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Recommended Revised Conditions of Approval and Final Agency Approval Memos

ROMBAUER VINEYARDS # P19-00130-MOD Planning Commission Hearing Date 16 September 2020

PLANNING COMMISSION HEARING SEPTEMBER 16, 2020 RECOMMENDED CONDITIONS OF APPROVAL (REVISED)

ROMBAUER VINEYARDS WINERY MAJOR MODIFICATION P19-00103-MOD 3522 Silverado Trail, St. Helena, CA APN 021-410-025 and 021-410-024

This permit encompasses and shall be limited to the project commonly known as Rombauer Vineyards Major Modification, located at 3522 Silverado Trail. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

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

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

PART I

1.0 **PROJECT SCOPE**

This permit shall be limited to:

- **1.1** An approval of an exception to the County Road and Street Standards for the reduction of centerline slopes on slopes exceeding 30%, and a reduction to the inside radius of curvature for a horizontal curve.
- **1.2** Approval to modify an existing Pre-WDO, 450,000 gallon/year winery, established by Use Permit U-338182 and modified by previously approved permits #U-188384; #96010-MOD; and #P10-00039-MOD/#P10-00038-VAR to allow the following:
 - a. Convert a ±515 ft² existing conference room into a VIP tasting area on the main floor of administration building (level 2);
 - b. Convert a 75 ft² portion of the existing second floor production bathroom of the winery into an office;
 - c. Establish a 207 ft² temporary break room within the area of the approved 2500 ft² tasting room until the approved expansion is constructed;
 - d. A Marketing plan as set forth in Conditions of Approval (COAs) 4.3 below;
 - e On-premises consumption of wine as set forth in COA No. 4.4below;
 - f. Increase the number of full-time employees from 25 to a maximum 55 and increase the number of part-time/seasonal employees from nine to a maximum 26;
 - g. Clarify the number of parking spaces includes the overflow parking area to result in a total of 83 spaces;

- h Removal of the Use Permit Modification #P10-00039-UP COA #13(A), to allow outdoor amplified music <u>at the one of</u> the five Marketing Events as set forth in COA 4.3(a) below and COA 4.19(a) below;
- i. <u>Use of existing or equivalent outdoor patio speakers located on the</u> <u>existing patio of the tasting room for background music only, and only</u> <u>during the tasting room's hours of operation.</u>
- j. Correct a scrivener's error regarding the 75% rule issued by permit #P10-0039-MOD, COA # 5;
- k. Construct a deceleration and acceleration lane at the entrance to the property;
- I. Use of a remnant temporary construction road as a service access road for the Administration building on a permanent basis; and
- m. Add a 260 ft² existing building currently located on an adjacent parcel for winery grounds maintenance equipment storage use.

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 CountyCode.

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

such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION [RESERVED]

4.3 MARKETING

Marketing events shall be limited to the following:

- a. "Marketing Events"
 - 1. Frequency: five times per year
 - 2. Maximum number of persons: 350
 - 3. Time of Day: <u>10:00 am to 10:00 pm (except for one event described in</u> <u>#4.3(a)(4) below that shall end at 7:00 pm with quiet cleanup until 8:00 pm)</u>
 - Amplified music for entertainment is permitted for <u>one</u> event/year until 7:00 pm on the crush pad, or the tasting room parking area, or the parking area located near the cave entrance as set forth in COA 4.19(a) below.
 - 5. Winery shall notify all neighbors shown on the Napa County Assessor's Assessment Roll as owning real property within 1000 feet of the winery parcel at least two (2) weeks prior to any of these five (5) marketing events. Said notice shall include the contact information for the event and a copy shall be provided to the Department.
- b. Barrel Tastings
 - 1. Frequency: One time per year
 - 2. Maximum number of persons: 40
 - 3. Time of Day: 10:00 am–6:00 pm
- c. Auction Related Events
 - 1. Frequency: One time per year
 - 2. Maximum number of persons: 40
 - 3. Time of Day: 10:00 am–10:00 pm
- d. Lunch or Dinner Events
 - 1. Frequency: four times per month
 - 2. Maximum number of persons: 60
 - 3. Time of Day: 10:00 am–10:00 pm
- e. The Marketing Events do not occur simultaneously, nor the same day as Barrel Tastings, Auction Related Events, Lunch/Dinner Events or, tours and

tastings.

f. Portable toilets required for all "Marketing Events"

"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 pm. 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," onpremises consumption of wine produced on-site and purchased from the winery may occur solely in the new picnic area on an adjacent parcel (APN: 021-410-024) to be added to the winery parcel by lot line adjustment, an ADA accessible picnic area adjacent to the tasting room parking areas, and in the patio area as delineated by the On Premise Consumption Map-Exhibit AB 2004. 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 located on APN: 021-410-024 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, provided that the winery's 120,000 gallons of production are not subject to the County's 75% grape source rule. However, if the winery expands beyond its winery development area, at least 75% of the grapes used to make the winery's still wine or sparkling wine that is produced as a result of the expansion shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in theWinery 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 arereinstated.

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 <u>GROUND WATER MANAGEMENT – WELLS [RESERVED]</u>

4.10 AMPLIFIED MUSIC [RESERVED]

4.11 TRAFFIC [RESERVED]

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 TRASHENCLOSURE AREAS **[RESERVED]**
- 4.17 NO TEMPORARY SIGNS [RESERVED]
- 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 July 9, 2020.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated March 10, 2020.
- c. Building Division operational conditions as stated in their Memorandum dated August 28, 2019.
- d. Department of Public Works operational conditions as stated in their Memorandum dated June 22, 2020.
- e. Fire Department operational conditions as stated in their Inter-Office Memo dated July 17, 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

The permittee shall comply with the following operational mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

a. NOISE—MM-1.

Use of amplified music at the locations identified as "S-1 or S-2" in the

"Outdoor Music Sound Study for Rombauer Vineyards, 3522 Silverado Trail, County of Napa, CA", RGD Acoustics, July 16, 2019", is limited to volumes that do not exceed the following thresholds: L_{50} of 76 dBA if the band is located at S-1; and L_{50} of 81 dBA, if the band is located at S-2.

Method of Monitoring: A sound level meter shall be located a distance of 25 feet from the band to monitor the sound levels and adjusting the music volume so that the sound levels do not exceed the designated thresholds.

Responsible Agency: Planning Division

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

a. AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings, except as provide in COA 1.2(h), COA 1.2(i) and COA 4.3(a)(4), above.

b. <u>GROUNDWATER</u>

The parcel shall be limited to 18.77 acre-feet of groundwater per year for all water consuming activities on the parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(a) below.

In the event that changed circumstances or significant new information provide substantial evidence¹ 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.

c. TRAFFIC DEMAND MANAGEMENT

Within 30 days of permit approval, the permittee shall submit a Traffic Demand Management Plan to the Planning Division and the Public Works Department for review and approval which addresses Public Works Department Memorandum dated June 22, 2020. Such plan shall be implemented upon County authorization and may be subject to submittal of annual reporting requirements upon request in response to the County development of a Vehicle Mile Traveled (VMT) Reduction Program.

4.0 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

¹ Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

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 operational conditions as stated in their Memorandum dated July 9, 2020.
 - **b.** Environmental Health Division operational conditions as stated in their Memorandum dated March 10, 2020.
 - **c.** Building Division operational conditions as stated in their Memorandum dated August 28, 2019.
 - **d.** Department of Public Works operational conditions as stated in their Memorandum dated June 22, 2020.
 - e. Fire Department operational conditions as stated in their Inter-Office Memo dated July 17, 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 onsite 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 [RESERVED]
- 6.4 LANDSCAPING PLAN SUBMITTAL [RESERVED]
- 6.5 COLORS [RESERVED]
- 6.6 OUTDOOR STORAGE/SCREENING/UTILITIES [RESERVED]
- 6.7 TRASH ENCLOSURES [RESERVED]
- 6.8 ADDRESSING [RESERVED]
- 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 The permittee shall comply with the following requirements:
 - a. PARCEL MERGER [RESERVED]
 - LOT LINE ADJUSTMENTS The lot line adjustment #W19-00240 shall be recorded prior to the issuance of building permits.
 - c. EASEMENTS Any required easements shall be recorded prior to issuance of building permits.
- 6.14 FINAL MAPS [RESERVED]
- 6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS
 - a. Groundwater Demand Management Program

