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Recommended Conditions of Approval and Agency Memos

**PLANNING COMMISSION HEARING – FEBRUARY 17, 2021
RECOMMENDED CONDITIONS OF APPROVAL**

**Dakota Shy Winery, Use Permit Major Modification Application No. P19-00131-MOD and
Request for Exception to Napa County Road and Street Standards
771 Sage Canyon Road, St. Helena, California
Assessor’s Parcel No. 030-120-024**

This permit encompasses and shall be limited to the project commonly known as **Dakota Shy Winery, Use Permit Major Modification No. P19-00131-MOD and Request for Exception to Napa County Road and Street Standards**, located at **771 Sage Canyon Road, St. Helena**. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

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

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

PART I

1.0 PROJECT SCOPE

The permit shall be limited to:

- 1.1 Approval to modify an existing, 14,000-gallon per year winery, previously approved under Use Permit No. P14-00335-UP and Variance No. P14-00336-VA, as subsequently modified by Use Permit Minor Modification No. P16-00414-MM and Variance No. P17-00170-VA, to allow the following:
 - a. Increase in permitted wine production from 14,000 gallons of wine per year to 20,000 gallons of wine per year; and
 - b. Visitation, tours and tastings, and a marketing plan as set forth in Conditions of Approval (COA) Nos. 4.1 through 4.3, below.

- 1.2 Approval of a request to the County Engineer for a road exception to the requirements of Sections 13 and 15 of the Napa County Road and Street Standards (RSS), so as to allow:
 - a. An existing, two-way, asphalt-paved, entry/exit driveway and access road adjacent and parallel to the eastern property line to have a width of 18 feet, 8 inches at its two-way access gate, where 20 feet with two feet of shoulder is required; and
 - b. A one-way, 12-foot wide, gravel-paved, exit-only roadway that branches off of the two-way road northeast of the on-site residence and leads to an exit-only driveway and gate just west of the center of the property frontage to

exclude the requisite 2 feet of shoulders, and to have locations where the inside radius is 10 feet and 13 feet where 50-foot minimum inside radius is required by the RSS.

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

2.0 STATUTORY AND CODE SECTION REFERENCES

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

3.0 MONITORING COSTS

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

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

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

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

4.1 GENERAL PROVISIONS

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

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

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

4.2 TOURS AND TASTINGS/VISITATION

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

- a. Frequency: Daily, excluding days on which marketing events occur
- b. Maximum number of persons per day: 48
- c. Maximum number of persons per week: 250
- d. Hours of visitation: 10:00 a.m. to 6:00 p.m.

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times of 3:30 to 4:30 p.m. on weekdays and 3:00 to 4:00 p.m. on weekend days.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

4.3 MARKETING

Marketing events shall be limited to the following:

- a. Type of Event: Marketing
 1. Frequency: 2 times per year
 2. Maximum number of persons: 40 maximum
 3. Time of Day: 6:00 p.m. to 10:00 p.m.
- b. Type of Event: Marketing
 1. Frequency: Once per year
 2. Number of persons: 125 maximum
 3. Time of Day: 6:00 p.m. to 10:00 p.m.
- c. Food served at marketing events shall be cooked off-site by licensed caterers. Portable restrooms shall be provided on-site for all events.

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food

service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event’s non-wine-related content, and the intensity of the overall marketing plan (County Code).

All marketing event activity, excluding quiet clean-up, shall cease by 11:00 p.m. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

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

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

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 (between 3:30 p.m. and 4:30 p.m. on weekdays; between 3:00 p.m. and 4:00 p.m. on weekend days). All road improvements on private property required per

¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

Engineering Services shall be maintained in good working condition and in accordance with the Napa County Road 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**

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

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

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

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

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as not to create a noise disturbance or exceed noise thresholds in the County Code.

c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 **NO TEMPORARY SIGNS**

Temporary off-site signage, such as “A-Frame” signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memoranda dated January 5, 2021.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated February 2, 2021.
- c. Building Division operational conditions as stated in their Memorandum dated May 28, 2019.
- d. Department of Public Works operational conditions as stated in their Memorandum dated October 1, 2020.
- e. Fire Department operational conditions as stated in their Inter-Office Memorandum dated May 31, 2019.

