



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

Hillary Gitelman
Director

MEMORANDUM

To: Sean Trippi, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>JD</i>
Date: March 5, 2013	Re: Tamber Bey Vineyards Use Permit Mod - Engineering CoA 1251 Tubbs Lane, Calistoga, CA P12-00233 APN 017-160-010

The Engineering and Conservation Division received a referral for comment on a new use permit, generally requesting the following:

To convert 14,400 sq ft of existing covered area and 2,240 sq ft of barn space to a 60,000 gpy winery production facility with a visitor center, storage and 3 offices, improve an existing kitchen to commercial standards, add 5 winery employees, and construct a 7 space parking lot within the existing paved areas. Application also proposes a visitation and marketing plan that will allow for tours and tastings by appointment only for up to 20 visitors per day and a total of 26 marketing events per year. The marketing events will consist of 1 event per month with up to 30 visitors per event, 1 event per month with up to 75 visitors per month, 2 release events per year with up to 100 visitors per event, and participation in the wine auction. Tours and tastings and the smaller marketing events will be regularly served with pairing plates that are prepared on site in the newly improved commercial kitchen, while the larger events will be fully catered.

After careful review of the use permit submittal the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. Napa County parcel 017-160-010 is located on Tubbs Lane in Calistoga.
2. The existing parcel is approximately 22.41 acres.
3. Site is currently developed with a residential dwelling and private equestrian facility.

RECOMMENDED CONDITIONS:

GROUNDWATER:

Groundwater comments are provided in a separate memo.

TRAFFIC:

Traffic comments are provided in a separate memo.

PARKING:

1. Any parking proposed by the applicant or required by the Planning Commission as a condition of this permit must conform to the requirements of the latest edition of the Napa County Road and Street Standards.

NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:

2. All roadway construction associated with this application shall conform to the current Road and Street Standards of Napa County at the time of building permit submittal and accepted construction and inspection practices. Access drive shall meet the requirements of a "Commercial Drive" with an 18 ft wide travel way and 2 ft of graded shoulder from the publicly maintained road to the improved structure.
3. The applicant must obtain an encroachment permit from the Public Works Department for any work performed within the Napa County Right-of-Way.

SITE IMPROVEMENTS:

4. All on site civil improvements proposed 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 this office prior to the commencement of any on site land preparation or construction. Plans shall be submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
5. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
6. Grading and drainage improvements shall be constructed according to the latest "Napa County Road and Street Standards" and the California Building Code. Specifically, all cuts and fills slopes shall be setback to meet the latest CBC.
7. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Planning, Building and Environmental Services Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

OTHER RECOMMENDATIONS:

8. Prior to the issuance of applicable building or grading permits the applicant must obtain all appropriate regulatory permits from the Regional Water Quality Control Board, Army Corp. of Engineers and Fish & Game.
9. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.

CONSTRUCTION STORMWATER REQUIREMENTS:

10. Any Project that requires a building or grading permit shall complete a Napa County Construction Site Runoff Control Requirements Appendix A - Project Applicability Checklist and shall submit this form to the Napa County Planning, Building and Environmental Services Department for review.
11. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
12. Any construction activity that equals or exceeds one acre of total disturbed area shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of California Regional Water Quality Control Board (SRWQCB) and shall file a Notice of Intent (NOI) prior to commencement of any construction activity. The completed SWPPP shall be submitted to the Napa County Planning, Building and Environmental Services Department for review.
13. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
14. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
15. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

16. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for *Post-Construction Runoff Management Requirements* which is available at the Planning, Building and Environmental Services Department office.
17. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any

discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.

18. Loading/unloading dock and processing areas must be covered or designed to preclude stormwater run-on and runoff. All direct connections to storm drains from depressed loading docks (truck wells) are prohibited. Processing areas that generate liquid wastes shall drain to the sanitary sewer system or other approved collection system per the requirements of Environmental Services.
19. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.
20. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. bio-retention unit) may be used to capture and infiltrate the excess volume. Waivers from this requirement can only be granted by the Director.
21. For on-site common retention basins, the side slopes shall not exceed 3:1.
22. Prior to final occupancy the property owner must legally record an "implementation and maintenance agreement" approved by the Public Works department to ensure all post-construction structures on the property remain functional and operational for the indefinite duration of the project.
23. Each year the entity responsible for maintenance is required to complete an annual report. The report shall be signed by the property owner and include copies of completed inspection and maintenance checklists to document that maintenance activities were conducted during the previous year. The annual report shall be retained for a period of at least five years and made available upon request by the County.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss at 253-4417. For groundwater questions and/or traffic questions, please contact the Napa County Department of Public Works at (707) 253-4351 and ask for Anna Maria Martinez (groundwater) or Paul Wilkinson (traffic).



