

**“B”**

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

**PLANNING COMMISSION HEARING – JANUARY 20, 2020**  
**RECOMMENDED CONDITIONS OF APPROVAL – REVISED**

**Robert Sinskey Vineyards Winery Major Modification**  
**Application P19-00161-MOD**  
**6320 Silverado Trail**  
**APN 031-230-017**

This permit encompasses and shall be limited to the project commonly known as Robert Sinskey Vineyards, located at 6320 Silverado Trail. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

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

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

**PART I**

**1.0 PROJECT SCOPE**

The permit encompasses and shall be limited to:

- 1.1 Approval to modify an existing 143,000 gallon per year winery, previously approved under U-368586; U-90-7; #94099; #97431; P09-00480; and P11-00441 to allow the following:
  - a. Visitation and tours and tasting as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
  - b. Increase the number of employees to a maximum of 36 full-time employees and six (6) part-time employees;
  - c. On-premises consumption of wine as set forth in COA No. 4.4 below; and
  - d. Use of approximately 1,575 square feet of the existing cave for by-appointment visitation and marketing events

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**

By Appointment Visitation

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

- a. Frequency: Seven (7) days per week, Monday through Sunday
- b. Hours of visitation: 10:00 AM to 6:00 PM

- c. Maximum number of persons per day: ~~125~~ 75
- d. Maximum number of persons per week: ~~875~~ 525
- e. ~~Any By-appointment Tours and Tasting shall not be conducted on the same day as any other Marketing or Temporary Event. In any day/week in which marketing events are held, total guests at the winery, including public visitation, by-appointment visitation, and marketing event guests, shall not exceed a daily maximum of 257 and a total weekly maximum of 1,449~~

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times 4:00 p.m. and 6:00 p.m.

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

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#### Recognition of Pre-WDO Visitation

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

- f. Frequency: Seven (7) days per week, Monday through Sunday
- g. Hours of visitation: ~~7:00 AM-10:00 AM~~ to 6:00 PM
- h. Maximum number of persons per day: 132
- i. Maximum number of persons per week: 924
- j. Food service may be provided
- k. Up to 75 visitors per day may participate in private tours and tastings with food pairings consisting of hors d'oeuvres and appetizers

#### 4.3 MARKETING

Marketing events shall be limited to the following:

- a. Event Type 1
  1. Frequency: ~~5~~ 3 times per week (no more than once per day)
  2. Maximum number of persons: 50 maximum
  3. Time of Day: 9:00 AM to 5:00 PM
  4. Days per Week: Seven
- b. Event Type 2
  1. Frequency: 28 times per year, with ~~catered~~ dinners
  2. Number of persons: 50 maximum
  3. Time of Day: 9:00 AM to 11:30 PM. Clean up by 12 a.m.
  4. Days per Week: Seven
- c. Event Type 3

1. Frequency: 12 times per year (monthly, with hors d'oeuvres or catered dinners)
  2. Number of persons: 80 maximum
  3. Time of Day: 6:00 PM to 10:00 PM
  4. Days per Week: Seven
- d. Event Type 4
1. Frequency: Two times per year
  2. Number of persons: 150 maximum
  3. Time of Day: 6:00 PM to 10:00 PM
  4. Days per Week: Seven
- e. Any single Marketing or Temporary Event shall not be held on the same day as any other By Appointment Only Tours & Tasting. In any day/week in which marketing events are held, total guests at the winery, including public visitation, by-appointment visitation, and marketing event guests, shall not exceed a daily maximum of 257 and a total weekly maximum of 1,449.
- f. Any single Marketing or Temporary Event may include food that is either catered or prepared in an on-site commercial kitchen in accordance with Napa County Department of Environmental Management and/or the Napa County Temporary Events Ordinance.
- g. The service yard area shall not be used for any marketing events.

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

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

All marketing event activity, excluding quiet clean-up, shall cease by 10 p.m., except as specifically stated in section b. "Event Type 2". 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 areas of the winery building and cave approved for hospitality activities and outdoor patios. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in COA Nos.4.2 and 4.3 above.