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

- a. Within 30 days of permit approval and prior to implementation of operational changes of the Winery, the permittee shall submit a Traffic Demand Management (TDM) Plan to the Planning Division and the Public Works Department for review and approval which addresses Public Works Department Memorandum dated October 1, 2020 (See COA 4.18(d) above). Such plan shall be implemented for the life of the project. Reports documenting the reduction in trips and vehicle miles resulting from implementation of the TDM Plan shall be submitted to the PBES Department no later than January 31 of each calendar year. The PBES Director or the Director's designee may require project modifications for the permittee's failure to demonstrate active implementation of the TDM Plan.

4.21 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the

attached document and these conditions, the more stringent condition shall control.

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division plan review/construction/preoccupancy conditions as stated in their Memoranda dated January 5, 2021.
- b. Environmental Health Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated February 2, 2021.
- c. Building Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated May 28, 2019.
- d. Department of Public Works plan review/construction/preoccupancy conditions as stated in their Memorandum dated October 1, 2020.
- e. Fire Department plan review/construction/preoccupancy conditions as stated in their Inter-Office Memorandum dated May 31, 2019.

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 Title 24 Accessibility requirements, as well as, other Americans with Disabilities Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

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

6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division’s review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County’s Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native

plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.
- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

6.5 COLORS **[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

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

6.8 ADDRESSING **[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]**
 - 7.1 **SITE IMPROVEMENTS [RESERVED]**
 - a. GRADING AND SPOILS **[RESERVED]**
 - b. DUST CONTROL **[RESERVED]**
 - c. AIR QUALITY **[RESERVED]**
 - d. STORM WATER CONTROL **[RESERVED]**
 - 7.2 ARCHEOLOGICAL FINDING **[RESERVED]**
 - 7.3 CONSTRUCTION NOISE **[RESERVED]**
 - 7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**
 - 7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**
- 8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]**
 - 8.1 TEMPORARY OCCUPANCY **[RESERVED]**
- 9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]**
 - 9.1 FINAL OCCUPANCY **[RESERVED]**
 - 9.2 SIGNS **[RESERVED]**
 - 9.3 GATES/ENTRY STRUCTURES **[RESERVED]**
 - 9.4 LANDSCAPING **[RESERVED]**
 - 9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**
 - 9.6 DEMOLITION ACTIVITIES **[RESERVED]**

- 9.7 GRADING SPOILS **[RESERVED]**
- 9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**
- 9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

EXHIBIT A

PLANNING COMMISSION HEARING – FEBRUARY 17, 2021 PREVIOUS CONDITIONS OF APPROVAL

**Dakota Shy Winery, Use Permit Major Modification Application No. P19-00131-MOD and
Request for Exception to Napa County Road and Street Standards
771 Sage Canyon Road, St. Helena, California
Assessor's Parcel No. 030-120-024**

4.21 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

Operational conditions from previous entitlements that are not modified with this Use Permit Major Modification Application No. P19-00131-MOD are listed below. Where a previously-approved condition has been modified by a subsequent Use Permit Minor Modification or would be modified by this Use Permit Major Modification approval (P19-001310-MOD), the text of the approved condition is typed using ~~strikethrough~~ font.