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Hillary Gitelman
Director

MEMORANDUM

To: Sean Trippi, Project Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: December 18, 2012	Re: Application for Tamber Bey Vineyards 1251 Tubbs Lane, Calistoga Assessor Parcel # 017-160-010 File # P12-00233

The application requesting approval to convert a portion of an existing equestrian facility to a new 60,000 gallon per year winery has been reviewed. This Division has no objection to approval of the application with the following conditions:

1. Because the proposed facility will have a food facility that will be used for food preparation distributed at retail, this kitchen must be regulated under the California Retail Food Code and permitted by this Division. 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 approval of any building permit for said areas. Owner shall apply for and obtain an annual food permit prior to issuance of a final on this project

Additionally, as a condition of approval and permitting of this food facility, the owner will have to comply with water system sampling and reporting as required. Due to the construction of the wells additionally sampling will be required. The applicant shall submit a water system application, plan and plan check fee. The plan must be approved prior to approval of a building permit.

2. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Division within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
3. Prior to the approval of a building permit, an inspection of the existing mound system must be performed by a licensed sewage contractor. A report detailing the status of the system must be submitted to this Division for review and approval.

4. A permit for a sewer line to connect the winery domestic waste to the existing mound 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.
5. A permit for the proposed process waste 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.
6. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
7. Plans for the proposed process waste 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.
8. The applicant shall maintain regular monitoring of the above ground waste water treatment system as required by this Division which includes submitting quarterly monitoring reports. An annual operating permit is required for the waste water system.
9. The mound system must continue to be monitored in accordance with the alternative sewage treatment system monitoring program requirements. An annual permit is required. The septic system monitoring, as required by this permit, must be fully complied with
10. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
11. 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.
12. 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.

13. 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.
14. 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 the Division of Environmental Health, 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.



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Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

Office: (707) 967-1419
Fax: (707) 967-1474

INTER-OFFICE MEMORANDUM

TO: Sean Trippi
Conservation, Development and Planning Department

FROM: Ryan Woessner
Fire Department

DATE: January 16, 2013

Subject: Tamber Bey Vineyards

UP: P12-00233 APN# 017-160-010

SITE ADDRESS: 1251 Tubbs Lane

The Napa County Fire Marshal's Office has reviewed the Use Permit application to convert 16,640 square feet of an existing private equestrian facility to establish a new 60,000 gallon per year winery. Request includes tours and tastings by appointment only; convert 14,400 square feet of existing covered area and 2,240 square feet of barn space to a winery with visitors center, storage, and three offices. We would like to recommend the following comments be incorporated as project conditions if the Planning Commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. All fire department access roads shall comply with Napa County Public Works Road and Street Standards.
3. The numerical address of the facility shall be posted on the street side of the buildings visible from both directions and shall be a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.
4. All buildings over 3,600 square feet shall be equipped with an automatic fire sprinkler system conforming to NFPA 13 2010 edition with water flow monitoring to a Central Receiving Station.
5. The required fire flow for this project is 400 gpm for a 60 minute duration at 20 psi residual pressure. A UL listed fire pump conforming to NFPA 20, 2010 edition may be required to meet or exceed the required fire flow for the project.

6. Provide 12,000 gallons of water dedicated for fire protection. Water storage for fire sprinkler systems shall be in addition to the water storage requirement for your fire flows and domestic use.
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings. Fire department access roads shall be a minimum of 20 feet in width with a 14 foot clear vertical clearance.
8. All driveways and roads shall comply with the Napa County Public Works Road and Street Standards.
9. Blue dot reflectors shall be installed 12-inches off centerline in front of all fire hydrants.
10. All fire hydrants shall be painted chrome/safety yellow.
11. Approved steamer fire hydrants shall be installed within 250 feet of any exterior portion of the building as measured along approved vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2010 edition.
12. Currently serviced and tagged 2A10BC fire extinguishers shall be mounted 3 1/2' to 5 feet to the top of the extinguisher within 75 feet of travel distance from any portion of the facility.
13. All exit doors shall open without the use of a key or any special knowledge or effort.
14. Install illuminated exit signs throughout the buildings per the California Building Code 2010 edition.
15. Install emergency back-up lighting throughout the buildings per the California Building Code 2010 edition.
16. Install laminated 11" x 17" site plans and building drawings in the existing KNOX CABINET. Two Master keys to all exterior doors shall be provided in the KNOX CABINET.
17. Beneficial occupancy will not be granted until all fire department issues have been inspected, tested and finalized.
18. Provide 100 feet of defensible space around all structures.
19. Provide 10 feet of defensible space for 10 feet on both sides of driveway entrances.
20. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in all weather conditions.
21. Fire lanes shall be painted red with white 4 inch high white letters to read "NO PARKING FIRE LANE-CVC22500.1" stenciled on the tops of the curbs every 30 feet.