- 1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the winery or expanding any operations as approved under this modification, the permittee shall submit for review and approval by the Director of Public Works a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on all wells serving the parcel.
- 2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
- 3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
- 4. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately and the first monitoring report is due to the county within 120 days of approval of this modification.
- 5. For the first twelve months of operation under the Use Permit, the applicant shall read the meters at the beginning of each month and provide the data to the Public Works Director monthly. If the water usage on the property exceeds, or is on track to exceed, 18.77 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the Public Works Director and the PBES Director for review and action.
- 6. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
- 7. At the completion of the reporting period per 6.15(a)(5) above, and so long as the water usage is within the acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - a. On or near the first day of each month the permittee shall read the water meter, and provide the data to the Public Works Director during the first weeks of April and October. The Public Works Director, or his designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

Please contact Engineering Services with any questions regarding the following.

a. GRADING AND SPOILS

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

b. DUST CONTROL

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

c. AIR QUALITY

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

- 1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
- 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times perday.
- 3. Cover all haul trucks transporting soil, sand, or other loose material offsite.
- 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 the or PERP website http://www.arb.ca.gov/portable/portable.htm.

d. STORM WATER CONTROL

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

7.2 ARCHEOLOGICAL FINDING

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

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

7.3 CONSTRUCTION NOISE

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

7.4 CONSTRUCTION MITIGATION MEASURES [RESERVED]

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

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES

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

8.1 TEMPORARY OCCUPANCY

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

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

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

9.1 FINAL OCCUPANCY

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

- 9.2 SIGNS [RESERVED]
- 9.3 GATES/ENTRY STRUCTURES [RESERVED]
- 9.4 LANDSCAPING [RESERVED]
- 9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS
 - The permittee shall construct a right turn deceleration and acceleration lane on Silverado Trail. The design of the deceleration and acceleration lane shall be submitted to the Public Works Department for review and approval. The deceleration and acceleration lane 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 CERTIIFICATE OF OCCUPANCY
 - a. <u>All required meters shall be installed and all groundwater usage monitoring</u> required in COA 4.20(a) and 6.15(a) shall commence prior to final occupancy, or expanding any operations as approved under this modification.

EXHIBIT A

ROMBAUER VINEYARDS MAJOR MODIFICATION #P19-00103-MOD AND RSS EXCEPTION P19-00103-MOD 3522 Silverado Trail, St. Helena, CA APN 021-410-025 and 021-410-024

4.21 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

A. Use Permit P10-000-39-UP

COA NO 1

1. **SCOPE:** The permit shall be limited to:

- **B.** A Use Permit Major Modification (#P10-00039) modifying prior Use Permit Modification #96010-MOD to allow the following:
 - 1. No change in production of 450,000 gallons per year;
 - 2. Construction of a new 8,740 square foot administration building consisting of one main floor with a basement for office, lab, and work areas, including a kitchen for employee use only;
 - 3. Temporarily convert existing barrel storage space (1,889 square feet) located in the main winery building for use as interim offices during the construction of the new administration building;
 - Increase the number of parking areas from two (2) to four (4) and increase the number of parking spaces from a total of twenty-six (26) to seventy four (74) [Amended by Major Modification #P19-00103-MOD];
 - 5. Eliminate the custom crush and alternating proprietor restrictions contained in Condition #2 of Use Permit Modification#96010-MOD;
 - 6. Increase the number of full-time employees from eighteen (18) to twenty-five (25) [Amended by Major Modification #P19-00103-MOD];
 - 7. Add an additional four (4) part-time interns for a total of nine (9) parttime employees [Amended by Major Modification #P19-00103];
 - 8. Extend the days of operation of the winery to seven (7) days per week (originally authorized Monday-Friday);
 - 9. Clarify the hours of operation during harvest (from 6:00 a.m. to midnight);

- 10. Revise the existing Tours and Tastings Plan to include ten 8-person food and wine pairings within the existing maximum 400 person per day limit
- Revise the existing Marketing Plan to include four 250-person wineclub events per year [Amended by Major Modification # P19-00103-MOD];
- 12. Expand the tasting room (2,500 square feet) and allow seasonal tastings in its unenclosed patio area (±700 square feet);
- 13. Allow marketing events to occur in the existing caves;
- 14. Designate on-premises wine consumption areas including outdoorpicnicking pursuant to AB 2004 [Amended by Major Modification #P19-00103-MOD;
- 15. Include a 350 square foot "plating area" in the expanded tasting room to be used for the catered marketing events and for the winery staff to plate tasting items to be used in the food and wine pairings;
- 16. Extend the hours for retail sales, tours, and tastings to conclude at 6 pm (originally authorized from 8:00 a.m. to 5:00 p.m.);
- 17. Installation of a gated access approximately 620 feet from the winery entrance off Silverado Trail; and
- Construction of an interior road modification for localized narrowing of the existing upper driveway and to reduce inside radius of curvatureover a short section of roadway [Exception to the Napa County Roadand Street Standards (RSS) for road modifications. [Amended by Major Modification #P19-00103-MOD];]

COA NO 2

2. PROJECT SPECIFIC CONDITIONS

A. Hours of Operation shall be as follows:

- 8:00 am to 5:00 pm Monday through Friday (Winery Office)
- 10:00 am to 6:00 pm Seven days per week (Retail Sales, Tours & Tasting)
- 6:00 am to Midnight Seven days per week (Harvest Operations
- B. Wine Club Release Events and Wine Club Events shall not occur simultaneous, nor be held the same day as, the Barrel Tasting, Auction Related Events or Lunch/Dinner Events, and Tours and Tastings.
- C. If Wine Club Release Events or Wine Club Events are scheduled August through December, portable toilets shall be required. [Amended by Major Modification #P19-00103-MOD

COA NO 4.

4. VISITATION

Consistent with Sections 18.16.030 and 18.20.030 of the Napa County Code, 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."

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 which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.

A. TOURS AND TASTING

Tours and tastings are limited to the following: (Appointment Only)

- 1. Private Tours & Tastings Only A Maximum of 400 persons per day with a maximum of 2,800 persons per week; and
- 2. Food & Wine Pairings 10 per day; maximum 8 persons (included in the maximum 400 persons per day limit).

"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 appointment 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. (Ord 1340 §2, Sec. 18.08.062)

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 Napa County Code Sec. 18.16.030(G)(5)(c).

B. MARKETING

Marketing events shall be limited to the following: (By Invitation Only)

1. Wine Club Release Event - 1 per year, maximum of 300 persons;

2. Wine Auction Event - 1 per year; maximum of 40 persons;

3. Barrel Tasting Event – 1 per year; maximum of 40 persons;

4. Lunches or Dinners Event – 4 per month; maximum of 40 persons; and

5. Wine Club Events – 4 per year; maximum 250 persons; Shall occur between the hours of 4:00 pm and 7:00 pm to minimize traffic impacts [Amended by Major Modification #P19-00103-MOD.

"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 Chapters 18.16 and 18.20 of the Napa 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 thewinery. 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" (subsection (G)(5) of Sections 18.16.030 and subsection (1)(5) of 18.20.030 of the Napa County Code). 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. (Ord.1340, 2010: Ord. 1104 § 11, 1996: Ord. 947 § 9 (part), 1990: prior code § 12071).

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 have prepared 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. [Deleted and replaced by Major Modification P19-00103-MOD]

COA NO 5

5. GRAPE SOURCE

At least 75% of the grapes used to make 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 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 Conservation, Development and Planning Department upon request, but shall be considered proprietary information not available to the public. [Amended by Major Modification #P19-00103-MOD]

COA NO 13

13. ENVIRONMENTAL MANAGEMENT DEPARTMENT SPECIFIC COMMENTS

(707) 253-4351

A. NOISE

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment mufflering 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 condition 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 Code. There shall be no amplified sound system or amplified music utilized outside of approved enclosed winery buildings [Amended by Major Modification #P19-00103-MOD].

COA NO 18

18. **PREVIOUS CONDITIONS**

The permittee shall comply with all previous conditions of approval for Use Permits (U-338182, U-188384, 97052-S, 96010-MOD, P10-00036-VMM, & P11-0172-VMM), except as 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 and supersede earlier ones.



Planning, Building & Environmental Services

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

> David Morrison Director

A Tradition of Stewardship A Commitment to Service

MEMORANDUM

To:	Wyntress Balcher, Planning	From:	Jeannette Doss	, Engineering 😡
Date:	July 9, 2020	Re:	Rombauer Vineyards Use Permit Mod – Engineering CoA 3522 Silverado Trail, St. Helena, CA	
			P19-00103	APN 021-410-025-000

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

EXISTING CONDITIONS

- 1. Napa County parcel 021-410-025 is located along the west side of Silverado Trail approximately ½ mile south from the intersection with Crystal Springs Road.
- 2. A left turn storage lane has been constructed on Silverado Trail to facilitate northbound traffic turning onto the winery access road.
- 3. The existing parcel is approximately 31.85 acres.
- 4. Site is currently developed with a winery, associated winery accessory structures, vineyards, and a residential pool and pool house.

