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

**PLANNING COMMISSION HEARING – JUNE 6, 2018
RECOMMENDED CONDITIONS OF APPROVAL**

**Beaulieu Vineyards
Application Number P17-00192-MOD
1960 St. Helena Highway, Rutherford, California
APN #030-110-019; and 028**

This permit encompasses and shall be limited to the project commonly known as Beaulieu Vineyards, located at 1960 St. Helena Highway. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

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

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

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

- 1.1 Approval to modify an existing 1,800,000 gallon per year winery, previously approved under Use Permit No. U-158081, Use Permit Modification No. U-158081, Use Permit Modification No. 91194-MOD, Use Permit Modification No. 92231-MOD, Use Permit Modification No. 97595-MOD, Use Permit Modification No. P08-00089-MODMIN, Use Permit Modification No. P08-00509, Use Permit Modification No. P09-00453, Use Permit Modification No. P11-00192-MODVMIN, and Use Permit Modification No. P15-0052-VMM to allow the following:
 - a. Remove a portion of the 1941 addition to the winery and 1930 addition to the winery; rebuild and preserve portions of the 1880’s stone structures; and remove the roof and non-original floor of the 1885 structure. Relocate the historic public tasting room space (3,060 square feet) to a new structure within the existing walls of the 1885 structure; remodel a portion of the 1887 structure to become a private tasting space (735 square feet) with outdoor terrace (1,550 square feet); and remodel an area of the 1930 addition to become barrel storage and production offices. Construct a single story structure between the 1941 addition and the 1887 structure to

house public restrooms and a commercial kitchen (497 square feet). Add two (2) new 30,000 gallon blending tanks to the existing case goods warehouse building and construct a 200 square foot employee break room within this existing structure;

- b. Visitation, tours and tasting, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
- c. Construct a new 75 square foot sign inset into a new stone landscape wall with gate;
- d. On-premises consumption of wine as set forth in COA No. 4.4 below;
- e. Hours of operation: 6:00 am to 2:00 am daily (production hours) and 10:00 am to 6:00 pm Monday through Sunday (visitation hours);
- f. Maximum number of employees: 86 full-time employees;
- g. Number of parking spaces: 129 parking spaces via paving of existing gravel parking area;
- h. Upgrading of the existing wastewater system and associated infrastructure consistent with County Code to include one (1) additional 9,000 gallon septic tank or two (2) additional 5,000 gallon concrete tanks and the construction of one (1) new well;
- i. Installation of a left-turn lane on St. Helena Highway at the project's new primary access driveway;
- j. Additional landscaping within the proposed new parking area and throughout the courtyard; and
- k. Lot line adjustment with APN 030-110-028 which will increase the size of the existing winery parcel (APN 030-110-019) from 13.46 acres to 47 acres.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 MONITORING COSTS

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

Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

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

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

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

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

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

4.2 TOURS AND TASTINGS/VISITATION

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

- a. Frequency: Seven days per week, Monday through Sunday
- b. Maximum number of persons per day: 100 by appointment
- c. Maximum number of persons per week: 700
- d. Hours of visitation: 10:00 am to 6:00 pm

RECOGNITION OF PRE-WDO MARKETING AND VISITATION

Existing Public Tours & Tastings:

Frequency: Daily

Maximum number of persons per day: 450

Maximum number of persons per week: 3,150

Hours of operation: 10:00 am to 5:00 pm

Location: Approximately 3,060 square feet of off-site tasting room space to be relocated to winery building.

“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 of 3:00 pm to 4:00 pm Monday through Sunday.

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. **Type 1**

1. Frequency: 100 times per year
2. Maximum number of persons: 50
3. Time of Day: 11:00 am to 10:00 pm

b. **Type 2**

1. Frequency: 30 times per year
2. Maximum number of persons: 75
3. Time of Day: 11:00 am to 10:00 pm

c. **Type 3**

1. Frequency: 20 times per year
2. Maximum number of persons: 100
3. Time of Day: 11:00 am to 10:00 pm

d. **Type 4**

1. Frequency: 50 times per year
2. Maximum number of persons: 40
3. Time of Day: 11:00 am to 10:00 pm

e. **Type 5**

1. Frequency: 4 times per year
2. Maximum number of persons: 250
3. Time of Day: 11:00 am to 10:00 pm

f. **Type 6**

1. Frequency: 2 times per year
2. Maximum number of persons: 300
3. Time of Day: 11:00 am to 10:00 pm

- g. Marketing events shall not begin nor end during the hours of 3:00 PM to 6:00 PM, Monday through Sunday.

