

**“B”**

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

**PLANNING COMMISSION HEARING – MAY 19, 2021  
CONDITIONS OF APPROVAL**

***Taplin Cellars Winery Use Permit  
Application Number P20-00165  
1677 Lewelling Lane, St. Helena  
APN 027-100-005***

This permit encompasses and shall be limited to the project commonly known as Taplin Cellars Winery located at 1677 Lewelling Lane, 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 encompasses and shall be limited to:

- 1.1 Approval of a Use Permit for a 20,000 gallon per year winery to allow the following:
  - a. Addition of a 1,036 square foot covered crush pad to the northwest side of the existing, 5,800 square foot agricultural structure;
  - b. Conversion of approximately 3,615 square feet of the existing 5,800 square foot agricultural structure to a winery use;
  - c. Visitation, tours and tasting, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
  - d. On-premises consumption of wine as set forth in COA No. 4.4 below;
  - e. Hours of operation between 9:00 a.m. and 5:00 p.m. Monday through Sunday and visitation hours between 10:00 a.m. and 5:00 p.m. Monday through Sunday;
  - f. Two full time employees with an additional two part time employees during harvest season;
  - g. Six parking spaces with one ADA compatible;

- h. Installation of one of three wastewater treatment options (to be determined at time of project development): 1) Combined winery process waste and domestic waste treatment system – pressure distribution; 2) Combined winery process waste and domestic ASTS Treatment System, subsurface drip; or 3) Winery domestic waste conventional system with a winery process waste surface drip irrigation system.
- i. Road improvements, consistent with the Napa County Road and Street standards, beginning at the intersection of Lewelling Lane and State Highway 29 and ending at the entrance to the proposed winery;
- j. Installation of a 10 to 20,000 gallon water storage tank for fire suppression, to be located north to the parking area.

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: seven days per week, Monday through Sunday
- b. Temporary events: there shall be no temporary events held at the winery.
- c. Maximum number of persons per day: 12 per day during harvest season, 16 per day during off-season
- d. Maximum number of persons per week: 80 during harvest season (typically August through October), 90 during off-season (November through July)
- e. Hours of visitation: 10:00 a.m. and 5:00 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 4:00-5:00 p.m. weekdays and 1:45-2:45 p.m. on weekends.

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 1**
  1. Frequency: eight (8) times per year
  2. Maximum number of persons: 30
  3. Time of Day: 11:00 a.m. to 10:00 p.m.

- b. **Type 2**
  - 1. Frequency: one (1) time per year
  - 2. Maximum number of persons: 100
  - 3. Time of Day: 11:00 a.m. to 10:00 p.m.
  - 4. No tours or tasting during 100 person event.

c. **Food to be prepared by licensed caterers**

"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 10:00 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**

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 winery coverage area, as follows: all aggregate paved or impervious surface areas, the 3,615 square foot portion of the winery structure and the 1,036 square foot crush pad. 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

Unless specifically authorized by this permit or a previously approved permit, the existing single-family residence and guest cottage shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

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

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

#### 4.9 GROUND WATER MANAGEMENT - WELLS

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

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence<sup>1</sup> 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 evidence<sup>1</sup> that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

#### 4.10 AMPLIFIED MUSIC

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

#### 4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (4:00-5:00 p.m. weekdays; 1:45-2:45 p.m. Saturdays; and 1:45-2:45 p.m. 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.

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<sup>1</sup> 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.

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 **[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 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 December 22, 2020.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated June 15, 2020.
- c. Building Division operational conditions as stated in their Memorandum dated July 21, 2020.
- d. Department of Public Works operational conditions as stated in their Memorandum dated July 9, 2020.
- e. Fire Department operational conditions as stated in their Inter-Office Memo dated September 23, 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. All areas within the 5,800 square foot agricultural structure reserved for private use (as shown on Sheets A2.2 and A2.3 of the approved Architectural Plans dated March 30, 2020) shall be limited to private use only. No winery uses within these areas are permitted. For reference, areas within the agricultural structure limited to private use only are provided, below:
  - i. 1,054 square foot vineyard utility room
  - ii. 129 square foot staircase
  - iii. 708 square foot office
  - iv. 331 square foot porch