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

- Should any existing outdoor/uncovered loading/unloading areas and/or processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, be modified, expanded and/or improved in the future, Napa County may require these areas to be paved and performed undercover.
- 2. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

Page 2 of 3

3. All roadway, access drive, and parking area improvements required by this modification shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification.

PREREQUISITES FOR ISSUANCE OF PERMITS

- 1. **Prior to issuance of a building or grading permit** the owner shall demonstrate on the plans that all roadway construction associated with this application shall conform to the Road Exception Evaluation composed by this Division, dated July 9, 2020 and enclosed herein, and per the accepted construction and inspection practices defined in Federal, State and Local codes. Any roadway, proposed new or reconstructed, not included in the above mentioned Road Exception Evaluation shall meet the requirements for a Commercial Driveway as outlined in the 2020 Napa County Road and Street Standards (RSS).
- 2. 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 grading permit documents at the time of permit application. A plan check fee will apply.
- 3. 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.
- 4. **Prior to issuance of a building or grading permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
- 5. **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.
- 6. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

P19-00103 Rombauer Vineyards Use Permit Modification Engineering Division – Recommended Conditions of Approval

Page 3 of 3

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

7. All roadway, access drive, and parking area improvements shall be completed **prior to** issuance of temporary occupancy of any new and/or remodeled structures.

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

- 8. Operations and Maintenance Agreement for any required post-construction Stormwater facilities must be legally recorded.
- 9. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

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

Planning, Building & Environmental Services

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

> David Morrison Director



A Tradition of Stewardship A Commitment to Service

MEMORANDUM

To:	Wyntress Balcher, Planning	From:	Jeannette Doss, Enginee	ring 0
Date:	July 9, 2020	Re:	Rombauer Vineyards Evaluation of Napa Cou Street Standards Except 3522 Silverado Trail, St. P19-00103 API	nty Road and ion Request Helena, CA V 021-410-025-000

Road Modification Request

The Engineering Division received a request (the request) by Bartelt Engineering, dated December 11, 2019 for an exception to the commercial driveway design criteria as outlined in the latest edition of the Napa County Road and Street Standards (RSS) as part of an application for a modification to an existing Use Permit. Access to the subject property is off Silverado Trail. The nature and constraints for the road exception are as follows:

EXCEPTION #1 ROADWAY MAXIMUM SLOPE EXCEPTION:

A decrease in the length of the transition zones and an increase in the allowable maximum 10 % slope for transition zones for sections of roadway that have a centerline between 16% and 20% as identified in the request. In the areas where the maximum centerline slope exceeds 16%, the road is flanked by steep uphill and downhill slopes that exceed 30%, and several mature native trees. To reduce the centerline slope in these areas would require grading on slopes that exceed 30% and the removal of native oak trees that vary in diameter from 6 inches to 24 inches diameter breast height. The request is to minimize the hillside grading and tree removal.

EXCEPTION #2 ROADWAY HORIZONTAL CURVE RADIUS EXCEPTION:

A reduction to the inside radius of curvature for a horizontal curve as described in the request. At the station where the reduced horizontal inside radius the surrounding areas include steep slopes. The applicant has provided a 30 foot wide road section throughout the turn and modeled a Fire Apparatus navigating the turn.

EXCEPTION #3 ROADWAY WIDTH:

The RSS requires a commercial driveway to have a 20 foot wide road with 22 feet of unobstructed horizontal clearance. The existing internal roadways generally vary in width from 12 feet to 22 feet or greater. These existing roadways are bound by the steep slopes and mature trees. The applicant is proposing to widen all internal access roads to the maximum extent practical and to provide vegetation management to help with sight distance along the entire road way.

Engineering Division Evaluation and Recommendation:

Engineering Division staff has reviewed the Request noted above and discussed the request noted above with the Napa County Fire Department. Engineering staff has made the following determination:

- The exception request has provided the necessary documentation as required by RSS Section 3. The request is in connection with a use permit application, and has received the appropriate environmental review from the Planning Division, therefore the approving body shall be the Planning Commission.
- The request will minimize earthwork on steep slopes and removal of mature native trees in order to preserve the existing environmental features and are justified based upon existing topographic conditions of the site.
- The applicant is proposing to improve widen the travel lane to maximum extent practical over the entire length of the roadway.
- With respect to the findings for compliance with current RSS Section 3(E), the Engineering and Conservation Division and Cal Fire/Napa County Fire Department have discussed the improvements proposed and determined that their implementation would serve as an alternate method by which adherence to the RSS may be achieved and would provide the same overall practical effect as the RSS towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public.

The determinations stated above are based on existing site conditions. The Engineering Division supports the approval of the exception request as proposed with the following conditions that are in addition to any and all conditions previously placed on the project as part of the discretionary application. All roadway improvements shall be completed prior to execution of any new entitlement or final occupancy on all new development proposed:

- 1. Access road shall meet the road surfacing requirements as described in the RSS for the entire length of the roadway.
- 2. All portions of commercial driveway not identified herein shall fully comply with the 2020 Napa County Road and Street Standards.
- 3. The private drive surface and structures shall be periodically maintained by the property owner to assure sufficient structural section for loading conditions equivalent support apparatus weighing 75,000 pounds, and the design Traffic Index.
- 4. The property owner shall also install clear address and directional signage at the entrance to the main driveway and all internal roadways. The signage shall be consistent with California Department of

P19-00103 Rombauer Vineyards – Road Exception Evaluation Engineering Division – Recommendations Page 3 of 4

Forestry and Fire Protection requirements and shall be a minimum 6 inch letter height, .75 inch stroke, reflectorized, contrasting with the background color of the sign.

- 5. The roadway improvements shall be constructed and maintained to the approved condition prior to any new commercial use and/or occupancy. Maintenance of the roadway shall continue throughout the life of the parcel and its proposed use. The County may require future road design changes if changes in use or intensity are proposed in the future.
- 6. Any/all future road design changes or changes in use of this roadway beyond the existing use shown on the above noted request dated December 11, 2019 shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.

P19-00103 Rombauer Vineyards – Road Exception Evaluation Engineering Division – Recommendations Page 4 of 4

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EXHIBIT A

Rombauer Vineyards Road Exception Request And Improvement Plans



David Morrison, Director Napa County Planning, Building & Environmental Services Department 1195 Third Street, Second Floor Napa, CA 94559

Re:P19-00103, Rombauer Vineyards Winery Use Permit Major Modification and Road Exception Request, 3522 Silverado Trail, Napa County, CA, APN 021-410-025

Dear Mr. Morrison:

We are in receipt of the Application Status Letter dated April 26, 2019 for the above mentioned Rombauer Vineyards Major Use Permit Modification. In response to the Application Status letter, Rombauer Vineyards is requesting an exception from the Napa County Road and Street Standards for portions of the existing access roads that currently serve the existing administration building, winery building, water storage tank, overflow parking area, upper parking area, and cave portal that do not meet the Napa County Road and Street Standards requirement that wineries be served by a common driveway having a minimum width of 20 feet with a 2 foot shoulder.

Project Description

It is our understanding that Rombauer Vineyards has requested an increase in the number of full-time employees from 25 to 55 and an increase in the number of part-time harvest employees from 9 to 26; while maintaining the existing wine production capacity at 450,000 gallons and the number of daily visitors at 400 as stated in the existing approved Use Permit (#96010-MOD).

It is also our understanding that Rombauer Vineyards has approval for a number of marketing events and is requesting a reorganization and modification of the events. Refer to the Statement of Request prepared by Rombauer Vineyards for a complete description of the proposed changes.

Exception Request and Justification

This letter requests an exception from the 2019 Napa County Road and Street Standards. The exception is being requested to allow portions of the existing access roads to be used to serve the existing administration building, winery building, water storage tank, overflow parking area, upper parking area, and cave portal even though some sections will not meet the standard width and inside radius criteria outlined in the Napa County Road and Street Standards.



The existing road system provides adequate access to the existing facilities onsite and has served the property for many years. The existing access roads are currently paved with hot mix asphalt and vary in width from approximately thirteen (13) feet to twenty-two plus (22+) feet. The existing access roads, though some locations are substandard in width, are well maintained paved all-weather surfaces that provide safe, reliable access for emergency vehicles as well as for large winery trucks and employee vehicles. The portions of the roadway for which this exception request applies can be characterized as mature wooded areas with steep slopes containing large trees both uphill and downhill of the roadway surface. Refer to Sheets UP5 and UP6 of the Rombauer Vineyards Use Permit Major Modification Plan set prepared by Bartelt Engineering for tree locations, tree descriptions, and topography of areas adjacent to the existing access roads. The Property Owner routinely maintains the driveway and adjacent vegetation to reduce available fuel load and to insure adequate horizontal and vertical clearance for emergency vehicles and other large vehicles that must access the site. Widening of the access roads to 22 feet would involve substantial cuts and fills in areas that would result in the removal of natural vegetation and mature trees. The widening could also increase erosion along portions of the access roads.

