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Previous Project Conditions



NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

W. Scott Snowden
Chairman

August 21, 1978

1121 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/ 253-4416

ZD Wines
P.O. Box 900
Sonoma, CA 95476

Gentlemen:

Your Use Permit Application Number U-697778 to establish a winery
on a 5.94 acre parcel.

located on the westerly side of Silverado Trail southeasterly of Conn Creek
has been approved by the Napa County Conservation, Development and Planning Com-
mission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

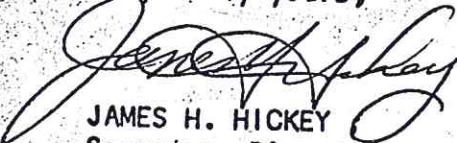
APPROVAL DATE: August 16, 1978

Your Use Permit becomes effective ten (10) days from the approval date, provided all conditions of approval are met or assurances made to guarantee compliance. The ten (10) day waiting period is required to provide sufficient time for anyone wishing to appeal the action of the Commission in approving your Use Permit. In the event an appeal is made to the Board of Supervisors, you will be notified.

Should this Use Permit not be used within one (1) year after the date of approval, it shall be null and void without further action by the Commission or Department.

If you intend to request any time extension for your approved Use Permit, please note that any such request must be submitted to the Conservation, Development and Planning Department at least 30 days prior to the expiration of the present permit.

Very truly yours,


JAMES H. HICKEY
Secretary-Director

JHH:jl

cc: Donald W. Jonas
Chief Building Inspector
County of Napa

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
REPORT AND RECOMMENDATION

Meeting of August 16, 1978

Agenda Item: 10

APPLICATION DATA:

APPLICANT: ZD Wines

REQUEST FOR: Use Permit to establish a winery on a 5.94 acre parcel

LOCATION: On the westerly side of Silverado Trail approximately one mile southeasterly of Conn Creek Road (State Highway #128) within an AP District (Assessor's Parcel #30-200-05).

FINDINGS:

SPECIAL INFORMATION:

1. The applicant is proposing to construct a 5,800 square foot building for use as a winery.
2. Details of the proposed winery are contained in the attached supplemental information sheet.
3. Comments and recommendations from various County departments and other agencies are attached.

ENVIRONMENTAL ANALYSIS:

4. The project is not anticipated to result in significant environmental effects, either individually or cumulatively. There are no unique or rare biological or physical resources that will be adversely effected. A Negative Declaration is recommended.

PLANNING AND ZONING ANALYSIS:

5. The AP District allows facilities for the processing of agricultural products, including wineries, upon grant of a use permit.
6. The procedural requirements for use permits outlined in the Zoning Ordinance have been satisfied in regard to this application.
7. The proposal is in conformance with the designation of Agricultural Resource specified for the property on the adopted Land Use Element of the County General Plan.
8. Approval of this proposal would have no detrimental effects on the public health, safety or general welfare.

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Report and Recommendation

ZD WINES - USE PERMIT

Meeting Date: 8-16-78

RECOMMENDATION:

ENVIRONMENTAL: Issue a Negative Declaration to this proposal.

PLANNING: APPROVAL with findings and subject to the following conditions:

1. Any future expansion of the winery or change of use shall require submission of a separate use permit application for consideration by the Commission.
2. A minimum of five (5) off-street parking spaces be provided on a dust free, all weather surface approved by Public Works.
3. No public tasting or tours be allowed.
4. Any plans for exterior signs be submitted to the Department for review and approval with regard to design, area, height and placement.
5. All structures be located at least 90 feet from the centerline of Silverado Trail.
6. The winery be constructed of materials that blend with its rural surroundings.
7. All storage, including wine storage tanks, be within the proposed structure or screened from public view.
8. Any exterior lighting be directed away from Silverado Trail.
9. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval prior to finalization of the building permit.
10. Compliance with all applicable building codes, zoning standards and requirements of various County departments and other agencies.
11. This permit be limited to a 25,000 gallon winery.

CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
SUPPLEMENTAL INFORMATION SHEET
USE PERMIT APPLICATION

1. DESCRIPTION OF PROPOSED USE:

USE: Wine production and storage.

PRODUCT OR SERVICE PROVIDED: Wine

FLOOR AREA: EXISTING STRUCTURES none SQ. FT. NEW CONSTRUCTION approx. 5000 SQ. FT.

2. NEW CONSTRUCTION:

TYPE OF CONSTRUCTION: See enclosed floor plan

FENCING: TYPE chain link LOCATION back of bldg. HEIGHT 8'

MAX. HEIGHT (FT.): EXISTING STRUCTURES _____ PROPOSED STRUCTURES 30'

3. AVERAGE OPERATION:

HOURS OF OPERATION 8am - 5pm A.M. TO _____ P.M. DAYS OF OPERATION 5

NUMBER OF SHIFTS: 1 EMPLOYEES PER SHIFT: _____ FULL TIME 1 PART TIME 4

NUMBER OF DELIVERIES OR PICK-UPS: .5/week avge. PER DAY

NUMBER OF VISITORS ANTICIPATED: _____ PER DAY 3 PER WEEK

ARE THERE SPECIAL OPERATIONS? PLEASE DESCRIBE ON ATTACHED PAGE

4. LANDSCAPING AND PARKING:

EXISTING LANDSCAPING: none

PROPOSED LANDSCAPING: grape vineyard, with some shrubs & trees around bldg.

PARKING SPACES: EXISTING SPACES _____ EMPLOYEE _____ CUSTOMER _____
PROPOSED SPACES 6 EMPLOYEE 3 CUSTOMER 3

UTILITIES:

WATER SUPPLY SOURCE: well METHOD OF SEWAGE DISPOSAL: septic tanks and leach field, as shown on plot plan
Return solid waste (pomace, etc) to vineyard or dump.

LICENSES OR APPROVALS REQUIRED:

DISTRICT Fictitious Business Name
STATE A30 License, Sellers Permit, REGIONAL ATF Producers Basic Permit
Dept Ag. License FEDERAL

WINERY OPERATION:

X CRUSHING X FERMENTATION X STORAGE/AGING X BOTTLING/PACKING
X SHIPPING: VIA truck: X ADMINISTRATIVE: _____ TOURS/PUBLIC TASTING
OTHER: _____

GALLONS OF WINE TO BE PRODUCED: 15000 INITIAL OR CURRENT PRODUCTION _____ GALLONS/YEAR
30000 ULTIMATE PRODUCTION _____ GALLONS/YEAR

6/10/77



NAPA COUNTY

CONSERVATION AND PLANNING DEPARTMENT

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA
AREA CODE 707/253-4416

JAMES H. HICKEY
Director

May 10, 1988

Rosa Lee de Leuze
ZD WINES
8383 Silverado Trail
Napa, CA 94558

RE: Modification of #U-697778 - Addition of 21' X 16' office addition
within existing building and enlargement of existing outdoor crush pad
APN 30-200-05

Dear Ms. de Leuze:

This letter is in response to your April 25, 1988 request for a modification of permit #U-697778 to construct additional office space inside the current facility and increasing the area of the concrete outdoor crushing, pressing and loading pad at the rear of the winery.

Section 12809 of the Napa County Code allows a one time administrative approval of minor modifications to an approved use permit if the modifications do not affect the overall concept, density or intensity of the project. In addition, the requested minor modification shall not result in any structure being increased more than 10% in size, based on the size of the structure approved under the original use permit.

Based upon the contents of your April 25, 1988 letter and plans dated March 31, 1988, under the authority granted to the Planning Director request for additional office space and an increase in the outdoor concrete crushing, pressing and loading pad at the rear of the winery is approved. This approval does not constitute approval of any increase in the number of employees, annual production or any other aspect of the existing winery operations. Further, any additional changes to the project beyond this request will require the filing of a revised use permit application for review by the Conservation, Development and Planning Commission.

Very truly yours,

JEFFREY REDDING
Deputy Planning Director

JG:P2H

cc: James H. Hickey, Director
Bill Hall, Building Codes Administrator
Ron Childress, Battalion Chief, California Department of Forestry
Chris Vallergas, State Fire Marshall Office

office - 336 sq ft.



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

January 29, 1990

Norman and Rosa Lee deLeuze
ZD Wines
8383 Silverado Trail
Napa, CA 94558

Re: Appeal of Conservation, Development and Planning Commission decision of
October 4, 1989 regarding use permit #U-697778 (Modification #1).
Assessor's Parcel Number 30-200-05

Dear Mr. and Mrs. deLeuze:

Please be advised that on January 16, 1990 the Napa County Board of Supervisors upheld your appeal relating to conditions No's 1 and 8 of use permit #U-697778 (Modification #1) and denied your appeal to Condition No. 5 of that same permit. Attached please find the final conditions of approval, reflecting the Board's action of January 16, 1990. Extensions of time for this permit and activation of it are also affected by Ordinance No. 947, incorporated herein by reference. A copy of this Ordinance is included for your information and use.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey Redding".