4.21 PREVIOUS CONDITIONS [RESERVED]

**PART III**

**5.0 PREREQUISITE FOR ISSUANCE OF PERMITS**

5.1 PAYMENT OF FEES

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

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

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

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

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

- a. Engineering Services Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated December 22, 2020.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated June 15, 2020.
- c. Building Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated July 21, 2020.
- d. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated July 9, 2020.
- e. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated September 23, 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 **[RESERVED]**

**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](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

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. At least one legible sign shall be placed at the property entrance with the words “Tours and Tasting by Prior Appointment Only” to inform the public of same. Any off-site signs allowed shall be in conformance with 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

The permittee shall improve the encroachment at the Lewelling Lane access from St. Helena Highway pursuant to Napa County Road and Street Standards and standards set forth by the California Department of Transportation. The applicant shall also improve a section of Lewelling Lane, beginning at the intersection of Lewelling Lane and St. Helena Highway and ending at the project site, consistent with Napa County Road and Street Standards. The design of the road improvements shall be submitted to the Public Works Department for review and approval. The improvements shall be designed in substantial conformance with the submitted site plan, and other submittal materials and shall comply with all requirements of the County Code and Napa County Road and Street Standards.

### 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 **[RESERVED]**



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Planning, Building & Environmental Services

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David Morrison  
Director

## MEMORANDUM

To: Melanie Jackson-Couch, Planning	From: Daniel Hornett, Engineering
Date: December 22, 2020	Re: P20-00165 Taplin Cellars Winery APN: 027-100-005-000

The Engineering Division has reviewed the use permit application P20-00165 for a new winery located on assessor's parcel number 027-100-005. 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 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.

#### PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be 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.

4. 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.
5. **Prior to issuance of a building 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.
6. **Prior to issuance of a building permit** the owner shall prepare 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**

7. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit. **\*\* If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

#### **PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY**

8. 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 Daniel Hornett from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)299-1358 or by email at [Daniel.Hornett@countyofnapa.org](mailto:Daniel.Hornett@countyofnapa.org)



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David Morrison  
Director

## MEMORANDUM

To: Melanie Jackson-Couch, Planner III	From: Darell Choate EHS
Date: June 15, 2020	Re: Use Permit for Taplin Cellars Winery 1677 Lewelling Lane, St. Helena Assessor Parcel # 027-100-005-000 Permit# P20-00165

Environmental Health Division staff has reviewed an application for Taplin Cellars Winery. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. Plans for the proposed alternative sewage system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions.
2. Plans for the proposed sewage system(s) must be submitted to the Environmental Health Division and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
3. Permits to construct the proposed sewage system(s) 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.
4. Please be advised-requirements for process wastewater treatment systems in Napa County are being reviewed and may be modified to comply with Regional Water Quality Control Board (RWQCB) minimum standards. The owner will have to comply with process wastewater system requirements in place at the time the application for a building permit is filed and the sewage installation permit is secured.
5. 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.

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

1. The use of the dispersal field areas 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.
2. The existing well must be properly protected from potential contamination. If the existing well(s) is to be destroyed, a well destruction permit must be obtained from this Division by a licensed well driller. If this well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water System's specifications.
3. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

1. Within 30 (thirty) days of initiation of the use or change, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
2. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.
3. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
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.



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**David Morrison**  
Director

To: Melanie Jackson-Couch, Project Planner      From: Stacie Gutierrez, Plans and Permit Supervisor

Date: July 21, 2020      Re: Taplin Cellars Winery P19-00165

**Building Inspection Division; Planning Use Permit Review Comments**

APN: 031-090-017

Project: Taplin Cellars Winery

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards at this time; the Building Division is reviewing the proposed Planning entitlements only, the Building Division has no issues or concerns with the approval of the Use Permit P19-00165; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for the Use Permit application P19-00165 do not provide enough information in sufficient detail to determine all code building code requirements. A complete and thorough plan review will be performed at the time of application is made for the required building, plumbing, mechanical, electrical, and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

1. Building permits will be required to be pulled for structures and improvements proposed in the Use Permit. All permits are valid 365 days from issuance of the permit. Please see the Building Departments website for more information on submittal requirements.

2. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for and to the construction under that permit:.. The codes adopted at this time are the 2019 California Building Standards Codes, Title 24, part 2, Building volumes 1 &2, part 3

Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire and part 11 Green Buildings.

3. Consult with your design professional to ensure at the time of Building Permit submittal that you have provided that proper separation from any mixed occupancies.

4. Consult with your design professional to design an Accessibility Plan. The site and associated buildings are required to be accessible to persons with disabilities. This includes but not limited to a van accessible parking stall, accessible path of travel from the parking stall to all buildings, restrooms, and areas on the site that are available to employees and the public. This plan will be reviewed during the plan review for your building permit.

5. Consult with your design professional to have a proper egress and exiting plan showing all occupancy types, occupant loads, and travel distances. Show Path of travel. An identifiable accessible route within an existing site, building or facility by means of which a particular area may be approached, entered and exited, and which connects a particular area with an exterior approach (including sidewalks, streets and parking areas), an entrance to the facility, and other parts of the facility. When alterations, structural repairs or additions are made to existing buildings or facilities, the term "path of travel" also includes the toilet and bathing facilities, telephones, drinking fountains and signs serving the area of work. This plan will be reviewed during the plan review for your building permit.

6. During plan review, occupant loads will determine occupancy types, exiting requirements, and restroom facilities. Consult with your design professional to make sure they accounted for that during the design phase.

7. 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.

Issues with the compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If there are any questions, please have the applicant give me a call at (707) 299-1337.

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

Stacie Gutierrez  
Plans and Permit Supervisor  
County of Napa Building Department

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[Stacie.gutierrez@countyofnapa.org](mailto:Stacie.gutierrez@countyofnapa.org)





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Department of Public Works

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**Steven Lederer**  
Director

## MEMORANDUM

To: PBES Staff	From: Ahsan Kazmi, P.E. Senior Traffic Engineer
Date: July 9, 2020	Re: Taplin Callers Winery Major Modification (P20-00165) <b>Conditions of Approval</b>

This Conditions of Approval (COA) memorandum is prepared at the request of Planning, Building, and Environmental Services (PBES) staff, regarding the Use Permit Major Modification Application # P20-00165 for the Taplin Callers Winery Project, to establish a new 20,000 gallons per year (gpy) winery and two full-time employees during normal operations and by up to two full-time and two part-time employees during harvest.. The winery facility (Facility) will be established via the conversion of an existing barn/workshop constructed in 2006. The proposed project is located at 1677 Lewelling Lane, St. Helena (APN 027-100-005) in Napa County, California.

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

- Napa County Use Permit Modification Application filed by Stephen Taplin (Taplin Associates, LLC), dated May 19, 2020.
- Statement of Request/Project Description, prepared by applicant's representative George Monteverdi, Principle Monteverdi Consulting.
- Traffic Information/Trip Generation Worksheet; May 2020.

After careful evaluation and review of the above-mentioned documents used in support of the Use Permit Modification Application, we believe that these documents provide sufficient information to develop conditions for the project:

### **Traffic Impact Study:**

Based on the traffic information/ trip generation worksheet, net trip increase is not significant enough to trigger a traffic impact study report.

### **Left Turn Lane:**

Based on the proposed traffic data and existing field conditions, a dual left turn lane already exists on SR 29 serving the project site.

**The Department of Public Works has established the following conditions of approval related to the Use Permit Application Number P20-00165. All listed conditions of approval shall be fully completed prior to the issuance of a Final Certificate of Occupancy:**

**1. Project Trip Generation**

Winery daily operation shall not exceed 18 (Non-Harvest)/19 (Harvest) daily trips on Friday and 2 (Non-Harvest)/3 (Harvest) during the Friday P.M. Peak Hour, 17 (non-Harvest)/19 (Harvest) daily trips on Saturday and 2 (Non-Harvest)/4 (Harvest) on Saturday during the P.M. Peak Hour. Should the production, marketing events, or number of employees increase from the proposed permitted amount, the applicant/permittee will be subject to additional transportation review.

