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

**PLANNING COMMISSION HEARING – APRIL 21, 2021
RECOMMENDED CONDITIONS OF APPROVAL**

**Conn Creek Winery Use Permit Major Modification
Application Number P19-00317-MOD
8711 Silverado Trail, St. Helena, California
APN #030-120-032**

This permit encompasses and shall be limited to the project commonly known as Conn Creek Winery, located at 8711 Silverado Trail. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

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

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

PART I

1.0 PROJECT SCOPE

The permit encompasses and shall be limited to:

- 1.1 Approval to modify an existing 850,000 gallon per year winery, previously approved under Use Permit #U-507879, to allow the following:
 - a. Expansion of the ground floor of the existing winery building by approximately 770 square feet to include a new mechanical equipment area; increase the second floor area by adding approximately 2,118 square feet of new interior space over an existing one-story area; and an approximately 670 square foot tasting room addition (by appointment tasting only) on the second floor;
 - b. Site improvements including: a covered trash enclosure; a new 240 square foot pump house to house a new fire pump, gravel access road to the associated infrastructure; and the installation of electric vehicle charging stations;
 - c. Modification of condition of approval no. 1.g of Use Permit Modification No. #95532-MOD to allow for the use of the garden area for public tours and tastings;
 - d. On-premises consumption of wine as set forth in COA No. 4.4 below;

- e. Hours of operation; 6:00 AM to 10:00 PM daily (production hours) and 10:00 AM to 4:30 PM daily (visitation hours);
- f. Maximum number of employees; 20 full time employees and one part-time employee;
- g. Upgrading of the existing waste water system;
- h. Modification of the existing driveway entrance by removing the existing entry structure and improvement of the existing driveway to County Road and Street Standards; and
- i. Installation of a 100,000-gallon firewater storage tank and a new 25,000-gallon domestic water tank.

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 [RESERVED]

4.3 MARKETING [RESERVED]

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director’s July 17, 2008 memo, “Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises,” on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the garden area and tasting rooms. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee’s marketing plan set forth in COA Nos.4.2 and 4.3 above.

4.5 RESIDENCE OR NON-WINERY STRUCTURES [RESERVED]

4.6 GRAPE SOURCE

At least 75% of the grapes used to make the winery’s still wine or the still wine used by the winery to make sparkling wine shall be grown within Napa County provided that the winery’s 260,000 gallons of production are not subject to the County’s 75% grape source rule. However, if the winery expands beyond its winery development area, at least 75% of the grapes used to make the winery’s still wine or sparkling wine that is produced as a result of the expansion shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission’s format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

4.7 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and

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

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

4.8 RENTAL/LEASING

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

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC

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

4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (3:00 pm to 4:00 pm weekdays; 1:45 pm to 2:45 pm Saturdays; and 1:45 pm to 2:45 pm Sundays). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.12 PARKING

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

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

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

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

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

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES

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

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

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM

The installation, operation and maintenance of the treatment pond shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.

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

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

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

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

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

4.17 NO TEMPORARY SIGNS

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

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of

those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated February 12, 2021.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated February 8, 2021.
- c. Building Division operational conditions as stated in their Memorandum dated August 6, 2019.
- d. Department of Public Works operational conditions as stated in their Memorandum dated July 21, 2020.
- e. Fire Department operational conditions as stated in their Inter-Office Memo dated September 3, 2020.

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. The parcel shall be limited to 5.98 acre-feet of groundwater per year for all water consuming activities on the parcel which use the "Well 01" as their water source. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(a) below.

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.

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in the Use Permit Major Modification 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.

- b. Any tasting within the approximately 670 square foot tasting room addition on the second floor shall be by appointment only.
- c. The layout of the existing outdoor garden area including walls, landscaping (hedge) and fencing shall be maintained in its current form to minimize potential noise issues associated with its use for tours and tastings.

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.

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.

