

“B”

Recommended Conditions of Approval and Final Agency Approval Memos

**PLANNING COMMISSION HEARING—JULY 11, 2018
RECOMMENDED CONDITIONS OF APPROVAL**

**ZD WINES
Use Permit Modification Number P17-00389
8383 Silverado Trail, Napa
APN #030-200-005**

This permit encompasses and shall be limited to the project commonly known as ZD Wines Use Permit Major Modification, located at 8383 Silverado Trail. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

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

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

PART I

1.0 PROJECT SCOPE

This permit encompasses and shall be limited to:

- 1.1 Approval to modify an existing 70,000 gallon per year winery previously approved under Use Permit #U-697778, and modifications #U-697778-Mod. #1, #U-90-32, #P14-00041-VMM and #P16-00026-MOD, to increase annual production to 120,000 gallons.

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 **[RESERVED]**

4.2 TOURS AND TASTINGS/VISITATION **[RESERVED]**

4.4 ON-PREMISES CONSUMPTION **[RESERVED]**

4.5 RESIDENCE OR NON-WINERY STRUCTURES **[RESERVED]**

4.6 GRAPE SOURCE

At least 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling wine shall be grown within Napa County provided that the winery's 50,000 gallons of production are not subject to the County's 75% grape source rule. However, if the winery expands beyond its winery development area, at least 75% of the grapes used to make the winery's still wine or sparkling wine that is produced as a result of the expansion shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

4.7 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event the required ABC and/or TTB permits and/or licenses are suspended or revoked, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are reinstated.

Visitation log books, visitor reports, custom crush client records, and any additional documentation determined by Staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance review process.

4.8 RENTAL/LEASING

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this Permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

4.9 GROUND WATER MANAGEMENT – WELLS

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

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence¹ indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

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

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

4.10 **AMPLIFIED MUSIC**

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

4.11 **TRAFFIC**

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (4:00-6:00 PM weekdays; 4:00 PM–6:00 PM Saturdays; and 4:00 PM- 6:00 PM 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 [RESERVED]**

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 [RESERVED]**

4.15 **NAPA COUNTY MOSQUITO ABATEMENT PROGRAM [RESERVED]**

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

4.17 **NO TEMPORARY SIGNS [RESERVED]**

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 March 27, 2018.

- b. Environmental Health Division operational conditions as stated in their Memorandum dated May 1, 2018.
- c. Fire Department operational conditions as stated in their Inter-Office Memo dated December 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 **[RESERVED]**

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

4.20 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 March 27, 2018.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated May 1, 2018.
- c. Fire Department plan review/construction/ preoccupancy conditions as stated Fire Department operational conditions as stated in their Inter-Office Memo dated December 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 **[RESERVED]**

6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**

6.5 COLORS **[RESERVED]**

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 [RESERVED]

6.8 ADDRESSING [RESERVED]

6.9 HISTORIC RESOURCES [RESERVED]

6.10 DEMOLITION ACTIVITIES [RESERVED]

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION [RESERVED]

6.12 PERMIT PREREQUISITE MITIGATION MEASURES [RESERVED]

6.13 PARCEL CHANGE REQUIREMENTS [RESERVED]

6.14 FINAL MAPS [RESERVED]

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS [RESERVED]

7.0 PROJECT CONSTRUCTION [RESERVED]

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

EXHIBIT A

PREVIOUS CONDITIONS OF APPROVAL

ZD WINES

Use Permit Modification Number P17-00389
8383 Silverado Trail, Napa

PREVIOUS CONDITIONS

4.21 The permittee shall comply with the following previous conditions of approval for the winery use 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. P16-00026-MOD

COA NO 1.0

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.

COA NO 2.0

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.

COA NO 3.0

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.

COA NO 4.0

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)

COA NO 6.0

~~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. [REVISED by COA NO 4.7]~~

COA NO 7.0

~~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). [REVISED BY COA 4.8]~~

COA NO 9.0

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.

COA 14.0

~~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. [REVISED BY COA 4.9]~~

B. USE PERMIT NO. 14-00041-VMM

COA NO a

- a. The referenced Use Permit #697778 Mod.1. Condition #5, regarding outdoor social activities, will be removed.

