

“C”

Previous Project Conditions



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Planning, Building & Environmental Services

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

Hillary Gitelman
Director

April 15, 2013

26 Brix LLC dba B-Cellars Winery
c/o Harry E. (Duffy) Keys
400 Silverado Trail
Calistoga, CA 94515

**Re: 26 Brix LLC dba B-Cellars Winery - Use Permit Modification No. P12-00371 - Mod
701 Oakville Cross Road, Napa (APN 031-070-026)**

Dear Mr. Keys:

Please be advised that **Use Permit Major Modification #P12-00371 - Mod** was approved by the Napa County Planning Commission (hereafter "Commission") on March 6, 2013, subject to the attached final conditions of approval, Napa County Department comments, and all applicable Napa County regulations. In approving the above application, the Commission adopted the Negative Declaration on file with the Planning, Building, & Environmental Services Department.

To date, there has been no appeal filed with the Napa County Board of Supervisors consistent with Chapter 2.88 of the Napa County Code, including payment of applicable fees.

You are hereby further notified that the ninety day period, established by California Government Code §66020(d)(1), in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has commenced. Please note that additional fees will be assessed if a landscaped plan, erosion control plan, or a mitigation monitoring program is required by this approval.

EXPIRATION DATE: March 6, 2015

Pursuant to Napa County Code §18.124.080, the approved use permit must be activated within two years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration of your permit.

Mr. Keys
P12-00371-Mod
April 15, 2013
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If you have any questions about this letter, please feel free to contact me at 707.299-1355 or via email at charlene.gallina@countyofnapa.org.

Sincerely,



Enclosures

cc: Jeffrey Redding, Land Use Planning Services
Hugh Linn, Reichers Spence Associates
Napa County Dept. – Environmental Services, Environmental Health, Building, Fire, J.
Tuteur (Assessor), Jeff Tangen
Project Files

**PLANNING COMMISSION HEARING – MARCH 6, 2013
EXHIBIT B – CONDITIONS OF APPROVAL**

**B CELLARS WINERY
USE PERMIT MODIFICATION #P12-00371-MOD
701 OAKVILLE CROSS ROAD, NAPA, CALIFORNIA
APN 031-070-026**

1. SCOPE

The permit shall be limited to:

- A. An increase annual production from 10,000 to 45,000 gallons per year;
- B. The relocation and expansion of the approved 6,300 sq.ft. winery (conversion of an existing barn) of which 1,000 sq.ft. is covered crush pad winery to 9,937 sq.ft.+/- to be located within two (2) buildings (Hospitality Building – 5,328 sq/ft/ and Wine Production Building – 4,609 sq.ft.);
- C. A 1,184 sq.ft.+/- covered crush pad;
- D. Construction of a 1,110 sq.ft. +/- Maintenance & Wine Equipment Barn with 9,321 sq.ft.+/- in enclosure areas designated for employee parking, mechanical equipment, water storage, trash/recycling, debris and other outdoor storage;
- E. Construction of a 22,946 sq.ft.+/- cave and four (4) associated portals for barrel storage and marketing events. An elevator to access the cave from the existing residence. All cave spoils to be disposed on site;
- F. Increase in employees from one (1) full-time and five (5) part-time to eight (8) full-time and five (5) part-time;
- G. Increase in the approved daily visitation of a maximum from ten (10) persons per day to a maximum of sixty (60) persons per day;
- H. Modification to the approved winery hours of operation from 8 am to 5 pm daily to 10:00 am to 5:00 pm, Monday-Sunday for visitation and 7:30 am to 5:30 pm, Monday-Friday for production. Marketing events are proposed to occur during the day, evening or weekend. Evening marketing events are required by the County to cease by 10:00 PM, including cleanup;
- I. Modification to the approved marketing plan from five (5) food and wine parings per year for a maximum of ten (10) guests and one dinner per year for a maximum of 30 guests) limited 11:00 am to 10:00 pm with a four hour maximum to two (2) release events per year @ 100 persons maximum; two (2) events per year @ 150 persons maximum; twelve (12) events per year @ 30 person maximum; and participation in Wine Auction Week;
- J. Increase on-site parking from four (4) spaces to eighteen (18) visitor spaces including two (2) handicapped spaces and twelve (12) employee spaces including one (1) handicapped space for a total of thirty (30) spaces. Temporary event parking to be provided on-site via valet parking service;
- K. Installation of landscape improvements including water features, an herbal garden, a picnic area and an outdoor lawn adjacent to the cave portal. The lawn area to be available for some larger marketing events;
- L. Removal of 19 cultivated common walnut (*Juglans Regia* – a non-native English Walnut) mature trees ranging in size 10 to 26 inches (diameters at breast height, or dbh), and approximately 0.18 acres of vineyard to accommodate construction of the proposed cave entry portal #2/truck access area, cave entry portal #1/outdoor event area;