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

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

- a. Engineering Services Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated February 12, 2021.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated February 8, 2021.
- c. Building Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated August 6, 2019.
- d. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated July 21, 2020.
- e. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated September 3, 2020.

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

6.2 BUILDING DIVISION – GENERAL CONDITIONS

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

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

6.3 LIGHTING – PLAN SUBMITTAL

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

6.4 LANDSCAPING – PLAN SUBMITTAL

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

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

6.5 COLORS

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

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

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

6.7 TRASH ENCLOSURES

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

6.8 ADDRESSING

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

- 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
 - a. Groundwater Demand Management Program
 1. The permittee shall install a meter on “Well 01” serving the parcel. The meter shall be placed in a location that will allow for the measurement of all groundwater from “Well 01” used on the project parcel. Prior to the issuance of a grading or building permit for the winery, the permittee shall submit for review and approval by the Director of Public Works a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on “Well 01” serving the parcel.
 2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
 3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
 4. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately.
 5. For the first twelve months of operation under the Use Permit Major Modification, the applicant shall read the meters at the beginning of each month and provide the data to the Public Works Director monthly. If the water usage on the property from “Well 01” exceeds, or is on track to exceed, 5.98 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee’s expense shall be required shall be submitted to the Public Works Director and the PBES Director for review and action.
 6. The permittee’s well shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
 7. At the completion of the reporting period per 5 above, and so long as the water usage is within the 5.98 acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - a. On or near the first day of each month the permittee shall read the water meter, and provide the data to the Public Works Director during the first weeks of April and October. The Public Works Director, or his designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

Please contact Engineering Services with any questions regarding the following.

a. GRADING AND SPOILS

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

b. DUST CONTROL

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

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes

(as required by State Regulations). Clear signage shall be provided for construction workers at all access points.

8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

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

7.2 **ARCHEOLOGICAL FINDING**

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

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

7.3 **CONSTRUCTION NOISE**

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

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

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

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

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

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

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

9.1 FINAL OCCUPANCY

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

9.2 SIGNS

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

9.3 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this permit approval.

9.4 LANDSCAPING

Landscaping shall be installed in accordance with the approved landscaping plan.

- 9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**
- 9.6 DEMOLITION ACTIVITIES **[RESERVED]**
- 9.7 GRADING SPOILS
All spoils shall be removed in accordance with the approved grading permit and/or building permit.
- 9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**
- 9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY
 - a. All required meters shall be installed and all groundwater usage monitoring required in COA 4.20(a) and 6.15(a) shall commence prior to final occupancy.

Exhibit A

**Conn Creek Winery
Application Number P19-00317-MOD
8711 Silverado Trail, St. Helena, California
APN #030-120-032**

PREVIOUS CONDITIONS

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

A. USE PERMIT NO. U-507879

COA No. 1: Scope

The permit shall be limited to construction of a winery facility containing 10,000 square feet.

Any expansion of changes in use to be by separate Use Permit submitted for Commission consideration.

B. USE PERMIT NO. U-358687

COA No. 1: Scope

The permit shall be limited to a 14,100 square foot addition to the existing winery, construction of a winery waste pond, annual production capacity increase from 50,000 to 260,000 gallons per year, and the addition of public tours and tastings. All improvements shall be in conformance with the attached plot plan.

Any expansion of changes in use to be by separate Use Permit submitted to the Department for Commission consideration.

C. USE PERMIT NO. 92463-UP

COA No. 1: Scope

The Winery Use Permit shall be limited to an increase in the annual production from 260,000 gallons per year to 850,000 gallons per year with the entire increase comprised of bulk wine received and bottled at the winery, with no increase of the size of the production facility or the winery development area.