COA NO b

- 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.

COA NO c

- ~~e. 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. [REVISED BY USE PERMIT P16-00026-MOD]~~

C. USE PERMIT NO. U-90-32

COA NO 1

1. The permit is limited to the following:
 - a) ~~an increase in the production capacity to 70,000 gallons/year;~~**[REVISED BY COA 1.0]**
 - 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.

COA NO 11

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.~~**[REVISED BY COA 1.1]**

COA NO 12

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.~~**[REVISED BY COA 4.6]**

C USE PERMIT NO. U-697778

COA NO 10

10. No more than one round trip per day by bus (10 wheel 4 axel) shall be made to the expanded winery. Said trip shall not occur before 9:00 am nor after 4:30 PM.

COA NO 11

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.

COA NO 27

27. The number of visitor-carrying vehicles entering the subject property per day shall be limited to 60 or fewer.



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

David Morrison
Director

MEMORANDUM

To: Wyntriss Balcher, Planning	From: Jeannette Doss, Engineering <i>JD</i>
Date: March 27, 2018	Re: ZD Wines Use Permit Major Modification - Engineering CoA 8383 Silverado Trail, Napa, CA P17-00389 APN 030-200-005

The Engineering Division (Engineering) has reviewed the submittal package for the above proposed project, generally requesting the following:

To allow a modification of an existing Use Permit for ZD Wines UP # U-90-32 and U-697778 and as modified by P16-00026 to increase annual production.

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

The permittee shall comply with all previous conditions of approval for the above mentioned project, 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:

OPERATIONAL CHARACTERISTICS

1. Any roadway, access drive, and parking area improvements that are required in order to comply with the latest edition of Napa County Road and Street Standards shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification.
2. Should any existing outdoor/uncovered loading/unloading areas and/or processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, be modified, expanded and/or improved in the future, Napa County may require these areas to be paved and performed undercover.

PREREQUISITES FOR ISSUANCE OF PERMITS

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 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. **Prior to issuance of a building or grading 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.
5. **Prior to issuance of a building permit** the owner shall prepare a 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.
6. **Prior to issuance of a building or grading permit** the owner shall demonstrate on the plans that all roadways, access driveways, and parking areas serving the project either currently meet the requirements and/or how they will be improved to meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of approval of this application (P17-00389).
7. **Prior to issuance of a building or grading permit** all newly proposed and/or modified loading areas, outdoor material storage area, trash areas, and processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling (including mobile bottling), shall be shown on the improvement plans. Areas shall be paved and performed indoors or under cover and graded to preclude stormwater run-on/runoff. The installation of storm drains in processing areas is prohibited. For processing areas that generate liquid wastes, slope the area to a drain an approved collection system.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

8. All roadway, access drive, and parking area improvements shall be completed **prior to issuance** of temporary occupancy.

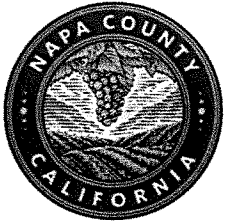
**** If no temporary occupancy is requested, then the above become requirements prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

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

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Jeannette Doss from Napa County Planning, Building, and Environmental Services Department, Engineering and Conservation Division, at (707) 259-8179 or by email at Jeannette.Doss@countyofnapa.org



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Wyntress Balcher, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: May 1, 2018	Re: ZD Wines Major Modification 8383 Silverado Trail APN: 030-200-005 Project #: P17-00389

This Division has reviewed an application requesting approval to increase wine production. The applicant is proposing to treat the winery wastewater generated from the increase in production in the existing advanced treatment system and utilize the treated wastewater for irrigation of the existing vineyard. No expansion of the wastewater system is proposed. This Division has no objection to approval of the application with the following conditions of approval:

1. The applicant shall maintain regular monitoring of the above ground waste water treatment system as required by this Division which includes submitting quarterly monitoring reports. An annual operating permit is required for the waste water system.



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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: December 7, 2017
FROM: Garrett Veyna Fire Department	
PERMIT: P17-00389	APN: 030-200-005

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

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. 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. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1461 or email at garrett.veyna@fire.ca.gov