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

**PLANNING COMMISSION HEARING –DECEMBER 7, 2022
RECOMMENDED CONDITIONS OF APPROVAL**

**Bella Union Winery Major Modification P19-00139-MOD
1695 State Highway 29
Assessor’s Parcel Number 027-470-007**

This permit encompasses and shall be limited to the project commonly known as Bella Union Winery, located at 1695 State Highway 29/St. Helena Highway. 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 encompasses and replaces the terms of Use Permit U-168687 and Use Permit Modifications No. 03233; No. 03531; No. P08-00522; P10-00390; P11-00206; P12-00112; P12-00430; P13-00246; and P16-00073 and shall be limited to:

- 1.1 Approval to modify an existing 180,000 gallon per year winery, to allow the following:
 - a. Increase annual production from 180,000 to 300,000 gallons;
 - b. Increase employment from 12 employees to 38 full-time and seven (7) part-time employees;
 - c. Visitation and tours and tasting as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.2 below;
 - d. Marketing as set forth in Conditions of Approval Nos. 4.1 and 4.3 below;
 - e. Expand production hours of operation from 7:00 a.m. to 7:00 p.m. to 6:00 a.m. to 6:00 p.m. and hospitality hours of operation from 10:00 a.m. to 4:00 p.m. to 10:30 a.m. to 6:30 p.m.;
 - f. Allow food and wine pairings with tours and tastings;
 - g. Construct an approximately 15,700 s.f. barrel storage with an attached, approximately 2,000 s.f. office building (remodel of the previously approved, but never constructed 20,650 barrel building);
 - h. Construct an approximately 1,200 s.f. addition to the existing winery building and remodel interior space of the existing building including installation of a commercial kitchen;

- i. Construct two (2) approximately 2,600 s.f. canopies over existing outdoor production space;
- j. Increase parking from 45 parking spaces to 59 parking spaces;
- k. Allow on-premises consumption of wine as set forth in COA No. 4.4 below;
- l. Reclassify the facility's domestic water system from a transient, non-community system to a non-transient, non-community system;
- m. Improve the winery wastewater system; and
- n. Improve the driveway to include an exclusive right turn lane when exiting the driveway.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 MONITORING COSTS

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

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

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and “clearly incidental, related, and subordinate to the primary operation of the winery as a production facility.”

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

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

4.2 TOURS AND TASTINGS/VISITATION

A. By Appointment Visitation

Tours and tastings shall be by appointment only and shall be limited to the following:

1. Frequency: 7 days per week, Monday through Sunday
2. Maximum number of persons per day Monday – Thursday: 132
3. Maximum number of persons per day Friday – Sunday: 182
4. Maximum number of persons per week: 1,074
5. Hours of visitation: 10:30 a.m. to 6:30 p.m.

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times 3:00 p.m. to 4:00 p.m.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

B. Recognition of Pre-WDO Visitation

Existing Public Tours & Tastings shall be limited to the following:

1. Frequency: 7 days per week, Monday through Sunday
2. Maximum number of persons per day: No maximum
3. Maximum number of persons per week: 300
4. Hours of visitation: 10:30 a.m. to 6:30 p.m.

C. Total By Appointment Visitation and Public Visitation

1. Total maximum number of persons per day Monday – Thursday: 175
2. Total maximum number of persons per day Friday – Sunday: 225
3. Total maximum number of persons per week: 1,375
4. Food pairings prepared in the onsite commercial kitchen to serve 16 guests per day and food pairings of pre-packaged food for up to 50% of daily guests.

4.3 MARKETING

Marketing events shall be limited to the following:

- a. Event 1 – Annual Event
 1. Frequency: 1 time per year
 2. Maximum number of persons: 500
 3. Time of Day: 6:30 p.m.10:00 p.m.

- b. Event 2
 1. Frequency: 12 times per year
 2. Maximum number of persons: 100
 3. Time of Day: 6:30 p.m.10:00 p.m.

- c. Event 3
 1. Frequency: 3 times per week
 2. Maximum number of persons: 50
 3. Time of Day: 10:30 a.m.10:00 p.m.
 4. Only one (1) event of this type shall occur per day during visitation hours - 10:30 a.m. to 6:30 p.m.

- d. Portable toilet facilities shall be used for all events with more than 50 guests in attendance.

- e. Catering services shall be used for all events with more than 50 guests in attendance.

- f. Marketing Event Operations

These following measures will be posted on premises in the employee break room and included in the winery’s contracts with event vendors:

 1. Evening events will end not later than 10:00 p.m.; clean-up will end at 10:30 p.m.
 2. No outdoor sound amplification devices are allowed at events.
 3. Indoor sound amplification devices used for the annual event will be turned off not later than 9:00 p.m.
 4. Operable doors and windows located on the north side of the winery will be closed after 9:00 p.m. during evening events.
 5. Cars parked onsite for the annual 500-person event will be valet-only.
 6. Advanced notice of valet parking for the annual event will be provided to attendees and signage will also be posted on the evening of the event.

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan (County Code).

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 p.m. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery's marketing plan because they are covered by ANV's Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the winery building and outdoor patios. 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 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 85,000 gallons of production originally approved Use Permit U-168687 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 the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

4.7 COMPLIANCE REVIEW

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

Visitation log books, visitor reports, custom crush client records, and any additional documentation determined by Staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance review process.

