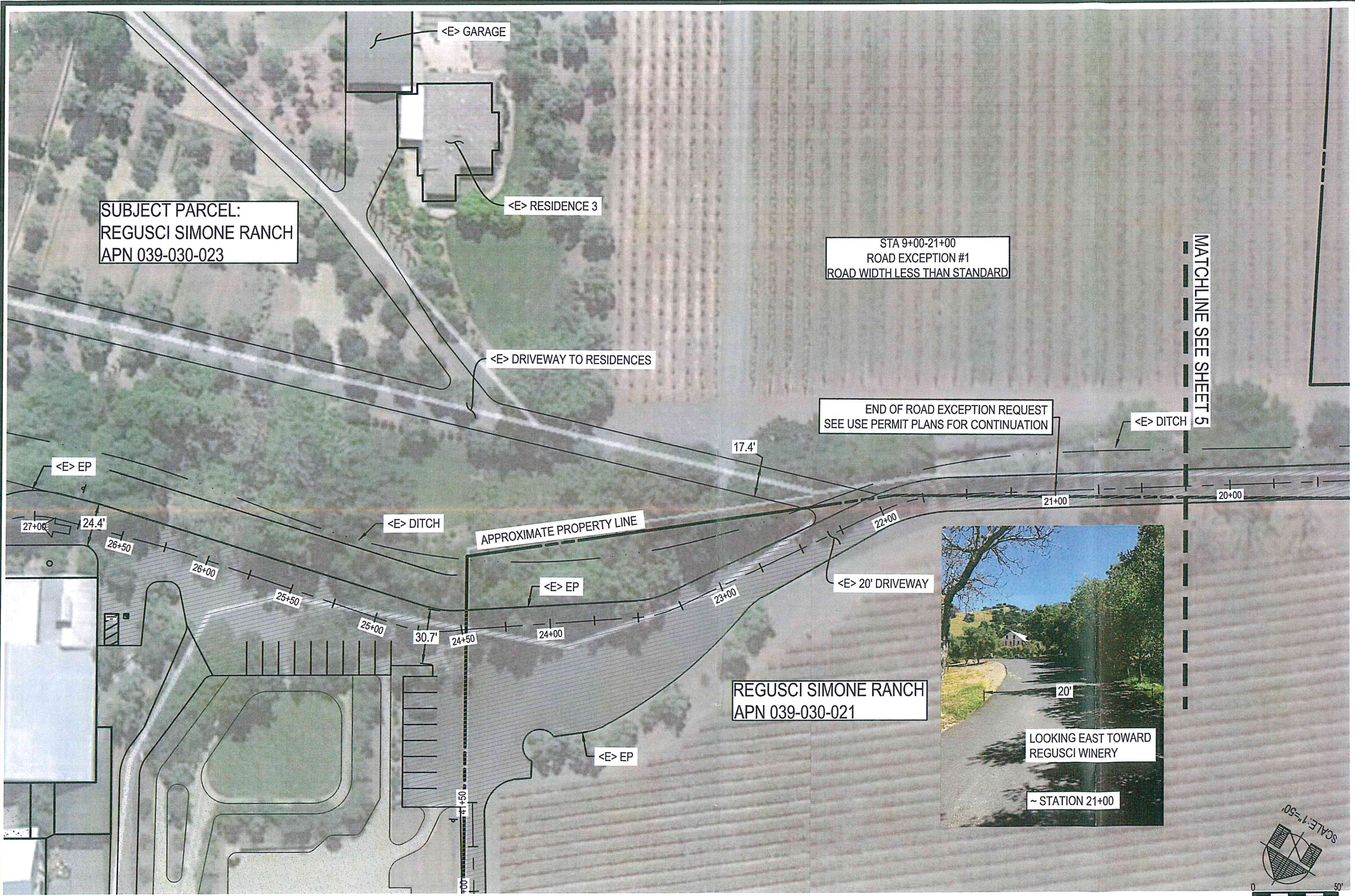


REGUSCI WINERY ROAD EXCEPTION
DRIVEWAY PLAN
NAPA CA

DELTA CONSULTING & ENGINEERING
OF ST. HELENA
1104 ADAMS STREET, SUITE 203 • ST. HELENA, CALIFORNIA 94574
707-963-8456 + 707-963-8528 FAX