JEFFREY REDDING
Director

cc: Robert Westmeyer, County Counsel
Trent Cave, Director of Environmental Management
Harry Hamilton, Director of Public Works
John Tuteur, County Assessor
Bill Hall, Building Codes Administrator
Michael Miller, Supervising Planner



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

January 29, 1990

RE: Permit Request # U-697778 Modification #1
Assessor's Parcel 30-200-05

Charles Wagner
Caymus Vineyards, Inc.
P. O. Box 268
Rutherford, California 94573

Dear Mr. Wagner:

Please be advised that the Napa County Board of Supervisors on January 16, 1990 denied your appeal to a decision made by the Conservation, Development and Planning Commission on October 4, 1989, to permit the expansion of the ZD Wines facility, 8383 Silverado Trail, to 50,000 gallons/year and to adopt a Negative Declaration for the project. In a related action the Board of Supervisors upheld an appeal by Mr. and Mrs. Norman deLeuze and modified conditions of approval required by the Planning Commission on October 4, 1989. A copy of the revised conditions are included for your information.

Very truly yours,

A handwritten signature in cursive script that reads "Jeffrey R. Redding".

JEFFREY R. REDDING
Director

JRR:jc1f/WagnerC.za

cc: John Tuteur, Assessor
Bill Hall, Building Codes Administrator
Michael Miller, Supervising Planner
Richard Mendelson, Esq.

CONDITIONS OF APPROVAL
Z D Wines

USE PERMIT # 697778 Mod. 1
Meeting Date: October 4, 1989

- 1) The permit shall be limited to an annual winery production capacity of 50,000 gallons with public tours and tastings. No building construction, other than structures designated as "existing" on the attached site plan, which is a reduced version of plans on file with the Planning Department, is authorized by this permit.
- 2) Any expansion of production capacity, changes in use, or construction (including new signs, grading and paving) not specifically authorized by this permit, including any conversion of interior space to another use, may be permitted by the County only upon submission to the Department and consideration of an application for separate Use Permit.
- 3) Provisions for 18 off-street parking spaces, at least twelve of which are available to visitors on a dust-free all-weather surface approved by Public Works.
- 4) Compliance with Mitigation Measures #1 through #32 contained in the attached Project Revision Statement.
- 5) Except as permitted by County ordinance or adopted Board of Supervisors' policy, no outdoor social activities, including picnicking, outdoor dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature shall be conducted.
- 6) Retail sales shall be limited to wine produced and bottled at the winery.
- 7) Compliance with all applicable zoning standards and requirements of various County departments and agencies; PROVIDED that installation of a left turn lane and related improvements to Silverado Trail fronting the property shall be in accord with plans prepared by James L. Cassayre dated October 21, 1988, with the following permissible variations:
 - a) cut or fill, + or - five (5) feet horizontal distance;
 - b) changes necessary to comply with Mitigation Measure # 21.

:jcl1a/DeLeuze.CA

Revised: 1-16-90

RECEIVED

SEP 11 1989

506 4/31

PROJECT REVISION STATEMENT
ZD Winery Expansion

NAPO VALLEY
DEVELOPMENT DEPARTMENT

I hereby revise my proposal to expand the production of a 25,000 gallon/year winery and hold public tastings on Assessor's Parcel 30-200-05 (i.e., Use Permit U-697778 (Mod 1)) to include the measures specified below:

Hydrology (Flood Hazard Intensification)

1. The spoils generated by construction of the proposed project, including the required left turn lane and any caves installed in the future, shall not be deposited in the floodway or channel of any stream or in any pond or lake. The location of the spoils disposal area ultimately selected shall be submitted to the Napa County Public Works Department for review and approval at least ten (10) working days prior to the commencement of any grading or excavation work on-site.

Hydrology/Water Quality/Ecosystem (Erosion/Sedimentation Increases, Water Quality Degradation, & Wildlife Habitat Destruction)

2. All ground disturbing activities within 100 feet of the top of the banks of the unnamed drainageway crossing the area disturbed by left turn lane installation associated with construction of said left turn lane or installation of any other on-site improvements shall be limited to the dry season (i.e. April 15 to October 1).
3. All ground disturbing activities outside this area shall also be restricted to the dry season (i.e., April 15 to October 1); OR all run-off from the area disturbed shall be directed through one or more properly sized and maintained temporary on-site debris catch basins prior to being discharged to the above referenced drainageway.
4. All areas disturbed by project construction, with the below exception, shall be reseeded with grasses and forbs acceptable to Napa County Resource Conservation District prior to October 15 of each construction year. Those areas that are further than 100 feet from the top of the bank of the unnamed drainageway crossing the area disturbed by left turn land installation and are going to be further disturbed need not be reseeded if temporary debris catch basins are installed.
5. Those improvements needed to keep any concentrated run-off discharged from eroding the banks and bed of the unnamed drainageway involved shall be installed prior to commencement of any use of the new left turn lane required. Their design shall be acceptable to and approved by the Napa County Public Works Department and the Napa County Resource Conservation District. Said improvements shall be periodically inspected and properly maintained.

6. Upslope run-off shall not be allowed to flow over the faces of the cut and/or fill slopes created. Drainage shall be intercepted and diverted away from cuts and fills by use of upslope berms or interceptor ditches. Energy dissipation structures shall be installed where necessary.
7. All fills within which the spoils from this project are placed shall be replanted with shrubs, grasses and forbs acceptable to the Napa County Resource Conservation District by October 15th of the year in which they are deposited; **OR** all run-off from said fills shall be discharged through properly sized and maintained debris catch basin(s).
8. A detailed integrated erosion control plan for the required left turn lane shall be submitted to the Napa County Public Works Department for review at least ten (10) days prior to commencement of any grading work on-site. Said plan shall identify seeding, mulching and fertilizer materials, application times, and rates. It shall also specify the exact design and location of all erosion control measures to be installed. This plan must be accepted and approved by the Napa County Resource Conservation District prior to submission to the Napa County Public Works Department. Evidence of this agency's approval shall be provided by signed certifications on the plan itself. No grading work shall be initiated on-site until said plan has been approved by the Public Works Department. All measures recommended in the plan approved by the Public Works Department shall be implemented.

Noise (Construction Period Noise Production)

9. Outdoor noise-producing construction activities in areas within 1,300 ft of any off-site residence shall be limited to weekdays, with the below exception, between 7:00 AM and 5:00 PM; **OR** a written waiver of this requirement by the inhabitants of every residence involved shall be submitted to the Napa County Conservation, Development and Planning Department prior to the commencement of any work. Upon a showing of extreme unforeseeable hardship, outdoor noise-producing work may be permitted between 7:00 AM and 3:30 PM within 1,300 feet of an off-site residence on no more than three (3) Saturdays. Said Saturday work shall not commence until approval has been received from the Planning Department.

Noise (Traffic Noise)

10. No more than 1 round trip per day by a bus (10 wheel 4 axle) shall be made to the expanded winery. Said trip shall not occur before 9 AM nor after 4:30 PM.

Noise (Operation Noise)

11. Outdoor noise-producing activities associated with operation of the expanded winery shall only occur between 8:00 AM and 5:00 PM except while the crush is underway. During this period, outdoor noise-producing activities associated with wine production may take place outside these hours.
12. Any activities for site visitors held outdoors shall cease by 6 PM on weekdays and 3 PM on Saturdays and Sundays. One (1) event per year shall be allowed outside these hours.
13. No sound amplification equipment shall be used on-site outdoors except at the one event per year allowed under Condition #12 above.

Ecosystem (Wildlife Habitat Destruction)

14. No spoils generated by construction of the required left turn lane or other improvements associated with this project including any caves installed in the future shall be deposited in the riparian zone along any drainageway, on or off-site, in any marsh or wetland, or in any vernal pool. The location of the spoils disposal area ultimately selected shall be submitted to the Napa County Conservation, Development and Planning Department for review and approval at least ten (10) working days prior to the commencement of any grading or excavation work on-site.

Aesthetic (View Degradation)

15. Annual grasses and/or drought-tolerant ground covers shall be planted, where feasible on all new/expanded cut and/or fill slopes created. The property owner and his successors-in-interest shall permanently maintain said grasses and ground covers outside the public right-of-way.
16. All piles of spoils visible from Silverado Trail, other public roads, private roads, and/or off-site residences generated by construction of the proposed project, including installation of the required left turn lane and excavation of any future caves, shall be removed prior to commencement of use of the new left-turn lane required.

Aesthetic (Light & Glare)

17. Shields shall be placed on any new lights installed to direct the illumination produced downward and away from Silverado Trail.