- h. Tours and tastings authorized in COA No. 4.2 shall not occur when Type 5 or 6 marketing events are scheduled.

"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 pm. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

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

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the tasting areas, outdoor terrace area, and outdoor courtyard. 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 **[RESERVED]**

4.6 GRAPE SOURCE **[RESERVED]**

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.

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.

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

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 (3:00 pm to 4:00 pm weekdays; 3:00 pm to 4:00 pm Saturdays and Sundays). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.12 PARKING

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

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

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

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

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

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES

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

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

- 4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**
- 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 January 18, 2018.
 - b. Environmental Health Division operational conditions as stated in their Memorandum dated May 4, 2018.
 - c. Building Division operational conditions as stated in their Memorandum dated December 13, 2017.
 - d. Department of Public Works operational conditions as stated in their Memorandum dated January 31, 2018.
 - e. Fire Department operational conditions as stated in their Inter-Office Memo dated June 15, 2017.

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

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

- a. **MM TRANS-1:** Landscaping at the project driveway shall be maintained to not interfere with sight lines required for safe stopping distance on public right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic devices. Street trees should be deciduous and have branches lower than four feet in height removed once the tree is established.

Method of Monitoring: The final landscape plan shall reflect the implementation of these standards prior to issuance of a building permit.

Responsible Agency: PBES

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT [**RESERVED**]

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 January 18, 2018.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated May 4, 2018.
- c. Building Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated December 13, 2017.
- d. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated January 31, 2018.
- e. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated June 15, 2017.

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

6.2 BUILDING DIVISION – GENERAL CONDITIONS

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when

applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

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

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.
- b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.
- c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

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

6.8 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.9 HISTORIC RESOURCES

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 **[RESERVED]**

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

6.12 PERMIT PREREQUISITE MITIGATION MEASURES

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

- a. **MM CUL-1:** In order to present a comprehensive account of the property's change over time, the applicant shall document the existing complex prior to alteration.

Method of Monitoring: Photo documentation of the existing complex shall be submitted to the Planning Division prior to the issuance of a building permit.

Responsible Agency: PBES

- b. **MM NOI-1:** Prior to the issuance of any building permits to implement this use permit, the permittee shall submit plans for a temporary sound curtain to be placed in the vicinity of the outdoor courtyard which shall be used when outdoor events of 100 guests or greater occur. The sound curtain shall be designed by a qualified acoustics professional, shall be in substantial conformance with the recommendations put forth in the RGD Acoustics study incorporated herein, and shall result in project generated noise levels meeting the current standards of the County for exterior and interior noise exposure. Final design of the sound curtain is subject to review and approval by the Planning Division.

Method of Monitoring: County Planning Division Staff shall review and approve the operations plan prior to issuance of building permit plans for the project. County Code Enforcement Staff through winery use permit compliance audits, such that future use of the operations plan will be monitored. Code Enforcement staff will respond to any noise complaints.

Responsible Agency: PBES

- c. **MM TRI-1:** Prior to commencement of construction of project improvements at the project site, the permittee shall coordinate with a representative of Yocha Dehe Wintun Nation. Pre-construction coordination shall include a training of construction field crews, by a tribal representative of the potential for presence of Native American resources

on the property, the potential types of resources that could be found on-site, and the procedures to follow in the event of discovery of such resources.

Method of Monitoring: Concurrently with submittal of the grading application for project improvements to Engineering and Building staff of PBES, the permittee shall submit confirmation of submittal of the grading plans to the tribal representative previously identified. If the permittee neglects to submit such confirmation to PBES, then Planning staff of PBES will convey a copy of the plans to the tribal representative upon receipt of the grading permit application.

