



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

June 21, 2016

Arvind Sodhani
85 21st Avenue
San Francisco, CA 94121

**Re: Sodhani Winery – Use Permit No. P14-00402 & Viewshed Permit No. P16-00111
3283 St. Helena Highway North, Assessor's Parcel No. 022-080-004**

Dear Mr. Sodhani,

Please be advised that Use Permit Application P14-00402– UP and Viewshed Permit Application P16-00111-VIEW was **APPROVED** by the Napa County Planning Commission (hereinafter, "Commission") on June 15, 2016, subject to the attached and adopted final conditions of approval, Napa County departmental comments, and all applicable Napa County regulations. In approving the above application, the Commission adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program on file with the Planning, Building and Environmental Services Department.

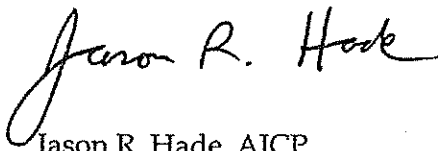
This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors consistent with Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval, and you will be notified should an appeal be filed by another party. You are hereby further notified that the 90-day period, established by California Government Code Section 66020(d)(1), in which to protest the imposition of any fees, dedications, reservations, or other exactions that may have been adopted as conditions of approval, has commenced.

Pursuant to Napa County Code Section 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.

USE PERMIT EXPIRATION DATE: JUNE 15, 2018

If you have any questions about this letter, please contact me by telephone at (707) 259-8757 or by email at jason.hade@countyofnapa.org.

Sincerely,

A handwritten signature in black ink that reads "Jason R. Hade". The signature is written in a cursive style with a large, looping initial 'J'.

Jason R. Hade, AICP
Planner III

Enclosures: Adopted Conditions of Approval and Departmental Requirements

Copies to: Donna B. Oldford, 2620 Pinot Way, St. Helena, CA 94574

M. Lamborn (GIS); G. West (Building Division); N. Galambos (Engineering Division); K. Withrow (Environmental Health Division); J. Petersen (Fire Dept.); R. Marshall (Public Works Dept.); J. Tuteur (Napa County Assessor), Chron, Project File

PLANNING COMMISSION HEARING – JUNE 15, 2016
CONDITIONS OF APPROVAL

SODHANI WINERY, EXCEPTION TO THE NAPA COUNTY ROAD & STREET
STANDARDS, USE PERMIT & VIEWSHED APPLICATION NUMBERS P14-00402-UP &
P16-00111-VIEW
3283 ST. HELENA HIGHWAY NORTH, ST. HELENA, CA, APN #022-080-004

1.0 SCOPE

This permit shall be limited to:

- 1.1 Approval of an Exception to the Napa County Road and Street Standards (RSS) to allow for an increase in the 16 percent maximum roadway gradient for the winery access road. The exception applies to a 450 foot long section of the winery road identified as STA 12+25 to STA 16+75 on the project plans.
- 1.2 Approval of Viewshed application P16-00111-VIEW to allow construction of the winery described in condition of approval (COA) number 1.3 below to be located below a minor ridgeline, from County designated Viewshed roads, including Silverado Trail, State Highway 29, and State Highway 128 per the Viewshed Protection Program (Chapter 18.106 of the Napa County Code).
- 1.3 Approval of a 12,000 gallon per year winery to allow the following:
 - a. Wine production of no more than 12,000 gallons per year;
 - b. Construction of a 7,150 square foot winery structure (cut and cover cave) with a maximum building height of 35 feet including: 6,696 square foot production area (fermentation room, barrel storage, wine storage, storage/mechanical area, restroom, lab, refuse, and outdoor area) and 454 square foot accessory use area (office, break room, and entry area).
 - c. Hours of operation for the winery shall be limited to 6:00 AM to 6:00 PM (production hours except during harvest), 7-days a week;
 - d. Maximum number of employees: Four
 - e. Removal of an existing water tank and construction of six new 10,000 gallon water storage tanks located adjacent to the existing residence as shown on the site plan, 156 square foot fire pump house, and associated piping;
 - f. Installation of an in-ground wastewater treatment system or hold and haul system;
 - g. Four parking spaces (one ADA space);
 - h. Construction of a new 20-foot wide driveway from the proposed winery to State Highway 29;
 - i. Installation of landscaping; and

- j. Disposal of cave spoils on-site. While most cave spoils are to be kept on-site, up to 5,200 cubic yards of excess spoils may be off-hauled.