#### 4.5 RESIDENCE OR NON-WINERY STRUCTURES **[RESERVED]**

#### 4.6 GRAPE SOURCE

At least 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling wine shall be grown within Napa County, provided that the winery's 24,000 gallons of production (approved under U-368586) are not subject to the County's 75% grape source rule. However, if the winery expands beyond its winery development area, at least 75% of the grapes used to make the winery's still wine or sparkling wine that is produced as a result of the expansion shall be grown within Napa County.] The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

#### 4.7 COMPLIANCE REVIEW

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

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

4.8 RENTAL/LEASING

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

4.9 GROUND WATER MANAGEMENT – WELLS

This condition is implemented jointly by the Public Works and PBES Departments:

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 evidence<sup>1</sup> 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 Public Works 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 Public Works determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence<sup>1</sup> 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.

4.11 TRAFFIC [RESERVED]

4.12 PARKING [RESERVED]

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

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<sup>1</sup> 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.



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. Building Division operational conditions as stated in their Memorandum dated November 4, 2020.



- b. Engineering Services Division operational conditions as stated in their Memorandum dated November 4, 2020.
- c. Environmental Health Division operational conditions as stated in their Memorandum dated March 17, 2020.
- d. Fire Marshal's Office operational conditions as stated in their Memorandum dated November 5, 2020.

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

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. All improvements required by other divisions, as listed below, shall be completed prior to execution of any new entitlement or implementation of the recognized levels of operation approved under this Major Modification.

1. Building Code Compliance – Fermentation tanks and catwalks

~~Within 30 days of approval of this Major Modification, the permittee shall submit to the PBES Department's Building Division a building permit application for the installation of these improvements or a corrective action.~~

~~The Chief Building Official (CBO) may extend the 30-day period by taking into consideration the severity of the required changes with respect to public safety, or other factors that the CBO determines are reasonable. Any request for extension of time must be submitted in writing by the permittee and received by the CBO before the end of the timelines specified herein. The CBO, in consultation with the PBES Department's Code Compliance Division, will determine the extension timeframe.~~

The improvements approved under associated Building permit BC20-02368-ALT shall be completed prior to execution of any new entitlement or implementation of the recognized levels of operation approved under this Major Modification.

2. Complete Code Compliance – Storage container

Within 60 days of approval of this Major Modification, the permittee shall submit to the PBES Department's Building Division a building

permit application for the installation of these improvements or a corrective action.

The CBO may extend the 60-day period by taking into consideration the severity of the required changes with respect to public safety, or other factors that the CBO determines are reasonable. Any request for extension of time must be submitted in writing by the permittee and received by the CBO before the end of the timelines specified herein. The CBO, in consultation with the PBES Department's Code Compliance Division, will determine the extension timeframe.

b. Within 30 days of permit approval, the permittee shall submit a Traffic Demand Management Plan to the Planning Division and the Public Works Department for review and approval which includes, but not limited to measures that will reduce peak-hour vehicle trips program (for example - encouraging guests to carpool or use a shuttle or van measures, promoting employee carpooling, implementing Guaranteed Ride Home (GHR) program, and providing lunch on-site). The final measures listed in the TDM program, or equally effective alternative trip reduction measures proposed by the permittee and approved by the PBES Director or the Director's designee, shall be implemented for the life of the project. These measures shall be implemented upon County authorization and an ongoing Monitoring and Reporting Statement shall be made available to the Planning Division upon request, on January 15 of each year. The TDM Plan may be subject to further submittal of annual reporting requirements upon request in response to the County development and adoption of a Vehicle Mile Traveled (VMT) Reduction Program.

#### 4.21 PREVIOUS CONDITIONS

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

### PART III

#### 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. Building Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated November 4, 2020.
- b. Engineering Services Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated November 4, 2020.
- c. Environmental Health Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated March 17, 2020.
- d. Fire Marshal’s Office plan review/construction/preoccupancy conditions as stated in their Memorandum dated November 5, 2020.