22. Barricades shall be provided to protect any natural gas meter, fire hydrants, or other fire department control devices, which may be subject to vehicular damage.
23. Technical assistance in the form of a Fire Protection Engineer or Consultant acceptable, and reporting directly to the Napa County Fire Marshal's Office. The Fire protection Engineer or Consultant shall be provided by the applicant at no charge to the County for the following circumstances:
 - a. Independent peer review of alternate methods proposals.
24. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.
25. All post indicator valves and any other control valve for fire suppression systems shall be monitored off site by a Central Station or Remote receiving Station in accordance with NFPA 72 2010 edition.
26. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.



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Conservation Development and Planning

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Hillary Gitelman
Director

Building Inspection Division Planning Review Comments

Date: October 31, 2012

Planning Use Permit #: P12-00233

APN: 17-160-010

Owner: Barry Waitte

Description of Use Permit: New 60,000 Square foot winery to be constructed in an existing equestrian facility with tours and tasting.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards at this time; the Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement only and does not in itself authorize any construction or change in occupancy.

The plans provided for Use Permit application #P12-00233 does not show in sufficient clarity and detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building permits.

1. This facility will be required to comply with the California Code of Regulations, Title 24, and local ordinances that are adopted at the time of building permit application. At the time of this letter the current editions adopted are the **2010** Building, Plumbing, Mechanical, Electrical, Energy, Residential and the Green Building Standards Code.

Issues of compliance with the California Building Standards Codes, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any question please do not hesitate contact me at (707) 253-4417.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Architect (Business and Professions Code, Chapter 3, Division 3 and California Building Code Chapter 1).

Darrell Mayes, CBO
Chief Building Official
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Department of Public Works

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Fax: (707) 253-4627

Steven E. Lederer
Director

GROUNDWATER MEMORANDUM

DATE: October 09, 2012

TO: Conservation Development and Planning Department

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

SUBJECT: Tamber Bey Vineyards, APN# 017-160-010, P12-00233

The applicant requests a Use Permit to convert 16,640 sqft of an existing private equestrian facility into a 60,000 gpy winery. The request includes tours and tastings by appointment only and a marketing plan. The project parcel is located on Tubbs Lane in Calistoga.

COMMENTS:

1. The parcels are located in the "Valley Floor" region.
2. The existing water use for the parcel is estimated to be 19.45 acre-feet per year.

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the proposed project. The 23.24-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 23.24 AF/Year. The estimated water demand for the parcel of 19.42 AF/Year is below established threshold for the property.

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

No further analysis is necessary.

Trippi, Sean

Subject: FW: Tamber Bey Vineyards

From: Erik Lundquist [<mailto:ELundquist@ci.calistoga.ca.us>]

Sent: Tuesday, January 29, 2013 10:10 AM

To: Trippi, Sean

Subject: RE: Tamber Bey Vineyards

Sean

Below are some comments for Tamber Bey Vineyards:

1. This property, although outside City limits, is served with city domestic water. The existing water baseline is for a single family residential dwelling which is equivalent to 0.428afy or (186.4 units) annually. This is not to be exceeded and cannot be used for agricultural irrigation purposes. Existing use over the last 7-years has averaged about 7 units/yr. They are not served by city sewer and are not allowed to be served by Calistoga's sewer facilities (per CMC 13.16.040C).
2. A double check backflow device should be installed on city domestic water supply (per Santa Rosa detail 874 or 875).
3. Post-development peak stormwater run-off discharge rates and velocities shall be controlled to maintain or reduce pre-development downstream erosion and to ensure that post-development runoff does not contain pollutant loads which have not been reduced to the maximum extent practicable. Follow "Napa County Post-Construction Runoff Management Requirements".

Please let me know if you have any questions.

Erik V. Lundquist
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