Mitigation Measure No. 2: Traffic Impacts

In order to assure that truck shipments do not exceed the levels authorized by previous Use Permit, # U-358687, and the additional 590,000 gallons of bulk wine, Conn Creek winery shall submit an annual report to the Conservation, Development and Planning Department by January 30 of each year, for the previous calendar year, (starting in 1994), to include:

- a) the actual amount of wine production at the winery per year, separating the bulk wine from wine produced onsite. Production capacity shall not exceed 590,000 of bulk wine and 260,000 gallons of wine produced onsite; and
- b) a log of the winery shipments and deliveries related to bulk wine, which includes the number of truck trips to and from the winery.

D. USE PERMIT MODIFICATION NO. 95532-MOD

COA No. 1: Scope

This approval is limited to:

- a) the construction of a formal 16,000 sq. ft. garden area attached to the east side of the existing winery and the trellises associated with the garden as identified on the plans dated February 23, 1996, as amended May 29, 1996, and June 13, 1996;
- b) the construction of a two story 150+/- Sq. ft. vineyard maintenance building designed and incorporated into the garden;
- c) the renovation of the entry gate and associated winery signs;
- d) the construction of a 500+/- sq. ft. loading dock on the western side of the existing winery building;
- e) an increase in full time employees from 9 to 15, and the addition of 8 employee parking spaces, for a total of 36 parking spaces onsite;
- f) additional landscaping improvements around the existing winery structure ; and
- g) the use of the formal garden area for limited private marketing events which were approved under Use Permit# U-358687, for up to 85 groups per month with an average of 5 persons per group (a maximum of 20) from 10 am to 8 pm daily. In addition, two groups of 60 per year are authorized as a part of the marketing previously approved. No amplified music shall be played in the garden area associated with the marketing events. ~~The garden area shall not be available for public tours and tasting.~~ Any additional marketing shall be by separate use permit.

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

COA No. 3:

This permit does not expand the previously approved marketing events. Visitors to the winery are limited to 500 per week as authorized in the previously approved permit which includes public tours and tasting and private marketing events. This permit approval clarifies the extent of the authorized marketing.

COA No. 5:

There shall be no advertising of the outdoor garden area for public tours and tasting, and any other winery or non-winery functions.

E. USE PERMIT MODIFICATION NO. 96562-MOD

COA No. 1: Scope

This approval is limited to:

- a) the construction of a 1,260 sq. ft. barrel storage/ private tasting room attached to the east side of the existing winery;
- b) the construction of 295 sq. ft. enclosed staircase on the north side of the new barrel storage / tasting room;
- c) the 170 sq. ft. "open to the sky" enclosure of the existing air conditioning unit at the front of the winery;
- d) the construction of a 260 sq. ft. "open to the sky" service enclosure on the south side of the new barrel storage/ tasting room; and
- e) a reduction in the size of the formal garden to accommodate the approved addition.

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

COA No. 2:

This permit does not change the production capacity of the winery or the previously approved marketing events. No public tours and tasting shall use the new barrel storage/ tasting room. It shall be used for existing private marketing activities only.

COA No. 6:

The exterior gate access to the garden and barrel room (east and north sides) shall be locked during public hours or appropriately signed to prevent general public access.

F. USE PERMIT VERY MINOR MODIFICATION NO. P18-00007

COA No. 1: Scope

The permit encompasses and shall be limited to:

Approval of a Use Permit for an existing 260,000 gallon/year winery, previously approved under Use Permits #U-507879; #U-358687, and #95532-MOD and #96562-MOD to allow the following:

- a. Construction of an $\pm 2,420$ sq. ft. canopy over the existing crush pad;
- b. Demolition of existing above ground utility structure; adjust the elevations of the existing 'pit' and adjacent area;
- c. Abandon existing manual diversion system;
- d. And modifications to the existing subsurface PD system and storm eater control facilities as necessary.

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.