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

**6.2 BUILDING DIVISION – GENERAL CONDITIONS**

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and 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 **[RESERVED]**
- 6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**
- 6.5 COLORS **[RESERVED]**
- 6.6 OUTDOOR STORAGE/SCREENING/UTILITIES **[RESERVED]**
- 6.7 TRASH ENCLOSURES **[RESERVED]**
- 6.8 ADDRESSING **[RESERVED]**
- 6.9 HISTORIC RESOURCES **[RESERVED]**
- 6.10 DEMOLITION ACTIVITIES **[RESERVED]**
- 6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**
- 6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**
- 6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**
- 6.14 FINAL MAPS **[RESERVED]**
- 6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

**7.0 PROJECT CONSTRUCTION**

Permittee shall comply with the following during project construction:

- 7.1 SITE IMPROVEMENTS **[RESERVED]**
- 7.2 ARCHEOLOGICAL FINDING **[RESERVED]**
- 7.3 CONSTRUCTION NOISE **[RESERVED]**
- 7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**
- 7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

**8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES**

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

- 8.1 TEMPORARY OCCUPANCY **[RESERVED]**

**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 **[RESERVED]**
- 9.2 SIGNS **[RESERVED]**
- 9.3 GATES/ENTRY STRUCTURES **[RESERVED]**
- 9.4 LANDSCAPING **[RESERVED]**
- 9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**
- 9.6 DEMOLITION ACTIVITIES **[RESERVED]**
- 9.7 GRADING SPOILS **[RESERVED]**
- 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 project improvements to the cave, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed prior to use of the cave for visitation and hospitality activities approved under this Major Modification.

**EXHIBIT A**  
**PREVIOUS CONDITIONS REVISED**

**Robert Sinskey Vineyards Winery Major Modification**  
**Application P19-00161**  
**6320 Silverado Trail**  
**APN 031-230-017**

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

**A. Use Permit No: U-368586**

COA No. 1. The permit shall be limited to the construction of a 12,000 square foot winery including public tours and tasting and a maximum annual production capacity of 24,000 gallons.

Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.

The following Conditions were modified by subsequent permits.

~~COA No. 7. No outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.~~

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

**B. Major Modification No: U-90-7**

Exhibit A Sinskey Winery Marketing Plan, referenced below, was modified by P09-00480-MOD.

COA No. 1. The permit shall be limited to the following:

- a) increase in the winery's production capacity to 65,000 gallons/yr;
- b) installation of a demonstration kitchen of 200 square feet within the existing winery; AND
- c) marketing in compliance with the Marketing Plan attached as Exhibit A and hereby amended by the conditions of this permit.

Any expansion or changes in use, including installation of entrance gates, shall be by separate Use Permit submitted to the Department for Commission consideration. Internal changes in the layout of the proposed additional shall be submitted to the Director for review and approval.

The following Condition was modified by P09-00480-MOD.

~~COA No. 2. The production capacity of the winery shall not exceed 65,000 gallons/year as averaged over any consecutive three (3) year period. In any given year production shall not exceed 78,000 gallons. The applicant shall report to the Planning Department in December of each year the number of gallons produced during that year.~~

The following Condition was modified by P09-00480-MOD and is replaced by P19-00161 COA No. 4.6.

~~COA No. 3. The applicant shall report to the Department on an annual basis the source of his grapes verifying that 75% of his production over 24,000 gallons is from Napa County grapes. The report shall include the Assessor's Parcel Number of the properties involved and the tons of grapes obtained from each. This information is proprietary and as such shall not be available to the public. For the public record, the applicant shall annually submit to the Department a statement indicating compliance with the County's grape sourcing requirement and specifying the percentage of Napa County grapes utilized.~~

The following Condition was modified by P09-00480-MOD.

~~COA No. 4. All fruit required by the winery may be delivered in metallic bins unless specifically modified by the Commission. Commencing January 1, 1996, all bins used to deliver fruit required by the winery shall be non-metallic.~~

The following Condition was modified by P09-00480-MOD and is replaced by P19-00161 COA No. 4.1.