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 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.

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

2.0 PROJECT CONDITIONS

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

2.1 Mitigation Measures:

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

Biological Resources: Prior to commencement of vegetation removal and earth-disturbing activities during nesting season from February 1 to July 9, a qualified wildlife biologist shall conduct preconstruction surveys for Northern Spotted Owls within 500-feet of earthmoving activities. The preconstruction survey shall be conducted no more than 14 days prior to vegetation removal and ground disturbing activities are to commence. A copy of the survey shall be provided to the County Planning Division and the Department of Fish and Wildlife (DFW) prior to commencement of work. If Northern Spotted Owls are found during preconstruction survey, a 500-foot no-disturbance buffer shall be created around active owl sites. These buffer zones may be modified in coordination with DFW based on existing conditions at the project site. Buffer zones shall be incorporated into the project plans and maintained for the duration of the project. If a 15 day or greater lapse of project-related work occurs, another preconstruction survey and consultation with DFW shall be required before project work can be reinitiated.

No surveys shall be required if construction activity occurs outside of the nesting season from February 1 to July 9.

Method of Monitoring: If construction activity is to occur during the nesting season from February 1 to July 9, the pre-construction survey prepared by a qualified wildlife biologist shall be submitted to Planning Division staff prior to issuance of the grading permit.

Responsible Agency: Planning Division

2.2 Viewshed

Prior to the issuance of a building permit, the property owner shall execute and record in the county recorder's office a use restriction, in a form approved by County Counsel, requiring implementation of the landscaping plan, retention of existing vegetation, and earth tone exterior building colors to be maintained by the owner or the owner's successor so as to maintain conformance with County Code Section 18.106.050(C).

3.0 **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

Project conditions of approval include all of the following County, Divisions, Departments and Agency 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 March 28 2016.

3.2 Environmental Health Division as stated in their Memorandum dated January 23, 2015.

3.3 Fire Department as stated in their Inter-Office Memo dated January 14, 2015.

3.4 Public Works Department as stated in their Memorandum dated November 30, 2015.

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 [RESERVED]

No visitation or marketing events are permitted.

5.0 GRAPE SOURCE

At least 75% of the grapes used to make the winery's wine shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agricultural Commissioner'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.

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

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the PBES Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116.

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 County's Water Efficient Landscape Ordinance (WELo) requirements in effect 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 and deliveries shall not occur during peak hour travel times of 7:45 AM to 8:45 AM and 4:00 PM to 5:00 PM Monday through Friday and 3:15 PM to 4:15 PM on Saturday 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 (BAAQMD) 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 BAAQMD'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). 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.

13.6 PARKING

The location of employee 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. 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 0.55 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 0.55 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 0.55 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.



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
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www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Charlene Gallina, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: January 23, 2015	Re: Sodhani Winery APN 022-080-004 File #P14-00402

Handwritten initials/signature

Environmental Health Division staff has reviewed an application requesting approval to construct a new winery with production capacity of 12,000 gallons per year without visitation or marketing as detailed in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. A commercial food facility is not included in this project. The architectural plans submitted with the use permit application show an employee break room located within the proposed facility. This break room is approved for employee use only and must be designed considering this use. If the proposed break room includes components typical of a commercial kitchen facility the applicant will be required to redesign the break room or apply for a use permit modification for approval of a commercial kitchen meeting all applicable requirements.
2. Plans for the proposed domestic waste subsurface drip, hold and haul and/or process wastewater treatment systems shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by these systems will be approved until such plans are approved by this Division.
3. Since the septic system serving the existing dwelling will be demolished in order to construct the new winery and driveway, a plan detailing the method for sewage disposal until the new system is installed must be included in the plans required above and submitted before a building permit is issued. The proposal must be reviewed and approved by this Division.
4. Permits to construct the proposed domestic waste subsurface drip and process waste hold and haul or treatment and reuse systems must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.

5. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Division under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.
6. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.

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

7. An annual alternative sewage treatment system monitoring permit must be obtained for the alternative sewage treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
8. An annual holding tank operating permit must be obtained for the hold and haul system (if the hold and haul option is constructed as detailed in the wastewater feasibility report) treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.

or

The applicant shall maintain regular monitoring of the above ground waste water treatment system (if process wastewater treatment and reuse is constructed as detailed in the wastewater feasibility report) as required by this Division which includes submitting quarterly monitoring reports. An annual operating permit is required for the process wastewater system.

9. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

10. The applicant shall file a Notice of Intent (NOI) and complete a Storm Water Pollution Prevention Plan with the State of California Water Resources Control Board's (SWRCB) Industrial Permitting program, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Additional information, including a list of regulated SIC codes, may be found at:

http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml

Additionally, the applicant shall file for a storm water permit from this Division, if applicable, within 30 days of receiving a temporary or final certificate of occupancy.

Certain facilities may be exempt from storm water permitting. A verification inspection will be conducted to determine if exemption applies.

11. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities Page shall be submitted and approved by this Division.
12. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with subsequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
13. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
14. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.



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Department of Public Works

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

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

Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: November 30, 2015	Re: Sodhani Winery P14-00402

Thank you for the opportunity to review the subject permit application. I offer the following comments from the Department of Public Works:

Left-Turn Lane not required. Based on the forecast of traffic to be generated by the proposed project, and the volume of traffic on SR 29/128, this project will not require the installation of a left-turn lane at the location of the project access driveway.

Encroachment Permit required. The plans indicate a new driveway connection to SR 29/128, a Caltrans-maintained road, which will require an encroachment permit from that agency.

Please contact me at Rick.Marshall@countyofnapa.org or call (707) 259-8381 if you have questions or need additional information.



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

Office: (707) 299-1464

Barry Bierman
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Charlene Gallina
Planning, Building and Environmental Services

FROM: James Bales
Fire Department

DATE: January 14, 2015

Subject: P14-00402 APN# 022-080-004

SITE ADDRESS: 3283 St. Helena Hwy North, St. Helena, CA 94574

The Napa County Fire Marshal's Office has reviewed the Use Permit Modification application for the project listed above. I am requesting that the comments below be incorporated into the project conditions should the Planning Commission approve this project.

1. **All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. **All fire department access roads and driveways shall comply with the Napa County Road and Street Standards.**
3. The numerical address of the facility shall be posted on the street side of the buildings visible from both directions and shall be a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.
4. All buildings over 3,600 square feet shall be equipped with an automatic fire sprinkler system conforming to NFPA 13 2013 edition with water flow monitoring to a Central Receiving Station.
5. The required fire flow for this project is 200 GPM for a 60 minute duration with 20 psi residual pressure. A UL listed fire pump conforming to NFPA 20, 2013 edition may be required to meet or exceed the required fire flow for the project.

