



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

May 12, 2014

Anthony Bell
Bell Wine Cellars
6200 Washington St.
Yountville, CA 94599

Re: Bell Wine Cellars Use Permit Modification #P13-00055
6200 Washington St.
Yountville, CA 94599 (APN: 036-110-030)

Dear Mr. Bell,

Please be advised that **Use Permit P13-00055** was approved by the Napa County Planning Commission (hereafter "Commission") on May 6, 2015, subject to the attached final conditions of approval (as revised), Napa County Department comments, and all applicable Napa County regulations. In approving the above application, the Commission adopted the Negative Declaration on file with the Planning, Building, & Environmental Services Department.

The permit becomes effective immediately unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone, you will be notified.

You are hereby further notified that the ninety day period, established by California Government Code §66020(d)(1), in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has commenced. Please note that additional fees will be assessed if a landscaped plan, erosion control plan, or a mitigation monitoring program is required by this approval.

EXPIRATION DATE: May 6, 2017

Pursuant to Napa County Code §18.124.080, the approved use permit must be activated within two years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration of your permit.

Bell Wine Cellars
P13-00055-MOD
May 8, 2015
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If you have any questions about this letter, please feel free to contact me at 707.299-1351 or via email at wyntress.balcher@countyofnapa.org.

Sincerely,



Wyntress Balcher
Planner II

Enclosures

cc: Scott Greenwood-Meinert, 1455 First St. Ste 301, Napa, CA 94559
Napa County Dept. – Engineering Services, Environmental Health, Building, Fire,
J. Tuteur (Assessor), Matt Lamborn
Project Files

REVISED
PLANNING COMMISSION HEARING – MAY 6, 2015
EXHIBIT B – CONDITIONS OF APPROVAL

Bell Wine Cellars
Application Number P13-00055
6200 Washington Street, Yountville, CA 94599
APN #036-110-030

1. SCOPE

The permit shall be limited to:

- A. Approval of a modification to Use Permits #U-90-42 and #03315-MOD to allow the following:
1. Increase in the approved production capacity to a maximum 60,000 gallons;
 2. Interior remodeling of the 8,911± sq. ft. winery to construct an additional 1,048 sq.ft. storage mezzanine and to allocate space for a new 628 sq.ft. tasting room area, a 210 sq.ft. meeting room, and a new 150 sq.ft. commercial kitchen for on-site marketing event meals and food pairings at tastings, resulting in a total of 9,959± sq.ft. winery floor area plus a 1,450 sq. ft. exterior covered crush pad;
 3. Increase visitation from 24-76 persons per week to a maximum of 100 persons per day and:
 - a. Visitation shall not exceed a maximum of 400 persons per week (average 355) during the period May 1 to October 31;
 - b. Visitation shall not exceed a maximum 250 persons (average 175) per week during the period November 1 to April 30; and
 - c. The total annual visitation maximum, including the 24 marketing events but excluding the 4 marketing events of up to 200 persons, would be 13,780 persons;Weekend (Friday & Saturday) tasting appointments: 10:00 AM to 4:00 PM
 4. Modify the existing Marketing Event Program to remove the prior programs and replace with the following:
 - a) Two (2) marketing events per month of up to 40 persons. The persons included within the weekly, daily and annual maximums; with lunch or dinner;
 - b) Wine Auction-related and other major events such as the Napa Film Festival, accompanied by food and wine, sometimes with non-amplified musical program, four (4) per year for a maximum 200 guests.All marketing events will continue to be held in all of the various winery facilities, including the winery structure and patio area. The events will last approximately 4-5 hours between 10:00 AM and 9:00 PM depending on morning or evening schedule. Up to 80 overflow parking spaces in the vineyard along the side of the access road are available during large events; five spaces are available on the grass-crete hard surface adjacent to the winery (near lawn area adjacent to the winery and driveway entrance); and nine spaces available in the center area of the circular driveway near the residence;
 5. Increase the number of employees from 6 to a maximum 15 persons;
 6. Revise the annual limit condition on the number of buses (maximum 3 per year) permitted to visit the winery (Condition #7, Use Permit #U90-42) to exclude for-hire cars, vans and public transit;
 7. Installation of a new subsurface drip wastewater system;

8. Installation of a Transient Non-Community Water system and a water backflow prevention system; and,
9. On-premise wine consumption consistent with Business and Professions Code §§23358, 23390 and 23396.5 (also known as AB 2004 (Evans 2008) or the Picnic Bill) in the winery or on the patio or lawns adjacent to the bocce ball courts.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

2. **PROJECT SPECIFIC CONDITIONS**

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document, the Project Specific Conditions shall supersede and control.