Responsible Agency: PBES

6.13 **PARCEL CHANGE REQUIREMENTS [RESERVED]**

6.14 **FINAL MAPS [RESERVED]**

6.15 **OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS**

- a. Prior to issuance of a building permit, the applicant will prepare and record a water allotment and transfer agreement on all involved parcels, to the benefit of the County, in a format approved by County Counsel, that clearly outlines the interrelationship of groundwater uses and restrictions on the winery and vineyard parcels (APNs: 030-110-015; 026; 027; and 028) to ensure that future property owners are aware of and bound by these agreements.
- b. Improvement plans for the construction of the left-turn lane on St. Helena Highway (State Route 29) at the project's new primary access driveway shall be submitted for review and approval by the Director of Public Works, prior to issuance of any building permits associated with Use Permit P17-00192. The applicant shall obtain an encroachment permit from the California Department of Transportation (Caltrans) prior to constructing any improvements in State right-of-way. Public Works Department clearance will not be granted for any building permits until required improvements have been installed and certified by the Director of Public Works as complete.
- c. The lot line adjustment with APN 030-110-028 which will increase the size of the existing winery parcel (APN 030-110-019) from 13.46 acres to 47 acres shall be submitted prior to the issuance of building permits.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

Please contact Engineering Services with any questions regarding the following.

- a. **GRADING AND SPOILS**
All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

- b. **DUST CONTROL**
Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

- c. **AIR QUALITY**
During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:
 - 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
 - 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
 - 3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
 - 4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - 5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - 6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - 7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
 - 8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated

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

d. **STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the California Regional Water Quality Control Board.

7.2 **ARCHEOLOGICAL FINDING**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 **CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8 am to 5 pm.

7.4 **CONSTRUCTION MITIGATION MEASURES [RESERVED]**

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

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all

project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

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

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

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

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS

Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code.

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

The permittee is required to construct a left-turn lane on St. Helena Highway (State Route 29) at the project's new primary access driveway prior to issuance of Final Certificate of Occupancy of any uses authorized by Use Permit P17-00192. Improvement plans shall be submitted for review and approval by the

Director of Public Works, prior to issuance of any building permits associated with Use Permit P17-00192. The applicant shall obtain an encroachment permit from the California Department of Transportation (Caltrans) prior to constructing any improvements in State right-of-way. Public Works Department clearance will not be granted for any final occupancy until required improvements have been installed and certified by the Director of Public Works as complete.

9.6 DEMOLITION ACTIVITIES [**RESERVED**]

9.7 GRADING SPOILS

All spoils shall be removed in accordance with the approved grading permit and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

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

- a. **MM CUL-2:** Extensive and publicly-accessible interpretive exhibits that highlight the property's history, development, and significance to the history of Napa Valley shall be installed at the subject site prior to the issuance of a Final Certificate of Occupancy.

Method of Monitoring: Interpretive exhibits shall be installed at the subject site to the satisfaction of the Planning Division prior to the issuance of a Final Certificate of Occupancy.

Responsible Agency: PBES

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. The lot line adjustment with APN 030-110-028 which will increase the size of the existing winery parcel (APN 030-110-019) from 13.46 acres to 47 acres shall be recorded prior to the issuance of a Final Certificate of Occupancy.

Exhibit A

**Beaulieu Vineyards
Application Number P17-00192-MOD
1960 St. Helena Highway, Rutherford, California
APN #030-110-019; and 028**

PREVIOUS CONDITIONS

4.21 The permittee shall comply with the following previous conditions of approval for the facility as consolidated in this document. To the extent there is a conflict between a previous condition of approval identified in this document and the Recommended Conditions of Approval, the more stringent condition shall control.

A. USE PERMIT NO. U-158081

COA No. 1: Scope

COA No. 1: Scope

The permit is limited to the expansion of the existing facility with an additional 83,500 square feet.

Any expansion or changes in use shall be by separate Use Permit submitted for Commission consideration.

B. USE PERMIT MODIFICATION NO. U-158081

COA No. 1: Scope

The permit is limited to the alteration of the project site in accordance with the attached site plan and the construction of a 22,370 square foot barrel building, a 28,270 [square foot] casegood storage building, a 5,690 [square foot] fermentation building, and relocation of the employee parking and domestic wastewater leach field, subject to all conditions of approval and mitigation measures of Use Permit #U-158081.

Any expansion or changes in use shall be by separate Use Permit submitted for Commission consideration.