~~COA No. 6. Retail sales shall be limited to wine fermented or refermented and bottled at the winery, wine produced by or for the winery from grapes grown in Napa County and wine glasses sold only in conjunction with tasting.~~

The following Condition was modified by P09-00480-MOD and is replaced by P19-00161 COA No. 4.3

~~COA No. 7. All uses of the site henceforth undertaken by the winery in conjunction with marketing shall be in compliance with the Marketing Plan approved herein and incorporated by reference. The winery facility shall not be used for events hosted by entities other than the winery itself.~~

The following Condition was modified by P09-00480-MOD.

~~COA No. 8. No picnicking or outdoor wine tasting except as part of approved marketing events shall be permitted.~~



The following Condition is replaced by P19-00161 COA No. 4.8

COA No. 9. ~~The winery facility shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased or otherwise used by any other entity.~~

The following Condition is applicable to those Project Revision Statement items listed below.

COA No. 10. The winery shall comply with Mitigation Measures 1 through 12 contained in the attached Project Revision Statement.

The following Condition has been modified for clarity of P19-00161 COA No. 4.2 differentiation between By Appointment Visitation and Pre-WDO Visitation. Added language is underlined and to modify the hours per the applicant's request.

COA No. 12. Existing "Public" Visitation to winery by buses shall be limited to the hours of ~~8:00~~ 10:00 a.m. and 5:00 p.m., Monday through Saturday and ~~9:00~~ 10:00 a.m. through 5:00 p.m., Sunday provided that passenger pick-up by bus may occur until 10:00 p.m. subject to compliance with Condition No. 13 below. No drop-off passengers by bus shall occur before 8:00 a.m., Monday through Saturday or before 9:00 a.m. Sunday.

The following Condition was modified by P09-00480-MOD.

COA No. 13. Operator of deliver trucks and buses shall turn off their engines after being on-site for 15 minutes. ~~All forklifts used on-site shall be electric except during harvest when propane-powered forklifts may be used. By January 1, 1996, all use of non-electric forklifts shall cease.~~

The following Condition was modified by P09-00480-MOD.

Revised Project Revision Statement Item #2. ~~The winery will operate only within the hours of 8 AM to 5 PM except during a maximum 21 day crush period and no more than 14 marketing events when operations can continue until 10 PM. Office use is not included in this restriction.~~

The following item was modified by P09-00480-MOD and is incorporated into P19-00161 COA No. 4.3

Revised Project Revision Statement Item #3. ~~All Marketing activity shall occur inside the winery or on the terrace on the west side of the winery. The service yard area shall not be used for any marketing events.~~

The following Condition was modified by P09-00480-MOD.

Revised Project Revision Statement Item #4. ~~All exterior lighting shall be shielded in substantial conformance with the attached schematic and directed away from roadways and residence off-site. Low level lighting shall be utilized where possible (such as~~

~~parking areas) and light sources shall be kept as low as possible to reduce light pollution off-site. Outdoor lighting shall be used only when the winery is operation (such as during crush) or in conjunction with an approved marketing event. Outdoor lighting, including any sign illumination, shall be turned off at all other times. A minimum amount of shielded safety lighting, to be reviewed and approved by the Director, will be permitted to facilitate safe access from the parking area to the winery. The shielding and/or replacement of all existing light fixtures not in conformance with current requirements shall occur within 240 days of use permit approval.~~

Revised Project Revision Statement Item # 5. Public Tours and Tasting at the winery shall close at 3:30 pm on each day that the crush operation will extend beyond 3:30 pm or that an approved marketing event is scheduled to begin or end between 3:30 pm and 6:00 pm to offset the additional traffic generation. A sign that reads "Public Tours and Tasting Closed until 8 AM" which is readily and easily readable by the passing motoring public on Silverado Trail, shall be installed at the winery entrance each day this occurs.

The following Condition was modified by P09-00480-MOD.

~~Revised Project Revision Statement Item #6. The fact that the subject winery has displays of art or of items of historical, enological or viticultural significance, or other special attractions shall not be promoted nor advertised. This prohibition shall apply to any promotional literature or brochures the winery published or advertisements in trade or general circulation publications it places.~~

Revised Project Revision Statement Item # 7. Winery employees shall be encouraged to carpool to the greatest extent practical.

