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Recommended Conditions of Approval and Final Agency Approval Memos

The Winery at Mount Veeder Use Permit P22-00248-UP, Exception to
the Conservation Regulations P25-00088-UP, and Exception to the
Roads and Street Standards
Planning Commission Hearing - June 4, 2025

PLANNING COMMISSION HEARING – JUNE 4, 2025
RECOMMENDED CONDITIONS OF APPROVAL
The Winery at Mount Veeder
P22-00248-UP, P25-00088-UP AND EXCEPTION
TO THE ROAD AND STREET STANDARDS
1300 Mt. Veeder Road, Napa CA 94558
(APN 034-230-029)

This permit encompasses and shall be limited to the project commonly known as Winery at Mount Veeder, located at 1300 Mt. Veeder Road, Napa CA 94558. 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

The permit encompasses and shall be limited to:

- 1.1 Approval of an Exception to the Conservation Regulations in the form of a Use Permits to allow proposed driveway widening in portions of a 605 foot stretch of the existing driveway, including two turnouts where the existing and improvements encroach approximately 50 feet into the stream setback of Pickle Creek and ephemeral drainages and specifically at STA 0+25 to 5+00, from STA 4+50 the setback reduces where the stream curves further from the driveway, STA 7+25 to 8+25, STA 14+25 to approximately 15+50, and STA 15+75 to 16+50) pursuant to the plans dated June 23, 2023, prepared by RSA+ Consulting Civil Engineers.
- 1.2 Approval of an Exception to the Napa County Roads and Street Standards (RSS) to allow 475 feet of the existing approximately 10 foot driveway to be constructed to 14 feet wide in lieu of the 22-foot width for commercial driveways specifically at sections (STA 0+90 to 1+50, STA 1+50 to 8+00, and STA 8+00 to 9+25), and two(2) turnouts and signage pursuant to the plans dates June 23, 2023, prepared by RSA+ Consulting Civil Engineers. Other sections are considered compliant with the RSS.
- 1.3 Approval of a Use Permit for a 25,000 gallons per year winery with the following characteristics:

- a. 13,754 square foot (sf) winery cave for production, barrel storage, administrative offices, a 1,509 sf covered pad, a 1,052 sf hospitality pavilion with outdoor deck,
- b. Two (2) full-time and two (2) part-time employees,
- c. Visitation, tours and tastings, and marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below,
- d. On-premise consumption of wines as set forth in COA No. 4.4 below
- e. Non-harvest production days and hours: 7:30 AM to 5:30 PM Monday through Saturday,
- f. Visitation seven (7) days per week, hours 10:00 AM to 6:00 PM,
- g. Seven (7) parking spaces, including 2 required spaces for the existing residence,
- h. Wastewater treatment system including a 10,000 gallon storage tank,
- i. Repair of an existing landslide,
- j. Recommended 60,000-gallon fire suppression tank,
- k. Use of existing groundwater well for winery purposes,
- l. Replacement of an existing bridge, and
- m. Improvements to the existing driveway that will include the removal of 0.78 acres of tree canopy which will be replaced at a 3:1 ratio onsite.

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

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

- a. Frequency: 7 days per week, Monday through Sunday
- b. Maximum number of persons per day: 18
- c. Maximum number of persons per week: 126
- d. Hours of visitation: 10:00 AM to 6:00 PM
- e. Wine and food pairings where food is pre-package requiring a low risk food permit.

“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.

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.