4.8 RENTAL/LEASING

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

4.9 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**

4.10 AMPLIFIED MUSIC

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

4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times

(3:00 p.m. to 4:00 p.m). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

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

The installation, operation and maintenance of the process wastewater ponds shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.

c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint

colors that differs from the approved building permit. Highly reflective surfaces are prohibited.

- d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS

Temporary off-site signage, such as “A-Frame” signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies’ requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated November 18, 2022.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated November 28, 2022.
- c. Department of Public Works operational conditions as stated in their Memorandum dated August 9, 2022.
- d. Fire Department operational conditions as stated in their Inter-Office Memo dated May 27, 2022.

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

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. Traffic Demand Management Plan

Within 30 days of permit approval and prior to implementation of operational changes of the Winery, the permittee shall submit a Traffic Demand Management (TDM) Plan to the Planning Division and the Public Works Department for review and approval including specific measures to reduce Vehicle Miles Travelled (VMT) by 15%. Such plan shall be implemented for the life of the project. Reports documenting the reduction in trips and vehicle miles below 110 ADT resulting from implementation of the TDM Plan shall be submitted to the PBES Department no later than January 31 of each

calendar year. The PBES Director or the Director's designee may require project modifications for the permittee's failure to demonstrate active implementation of the TDM Plan.

i. The Plan shall include:

- a. Schedule all by-appointment guests and employees during the Friday and Saturday PM peak traffic hours (3:00 – 4:00 PM) to preclude any new inbound or outbound traffic during these hours.
- b. Provide bike lockers.

- b. Groundwater Management - The parcel shall be limited to 20.9 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. The permittee shall not implement any increases to production, employees, tours and tastings and marketing events, as described in COAs 1.1.a and 4.2 and 4.3 herein, prior to completion of the improvements to the driveway right turn lane, water system, and septic system, as detailed in other division memorandums.
- d. Greenhouse Gas Best Management Practices – Operational items checked on the attached Voluntary Best Management Practices Checklist for Development Projects, dated April 20, 2022, by the applicant, shall be implemented and evidence of implementation shall be provided to staff upon request.

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.

PART III

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.

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

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

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

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

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

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

- a. Engineering Services Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated November 18, 2022.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated November 28, 2022.
- c. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated August 9, 2022.
- d. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated May 27, 2022.

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

6.2 BUILDING DIVISION – GENERAL CONDITIONS

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.

- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division’s review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County’s Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner’s office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6” diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a

result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.
- b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.
- c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of

issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

- 6.9 HISTORIC RESOURCES **[RESERVED]**
- 6.10 DEMOLITION ACTIVITIES **[RESERVED]**
- 6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**
- 6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**
- 6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**
- 6.14 FINAL MAPS **[RESERVED]**
- 6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS
 - 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 PBES Director 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 this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on

the property exceeds, or is on track to exceed, 20.9 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 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 maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
 - i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.
 - b. In conjunction with building permit application submittal, the permittee shall not include natural gas appliances or natural gas plumbing within new areas of winery building construction and/or renovation of existing winery buildings.
 - c. In conjunction with building permit application submittal, the project shall comply with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
 - d. In conjunction with building permit application submittal, the permittee shall provide documentation confirming to the Planning Division that all checked Voluntary Best Management Practices Measures submitted with the project Major Modification application shall be addressed through project construction and/or implemented through winery operation.

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

Please contact Engineering Services with any questions regarding the following.

- a. **GRADING AND SPOILS**
All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director,

when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

b. DUST CONTROL

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

c. AIR QUALITY

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

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ

http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County 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

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

9.4 LANDSCAPING

Landscaping shall be installed in accordance with the approved landscaping plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS

The permittee shall designate an exclusive right turn lane at the exit of the driveway. The design of the right turn lane shall be submitted to the Public Works Department for review and approval. The right turn 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 CERTIFICATE OF OCCUPANCY

- a. All required meters shall be installed and all groundwater usage monitoring required in COA 4.20(a) and 6.15(a) above shall commence within 30 days.
- b. Signs – Prior to changing the existing winery signs previously approved under sign permit #03142, detailed plans, including elevations, materials, color, and lighting shall be submitted to the Department for review and approval prior to modification.

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

**Bella Union Winery Major Modification
P19-00139-MOD
1695 State Highway 29
Assessor's Parcel Number 027-470-007**

PREVIOUS CONDITIONS

4.21 The permittee shall comply with the following previous conditions of approval for the Bella Union Winery use as consolidated in this document. 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 No: U-168687

COA No. 1 The permit be limited to the construction and operation of an 85,000 gallons per year winery including above ground waste water treatment facilities as submitted by the applicant in the attached plot plan. Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.

~~COA No. 7 No outside social activities including outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature. [Removed by Very Minor Modification No: P16-00073]~~

COA No. 8 Retail sales shall be limited to wine produced and bottled by the winery. ~~Retail sales may commence following the construction of the winery.~~

B. Minor Modification No: #03233

COA No.1 Construction of a 120 s.f. pump house; installation of two (2) 8,000 gallon water tanks. The above project shall be consistent with the approve application materials. Any other changes will require review and approval of a use permit modification by the County.