Cultural (Archaeological Resource Damage)

18. The applicant/property owner and their successor's-in-interest shall employ a qualified professional archaeologist on the Society of Professional Archaeologists (SOPA) List to monitor all project related ground disturbing activities within 10 feet of the boundaries of the recorded archaeological site present. The selected archaeologist shall use Archeo-Tec's Recommended Monitoring Procedures. If significant artifactual materials are encountered at any time, all work within 35 feet shall be halted. Said work shall remain stopped until the archaeologist has evaluated the find, developed any mitigation measures needed, prepared a report of his findings, and filed said report with the Napa County Conservation, Development and Planning Department. All mitigation measures suggested shall, with the concurrence of the Director of the Planning Department, be implemented. All lessees of, and contractors doing work on, this property shall be informed of, and bound by contract to honor, the requirement to stop work immediately if artifactual materials are encountered. A report outlining the results of the monitoring program shall be submitted to the Planning Department prior to commencement of any public tours/tasting on-site.

19. The applicant/property owner and their successors-in-interest shall see that all work in any area not monitored by a qualified professional SOPA-listed archaeologist is halted within 35 feet if concentrated artifactual materials (i.e., worked stone, bone, charcoal, human remains, etc.) are encountered during any ground disturbing activities associated with this project. Said work shall remain stopped until a qualified professional SOPA-listed archaeologist has evaluated the find, developed any mitigation measures needed, prepared a report of his findings, and filed said report with the Napa County Conservation, Development and Planning Department. All mitigation measures suggested shall, with the concurrence of the Director of the Planning Department, be implemented. All contractors doing work on this project shall be informed of, and bound by contract to honor, the requirement to stop work immediately if artifactual materials are encountered.

Traffic (Safety)

20. A northbound left-turn lane with associated acceleration and deceleration tapers shall be installed on Silverado Trail at the entrance to the expanded winery within 120 days of use permit approval or by July 1, 1990, whichever comes later, but in any event before commencement of any public tours/tasting on-site.

21. A sign shall be installed at the winery driveway/Silverado Trail Intersection prohibiting left turns onto Silverado Trail; OR a full width, center-road, left turn return lane with associated taper for traffic turning left from the winery driveway onto Silverado Trail shall be provided.
22. The existing entranceway to the winery shall be reconstructed in such a manner as to permit an automobile upon coming to the gate when it is closed, to turn around without backing up. If a new gated entranceway is installed, the gate shall be set back far enough to provide adequate stacking distance for at least two (2) cars outside the public right-of-way. Moreover, the entryway design selected shall permit a motorhome design vehicle upon coming to the gate when it is closed, to turn around without backing up.
23. Adequate facilities for the loading, unloading, and turn-around of all trucks serving the expanded winery shall be provided on-site outside the public right-of-way.
24. No parking spaces or loading/unloading areas installed shall directly access off Silverado Trail.
25. Pickups and deliveries of grapes, supplies and wines shall, to the greatest extent feasible, be scheduled outside the hours the proposed winery is open to the general public.

Traffic & Public Safety (Traffic Safety & Fire Protection)

26. The driveway to the expanded winery shall be made 20 feet wide along its entire length prior to commencement of any public tours/tasting on-site. It shall have an all-weather year-round surface and be capable of supporting heavy fire engines and other emergency equipment. Said road shall at a minimum meet the Napa County Fire Warden's standards for access roads to residential sites in regards to grade, curve radius, clearance, etc. Its design shall be acceptable to and approved by the Napa County Fire Chief.


Traffic (Congestion & Parking)

27. The number of visitor-carrying vehicles entering the subject property per day shall be limited to 60 or fewer.
28. At least 18 improved parking spaces shall be provided on-site.
29. Access to the property shall be denied at the entry gate when the improved parking area(s) provided are full.

Public Safety (Fire Protection)

30. A monitored smoke detector system(s) acceptable to and approved by the Napa County Fire Chief shall be installed in all non-processing areas in the existing building within 120 days of use permit approval. In processing areas, heat detectors shall be installed.
31. A copy of a revised business plan meeting Napa County Environmental Management Department guidelines shall be provided if required to the Napa County Fire Chief with 120 days of use permit approval.
32. A lock box system acceptable to and approved by the Napa County Fire Chief shall be installed at an acceptable location at the expanded winery within 120 days of use permit approval. A copy of the required business plan shall be placed therein.
33. Fire truck access acceptable to and approved by the Napa County Fire Chief shall be provided to at least two (2) sides of the expanded winery within 120 days of use permit approval.

I further **commit myself and my successors-in-interest to communicate the above specified requirements in writing to any future purchasers of the property prior to transfer of title.**


Norman DeLeuze, Proprietor
ZD WINES

9/11/89
Date



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

CALIFORNIA 94559-3092
JEFFREY REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA,
AREA CODE 707/253-4416

February 7, 1991

Assessor's Parcel # 30-200-05

Norman & Rosa Lee DeLeuze
ZD Wines
8383 Silverado Trail
Napa, California 94558

Dear Mr. and Mrs. DeLeuze:

Please be advised that Use Permit Application Number #U-90-32 has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions.

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: February 6, 1991

EXPIRATION DATE: February 20, 1992

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Title XIII of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Pursuant to Section 12806 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date. A request for an extension of time is subject to payment of a \$300.00 filing fee.

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions.

Very truly yours,

A handwritten signature in cursive script that reads "Jeffrey R. Redding".

JEFFREY R. REDDING
Director

cc: John Tuteur, County Assessor
Deanna Silvestri, Acting Supervising Building Inspector

CONDITIONS OF APPROVAL

Use Permit # U-90-32 (ZD Wines)

1. The permit is limited to the following:
 - a) an increase in the production capacity to 70,000 gallons/year;
 - b) construction of a 13,500 square foot building addition, 1000 square foot second floor storage area conversion, and the 1856 square foot conversion of the existing covered crush pad in conformance with the attached floor plans and listed building area uses and dimensions; and,
 - c) marketing activities outlined as occasional private lunches for retailers and restaurateurs, average 10 guests, less than 6 times per year; and,
 - d) food service limited to private lunches and dinners for the crew during the crush.

The exterior elevations of the proposed addition shall substantially conform with the submitted architectural renderings. Style, size, materials and colors used shall be such as to make the addition blend with the existing structure and appear to be an integral part thereof.

Any expansion or changes in use shall be by separate Use Permit submitted for Commission consideration.
2. Submit a detailed landscaping, fencing, and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan is to be submitted prior to issuance of any building permit. To the greatest extent possible, drought-resistant, native plants should be utilized in the landscaping. Landscaping, fencing, and the additional parking space are to be completed prior to occupancy of the winery addition. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
3. There shall be a total 21 off-street parking spaces provided, on a dust-free all-weather surface approved by the Public Works Department.

Conditions of Approval

Use Permit #U-90-32 (ZD Wines)

4. Comply with all applicable building codes, zoning standards, and requirements of all County Departments and all other regulating agencies.
5. Comply with the 6 Mitigation Measures described in the Project Revision Statement signed by the applicant dated January 21, 1991.
6. Comply with all applicable conditions and measures which were included in previously approved use permits. Any conditions that are in conflict with the requirements of this permit shall be null and void.
7. Retail sales shall be limited to wine fermented and bottled at the winery . No picnicking or outdoor wine tasting shall be permitted.
8. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased or otherwise used by any other entity.
9. All uses of the site henceforth undertaken by the winery in conjunction with marketing shall be in compliance with the Marketing Plan approved herein and incorporated by reference. The winery facility shall not be used for events hosted by entities other than the winery itself.
10. Visitor parking areas shall be clearly delineated. Parking control signs acceptable to the Director shall be installed to indicate "No parking" areas and "Winery Personnel Only" areas. Location and sign specifications shall be included on the required landscape plan.
11. The production capacity of the winery shall not exceed 70,000 gallons/year as averaged over any consecutive three(3) year period. In any given year production shall not exceed 84,000 gallons. The applicant shall report to the Planning Department in December of each year the number of gallons produced during the year.
12. The applicant shall report to the Department on an annual basis the source of his grapes verifying that 75% of his production over 50,000 gallons is from Napa County grapes. The report shall include the Assessor's Parcel Number of the properties involved and the tons of grapes obtained from each. This information is proprietary and as such shall not be available to the public. For the public record, the applicant shall annually submit to the Department a statement indicating compliance with the County's grape source requirement and specify the percentage of Napa County grapes utilized.

JAN 23 1991

PROJECT REVISION STATEMENT
Z D WINES

NAIPA COUNTY CONSERVATION
DEVELOPMENT AND PLANNING DEPT

I hereby revise my proposal to increase production capacity from 50,000 gallons/year to 70,000 gallons/year with the construction of a 13,500 sq. ft. addition to the existing winery building, Assessor's Parcel 30-200-05 (i.e., Use Permit #U-90-32) to include the measures specified below:

Hydrology & Water Quality (Sedimentation Increase and River Degradation)

1. Landscaping shall be installed adjacent to the paved areas along the western property line. Such landscaping shall incorporate plants with strong root systems, including but not limited to groundcovers and low growing shrubs, which will serve to reduce erosion.
2. Grading and other ground disturbing activities shall only occur between April 15 and October 15, unless County-approved erosion control methods which prevent the movement of sediment from the site are installed. Such erosion control measures shall be developed in compliance with any erosion control ordinances in effect at the time permits are requested.