- M. Installation of appurtenant wastewater, water and fire protection systems and water tanks;
- N. Modification of the existing access driveway to accommodate the relocated winery and construction of the cave/portals;
- O. Installation of a new well;
- P. Installation of a new winery process and domestic wastewater system. The existing septic system that serves the main residence and farm labor dwelling will be abandoned and relocated due to the proposed cave location; and
- Q. Demolition and removal of a private equestrian facility.

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. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

Alternative locations for cave spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

2. **PROJECT SPECIFIC CONDITIONS**

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document, the Project Specific Conditions shall supersede and control.

- A. Evans Consumption - Consistent with Assembly Bill 2004 (Evans) and the Planning, Building, and Environmental Services Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premise consumption may occur solely in Hospitality Building (tasting rooms/terraces, Cave (assembly room/tasting alcoves), and picnic area. Any and all visitation associated with on-premise consumption shall be subject to the sixty (60) person maximum daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan.
- B. The installation, operation and maintenance of all water features 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.
- C. The permittee shall comply during all construction activities with the Bay Area Air Quality Management District Basic Construction Mitigation Measures as provided in Table 8-1, May 2011 Updated CEQA Guidelines. (See attached)
- D. Prior to cave occupancy, a locked gate or other barrier shall be constructed to ensure that elevator use from the cave to the existing single family residence is only used by the residence occupant/property owner for personal use. Winery

related activities involving tours shall not be permitted in the elevator or for access to the residence and area surrounding the residence.

- E. Existing single family and farm labor residences are classified for residential purposes only and cannot be used in conjunction with the operation and/or visitation/marketing program for the winery. If rented, the residence shall only be rented out for periods of 30 days or more, pursuant to Napa County Code Section 18.104.410, Transient Commercial Occupancies of Dwelling Units Prohibited.
- F. Prior to the submittal of a building permit, a final Site Plan reflecting the final design of the Maintenance & Wine Equipment Barn and accessory/production square footage calculations by room name shall be submitted for Planning Division's review and final verification in conjunction with approval of Use Permit P12-00371.
- G. Any removal of additional existing trees or vineyards for replanting purposes shall be subject to the submittal of a detailed landscape plan for Planning Division review and approval prior to installation to ensure that on-site and off-site drainage protection measures are in place. All tree removal shall be replaced at a ratio of 2:1 with fifteen gallon trees at locations approved by the Planning, Building, & Environmental Services Director or designee.

3. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) 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 as stated in their Memorandum dated February 15, 2013.
- B. Environmental Health Division as stated in their Memorandum dated February 14, 2013.
- C. Department of Public Works as stated in their Memorandum dated November 9, 2012.
- D. Fire Department as stated in their Inter-Office Memo dated November 7, 2012.

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

4. VISITATION

Consistent with Sections 18.16.030 and 18.20.030 of the Napa County Code, marketing and tours and tastings may occur at a winery only where such activities are accessory

and “clearly incidental, related, and subordinate to the primary operation of the winery as a production facility.” Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exist and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building and Environmental Services.

Permittee shall obtain and maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation. In the event permittee loses required ABC and/or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

A log book (or similar record) shall be maintained which documents the number of visitors to the winery (be they tours and tastings or marketing event visitors), and the dates of their visit. This record of visitors shall be made available to the Planning, Building and Environmental Services Department upon request.