4.3 MARKETING

Marketing events shall be limited to the following:

a. **Marketing Events**

1. Frequency: 8 times per year
2. Maximum number of persons: 25
3. Time of Day: **11:00 am to 10:00 pm**
 - I. All food for the marketing events will be catered and prepared off-site.
 - II. No winery visits for tours and tastings will be held on the same day as a marketing event.

b. Marketing Event

1. Frequency: One (1) times per year
2. Maximum number of persons: 50
3. Time of Day: **11:00 am to 10:00 pm**
 - i. All food for the marketing events will be catered and prepared off-site.
 - ii. No winery visits for tours and tastings will be held on the same day as a marketing 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 pm. If any event is held which will exceed the available on-site parking, the permittee

shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

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

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the outdoor area of the tasting pavilion under the overhang of the building. 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 and other non-winery related structures 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. 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

This condition is implemented by the Planning, Building and Environmental Services Department:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence¹ indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of PBES determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of PBES determines that the well could be useful in supporting the program.

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

4.10 AMPLIFIED MUSIC

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

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.

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 (4:00 to 6:00 p.m. on weekdays and 1:00 to 3:00 p.m. on Saturdays and Sundays). 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 **[RESERVED]**

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 March 21, 2025.
- b. Engineering Services Division Road Exception Request Conditions as stated in their Memorandum dated March 21, 2025.
- c. Environmental Health Division operational conditions as stated in their Memorandum dated August 9, 2022.
- d. Building Division operational conditions as stated in their Memorandum dated August 29, 2022.
- e. Department of Public Works operational conditions as stated in their Memorandum dated May 29, 2024.
- f. Fire Department operational conditions as stated in their Inter-Office Memo dated June 17, 2024.

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. Greenhouse Gas Best Management Practices – Operational items checked on the attached Voluntary Best Management Practices Checklist for Development Projects, submitted by the applicant dated July 21 2021, shall be implemented and evidence of implementation shall be provided to staff upon request.

4.21 PREVIOUS CONDITIONS [RESERVED]

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

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

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

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

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

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

- a. Engineering Services Division operational conditions as stated in their Memorandum dated March 21, 2025
- b. Engineering Services Division Road Exception Request Conditions as stated in their Memorandum dated March 21, 2025.
- c. Environmental Health Division operational conditions as stated in their Memorandum dated August 9, 2022.
- d. Building Division operational conditions as stated in their Memorandum dated August 29, 2022
- e. Department of Public Works operational conditions as stated in their Memorandum dated May 29, 2024.

- f. Fire Department operational conditions as stated in their Inter-Office Memo dated June 17, 2024.

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.
- a. 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 I 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

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

a. Mitigation Measure BIO-1 - Purple Needlegrass Fencing

Orange construction fencing must be placed around the plant groups to ensure impacts during project-related activities do not occur. In the event a plant cannot be completely avoided, then a propagation plan shall be prepared and implemented prior to activities in those areas.

Avoidance or reseedling (propagation) will ensure no significant impacts to special status plants occur. A Propagation Plan will need to be developed and seed will be collected the season prior to be propagated in nearby habitat.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW

b. Mitigation Measure BIO-2. Wildlife Exclusion Fencing and Erosion Control Measures

Temporary wildlife exclusion fencing shall be installed around the perimeter of proposed activities prior to the start of any ground-disturbing activities to prevent listed species including FYLF, and/or non-listed species such as California giant salamander and western pond turtle (which may nest in uplands within the project footprint) from entering the project footprint during construction. Fencing must be installed outside the western pond turtle nesting window (April 1 to August 31) to avoid separating juvenile turtles from nearby aquatic habitat. Wildlife exclusion fencing shall remain in place and maintained until all activities are complete and any temporarily disturbed areas have been restored to pre-existing conditions.