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Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

| | |
|--------------------------|---|
| To: Jason Hade, Planning | From: Jeannette Doss, Engineering <i>JD</i> |
| Date: February 12, 2021 | Re: Conn Creek Winery Use Permit Mod – Engineering CoA 8711 Silverado Trail, St Helena, Napa, CA P19-00317 APN 030-120-032-000 |

The Engineering Division received a referral for comment on a modification to an existing use permit. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

EXISTING CONDITIONS:

- Existing access taken from Silverado Trail via an asphalt concrete paved driveway.
- Conn Creek, a major USGS blueline stream is situated to the west of the winery. Conn Creek falls under the Napa County jurisdictional limits for Special Flood Hazard Areas (SFHAs) for regulation of riparian zones and activities therein.
- The site is located entirely within a Federal Emergency Management Agency (FEMA) regulated SFHA associated with the Conn Creek floodplain. The Base Flood Elevation (BFE), the elevation of the flood having 1-percent-chance of being equaled or exceeded in any given year, at the most upstream point of the project is approximately 183.6 feet according to the North American Vertical Datum of 1988 (NAVD88). The Design Flood Elevation (DFE) for the site, the elevation to which FEMA-compliant structures must be floodproofed and/or have finished floor elevations raised to is 184.6 feet NAVD88.
- The existing parcel is approximately 5.98 acres.
- Site is currently developed with a winery, associated winery accessory structures, vineyards, and a pond.

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. Should any existing outdoor/uncovered loading/unloading areas and/or processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, be modified, expanded and/or improved in the future, Napa County may require these areas to be paved and performed undercover.
2. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.
3. No person shall deposit or remove any material, excavate, construct, install, alter or remove any structure within, upon or across a Special Flood Hazard Area, nor otherwise alter the hydraulic characteristics of a Special Flood Hazard Area **without first obtaining a floodplain permit** pursuant to Chapter 16.04 of the Napa County Code and in conformance with county Code and 44 CFR Section 60.3.
4. All roadway, access drive, and parking area improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification.

PREREQUISITES FOR ISSUANCE OF PERMITS

5. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
6. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, and Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
7. **Prior to issuance of a building or grading permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

8. **Prior to issuance of a building or grading permit** the owner shall demonstrate on the plans that all roadways, access driveways, and parking areas serving the project either currently meet the requirements and/or how they will be improved to meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of approval of this application (P18-00007).
9. **Prior to issuance of a building or grading permit** the owner shall submit the necessary Structural plans and engineering calculations for the canopy, retaining wall and flatwork-pavement. A soil report or and updated report will need to evaluate the soil for the project.
10. **Prior to issuance of a building, grading permit, or floodplain management permit** the owner shall submit a complete application for a floodplain management permit for the proposed work. A complete submittal shall include, but is not limited to:
 - a) A complete site plan demonstrating the Floodplain and Floodway Boundaries.
 - b) Plans shall include all existing or proposed structures, fill, storage of materials, drainage facilities
 - c) Spot ground elevations at the corners of all structures and at twenty-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
 - d) Proposed locations of water supply, sanitary sewer facilities, and utilities;
 - e) The base flood elevation from the flood insurance study, and/or FIRM;
 - f) A copy of the No-Rise Certificate for the proposed work within the Floodway and any related studies or exhibits such as illustration that the proposed work qualifies as a small project and falls entirely within the conveyance shadow of the existing structures.
11. **Prior to issuance of a building, grading permit, or floodplain management permit** for alterations to the existing winery structure the owner shall submit:
 - a) A detailed cost estimate of the proposed improvements or alterations;
 - b) A list of any prior improvements to the structure that occurred within the a ten (10) year period dating back from the time of the floodplain permit application and their associated costs;
 - c) A complete list of the historical and current valuations of the structure only, not including land values. The structure value shall be listed as the building's value at the time prior to when each improvement was performed.

County Engineering staff shall perform a Substantial Improvement (SI) determination based on the provided cumulative sum of the improvement costs as a percentage of the historical structure values at the time each improvement occurred within the last ten years. If the SI determination shows the total of all improvements has or will exceed 50% of the structure value then the owner shall provide improvement plans to either raise the structure's finished floor to the DFE or provide floodproofing of the entire structure to the DFE or higher. Depreciation shall be factored into the as-is replacement cost of the structure when determining existing valuations for the purpose of performing the SI determination.