DATE: 06/28/2017
SCALE: 1"=50'
JOB #: O-160
APN: 039-030-023

5 OF 6



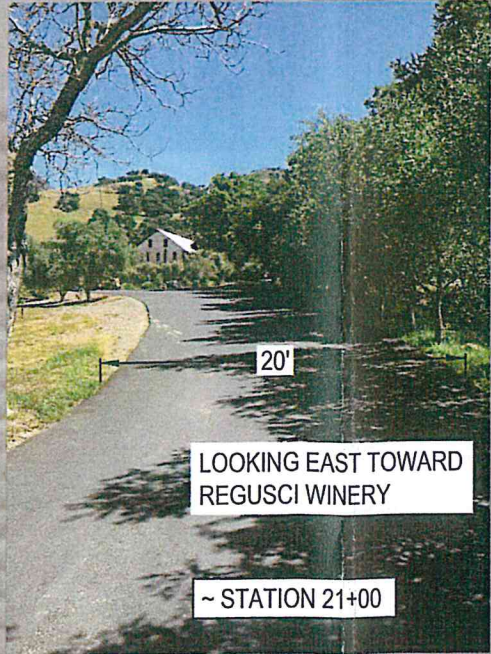
SUBJECT PARCEL:
REGUSCI SIMONE RANCH
APN 039-030-023

STA 9+00-21+00
ROAD EXCEPTION #1
ROAD WIDTH LESS THAN STANDARD

END OF ROAD EXCEPTION REQUEST
SEE USE PERMIT PLANS FOR CONTINUATION

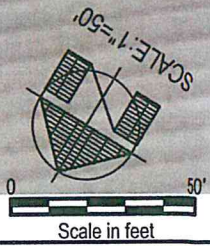
MATCHLINE SEE SHEET 5

REGUSCI SIMONE RANCH
APN 039-030-021



LOOKING EAST TOWARD
REGUSCI WINERY

~ STATION 21+00



DRIVEWAY PLAN STA: 20+00 -23+00

REGUSCI WINERY ROAD EXCEPTION
DRIVEWAY PLAN

DELTA CONSULTING & ENGINEERING
OF ST. HELENA
1104 ADAMS STREET, SUITE 203 - ST. HELENA, CALIFORNIA 94574
707-963-8456 + 707-963-8528 FAX

DATE: 06/28/2017
SCALE: 1"=50'
JOB #: O-160
APN: 039-030-023

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OF
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CA

NAPA



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Dana Ayers, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: September 20, 2017	Re: Use Permit Application for Regusci Winery Assessor Parcel 039-030-023 Permit# P16-00307

The application requesting approval to modify an existing use permit by adding production, visitation, food, employees and various site improvements as detailed in application materials on file with the Planning Division has been reviewed. This Division has no objection to approval of the application with the following conditions:

Prior to building permit issuance:

1. 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.
2. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. The applicant shall continue to work with the Consumer Protection subdivision to obtain plan approval prior to approval of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.
3. The applicant shall secure a discharge requirement or waiver of same, from the Regional Water Quality Control Board for the proposed waste water system.
4. A permit to construct the proposed wastewater treatment and reuse system 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. Plans for the proposed alternative sewage treatment 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.
6. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.

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

7. 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.
8. Apply for and obtain annual food and water supply permits.

Upon final occupancy and thereafter:

9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
10. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
11. 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. All diatomaceous earth/bentonite must be disposed of in an approved manner.