New fencing located within 100 feet of the Pickle Creek and ephemeral drainages shall use a design that prevents western pond turtle and other small animals from migrating into the proposed construction area. Recommended fencing for exclusion of small animals shall consist of silt fencing with a minimum height of 18 inches, trenched and backfilled to a depth six (6) inches. The silt fencing may be installed directly adjacent to the erosion control measures outlined in Mitigation Measure BIO-3.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

c. Mitigation Measure BIO-3. Erosion Control Measures

Where erosion control measures are proposed, tightly woven fiber netting or similar material shall be used for erosion control or other purposes to ensure amphibian and reptile species do not get trapped. Plastic monofilament netting (erosion control matting) rolled erosion control products, or similar non-natural material should not be used. Acceptable substitutes include coconut coir matting or tackified hydroseeding compounds.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

d. Mitigation Measure BIO-4- Bat Habitat

A Qualified Biologist (defined as having demonstrable qualifications and experience with the particular species for which they are surveying) shall conduct a habitat assessment in order to identify suitable bat habitat trees within the project area(s), no more than 6 months and no less than 14 days in advance of the planned tree removal. If the habitat assessment determines that trees proposed for removal contain suitable bat habitat, the following shall apply to potential bat habitat trees:

- a. Tree trimming and/or tree removal shall only be conducted during seasonal periods of bat activity (August 31 through October 15, when young would be self-sufficiently volant and prior to hibernation, and March 1 to April 15 to avoid hibernating bats and prior to formation of maternity colonies), under supervision of a qualified biologist, unless the Measure b., below, is implemented. Note that these windows may shift with atypical temperatures or rainfall if a qualified biologist determines that bats are likely to still be active based on seasonal conditions. Trees shall be trimmed and/or removed in a two-phased removal system conducted over two consecutive days. The first day (in the afternoon), limbs and branches shall be removed by a tree cutter using chainsaws only, under the supervision of a qualified biologist who has demonstrable experience with supervising tree removal for bats using this technique. Limbs with cavities, crevices and deep bark fissures shall be avoided, and only branches or limbs without those features shall be removed. On the second day, the entire tree shall be removed.
- b. If removal of bat habitat trees must occur outside the seasonal activities identified above (between October 16 and February 28/29 of the following year or between April 16 and August 30), a qualified biologist shall conduct pre-construction survey of all potential bat habitat trees within 14 days of project initiation and/or removal to determine absence/presence of bat species. Survey methods, timing, duration, and species shall be provided for review and approval by Napa County prior to conducting pre-construction surveys. A copy of the survey shall be provided to the County Conservation Division and CDFW for review and acceptance prior to commencement of work. If bats are not present, removal can proceed without using the two-phased removal method. If bats are found to be present, the qualified biologist shall determine if a maternity colony of winter torpor bats are present. If roosting bats are present but there are no maternity colonies or winter torpor bats, the tree shall be removed using the two-phased removal method outlined in Measure BR-2a, above. If the qualified biologist determines that maternity colonies or winter torpor bats are present, or they cannot confidently determine absence of maternity colonies or winter torpor bats, then tree removal shall be delayed until during the seasonal periods of bat activity outlined in Measure BR-2a.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW, Planning Division

e. Mitigation Measure BIO-5 Nesting Birds, Raptors, and Northern Spotted Owl (NSO)

The owner/permittee shall incorporate the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

- a. For earth-disturbing activities occurring between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the project site) shall conduct preconstruction surveys for nesting birds and raptors within all suitable habitat in the project area, and within a minimum of 500 feet of all project areas. The preconstruction survey shall be conducted no earlier than 7 days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than 7 days from the survey date, surveys shall be repeated. A copy of the survey results shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.
- b. A qualified biologist shall provide an assessment of potential NSO nesting habitat within the Project area and a 0.25 mile radius and obtain CDFW's written acceptance of the assessment.
- c. Alternatively buffer zones may be proposed for NSO to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.
- d. After commencement of work, if there is a period of no work activity of 5 days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
- e. In the event that nesting birds are found, a qualified biologist shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with County Conservation Division and the USFWS and/or CDFW.
- f. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist. Additionally, a qualified biologist shall monitor all active nests each day during construction for the first week, and weekly thereafter, to ensure that the exclusion buffers are adequate and that construction activities are not causing nest-disturbance. If the qualified biologist observes birds displaying potential nest-disturbance behavior, the qualified biologist shall

cease all work in the vicinity of the nest and CDFW shall be consulted about appropriate avoidance and minimization measures for nesting birds prior to construction activities resuming. In this event, construction activities shall not resume without CDFW's written approval.

Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) shall be prohibited.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): CDFW, Planning Division

e. Mitigation Measure BIO-6 – Worker Awareness Environmental Training

Environmental Training guidelines shall be prepared by the project biologist, to be presented by a designated project representative to all persons working on the project site prior to the initiation of project related activities. Training guidelines shall include a description of all biological resources that may be found on or near the project site, instructions for inspecting equipment each morning prior to activities, a contact person if protected biological resources are discovered on the project site, and include a brief description of laws and regulations that protect those resources, the consequences of non-compliance with those laws and regulations.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

f. Mitigation Measure BIO-7 - Oak and Riparian Woodland

Removal of any vegetation canopy within the streamside setbacks shall be mitigated in accordance with NCC Sec. 18.108.020D by permanent replacement or preservation of comparable vegetation canopy cover on an acreage basis at a minimum 3:1 ratio. The tree planting plan includes replacement of removed trees with native oak species consistent with oak woodland found on the property and consistent with plans provided by Terre Moto, dated April 27, 2022.

Compensatory mitigation for oak woodland impacts and vegetation removal within the 35-foot streamside setback will be combined where feasible, in order to comply with the County oak tree replacement and streamside setback requirements.

Prior to performing any tree replanting in the mitigation area, the area should be surveyed to ensure no special status plant species are found. If special status plant species are identified, the area where the plants are located shall

be flagged and construction fencing installed to avoid trampling or removal of plants.

Method of Monitoring: Prior to ground disturbance and continuing over the course of the Project.

Responsible Agency(ies): Planning Division

g. Mitigation Measure BIO-8 – Stream Crossing

Prior to construction and installation of stream crossings associated with #P22-00248-UP and/or bank restoration required pursuant to this measure, the owner/permittee shall obtain all required authorizations and/or permits from agencies with jurisdiction over Waters of the U.S. or the State, such as but not limited to: a Section 404 Nationwide Permit from the US Army Corps of Engineers (USACE), or a Section 1602 Lake and Streambed Alteration Agreement (LSAA) from the California Department of Fish and Wildlife (CDFW).

Method of Monitoring: Prior to ground disturbance the owner/applicant shall obtain all necessary permits/authorization to perform work within jurisdiction over Waters of the U.S. or the State and adhere to all conditions of approval throughout the duration of construction.

Responsible Agency(ies): Planning, Engineering Divisions, CDFW, USACE, and/or State Water Board

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. The project area includes pool ancillary facilities, including but not limited to the pool deck area which shall not be available to winery visitors. For the pool and ancillary areas to be considered non-public, an enclosure compliant with Section 3119B must be constructed, separating the pool and ancillary areas from areas accessed by winery visitors.
- b. In conjunction with building permit application submittal, the permittee shall not include natural gas appliances or natural gas plumbing within new buildings or the renovation of existing 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 Use Permit 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 **RESERVED CONSTRUCTION MITIGATION MEASURES**

7.5 **RESERVED OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL**

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**

Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. 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.

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 **[RESERVED]**

9.6 DEMOLITION ACTIIVITES **[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 parking spaces shall be marked in compliance with the County's Road and Street Standards for a total of seven (7) parking spaces.
- b. Temporary fencing, required above, shall be removed prior to final occupancy.