The Napa County Road and Street Standards allow for exceptions when the following summarized criteria are met:

(1) The exception is necessary to protect and ensure the preservation of unique features of the natural environment.

The areas that are relevant to this exception request are steep and have significant grade differentials which contain mature plantings of trees and native vegetation. The slope areas both above and below the existing access roads are steep and subject to potential erosion if disturbed. Widening of the roadway to 22 feet would be impossible without disturbance to the slopes above and below the roads and without removal of existing native vegetation adjacent to the access road. The existing mature vegetation provides screening of the roadway and allows for retention of earth forms and soil. Periodic horizontal and vertical trimming of the roadside vegetation and tree limbs will allow for adequate passage for emergency vehicles without widening the road width.

(2) The exception allows a situation that provides the same overall practical effect as the "State Responsibility Area (SRA) Fire Safe Regulations" does in providing defensible space and does not adversely effect the life, safety and welfare of the public or the persons coming to the property.

The site will continue to comply with Napa County, CalFire requirements, and SRA Fire Safe Regulations for defensible space; fire department access, and public safety. Furthermore, adequate fire protection water storage is provided per CalFire requirements.

The existing access roads currently provide the same overall effect as the Road and Street Standards. All Napa County standards for centerline slopes less than 20% and structural section are met. The following is a narrative description of the portions of the existing access roads requiring exceptions. Refer to Sheet UP6 for the locations associated with the following narrative descriptions.



Location "A" to Location "B"

This section of the existing access road narrows from 23 feet wide to 21 feet wide and widens back to 22 feet wide in approximately 30 feet and 20 feet respectively. Rombauer Vineyards is proposing frontage improvements that would widen this section of the access road to a minimum of 25 feet wide.

Location "C" to Location "D"

This section of the existing access road narrows from 22 feet wide to 20.5 feet wide and widens back to 21.5 feet wide and 22 feet wide in approximately 150 feet, 140 feet and 45 feet respectively.

Location "D" to Location "E"

This section of the access road exceeds the minimum 22 feet width requirement but contains a section of road 82 feet long that exceeds a centerline slope greater than 16%. This 82 foot section of road has an average centerline slope of 17% that is preceded by a 110 lineal foot road section with an average centerline slope of 8% and followed by a 250 lineal foot road section with an average centerline slope of 15%.

Location "E" to Location "F"

This section of the existing access road narrows from 40 feet wide (at the intersection) to 19 feet wide and widens back to 22 feet wide in approximately 20 feet and 30 feet respectively. This section of access road is confined by steep slopes both on the uphill side and on the downhill side, it additionally abuts a number of mature oak and fir trees. Refer to Sheet UP5 for size and type of trees.

Location "G" to Location "H"

This section of the existing access road narrows from 22 feet wide to 21 feet wide and widens back to 22 feet wide in approximately 12 feet and 45 feet respectively.

Access-Road to Winery Building

This section of the access road diverges from the main access road and serves the "winery" and "pad" parking areas narrows from 24.5 feet wide to 17 feet wide, 18 feet wide, and 19 feet wide. Approximately 140 feet of this section of the access road has a centerline slope of approximately 18% that is preceded by a 55 lineal foot road section with an average centerline slope of 15% and followed by a 130 lineal foot road section with an average centerline slope of 14%. This section of road is confined on both sides by a number of mature trees. Refer to Sheet UP5 for size and type of trees. Portions of this section of road are also confined by steep slopes both on the uphill side and on the downhill side and is in close proximity of the winery building.



Location "E" to Location "I"

This section of the access road diverges from the main access road and serves the water storage tank, "overflow" parking area, and "upper" parking area narrows from 40 feet wide (at the intersection) to 13 feet wide and widens back to 22 feet wide in approximately 60 feet to 110 feet respectively. Approximately 90 lineal feet of this section of access road has an average centerline slope of 17% that is preceded by a 250 lineal foot road section with an average slope of 15% and followed by a 200 lineal foot road section with an average centerline 'slope of 16%'. Portions of this section of road are also confined by geological constraints with steep slopes both on the uphill side and on the downhill side and has a significant grade differential between the two roads. Rombauer Vineyards is proposing to widen this section of the access road from 13 feet wide to 16 feet wide.

Location "I" to Location "J"

This section of the access road is a hairpin turn with an inside radius of approximately 20 feet; however, the 30 feet of road width through the turn provides sufficient room for a fire truck to navigate the turn. Refer to Sheet UP5 for fire truck tracking, and size and type of trees adjacent to the access road.

Location "J" to Location "K"

This section of the existing access road is a fairly straight section that narrows from 22 feet wide to 16 feet wide and widens back to 22 feet wide in approximately 95 feet and 115 feet respectively. Portions of this section of road are confined on both sides by a number of mature trees. Rombauer Vineyards is proposing to widen this section of the access road from 16 feet wide to 20 feet wide.

The "upper" portion of the "loop" road that allows access to the "overflow" parking area narrows from 22 feet wide to 18 feet wide and 16 feet wide and functions as a one-lane road.

The last short section of the access road to the "upper" parking area is 20.5 feet wide for approximately 90 feet then widens back to a 26 foot wide parking lot drive aisle.

The "service" access road that terminates at the lower level of the Administration Building is approximately 12 feet wide to 16 feet wide and functions as a one-lane service access for ingress and egress.

This exception request is consistent with the Napa County Road & Street Standard, in that it achieves the same effect as the specifications outlined in the Standards, but without removing a number of mature trees or disturbing steep sloping areas both above and below the access roads.

It is our opinion that emergency access and acceptable circulation can be provided without constructing full 22 foot wide access roads and the associated unavoidable environmental degradation. December 11, 2019 Job No. 96-07



Monitoring of Safe Access Conditions

The Property Owner agrees to continue its formal maintenance program for providing adequate and clear horizontal and vertical access for larger vehicles such as trucks and emergency vehicles, as well as for automobiles. The traffic volume on the access road to the water storage tank, overflow parking area, upper parking area, and cave portal will be limited to CalFire, winery employees, and valet parking attendants so that clear passage in the event of emergency would not be impeded.

Summary

Given the use of the existing access roads, we believe that access for emergency vehicles and overall traffic safety for the users of the access roads will not be materially affected by the requested Use Permit Modification at Rombauer Vineyards.

Thank you for your consideration of our request for this exception. You may contact us directly at (707) 258-1301 with any questions or to schedule a site visit if necessary.

Sincerely,

Richard Johon

Richard Paxton, P.E. Project Engineer

RP:sd

cc: Lynn Sletto, Rombauer Vineyards Winery

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AREA PROPERTY P. HEREIN AS AN INSTRUMEN ENVIRONMENT DE NUTTO DE UL TETRING ANTHORIZATION OF PE E FOR OR LINBLE FOR UNA OT THE PLANE MOST DE UNA WOLE FECON THIS DRAVING -TAVE DE DISTRUBUTED TO C. ANY DE DISTRUBUTED TO C. ANY DE DISTRUBUTED TO C.



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FEMA FLOOD DATA: A PORTION OF THIS PARCEL IS LOCATED WITHIN A FLOODWAY OR FLOOD PLAIN FER FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 0605502025E: ZONE "X" IS DETERMINED TO BE INSURE THE 0.28 ANNUAL CHANCE FLOODPLAIN IN AN UNINCORPORATED AREA OF NAPA CONTY.