A. Use Permit No. P14-00335-MOD and Variance No. P14-00336-VA

1.0 SCOPE

This permit encompasses and replaces the terms of Use Permit #U298788 and shall be limited to:

- 1.1 Approval of a Variance to allow a new winery building ~~of 6,060 s.f.~~ to encroach 502 feet into the required 600-foot setback from Silverado Trail.
- 1.2 Approval to modify an existing 1,000 gallon per year winery with no tastings or hospitality under Use Permit # U-298788 to allow the following:
 - a. ~~An increase in production from 1,000 gallons per year up to 14,000 gallons per year;~~
 - b. ~~Add tours and tastings by appointment as set forth in condition of approval 4.2 below;~~
 - c. Add marketing events up to two per year with a maximum of 40 guests;
 - d. Increase the number of employees from the two full-time to a maximum of 10 employees;
 - e. Construction of a new winery building ~~totaling 6,060 s.f., including 397 s.f. tasting room,~~ and a 2,370 s.f. uncovered event pad;
 - f. Construction of a wastewater treatment system;
 - g. Construction of an on-site detention basin to capture stormwater;
 - h. ~~Construction of eight additional parking spaces for a total of 14 parking spaces;~~
 - i. Construction of a one-way loop access driveway along Sage Canyon Road/SR-128 to the proposed winery buildings;

- j. Installation of two 10,500-gallon water tanks;
- k. Installation of a mechanical and fire pump house;
- l. Removal of an approximately 6,720 s.f., tennis court;
- ~~m. Removal of existing 1.69-acre orchard;~~
- ~~n. Planting of an 0.8-acre vineyard;~~
- o. Conversion of the existing 1,561 s.f. garage/winery structure to storage; and
- p. Landscaping improvements.

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.

2.0 PROJECT SPECIFIC CONDITIONS

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document (beginning in Condition 3.0 and following), the Project Specific Conditions shall supersede and control.

- 2.1 The existing single-family residence, guest house, and pool house are classified for residential purposes only and cannot be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. The existing garage/winery can only be used for residential, agricultural, and/or winery storage purposes, and not for winery hospitality-related activities. If the residence is rented, the residence shall only be rented out for periods of 30 days or more pursuant to Napa County Code Section 18.104.410, Transient Commercial Occupancies of Dwelling Units Prohibited.

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 or 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, 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. At least one sign placed and sized in a manner to inform the public must legibly post the words "Tours and Tastings by Prior Appointment Only."

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 exempt from 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 California Building Code.

10.0 LANDSCAPING

Two 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," County Code Chapter 18.118), 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-inch 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 outermost dripline of the tree or trees. Such fencing shall be maintained through 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 not to 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.

13.3 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 miles per hour.

13.4 AIR QUALITY

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

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- 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 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 STORMWATER CONTROL

The permittee shall comply with all construction and post-construction stormwater pollution prevention protocols as required by the County Engineering Services Division and the State and Regional Water Quality Control Boards.

13.6 PARKING

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

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

13.7 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Napa County Fire Department to assure that its designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed within backing into the public roadway, and fire suppression access is available at all times. If the gate is part of any entry structure, an additional permit shall be required according to the County Code and in accordance with the Napa County Road 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 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact Environmental Health with any questions regarding the following:

14.2 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 8:00 a.m. to 5:00 p.m. 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.

15.0 ARCHAEOLOGICAL FINDING

In the event that archaeological 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.

16.0 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.

B. Use Permit Minor Modification No. P16-00414-MM

1.0 SCOPE

This permit shall be limited to:

1. Expansion of the second floor office space from 136 square feet to 320 square feet;
2. Expansion of the tasting area from 397 square feet to 480 square feet;
3. Addition of a second restroom so as to increase the restroom area from 71 square feet to 178 square feet;
4. Expansion of the winery production area from 4,897 square feet to 5,615 square feet;
5. Reduction of standard parking spaces from 14 to 10 to accommodate a Clean Air/Vanpool/Electric Vehicle and Universal Van Access.

There is no proposed increase in the winery production, visitation/marketing activities, or number of employees associated with this proposal.

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.

C. Variance No. P17-00170-VA

1.0 SCOPE

This permit shall be limited to approval of a Variance to allow:

- 1.1 Water tank(s) to be constructed 30 feet into the required 90-foot combined road and yard setbacks.