A. TOURS AND TASTING

Tours and tastings are limited to the following:

1. Frequency: 7 days per week, Monday through Sunday (or otherwise specified)
2. Maximum number of persons per day: 60 with food pairing
3. Maximum number of persons per week: 250 with food pairing
4. Hours of operation: 10:00 am to 5:00 pm
5. Tours and Tastings shall not occur at the same time of Marketing Events 4.B.2 and 4.B.3.

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.

Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant. (Ord. 1340, 2010; Ord. 947 § 9 (part), 1990; prior code § 12070).

Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code 18.16.03(G)(5)(c).

B. MARKETING

Marketing events are limited to the following:

1. Event:
Twelve (12) per year
Number of persons: 30 maximum

Time of Day: Week Day, Week Evening, or Weekend – 11:00 am to 10.00 pm

2. Release Event:

Two (2) times per year

Number of persons: 100 maximum

Time of Day: Weekend – 11:00 am to 6 pm

Tours and Tastings authorized in 4.A. shall not occur at the same time with this Marketing Event.

3. Event

Two (2) times per year

Number of persons: 150 maximum

Time of Day: Week Evening or Weekend - 11:00 am to 10:00 pm

Tours and Tastings authorized in 4.A. shall not occur at the same time with this Marketing Event.

4. Participation in Napa Valley Wine Auction Week

"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 Chapters 18.16 and 18.20 of the Napa 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. Marketing plans in their totality must remain "clearly incidental, related and subordinate to the primary operation of the winery as a production facility" (subsection (G)(5) of Sections 18.16.030 and subsection (I)(5) of 18.20.030 of the Napa County Code). To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of recovery of variable costs, and any business content unrelated to wine must be limited. Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan. (Ord. 1340, 2010; Ord. 1104 § 11, 1996; Ord. 947 § 9 (part), 1990; prior code § 12071).

All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. If any event is held which will exceed the available on-site parking, the applicant shall have prepared an event specific parking plan

which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

5. **GRAPE SOURCE**

At least 75% of the grapes used to make the winery's wine shall be grown within the County of Napa. 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 Planning, Building & Environmental Services Department upon request, but shall be considered proprietary information not available to the public.

6. **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 on-site winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Napa County Code Chapter 5.36).

7. **SIGNS**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning, Building, and Environmental Services Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the Napa County Code. At least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

8. **LIGHTING**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

9. **LANDSCAPING**

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the Building Permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the County's Water Efficient

Landscape Ordinance (WELO), as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residence that can view these areas.

Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the landscaping plan.

10. **OUTDOOR STORAGE/SCREENING/UTILITIES**

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

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 Chapter 18.106 of the Napa County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

11. **COLORS**

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the Planning, Building & Environmental Services Department prior to painting the building. Highly reflective surfaces are prohibited.

12. **SITE IMPROVEMENTS AND ENGINEERING SERVICES-SPECIFIC CONDITIONS**

Please contact (707) 253-4417 with any questions regarding the following.

A. **GRADING AND SPOILS**

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to final occupancy.

B. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

C. 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 during windy periods.

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 (SRWQCB).

E. PARKING

The location of employee and 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. 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, shall not necessarily be limited to, valet service or off-site parking and shuttle service to the winery.

F. GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the Planning, Building & Environmental Services Department, and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the Napa County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

13. ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact (707) 253-4471 with any questions regarding the following.

A. WELLS

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Planning, Building and Environmental Services determines that water usage at the winery is affecting, or would potentially affect,

groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. 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 proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the Director of Planning, Building and Environmental Services shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the Director has provided notice and the opportunity for hearing in compliance with the Napa County Code §13.15.070 (G-K).

B. NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with Napa County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

14. 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 Planning, Building and Environmental Services Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

15. **ADDRESSING**

All project site addresses shall be determined by the Planning, Building and Environmental Services Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The 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.

16. **INDEMNIFICATION**

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the Planning, Building and Environmental Services Department's standard form.

17. **AFFORDABLE HOUSING MITIGATION**

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of Napa County Code Chapter 18.107 or as may be amended by the Board of Supervisors.

18. **PREVIOUS CONDITIONS**

As applicable, the permittee shall comply with any previous conditions of approval for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.

19. **MONITORING COSTS**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with §18.124.120 of the Napa County Code.