Air Quality (Dust)

3. Water and/or dust pallatives shall be applied in sufficient quantities during grading or construction operations to limit the amount of dust produced to the minimum possible.

Aesthetic (View Degradation & Increased Nighttime Light)

4. Any new lights installed shall include shields which will direct the illumination produced downward and away from the Silverado Trail.
5. Landscaping, which shall both screen and enhance the proposed expansion of the winery, shall be installed between the proposed structure and the Silverado Trail, in accordance with a County-approved landscape plan.

Cultural (Archeological Site)

4. The applicant/property owner and their successor's-in-interest shall see that all work is halted within 35 feet if concentrated artifactual materials (i.e., worked stone, bone, charcoal, human remains, etc) are encountered during any ground disturbing activities associated with this project. Said work shall remain stopped until a qualified professional archaeologist (on the Society of Professional Archeologist's (SOPA) list) has evaluated the find, developed any mitigation measures needed, prepared a report of his findings, and filed said report with the Napa County Conservation, Development and Planning Department. All mitigation measures suggested shall, with the concurrence of the Director of the Planning Department, be implemented. All contractors doing work on this project shall be informed of, and bound by contract to honor, the requirement to stop work immediately if artifactual materials are encountered.

I understand and explicitly agree that with regards to all CEQA and Permit Streamlining Act (i.e., GSC 63920 - 63962) deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date this project revision statement is received by the Napa County Conservation, Development and Planning Department.

Norman C DeLeuze 1/21/91
Norman DeLeuze Property Owner date

Rosa Lee DeLeuze 1/21/91
Rosa Lee DeLeuze Property Owner date



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

March 31, 2014

Brett DeLeuz
ZD Wines
8383 Silverado Trail
Napa, CA 94558

Re: Request for Very Minor Modification Use Permit #P14-00041
Assessor's Parcel Number: 030-200-005

Dear Mr. DeLeuz:

The Napa County Planning, Building, and Environmental Services Department has reviewed your request for a Very Minor Modification, #P14-00041, submitted February 21, 2014.

Use Permit #U-697778 was approved on August 16, 1978 to establish a 25,000 gallon per year winery on the above indicated parcel. Subsequently, Use Permit #697778 Mod. 1 was approved on October 4, 1989, to increase the production capacity of the winery. Included in the conditions of approval for this modification request was Condition #5 which stated:

"5. Except as permitted by County ordinance or adopted Board of Supervisors' policy, no outdoor social activities, including picnicking, outdoor dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature shall be conducted."

Use Permit #U-90-32 was approved on February 6, 1991 to increase winery production and an expansion of the winery facilities. Included in the conditions of approval for this modification request is Condition #7 which stated:

"7. Retail sales shall be limited to wine fermented and bottled at the winery. No picnicking or outdoor wine tasting shall be permitted."

The Very Minor Modification application requests that Condition #5 of Use Permit #697778-MOD.1 be deleted to allow the winery to conduct outdoor wine tasting and other activities of a similar nature. The application further requests approval to establish the areas shown on the submitted site and floor plans for wine consumption to occur, consistent with AB 2004.

This very minor modification application is not requesting any new construction, or any change in production, visitation levels, marketing, coverage or employees.

THEREFORE,

- a. The referenced Use Permit #697778 Mod.1. Condition #5, regarding outdoor social activities, will be removed.
- b. In addition, Use Permit U-90-32 Condition #7 will be modified to read:
 7. Retail sales shall be limited to wine fermented and bottled at the winery. ~~No picnicking or outdoor wine tasting shall be permitted.~~
- c. 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 of wine purchased from the winery may occur solely in: "The Grove"; "The Courtyard", "The Fountain Area", "The Patio", "Deck A", "Deck B", and "Tasting Room" as delineated on the Plans prepared on 8-27-92. Any and all visitation associated with on-premise consumption shall be subject to the 50 person maximum daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan.

Please be advised that this request as outlined above has been **APPROVED** by the Director. It should be noted that all previous Use Permit conditions not in conflict with this modification will still apply.

The Department has determined this application to be Categorically Exempt from the provisions of CEQA, the California Environmental Quality Act, pursuant to Section 15301, Appendix B, Class 1(3) (Very Minor and Minor modifications of existing use permits in conformance with Section 18.124.130 of the Napa County Code) of the Napa County's Local Procedures for implementing the California Environmental Quality Act.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the ninety day period in which to protest imposition of any fees, dedications, reservations, or other exactions that may have been adopted as conditions of approval has begun.

Pursuant to Section 18.124.080 of the Napa County Code, the modification must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of this permit.

Should you have any questions, please contact Wyntress Balcher, Planner II at (707) 299-1351 or e-mail at wyntress.balcher@countyofnapa.org.