- A. On-Premise Consumption - Consistent with Business and Professions Code §§23358, 23390 and 23396.5 (also known as AB 2004 (Evans 2008) or the Picnic Bill) and the Planning, Building, and Environmental Services Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premises consumption of wines produced on-site purchased from the winery may occur solely within the winery or on the patio or lawns adjacent to the bocce ball courts as specified in the application. Any and all visitation associated with on-premises consumption shall be subject to the 100 person maximum daily tours and tastings visitation limitation, the 400 person maximum weekly tours and tastings visitation limitation during the months of May 1 through October 31; the 250 person maximum weekly tours and tasting visitation limitation during the month of November 1 through April 30, and/or applicable limitations of permittee's marketing plan.
- B. During all construction activities, the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Mitigation Measures (Table 8-1, May 2011 Updated CEQA Guidelines) as provided below:
 1. All exposed surfaces (e.g. parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 3. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 5. 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.
 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California

airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. 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.
 8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- C. The existing single family residence is classified for residential and agricultural purposes only) and cannot be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, the residence shall only be rented out for periods of 30 days or more, pursuant to Napa County Code Section 18.104.410, Transient Commercial Occupancies of Dwelling Units Prohibited.

D. General Compliance and Annual Audits

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

Visitation log books, custom crush client records, and any additional documentation determined by staff to be necessary to evaluate compliance may be requested in the event the winery is chosen in the annual audit. The permittee (and their successors) shall be required to participate fully in the audit process.

- E. No building, grading, or sewage disposal permit shall be issued, nor shall beneficial occupancy be granted until all accrued planning permit processing fees have been paid in full.
- F. Prior to commencing the approved winery production increase, visitation, or events, the A-frame signs located on Washington Street shall be removed and shall not be replaced.
- G. Prior to commencing winery production or visitation the permittee shall implement the follow transportation demand management programs, subject to review and approval by the Director of Planning, Building and Environmental Services:
 1. Implement a program to inform employees of the traffic congestion issues south of the project site and to encourage employees to utilize alternative forms of transportation.
 2. Implement measures, such as signage, tasting room information handouts, education of tasting room staff, internet content, etc. to inform/educate/encourage visitors to utilize Silverado Trail to access the property.

3. Schedule commencement and conclusion of by-appointment visitation to occur outside of peak traffic periods which are between 4:00 p.m. and 6:00 p.m. weekdays.
 4. Schedule employee work shifts to commence and conclude outside of peak periods between 4:00 p.m. and 6:00 p.m. weekdays, 2:00 p.m. and 4:00 p.m. on Saturdays, and 1:00 p.m. and 3:00 p.m. Sundays.
 5. Schedule marketing event set up, arrival and departure to occur outside of weekday and Saturday peak traffic periods. Peak periods are between 4:00 p.m. and 6:00 p.m. weekdays, 2:00 p.m. and 4:00 p.m. on Saturdays, and 1:00 p.m. and 3:00 p.m. Sundays.
- H. For three (3) years following the approval of this project beginning January 1, 2016, the permittee shall submit in the month of January, a report of the total number of visitors (including the number of attendees of the bi-monthly marketing events) during the period November 1 to April 30 and during the period May 1 to October 31 for presentation to the Planning Commission for informational purposes.

3. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

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

- A. Engineering Services Division as stated in their Memorandum dated March 13, 2015.
- B. Environmental Health Division as stated in their Memorandum dated June 19, 2014.
- C. Department of Public Works as stated in their Memorandum dated May 12, 2014.
- D. Fire Department as stated in their Inter-Office Memo dated May 21, 2014.