The tank(s) shall be designed in substantial conformance with the submitted site plan, elevations drawings, and issued building permit or other submittal materials and shall comply with all requirements of the Napa County Code.

It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with Section 18.128 of the Napa County Code and may be subject to a new process.



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Planning, Building & Environmental Services

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David Morrison
Director

MEMORANDUM

To: Dana Ayers, Planning	From: Patrick Ryan, Engineering
Date: January 5, 2021	Re: P19-00131 Dakota Shy Winery APN: 030-120-024

The Engineering Division has reviewed the use permit application P19-00131 for the Dakota Shy Winery use permit modification located on assessor’s parcel number 030-120-024. In general the project proposes the following:

Increase in the number of full-time employees, an increase in the number of harvest employees, an increase in wine production, and an increase in the number of daily visitors.

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

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. The facility may be designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board’s Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. Access to the proposed winery shall be designed and constructed in substantial conformance with approved road exception request as conditioned per Engineering’s memorandum dated January 5, 2021, for Use Permit Modification P19-00131. The property owner shall obtain all necessary permits from all agencies having jurisdiction for all proposed roadway improvements.
3. Any roadway, access driveway, and/or parking areas, proposed new and not specifically mentioned in Engineering’s road exception support memorandum dated January 5, 2021, shall meet the requirements of the current Napa County Road and Street Standards for commercial

development. The property owner shall obtain all necessary permits from all agencies having jurisdiction for all proposed roadway improvements.

4. 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 aisles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application.
5. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
6. Prior to issuance of a development permit (building and/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.
7. Prior to issuance of a development permit the owner shall prepare as necessary a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

8. All life safety improvements, including but not limited to access shall be completed prior to execution of any new entitlements approved under this Use Permit Modification.

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

9. All on-site improvements shall be completed in their entirety and approved by the County Engineer prior to Final Occupancy.
10. 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 Patrick Ryan from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4892 or by email at Patrick.Ryan@countyofnapa.org



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David Morrison
Director

MEMORANDUM

To: Dana Ayers, Planning	From: Patrick Ryan, Engineering
Date: January 5, 2021	Re: P19-00131 – Dakota Shy Winery Evaluation of Napa County Road and Street Standards Exception Request APN 030-120-024

Road Modification Request

The Engineering Division and Fire Marshal's office received a request (the request) dated July 13, 2020 for an exception to the commercial roadway design criteria as outlined in the Napa County Road and Street Standards (NCRSS) as part of a Use Permit Major Modification application for an increase in the number of full-time employees, an increase in the number of harvest employees, an increase in wine production, and an increase in the number of daily visitors.

The winery is located at 771 Sage Canyon Road, State Route 128. Access to the subject property is off Sage Canyon Road, State Route 128, and serves the subject parcel with an existing winery, residential, and agricultural uses. The winery is approximately 700 feet from the entrance from Sage Canyon Road.

The existing commercial roadway is currently paved with hot mix asphalt (HMA) and varies in width from approximately 18 feet-8 inches clear at the existing primary gate to a minimum of twenty (20) feet wide from the gate to the winery. The existing winery traffic circulation includes an egress one-way roadway constructed of gravel with a minimum width of twelve (12) feet. This project is located entirely within the "Local Responsibility Area" (LRA) and not within a Very High Fire Hazard Severity Zone (VHFHSZ).

An exception to the Napa County Road and Street Standards is being requested to allow the primary gated entrance of 18 feet - 8 inches serving the existing winery building be supported in-lieu of the required 22-foot, and to support portions of one-way (egress only) gravel roadway with two (2) horizontal inside radii and two (2) vertical curves that do not meet the minimum requirements outlined in Section 15 of the Napa County Road and Street Standards.