APPROXIMATE LOCATION OF THE BASE FLOOD ELEVATION (BFE) FEMA FLOOD ZONES "AE" & "X", FLOODZONE LIMITS (PER PLAN)

PROJECT INFORMATION: PROPERTY OWNER/APPLICANT: ROMBAUER VINEYARDS C/O ROBERT KNEBEL 3522 SILVERADO TRAIL ST. HELENA, CA 94574 PROJECT ADDRESS: 3522 SILVERADO TRAIL ST. HELENA, CA 94574 Ζ ≺ z S ASSESSOR'S PARCEL NUMBERS: 021-410-024 \$ -025 AR ₽ PARCEL SIZES: Т I C A 5.15± ACRES & 31.85± ACRES ш PARCEL ZONING; AP z L > S $\sim\sim\sim\sim\sim\sim$ SHEET INDEX: 2 SHEET UPI OVERALL SITE PLAN SHEET UP2 LOT LINE ADJUSTMENT EXHIBIT ш ___ \supset ____ SHEET UP3 PHOTOGRAPHIC EXHIBIT SHEET UP4 CALFIRE ACCESS EXHIBIT ERA Ajor ≺ SHEET UP5 DRIVEWAY WIDENING PLAN B ΣĽ SHEET UP6 ROAD AND STREET STANDARDS EXHIBIT о́ш SHEET UP7 SITE DRAINAGE EXHIBIT SHEET UP8 WINERY AREA COVERAGE EXHIBITS SHEET UP9 WINERY AREA DEVELOPMENT ∝ > Σ 0 **EXHIBITS** SHEET UPIO IMPERVIOUS AREA EXHIBITS SILVERADO TRAIL WIDENING PLAN: SHEET CI OVERALL SITE PLAN SHEET C2 NOTE SHEET SHEET C3 DEMOLITION PLAN SHEET C4 GRADING & DRAINAGE PLAN AND CROSS SECTIONS SHEET C5 LAYOUT & STRIPING PLAN SHEET CO EROSION CONTROL PLAN DATE: JULY 2019 JOB NO: 96-07





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A	12-16-2019	RESPONSE TO NAPA COUNTY COMMENTS DATED 8-27-2019	KP
\triangle	7-19-2019	RESPONSE TO NAPA COUNTY COMMENTS DATED 4-26-2019	KP
	3-25-2019	USE PERMIT MODIFICATION SUBMITTAL	KP
NO.	DATE	DESCRIPTION	BY



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ĴΡ	96-01	H d	OTOGRAPHIC EXHIBIT			dy WM20	BARTEL REGRETIONE MUL DY REGRESORLER FCS, QLARE FCS, MURRARDZ OANGES TO CRIESS OF THE'E PLANS ALL CANNESS TO THE PLANS HAST BU INVENTIOS AND MAST BE APPROADD DY DARTEL FIDONEERING. COPIES MADE FROM THIS FORMULG ARE FOR THE LIVE OF THE CLAIR OF DARTEL FIDONEERING. COPIES MADE FROM THIS FORMULG FOR CONTRACTORS AND SEXONTRACTORS FOR DER A ASSOCIATION WITH THE BUTTLED FOLSEN. IT SHALL BET RE USES	別新产ワル
3		NAPA COUNTY	MAJOR MODIFICATION	CALIFORNIA	Restriction of the second s	CHKD: FAB	Sole Reporteduity to verity that this proving represents the latest information Relating to the project. © Copyright 2019, All Rights Reserved).	8

NOTE: THE AERIAL PHOTOGRAPH USED AS A BASE FOR THIS EXHIBIT MAS TAKEN FROM 2018 GOOGLE EARTH. ALL PROPERTY LINES SHOWN WERE PROVIDED bY ALBICH SYRVEYS, ARE APPROXIMATE, AND BASED ON THE PROPOSED LOT LINE ADJUSTMENT.



\square	12-16-2019	RESPONSE TO NAPA COUNTY COMMENTS DATED 8-27-2019	KP
\square	7-19-2019	RESPONSE TO NAPA COUNTY COMMENTS DATED 4-26-2019	KP
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	DATE: JOB NOI	JULY 201 96-07	9
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SCALE: |" = 60'

LEGEND:



EXISTING STORM DRAIN PROCESS WASTEMATER LINE OPEN CHANNEL DRAINAGE COURSE DRAINAGE PATH FLOW DIRECTION (PIPE) ROCK AS SHONN CLEANOUT DRAIN INLET

ROCK AS SHOWN CLEANOUT DRAIN INLET DOMISPOUT DIVERSION VALVE GATE VALVE PROCESS WASTEWATER CLEANOUT TRENCH DRAIN

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		CALIFORNIA Webstern Approximation 2003 Before 1000 Bindia CO 94399 CO 943900 CO 94399 CO 9439
ROMBAUER WINERY	DRAINAGE EXHIBIT	MAJOR MODIFICATION
DATE:	JULY 20	A COUNTY
JOB NOI SHEET NO	96-07	











LOCATION MAP NO SCALE



3522 SILVERADO TRAIL ST. HELENA, CA 94574 (707) 963-6635

PROJECT ADDRESS: 3522 SILVERADO TRAIL ST. HELENA, CA 94574

ASSESSOR'S PARCEL NUMBER; 021-410-025

PARCEL SIZE: 31.85± ACRES

PARCEL ZONING: AP



16

GENERAL NOTES:

- ALL WORKMANSHIP AND MATERIALS FOR THE IMPROVEMENTS SHOWN ON THESE PLANS SHALL CONFORM TO THE REQUIREMENTS OF THE NAPA COUNTY ROAD & STREET STANDARDS ANDORATINE LATEST EDITION OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS AND STANDARD PLANS, AND THE 2016 CALLFORNIA BUILDING CODE (CBLC). THE IMPROVEMENTS SHOWN ON THESE PLANS SHALL BE INSPECIFIC BY A REPRESENTATIVE FROM NAPA COUNTY PUBLIC WORKS DEFARTMENT, AND THE ENGINEER.
- CONTRACTOR SHALL PROVIDE SUBMITTALS FOR ALL MATERIALS TO BE USED ON THE PROJECT TO THE ENGINEER FOR APPROVAL PRIOR TO BIDDING, PURCHASING OR INSTALLATION. CONTRACTOR SHOLD ALLON AT LEAST FIVE (5) MORKING DAYS FOR INITIAL REVIEW OF EACH SUBMITTAL AND ADDITIONAL THRE IF COORDINATION WITH SUBSCREAMEN SUBMITTALS IS REGURED, ALLON FIVE (5) MORKING DAYS FOR BACH RESUBMITTAL ISE OF INAPPROVED MATERIALS SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- ALL MATERIALS SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR
- CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR BEING FAMILIAR WITH THE SPECIFICATIONS, PROVISIONS, AND PROCEDURES REAIRED BY NAPA COUNTY FOR THE VORK ONTILNED IN THESE PLANS, CONTRACTOR SHALL BE RESPONSIBLE FOR HAVING A COPY OF THE APPROVED PLANS AND ANY ADDENDMS AT THE JOB SITE AT ALL TIMES.
- CONTRACTOR SHALL BE APPROPRIATELY LICENSED WITH THE STATE OF CALIFORNIA TO PERFORM THE WORK OUTLINED IN THESE PLANS.
- FRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL SECURE CONSTRUCTION PERMITS FROM NAPA COUNTY AND OTHER AGENCIES AS NECESSARY.
- CONTRACTOR SHALL CONTACT BARTELT ENGINEERING TO ARRANGE A PRE-CONSTRUCTION MEETING FOR THE PURPOSE OF REVIEWING JOB REQUIREMENTS AND NAPA COUNTY PROCEDURES.
- CONTRACTOR SHALL NOTIFY NAPA COUNTY STAFF AND THE ENGINEER AT LEAST THREE (3) WORKING DAYS PRIOR TO COMMENCEMENT OF WORK.
- CONSTRUCTION AND GRADING ACTIVITIES ON THE SITE SHALL BE LIMITED TO BETWEEN 7:00 A.M. AND 7:00 P.M. DAILY.
- CONTRACTOR SHALL PROVIDE EMERGENCY TELEPHONE NUMBERS TO THE NAPA CONTY SHERIFF, FIRE AND RULL WORKS DEPARTMENTS AND KEEP THEM INFORMED DULLY REGARDING STREETS INDER CONSTRUCTION AND DETORGS. DETORGS SHALL NOT BE PERMITTED UNLESS APPROVED IN WRITING BY THE NAPA CONTY RULL WORKS DEPARTMENT.
- CONTRACTOR SHALL REQUEST INSPECTIONS A MINIMUM OF THREE (3) WORKING DAYS IN ADVANCE BY CALLING NAPA CONTY RUBLIC WORKS DEPARTMENT AT (107) 253-453, BJOO AM, TO 5:00 P.M, MONDAY THROUGH RIDAY AND THE
- NEER AT (101) 258-1301 CONTRACTOR SHALL NOTIFY ALL PUBLIC OR PRIVATE UTILITY COMPANIES TWO (2) MORKING DAYS PRIOR TO COMMENCEMENT OF WORK ON THIS PROJECT TO VERIFY THE LOCATION OF EXISTING UTILITY LINES. CALL WORKROUND SERVICE ALERT (USAJ TOLL FREE AT BIL OR 1-800-227-800, 600 AM. TO TOO PM, MONDAY THROUGH FIRDAY OR SUBMIT TICKET ON UNDER AT WINDISTREPESS.COM
- CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF ALL EXISTING UTILITIES IN THE FIELD. COSTS OF REPAIRING ANY DAMAGES OR INJERES CAUSED BY THE CONTRACTOR SHALL BE BORKE BY THE CONTRACTOR. VARIOUS UNDERROUND LINES WERE PLOTTED ON THE FLANS FROM THE INFORMATION OBTAINED FROM THE RESPECTIVE UTILITY COMPANIES AND/OR THE CONTRACTOR THEREORE, NO MARKINT, DARRESLED, ON IMPLEO, IS MADE AS TO THE COMPLETIENES OR CORRECTIVES OF THEIR LOCATION.
- EXISTING UTILITIES SHALL BE KEPT IN SERVICE AT ALL TIMES. UTILITIES THAT INTERFERE WITH THE WORK TO BE PERFORMED SHALL BE PROTECTED AS REQUIRED BY INAPA CONTY, ROLE, ATH, CONCAST, AND THE ONNER.
- CONTRACTOR SHALL COORDINATE ALL NECESSARY UTILITY RELOCATIONS, IF REQUIRED, WITH THE APPROPRIATE UTILITY COMPANIES AND/OR THE OWNER.
- CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING FACILITIES AND IMPROVEMENTS FROM DAMAGE RESULTING FROM CONTRACTORS WORK. ANY DAMAGE CAUSED BY CONTRACTOR SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE.
- CONTRACTOR SHALL PROVIDE AND MAINTAIN SUFFICIENT BARRICADES TO PROVIDE FOR THE SAFETY OF THE GENERAL PUBLIC TO THE SATISFACTION OF NAPA CONTRY AND THE OWNER.
- CONTRACTOR AGREES THAT THEY SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS FROLECT, INCLUDING SAFETY OF ALL PERSONS AND RROPERY. THIS REQURRINENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL MORKING HOURS. THE CONTRACTOR SHALL DEFEND, INDENNIFY, AND HOLD THE OWNER AND THE INSINEER HARVLESS FROM ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THE FINGER, EXCEPT FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
- SHOULD AIN' CONTRACTOR OR SUBCONTRACTOR FIND ANY DEFICIENCIES, ERRORS, CONFLICTS, OR CHISSIONS IN THESE PLANS AND SPECIFICATIONS OR SHOULD THERE BE AIN' DOUBT AS TO THEIR MEANING OR INTENT, THE CONTRACTOR SHALL NOTIFY BARTELT ENGINEERING FOR A RRITTEN CLARIFICATION ADDENDM, FEC. SHOULD THE CONTRACTOR FAIL TO DO SO BEFORE SUBMITTING A PROPOSAL, THE CONTRACTOR CANNOT CLAIM ADDITIONAL COMPENSATION FOR WORK REQUIRED TO COMPLETE THE PROJECT.
- THESE PLANS ARE INTENDED TO SHOW SITE IMPROVEMENTS OUTSIDE OF THE LIMITS OF THE EXISTING BUILDINGS, THE BUILDINGS SHOWN ON THESE PLANS ARE SHOWN STRICTLY AS A REFERENCE. BARTELT DENINEENING IS NOT RESPONSIBLE FOR ARCHITECTURAL OR STRICTURAL DEGISIN OF THE BUILDINGS, IMPROVEMENTS INTHIN THE BUILDINGS, OR GEOTECHICAL BUIGNEENING SERVICES.
- ALL DIMENSIONS SHOWN ON THE PLANS SHOW MEASUREMENTS IN A HORIZONTAL PLANE. WRITTEN DIMENSIONS ALMAYS TAKE PRECEDENCE OVER SCALED DIMENSIONS. IF THERE IS A COMPLICT NOTIFY BARTLET HENNERENKE AND OBTAIN CLARIFICATION. NO DEVIATION SHALL BE ALLOWED MITHOUT OBTAINING WRITTEN APPROVAL FROM THE ENGINEER.
- FADED BACKGROUND REPRESENTS EXISTING TOPOGRAPHIC FEATURES, THE TOPOGRAPHIC INFORMATION SHOWN ON THIS PLAN WAS TAKEN FROM THE "WAP OF TOPOGRAPHIC TO A PORTION OF THE LINDS OF ROMBWER "PREPARED BY ALBION SURVEYS, INC., DATED MARCH I, 2013, APPENDED ON MARCH IA, 2013, FEBRUARY 25, 2015, FEBRUARY IT, 2016, MAY AFRIL 24, 2016, BARTET ENSINEERING ASSUMES LINDULTY, REAL ON ALLEGED, REGARDING THE ACCURACY OF THE TOPOGRAPHIC INFORMATION SHOWN.

BENCHMARK NOTE: S.P.C. FROM OPUS GPS OBSERVATION VERTICAL DATUM: NAVD88 VERTICAL DATUM: NAVDBB BASIS OF BEARING, CALIFORNIA COORDINATE SYSTEM, ZONE 2, NAD83 CONTOUR INTERVAL: EVERY ONE (I) FOOT, HIGHLIGHTED EVERY FIVE (5) FEET

- THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY. BOUNDARY LINES SHOWN ARE APPROXIMATE AND FOR INFORMATIONAL PURPOSES ONLY.
- THESE PLANS ARE INTENDED TO BE USED FOR CONSTRUCTION STAKING OF THE SITE IMPROVEMENTS SHOWN HEREON AND TO PROVIDE HORIZONTAL AND VERTICAL CONTROL. ALL STAKING IS TO BE PERFORMED BY A LICENSED LAND SURVEYOR IF THE CONTRACTOR OR SURVEYOR FINDED ANY DISCREPANCIES, CONTACT BARTELT ENGINEERING FOR A WRITTEN CLARIFICATION.
- THE TERM "ENGINEER", AS CALLED OUT ON THIS SET OF PLANS, SHALL MEAN A REPRESENTATIVE OF BARTELT ENGINEERING. 25.

PLANNING NOTES:

- SHOULD HAZARDOUS MATERIALS BE ENCOUNTERED DURING CONSTRUCTION, NAPA COUNTY ENVIRONMENTAL HEALTH SHALL BE NOTIFIED AND APPROPRIATE REMEDIATION NEASURES SHALL BE UNDERTAKEN.
- SHOULD GROUND-DISTURBING ACTIVITIES ASSOCIATED WITH CONSTRUCTION REVEAU THE PRESENCE OF POTENTIAL CULTURAL RESOURCES (E.G., ARTIFACT CONCENTRATIONS, STRUCTURAL DEBRIS, SKELETAL REMAINS, WORK WITHIN 50 FEET OF THE THO SHALL BE SUSPENDED UNTIL A CAULTIED CULTURAL RESOURCE SPECIALIST CAN EVALUATE THE DISCOVERY AND RECOMMEND APPROPRIATE MITIGATION MEASURES, CONSISTENT WITH THE CEA AUTOENLINES, AS APPLOED. AS PROJECT CONSTRUCTION PROCEEDS, THE DISCOVERY SHALL BE CLEARLY MARKED AND PROTECTED BY TEMPORARY FEUCING IF CULTURAL RESEARCH OR RECOVERY TECHNIQUES ARE LONG-TERM IN NATURE.
- SHOULD SKELETAL REMAINS BE ENCOUNTERED, THE NAPA COUNTY CORONER SHALL BE NOTIFIED. SHOULD THE COONER DETEXTINE THAT SUCH REMAINS ARE IN A CONTEXT SUBGESTING THE HISTORIC OR PREHISTORIC OCCUPANCY BY NATURE AMERICANS, THE CALIFORNIA NATUYE AMERICAN HERITAGE COMMISSION SHALL BE NOTIFIED, SO IT MAY ARRAINSE AT ITS DISCRETION FOR GUILIEID NATURE AMERICAN OR EQUIVALENT PARTICIPATION IN DETERMINING THE DISPOSITION OF SUCH REMAINS.
- IN THE EVENT ANY HISTORIC OR CULTURAL RESOURCES ARE DISCOVERED DURING THE GRADING, ALL ACTIVITIES SHALL CEASE. A GUALIFIED ARCHAEOLOGIST SHALL BE RETAINED TO PRESERVE, PROTECT, OR REMOVE ANY SIGNIFICANT HISTORIC OR CULTURAL RESOURCES.