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

4. VISITATION

Consistent with County Code Sections 18.16.030 and 18.20.030, marketing and tours and tastings may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility." Marketing and/or Tours and Tastings are not typically authorized until grant of Final Certificate of Occupancy, but exceptions may be granted where extenuating circumstances exist, subject to review and approval by the County Building Official, County Fire Marshal, and the PBES Director.

Permittee shall obtain and maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation. In the event permittee loses required ABC and/or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (be they tours and tastings or marketing event visitors), and the dates of their visit. This record of visitors shall be made available to the Planning, Building and Environmental Services Department upon request.

A. TOURS AND TASTING

Tours and tastings are limited to the following:

The total annual visitation maximum, including the 24 marketing events (for up to 40 persons) but excluding the 4 marketing events of up to 200 persons, would be 13,780 persons;

During the period of May 1 through October 31:

1. Frequency: 7 days per week, Monday through Sunday
2. Maximum number of persons per day: 100
3. Maximum number of persons per week: 400 (355 average)
4. Hours of visitation: 10:00 AM – 6:00 PM

During the period November 1 through April 30:

1. Frequency: 7 days per week, Monday through Sunday
2. Maximum number of persons per day: 100
3. Maximum number of persons per week: 250
4. Hours of visitation: 10:00 AM – 6:00 PM

“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.

Tours and tastings 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. (County Code Section 18.08.620 - Tours and Tastings.)

Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in County Code Section 18.16.03(G)(5)(c).

B. MARKETING

Marketing events are limited to the following:

Wine club members, wine education seminars and trade events with appetizers or full lunch or dinner:

1. Frequency: 2 times per month
2. Number of persons: 40 maximum
3. Time of Day: 10:00 am to 9:00 pm; and,
4. Attendees shall be included within the daily, weekly, and annual maximum visitor counts.

Wine auction-related and other major events accompanied by food and wine with non-amplified music

1. Frequency: 4 per year
2. Number of persons: 200 maximum
3. Time of Day: 10:00 am to 9:00 pm

Participation in Auction Napa Valley

"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 County Code Chapters 18.16 and 18.20. 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. Marketing plans in their totality must remain "clearly incidental, related and subordinate to the primary operation of the winery as a production facility" (County Code Sections 18.16.030(G)(5) and 18.20.030(I)(5)). 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 recovery of variable costs, 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 Section 18.08.370 - Marketing of Wine).

All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. If any event is held which will exceed the available on-site parking, the applicant 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.

5. **GRAPE SOURCE**

At least 75% of the grapes used to make 40,000 gallons of the winery's wine shall be grown within the County of Napa. 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 Planning, Building & Environmental Services Department upon request, but shall be considered proprietary information not available to the public.

6. **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 on-site winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

7. **SIGNS**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning, Building, and Environmental Services Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116. At least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

8. **LIGHTING**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

9. **LANDSCAPING**

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the Building Permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO) (County Code Chapter 18.118), as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

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.

Landscaping shall be completed prior to issuance of a final certificate of occupancy, and shall be permanently maintained in accordance with the landscaping plan.

10. OUTDOOR STORAGE/SCREENING/UTILITIES

All outdoor storage of winery equipment shall be screened from the view of residents of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and County Code Chapter 18.106) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

11. COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the Planning, Building & Environmental Services Department prior to painting the building. Highly reflective surfaces are prohibited.

12. SITE IMPROVEMENTS AND ENGINEERING SERVICES-SPECIFIC CONDITIONS

Please contact (707) 253-4417 with any questions regarding the following.

A. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to issuance of a final certificate of occupancy.

B. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

C. 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 during windy periods.

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 State Regional Water Quality Control Board (SRWQCB).

E. PARKING

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

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads. 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, shall not necessarily be limited to, valet service or off-site parking and shuttle service to the winery.

F. GATES/ENTRY STRUCTURES

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

13. ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact (707) 253-4471 with any questions regarding the following.