6. Provide a minimum of 12,000 gallons of water dedicated for fire protection. **Water storage for fire sprinkler systems shall be in addition to the water storage requirement for your fire flows and domestic use.**
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings. Fire department access roads shall be a minimum of 20 feet in width with a 15 foot clear vertical clearance.
8. All cave development shall comply with CBC Section 436 as well as the Napa County Fire Marshal's Office Cave Development Guidelines.
9. Blue dot reflectors shall be installed 12-inches off centerline in front of all fire hydrants.
10. All fire hydrants shall be painted chrome/safety yellow.
11. Approved steamer fire hydrants shall be installed a maximum distance of 250 feet from any point on approved fire apparatus access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2013 edition.
12. Currently serviced and tagged 2A 10BC fire extinguishers shall be mounted 3.5 to 5 feet from the top of all extinguishers to the finished floor and be reachable within 75 feet of travel distance from any portion of all buildings.
13. All exit doors shall open without the use of a key or any special knowledge or effort.
14. Install illuminated exit signs throughout the buildings per the California Building Code 2013 edition.
15. Install emergency back-up lighting throughout the buildings per the California Building Code 2013 edition.
16. Install laminated 11" x 17" site plans and building drawings in NCFD specified KNOX CABINET. Two Master keys to all exterior doors shall be provided in the KNOX CABINET. A PDF file shall be sent to the Napa County fire Marshal's Office.
17. Beneficial occupancy **will not be granted** until all fire department fire and life safety items have been installed, tested and finalized.
18. Provide 100 feet of defensible space around all structures.
19. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
20. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in all weather conditions.
21. Designated fire lanes shall be painted red with white 4 inch high white letters to read "NO PARKING FIRE LANE-CVC22500.1" stenciled on the tops of the curbs every 30 feet.

22. Barricades shall be provided to protect any natural gas meter, fire hydrants, or other fire department control devices, which may be subject to vehicular damage.
23. Technical assistance in the form of a Fire Protection Engineer or Consultant acceptable, and reporting directly to the Napa County Fire Marshal's Office. The Fire protection Engineer or Consultant shall be provided by the applicant at no charge to the County for the following circumstances:
 - a. Independent peer review of alternate methods proposals.
24. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.
25. All post indicator valves and any other control valve for fire suppression systems shall be monitored off site by a Central Station or Remote receiving Station in accordance with NFPA 72 2013 edition.
26. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.

James Bales
CAL FIRE/ Fire Captain
Assistant Fire Marshal
(707) 299-1463



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David Morrison
Director

MEMORANDUM

To: Jason Hade Planning Division	From: Patrick C. Ryan Engineering Service
Date: March 28, 2016	Re: Permit No. P14-00402 Sodhani Winery Conditions of Approval APN: 022-080-004

[Handwritten Signature]
03/23/2016

The County of Napa Planning, Building, and Environmental Services Department (PBES), Engineering Division has received a referral for comments on a Use Permit application, generally requesting the following:

A New 12,000 gallon per year winery located on an 11.14 acre parcel; Winery structure is sized at 7,150sf, which includes a mechanical equipment house; Sanitary and process wastewater facility are proposed; water storage tanks with capacity of 60,000 gallons; and a Request for Exception to the 2016 Napa County Road and Street Standards for maximum longitudinal slope of 16%.

After careful review of the Sodhani Winery Use Permit application the Engineering Division has determined that sufficient information has been provided to complete an evaluation of the project. Providing no changes are made to the proposed project or to Federal, State or Local codes and regulations this Divisions supports this proposed development with the following required conditions listed herein.

EXISTING CONDITIONS:

1. The County of Napa parcel 022-080-004 is located at 3283 St. Helena Highway North, St. Helena, Napa County, CA.
2. The existing parcel is currently zoned AW, Agricultural Watershed District.
3. The existing parcel is located within Cal Fire's State Responsibility Area (SRA).
4. The existing property is currently developed with a residence, wine grape vineyards and associated infrastructure.
5. The existing parcel is part of the Napa River Watershed, Hirsch Creek tributary.
6. Access to the subject property is currently via a shared private driveway off the west side of St. Helena Highway (SR-29/128) with maximum slopes of approximately 22.5%.

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REQUIRED CONDITIONS:

ROAD & STREET STANDARDS:

1. Any road, street or private lane, not included in the Road Exception Evaluation, dated March 28, 2016, for access serving a commercial, industrial, non-residential use proposed new or reconstructed shall meet the requirements defined in the 2016 Napa County Road and Street Standards (RSS) for emergency access within the State Responsibility Area (SRA). Including but not limited to providing a minimum of two ten (10) foot traffic lanes; roadway grades shall not exceed 16 percent; horizontal inside radius of curvature shall be no less than 50' and vertical curves shall be no less than 100 feet.
2. Any proposed or required new/reconstructed parking shall meet the requirements outlined in the 2016 Napa County RSS, Section 9 and/or Detail D-8, page 82.
3. The applicant shall obtain encroachment permits from Caltrans for all work performed in the State's right-of-ways.