C. Major Modification No: #03531

COA No. 1. **[Entitlements and Conditions of Approval have been shown as strike out and replaced by Conditions of Approval for P19-00139-MOD]**

Scope: The permit shall be limited to:

- ~~Wine production of no more than 180,000 gallons per year.~~
- ~~Construction of a 20,657 square foot winery addition to be utilized for barrel storage, plus mechanical room, lab and employee breakroom for a winery totaling 36,897 square feet.~~

- Construction of a 3,028 square foot canopy of the existing crush pad
- Addition of 6 additional employee parking spaces for a total of 12 and 2 customer spaces for a total of 36.
- ~~Reduce the number of shifts to 1 with a total of 12 full / 0 part-time employees.~~
- ~~Recognition of the existing marketing plan (summarized below).~~
- Construction of a stormwater detention pond.

The barrel building, canopy, and detention pond shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, constructors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

COA No.2. [Entitlements and Conditions of Approval have been shown as strike out and replaced by Conditions of Approval for P19-00139-MOD]

~~Marketing: Marketing events shall be limited as follows:~~

~~Hosted tours and tastings for wine trade personel and consumers by appointment.~~

~~Frequency: Daily~~

~~Number of persons: 10 to 25 persons, maximum of 65/week~~

~~Time of day: 10:00 am to 10:00 p.m.~~

~~Private promotional tastings and meals~~

~~Frequency: 24 times per year~~

~~Number of persons: 25 to 50, average 35~~

~~Time of day: 10:00 am to 10:00 p.m.~~

~~Wine Auction and release events, such as barrel tasting, auctions and other social events accompanied by food and wine.~~

~~Frequency: 12 per year~~

~~Number of persons: 50 to 200, average 100~~

~~Time of day: 10:00 am to 10:00 p.m.~~

~~"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural or social events unrelated to such education and development. (Ord. 1104 Section 11, 1996;~~

~~Ord. 947 Section 9 (part), 1990; prior code Section 12071). All activity including clean up shall cease by 10:00 PM. Start and finish times of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.~~

COA No. 3 Grape Source: [Entitlements and Conditions of Approval have been shown as strike out and replaced by Conditions of Approval for P19-00139-MOD]

~~At least 75% of the grapes used to make the winery's increased 95,000 gallons/yr. production of still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.~~

D. Minor Modification No: P08-00522

COA No. 1. Scope: This approval is limited to the following:

- a. construct a 1,790 square foot employee break room and lab area;
- b. construct a total of 2,436 square foot mechanical room housing a diesel generator;
- c. relocate an electrical room to the south end of the building;
- d. add a 75,000 gallon water storage tank;
- e. move the existing transformer to the south end of the building;
- f. underground electrical and fire service lines;
- g. redesign the sprinkler system; and
- h. future additions identified on plans are not included in this approval.

E. Very Minor Modification No: P11-00206

COA No. 1 Scope: This permit shall be limited to:

- Expand the existing 4,290 outdoor crush pad by 3,210 square feet to a maximum of 7,500 square feet;
- Construct a 7,500 square foot canopy cover over the existing/proposed crush pad; and
- Construct a 1,600 square foot mezzanine for wine storage within the existing winery building.

F. Very Minor Modification No. P12-00112

COA No. 1 Scope: The approval is limited to the following:

- a. Adding 12 picnic tables to an existing lawn area on the east side of the winery building.

This permit does not include any increase to annual production, tours and tasting and marketing visitor numbers, number of employees, hours of operation, etc.

The activities permitted on the site are limited to those shown on the plans and information submitted with the Modification. Any substantial change in use is subject to review and approval as determined by the CDPD Director in accordance with the Zoning Ordinance.

G. Very Minor Modification No: P12-00430

COA No. 1 Scope: The permit shall be limited to:

- a. The conversion of a 144 square foot office space to hospitality area, located on the first floor.
- b. Conversion of a 1,600 square foot mezzanine (wine storage only) to hospitality area, located on the second floor.
- c. The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which is necessitated by the requirements of other departments or agencies, are subject to further County approval.

H. Very Minor Modification No: P13-00246

COA No. 1 Scope: The permit shall be limited to:

- a. Modify the existing landscaped area;
- b. construction of an 819 square foot pergola;
- c. Construction of a 4,276 square foot pergola; and
- d. The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which is necessitated by the requirements of other departments or agencies, are subject to further County

I. Very Minor Modification No: P16-00073

COA No. 1 Scope: The approval allows the following:

- a. The construction of two exterior trellis;
- b. The construction of a decorative garden wall;
- c. Allow for on premise consumption of wines produced on site in accordance with the Business & Professions Code Sections 223396.5 (also known as the AB 2004 (Evans 2008) or the Picnic Bill) within the approved tasting area and in the new approved outdoor area;
- d. Allowing food and wine pairings;
- e. Remove condition #7 within the Use permit #U-168687



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David Morrison
Director

MEMORANDUM

To: Emily Hedge, Planning	From: Jeannette Doss, Engineering <i>JD</i>
Date: November 18, 2022	Re: Bella Union Winery Use Permit Mod – Engineering CoA 1695 St. Helena Hwy, St Helena, CA P19-00139 APN 027-470-007-000

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:

- Existing access taken from State Highway 29 (aka St. Helena Highway) via an existing paved driveway.
- Bale Slough, a major USGS blue line stream is situated to the west and southwest of the winery. Bale Slough falls under the Napa County jurisdictional limits for Special Flood Hazard Areas (SFHAs) for regulation of riparian zones and activities therein.
- The site is located entirely within a Federal Emergency Management Agency (FEMA) regulated 100 year SFHA (Zone A Unnumbered) associated with the Bale Slough floodplain. The Base Flood Elevation (BFE), the elevation of the flood having 1-percent-chance of being equaled or exceeded in any given year, at the most upstream point of the project is undetermined.
- The existing parcel is approximately 60.65 acres.
- Site is currently developed with a winery, associated winery accessory structures, access roads, parking, vineyards, and wastewater ponds.