12. **For any proposed floodproofing alterations to existing structures the applicant shall provide a preliminary** floodproofing plan validated and certified by a professional engineer to provide evidence and assurance that no alterations, proposed or otherwise, have or will compromised the water tightness of the building envelope and that staff and operators are properly trained to administer the floodproofing plan and procedures in the event of an emergency. The certification shall include:
- a) Written verification that the building envelope is watertight;
 - b) Written certification that the Engineer of Record’s design and construction are in accordance with American Society of Civil Engineers ASCE 24-05 requirements to meet FEMA criteria;
 - c) A comprehensive Maintenance Plan for the entire structure including the materials used for floodproofing, shields, gates, etc.;
 - d) An Emergency Action Plan for the installation of flood shields and other measures;
 - e) Written certification that all components and systems when installed meet the requirements of ASCE 24-05;
 - f) Documentation or certification from the Authority Having Jurisdiction (permitting official) that they have reviewed and inspected the structure with all floodproofing measures in place and provide evidence of approved final inspection and certificate of occupancy.
13. **Prior to issuance of a building or grading permit** the owner shall prepare a Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES. The Stormwater Control Plan shall include the water balance analysis for the use of the existing wastewater pond to handle the additional stormwater flows.
14. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the “Operation and Maintenance Agreement”, approved by the Engineering Division in PBES.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

15. All roadway, access drive, and parking area improvements shall be completed **prior to** issuance of temporary occupancy of any new and/or remodeled structures.
16. A Completed Elevation certificate (FEMA Form 086-0-33) shall be submitted and approved by the Engineering Division **prior to** issuance of temporary occupancy of any new and/or remodeled structures.
17. A Completed Floodproofing Certificate (FEMA Form 086-0-34) shall be submitted and approved by the Engineering Division **prior to** issuance of temporary occupancy of any new and/or remodeled floodproofed structures.

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

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

18. Operations and Maintenance Agreement for any required post-construction Stormwater facilities must be legally recorded.

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

Any changes in use may necessitate additional conditions for approval.

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



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David Morrison
Director

MEMORANDUM

| | |
|---------------------------------|--|
| To: Jason Hade, Project Planner | From: Kim Withrow, Environmental Health Supervisor |
|---------------------------------|--|

| | |
|------------------------|---|
| Date: February 8, 2021 | Re: Conn Creek Winery APN: 030-120-032 Project #: P19-00317 |
|------------------------|---|

This Division has reviewed a revised application requesting approval to remodel the existing winery, increase employees, add water storage, modify the existing wastewater system among other items described and depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to issuance of building permit(s):

1. A permit to modify the existing sanitary wastewater system 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.
*The applicant shall be advised-requirements for process wastewater treatment systems in Napa County and throughout California are being reviewed and will have to comply with State Water Quality Control Board (SWQCB) minimum standards once adopted.
2. Plans for the proposed sanitary wastewater treatment system modifications shall be submitted for review and approval and shall be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be granted until such plans are approved by this Division.
3. General Waste Discharge Requirements for Winery Process Water have been adopted by the State Water Quality Control Board (General Order). The General Order is available for review on the State's website, https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/winery_order.html. The applicant will be required to comply with the General Order. Information regarding compliance will be provided as soon as it is available.

4. 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. The designated area shall remain available and be properly maintained for its intended use.
5. Complete plans and specifications for any food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Division prior to issuance of any building permits for said areas. An annual food permit will be required.
6. The water supply and related components must continue to comply with the California Safe Drinking Water Act and Related Laws. Plan review and approval must be completed for the tank addition prior to approval of building permits. The technical report must be completed by a licensed engineer with experience designing water systems. An evaluation of the maximum daily demand must be completed to ensure the water storage tank meets the minimum capacity.