GRADING NOTES:

- ALL MOVEMENT OF EARTH SHALL COMPLY WITH NAPA COUNTY ROAD 4 STREET STANDARDS, THE 2016 CALIFORNIA BUILDING CODE (C.B.C.), NAPA COUNTY CONSERVATION REGULATIONS, AND THESE PLANS.
- THE SITE SHALL BE VISUALLY INSPECTED BY THE CONTRACTOR TO DETERMINE THE EXTENT OF CLEARING, GRUBBING, AND GRADING WORK TO BE DONE. GRADING ON THE SITE WILL BE LIMITED TO THE EXCAVATIONS AND/OR FILLS AS SHOWN ON THESE PLANS.
- IN THE ABSENCE OF A GEOTECHNICAL INVESTIGATION REPORT, ALL CUT AND FILL SLOPES SHALL BE 2:1 OR FLATTER.
- SOIL STRIPPED SHALL BE STOCKPILED FOR USE IN LANDSCAPED , CONTRACTOR SHALL COORDINATE STOCKPILE LOCATION WITH THE ENGINEER AREAS.
- REASONABLE MEASURES SHALL BE PROVIDED AND PRACTICED TO MINIMIZE ANY NUSANCE FROM DUST DURING GRADING AND CONSTRUCTION OPERATIONS. CONTRACTOR SHALL CONDUCT ALL BRADING OPERATIONS IN SUCH A MANNER AS TO PRECLUDE WIND BLOWN DURT AND DUST AND RELATED DATAGE TO NEIGHEORING PROFERIES. SUFFICIENT NATERING TO CONTROL DUST IS REQUIRED AT ALL TIMES. CONTRACTES SHALL ASSUME LIABULITY FOR CLAIMS RELATED TO NIND BLOWN MATERIAL. THE BOST CONTROL IS NADEANTE AS DETERMINED BY NADEANTIM MATERIAL. THE DOST CONTROL SHADE DATE DETERMINED BY NADEANTIM MATERIAL.
- CONTRACTOR SHALL CONFORM TO EXISTING SURROUNDING TOPOGRAPHY AND OTHER IMPROVEMENTS INTH A SMOOTH TRANSITION IN GRADING, ETC., AND AVOID ANY ABRIPT OR APPRAEMIT CANAGES IN GRADES OR CROSS SLOPES, LOW SPOTS, OR HAZARDOUS CONDITIONS. 6
- ALL TRANSITIONS AND GRADE BREAKS SHALL BE GRADED WITH A SMOOTH CURVE AND BE APPROVED BY THE ENGINEER IN THE FIELD.
- ADJIST ALL UTILITY BOX LIDS TO NEW FINISH GRADE. ALL UTILITY BOXES AND LIDS ARE TO BE TRAFFIC-RATED IN ALL PAVED OR CONCRETE AREAS.

UTILITY NOTES:

- ALL WORK SHALL BE IN COMPLIANCE WITH APPLICABLE OCCUPATIONAL SAFETY ALL WORK SHALL BE IN COMPLIANCE WITH APPLICABLE OCCUPATIONAL SAFETY AND MEALTH ADMINISTRATION (OSHA) STANDARDS AS SET FORTH BY THE FEDERAL DEPARTMENT OF LABOR AND/OR THE STATE OF CALIFORNIA. THE CONTRACTOR SHALL SECURE A TRENCH PERMIT FROM THE CALIFORNIA DIVISION OF INDUSTRIAL SAFETY PRIOR TO EXCAVATION OF ANY TRENCH OVER FIVE (5) FEET DEEP.
- TRENCHING AND BACKFILL WITHIN THE PUBLIC RIGHT OF WAY AND UNDER PRIVATE ROADS SHALL COMPLY WITH NAPA COUNTY SANDARDS. CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE SAFETY STANDARDS FOR TRENCH SAFETY.
- ALL STORM DRAIN SYSTEM INSTALLATION SHALL BE DONE IN ACCORDANCE WITH NAPA COUNTY STANDARDS. PLASTIC PIPE FOR THE STORM DRAIN SHALL COMPLY WITH SECTION 64 OF THE CALIRANS STANDARD SPECIFICATIONS. REIMFORCED CONCRETE PIPE (RCP) SHALL BE CLASS 3 PER SECTION 65 OF THE CALIRANS STANDARD SPECIFICATIONS.
- EXISTING STORM DRAIN SYSTEM MAY BE REQUIRED TO BE VIDEO INSPECTED PRIOR TO DEMOLITION TO VERIFY INTERNITY AND FUNCTIONALITY, NOTIFY ENGINEER OF ANY STRUCTURE OR PIPE DEFICIENCIES.

EROSION CONTROL NOTES:

- ALL MAJOR GRADING SHOWN HEREIN SHALL BE WINTERIZED IF NOT YET COMPLETED PRIOR TO OCTOBER IS OF EACH YEAR THAT THE PROJECT IS WODER CONSTRUCTION. EXCEPTION INCLUEE BUT ARE NOT INITED TO, PROVISIONS THAT THE MAJOR GRADING HAS PREDOMINANTLY BEEN COMPLETED AND THAT THERE COULD BE A DERIMENTAL IMPACT ON THE ENVIRONMENT IF THE MAJOR GRADING REMAINS INCOMPLETE. A REQUEST TO ALLOW GRADING TO OCCUR BETHEEN OCTOBER IS AND ARPLI IS SHALL BESUBTITED TO NARA COMPL. BUILDING AND ENVIRONMENTAL SERVICES THREE (3) MORKING DATS PRIOR TO OCTOBER IS OF EACH TRAR THAT THE PROJECT IS WODER CONSTRUCTION. NO GRADING SHALL OCCUR AFTER OCTOBER IS UNTIL APPROVAL HAS BEEN GRANTED BY THE NARA COUNTY PLANNING, BUILDING AND ENVIRONMENTAL SERVICES DIRECTOR OR HIS REPRESENTATIVES.
- THIS PLAN ADDRESSES EROSION AND SEDIMENT CONTROL MEASURES AND MINOR GRADING ASSOCIATED WITH THE CONSTRUCTION OF THE PROPOSED IMPROVEMENTS SHOWN ON THIS PLAN DURING THE RAIN'S GESON (COTOBER IS TO APRIL U).
- ALL PERM INSTALLED PLACE. 1ANENT AND TEMPORARY SEDIMENT/DETENTION DEVICES SHALL BE PRIOR TO OCTOBER I OF EACH YEAR WITHIN WHICH WORK TAKES
- SILT FENCE AND/OR STRAW WATTLE/LOG SEDIMENT BARRIERS WILL BE INSTALLED PRIOR TO OCTOBER IS AND WILL REMAIN OPERABLE DURING THE RAINY SEASON (OCTOBER 15 TO APRIL I). 4
- CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN TO MEET FIELD CONDITIONS WILL BE MADE ONLY WITH THE APPROVAL OF/OR AT THE DIRECTION 5 OF BARTELT ENGINEERING
- THE CONTRACTOR WILL INFORM ALL CONSTRUCTION SITE WORKERS ABOUT THE MAJOR PROVISIONS OF THE EROSION AND SEDIMENT CONTROL PLAN AND SEEK THER CODERATION IN AVOIDING THE EDISTREBANCE OF THESE EXOSION CONTROL MEASIRES
- DURING THE RAINY SEASON (OCTOBER 15 TO APRIL 1) ALL SEDIMENT BARRIERS WILL BE INSPECTED AND REPARTED AT THE BUD OF EACH MORKING DAY AND, IN ADDITION, AFTER EACH RAIN EVENT PRODUCING RIMOFF.
- BETWEEN OCTOBER 15 AND APRIL I, ALL PAVED AREAS WILL BE KEPT CLEAR OF DIRT, SEDIMENT AND DEBRIG. THE PROJECT AREA NILL BE MAINTAINED 50 THAT A MINIMUM OF SEDIMENT-LADEN RINOFF LEAVES THE STE. 8.
- 9. THE SEEDED AREAS WILL BE REPAIRED, RESEEDED AND MULCHED AS SOON AS POSSIBLE AFTER BEING DAMAGED.
- 10. ALL GRADED OR DISTURBED AREAS SHALL BE SEEDED IMMEDIATELY AFTER GRADING IS COMPLETE.
- II. AREA TO BE SEEDED SHALL BE SCARIFIED TO DEPTH OF FOUR (4) INCHES TO EIGHT (2) INCHES AND DRESSED TO PROVIDE A REASONABLY SMOOTH FIRM SURFACE.
- 12. THE SEED AND FERTILIZER WILL BE APPLIED BY HAND AT THE RATES SPECIFIED

LE BALLISTER'S QUICK COVER CROP APPLIED AT 50 POUNDS PER ACRE IN THE FOLLOWING PERCENTAGES:

NNVAL RYEGRASS (LOLIUM MULTIFLURUM)	509
OFT CHESS (BROMUS MOLLIS)	209
RIMSON CLOVER (TRIFOLIUM INCARNATUM)	259
OSE CLOVER (TRIFOLIUM HIRTUM)	59

AN EQUIVALENT SEED MIX MAY BE SUBSTITUTED BY THE OWNER DEPENDING ON THE SUCCESS OF PRIOR SEED MIXES AND THE NUTRIENT LEVELS IN THE SOIL.