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.
3. No person shall deposit or remove any material, excavate, construct, install, alter or remove any structure within, upon or across a Special Flood Hazard Area, nor otherwise alter the hydraulic characteristics of a Special Flood Hazard Area **without first obtaining a floodplain permit** pursuant to Chapter 16.04 of the Napa County Code and in conformance with county Code and 44 CFR Section 60.3.
4. All roadway, access drive, and parking area improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification.

PREREQUISITES FOR ISSUANCE OF PERMITS

5. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
6. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, and Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
7. **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.
8. **Prior to issuance of a building or grading permit** the owner shall demonstrate on the plans that all roadways, access driveways, and parking areas serving the project either currently meet the

requirements and/or how they will be improved to meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development.

9. All roadway improvements identified in the final traffic impact analysis shall be constructed, reviewed and approved by this office prior to issuance of a building or grading permit.
10. Applicant shall obtain an encroachment permit from the California Department of Transportation for any proposed work within the CalTrans Right of Way.
11. The applicant shall demonstrate that they have obtained the proper construction easements for any work within right of way of the wine train.
12. **Prior to issuance of a building, grading permit, or floodplain management permit** the owner shall submit a complete application for a floodplain management permit for the proposed work. A complete submittal shall include, but is not limited to:
 - a) A complete site plan demonstrating the Floodplain and Floodway Boundaries.
 - b) Plans shall include all existing and proposed structures, fill, storage of materials, drainage facilities
 - c) Spot ground elevations at the corners of all structures and at twenty-foot or smaller intervals along the foundation footprint, or one-foot contour elevations throughout the building site;
 - d) Locations of water supply, sanitary sewer facilities, and utilities;
 - e) The base flood elevation for the property developed in accordance with FEMA publication FEMA 256 - Managing Floodplain Development in Zone A Areas;
13. **Prior to issuance of a building, grading permit, or floodplain management permit** for alterations to the existing winery structure the owner shall submit:
 - a) A detailed cost estimate of the proposed improvements or alterations;
 - b) A list of any prior improvements to the structure that occurred within the a ten (10) year period dating back from the time of the floodplain permit application and their associated costs;
 - c) A complete list of the historical and current valuations of the structure only, not including land values. The structure value shall be listed as the building's value at the time prior to when each improvement was performed.

County Engineering staff shall perform a Substantial Improvement (SI) determination based on the provided cumulative sum of the improvement costs as a percentage of the historical structure values at the time each improvement occurred within the last ten years. If the SI determination shows the total of all improvements has or will exceed 50% of the structure value then the owner shall provide improvement plans to either raise the structure's finished floor to the DFE or provide floodproofing of the entire structure to the DFE or higher. Depreciation shall be factored into the as-is replacement cost of the structure when determining existing valuations for the purpose of performing the SI determination.

14. **For any proposed floodproofing alterations to existing structures the applicant shall provide a preliminary** floodproofing plan validated and certified by a professional engineer to provide

evidence and assurance that no alterations, proposed or otherwise, have or will compromised the water tightness of the building envelope and that staff and operators are properly trained to administer the floodproofing plan and procedures in the event of an emergency. The certification shall include:

- a) Written verification that the building envelope is watertight;
 - b) Written certification that the Engineer of Record's design and construction are in accordance with American Society of Civil Engineers ASCE 24-05 requirements to meet FEMA criteria;
 - c) A comprehensive Maintenance Plan for the entire structure including the materials used for floodproofing, shields, gates, etc.;
 - d) An Emergency Action Plan for the installation of flood shields and other measures;
 - e) Written certification that all components and systems when installed meet the requirements of ASCE 24-05;
 - f) Documentation or certification from the Authority Having Jurisdiction (permitting official) that they have reviewed and inspected the structure with all floodproofing measures in place and provide evidence of approved final inspection and certificate of occupancy.
15. **Prior to issuance of a building or grading permit** the owner shall prepare a 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. The Stormwater Control Plan shall include the water balance analysis for the use of the existing wastewater pond to handle the additional stormwater flows.
16. **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.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

17. All roadway, access drive, and parking area improvements shall be completed **prior to** issuance of temporary occupancy of any new and/or remodeled structures.
18. A Completed Elevation certificate (FEMA Form 086-0-33) shall be submitted and approved by the Engineering Division **prior to** issuance of temporary occupancy of any new and/or remodeled structures.
19. A Completed Floodproofing Certificate (FEMA Form 086-0-34) shall be submitted and approved by the Engineering Division **prior to** issuance of temporary occupancy of any new and/or remodeled floodproofed structures.

**** If no temporary occupancy is requested, then the above conditions become requirements prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

20. Operations and Maintenance Agreement for any required post-construction Stormwater facilities must be legally recorded.