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Brian D. Bordona
Director

MEMORANDUM

To: Kelli Cahill Planning Division	From: Alexei Belov, PE Engineering Division
Date: March 21, 2025	Re: P22-00248 1300 Mt. Veeder Road Technical Adequacy Conditions of Approval APN: 034-230-029-000

AB 3/21/25

The Engineering Division (“Engineering”) has reviewed the new Use Permit, P22-00248, for Mt. Veeder Winery located on assessor’s parcel number 034-230-029. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following:

TECHNICAL ADEQUACY

1. The Engineering Division has reviewed the Water Availability Analysis (WAA) dated March 22, 2024, prepared by Anthony Hicke, CHG, of Richard C. Slade & Associates LLC, including supplemental WAA dated March 14, 2024, prepared by Bruce Fenton, PE, of RSA+ Consulting Civil Engineers + Surveyors + Land Planners. The analysis has been evaluated based on information provided by the applicant, project location, and available geologic and hydrologic information and has determined the WAA to be complete and reasonable. Engineering concludes the WAA technically adequate as it relates to Napa County’s water use criteria, well and spring interference, and groundwater/surface water interaction pursuant to Napa County’s WAA Guidelines, Napa Valley Subbasin Groundwater Sustainability Plan, Governor’s Executive Orders N-7-22/N-3-23/N-3-24, and the Public Trust Doctrine.

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. The facility is designated as a discharger that discharges stormwater associated with industrial activity to Water 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 provisions 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.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road and Street Standards for Commercial development at the time of Building Permit Submittal as well as the Road Exception Request dated January 26, 2023, prepared by Bruce Fenton, PE, of RSA+ Consulting Civil Engineers + Surveyors + Land Planners. The property owner shall obtain a grading permit for all proposed roadway improvements.

SITE IMPROVEMENTS

3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, and parking and driveways, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the grading permit documents at the time of permit application. A plan check fee will apply.
4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
5. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
6. **Prior to issuance of a development permit** (i.e. building permit and/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 document, dated December 2014.
7. **Prior to issuance of a development permit**, as determined by the area of new or replaced impervious surfaces, the owner shall prepare and/or update a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
8. Any construction activity that equals or exceeds one acre of total disturbed area shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of Regional Water Quality Control Board (RWQCB) and shall file a Notice of Intent (NOI) prior to commencement of any construction activity. The completed SWPPP shall be submitted to the Napa County PBES Department Engineering Division for review.

CONSTRUCTION SITE RUNOFF CONTROL REQUIREMENTS:

9. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with Napa County Stormwater Ordinance 1400 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
10. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
11. All trash enclosures must be covered and protected from rain, roof, and graded to preclude surface runoff.
12. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

13. Refuse areas shall be covered, graded, and paved to prevent run-on and runoff. Drains within a refuse area shall be connected to the sanitary waste system.
14. All roofs, gutters, and/or downspouts shall discharge to landscaping or other pervious surface designed and maintained appropriately to prevent soil erosion.

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

15. All necessary access, road, and parking improvements shall be constructed prior to Final Occupancy.
16. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.
17. An Operation & Maintenance agreement for the proposed stormwater treatment facilities shall be recorded prior to Final Occupancy.

Any changes in use or design may necessitate additional conditions of approval.

If you have any questions regarding the above items please contact Alexei Belov from Napa County PBES Department Engineering Division at (707) 299.2177 or via e-mail at Alexei.Belov@countyofnapa.org.



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Brian D. Bordona
Director

MEMORANDUM

AB 3/21/25

To: Kelli Cahill Planning Division	From: Alexei Belov, PE Engineering Division
Date: March 21, 2025	Re: P22-00248 1300 Mt. Veeder Road SRA Road Exception Evaluation APN: 034-230-029-000

ROAD EXCEPTION REQUEST:

The Engineering Division received a request (Request), dated January 26, 2023, for an exception to the Napa County Road and Street Standards (RSS) for a new Winery Use Permit – P22-00248. The winery will be located at 1300 Mt. Veeder Road, Napa, CA 94558 (APN: 034-230-029). The new 25,000 gal/year winery will have full and part-time employees, visitation, and marketing events. A detailed breakdown of all proposed activities can be found in the Planning Staff Report.

Access to the proposed winery site is currently served by a mostly gravel road ranging in width from 10-14' and roughly 2,700' in length. The access begins by crossing a bridge spanning Pickle Creek immediately off Mt. Veeder Road.