Revised Project Revision Statement Item # 8. All routine pickup and delivery of supplies and products shall be scheduled on weekdays between 7:00 AM and 4:00 PM except during the crush. Moreover, the pickup and delivery of supplies and products shall be scheduled to the greatest extent feasible outside the hours when the winery is open for tours, tasting or retails sales or when guests are likely to be arriving or departing from dinners, festivals, or other marketing events held at the winery.

Revised Project Revision Statement Item # 9. Grapes shall normally be transported to the expanded winery in the largest loads practical to reduce the total number of trips.

The following Conditions were modified by P09-00480-MOD.

Revised Project Revision Statement Item #10. ~~No additional parking spaces beyond 30 shall be created without prior approval of a modified use permit.~~

Revised Project Revision Statement Item #11. ~~Parking of vehicles on-site outside the 30 improved parking spaces present shall be prohibited except during~~

- ~~a) the crush when seasonal employees may park outside improved parking areas,~~
- ~~b) approved marketing events,~~
- ~~c) emergencies~~

~~Readily perceivable "No Parking" signs shall be installed and maintained as necessary in other areas where people might park including but not limited to along the edges of the driveway to the winery.~~

Revised Project Revision Statement Item #12. The parking of vehicles along Silverado Trail frontage of the subject property shall be prohibited. ~~"No Parking" signs shall be installed and maintained as necessary.~~

### **C. Major Modification No: 94099**

This Modification contained the same scope as Major Modification No. U-90-7, with requested revisions to Conditions of Approval Nos. 4, 7, and 13. The remaining conditions, Nos. 2-3, 5-6, 8-12, and 14 are the same as those listed in No. U-90-7 and all notes included above apply. Note: Exhibit A Sinskey Winery Marketing Plan, referenced below, was modified by P09-00480-MOD.

COA No. 1. The permit shall be limited to the following:

- a) increase in the winery's production capacity to 65,000 gallons/yr;
- b) installation of a demonstration kitchen of 200 square feet within the existing winery; AND
- c) marketing in compliance with the Marketing Plan attached as **revised** Exhibit A and hereby amended by the conditions of this permit.

Any expansion or changes in use, including installation of entrance gates, shall be by separate Use Permit submitted to the Department for Commission consideration. Internal changes in the layout of the proposed addition shall be submitted to the Director for review and approval.

The following Condition was modified by P09-00480-MOD.

COA No. 4. All fruit required by the winery may be delivered in metallic bins unless specifically modified by the Commission. Commencing January 1, 1996~~5~~, all bins used to deliver fruit required by the winery **from Sinskey owned vineyards shall be non-metallic, and all other grape deliveries shall be non-metallic bins if possible. Metal bins, if used, shall be limited to deliveries between the hours of 8am and 6pm.**

The following Condition was modified by P09-00480-MOD.

COA No. 7. All uses of the site henceforth undertaken by the winery in conjunction with marketing shall be in compliance with the Marketing Plan approved herein and incorporated by reference. The winery facility shall not be used for events hosted by entities other than the winery itself. **Adjoining property owners shall be notified of all events with more than 12 visitors at least 2 weeks prior to the event.**

The following Condition was modified by P09-00480-MOD.

COA No. 13. Operators of delivery trucks and buses shall turn off their engines after being on-site for 15 minutes. All forklifts used on-site shall be electric except **during the 21 day rush period. All non-electric forklifts used shall have state of the art mufflers which will meet the noise provisions of Section 8.16.070. of the Napa County Code.**

#### **D. Minor Modification No: 97431-MOD**

COA No. 1. The permit is limited to the addition of 7,685 sq. ft. to the existing winery in wine caves to be used for storage (including barrel aging) purposes only, and to install 10 new fermentation tanks in the former barrel rack storage area, within the existing 65,000 gal/yr winery with no increases in production capacity or other aspects of the operation, consistent with the attached floor plans and site plan. Any further expansion or changes in use shall be by separate Use Permit submitted for Commission or Zoning Administrator consideration.