21. 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



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Brian Bordona
Interim Director

MEMORANDUM

To: Emily Hedge, Planner	From: Kim Withrow, Supervising Environmental Health Specialist 
Date: November 28, 2022	Re: Use Permit for Bella Union 1695 State Highway 29 AP# 027-470-007 Application #P19-00139

Environmental Health Division staff has reviewed an application requesting to approve an increase in visitation, production, and employees among other items as described and depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to implementing any changes authorized by this use permit and/or prior to building permit issuance:

1. Complete plans and specifications for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Division prior to issuance of any building permits for said areas. An annual food permit will be required.
2. Plans for the proposed sanitary waste alternative sewage treatment system(s) 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.
3. A permit to construct the sanitary wastewater treatment systems must be

secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.

4. Prior to an increase in wine production the applicant shall enroll for coverage under the General Waste Discharge Requirements for Process Water (Winery General Order) by submitting the Notice of Intent, Technical Report and Application to the San Francisco Regional Water Quality Control Board or Napa County, if applicable, for the winery process water treatment system.
5. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits and prior to increasing employees/visitation. The technical report must be completed by a licensed engineer with experience in designing water systems. The preliminary technical report must be submitted to the Regional Water Quality Control Board staff a minimum of six (6) months prior to beginning any water-related improvement in accordance with the California Health and Safety Code, Section 116527. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The applicant must comply with all required monitoring and reporting. Water softener brine may not be discharged to land in compliance with the Winery General Order. An alternative method to handle water softener brine (no discharge to land) must be evaluated, reviewed, and approved when the water system plans are reviewed.
6. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.

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

7. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the onsite wastewater system include equipment storage, traffic, parking, pavement, livestock, etc.
8. An annual alternative sewage treatment system monitoring permit must be obtained for the sanitary waste alternative sewage treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with. An annual food facility operating permit and water system permit must be obtained.

9. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

10. When proposed food service is catered, 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.
11. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/> and be approved by this Division within 30 days of said activities.
12. The applicant shall provide portable toilet facilities for guest use during events of 100 persons or more as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.
13. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
14. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.



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Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Sayed Fakhry, P.E., T.E., Traffic Engineering Staff Consultant
Date: August 9, 2022	Re: Bella Union Winery, P19-00139 Final TIR & Conditions of Approval

This memorandum is prepared at the request of Planning, Building, and Environmental Services (PBES) staff to assess if the Final Traffic Impact Report (TIR) prepared by Crane Transportation Group, dated March 2, 2022, related to the use permit application #P19-00139, for the Bella Union Winery (APN 027-470-007-000), and Crane Transportation Group Response Letter to the County Public Works dated June 16, 2022 sufficiently address the comments provided in the May 25, 2022 memo by the Department of Public Works on the TIR.

After careful evaluation and review of the documents, we believe that the Final TIR report dated March 2, 2022 and Response Letter dated June 16, 2022 provide sufficient information to develop conditions of approval for the project. However, the June 16, 2022 Response Letter corrections and responses shall be included in the TIR before finalizing the report:

The Department of Public Works established the following conditions of approval related to the Use Permit Application Number P19-00139:

Project Driveway

1. The Project Driveway access to the public right-of-way must conform to the latest edition of the Napa County Road and Street Standards. All driveways shall have STOP sign and STOP pavement message entering State Route 29-128. In addition, the driveway shall have appropriate warning signs for railroad crossing. The project driveway shall have a double yellow centerline and an exclusive right-turn lane. The plans for the driveway shall be submitted to the County Public Works for review and comments and then shall be submitted to Caltrans for their review and approval and issuance of State permit.

Landscaping Maintenance

2. Landscaping adjacent to the project driveway shall be designed and maintained 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 6 feet in height removed once the tree is established.

Bicycle Racks

3. The applicant shall provide a minimum of ten bicycle racks at the project site for bicycle riders. Shower amenities shall be provided on-site.

Transportation Demand Management

4. The project/applicant shall implement the following TDM measures. Measures are subject to revision upon annual review with County Staff:
 - a. The Winery will appoint a staff person designated as the TDM Program coordinator. The role of the coordinator will be to facilitate employees reducing solo-vehicle commuting and to report to County staff on January 15th of each year (annual basis) on the status of the strategies implemented. The TDM strategies shall result in the VMT reduction of 15 percent. It is important to continually monitor and adjust the TDM Program. Employee mode split surveys shall be conducted each year and the actual trip lengths of employee commutes shall be used to calculate VMT reductions.
 - b. Financial incentives should be provided for employees to participate in carpools and vanpools.
 - c. Electric car charging stations should be provided to serve employees and guests.
 - d. Bicycle racks and storage areas should be provided for the Winery employees and guests.
 - e. Employee work hours should be staggered to the extent possible in order to avoid congestion during the peak traffic hours on State Lane.
 - f. Remote location and work-at-home opportunities should be offered to the extent possible.
 - g. Deliveries should be scheduled, to the extent possible, during times that avoid peak hour traffic on State Lane.
 - h. The Winery needs to enroll in "Napa Valley Forward," a program aimed at reducing traffic along major roads in the Napa Valley. This should be accomplished by the promotion of carpooling, vanpooling, bicycle commuting and the use of public transit systems as available.
 - i. The Winery needs to enroll in the "Bay Area Commuter Benefits Program," where employees report their carpooling activities and receive company-paid subsidies.
 - j. The Winery shall prepare an Annual Performance Review and provide to Napa County.
 - k. Bicycle parking spaces shall be provided as per the Napa County Municipal Code 18.110.040.
 - l. There shall be no parking within the public right-of-way that is associated with any of the Winery special event activities. All parking shall be accommodated on-site or shuttles shall be provided from off-site legal parking areas.