As part of the Use Permit application, the applicant is requesting an exception to the minimum horizontal inside radius and commercial width standards for the first approximately 925 feet of roadway which falls within the stream setback and riparian corridor of Pickle Creek. Please see Winery at Mt. Veeder Use Permit Application Driveway Exception letter, prepared by Bruce Fenton, PE, of RSA+ Consulting Civil Engineers + Surveyors + Land Planners, for additional detail.

The project's proposed commercial drive design requests the following exceptions to the Napa County Road and Street Standards:

Station 0+90 – 1+50

An exception is requested for the minimum horizontal radius of 50'. This location provides an environmental constraint as widening to meet the standard would relocate the road closer to top of bank on Pickle Creek and involve a larger disturbance within the riparian area. The curve has been designed by a licensed civil engineer and a type 1 fire engine has been modeled demonstrating the curve can be negotiated with the appropriate minimum clearances. The proposed design demonstrates meeting same practical effect as the minimum standard.

Station 1+50 – 8+00

An exception is requested for the minimum commercial roadway width of 22' (20' homogenous surface + 2' of shoulder). The segment of roadway from station 1+50 to ~4+90 falls within the creek setback. Additionally, station 1+50 to ~2+50 is constrained by a near vertical cut on the uphill side and the riparian area on the downhill side. Station ~5+70 to ~7+15 is constrained by a near vertical cut on the uphill side and the riparian area on the downhill side. Station ~7+15 to 8+00 is constrained by both the stream setback and steep slopes on the uphill and downhill sides. This segment of roadway will be improved with inter-visible turnouts to allow vehicle passing and preventing any delays in response. At approximately station 3+00 a standard turnout will be provided. At station 4+50 – 5+50 an extended turnout providing 100' of 22' width to allow vehicle passing will be provided. These turnouts are inter-visible and provide a straight line-of-sight in both directions. The extended turnout provides inter-visibility to station ~9+25 where the fully compliant commercial width roadway begins. The proposed design demonstrates meeting same practical effect as the minimum standard.

Station 8+00 – 9+25

An exception is requested for the minimum horizontal radius of 50'. This curve is constrained by environmental constraints with very steep slopes on the uphill and downhill sides and the stream setback. Improving this curve is infeasible given the constraints and would require significant redesign to achieve the minimum standard. The curve will be widened to the maximum extent practical facilitating the turning movements of the type 1 engine. The curve has been designed and modeled by a licensed civil engineer. Furthermore, the type 1 engine has been modeled in both the ingress and egress scenarios and with appropriate minimum clearances. The proposed design demonstrates meeting same practical effect as the minimum standard.

With the exceptions listed above, all other aspects of the commercial access from the County Right-of-Way to the Winery building will meet the current commercial minimum standards outlined in the RSS.

ENGINEERING DIVISION EVALUATION:

The Engineering Division has reviewed the Request noted above with the applicant, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the RSS as adopted by Resolution No. 2023-59 by the Board of Supervisors on April 18, 2023, this Division has determined the applicant has met the findings for an exception to the RSS. Provided the following conditions are met, the proposed roadway design meets the Same Practical Effect as the State Responsibility Area (SRA) Fire Safe Regulations.

The Engineering Division supports the approval of the exception request as proposed with the following conditions that are in addition to any and all conditions previously placed on the project as part of the discretionary application:

1. Signage shall be installed alerting drivers to yield for emergency vehicles.
2. To ensure the upkeep of the paved surfaces, the private road surface shall be periodically maintained by the property owner to assure sufficient structural section for loading conditions to the imposed loads of fire apparatus weighing at least 75,000 lbs and the design Traffic Index.
3. Horizontal and vertical vegetation management shall be implemented along the entire length of the roadway to ensure horizontal clearance of 22' and vertical clearance of 13'-6" at all times.
4. The roadway will be re-evaluated on all future projects that require application of the RSS.