A. WELLS

The permittee may be required (at the permittee's expense) to provide well monitoring data if the PBES Director determines that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. 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 proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence 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 Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the PBES Director has provided notice and the opportunity for hearing in compliance with the County Code Section 13.15.070 (G-K).

B. NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

14. 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 Planning, Building and Environmental Services Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

15. ADDRESSING

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

16. **INDEMNIFICATION**

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the Planning, Building and Environmental Services Department's standard form.

17. **AFFORDABLE HOUSING MITIGATION**

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.

18. **PREVIOUS CONDITIONS**

As applicable, the permittee shall comply with any previous conditions of approval for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.

19. **MONITORING COSTS**

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

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with County Code Section 18.124.120.

20. **TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a final certificate of occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a temporary certificate of occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the temporary certificate of occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.



A Tradition of Stewardship
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Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

| | |
|---------------------------------------|--|
| To: Wyntress Balcher, Project Planner | From: Kim Withrow, Environmental Health Supervisor |
| Date: June 19, 2014 | Re: Use Permit – Bell Wine Cellars, 6200 Washington Street APN: 036-110-030 Project #: P13-00055 |

The application requesting approval to modify an existing use permit by increasing production, remodeling the interior of the winery, constructing a commercial kitchen, increasing visitation and modifying the marketing plan has been reviewed. This Division has no objection to approval of the application with the following conditions of approval:

1. Complete plans and specifications for the 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.
2. According to application materials food service at some of the marketing events will be catered; therefore, catered 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, the applicant shall refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
3. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.
4. Prior to drilling a well a licensed well driller must obtain a permit from this Division.

5. Prior to the approval of a building permit, an inspection of the existing sewage disposal system must be performed by a licensed sewage contractor and a report submitted to this Division for review and approval.
6. Plans for the proposed subsurface drip alternative sewage treatment 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. 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.
7. A permit to construct the subsurface drip alternative sewage treatment 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.
8. An annual alternative sewage treatment system monitoring permit must be obtained for the subsurface drip alternative sewage treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with. An approved service provider must be hired to monitor the system.
9. Plans for the standard system modifications (new tank, disconnecting sanitary system) must be submitted for review and approval prior to issuance of a building permit. A permit to make the modifications to the existing process 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.
10. As previously required, an annual operating permit must be obtained for the existing private sewage disposal system (existing standard system). The septic system monitoring, as required by this permit, must be fully complied with. An approved service provider must be hired to monitor the system.
11. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities Page shall be submitted and approved by this Division.
12. The applicant shall file a Notice of Intent (NOI) and complete a Storm Water Pollution Prevention Plan with the State of California Water Resources Control Board's (SWRCB) Industrial Permitting program, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Additional information, including a list of regulated SIC codes, may be found at:
http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml

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

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

13. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
14. 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.
15. 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.
16. 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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Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

| | |
|---|---|
| To: Wyntress Balcher Planner II Planning Division | From: Patrick C. Ryan Assistant Engineer Engineering Services |
| Date: March 13, 2015 | Re: P13-00055 Bell Wine Cellars APN: 036-110-030 |

The Engineering Division received a submittal of a proposal for a modification to a use permit generally requesting the following:

To allow an increase in the annual wine production from 40,000 gal/yr to 78,000 gal/yr, increase the permitted visitation/marketing in two phases based on the conversion of an existing former residential structure to storage, whereby wastewater treatment capacity would be freed up to treat effluents from the proposed phase one uses, and installation of a new subsurface drip wastewater system to treat expected effluents from a new commercial kitchen and proposed phase two uses. The former residential structure will be converted back to a residential use at the end of phase two once the final septic system is installed. Visitation is proposed to increase to an average of 130 per day with an average of 500 per week. The modifications are proposed at 6200 Washington Street in the County of Napa.