SITE IMPROVEMENTS:

4. A separate Grading Permit Applications shall be required for the proposed Site Improvements.
5. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, surface drainage, storm drainage, and process wastewater conveyance shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Napa County PBES Department Engineering Division prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
6. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
7. Grading and drainage improvements shall be constructed according to the current Napa County RSS, Napa County Stormwater Quality Ordinance 1400, and the California Building Codes (CBC).
8. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County PBES Department Engineering Division 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.

CONSTRUCTION SITE RUNOFF CONTROL REQUIREMENTS:

9. 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 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.

10. 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.
11. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
12. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

13. The proposed development is categorized as a Regulated Development Project under Napa County's BASMAA Post-Construction Manual and is required to meet the design criteria of the current Post-Construction Runoff Management / Low-Impact Development Requirements. A revised Stormwater Control Plan for Regulated Projects shall be submitted prior to any permit approval and shall comply with the site design measures, stormwater treatment and hydromodification, source control measures, and on-going maintenance and operation of these facilities.
14. On-site storm drain inlets shall be marked with the words "No Dumping! Drains to Waterway" or similar.
15. Interior floor drains shall be plumbed to sanitary sewer or approved closed loop system (e.g. processed waste system).
16. Refuse Areas shall be covered, graded, and paved to prevent run-on and runoff. And drains within a refuse area shall be connected to a grease removal device before discharge to a sanitary sewer or approved closed loop system (e.g. processed waste system).
17. Processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, shall be paved and performed indoors; installation of storm drains in processing areas is prohibited unless an alternative design is authorized by the Managing Engineer.
18. Loading Docks shall be covered and/or graded to minimize run-on to and runoff from the loading area. Roof downspouts shall be positioned to direct stormwater away from the loading area. Installation of storm drains in processing areas is prohibited unless an alternative design is authorized by the Managing Engineer.
19. Provide for ongoing Operation and Maintenance Plan including executing a Stormwater Management Facilities Agreement, which runs with the land and provides for periodic inspections and reporting at the facilities owner's expense.

ANY CHANGES IN USE OR DESIGN MAY NECESSITATE ADDITIONAL REVIEW AND CONDITIONS FOR APPROVAL.

If you have any questions regarding the above items please contact Patrick Ryan from Napa County PBES Department Engineering Division at (707) 253.4892 or via e-mail at Patrick.Ryan@countyofnapa.org.



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David Morrison
Director

MEMORANDUM

To: Jason Hade Planning Division	From: Patrick C. Ryan Engineering Services
Date: March 28, 2016	Re: Permit No. P14-00402 Sodhani Winery Road Exception Evaluation APN: 022-080-004

ROAD EXCEPTION REQUEST:

The Engineering Services Division received a request (Request), dated March 7, 2016, for exception to the Napa County Road and Street Standards (RSS) for the Sodhani Winery commercial access road. Access to the proposed winery is via a shared private lane off of the west side of St. Helena Highway (State Route 29/128) approximately 0.5 miles northwest of the intersection of St. Helena Highway and Ehlers Lane.

The shared private lane currently provides access for the Sodhani property as well as the Sabin property located immediately to the north of the Sodhani property. Access to the Sabin property splits off from the shared driveway approximately 50 feet from the edge of SR-29/128 and the driveway then continues on to the Sodhani property. There is an existing easement along the northwest Sodhani property line, following the existing driveway that provides legal access to the Lyman property which is located immediately to the west of the Sodhani property however there is currently no development on the Lyman property. Beyond the Sodhani / Sabin driveway split the Sodhani driveway narrows to a paved width of approximately 8 to 12 feet and continues approximately 800 feet westerly to the point where it terminates at the existing Sodhani residence. Longitudinal slopes along the shared portion of the Sodhani / Sabin private lane are gentle and average less than 10%. The Sodhani access drive between the Sabin driveway and the Sodhani residence slopes more steeply with average longitudinal slopes of approximately 12% to 20%. A small section of existing driveway, just uphill of the Sabin driveway split, has a longitudinal slope that exceeds 20% with the maximum slope being approximately 22.5%.