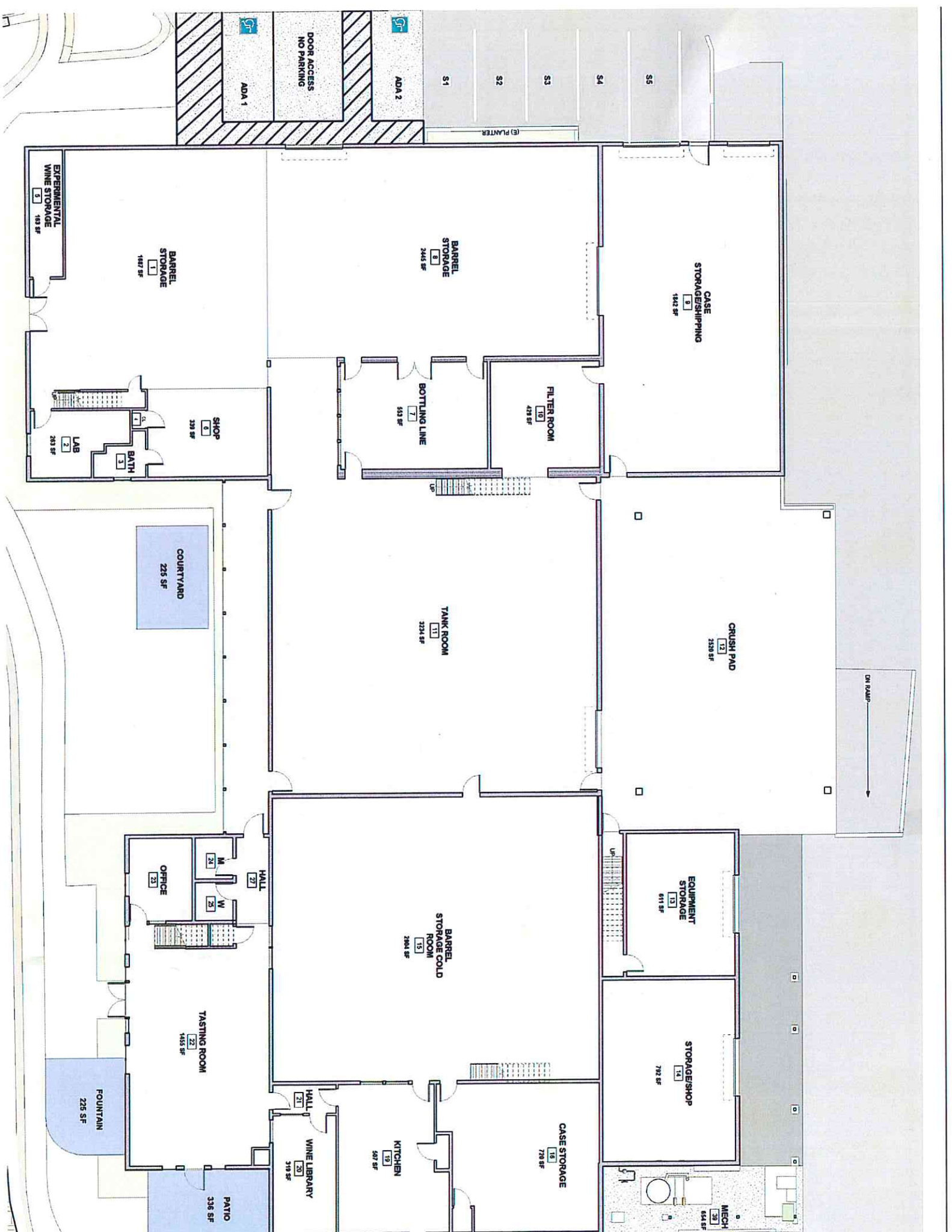
Sincerely,

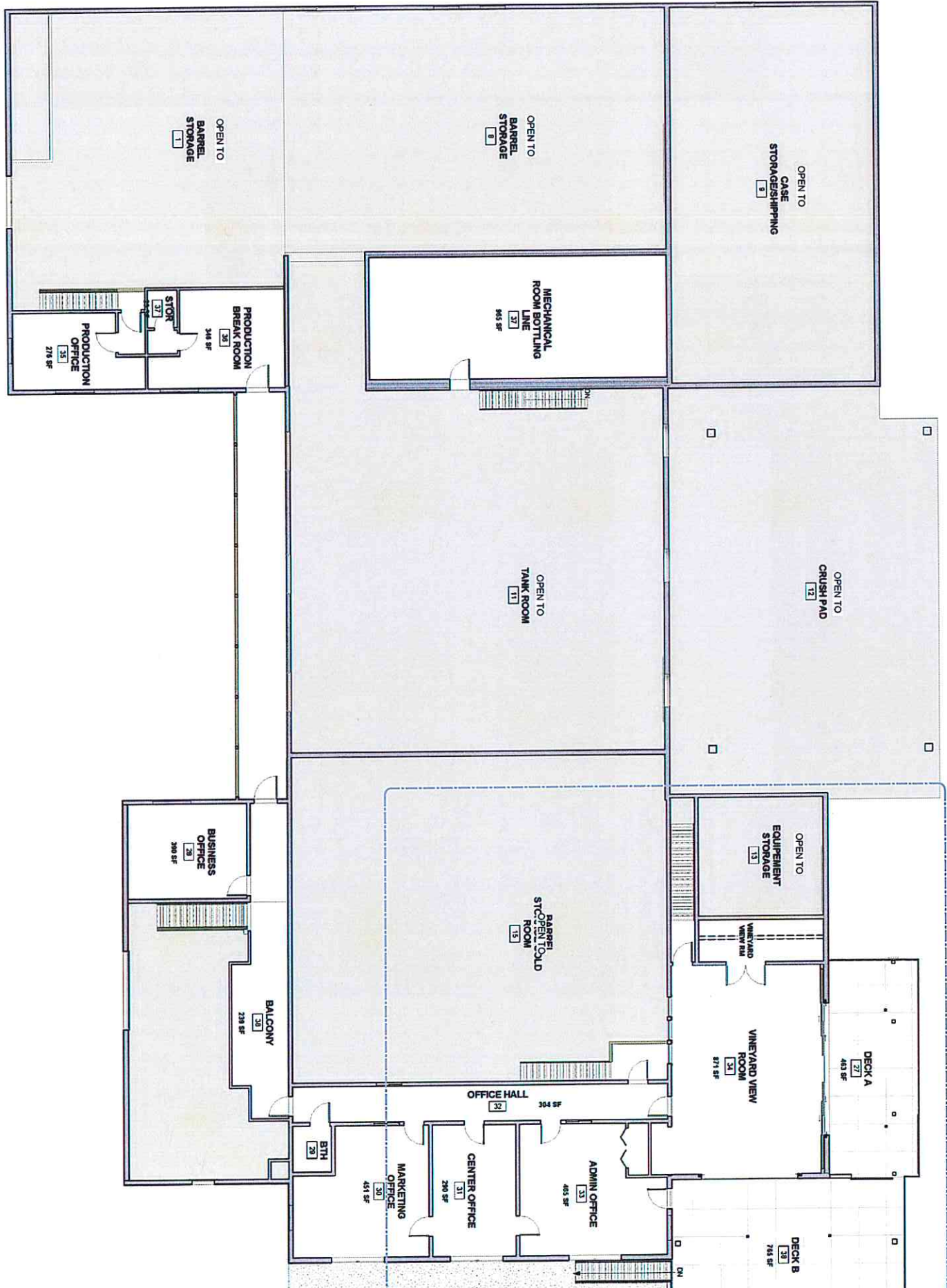


David Morrison
Director

By: Wyntress Balcher, Planner II

cc: Napa County Departments/Divisions - Engineering, Environmental Health,
Building, Fire, J. Tuteur (Assessor), Jeff Tangen
Project Files







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www.countyofnapa.org

David Morrison
Director

Amended 3-22-2017

March 15, 2017

Robert DeLeuze and Brett DeLeuze
ZD Wines
8383 Silverado Trail
Napa, CA 94558

Re: ZD Wines Use Permit Modification
8383 Silverado Trail
Napa, CA 94558 (APN: 030-200-005)

Dear Messers. DeLeuze;

Please be advised that Use Permit P16-00026 was approved by the Napa County Planning Commission (hereafter "Commission") on March 15, 2017, 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 Mitigated Negative Declaration on file with the Planning, Building, & Environmental Services Department.

The permit becomes effective immediately unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone, you will be notified.

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 15, 2019

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

ZD Wines
P16-00026-MOD
March 15, 2017
Page 2

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.

If you have any questions about this letter, please feel free to contact me at 707.299-1351 or via email at wyntress.balcher@countyofnapa.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wyntress Balcher', with a long horizontal flourish extending to the right.

Wyntress Balcher
Planner II

Enclosures

cc: David Gilbreth, 1152 Hardman Ave, Napa, CA 94558
Napa County Dept. – Engineering Services, Environmental Health, Building, Fire,
J. Tuteur (Assessor), Matt Lamborn
Project Files

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

**ZD WINES
Use Permit Modification Number P16-00026
8383 Silverado Trail, Napa
APN #030-200-005**

1.0 SCOPE

This permit encompasses and shall be limited to:

- 1.1 Approval to modify an existing 70,000 gallon winery approved under use permit #U-697778 and modifications #U-697778 Mod, #U-90-42, and #P14-00041 to allow the following:
- a. Reallocate and rearrange the 33 existing parking spaces and add approximately ±729 sq.ft. of pervious surface materials adjacent to the existing paved surface as delineated on the proposed parking plan;
 - b) Re-allocate 56 sq. ft. of existing interior building area to increase the storage room of the “Vineyard View Room” as delineated on the floor plans entitled “Vineyard View Remodel, to a total of a 871 sq. ft.;
 - c) Remodel and expand the existing 622 sq. ft. second floor decks for a total 1,228 sq. ft. in area, plus the construction of a covering over a portion of the deck;
 - d) Confirmation of 35 total employees: 25 full-time employees, 10 part-time employees;
 - e) Confirmation of 225 maximum visitors daily; and,
 - f) To modify the on-premises consumption of wine condition “c” from Use Permit Modification #P14-00041 VMM, as set forth in COA No. 2.1 below.

The winery remodeling 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.

2.0 PROJECT CONDITIONS

Should any of the project conditions conflict with any of the other conditions included in this document the more specific conditions shall supersede and control.

2.1 On-Premises Consumption

In accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 and the PBES Director’s July 17, 2008 memo, “Assembly Bill 2004 (Evans) and 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 “The Grove”; “The Courtyard”, “The Fountain Area”, “The Patio”, “

the Vineyard View Room”, “Deck A”, “Deck B”, and “Tasting Room” as delineated on the Plans prepared on 8-27-92. as specified in the application. 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 No. 4.3 below.

3.0 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:

- 3.1 Engineering Services Division as stated in their Memorandum dated May 4, 2016.
- 3.2 Environmental Health Division as stated in their Memorandum dated November 17, 2016.
- 3.3 Building Division as stated in their Memorandum dated September 20, 2016.
- 3.4 Fire Department as stated in their Inter-Office Memo dated October 26, 2016.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those 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.

4.0 VISITATION

Consistent with County Code Sections 18.16.030 and 18.20.030, 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.”

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 date of the visits. This record of visitors shall be made available to the PBES Department upon request.

4.1 TOURS AND TASTINGS [RESERVED]

4.2 MARKETING [RESERVED]

4.3 RECOGNITION OF PRE-WDO MARKETING AND VISITATION

Existing Public Tours & Tastings:

Frequency: 7 days per week, Sunday through Saturday

Maximum number of persons per day: 225

Maximum number of persons per week: 1575

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

Existing Marketing Program:

Marketing events are limited to the following:

- a. Frequency: Six (6) times per year
Number of persons: 165 maximum
Time of Day: 10:00 am – 10:00 pm
- b. Frequency: One (1) time per year
Number of persons: 100 maximum
Time of Day: 10:00 am – 10:00 pm
- c. Any activities for site visitors held outdoors shall cease by 6:00 pm on weekdays and 3:00 pm on Saturdays and Sundays. One (1) event per year shall be allowed outside these hours. (Use Permit #U-697778 Mod #1 mitigation measure #12)

5.0 GRAPE SOURCE [RESERVED]

6.0 COMPLIANCE REVIEW

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), 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 permittee loses the required ABC or TTB permits and licenses (or permit/license is revoked), 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. The permittee (and their successors) shall be required to participate fully in the winery code compliance process.

7.0 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 or entities producing and/or storing wine at the 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 (County Code Chapter 5.36).

8.0 SIGNS [RESERVED]

9.0 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, shall be on timers, 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 (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 California Building Code.