Parking

5. Applicant shall provide overflow parking areas and valet parking for scheduled events.

Encroachment Permit Requirement

6. An encroachment permit along with the required fee and a proposed traffic control plan will be required for the construction of any improvements within public right of way. Please contact the Roads office at (707) 944-0196 to initiate the encroachment permit process. More information on these is available at our website: <http://www.countyofnapa.org/publicworks/roads/>

Please contact Ahsan Kazmi at Ahsan.Kazmi@countyofnapa.org or call (707) 259-8370 if you have questions or need additional information.



A Tradition of Stewardship
A Commitment to Service

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

Office: (707) 299-1464

James Bales
Fire Marshal

MEMORANDUM

TO:	Planning Department	DATE:	5/27/2022
FROM:	Jason Downs	PERMIT #	P19-00139
SUBJECT:	Bella Union Winery	APN:	027-470-007-000

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 the time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.
3. Where conditions listed in 2019 California Fire Code Section 105.7 are proposed, separate permits will be required prior to Building Permit issuance for **Automatic fire-extinguishing systems, Fire alarm and detection systems and related equipment, Fire pumps and related equipment, High-piled Storage, Private fire hydrants, Special event structure, Standpipe systems, Temporary membrane structures, and tents.**
4. 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
5. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide for all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
6. Provide fire department access roads within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
7. Roadways shall be a minimum of 20 feet in width with a 2-foot shoulder and 15-foot vertical clearance.



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Fire Marshal

MEMORANDUM

8. Turnouts shall be a minimum of 12 feet in width, 30 feet in length, and a 25-foot taper on each end.
9. Turnarounds are required on driveways and dead-end roadways.
10. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
11. 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.
12. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested, and maintained per NFPA 24.
13. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
14. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains
15. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
16. 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.
17. Provide 100 feet of defensible space around all structures.
18. Provide 10 feet of defensible space for fire hazard reduction on both sides of all roadways of the facility.



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MEMORANDUM

19. Emergency responder radio coverage **in** new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

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



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Planning, Building & Environmental Services - Hillary Gitelman, Director
1195 Third Street, Napa, CA 94559 - (707) 253-4417 - www.countyofnapa.org

Project name & APN: _____
Project number if known: _____
Contact person: _____
Contact email & phone number: _____
Today's date: _____

Voluntary Best Management Practices Checklist for Development Projects

Napa County General Plan Policy CON-65 (e) and Policy CON-67 (d) requires the consideration of Greenhouse Gas (GHG) emissions in the review of discretionary projects and to promote and encourage "green building" design. The below Best Management Practices (BMPs) reduce GHG emissions through energy and water conservation, waste reduction, efficient transportation, and land conservation. The voluntary checklist included here should be consulted early in the project and be considered for inclusion in new development. It is not intended, and likely not possible for all projects to adhere to all of the BMPs. Rather, these BMPs provide a portfolio of options from which a project could choose, taking into consideration cost, co-benefits, schedule, and project specific requirements. Please check the box for all BMPs that your project proposes to include and include a separate narrative if your project has special circumstances.

Practices with Measurable GHG Reduction Potential

The following measures reduce GHG emissions and if needed can be calculated. They are placed in descending order based on the amount of emission reduction potential.

Already Plan
Doing To Do

ID # BMP Name

BMP-1 Generation of on-site renewable energy
If a project team designs with alternative energy in mind at the conceptual stage it can be integrated into the design. For instance, the roof can be oriented, sized, and engineered to accommodate photovoltaic (PV) panels. If you intend to do this BMP, please indicate the location of the proposed PV panels on the building elevations or the location of the ground mounted PV array on the site plan. Please indicate the total annual energy demand and the total annual kilowatt hours produced or purchased and the potential percentage reduction of electrical consumption. Please contact staff or refer to the handout to calculate how much electrical energy your project may need.

BMP-2 Preservation of developable open space in a conservation easement
Please indicate the amount and location of developable land (i.e.: under 30% slope and not in creek setbacks or environmentally sensitive areas for vineyards) conserved in a permanent easement to prohibit future development.

Already Plan
Doing To Do

BMP-3 Habitat restoration or new vegetation (e.g. planting of additional trees over 1/2 acre)

Napa County is famous for its land stewardship and preservation. Restoring areas within the creek setback reduces erosion potential while planting areas that are currently hardscape (such as doing a bio-retention swale rather than underground storm drains) reduces storm water and helps the groundwater recharge. Planting trees can also increase the annual uptake of CO₂e and add the County's carbon stock.

BMP-4 Alternative fuel and electrical vehicles in fleet

The magnitude of GHG reductions achieved through implementation of this measure varies depending on the analysis year, equipment, and fuel type replaced.

Number of total vehicles _____

Typical annual fuel consumption or VMT _____

Number of alternative fuel vehicles _____

Type of fuel/vehicle(s) _____

Potential annual fuel or VMT savings _____

BMP-5 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 2

The California Building Code update effective January 1, 2011 has new mandatory green building measures for all new construction and has been labeled CALGREEN. CALGREEN provides two voluntary higher levels labeled CALGREEN Tier I and CALGREEN Tier II. Each tier adds a further set of green building measures that go above and beyond the mandatory measures of the Code. In both tiers, buildings will use less energy than the current Title 24 California Energy Code. Tier I buildings achieve at least a 15% improvement and Tier 2 buildings are to achieve a 30% improvement. Both tiers require additional non-energy prerequisites, as well as a certain number of elective measures in each green building category (energy efficiency, water efficiency, resource conservation, indoor air quality and community).