ATTACHMENTS:

1. Winery at Mt. Veeder Use Permit Application Driveway Exception prepared by Bruce Fenton, PE, of RSA+ Consulting Civil Engineers + Surveyors + Land Planners, dated January 26, 2023.
2. Sheets UP 5.0, 5.1, and 6.0, of The Winery at Mt. Veeder Use Permit Plans prepared by Bruce Fenton, PE, of RSA+ Consulting Civil Engineers + Surveyors + Land Planners, dated June 23, 2023.



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David Morrison
Director

MEMORANDUM

To: Kelli Cahill, Planner III	From: Armeda Simpson-Van Dam, REHS
Date: August 9, 2022	Re: Use Permit for The Winery at Mount Veeder Assessor Parcel# 034-230-029-000 Permit# P22-00248

Environmental Health Division staff has reviewed an application for The Winery at Mount Veeder. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. Plans for the proposed alternative sewage system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions.
2. Plans for the proposed sewage system(s) must be submitted to the Environmental Health Division 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. Permits to construct the proposed sewage system(s) 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. General Waste Discharge Requirements for Winery Process Water have been adopted by the State Water Quality Control Board (General Order). The General Order is available for review on the State's website, https://www.waterboards.ca.gov/water_issues/programs/waste_discharge_requirements/winery_order.html. The applicant will be required to comply with the General Order. Information regarding compliance will be provided as soon as it is available.
5. Please be advised-requirements for process wastewater treatment systems in Napa County are being reviewed and may be modified to comply with Regional Water Quality Control Board (RWQCB) minimum standards. The owner will have to comply with process wastewater system requirements in place at the time the application for a building permit is filed and the sewage installation permit is secured.
6. 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. 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.

7. 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.

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

1. The use of the dispersal field areas shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
2. The existing well must be properly protected from potential contamination. If the existing well(s) is to be destroyed, a well destruction permit must be obtained from this Division by a licensed well driller. If this well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water System's specifications.
3. 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:

1. 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://ljcers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities.
2. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.
3. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
4. Proposed food service may be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
5. 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.



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David Morrison
Director

To: Kelli Cahill, Project Planner	From: Stacie Gutierrez, Building Division, (707) 299-1377
Date: August 29, 2022	Re: Use Permit – Mount Veeder Winery File #P22-00248 Address: 1300 Mount Veeder Road APN: 034-230-029

Building Division Planning Use Permit Review Comments

1. The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.
2. The plans provided for the application do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.
3. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit”. The codes adopted at this time are 2019 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
4. 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 will be

required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a "J" number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.

5. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. At the time of Permit Submittal your design professional shall submit plans for egress and accessibility for review.
6. The design of the caves is not approvable under the California Building Code. Egress from a tasting area cannot go thru a higher risk category occupancy (barrel storage or fermentation areas) so that tasting area cannot be surrounded by barrel, and it cannot be in the back of the cave. Please have your design professional design the layout of the cave and the placement of the tasting room in a location that complies with the Building Code.
7. Outdoor assembly use areas are required to be accessible per scoping requirements found in Chapter 11B of the California Building Code. Increase in parking spaces will trigger additional accessible parking spaces.
8. If your marketing plan is proposing events please be aware that no events will be allowed in portions of the building that are not permitted under the Assembly occupancy requirements, this includes fermentation and barrel rooms. Please keep this in mind when you planning your footprint and applying for the building permits



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Department of Public Works

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

Main: (707) 253-4351
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Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Anna Vickroy, P. E., T.E. TJKM Transportation Consultants
Date: May 29, 2024	Re: The Winery at Mt. Veeder, P22-00248 Conditions of Approval

This memorandum is prepared at the request of Planning, Building, and Environmental Services (PBES) staff to provide Conditions of Approval for the The Winery at Mt. Veeder Use Permit Application Number P22-00248, for the proposed winery at 1300 Mount Veeder Road (APN 034-230-029), in Napa County.