20. **TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be

completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exists and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Planning, Building and Environmental Services. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements. Consistent with Board of Supervisors Resolution № 2010-48, "Temporary Certificates of Occupancy are generally not to be used to allow production of wine for more than one year."



**Table 8-1
Basic Construction Mitigation Measures**

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. 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.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. 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.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.



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www.countyofnapa.org

Hillary Gitelman
Director

MEMORANDUM

To: Charlene Gallina, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>JD</i>
Date: February 15, 2013	Re: B Cellars Winery Use Permit Mod - Engineering CoA 701 Oakville Cross Road, Napa, CA P12-00371 APN 031-070-026

The Engineering Division received a proposal for a modification to existing an use permit (Use Permit #04047 – formerly named Miller Winery) for B Cellars Winery (new owner), generally requesting the following:

To increase the annual production from 10,000 to 45,000 gallons per year; to relocate and expand the approved 6,300 sq.ft. winery (conversion of an existing barn) of which 1,000 sq.ft. is covered crush pad to 9,937 sq.ft.+/- to be located within two (2) buildings (Hospitality Building – 5,328 sq/ft/ and Wine Production Building – 4,609 sq.ft.); to construct an 1,184 sq.ft.+/- covered crush pad; to construct a 1,110 sq.ft. +/- Maintenance & Wine Equipment Barn with 9,321 sq.ft.+/- in enclosure areas designated for employee parking, mechanical equipment, water storage, trash/recycling, debris and other outdoor storage; construct 22,946 sq ft of caves and four associated portals for barrel storage and marketing events. The cave has been sized to accommodate full production at one-barrel high stacking. An elevator is proposed to connect the caves to the existing residence for occasional private and personal social gatherings. All cave spoils to be disposed on site; installation of landscape improvements including water features, an herbal garden, a picnic area and an outdoor lawn adjacent to the cave portal. The lawn area to be available for some larger marketing events; removal of 19 cultivated common walnut (Juglans Regia – a non-native English Walnut) mature trees ranging in size 10 to 26 inches (diameters at breast height, or dbh), and approximately 0.18 acres of vineyard to accommodate construction of the proposed cave entry portal #2/truck access area, cave entry portal #1/outdoor event area; installation of appurtenant wastewater, water and fire protection systems and water tanks; modification of existing access driveway to accommodate the relocated winery and construction of the cave/portals; installation of a new well; installation of a new winery process and domestic wastewater system. The existing septic system that serves the main residence and farm labor dwelling will be abandoned and relocated due to the proposed cave location; and demolition and removal of a private equestrian facility; increase in employees from one full-time and five part-time to eight full-time and five part-time; increase on-site parking from four (4) spaces to eighteen (18) visitor spaces including two (2) handicapped spaces and twelve (12) employee spaces including one (1) handicapped space. Temporary event parking to be provided on-site via valet parking service.

The application also proposes to increase the approved daily visitation and modify the approved marketing plan. The proposed marketing plan includes daily visitation with a maximum of 60 visitors per day (current approved application allows 10); modification to the approved winery hours of operation from 8 am to 5 pm daily to 11:00 am to 6:00 pm,

Monday-Sunday for visitation and 7:30 am to 5:30 pm, Monday-Friday for production. Marketing events are proposed to occur during the day, evening or weekend. Evening marketing events are required by the County to cease by 10:00 PM, including cleanup; modification to the approved marketing plan from five (5) food and wine pairings per year for a maximum of ten (10) guests and one dinner per year for a maximum of 30 guests) limited 11:00 am to 10:00 pm with a four hour maximum to two (2) release events per year @ 100 persons maximum; two (2) events per year @ 150 persons maximum; twelve (12) events per year @ 30 person maximum; and participation in Wine Auction Week

After careful review of the use permit modification submittal the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. Napa County parcel 031-070-026 is located on Oakville Cross Road.
2. The existing parcel is approximately 11.53 acres.
3. Site is currently developed with a residential dwelling and private equestrian facility.

RECOMMENDED CONDITIONS:

GROUNDWATER:

Groundwater comments are provided in a separate memo.

PARKING:

1. Any parking proposed by the applicant or required by the Planning Commission as a condition of this permit must conform to the requirements of the latest edition of the Napa County Road and Street Standards.

NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:

2. All roadway construction associated with this application shall conform to the current Road and Street Standards of Napa County at the time of building permit submittal and accepted construction and inspection practices. Access drive shall meet the requirements of a "Commercial Drive" with an 18 ft wide travel way and 2 ft of graded shoulder from the publicly maintained road to the improved structure.
3. The applicant must obtain an encroachment permit from the Public Works Department for any work performed within the Napa County Right-of-Way.

SITE IMPROVEMENTS:

4. All on site civil improvements proposed 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 this office prior to the commencement of any on site land preparation or construction. Plans shall be 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 latest "Napa County Road and Street Standards" and the California Building Code. Specifically, all cuts and fills slopes shall be setback to meet the latest CBC.
7. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Planning, Building and Environmental Services Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

OTHER RECOMMENDATIONS:

8. Prior to the issuance of applicable building or grading permits the applicant must obtain all appropriate regulatory permits from the Regional Water Quality Control Board, Army Corp. of Engineers and Fish & Game.
9. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.
10. Portions of the property fall within a Special Flood Hazard Area (SFHA) Zone AE 100-year floodplain, as depicted on FIRM 405E. Property owner shall obtain a floodplain management permit from this department for any work within the SFHA.

CONSTRUCTION STORMWATER REQUIREMENTS:

11. Any Project that requires a building or grading permit shall complete a Napa County Construction Site Runoff Control Requirements Appendix A - Project Applicability Checklist and shall submit this form to the Napa County Planning, Building and Environmental Services Department for review.
12. 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

the Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.

13. 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 (SRWQCB) 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 Planning, Building and Environmental Services Department for review.
14. 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.
15. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
16. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

17. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for *Post-Construction Runoff Management Requirements* which is available at the Planning, Building and Environmental Services Department office.
18. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.
19. Loading/unloading dock and processing areas must be covered or designed to preclude stormwater run-on and runoff. All direct connections to storm drains from depressed loading docks (truck wells) are prohibited. Processing areas that generate liquid wastes shall drain to the sanitary sewer system or other approved collection system per the requirements of Environmental Services.
20. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.

21. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. bio-retention unit) may be used to capture and infiltrate the excess volume. Waivers from this requirement can only be granted by the Director.
22. For on-site common retention basins, the side slopes shall not exceed 3:1.
23. Prior to final occupancy the property owner must legally record an "implementation and maintenance agreement" approved by the Public Works department to ensure all post-construction structures on the property remain functional and operational for the indefinite duration of the project.
24. Each year the entity responsible for maintenance is required to complete an annual report. The report shall be signed by the property owner and include copies of completed inspection and maintenance checklists to document that maintenance activities were conducted during the previous year. The annual report shall be retained for a period of at least five years and made available upon request by the County.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss at 253-4417. For groundwater questions and/or traffic questions, please contact the Napa County Department of Public Works at (707) 253-4351 and ask for Anna Maria Martinez (groundwater) or Paul Wilkinson (traffic).



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Planning, Building & Environmental Services

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

Hillary Gitelman
Director

MEMORANDUM

To: Charlene Gallina, Project Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: February 14, 2013	Re: Application for Use Permit Modification B Cellars Winery Assessor Parcel #031-070-026 File # P12-00371

The revised application requesting approval to relocate and expand an approved winery for production, offices, tasting and related uses, increase production to 45,000 gallons per year, construct caves, increase visitation, construct a commercial kitchen and install water and wastewater systems among other items detailed in application materials has been reviewed. This Division has no objection to approval of the application with the following conditions of approval:

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. A new well constructed in accordance with Napa County Code and Department of Water Resources Bulletins 74-81 and 74-90 is required. Plans for the water system must be submitted and approved prior to approval of building permits. The technical report required with the permit application must be completed by a licensed engineer with experience in designing water systems. Prior to occupancy, the owner must apply for and obtain an annual operating permit from this Division. The applicant must comply with all required monitoring and reporting.
3. 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 and file an approved Hazardous Materials Business Plan with 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.