**2. Entrance to project driveway**

The entire length of Lewelling Lane (private roadway) from SR 29 to the winery site shall be improved per the Napa County Road and Street Standards (NCRSS) and shall conform with Fire Department's fire emergency evacuation requirements. Access to, and passage along, Lewelling Lane for residents, businesses and farming activities shall not be altered in any way.

**3. Transportation Demand Management**

- a) 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.
- b) 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.

**4. Bicycle Facilities**

The applicant/permittee shall provide bicycle parking adjacent to visitor and employee entrances. Bicycle parking should be provided per the County of Napa Municipal Code.

**5. Marketing Events and Daily Visitation**

The proposed winery shall host not more than eight (8) annual marketing events annually for up to 30 persons per event. During non-harvest periods, daily tours and tastings (T&T) shall be limited to a maximum of 16 persons, with a maximum of 90 persons per week. During harvest periods, daily T&T shall be limited to a maximum of 12 persons per day and 80 persons per week. One 100-person wine auction event shall be held, annually. All daily T&T traffic shall be scheduled outside the peak traffic periods (4:00-5:00 PM on Friday and 1:45 -2:45 PM on Saturday).

**6. On Street Parking**

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

**7. Encroachment Permit Required**

An encroachment permit will be required for any improvements in the County's Right-of-Way, such as the new driveway access. For the application submittal process contact the Napa County Roads Division at (707) 944-0196. The improvements shall be constructed in compliance with the Napa County Road and 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.

**8. Project Driveway**

All driveway access to the public right-of-way must conform to the latest edition of the Napa County Road and Street Standards.

**9. Landscaping Maintenance**

Landscaping at the project driveways shall be maintained as 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 trees are established.

**10. Transportation Impact Fee (TIF) Program**

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 me at [Ahsan.Kazmi@countyofnapa.org](mailto:Ahsan.Kazmi@countyofnapa.org) or call (707) 259-8370 if you have questions or need additional information related to this condition of approval memorandum.



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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: 9/23/2020
FROM: Adam Mone, Plans Examiner	
SUBJECT: <b>P20-00165 Taplin Cellars Winery</b>	APN: <b>027-100-005-000</b>

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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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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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.

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](http://www.countyofnapa.org/firemarshal). Should you have any questions of me, contact me at (707)299-1466 or email at [adam.mone@countyofnapa.org](mailto:adam.mone@countyofnapa.org)

## **CALTRANS**

### **Project: Taplin Cellars Winery Use Permit**

**PM: NAP-29-27.457**

#### **Comments:**

##### ***Temporary Construction***

The construction work at the intersection of Lewelling Lane/State Route (SR)-29 commencing within 6 feet of SR-29 travel way may require temporarily closing the adjacent SR-29 southbound lane onto Lewelling Lane. If that is the case, work hours must be set up to avoid having negative impacts to the traveling public and must be specified in the plans and/or special provisions submittal.

##### ***Encroachment Permit and Right of Way (ROW)***

Please be advised that any permanent work or temporary traffic control that encroaches onto the ROW requires a Caltrans-issued encroachment permit. Any work done within Caltrans ROW must be in accordance to Caltrans Standards. If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application, six (6) sets of plans clearly delineating the State ROW, six (6) copies of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement.

To download the permit application and to obtain more information on all required documentation, visit <https://dot.ca.gov/programs/traffic-operations/ep/applications>.

On Sheet UP 1.5, it shows that two trees are going to be removed at the Lewelling Lane/SR-29 junction. Please verify if they are within Caltrans Right of Way (ROW). If so, please contact the Branch Chief for North Counties from the Office of Biological Sciences and Permits, Robert Blizard at [robert.blizard@dot.ca.gov](mailto:robert.blizard@dot.ca.gov).