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MEMORANDUM

To: Dana Ayers	From: Kevin Ruybal, Chief Building Official
Date: March 3, 2017	Re: P16-00307 Regusci Winery Major Mod-2 nd Submittal

Building Inspection Division Planning Use Permit Review Comments

Address: 5584 Silverado Trail, Napa CA 94558

APN: 039-030-023-000

Project: P16-00307 Regusci Winery Major Modification-2nd Submittal

Owner: Regusci Simone Ranch Limited Partnership

Contact: Regusci Simone Ranch Limited Partnership, George Monteverdi

Description: Request for a Major Modification to a Use Permit (95550-UP, approved on May 15, 1996) allowing establishment of a winery at 5584 Silverado Trail. The requested modification includes: 1) addition of a marketing program that includes daily food and wine pairings plus 16 events annually for 50-200 guests per event; 2) addition of on-site consumption of purchased wine (Business and Professions Code Sections 22358, 23390 and 23396. 5); 3) an increase in annual wine production from 25,000 to 50,000 gallons per year; 4) an increase in visitation from 10 to 400 guests per week; 5) an increase in employment from one full-time to 16 full-time and part-time staff members; 6) exceptions to Napa County Road and Street Standards to allow the entrance gate to have a width of 15 feet where 22 feet is required; and 7) various other changes to utilities and wine production areas on-site. The property at 5584 Silverado Trail is 162.6 acres and is in the AW (Agricultural Watershet) and AP (Agricultural Preserve) Districts.

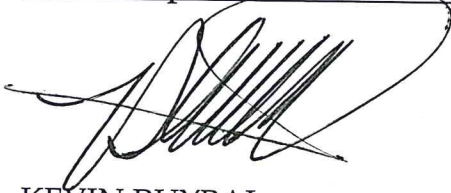
Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P16-00307; 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 P16-00307 do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “**only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit**”. The codes adopted at this time are 2013 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
2. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a “J” number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.
3. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public.
4. A code analysis will be required justifying compliance with the minimum number of plumbing fixtures that are required for the increase in occupants. See Chapter 4 of the California Plumbing Code.
5. The stairs serving the change in occupancy area do not appear to meet current code requirements for proposed occupancy type.
6. Provide a code design which includes separated or non-separated occupancy areas. Allowable square footages or incidental use areas are to be calculated.
7. Increased occupants and changes to existing egress designs will require a code analysis demonstrating compliance with exiting requirements. Compliant accessible routes are also required to areas where a change in occupancy classification is proposed. Accessible routes are required to all new proposed tasting areas.
8. **In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.**

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707)259-8230.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.

A handwritten signature in black ink, appearing to read 'Kevin Ruybal', is written over a circular stamp or seal that is mostly obscured by the signature's loops.

KEVIN RUYBAL
CHIEF BUILDING OFFICIAL
NAPA COUNTY BUILDING DIVISION
1195 THIRD STREET
NAPA CA 94559
(707)259-8230
kevin.ruybal@countyofnapa.org



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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: 09.11.17
FROM: Garrett Veyna Fire Department	
SUBJECT: P16-00307	APN: 039-030-023

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

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. The permittee and/or designee shall obtain a permit from the Fire Department for any temporary structures/canopies/tents utilized for authorized events.
4. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stored over 12 feet in height).
5. 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.
6. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.



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Garrett Veyna
Fire Marshal

MEMORANDUM

8. Roadways shall be a minimum of 20 feet in width with a 2 foot shoulder and 15 foot vertical clearance.
9. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25 foot taper on each end.
10. Turnarounds are required on driveways and dead end roadways.
11. Grades for all roadways and driveways shall not exceed 16 percent.
12. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
13. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
14. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with Table B105.2 through Table 105.4 of the Napa County Code Amendments.
15. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2013 edition.
16. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
17. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2013 edition for the installation of Underground Fire Protection Mains
18. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.



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Garrett Veyna
Fire Marshal

MEMORANDUM

19. Provide 100 feet of defensible space around all structures.

20. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

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. Should you have any questions of me, contact me at (707)299-1461 or email at garrett.veyna@fire.ca.gov