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**Planning, Building & Environmental Services**

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**David Morrison**  
Director

## MEMORANDUM

To:	Trevor Hawkes, Planning	From:	Patrick Ryan, Engineering
Date:	April 27, 2021	Re:	P17-00081 - Appeal Mountain Peak Winery APN: 032-500-033

Pursuant to the Napa County Superior Court remanding the project back to the Napa County Board of Supervisors to reconsider the item the Engineering Division has re-reviewed the use permit application submittal material for P13-00320, Mountain Peak Winery, located on assessor's parcel number 032-500-033 at 3265 Soda Canyon Road, Napa County.

The project proposes to construct a new  $600\pm$  foot long commercial production access drive from Soda Canyon road to the proposed winery and cave. The proposed site design places the winery work area and cave portals finish grade elevation at approximately  $60\pm$  feet below Soda Canyon Road. The grades for the proposed commercial production access increases from 3 percent, at approximately  $75\pm$  feet from the property line, to 19.4 percent for  $400\pm$  feet before leveling off and continuing at a grade of 16.3 percent for the remainder of the production access drive. Site distance along the entire length of commercial drive will be achieved and roadway widths will provide two 10 foot paved travel lanes with 2 feet of additional aggregate shoulder to provide for two-way traffic flow to support emergency vehicles and civilian egress. The visitor's commercial access, via an independent entrance off Soda Canyon Road, will provide for two 10 foot paved travel lanes with 2 feet of aggregate shoulder for two-way traffic flow for approximately 900 feet through flat to mild grades before terminating at the visitors parking lot.

An exception to the 2016 Napa County Road and Street Standards (RSS) was requested for access within the State Responsibility Area (SRA) to allow an increased roadway grade of 19.4 percent for  $400\pm$  and a reduced vertical curve length of 80 feet along the production access road in order to preserve unique features of the natural environment and to accommodate physical site limitations such a grade differentials.

The Engineering Division in cooperation with the Napa County Fire Marshal's offices has reviewed the project's design against the current 2021 Napa County Road and Street Standards, the effective 2020 State Minimum Fire Safe Regulations, and the circulating draft 2021 State Minimum Fire Safe Regulation to determine if the project meets the minimum design criteria for wildfire protection standards towards emergency ingress and egress.

Under the 2021 Napa County Road and Street Standards (NCRSS), in conformance with the effective 2020 State Minimum Fire Safe Regulations, roadway grades may exceed 16 percent, not to exceed 20 percent, provided the length of road that exceeds 16 percent is not greater than 300 feet and shall provide

a roadway grade not exceeding 10 percent for 100 feet immediately preceding and ensuing the section of road with roadway grades of 18 to 20 percent. Although the minimum roadway grade design provision has been amended since the 2016 NCRSS to allow for grades up to 20 percent provided mitigations are included the proposed roadway grade of 19.4 percent over 400 feet would not comply with the effective NCRSS and would require an exception to the roadway grade provision. Additionally, the request for an exception to the 2016 NCRSS for a reduction in minimum vertical curve length of 100 feet to 80 feet would not be necessary under the 2021 NCRSS provided the vertical curve is designed by a licensed professional engineer which demonstrates that a fully loaded fire apparatus can negotiate the sag and crown with a minimum clearance of 4 inches.

Given the changes to the NCRSS between Engineering's initial approval and evaluating the project under current regulations the request for an exception to allow roadway grades to 19.4 percent for 400± feet and reduce a vertical curve length to 80 feet to preserve natural features of the environment and to accommodate physical site limitation such as grade differential is consistent with the goals and objectives of the effective NCRSS as described in Section 3(D)(i) & (ii) of the Standards. The application material has provided the necessary documentation and assurances as required by the effective NCRSS towards meeting the same overall practical effect for providing defensible space, consideration of life, safety and public welfare and not compromising civilian egress or Fire Department access. Under the effective regulation governing emergency ingress and egress Napa County Engineering Division supports the proposed design.

In addition to evaluating the project under the effective regulations Napa County's Engineering Division evaluated the proposed winery project's emergency ingress and egress to the draft 2021 State Minimum Fire Safe Regulation (FSR), circulating by Notice of Proposed Action by the Office of Administrative Law. The proposed rule changes in the draft FSR is anticipated to become effective on October 1, 2021, and would constitute the minimum wildfire protection standards of the California Board of Forestry and Fire Protection for development in the State Responsibility Area (SRA) and Local Responsibility Area (LRA), Very High Fire Severity Hazard Zones (VHFHZ). Pursuant to the draft FSR, access will now be defined as the roads on a route from a Building to the nearest Collector Road and all existing local and/or private access roads would be required to be evaluated under the draft FSR. Roads classified as local roads or private access roads would be subject to the minimum standards for Existing Road as stipulated in Section 1273.12 of the draft FSR or building construction would be prohibited. Napa County Circulation Element, Figure CIR-1, classifies Soda Canyon Road as a two-lane collector, therefore, access is only required to be evaluated from the connection with Soda Canyon Road to the building construction. While Soda Canyon Road would not be required to be evaluated under the draft FSR, Soda Canyon Road would meet the minimum standards for existing roads by maintaining a twenty (20) foot clear width suitable to serve as a traffic lane for the length of the road.

The draft FSR also propose amendments to the exception process whereas local jurisdiction previously were only required to demonstrate same overall practical effect as the Standards, now language was added to specify that exception shall only be granted where the exception still provides for "Substantial Compliance with the minimum standards provided in this subchapter." Engineering staff reviewed the previously supported exception request from Bartelt Engineering and has determined that the Request provides nearly complete satisfaction of all material requirements of the draft FSR with respect to design criteria for ingress and egress and is consistent with the purpose of the draft State Minimum Fire Safe Regulations.

Based on the effective and anticipated future regulations that govern safe emergency access, Napa County Engineering supports the proposed design as providing minimum wildfire protection for emergency ingress and egress.

Should you have any questions regarding the above items, please contact Patrick Ryan from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4892 or by email at [Patrick.Ryan@countyofnapa.org](mailto:Patrick.Ryan@countyofnapa.org)