During Construction and Prior to Final Occupancy:

7. 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 approval and thereafter:

8. 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.
9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
10. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
11. 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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David Morrison
Director

| | |
|----------------------------------|--|
| To: Emily Hedge, Project Planner | From: Marie Taylor, Building Inspector |
| Date: August 6, 2019 | Re: Use Permit – Conn Creek Winery File # P19-00317 Address: 8711 Silverado Trail St. Helena, Ca. 94574 APN: 030-120-032 |

Building Inspection Division; Planning Use Permit Review Comments

The plans provided for the Use Permit application P19-00317 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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Fax: (707) 253-4627

Steven Lederer
Director

MEMORANDUM

| | |
|---------------------|---|
| To: PBES Staff | From: Ahsan Kazmi, P.E. Senior Traffic Engineer |
| Date: July 21, 2020 | Re: Conn Creek Winery (P19-00317) 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 Application # P19-00317 for the proposed Conn Creek Winery, located at 8711 Silverado Trail, in the County of Napa.

In preparation of this memorandum, we have reviewed the *Draft Traffic Impact Study for the Conn Creek Winery*, dated April 23, 2020.

The Department of Public Works established the following conditions of approval related to the Use Permit Application Number P19-00317:

Transportation Demand Management

1. The project applicant/permittee shall provide and implement a Transportation Demand Management (TDM) plan which includes strategies to reduce single-occupant vehicle use, encouraging more energy-efficient forms of transportation and contributing towards the County's greenhouse gases emission reduction goals by 15 percent. The TDM Plan shall be prepared and submitted to the Planning Division prior to the issuance of a Final Certificate of Occupancy.
2. The project applicant/permittee shall appoint a staff person as Transportation Demand Management (TDM) coordinator to facilitate employees reducing solo-vehicle commuting. After issuance of a Final Certificate of Occupancy, an Ongoing Monitoring and Reporting Statement on the status of the strategies implemented shall be submitted to the Planning Division on January 15 of each year. Planning Division staff will review the statement to ensure compliance with the TDM Plan. Enforcement steps will be taken, if needed, to attain compliance status.

Encroachment Permit

3. 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. Any improvements located on Caltrans Right-of-Way will require a separate coordination and permitting process.

Transportation Impact Fee (TIF) Program

4. If the Countywide Transportation Impact Fee (TIF) program is adopted by the Board of Supervisors before the issuance of the building permit, the applicant/permittee will be responsible to pay the adopted TIF, but in no case will it exceed \$439/trip for the project's daily net trips.

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
Napa, CA 94559

Office: (707) 299-1466

Adam Mone
Fire Plans Examiner

MEMORANDUM

| | |
|---------------------------------------|-----------------------------|
| TO: Planning | DATE: 9/3/2020 |
| FROM: Adam Mone, Plans Examiner | |
| SUBJECT: P19-00317, Conn Creek | APN: 030-120-032-000 |

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.
4. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stored over 12 feet in height).
5. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards.
6. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.



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Office: (707) 299-1466

Adam Mone
Fire Plans Examiner

MEMORANDUM

8. Roadways shall be a minimum of 20 feet in width with a 2 foot shoulder and 15 foot vertical clearance.
9. Driveways shall be a minimum of 10 feet in width with a 4 foot shoulder and 15 foot vertical clearance.
10. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25 foot taper on each end.
11. Turnarounds are required on driveways and dead end roadways.
12. Grades for all roadways and driveways shall not exceed 16 percent.
13. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
14. 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.
15. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.
16. 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.
17. 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.
18. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains



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Napa County Fire Department
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Office: (707) 299-1466

Adam Mone
Fire Plans Examiner

MEMORANDUM

19. Commercial - Developments in excess of 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals.
20. 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.
21. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.
22. Provide 100 feet of defensible space around all structures.
23. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
24. Emergency responder radio coverage **in** new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org