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Additional Reviewing Agency Comments



A Tradition of Stewardship
A Commitment to Service

INTEROFFICE MEMO

February 17, 2016

Subject Regarding:
Summers Winery
1171 Tubbs Lane
Calistoga, CA. 94515
APN 017-160-015

A complaint was recently addressed to the Napa County Code Enforcement Department. On January 19, 2016, Cal Fire Inspector Terri Durnall and I performed a Fire, Life and Building inspection on the above property. The site inspection consisted of visual inspection only to existing conditions to the interior of the buildings, (Building 1) known as residential occupancy converted to a commercial winery tasting room, (Building 2) existing barrel storage room, and front entry gate.

Building 1- Residence Converted to Commercial Winery Tasting Room:

This buildings Use and structure has been altered without approvals, permits, and inspections. There is no record of this building having a Certificate of Occupancy and is required prior to access to the public and employees. Several code violations were noted during our inspection but we did not observe any immediate safety hazards. These code violations were noted and a Compliance Order to make repairs was given to the property owner. In addition, code requirements to convert this building to a commercial occupancy were not implemented. A Use Permit Modification is currently in the review process to address legalizing the Building to Commercial Use. Per the California Uniform Building and Fire Codes, permits are required to make any alterations. Plans will need to be submitted and reviewed by the Building Department for approvals. After all inspections have been approved a Certificate of Occupancy is issued. This building should not be occupied by the public or employees until a Certificate of Occupancy is granted.

Uniform Building Code Section 111- Certificate of Occupancy:

111.1 "Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction."

The Following Code Deficiencies noted but are not limited to what was observed during the Inspection on 1/19/16:

* Denotes immediate attention:

1. It appears, but cannot be confirmed at the time of the inspection, that structural alterations or modifications were implemented to this structure.
2. Fire sprinklers required in commercial structures.
3. Lighted exit signs and egress lighting required in commercial structures.
4. Fire alarm system required in commercial structures.
5. All exit door swing to the direction of egress with occupant load of 50 or more.
6. All exterior exit doors are required to have single action door hardware locks. Panic hardware required on exit doors for occupancy loads of 50 or more.
7. Existing residential kitchen not approved for commercial operations.
8. Provide Occupancy load sign if occupancy is determined to be 49 and over.
9. ADA handicap requirements for commercial operations.
- *10. Furnace and water heater closets used for storage. Remove all combustible material from closets.
- *11. Electrical panel in water heater closet blocked by storage materials. Maintain 3'-0" clearance around all electrical panels.
- *12. Electrical box in water heater closet missing cover plate exposing wires.
- *13. Existing wood burning fireplace is missing spark arrestor screen.
14. Rooms and or closets with electrical main or sub panels should be marked on outside of doors as "Electrical Panel Inside".
- *15. Fire extinguishers maintained and installed within 75' travel distance from exits.
16. Fire pump and hydrant required at all commercial structures.

Building 2- Barrel Storage and Winery Building:

Access to the entire barrel storage area was limited due to the accumulation of barrels throughout. Because of this, an observation to the entire building was limited. Having the barrels stored in this manner was an immediate concern with exiting from this building and was addressed to the owner. After further research, it appears this building was also altered without approvals and permits. In order to do a complete inspection of this building it would be necessary to remove the barrels enough to allow access to the interior walls.

- *1. Wine barrels stored in front of emergency exits. Employees in the building while performing this inspection did not have a clear path to all emergency exits.
2. Stairs to second floor office area were altered from original approved design and changed to a spiral staircase.
3. It is not clear if the upstairs office was expanded/altered from original approved design.
4. At least two storage lofts were observed and built without permits.
- *5. Several wine tanks stored outside had extension cords plugged into electrical wall receptacles. These need to be hard wired into an approved electrical system.

Main Entry Gate:

There is no record of a building permit issued for the main entry gate.

1. Knox Box containing property information, master keys to all buildings, emergency contact information and any potential hazardous materials are required for all commercial project .
2. Knox Key box is not easily accessible and blocked by fence. Turn pole so key box faces the street. Since the Inspection owner has moved key box to allow access to the key. This process is not acceptable in today's requirements and will be addressed when a gate permit is applied for.

Tim Hoyt,
Code Enforcement Officer

cc: Gary West Chief Building Official
Emily Hedge- County Planner II



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Planning, Building & Environmental Services

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David Morrison
Director

MEMORANDUM

To: Emily Henderson, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: Revised – February 23, 2016 November 16, 2015	Re: Application for Summers Winery Located at 1171 Tubbs Lane, Calistoga Assessor Parcel # 017-160-015 File # P14-00232

The application requesting approval to increase production from 50,000 to 100,000 gallons per year, increase visitation and make other required improvements to the wastewater system, among other items detailed in application materials, has been reviewed. Please include the following conditions if the project is approved:

Prior to building permit issuance:

1. Plans for the proposed sanitary wastewater subsurface drip system and process wastewater reuse 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 these systems will be approved until such plans are approved by this Division.
2. Permits to construct the proposed sanitary wastewater subsurface drip and process wastewater reuse systems 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.
3. 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.

4. A commercial food facility is not included in this project. The architectural plans submitted with the use permit application show an employee break room located within the proposed facility. This break room is approved for employee use only and must be designed considering this use. If the proposed break room includes components typical of a commercial kitchen facility the applicant will be required to redesign the break room or apply for a use permit modification for approval of a commercial kitchen meeting all applicable requirements.

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

5. An annual operating permit is required for the process wastewater treatment system. The applicant shall maintain regular monitoring of the above ground process wastewater treatment and reuse system as required by this Division which includes submitting quarterly monitoring reports.
6. An annual alternative sewage treatment system monitoring permit must be obtained for the 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.
7. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

8. 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.
9. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities information shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
10. 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.

11. 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.
12. The applicant shall provide portable toilet facilities for guest use during events of 50 persons or more as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted septic tank cleaning company.
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. 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.
15. The applicant shall maintain regular monitoring of the above ground process wastewater treatment and reuse system as required by this Division which includes submitting quarterly monitoring reports. The sanitary wastewater treatment system monitoring must be conducted by an approved service provider.
16. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Division under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.