10.0 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 Water Efficient Landscape Ordinance (WELO) requirements in affect at the time of building permit submittal, 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 shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" diameter at breast height 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.

Landscaping shall be completed prior to issuance of a Final Certificate of Occupancy, and shall be permanently maintained in accordance with the landscaping plan.

11.0 OUTDOOR STORAGE/SCREENING/UTILITIES

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 item in storage 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.

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

12.0 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 PBES Department prior to painting the building. Highly reflective surfaces are prohibited.

13.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

13.1 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 issuance of a Final Certificate of Occupancy.

13.2 TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4:00 – 6:00 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.

13.3 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.

13.4 AIR QUALITY

During all construction activities the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Best Management Practices, as provided in Table 8-1, May 2011 Updated CEQA Guidelines:

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked 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.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.

- f. 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.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (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.
- h. 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.

13.5. 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 State Regional Water Quality Control Board (SRWQCB).

13.6 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.

13.7 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES 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 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.

14.0 GROUND WATER MANAGEMENT - WELLS

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

- a. The permittee shall (at the permittee's expense) maintain data regarding monthly well monitoring and the total annual groundwater pumped. Such data shall include water extraction volumes and static well levels of the well. All monitoring shall commence within six months of the issuance of this permit, or immediately upon commencement of the expansion authorized by this permit, whichever occurs first, and shall be submitted not later than January 31st every calendar year thereafter and available upon the County's request at any other time.

Water usage shall be minimized by use of best available control technology and best water management conservation practices.

- b. No new on-site or off-site water sources (other than those evaluated as part of this permit) proposed to be used for the winery, including but not limited to wells, imported water, new or existing ponds/reservoir(s) or other surface water impoundments, to serve the winery, shall be allowed without additional environmental review, if necessary, and may be subject to a modification to this permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.
- c. Permittee shall limit groundwater use for the winery to 3.59 acre-ft. per year. Any exceedance of this amount in a calendar year is a material breach of this permit.
- d. If water use for the winery from the well exceeds 3.59 acre-ft. per year in a calendar year by 10% or more (a significant exceedance), the permittee shall both immediately notify the County and cease any activity causing the exceedance, shall begin daily well monitoring, and shall promptly prepare a report to be submitted to the PBES Director regarding the reasons for the significant exceedance and the measures immediately taken and to be taken to bring the significant exceedance into compliance with this condition.

The PBES Director may set this permit for a revocation or modification hearing before the Commission within 60 calendar days of discovery of the significant exceedance for possible modification, revocation, or suspension.

- e. If the water use for the winery from the well exceeds 3.59 acre-ft. in a calendar year by less than 10%, the permittee shall notify the County, and promptly provide a report of the following:
 - 1. water volume used;
 - 2. the reason for exceedance;
 - 3. the plan the winery has for reducing water use so as not to exceed the allocation the following year; and
 - 4. other information that may be affecting water use.

If after two calendar years of reporting the monitoring shows that the annual water allocation identified above continues to be exceeded by less than 10%, the PBES Director shall schedule the permit for review by the Planning Commission and possible modification, revocation or suspension.

- f. The permittee shall be required to include the well in the County's Groundwater Monitoring program upon the County's request.

15.0 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact Environmental Health with any questions regarding the following:

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

16.0 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 the development, all work in the vicinity must be, by law, 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 nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee 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.

17.0 ADDRESSING

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

18.0 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 PBES Department's standard form.

19.0 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 County Code Chapter 18.107.

20.0 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 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 owner. 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 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 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 County Code Section 18.124.120.

21.0 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 Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow commencement of production activities prior to completion of all project improvements. 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.

22.0 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.

23.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS

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.

24.0 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.



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A Commitment to Service

David Morrison
Director

MEMORANDUM

To: Wyntress Balcher, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>go</i>
Date: May 4, 2016	Re: ZD Wines Use Permit Very Minor Modification - Engineering CoA 8383 Silverado Trail, Napa, CA P16-00026 APN 030-200-005

The Engineering and Conservation Division (Engineering) received a referral for comment on a modification to an existing use permit, generally requesting the following:

To allow a modification of an existing Use Permit for ZD Wines UP # U-90-32 and U-697778 to reallocate the 21 existing approved paved parking and the casual paved parking areas, to increase the total paved parking spaces to 31, with no increase in visitation or increase in employess proposed.

After careful review of the Use Permit submittal package the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. The existing parcel is approximately 5.75 acres.
2. Existing property is currently developed with a vineyard, and a winery.

RECOMMENDED CONDITIONS:

The permittee shall comply with all previous conditions of approval for the above mentioned applications, except as 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 and supersede earlier ones. The following are the Engineering Division recommended conditions of approval:

PARKING:

1. Any parking proposed by the developer or required by the Planning Commission as a condition of this use permit must have a minimum structural section equivalent to support an H20 load designed

by a licensed Civil or Geotechnical Engineer and shall not be less than two inches of asphalt concrete over five inches of Class II Aggregate. (NCRSS, Page 37, Section 20).

2. Parking lot details shall conform to the requirements of the latest edition of the NCRSS at the time of building permit submittal. (NCRSS, Page 82, Detail D-8).
3. Project proposes 33 parking stalls. No visitation or marketing events shall exceed this available parking without prior approval of a parking and traffic management plan.

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 include a hydraulic analysis for the drainage improvements indicating the path and changes in runoff.
6. Any grading, drainage and parking improvements approved by this Use Permit modification shall be constructed according to the latest "Napa County Road and Street Standards" and the California Building Code and shall be reviewed and approved by this office prior to construction. 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 Engineering Division of 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.
8. The applicant must obtain an encroachment permit prior to any work performed within the Napa County Right-of-Way.

OTHER RECOMMENDATIONS:

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.

CONSTRUCTION STORMWATER REQUIREMENTS:

10. Any Project that requires a building or grading permit shall complete a Project Guidance for Stormwater Compliance checklist and shall submit this form to the Napa County Planning, Building and Environmental Services Department for review.
11. 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 1400 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
12. Any construction activity that equals or exceeds one acre of total disturbed area shall require the permittee to file a Notice of Intent (NOI) with the State Regional Water Quality Control Board (SRWQCB) and prepare a Storm Water Pollution Prevention Plan (SWPPP) in accordance with Napa County's General Permit for Discharges of Storm Water Associated with Construction Activity and the latest version of the Construction General Permit issued by the SRWQCB prior to any grading or construction activity. Construction activity subject to this permit includes but is not limited to clearing, grading and disturbances to the ground such as stockpiling, or excavation. The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP. Prior to issuance of a construction permit (building or grading), the applicant must provide to the Engineering division a copy of the NOI that is filed with the SRWQCB and the associated WDID issued by the SRWQCB.
13. Any construction activity that will result in disturbance of greater than 10,000 sq ft of total land area but less than one acre of total land area will require the permittee to prepare and maintain an erosion & sediment control plan (ESCP) to be submitted with the building permit application. A plan check fee will apply.
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 construction 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 Bay Area Stormwater Management Agencies (BASMAA) manual titled - "Design Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa, and Solano Counties". A copy of this manual is available on the PBES Department website for your use and information.
18. Provide concrete stamping, or equivalent, of all stormwater conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping – Drains to Napa River"). Signage shall identify the receiving water the drain discharges to and include a message in Spanish.
19. 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.
20. 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.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss at (707) 259-8179



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Wyntriss Balcher	From: Gary J. West, Chief Building Official
Date: September 20, 2016	Re: ZD Wines Use Permit Minor Modification P16-00026

Building Inspection Division Planning Use Permit Review Comments

Address: 8383 Silverado Trl., St. Helena CA 94574

APN: 030-200-005-000

Project: ZD Wines Use Permit Minor Modification P16-00026

Owner: ZD Wines LLC

Contact: Robert Deleuze

Description: Minor Modification of Use Permit #U-90-32 and U-697778 to reallocate the 21 existing approved paved parking and the incorporation of the casual paved parking areas, to increase the total paved parking spaces to 31, with no increase in visitation or increase in employees proposed. The casual paved parking area is located within the existing winery development area. Project also proposes remodeling and covering portions of level two of the winery.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P16-00026 Minor Modification; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for Use Permit application P16-00026 Minor Modification do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County

Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit”. The codes adopted at this time are 2013 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
2. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public.
3. In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.

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

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



GARY J. WEST
CHIEF BUILDING OFFICIAL
NAPA COUNTY BUILDING DIVISION
1195 THIRD STREET
NAPA CA 94559
(707)259-8230
gary.west@countyofnapa.org



A Tradition of Stewardship
A Commitment to Service

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

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

Joe Petersen
Fire Marshal

MEMORANDUM

TO: Wyntriss Balcher Planning Division	DATE: October 26, 2016
FROM: Joe Petersen Fire Department	
SUBJECT: P16-00033 ZD Wines	APN: 030-200-005

The Napa County Fire Marshal's Office has reviewed the application package for ZD Wines Minor Modification. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. 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.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Should you have any questions of me, contact me at (707)299-1461 or email at joe.petersen@fire.ca.gov.