Engineering Division Evaluation and Recommendation:

Engineering Division staff have discussed the request noted above with the Napa County Fire Marshal's Office and the applicant. The Fire Access Exhibit (shown on sheet UP7), prepared by Bartelt Engineering, illustrates that a Napa County Type 1 fire apparatus can navigate through the one-way gravel roadway with the prescribed clearances identified in Section 15 of the NCRSS. Pursuant to Section 5 of the NCRSS as

adopted by Resolution by the Board of Supervisors, this division has determined the exception request provides adequate measures which provide safe access for emergency apparatus, safe civilian evacuation, and the avoidance of delays in emergency response based on the demands of the property.

The Engineering Division supports the approval of the exception request as proposed with the following conditions that are in addition to any and all conditions previously placed on the project as part of the discretionary application:

1. The roadway shall be constructed and maintained to the approved condition prior to 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 fire apparatus access roadway shall meet the road surfacing requirements as described in the RSS for the entire length of the roadway.
3. To ensure the upkeep of the paved surfaces, the private road surface shall be periodically maintained by the property owner to assure sufficient structural section for loading conditions to the imposed loads of fire apparatus weighing at least 75,000 pounds and the design Traffic Index.
4. The property owner will implement a horizontal and vertical vegetation management plan consistent with California Department of Forestry and Fire Protection requirements along the entire length of the driveway to provide defensive space and improve sight distance.
5. Any/all future road design changes or changes in use of this roadway beyond the exception detailed on the above noted request shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.



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David Morrison
Director

MEMORANDUM

To: Dana Ayers, Project Planner	From: Kim Withrow, Environmental Health Supervisor <i>KDW</i>
Date: February 2, 2021	Re: Dakota Shy APN: 030-120-024 Project #: P19-00131

This Division has reviewed an application requesting approval to expand production, visitation and employees. This Division has no objection to approval of the application with the following conditions of approval:

1. The applicant shall be advised the State Water Quality Control Board (SWQCB) adopted General Waste Discharge Requirements for Winery Process Water. This facility is subject to the Order and will be required to comply within the timeframe specified in the Order. The Order may be reviewed online at https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/winery_order.html.
2. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
3. The use of the absorption field/drain field/land application area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
4. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
5. The applicant shall provide portable toilet facilities for guest use during any marketing events as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.



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David Morrison
Director

To: Joan Gargiulo, Project Planner	From: Marie Taylor, Building Inspector
Date: May 28, 2019	Re: Use Permit – Dakota Shy Winery File # P19-00131 Address: 771 Sage Canyon Rd. St. Helena, Ca. 94574 APN: 303-120-024

Building Inspection Division; Planning Use Permit Review Comments

The plans provided for the Use Permit application P19-00131 do not provide enough information in sufficient detail to determine code requirements. A complete plan check will be performed at the time of application and plan submittal to the building division for required permits. The following are provided to prepare the applicant for some standard submittal requirements for the plan review of the building permit process.

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

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

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

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

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



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Department of Public Works

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Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Janice Spuller Traffic Engineering Staff Consultant
Date: October 1, 2020	Re: Dakota Shy Winery (P19-00131) Conditions of Approval

This memorandum on the Conditions of Approval is prepared at the request of Planning, Building, and Environmental Services (PBES) staff regarding the Use Permit Modification Application # P19-00131, for the proposed Dakota Shy Winery, located at 771 Sage Canyon Road in the County of Napa.

In preparation of this memorandum, we have reviewed the following documents:

- *Final Traffic Impact Report for the Dakota Shy Winery Use Permit Modification 2020*, dated September 16, 2020 prepared by Crane Transportation Group
- *Dakota Shy Driveways- August 13, 2020 Comment Letter Memorandum*, dated August 24, 2020

After careful evaluation and review of the documents, we believe that the report provides sufficient information to develop conditions for the project.

The Department of Public Works established the following conditions of approval related to the Use Permit Application Number P19-00131:

Level of Service (LOS) Significant Impacts:

Per the County of Napa's threshold of significance, the intersection of Silverado Trail/Sage Creek Road is currently operating unacceptably at LOS F in the minor approach. The project would cause a delay more than five seconds, during the Friday p.m. peak hour, resulting in a significant impact.