C. USE PERMIT MODIFICATION REQUEST NO. 91194-MOD

COA No. 1: Scope

The permit shall be limited to the following:

- a) Production of 1.80 million gallons of wine per year;
- b) Operation days during harvest: Monday thru Sunday; and

- c) Operating hours: 6 AM to 2 AM during non-harvest and 24 hours during harvest.

Any expansion or changes in use shall be by separate Use Permit submitted for Commission consideration.

COA No. 3:

The applicant shall report to the Planning Department in December of each year:

- a) the number of gallons produced during that year;
- b) the number of employees per shift;
- c) the number of visitors during the year;
- d) the number of trips generated during non-harvest and harvest; and
- e) the number of grape loads received during harvest.

COA No. 4:

The winery facility (including storage) shall be the exclusive use of the winery. No portion of the winery facility shall be rented, leased, or otherwise used by any other entity.

COA No. 7:

All food service outlined in the Marketing Plan shall be provided without charge, except for recovery of cost.

COA No. 8:

The property owner shall notify any successors-in-interest of all use permit conditions.

Public Tours & Tastings: **To be replaced by COA 4.2 above.**

~~Frequency: Daily~~

~~Maximum number of persons per day: 450~~

~~Maximum number of persons per week: 3,150~~

~~Hours of operation: 10:00 am to 5:00 pm~~

~~Location: Approximately 3,060 square feet of off-site tasting room space to be relocated to winery building.~~

Marketing Program: **To be replaced by COA 4.3 above.**

~~Type of event: "Heublin" lunches/dinners~~

~~Frequency: 3 times per year~~

~~Number of persons: 150~~

~~Time of Day: 11:00 am to 10:00 pm~~

~~Type of event: Promotional~~

~~Frequency: 3 times per year~~

Number of persons: 250
Time of Day: 11:00 am to 10:00 pm

Type of event: Promotional
Frequency: 4 times per year
Number of persons: 500
Time of Day: 11:00 am to 10:00 pm

D. USE PERMIT MODIFICATION REQUEST NO. 92231-MOD

COA No. 1: Scope

The permit is limited to the expansion of the office area within an existing winery structure by 3,000 square feet and to add six (6) employees.

E. USE PERMIT MODIFICATION REQUEST NO. 97595-MOD

COA No. 1: Scope

The permit shall be limited to:

- a) Modifying existing winery use permit #U-158081 to expand the non-public Reserve Tasting Room from 1,250 sq. ft. to 1,820 sq. ft. and to reduce the approved but unbuilt winery area from 5,690 sq. ft. to 5,120 sq. ft. with no other changes to the winery operation. The project shall conform to the attached site plan, floor plan, and elevations. Any other changes will require review and approval of a use permit modification that would be reviewed by the Zoning Administrator or the Commission.

These tasting areas shall be used solely for the pre-arranged tastings of the Beaulieu Wine Society and wine trade visitors, and not the general public.

F. USE PERMIT MODIFICATION REQUEST NO. P08-00089-MODVMIN

COA No. 1: Scope

The permit shall be limited to:

- Demolishing the 700 sq. ft. welding shop now attached to the northeast corner of the barrel storage building (welding shop to be relocated to an existing area on site);
- Replacing the welding shop with an 1,200 sq. ft. addition to house equipment to be used for grape sorting;
- Performing upgrades to the existing barrel storage building (roof, refrigeration area, plumbing and electrical for new process tanks);
- Relocating the CO2 tanks to the northeast corner of the new barrel warehouse; and
- Modifying the existing canopy column and replacing it with a new beam and columns in the tank farm area.

The winery addition and upgrades shall be designed in substantial conformance with the submitted site plan, floor 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 the original use permit 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 approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

G. USE PERMIT MODIFICATION REQUEST NO. P08-00509

COA No. 1: Scope

The permit shall be limited to:

- demolition of the existing maintenance shop located on the north side of the reserve winery building;
- relocation of the maintenance shop to the southwest exterior of the new winery barrel warehouse; and
- the subsequent remodel of existing 1,593 square foot portion of the new winery barrel warehouse for use as the maintenance shop.