#### **E. Major Modification No: P09-00480**

COA No. 1 Scope

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

- Increase wine production capacity from 65,000 gallons/year to 143,000 gallons/year (consistent with the Napa County Winery Production Process);
- Expand and relocate the demonstration kitchen with 662 square feet of new kitchen area and 1,261 square feet of new seating area;

- Expand the existing winery facility with a 2,937 square foot second-floor winery office wing and 801 square foot first-floor office addition;
- Expand the existing west-side, outdoor terrace by 1,500 square feet;
- Increase parking from 30 to 62 spaces with a new parking lot west of the existing lot and a dedicated limousine parking pocket at the southeast end of access roadway;
- Increase the number of full-time employees from six to ten and part-time employees from three to five;
- Construct a new sub-surface flow constructed wetland process waste water disposal system;
- Modify the existing marketing plan to increase the average number of food and wine seminar attendees from 30 to 36, allow up to 75 visitors/day for private tours and tastings with food pairings;
- Add a new once-monthly evening marketing event for up to 80 people;
- Add new, twice-yearly marketing events with food service for up to 150 visitors;
- Modify four Use Permit # 94099-U conditions of approval and four mitigation measures which restricted winery operations to accommodate a former neighbor, as noted below;
- Allow retail sales of produce and animal products grown, raised or produced on the winery property and adjacent parcel, also owned by the applicant's family
- No restaurant service with set menus or cooking schools shall be allowed, only incidental food and wine pairings and catered meals are allowed. In addition, the demonstration kitchen shall not be used or operated as a cooking school.

The following Condition has been ~~revised by included in~~ P19-00161 COA No. 4.3\_ ~~for ease of reference and use of updated standard language. No change to the number of marketing events occurred.~~ Full language is not included below.

COA No. 2. Marketing

The following Condition is replaced by P19-00161 COA No. 4.2.

~~COA No. 3. Tours and Tastings~~

- ~~Public tours and tastings (without prior appointment) shall be limited to a maximum of 132 visitors per day and no more than \_\_\_ visitors per week with food service provided in accordance with Ordinance No. 1340 (BOS approved May 11, 2010) and as approved by the Department of Environmental Management, as previously approved in Use Permit # 94099;~~
- ~~Of the maximum 132 visitors per day above, up to 75 visitors per day may participate in private tours and tastings with food pairings consisting of hors d'oeuvres and appetizers.~~

~~e. Any By-appointment Tours and Tasting shall not be conducted on the same day as any other Marketing or Temporary Event.~~

~~\*By-Appointment 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. Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant. (Ord. 1340, 2010: Ord. 947 § 9 (part), 1990: prior code § 12070).~~

~~Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c).~~

~~A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.~~

The following Condition is replaced by P19-00161 COA No. 4.6. for updated standard language.

~~COA No. 4. Grape Source - At least 75% of the grapes used to make the winery's increased production, from the wine (exceeding 65,000 gallons/year) approved with this major modification, shall be grown within the County of Napa. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the Conservation, Development and Planning Department upon request, but shall be considered proprietary information not available to the public.~~

~~COA No. 5. Gates/Entry Structures - Any gate installed at the winery entrance shall be reviewed by the Conservation, Development and Planning Department, Public Works Department, and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motor homes, 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 according to the County Code.~~

COA No. 6. Lighting - All new exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. 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. Prior to issuance of any building permit for construction of the winery, 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 Department review and approval. All lighting shall comply with the Airport Land Use Compatibility Plan requirements and Napa County Code Section: 18.80.030(D.) (1.). All lighting shall comply with Uniform Building Code (UBC).

COA No. 7. Landscaping/Parking - Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall comply with the current, adopted Napa County Water Efficient Landscape Ordinance. The plan shall indicate the names and locations of all new plant materials to be used along with the method of maintenance. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

All existing trees within the area planned for development shall be indicated on the landscaping plan according to species and size. Trees planned for removal shall be indicated on the detailed landscaping plan. No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

Evergreen screening shall be permanently installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and



off-site residences that can view these areas. This permanent screening requirement shall also include any cave portal, cave portal retaining wall and entrance pad that are visible from a public or private road.