Based on the application submitted for review, the widening of the entrance to Lewelling Lane off of SR-29 may not require additional property rights. If for some reason there is a property coming to the State, attached please find the general information related to that process. Typically, if a property is coming to the State via Encroachment Permit Project, Caltrans requires the property be transferred to the State prior to issuance of the permit.





Encroachment Permit Applications  
Additional Right of Way Requirements – Dedications/Conveyances

For those encroachment permit applications where the Applicant proposes to convey “property rights” from the Applicant and/or others to the State, please follow these instructions. The term "property rights" generally refers to fee simple title but it may, under special circumstances, also include all types of permanent easements (i.e. slope, drainage, sight, etc.) and for projects involving expressways/freeways, "access rights." However, in most cases, Caltrans requires that fee simple, or in other words, full ownership be conveyed to the State as new R/W.

INSTRUCTIONS FOR DISTRICT PERMIT ENGINEERS

*Immediately* provide the Applicant these three forms (attached below) and inform him/her that they must be completed, signed appropriately and returned to you.

- **Agreement - Right of Way Dedications/Conveyances for Encroachment Permit Applications** (1 page) (“*Agreement*”)
- **Right of Way Sufficiency for Project Encroachment Permit Applications – Dedications/ Conveyances** (1 page) (“*Sufficiency Form*”)
- **Initial Site Assessment Checklist** (2 pages) (“*ISA*”)

Indicate to the Applicant where on the forms appropriate signatures are required and by whom. The Applicant’s registered civil engineer is required to certify the applicable statements on the *Sufficiency Form*.

After the Applicant returns the signed *Agreement*, *Sufficiency Form* and *ISA* to you, do the following:

1. Have the correct Design Branch review the *Sufficiency Form* (centerline, property rights, access control, etc.) together with Applicant’s plans. Assist Design and the Applicant in resolving any problems. Once the proposed new R/W is acceptable to Design, the Branch Chief should sign the *Sufficiency Form* where indicated.
2. Next, have our Environmental Engineering Branch review the *ISA* (hazardous waste testing) documents. Environmental Engineering may decide additional testing and/or remediation actions are required before Caltrans can accept the property right(s). Environmental Engineering Branch will sign the form where indicated once they have determined that the parcel(s) meets our current hazardous waste standards and requirements.

Continually forward for review all submittals relating to the new R/W (including the completed *Agreement*, *Sufficiency Form* and *ISA* forms and any survey or right of way engineering information) you receive from the Applicant or any other Caltrans functional unit to the proper R/W Local Programs Branch Chief:

Michael O’Callaghan                      –                      ALA, MRN, NAP, SON, CC,  
SCL, SM, SOL Counties

The Right of Way Division will inform you once the conveyance of all property rights has been completed. ***The encroachment permit can be issued only upon the District Permit Engineer receiving written approval from the Division of Right of Way.***

Note: Right of Way must approve any exception to these instructions. Exceptions must be signed by both the Office Chief, Local Programs and the Office Chief, Engineering, Surveys and Mapping Services.

**Agreement - Right of Way Dedications/Conveyances for Encroachment Permit Applications**

To: District Permit Engineer Co. \_\_\_\_\_ Rte. \_\_\_\_\_  
Caltrans District 4, Office of Permits Encroachment Permit No. \_\_\_\_\_

I, \_\_\_\_\_ as Encroachment Permit applicant (“Applicant”), understand and agree to the following:

- (1.) All costs for necessary and appropriate activities in support of the Dedication/Conveyance, as determined by Caltrans in its sole discretion, including Caltrans’ review and acceptance shall be at the Encroachment Permit Applicant’s expense.
- (2.) All materials submitted to Caltrans shall become the property of Caltrans.
- (3.) To complete fully and submit to Caltrans the attached **Right of Way Sufficiency for Project Encroachment Permit Applications – Dedications/ Conveyances** and **Initial Site Assessment Checklist** forms.
- (4.) Applicant shall deliver or caused to be delivered to Caltrans all reference data and documents requested by Caltrans, including without limitation, title exception documents, vesting deeds, survey control schemes and plans, land net ties, adjoining and reference documents, recorded and unrecorded documents and maps, original field notes, adjustment and closure calculations, final results, appropriate intermediate documents, or any other documents used for or resulting from any land surveys and/or land title work performed for this Encroachment Permit.
- (5.) At no cost to Caltrans, all personnel who prepare maps, documents and related materials shall be available to Caltrans.
- (6.) Applicant shall submit to Caltrans, for review and acceptance, all of the following:
  - a. A Preliminary Report (title) for each parcel proposed for conveyance to Caltrans.
  - b. Proposed conveyance documents including legal descriptions and plat maps.
  - c. For each parcel being conveyed, a Policy of Title Insurance naming “State of California, Department of Transportation” as Insured (needed at time of conveyance).
- (5.) All legal descriptions, deeds, plats and exhibits shall be prepared by, or under the direction of, a person authorized to practice land surveying in the State of California who shall sign and seal each document in the manner prescribed by the California Business and Professions Code and the California Code of Regulations.
- (6.) Caltrans requires all dimensions be in U.S Survey feet and reference a survey datum designated by Caltrans. For datum information, contact the Branch Chief Specialist, District 4 Right of Way Engineering/Surveys Project Management at 510-286-5296.
- (7.) At a date not later than the date of acceptance by Caltrans of maintenance and operation of the project-constructed highway improvements, Applicant shall deliver to Caltrans fee title (including, as appropriate, access rights) to the required area free and clear of all encumbrances which Caltrans, in its sole discretion, determines to be detrimental to its present and future uses.
- (8.) Existing survey control and boundary-related monuments within the area of any Project construction shall be perpetuated in conformance with Calif. Bus. & Prof. Code, Section 8771.
- (9.) For expressways and freeways (access controlled facilities): all utility facilities must meet the conditions set forth in the Caltrans’ *Encroachment Permit Manual*, Section 6 Utility Permits.
- (10.) To submit a copy of any Record of Survey filed per Calif. Bus. & Prof. Code, Section 8762 by reason of land surveys conducted for this Project.

\_\_\_\_\_ (Applicant signature) \_\_\_\_\_ Date

**Right of Way Sufficiency Form for Project Encroachment Permit Applications – Dedications/Conveyances**

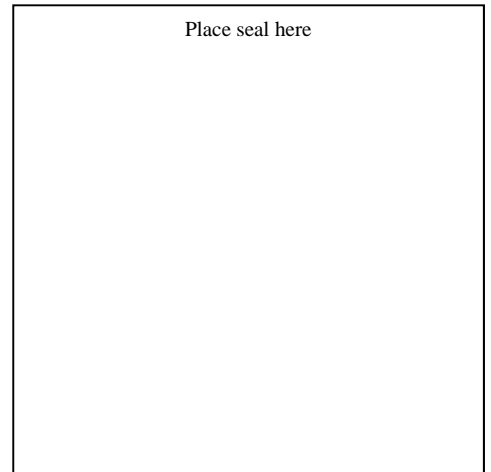
To: District Permit Engineer Co. \_\_\_\_\_ Rte. \_\_\_\_\_  
Caltrans District 4, Office of Permits Encroachment Permit No. \_\_\_\_\_

List State parcel number(s) involved: \_\_\_\_\_

I hereby certify that the above parcel(s) shown on the attached plat(s) is/are correctly delineated, labeled and dimensioned, including property interest, land area and degree of access control and that said parcel(s) is/are sufficient for the construction/operation/maintenance of the Caltrans facilities to be constructed by this Project.

*For expressways and freeways:* I further certify that any and all existing utility facilities located within the above parcel(s) to be conveyed to the State shall conform to the requirements of the Caltrans *Encroachment Permit Manual*, Section 6, Utility Permits.