The winery addition and upgrades shall be designed in substantial conformance with the submitted site plan, floor plan, elevation drawings, and other submittal materials as depicted on the Overall Site Plan submitted by MacRae Architects, Inc. dated 7/24/2008 and on the MacRae architectural plans entitled Maintenance Shop for Building permit #B08-00575 dated 5/16/2008, 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 the original use permit 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 approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

H. USE PERMIT MODIFICATION REQUEST NO. P09-00453

COA No. 1: Scope

The permit shall be limited to:

- Construction of an approximately 2,000 square foot addition to the north end of the BV Reserve Winery tank and barrel storage building including production space for a case goods storage wine library, wine laboratory, employee restrooms, expansion of existing receiving area, and an office (approximately 155 sq. ft. of accessory space);
- No changes to visitation, marketing, or employees;
- No changes to existing landscaping;
- No changes to the waste water system;
- 1 new Americans with Disabilities (ADA) parking space; and

- Assessor's Parcel Number(s): 030-110-019.

The winery shall be designed in substantial conformance with the submitted site plan, floor 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 the original use permit 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 approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

COA No. 5:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than persons producing and/or storing wine at the on-site winery, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Chapter 5.36).

COA No. 7:

Construction noise shall be minimized to the extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with 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 condition 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 Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

COA No. 8:

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 written approval by the Conservation, Development, and Planning Department prior to painting the building. Highly reflective surfaces shall be prohibited.

I. USE PERMIT MODIFICATION REQUEST NO. P11-00192-MODVMIN

COA No. 1: Scope

The permit shall be limited to:

- Construct a 10,000 square foot canopy building as part of an approved phased project.

The winery shall be designed in substantial conformance with the submitted site plan, floor 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 the original use permit 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 approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

J. USE PERMIT MODIFICATION REQUEST NO. P15-0052-VMM

COA No. 1: Scope

The permit shall be limited to:

- Authorization of previously approved private tastings to occur within an existing outdoor patio area of Beaulieu Vineyards Reserve Tasting Room.

No other improvements or modifications are authorized as part of this approval.

Requested changes 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 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 approved in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

COA No. 6:

Permittee shall obtain and maintain all permits (Use Permits and Modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC), United States Tax and Trade Bureau (TTB), Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event permittee loses required ABC 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.

Visitation log books, 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 (e.g., audit) or code enforcement process. The permittee (and their successors) shall be required to participate fully in the winery code compliance or enforcement process.



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David Morrison
Director

MEMORANDUM

To: Jason Hade, Planning	From: Daniel Basore, Engineering <i>DB</i>
Date: January 18, 2018	Re: P17-00192 Beaulieu Vineyard Major Mod. APN: 030-110-019

The Engineering and Conservation division ('Engineering') has reviewed the use permit application P17-00192 for the Beaulieu Vineyard Major Modification located on assessor's parcel number 030-110-019-000. In general the project proposes the following:

"Remodel Winery building, construct a commercial kitchen, add by appointment tastings, and revise the existing marketing program."

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. 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

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
3. 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.

4. 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.
5. **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.
6. **Prior to issuance of a building permit** the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
7. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

PREREQUISITES DURING PROJECT CONSTRUCTION

8. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction.**

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

9. All roadway/parking lot 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

10. Operations and Maintenance Agreement for post construction Stormwater facilities must be legally recorded.
11. 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



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Planning, Building & Environmental Services

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www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Jason Hade, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: May 4, 2018	Re: Beaulieu Vineyard 1960 St. Helena Highway APN: 030-110-019 Project #: P17-00192

This Division has reviewed a revised application requesting approval to modify an existing wineries' use permit by remodeling the winery building, constructing a commercial kitchen, add tasting and marketing activities among other items as described in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Upon use permit approval:

1. A well permit must be obtained by a licensed well driller for the proposed well. Prior to placing the well online for domestic use, a water supply permit amendment must be submitted for review and approval. 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.

Prior to building permit issuance:

2. 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.
3. Plans for the proposed alternative sewage treatment system as described in the Wastewater Feasibility Study, dated September 2017, included with application materials 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.

4. A permit to construct the wastewater treatment system(s) 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.

During construction and/or prior to final occupancy:

5. 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.
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. An annual food operating permit must be obtained for the commercial kitchen.