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leong architects
NAPA VALLEY - NEW YORK

P.O. BOX 2 ST. HELENA, CA 94574
T: 707 965-5401
F: 707 965-7119
www.leongarch.com
email: info@leongarch.com

WINERY RENOVATION
ZD WINES
8383 Silverado Trail - Napa - CA - 94588

USE PERMIT
MODIFICATION

PARTIAL SITE &
NEW PARKING
LAYOUT

REVISIONS

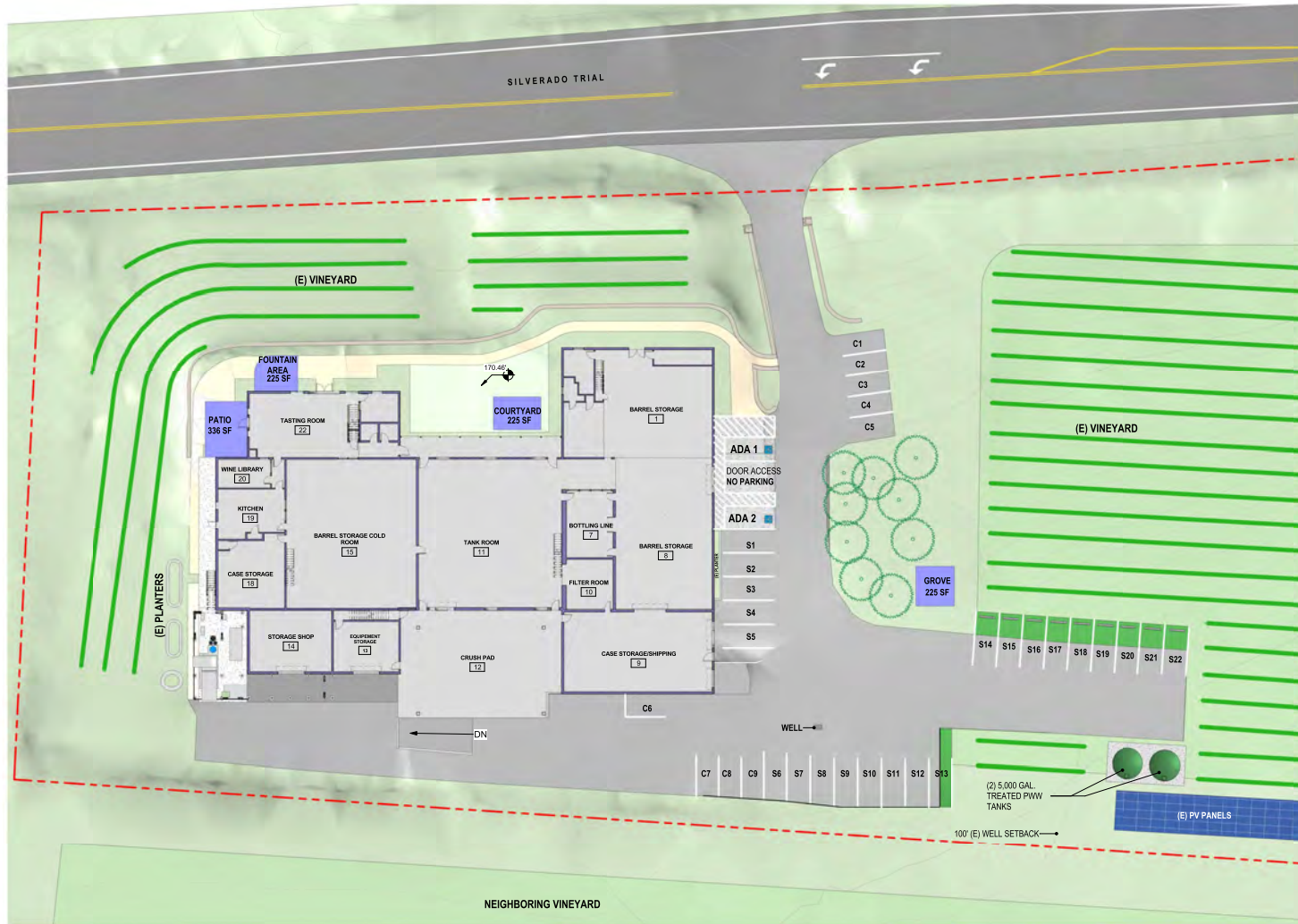
No.	Description	Date

Project number:
Date: 9/12/16

A101-00

Scale: As indicated

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NOTE: See Civil Drawings for additional information on parking design

APN: 030-200-005



PARKING SUMMARY	
ADA	2
STANDARD	22
COMPACT	9
TOTAL	33

GRASSCRETE

1 PARTIAL SITE PLAN
1" = 20'-0"

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leong architects
NAPA VALLEY - NEW YORK

P.O. BOX 2 ST. HELENA, CA 94574

T 707 965-9481

F 707 965-9719

www.leongarch.com

email: info@leongarch.com

VINEYARD VIEW ROOM REMODEL

ZD Wines LLC

8383 Silverado Trail - Napa - CA - 94558

USE PERMIT
MODIFICATION

VINEYARD VIEW
RM & DECK
REMODEL - AREA
SUMMARY

REVISIONS

No.	Description	Date

Project number:
Date: 09/12/16

A203-00

Scale: As indicated

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PRODUCTION & ACCESSORY USE AREA SUMMARY				
ZD Wines 8383 Silverado Trail, Napa CA 94558	Production SF	Existing Accessory SF	Proposed Addition SF	New Accessory SF
First Floor				
1. Barrel Storage	1,637	263		
2/3/4/ Lab, Bath, Closet	153			
5. Experimental Wine Storage	153			
6. Shop	319			
7. Bottling Line	563			
8. Barrel Storage (case storage)	2,445			
9. Case Storage/Shipping	1,863			
10. Filtration Room	479			
11. Tank Room	3,214			
12. Crush Pad	2,550			
13. Equipment Storage	611			
14. Storage/Shop	792			
15. Barrel Storage Cold Room	2,904			
16/18 Case Storage, Closet	790			
17/19 Closet Sink Area, Kitchen		* 507		507
20/21 Wine Library, Hallway		* 319		319
22/23/24/25/26/27 Tasting Room, Office, Closet, Bathroom, Bathroom, Hallway		* 1,455		1,455
39. Mech. Equip	654			
Outside Tasting Areas				
1. Patio		* 336		336
2. Courtyard		* 225		225
3. Grove		* 225		225
4. Fountain Area		* 225		225
Second Floor				
28. Business Office	390			390
29/30. Marketing Office/ Bathroom	451			451
31. Center Office	290			290
32. Office Hallway	304			304
33. Admin Office	465			465
34. Vineyard View Room		* 815	56	871
35. Production Office		* 276		276
36. Production Break Room	386			
37. Mechanical Room Bottling Line	965			
38. Balcony		239		239
Outside VV Room Deck Second Floor				
1. Proposed Remodeled Deck A		* 335	128	463
2. Proposed Remodeled Deck B		* 610	155	765
Total Production & Accessory Areas	20,467	7,467	339	7,806
Accessory % of Production		36.48%	1.65%	38.14%
Allowed Accessory 40% Production	8,187			
Amount of Square Footage available for Accessory Use (Minus / Tasting Areas)	381			
ACCESSORY AREA ADDED				

DECK NOTES: Concrete Deck Area: 1213 sf

- Metal Deck shall be W3 Formlock, Min. 1/8 GA thick with G90 Galvanization as manufactured by VERCOR MANUFACTURING CO.
- Metal Deck Flues shall be installed perpendicular to supports as noted on drawings.
- Concrete topping thickness shall be 6" min. and 8" max.
- Integral Concrete Color + Chromix Admixture: Winter Beige
- Grade Top-Cast Acid Etch

CENTOR ARCHITECTURAL S1 SCREEN	
MARK	COMMENTS
C1	Centor Architectural S1 Screen - 20'-0" x 8'-2" Double System
C2	Centor Architectural S1 Screen - 14'-8" x 8'-2" Double System

NANAWALL DOOR SCHEDULE					
MARK	TYPE	WIDTH	HEIGHT	DESCRIPTION	COMMENTS
77	X	14'-8"	8'-6"	NanaWall 4 Panel Bifold Door (Double System)	Panic Hardware on Active Swing Dr.
78	Y	20'-0"	10'-2 1/2"	14 Panel Multi-Slide Pocket Door	