Signed: \_\_\_\_\_  
Project Design Engineer



\_\_\_\_\_

Print Name	RE No.	Date
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Reviewed by: \_\_\_\_\_  
Caltrans District Branch Chief Date  
Design Branch \_\_\_\_\_



I, as the Encroachment Permit Applicant, attach an Initial Site Assessment (ISA) for all parcels(s) to be conveyed to Caltrans wherein: (*check applicable statement below*)

- ( ) the ISA indicates that no suspected hazardous waste contamination exists on any of the parcels, or
- ( ) the ISA states that hazardous waste contamination may exist on one or more parcels; however, the results of further testing indicate no hazardous waste contamination (test results attached) exists, or
- ( ) the ISA and additional testing results are attached. The parcel(s) are remediated and the appropriate regulatory approval is attached *or* the parcel(s) will be remediated during construction and an approved remediation plan by the appropriate regulatory agency is attached.

\_\_\_\_\_ (Signature – Applicant) \_\_\_\_\_ (Date)

Reviewed by: \_\_\_\_\_  
Caltrans District Branch Chief Date  
Environmental Engineering Branch

# Initial Site Assessment (ISA) Checklist

## Project Information

District 04 County \_\_\_\_\_ Route \_\_\_\_\_ Post Mile Range \_\_\_\_\_ Permit # \_\_\_\_\_

Description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Encroachment Permit Applicant

Name & address \_\_\_\_\_

phone # \_\_\_\_\_

List parcel(s) Assessor Parcel Number(s) (APN). Include name and address of grantor for each. Attached exhibit if required.

## Project Screening

Attach the project location map to this checklist to show location of all known and/or potential HW sites identified.

1. Project Features: New R/W? \_\_\_\_\_ Excavation? \_\_\_\_\_ Railroad Involvement? \_\_\_\_\_  
Structure demolition/modification? \_\_\_\_\_ Subsurface utility relocation? \_\_\_\_\_
2. Project Setting \_\_\_\_\_  
Rural or Urban \_\_\_\_\_  
Current land uses \_\_\_\_\_  
Previous land uses \_\_\_\_\_ Adjacent  
land uses \_\_\_\_\_  
(industrial, light industry, commercial, agricultural, residential, etc.)
3. Check federal, State, and local environmental and health regulatory agency records as necessary, to see if any known hazardous waste site is in or near the project area. If a known site is identified, show its location on the attached map and attach additional sheets, as needed, to provide pertinent information for the proposed project.
4. Conduct Field Inspection. Date \_\_\_\_\_ Use the attached map to locate potential or known HW sites.  
Comments:

STORAGE STRUCTURES / PIPELINES: Evidence of the following

Underground tanks	_____	Surface tanks	_____	Imported Fill	_____
Sumps	_____	Ponds	_____	Wetlands	_____
Drums	_____	Basins	_____	Septic tanks	_____
Transformers	_____	Landfill	_____	Stormwater run-on	_____
Groundwater wells	_____	Cisterns	_____	Other	_____

# Initial Site Assessment (ISA) Checklist

CONTAMINATION: (spills, leaks, illegal dumping, etc.)

Surface staining \_\_\_\_\_ Oil sheen \_\_\_\_\_

Odors \_\_\_\_\_ Vegetation damage \_\_\_\_\_

Other \_\_\_\_\_

HAZARDOUS MATERIALS: (asbestos, lead, etc.)

Buildings \_\_\_\_\_ Spray-on fireproofing \_\_\_\_\_

Pipe wrap \_\_\_\_\_ Friable tile \_\_\_\_\_

Acoustical plaster \_\_\_\_\_ Serpentine \_\_\_\_\_

Paint \_\_\_\_\_ Other \_\_\_\_\_

5. Additional record search, as necessary, of subsequent land uses that could have resulted in a hazardous waste Site. Use the attached map to show the location of potential hazardous waste sites.

6. Other comments and/or observations: \_\_\_\_\_

## ISA Determination

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Does the project have potential hazardous waste involvement? Explain in detail.

This Initial Site Assessment shall be prepared by, or under the direction of, a person qualified to conduct hazardous waste site assessment investigations in the State of California

**ISA Conducted by**

**Date**