Upon final occupancy and thereafter:

8. The applicant shall provide portable toilet facilities for guest use during events of more than 75 persons as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.
9. 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.
10. Some proposed food service will be catered; therefore, any 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.
11. The use of the wastewater absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
12. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

Beaulieu Vineyard

030-110-019

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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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Planning, Building, & Environmental Services

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Fax: (707) 253-4336

David Morrison
Director

To: Jason Hade, Project Planner	From: Marie Taylor, Building Inspector
Date: December 13, 2017	Re: Use Permit – Beaulieu Vineyards File # P17-00192 Address: 1960 State Highway 29 St Helena, Ca. 94574 APN: 030-110-019

Building Inspection Division; Planning Use Permit Review Comments

The plans provided for the Use Permit application P17-000192 do not provide enough information in sufficient detail to determine code requirements. A complete plan check will be performed at the time of application and plan submittal to the building division for required permits. The following are provided to prepare the applicant for some standard submittal requirements for the plan review of the building permit process.

Any existing structures and/or buildings on the property that will be demolished require a separate demolition permit issued by The Napa County Building Division prior to demolition. The applicant will be required to provide a J number form Bay Area Air Quality Management District at the time of application for the permit.

The site and associated buildings are required to be accessible to persons with disabilities. This includes but not limited to, parking, accessible path of travel from parking to all buildings and areas on site that are available to employees and the public. Plans must also include all accessibility features for the interior work. An Accessible Upgrade Worksheet must be submitted with plans as a part of the permit process.

Occupant load will determine occupancy types, exiting requirements, and restroom facilities.

Any change in occupancy or use will require building to comply with the requirements of the California Building Code for a new occupancy or use.

Should you have any questions, please contact Marie Taylor at (707) 299-1359



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Department of Public Works

1195 Third Street, Suite 101
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Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Mike Hawkins Interim Transportation Engineer
Date: January 31, 2018	Re: Beaulieu Vineyard Major Modification P17-00192

Thank you for the opportunity to review the subject permit application. I have reviewed the revised Traffic Impact Report dated January 7, 2018 prepared by Crane Transportation Group and offer the following comments on behalf of Public Works.

No further information needed. The analysis is acceptable and I concur with the assumptions made, the methods used in the evaluation, and the conclusions reached. The study adequately demonstrates that the proposed use in the proposed location will not result in any significant impacts, either project-specific or cumulative, on traffic circulation in the vicinity. Therefore, no mitigation measures are required with this project.

Recommended Conditions of Approval. I offer the following recommended conditions of approval:

1. The *Traffic Impact Report* indicates that marketing events will be held at times that preclude adding any new guest traffic to the local circulation system during the peak traffic period. Project Condition: **marketing events shall not begin nor end during the hours of 3-6 p.m.**
2. The *Traffic Impact Report* indicates that sight lines from the proposed project driveways will meet standards assuming proposed landscaping is maintained in a manner which does not interfere with these sight lines. Project Condition: **landscaping at the project driveways shall be maintained to not interfere with sight lines required for safe stopping distance on public right-of way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic devices. Street trees should be deciduous and have branches lower than 4 feet in height removed once the tree is established.**

Caltrans Encroachment Permit required. The proposed left-turn lane and median refuge island improvements on State Route 29-128, a Caltrans-maintained road, will require an encroachment permit from that agency.

Please contact me at Michael.Hawkins@countyofnapa.org or call (707) 259-8279 if you have questions or need additional information.



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

Office: (707) 299-1461

Garrett Veyna
Fire Marshal

MEMORANDUM

TO: Planning Division	DATE: 12/18/17
FROM: Chase Beckman Fire Department	
SUBJECT: P17-00192	APN: 030-110-019

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.

Items listed in **bold** are not represented on the plan sets.

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. **Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.**
4. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, **Kitchen Hood Extinguishing Systems,**
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.



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A Commitment to Service

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

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. **Indicate routes on site plans.**
8. Roadways shall be a minimum of 20 feet in width with a 2 foot shoulder and 15 foot vertical clearance.
9. Driveways shall be a minimum of 10 feet in width with a 4 foot shoulder and 15 foot vertical clearance.
10. Turnarounds are required on driveways and dead end roadways.
11. 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.
12. **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.**
13. 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. **Indicate all hydrant locations**
14. 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. **Indicate FDC locations on site/ building plans.**
15. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
16. 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.



A Tradition of Stewardship
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17. Emergency responder radio coverage **in** new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

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)299-1467 or email at chase.beckman@fire.ca.gov