BMP-6 Vehicle Miles Traveled (VMT) reduction plan

Selecting this BMP states that the business operations intend to implement a VMT reduction plan reducing annual VMTs by at least 15%.

Tick box(es) for what your Transportation Demand Management Plan will/does include:

- employee incentives
- employee carpool or vanpool
- priority parking for efficient transportation (hybrid vehicles, carpools, etc.)
- bike riding incentives
- bus transportation for large marketing events
- Other:

Estimated annual VMT _____

Potential annual VMT saved _____
% Change _____

Already Plan
Doing To Do

BMP-7 Exceed Title 24 energy efficiency standards: Build to CALGREEN Tier 1

See description below under BMP-5.

BMP-8 Solar hot water heating

Solar water heating systems include storage tanks and solar collectors. There are two types of solar water heating systems: active, which have circulating pumps and controls, and passive, which don't. Both of them would still require additional heating to bring them to the temperature necessary for domestic purposes. They are commonly used to heat swimming pools.

BMP-9 Energy conserving lighting

Lighting is approximately 25% of typical electrical consumption. This BMP recommends installing or replacing existing light bulbs with energy-efficient compact fluorescent (CF) bulbs or Light Emitting Diode (LED) for your most-used lights. Although they cost more initially, they save money in the long run by using only 1/4 the energy of an ordinary incandescent bulb and lasting 8-12 times longer. Typical payback from the initial purchase is about 18 months.

BMP-10 Energy Star Roof/Living Roof/Cool Roof

Most roofs are dark-colored. In the heat of the full sun, the surface of a black roof can reach temperatures of 158 to 194 °F. Cool roofs, on the other hand, offer both immediate and long-term benefits including reduced building heat-gain and savings of up to 15% the annual air-conditioning energy use of a single-story building. A cool roof and a green roof are different in that the green roof provides living material to act as a both heat sink and thermal mass on the roof which provides both winter warming and summer cooling. A green (living) roof also reduces storm water runoff.

BMP-11 Bicycle Incentives

Napa County Zoning Ordinance requires 1 bicycle rack per 20 parking spaces (§18.110.040). Incentives that go beyond this requirement can include on-site lockers for employees, showers, and for visitor's items such as directional signs and information on biking in Napa. Be creative!

BMP-12 Bicycle route improvements

Refer to the Napa County Bicycle Plan (NCPTA, December 2011) and note on the site plan the nearest bike routes. Please note proximity, access, and connection to existing and proposed bike lanes (Class I: Completely separated right-of-way; Class II: Striped bike lane; Class III: Signed Bike Routes). Indicate bike accessibility to project and any proposed improvements as part of the project on the site plan or describe below.

Already Plan
Doing To Do

BMP-13 Connection to recycled water

Recycled water has been further treated and disinfected to provide a non-potable (non-drinking water) water supply. Using recycled water for irrigation in place of potable or groundwater helps conserve water resources.

BMP-14 Install Water Efficient fixtures

WaterSense, a partnership program by the U.S. Environmental Protection Agency administers the review of products and services that have earned the WaterSense label. Products have been certified to be at least 20 percent more efficient without sacrificing performance. By checking this box you intend to install water efficient fixtures or fixtures that conserve water by 20%.

BMP-15 Low-impact development (LID)

LID is an approach to land development (or re-development) that works with nature to manage storm water as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional and appealing site drainage that treat storm water as a resource rather than a waste product. There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Please indicate on the site or landscape plan how your project is designed in this way.

BMP-16 Water efficient landscape

If your project is a residential development proposing in excess of 5,000 sq. ft. or a commercial development proposing in excess of 2,500 sq. ft. The project will be required to comply with the Water Efficient Landscape Ordinance (WELO).

Please check the box if you will be complying with WELO or if your project is smaller than the minimum requirement and you are still proposing drought tolerant, zeroscape, native plantings, zoned irrigation or other water efficient landscape.

BMP-17 Recycle 75% of all waste

Did you know that the County of Napa will provide recycling collectors for the interior of your business at no additional charge? With single stream recycling it is really easy and convenient to meet this goal. To qualify for this BMP, your business will have to be aggressive, proactive and purchase with this goal in mind.

Already Plan
Doing To Do

BMP-18 Compost 75% food and garden material

The Napa County food composting program is for any business large or small that generates food scraps and compostable, including restaurants, hotels, wineries, assisted living facilities, grocery stores, schools, manufacturers, cafeterias, coffee shops, etc. All food scraps (including meat & dairy) as well as soiled paper and other compostable - see <http://www.naparecycling.com/foodcomposting> for more details.

BMP-19 Implement a sustainable purchasing and shipping programs

Environmentally Preferable Purchasing (EPP) or Sustainable Purchasing refers to the procurement of products and services that have a reduced effect on human health and the environment when compared with competing products or services that serve the same purpose. By selecting this BMP, you agree to have an EPP on file for your employees to abide by.