To prepare the Conditions of Approval, the following documents were reviewed:

- Draft Transportation Impact Study for the Winery at Mount Veeder Project dated December 30, 2023 prepared by W-Trans

After careful evaluation of the above mentioned submitted documents, we offer the following comments:

- Please finalize the Transportation Impact Study signed and sealed by the registered Professional Engineer who conducted the sight distance analysis.

The Department of Public Works has established the following conditions of approval related to the Use Permit Application Number P22-00248. All listed conditions of approval shall be fully completed accordingly prior to the issuance of an Occupancy Permit:

Bicycle Parking and Facilities

1. Provide bicycle parking spaces adjacent to visitor and employee entrances. Bicycle parking spaces will be provided as per the Napa County Municipal Code 18.110.040.

Landscaping and Maintenance

2. Landscaping at the project driveways shall be maintained as to not interfere with sight lines required for safe stopping distance on the public right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic control devices. Street trees should be deciduous and have branches lower than 4 feet in height up kept once the tree is established.

On-Street Parking

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

Encroachment Permit Required

4. An encroachment permit will be required for any improvements in the County's Right-of-Way, such as the new driveway access. For the application submittal process contact the Roads Division at 707-944-0196. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use.

Project Driveway

5. All driveway access to the public right-of-way must conform to the latest edition of the Napa County Road and Street Standards.

If you have any questions or concerns on this matter, please contact Ahsan Kazmi, P. E. at ahsan.kazmi@countyofnapa.org or call (707) 259-8370 if you have any questions.



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Napa County Fire Department
Fire Marshal's Office

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Jason W. Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

TO:	Planning Department	DATE:	6/17/2024
FROM:	Jason Downs, Fire Marshal	PERMIT #	P22-00248
SUBJECT:	The Winery at Mount Veeder	APN:	034-230-029-000

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 2022 California Fire Code Section 105 are proposed, separate permits will be required before Building Permit issuance for:
 1. Automatic fire-extinguishing systems
 2. Emergency responder radio coverage systems
 3. Fire alarm and detection systems and related equipment
 4. Fire pumps and related equipment.
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. The Napa County Fire Marshal's Office has reviewed and acknowledges the road exception attached to P22-00248. Before issuance of a building or grading permit, the owner shall demonstrate on the plans that all roadway construction associated with this application shall conform to the Road Exception Evaluation composed by the Napa County Engineering Division. Any roadway proposed new or reconstructed, not included in the above-mentioned Road Exception Evaluation shall meet the requirements for a commercial driveway as outlined in the latest Napa County Road and Street Standards (NCRSS)



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Napa County Fire Department Conditions of Approval

6. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
8. Roadways shall be a minimum of 20 feet in width with a 2-foot shoulder and 15-foot vertical clearance.
9. Driveways shall be a minimum of 10 feet in width with a 4-foot shoulder and 15-foot vertical clearance.
10. Turnouts shall be a minimum of 12 feet in width, 30 feet in length, and 25-foot taper on each end.
11. Turnarounds are required on driveways and dead-end roadways.
12. Grades for all roadways and driveways shall not exceed 16 percent. The roadway grade may exceed 16 percent, not to exceed 20 percent, provided the provisions outlined in the NCRSS are met.
13. Roadway radius shall not have an inside radius of less than 50 feet. An additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
14. 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.
15. 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



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Napa County Fire Department Conditions of Approval

licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.

16. 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.
17. 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.
18. 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.
19. 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
20. An automatic fire sprinkler system shall be installed by provisions outlined 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.
21. 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.
22. Provide 100 feet of defensible space around all structures.
23. Provide 10 feet of defensible space for fire hazard reduction on both sides of all roadways of the facility.



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

Please note the conditions of approval noted above are based on the 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 further questions please contact me at (707) 299-1467 or email me at jason.downs@countyofnapa.org