Planning Division
(707) 253-4417

Building Division
(707) 253-4417

Engineering & Conservation
(707) 253-4417

Environmental Health
(707) 253-4471

Parks & Open Space
(707) 259-5933

4. Permits to construct the winery process wastewater and the domestic 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. 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. An annual alternative sewage treatment system monitoring permit must be obtained for the alternative sewage treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
7. Plans for the proposed process wastewater 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 granted until such plans are approved by this Division.
8. The applicant shall maintain regular monitoring of the above ground waste water treatment system as required by this Division which includes submitting quarterly monitoring reports. An annual operating permit is required for the waste water system.
9. 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.
10. The applicant shall file a Notice of Intent (NOI) and complete a Storm Water Pollution Prevention Plan with the State of California Water Resources Control Board's (SWRCB) Industrial Permitting program, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Additional information, including a list of regulated SIC codes, may be found at:
http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml

Additionally, the applicant shall file for a storm water permit from the Division of Environmental Health, 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.

B Cellars Winery
P12-00371
031-070-026

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

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

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

Steven E. Lederer
Director

MEMORANDUM

To: Charlene Galina Supervising Planner	From: Paul R. Wilkinson Associate Engineer
Date: February 5, 2013	Re: B Cellars Winery Use Permit #P12-00371 Apn # 031-070-026-000

As discussed in our meeting with the Client's representative, I do not have further concerns regarding the traffic issues discussed in my incompleteness comments.

The engineer has presented sufficient documentation regarding line of sight for vehicles leaving the driveway and the client has provided sufficient information regarding traffic volumes using the driveway to indicate that the addition of a left turn pocket on Oakville Cross Road will not be required as a result of the proposed project as presented.

If you or the client have additional questions regarding this application, please call me at (707)253-4290..



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Department of Public Works

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Steven E. Lederer
Director

GROUNDWATER MEMORANDUM

DATE: November 09, 2012

TO: Planning, Building and Environmental Services

FROM: Annamaria Martinez, Assistant Engineer *AM*
Phone: 707-259-8378
Email: annamaria.martinez@countyofnapa.org

SUBJECT: B Cellars Winery, APN# 031-070-026, P12-00371

The applicant requests a modification for a previously approved use permit including an increase in production from 10,000 gpy to 45,000 gpy, increased marketing and visitation, and associated site/structural work. The project parcel is located on Oakville Cross Road in Napa.

COMMENTS:

1. The parcel is located in the "Valley Floor" region.
2. The existing water use for the parcel is estimated to be 7.24 acre-feet per year.

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the proposed project. The 11.53-acre parcel is located in the hillside area with an extraction threshold of 1.0 AF/Acre, resulting in a total parcel threshold of 11.53 AF/Year. The estimated water demand for the parcel of 6.96 AF/Year is below established threshold for the property, and below the estimated current use due the reduction of water use for vineyard and irrigated pasture.

Based on the information provided, the projected groundwater usage for the parcel should not have a significant impact on static water levels of neighboring wells.

No further analysis is necessary.



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Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

pete.munoa@fire.ca.gov

Office: (707) 967-1421
Fax: (707) 967-1474
Cell: (707) 299-7645

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Hillary Gitelman - Director
Conservation, Development and Environmental Services

FROM: Pete Muñoa, Fire Department

DATE: November 7, 2012

SUBJECT: B Cellars Winery 701 Oakville Cross Road, Oakville CA
APN: 031-070-026 P12-00371

I have reviewed the applicant's project description. I recommend that the following items be incorporated as project conditions or mitigation measures if the commission approves the project.

1. **All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at 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 2002 edition)*. A minimum of 60 minutes of water storage to operate the sprinkler system shall be required.
3. The ***minimum*** required fire flow for the protection of the proposed project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 12,000 gallons. 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 2003 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 2002 edition)*.
6. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the California Fire Code, 2010 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, 2002 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 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. 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.
18. 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.
19. 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.
20. All exit doors shall be operable without the use of a key or any special knowledge or effort.
21. Illuminated exit signs and emergency back up lighting shall be installed throughout the building per the California Building Code, section 1004, 2007 edition.
22. All Cave construction shall comply with the 2010 California Building Code requirements and Napa County Ordinances.
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".
24. The Knox Cabinet shall have one or all of the following items placed in the Knox cabinet, dependent on requirements of this facility:
 - A minimum of 2 master keys to the structure(s) for emergency access.
 - 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 - 2 scaled floor plans of all structures showing doors, offices, etc.
 - Napa County Hazardous Materials Business including all MSDS forms, etc.