BMP-20 Planting of shade trees within 40 feet of the south side of the building elevation

Well-placed trees can help keep your building cool in summer. If you choose a deciduous tree after the leaves drop in autumn, sunlight will warm your building through south and west-facing windows during the colder months. Well-designed landscaping can reduce cooling costs by 20%. Trees deliver more than energy and cost savings; they are important carbon sinks. Select varieties that require minimal care and water, and can withstand local weather extremes. Fruit or nut trees that produce in your area are great choices, providing you with local food as well as shade. Please use the site or landscape plan to indicate where trees are proposed and which species you are using.

BMP-21 Electrical Vehicle Charging Station(s)

As plug-in hybrid electric vehicles (EV) and battery electric vehicle ownership is expanding, there is a growing need for widely distributed accessible charging stations. Please indicate on the site plan where the station will be.

BMP-22 Public Transit Accessibility

Refer to <http://www.ridethevine.com/vine> and indicate on the site plan the closest bus stop/route. Please indicate if the site is accessed by transit or by a local shuttle. Provide an explanation of any incentives for visitors and employees to use public transit. Incentives can include bus passes, informational hand outs, construction of a bus shelter, transportation from bus stop, etc.

Already Plan
Doing To Do

BMP-23

Site Design that is oriented and designed to optimize conditions for natural heating, cooling, and day lighting of interior spaces, and to maximize winter sun exposure; such as a cave.

The amount of energy a cave saves is dependent on the type of soil, the microclimate, and the user's request for temperature control. Inherently a cave or a building burned into the ground saves energy because the ground is a consistent temperature and it reduces the amount of heating and cooling required. On the same concept, a building that is oriented to have southern exposure for winter warmth and shading for summer cooling with an east-west cross breeze will naturally heat, cool, and ventilate the structure without using energy. Please check this box if your design includes a cave or exceptional site design that takes into consideration the natural topography and sitting. Be prepared to explain your approach and estimated energy savings.

BMP-24 Limit the amount of grading and tree removal

Limiting the amount of earth disturbance reduces the amount of CO2 released from the soil and mechanical equipment. This BMP is for a project design that either proposes a project within an already disturbed area proposing development that follows the natural contours of the land, and that doesn't require substantial grading or tree removal.

BMP-25 Will this project be designed and built so that it could qualify for LEED?

BMP-25 (a)	<input type="checkbox"/>	LEED™ Silver (check box BMP-25 and this one)
BMP-25 (b)	<input type="checkbox"/>	LEED™ Gold (check box BMP-25, BMP-25 (a), and this box)
BMP-25 (c)	<input type="checkbox"/>	LEED™ Platinum (check all 4 boxes)

Practices with Un-Measured GHG Reduction Potential

BMP-26 Are you, or do you intend to become a Certified Green Business or certified as a "Napa Green Winery"?

As part of the Bay Area Green Business Program, the Napa County Green Business Program is a free, voluntary program that allows businesses to demonstrate the care for the environment by going above and beyond business as usual and implementing environmentally friendly business practices. For more information check out the Napa County Green Business and Winery Program at www.countyofnapa.org.

BMP-27 Are you, or do you intend to become a Certified "Napa Green Land"?

Napa Green Land, fish friendly farming, is a voluntary, comprehensive, "best practices" program for vineyards. Napa Valley vintners and growers develop farm-specific plans tailored to protect and enhance the ecological quality of the region, or create production facility programs that reduce energy and water use, waste and pollution. By selecting this measure either you are certified or you are in the process of certification.

Already Plan
Doing To Do

- BMP-28 Use of recycled materials**
There are a lot of materials in the market that are made from recycled content. By ticking this box, you are committing to use post-consumer products in your construction and your ongoing operations.
-

- BMP-29 Local food production**
There are many intrinsic benefits of locally grown food, for instance reducing the transportation emissions, employing full time farm workers, and improving local access to fresh fruits and vegetables.
-

- BMP-30 Education to staff and visitors on sustainable practices**
This BMP can be performed in many ways. One way is to simply put up signs reminding employees to do simple things such as keeping the thermostat at a consistent temperature or turning the lights off after you leave a room. If the project proposes alternative energy or sustainable winegrowing, this BMP could include explaining those business practices to staff and visitors.
-

- BMP-31 Use 70-80% cover crop**
Cover crops reduce erosion and the amount of tilling which is required, which releases carbon into the environment.

- BMP-32 Retain biomass removed via pruning and thinning by chipping the material and reusing it rather than burning on-site**
By selecting this BMP, you agree not to burn the material pruned on site.

- BMP-33 Are you participating in any of the above BMPS at a 'Parent' or outside location?**
-
-
-
-

- BMP-34 Are you doing anything that deserves acknowledgement that isn't listed above?**
-
-
-

Comments and Suggestions on this form?

Sources:

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2. *California Air Pollution Control Officers Associate (CAPCOA). January 2008. CEQA and Climate Change*
3. *Napa County General Plan, June 2008.*
4. *California Office of the Attorney General. 2010. Addressing Climate Change at the Project Level available at http://ag.ca.gov/global_warming/pdf/GW_mitigation_measures.pdf*
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6. *California Energy Commission (2008). Title 24, Part 6, of the California Code of Regulations: California's Energy Efficiency Standards for Residential and Nonresidential Buildings. Sacramento, CA: California Energy Commission.*
7. *U.S. Department of Energy (2010). Cool roof fact sheet.*
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9. *Compact Fluorescent Light Bulbs". Energy Star. Retrieved 2013-05-01.*
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