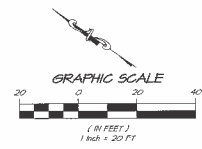
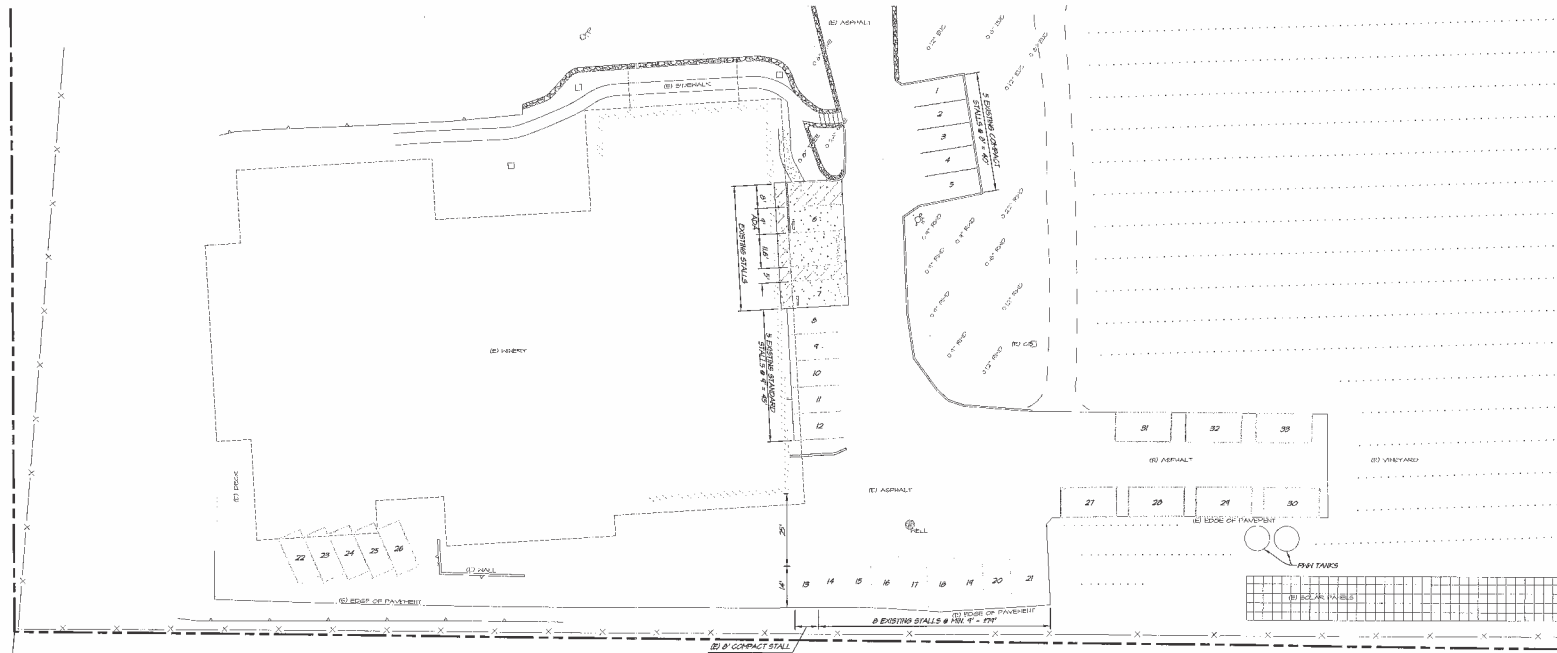
1 LEVEL 2 - VINEYARD VIEW RM. & DECK
1/4" = 1'-0"




\\saron\proj\pda\122\Wine\Rev\Rev2\DWG

ZD WINES

USE PERMIT MODIFICATION EXISTING PARKING PLAN



DATE	BY
NO.	REVISIONS
 RSA+ CONSULTING CIVIL ENGINEERS - SURVEYORS - 1980 1525 FOURTH STREET NAPA, CALIF. 94959 OFFICE: (707) 253-3300 FAX: (707) 253-3301	

ZD WINES
EXISTING PARKING PLAN
 NAPA COUNTY
 CALIFORNIA

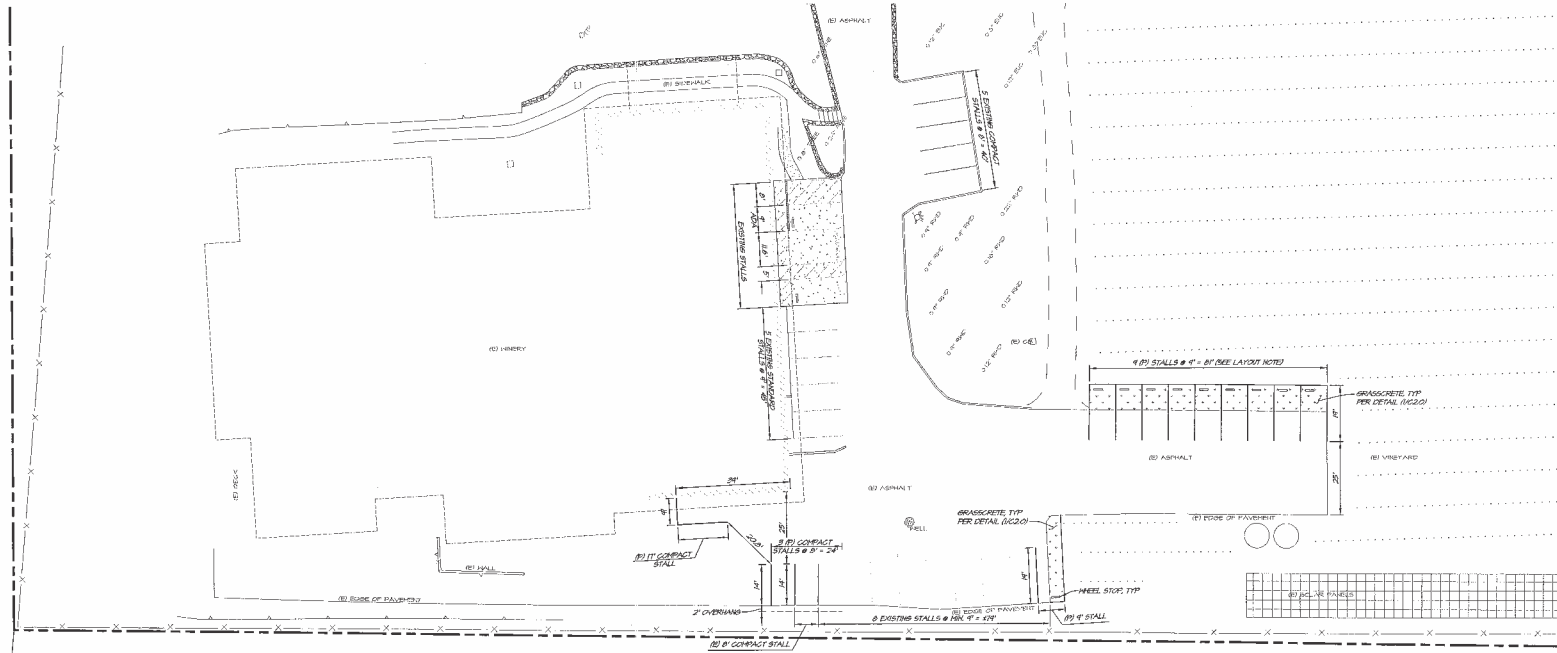


DATE	SEPT 12, 2006
DRAWN	JPH
DESIGNED	PSG
CHECKED	BRP
JOB NO.	4460210

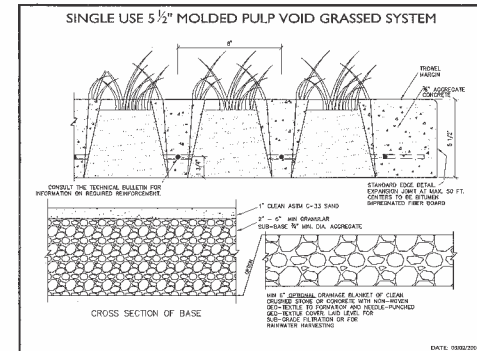
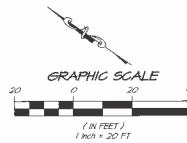
SHEET NO.
C3.0
 3 OF 3 SHEETS

ZD WINES

USE PERMIT MODIFICATION PROPOSED PARKING PLAN



LAYOUT NOTE
A MINIMUM OF 5 PARKING STALLS WILL BE EQUIPPED WITH ELECTRIC VEHICLE CHARGING STATIONS.



GRASSCRETE DETAIL
NO SCALE

NO.	DATE	REVISIONS	BY

RSA+
REGISTERED PROFESSIONAL ENGINEER
CALIFORNIA LICENSE NO. 44859
1100 S. FOURTH STREET
NAPA, CALIF. 94959
TEL: 707.255.1800
FAX: 707.255.1801

ZD WINES PROPOSED PARKING PLAN CALIFORNIA NAPA COUNTY

DATE: 08/12/2016
 DRAWN: JPM
 DESIGNED: AOS
 CHECKED: EJP
 JOB NO.: 45405510

SHEET NO:
C2.0
2 OF 3 SHEETS