1. The project/applicant shall schedule visitation and employee work hours to eliminate all new project traffic on the local roadway system during the Friday p.m. peak hour. Guests will arrive no later than 3:15 pm and leave no earlier than 4:30 pm. Additionally, no new employees or deliveries shall be scheduled to arrive or depart during this hour on Friday afternoon.

Marketing:

2. The project applicant/permittee shall not exceed the maximum number of visitors of 48 per day on a weekday and weekend.
3. The project applicant/permittee shall not exceed 10 employees during harvest.

4. The project applicant/permittee shall not have any new marketing events that exceeds the existing use permit.

Vehicle Miles Travelled (VMT)

5. To reduce the vehicle miles traveled (VMT) to and from the project, and to mitigate the delay at the intersection of Silverado Trail and Sage Creek Road, the project/applicant shall implement trip reduction measures through a Transportation Demand Management (TDM) program to reduce trips by 15 percent.

Transportation Demand Management (TDM) Program

6. The project applicant/permittee shall implement the following measures as follows:
 - a. A Dakota Shy administrative employee will be appointed TDM manager
 - b. Electric car charging facilities are provided for both employees and guests.
 - c. Bike racks and storage areas are provided for employees and guests.
 - d. High occupancy vehicle use (vans and shuttle buses) will be encouraged for large marketing events. Cash-out Incentive Program
 - e. Employee work hours will be staggered to the greatest extent possible to avoid congestion during the peak traffic hours on Silverado Trail.
 - f. Work at home or at remote location opportunities will be offered when possible.
 - g. Guest appointments will be scheduled, to the extent possible, to avoid travel during peak traffic hours on Silverado Trail.
 - h. Annual Performance Review
7. The project applicant/permittee shall appoint a staff person appointed as Transportation Demand Management (TDM) coordinator to facilitate employees reducing solo-vehicle commuting and report to County staff on January 15th of each year (annual basis) on the status on the strategies implemented.

On Site Circulation

8. The project applicant/permittee shall provide directional signage and striping that clearly states inbound and outbound driveways for vehicles and trucks. Trucks only access must be displayed at the project driveway exit and direct other vehicles towards the western driveway for outbound only.

Bicycle Parking

9. The project/applicant shall provide bicycle parking spaces per the Napa County Municipal Code 18.110.040: 2 bicycle parking spaces per 5-10 automobile parking spaces, 10 bicycle parking spaces per 10 or more automobile parking spaces.

On Street Parking

10. Parking within the public right-of-way will be prohibited during large marketing and/or temporary events

Landscaping Maintenance

11. Landscaping at the project driveways shall be maintained to not interfere with sight lines required for safe stopping distance on the public-right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic control devices. Street trees should be deciduous and have branches lower than 4 feet in height up kept once the tree is established.

Encroachment Permit

12. An encroachment permit will be required for any improvements in the County's Right-of-Way. For the application submittal process contact the Roads Division at 707-944-0196. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use. Please contact the Roads office at (707) 944-0196 to initiate the encroachment permit process.
13. Any improvements located on Caltrans Right-of-Way will require a separate coordination and permitting process.

Please contact Ahsan Kazmi, P.E. Senior Traffic Engineer at Ahsan.Kazmi@countyofnapa.org or call (707) 259-8370 if you have any questions.



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Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
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Office: (707) 299-1461

Garrett Veyna
Fire Marshal

MEMORANDUM

TO: Planning Division	DATE: May 31, 2019
FROM: Garrett Veyna Fire Department	
PERMIT: P19-00131	APN: 030-120-024

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. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stored over 12 feet in height).
3. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
4. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2016 edition.
Identify location of hydrants and FDC.
5. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
6. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.

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



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Fire Marshal's Office
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Office: (707) 299-1461

Garrett Veyna
Fire Marshal

MEMORANDUM

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