13. FERTILIZER USED SHALL BE ONE OF THE FOLLOWING SPECIFICATIONS:

250 POUNDS PER ACRE 400 POUNDS PER ACRE 300 POUNDS PER ACRE

14. STRAW MULCH SHALL BE APPLIED, BY HAND, TO ALL DISTURBED AREAS AT A RATE OF 4,000 POUNDS PER ACRE.

12-12-12 15-15-15

- CONTRACTOR IS RESPONSIBLE FOR APPROPRIATE APPLICATION AND MAINTENANCE OF EROSION CONTROL MEASURES, INCLIDING SEDIMENT BARRIERS, SEEDING, AND EROSION CONTROL BLANKETS, CONTRACTOR IS RESPONSIBLE TO TAKE APPROPRIATE ACTIONS TO REVENT EROSION FOR THE DIRATION OF THE PROJECT. EROSION CONTROL MEASURES ARE SUBJECT TO APPROVAL BY NAPA COUNTY, BARTELT ENGINEERING AND THE OWNER. SEE EROSION CONTROL DETAILS.
- IG. NORTH AMERICAN GREEN BIONET CI25BN EROSION CONTROL BLANKETS SHALL BE INSTALLED OVER SEED ON ALL DISTURBED SLOPES 4:1 OR STEEPER.





BOLIED IR	ENCH	
CATALOG NO.	A	В
R-4999-FX	20"	1-1/2
R-4999-6X	23'	1-1/2
R-4999-НХ	26"	1-1/2









SLOPE STABILIZATION & EROSION CONTROL BLANKET INSTALLATION DETAIL

WATTLE SEDIMENT BARRIER DETAIL

INSTALLATION DETAIL NO SCALE

C6

16



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



A Tradition of Stewardship A Commitment to Service

MEMORANDUM

То:	Wyntress Balcher, Project Planner	From:	Maureen Bown, Environmental Health Specialist
Date:	March 10, 2020	Re:	Rombauer Vineyards Assessor Parcel #021-410-025 Permit# P19-00103

Environmental Health staff has reviewed an application requesting approval to modify an existing use permit by increasing number of employees and changing marketing events, as described and depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Immediately:

1. The owner/operator shall continue to regularly monitor the alternative wastewater treatment system as required by this Division and submit monitoring reports electronically.

Upon use permit approval/prior to implementing changes authorized by this modification:

2. Plans for the proposed process wastewater system expansion as identified in the Onsite Wastewater Feasibility Report dated March, 2019 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. Applicable fees for an addition to the existing system must be paid when the plans are submitted.

The existing onsite wastewater system is in the Napa County Monitoring Program. The wastewater system designer shall evaluate existing monitoring data when designing this new system so daily wastewater generation rates are based upon facility operations and not just estimates.

3. Water storage for the small public water system serving this facility must be evaluated and expanded so adequate storage equal to the maximum day demand is provided in accordance with the California Code of Regulations, Title 22, Chapter 16,

Section 64554(a). Questions regarding water system requirements shall be directed to Brittany Urquhart or Stacey Harrington of this Division.

Thereafter:

- 4. Faculty currently has an annual food permit (medium risk). As indicated in application materials proposed food service for special marketing events 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.
- 5. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <u>http://cers.calepa.ca.gov/</u> and approved by this Division.
- 6. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
- 7. Adequate area must be provided for collection of recyclables and compostable. 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 designated area shall remain available and be properly maintained for its intended use.



A Tradition of Stewardship A Commitment to Service Planning, Building, & Environmental Services

1195 Third Street, Suite 210 Napa, CA 94559 www.co.napa.ca.us

> Main: (707) 253-4417 Fax: (707) 253-4336

> > David Morrison Director

To:	Wyntress Balcher, Project Planner	From:	Marie Taylor, Building Inspector
Date:	August 28, 2019	Re:	Use Permit – Rombauer Vineyards
			Address: 3522 Silverado Trail
			St. Helena, Ca. 94574
-			APN: 021-410-025

Building Inspection Division; Planning Use Permit Review Comments

The plans provided for the Use Permit application P19-00103 do not provide enough information in sufficient detail to determine code requirements. A complete plan check will be performed at the time of application and plan submittal to the building division for required permits. The following are provided to prepare the applicant for some standard submittal requirements for the plan review of the building permit process.

Any existing structures and/or buildings on the property that will be demolished require a separate demolition permit issued by The Napa County Building Division prior to demolition. The applicant will be required to provide a J number form Bay Area Air Quality Management District at the time of application for the permit.

The site and associated buildings are required to be accessible to persons with disabilities. This includes but not limited to, parking, accessible path of travel from parking to all buildings and areas on site that are available to employees and the public. Plans must also include all accessibility features for the interior work. An Accessible Upgrade Worksheet must be submitted with plans as a part of the permit process.

Occupant load will determine occupancy types, exiting requirements, and restroom facilities.

Any change in occupancy or use will require building to comply with the requirements of the California Building Code for a new occupancy or use.

Should you have any questions, please contact Marie Taylor at (707) 299-1359

1195 Third Street, Suite 101 Napa, CA 94559-3092 www.countyofnapa.org/publicworks

> Main: (707) 253-4351 Fax: (707) 253-4627

> > Steven Lederer Director



A Tradition of Stewardship A Commitment to Service

MEMORANDUM

To:	PBES Staff	From:	Ahsan Kazmi, P.E. Senior Traffic Engineer
Date:	June 22, 2020	Re:	Rombauer Vineyards Winery Modification (P19-00103) Conditions of Approval

This Conditions of Approval (COA) memorandum is prepared at the request of Planning, Building, and Environmental Services (PBES) staff, regarding the Use Permit Modification Application # P19-00103 for the Rombauer Vineyards Winery Project, to increase the number of full-time employees from twenty-five (25) to fifty-five (55) and increase the number of part-time/seasonal employees from nine (9) to twenty-six (26). The proposed project is located at 3522 Silverado Trail St. Helena, CA 94574 (APNs 021-410-024 & 021-410-025) in Napa County, California.

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

- Napa County Use Permit Modification Application filled by Lynn S. Sletto, Rombauer Vineyards, dated March 23, 2019.
- Statement of Request; March 2019.
- Trip Generation Worksheet; March 2019.
- Amended and Restated Statement of Request, dated May 22, 2020.
- Updated Trip Generation Worksheet, dated 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 updated trip generation worksheet, net trip increase is not significant enough to trigger a new traffic impact study report.

Left Turn Lane:

Based on the existing field conditions, a left turn lane already exists on the northbound approach of Silverado Trail serving the project site.

The Department of Public Works has established the following conditions of approval related to the Use Permit Application Number P19-00103. All listed conditions of approval shall be fully completed prior to the issuance of a <u>Building Permit:</u>

1. Project Trip Generation

Winery daily operation shall not exceed **76 (Non-Harvest)/94 (Harvest)** trips during the Friday P.M. Peak Hour and **90 (non-Harvest)/95 (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 applicant/permittee shall provide **deceleration and acceleration lanes** on Silverado Trail at the entrance to the project driveway per Napa County's current Road and Street Standards to further enhance safety conditions as proposed in the Amended and Restated Statement of Request.

3. Transportation Demand Management Plan

The applicant/permittee shall submit a Transportation Demand Management (TDM) Plan that will include measures to reduce **Vehicle Miles Traveled (VMT) by 15 percent**, prior to issuance of a Building Permit. The measures shall include, but are not limited to, the detailed shuttle service program, subsidized transit passes, carpool incentives, and bicycle trip-end facilities. It is recommended that when group reservations are made, staff encourage the guests to carpool or use a shuttle or van. Implementation and monitoring shall be included in the TDM Plan.

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. On Street Parking

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

6. 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.

7. 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.

8. 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.

Please contact me at <u>Ahsan.Kazmi@countyofnapa.org</u> or call (707) 259-8370 if you have questions or need additional information related to this condition of approval memorandum.



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

A Tradition of Stewardship A Commitment to Service

MEMORANDUM

TO:	Planning	DATE:	7/17/2020
FROM:	Adam Mone, Plans Examiner		
SUBJECT:	19-00103; Rombauer Vineyards Winery Major Modification	APN:	021-410-025;021-410- 024

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. 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.
- 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.
- 4. 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.
- 5. Provide 100 feet of defensible space around all structures.
- 6. 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. Should you have any questions of me, contact me at (707)299-1466 or email at adam.mone@countyofnapa.org