After careful review of the Bell Wine Cellars Use Permit modification application package the Engineering Division provides the following facts, findings, and recommended conditions for approval:

EXISTING CONDITIONS/FINDINGS:

1. Existing access taken from Washington Street via an asphalt concrete paved minimum 20 foot wide driveway.
2. Hopper Creek, a major USGS blueline stream is situated to the south and east of the winery and residence. Hopper Creek falls under the Napa County jurisdictional limits for Special Flood Hazard Areas (SFHAs) for regulation of riparian zones and activities therein.
3. The site is located entirely within a Federal Emergency Management Agency (FEMA) regulated SFHA associated with the Napa River floodplain. The Base Flood Elevation (BFE), the elevation of the flood

- 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.

SITE IMPROVEMENTS:

- 10. All access roadways from the Public Right-of-Way (Washington Street) to the winery facility or associated winery infrastructure (e.g. parking) shall meet the requirements for a Commercial, Industrial, Non-Residential driveway. Provide a minimum of 18-feet wide driveway with 2-feet of shoulder from the publicly maintained road to the improved the improved structure. Pavement structural sections shall be determined by the designed Traffic Index. The minimum structural section shall be 2-inches of hot mix asphalt (HMA) over 5-inches of Class II Aggregate Base (AB) or an engineered equivalent section in accordance with Section 27 of the 2011 Napa County Road and Street Standards (RSS).
- 11. Any existing, proposed or required new/reconstructed parking shall meet the requirements outlined in the current Napa County RSS, Section 9 and/or Detail D-8, page 82.
- 12. The developer shall obtain an encroachment permit prior to any work performed within the Napa County right-of-way.
- 13. Any earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Storm Water Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.
- 14. All utilities shall be floodproofed to prevent infiltration of floodwaters into system components, provide anti-floatation to tanks or other vessels susceptible to buoyancy forces, and located or protected so as to prevent damage from impacts resulting from flowing debris.
- 15. Site improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office. Improvement plans shall be submitted with the building permit. A plan check fee will apply.

Any changes in use may necessitate additional conditions for approval.

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



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

Office: (707) 299-1461
Fax: (707) 253-4411

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Wyntress Balcher
Planning, Building and Environmental Services

FROM: Pete Muñoa
Fire Department

DATE: May 21, 2014

Subject: P13-00055 APN# 036-110-030

SITE ADDRESS: 6200 Washington Street, Yountville CA 94559
Bell Wine Cellars (Hood and Duct)

The Napa County Fire Marshal's Office has reviewed the submittal for the project identified above. The comments contained within this letter are in addition to the previous comments previously submitted by this office. The Napa County Fire Marshal's Office is requesting the following items should approval be granted.

1. All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.
2. All plans related to the installation of proposed commercial hood and duct systems for this project shall be submitted to the Napa County Fire Marshal's Office for review.
3. Fire extinguisher(s) shall be provided within the commercial kitchen area as required by the California Fire Code, 2013 edition.

A handwritten signature in black ink, appearing to read "Pete Muñoa".

Pete Muñoa
Fire Marshal



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Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
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Main: (707) 253-4351
Fax: (707) 253-4627

Steven E. Lederer
Director

GROUNDWATER MEMORANDUM

DATE: May 12, 2014

TO: Conservation Development and Planning Department

FROM: Annamaria Martinez, Assistant Engineer *AM*
Phone: 707-259-8378
Email: annamaria.martinez@countyofnapa.org

SUBJECT: Bell Wine Cellars, APN#: 036-110-030, UP#: P13-00055-MOD

The applicant requests to increase winery production from 40,000 gpy to 78,000 gpy; remodel buildings, increase/modify visitation and marketing. The project is located on Washington Street in Yountville, CA.

COMMENTS:

1. The parcels are located in the "Valley Floor" region.
2. The existing use for the parcel is estimated to be 4.26 acre-feet per year.

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the proposed project. The 7.84 acre parcel is located in the valley floor area with an extraction threshold of 1.0 AF/Acre, resulting in a total parcel threshold of 7.84 AF/Year. The estimated water demand of 5.26 AF/Year is below established threshold for the property.

Based on the information provided, the projected groundwater usage for the project parcel should not have a significant impact on static water levels of neighboring wells.

No further analysis is necessary.