- **A digital file of the site and floor plans in a PDF format must be submitted at building final in addition to the hard copies listed above.**

25. When the Napa County Fire Department deems it necessary for Fire and Life Safety, the owner, agent or lessee shall put in writing the intended use of the cave areas; i.e. storage, processing of wine at a winery and/or assembly use areas. This information is based off the the use permit.
26. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
27. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
28. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at no charge to the County for independent peer review of alternate methods and materials proposals.
29. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.
30. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established rate as adopted by the Napa County Board of Supervisors by resolution.

Please feel free to contact the Napa County Fire Marshal's Office at (707) 967-1421 to discuss any fire protection issues you may have regarding your project.

**Pete Muñoa
Fire Marshal**



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www.countyofnapa.org

Hillary Gitelman
Director

To: Harry E. (Duffy) Keys From: Charlene Gallina, Supervising Planner

Date: October 14, 2013 Re: B Cellars Winery:
Building Permit: B13-01272 –
Hospitality Building; Building Permit:
B13-01273 – Wine Production Building;
& B13-01274 Maintenance & Wine
Equipment Barn
701 Oakville Cross Road
APN: 031-070-026

Planning Division staff has completed the review of the plans and detail schedules for the above referenced Building Permits on October 11, 2013 and recommends approval subject to the following condition:

1. A Water Efficient Landscape Ordinance (WELO) Landscape Documentation Package shall be submitted within 30 days of Building Permit issuance.

Furthermore, staff has determined that this permit is in "substantial conformance" with the scope of the project and the conditions of approval for B Cellars Winery's Use Permit Major Modification #P12-00371. Specifically, the following changes have been incorporated into the project building plans:

1. The architectural design of the Hospitality and Wine Production Buildings, as well as, the Maintenance & Wine Equipment Barn have been redesigned to a reflect an agrarian concept conducive to Napa Valley. Materials now being utilized for construction will include a corrugated metal roof, painted corrugated metal siding, metal doors and windows, a metal trellis, frameless glass doors, a storefront window system (Hospitality & Production Building only), and wood gates and doors.
2. The square footage of buildings and crush pad has been adjusted to reflect functionality and final architectural design. (Refer to correspondence submitted on October 3, 2013)

Should you have any questions, please contact Charlene Gallina at (707) 299-1355 or by e-mail: charlene.gallina@countyofnapa.com



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Hillary Gitelman
Director

To: Harry E. (Duffy) Keys	From: Charlene Gallina, Supervising Planner
Date: August 16, 2013	Re: B Cellars Winery: Building Permit: B12-00686 Cave Utilities Plan & Building Permit: B12-01083 – Site Utilities Plan 701 Oakville Cross Road APN: 031-070-026

Planning Division staff has completed the review of the plans and detail schedules for the above referenced Building Permits on August 16, 2013 and recommends approval.

Furthermore, staff has determined that this permit is in “substantial conformance” with the scope of the project and the conditions of approval for B Cellars Winery’s Use Permit Major Modification #P12-00371. Specifically, the following changes have been incorporated into the following plans:

1. Cave Utilities Plan – Reconfiguration of Cave to accommodate the reduction in the number of cave portals from four (4) to three (3). It should be further noted that proposed cave has been reduced from 22,946 sf+/- to 18,284 sf. Revised Calculations on Accessory to Production Ratios have been submitted pursuant to Special Project Conditions 2-F of Use Permit P12-00371. It should be further noted that the cave elevator shaft will be submitted separately with demolition and reconstruction of the existing primary residential unit.
2. Site Utilities Plan - Reconfiguration of the proposed visitor and employee parking areas and drive aisles as noted on the Civil Plans to reduce impervious surface, provide designated temporary parking areas for marketing events, incorporate a garden court west of the Hospitality Building, and to provide an above ground stormwater detention pond. It should be further noted that plan revisions have been modified to improve ADA accessibility requirements and address Fire Truck turnarounds and fire staging area requirements.

Should you have any questions, please contact Charlene Gallina at (707) 299-1355 or by e-mail: charlene.gallina@countyofnapa.com