The Sodhani Winery project proposes roadway improvements to provide safe ingress and egress to and from the proposed winery site. A new winery roadway, separate from the existing Sodhani / Sabin driveway is proposed to provide improved access to the winery site from SR-19/128. All winery traffic will utilize the new access roadway. The new roadway and its intersection with SR-29/128 will be paved with asphalt and will have tapers and radii at the approach to the highway that fully conform to current Caltrans and Napa County standards. From its connection at SR-29/128 the new roadway will conform to 2016 Napa County

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Road and Street Standards (RSS) and traverse westerly and northwesterly approximately 200 feet where it will rejoin the existing Sodhani access drive at STA 12+00. From STA 12+25 to STA 16+75 the driveway will be improved to conform to the RSS with the exception of longitudinal slope, the applicant is requesting an exception to the standard of maximum slope of 16% and proposes to construct a roadway with grades averaging 18%. From STA 16+75 to the winery building site the proposed road conditions will be fully compliant with the 2016 Napa County RSS.

ENGINEERING DIVISION EVALUATION AND RECOMMENDATION:

Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the RSS as adopted by Resolution No. 2016-06 by the Board of Supervisors on January 26, 2016, this division has determined the following:

ROADWAY MAXIMUM GRADE EXCEPTION:

The request for an exception to the required maximum road longitudinal grade of 16% for 400 feet is requested to minimize grading on steep slopes adjacent to the access road, accommodate existing grade differential between SR-29/128 and the building site, maintain the driveway at the location of the existing corridor prescribed by the existing legal easement serving the Lyman property and maintain property line setbacks to cut and fill slopes along the driveway as required by the 2013 California Building Code. The improvement achieves the same overall practical effect of the RSS by providing defensible space and consideration toward life, safety and public welfare by providing the following permanent measures:

1. Horizontal and Vertical vegetation management shall be implemented along the entire length of the private lane and around the existing and proposed structures to create defensible space.
2. Improvements to the existing private lane to bring the majority of the road into compliance with the RSS, with the exception to the 400 feet for access which will have longitudinal roadway grades of approximately 18%. Mitigation along this stretch of roadway will be to provide a paved asphalt roadway section to increase traction and surface stability.
3. Provide a new and improved connection with SR-29/128 to provide conformance with Caltrans and RSS Standards.
4. New connection with SR-29/128 will provide site distance in excess of the Caltrans minimums.

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

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



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David Morrison
Director

June 18, 2018

Donna Oldford
2620 Pinot Way
St. Helena, CA 94574

Re: Sodhani Winery Use Determination (P18-00183)
3283 St. Helena Highway, St. Helena (APN: 022-080-004)

Dear Donna:

I am in receipt of your letter dated May 4, 2018, wherein you requested a Use Determination related to the "use" of Use Permit P14-00402 for the Sodhani winery located on the St. Helena Highway. The use permit was approved on June 15, 2016, to establish a new winery.

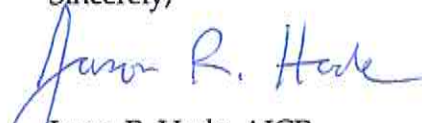
Based on the documentation provided with your request, including invoices and receipts, it has been determined that your actions demonstrate that funds have been expended in excess of \$50,000.00 and therefore satisfies Napa County Code Section 18.124.080 for "use" of the subject permit.

The work completed is within the scope of work reviewed and approved under the use permit. There have been no changes to the project or circumstances under which the project is being undertaken that would require further environmental review.

The determination becomes effective immediately unless an appeal is filed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees.

Should you have any questions about this letter or other matters relating to your application, please feel free to contact me at (707) 259-8757 or via e-mail at jason.hade@countyofnapa.org.

Sincerely,


Jason R. Hade, AICP
Planner III