Parking shall be limited to approved parking spaces only and shall not occur along access roads or in other locations except during harvest or approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the applicant shall arrange for off- site parking and shuttle service to the winery.

COA No. 8. Outdoor Storage/Screening/Utilities - All new outdoor storage of winery equipment, including new process wastewater treatment facilities, shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to 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. This permanent screening requirement shall also include any cave portal, cave portal retaining wall and entrance pad that are visible from a public or private road.

New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

The new retaining wall along parcel frontage for the new process waste water treatment system shall be constructed of similar materials and match the appearance of similar retaining walls on nearby properties.

The following Condition is replaced by P19-00161 COA No. 4.8 for updated standard language.

COA No. 9. Rental/Leasing - ~~No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than persons producing and/or storing wine at the on-site winery, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Chapter 5.36).~~

COA No. 13. Noise - Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with

County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road condition require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM.

Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code.

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

COA No. 14. 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 and the applicant shall obtain written approval by the Conservation, Development and Planning Department prior to painting the building. Highly reflective surfaces shall be prohibited.

COA No. 16. 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 Conservation, Development and Planning 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 the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he 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 nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

COA No. 17. Traffic - Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4:00 PM - 6:00 PM) travel times to the maximum extent possible. All road improvements on private property required per the Department of Public Works shall be maintained in good working condition.

COA No. 19. Storm Water Control – For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, 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. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any “Waters of the State,” the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

**F. Minor Modification No: P11-00441**

This Modification contained the same scope as Major Modification P09-00480 with the addition of project phasing. Conditions Nos. 2 through 24 are the same as those listed in P09-00480 and all notes included above apply.

COA No. 1 Scope

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

**Define construction phasing pursuant to winery upgrades approved as part of Use Permit Major Modification #P09-00480-MOD including:**

- **Phase I improvements to include a new processed wastewater and septic system installation, outdoor terrace expansion (with in indoor/outdoor meeting and conference space, overflow tasting space), tasting room kitchen upgrades, south-side storage addition and roof replacement;**
- **Phase II office expansion including conversion of second-floor “shell space” to office use, new bridge construction across the tasting room to connect second-floor offices with remodeled production offices and laboratory space and new employee restrooms;**
- **Phase III production area expansion including a new roof, reconfigured retaining wall and presses for new tanks and relocation of an existing transformer and photo-voltaic array;**
- Increase wine production capacity from 65,000 gallons/year to 143,000 gallons/year (consistent with the Napa County Winery Production Process);
- Expand and relocate the demonstration kitchen with 662 square feet of new kitchen area and 1,261 square feet of new seating area;

- Expand the existing winery facility with a 2,937 square foot second-floor winery office wing and 801 square foot first-floor office addition;
- Expand the existing west-side, outdoor terrace by 1,500 square feet;
- Increase parking from 30 to 62 spaces with a new parking lot west of the existing lot and a dedicated limousine parking pocket at the southeast end of access roadway;
- Increase the number of full-time employees from six to ten and part-time employees from three to five;
- Construct a new sub-surface flow constructed wetland process waste water disposal system;
- Modify the existing marketing plan to increase the average number of food and wine seminar attendees from 30 to 36, allow up to 75 visitors/day for private tours and tastings with food pairings;
- Add a new once-monthly evening marketing event for up to 80 people;
- Add new, twice-yearly marketing events with food service for up to 150 visitors;
- Modify four Use Permit # 94099-U conditions of approval and four mitigation measures which restricted winery operations to accommodate a former neighbor, as noted below;
- Allow retail sales of produce and animal products grown, raised or produced on the winery property and adjacent parcel, also owned by the applicant's family
- No restaurant service with set menus or cooking schools shall be allowed, only incidental food and wine pairings and catered meals are allowed. In addition, the demonstration kitchen shall not be used or operated as a cooking school.

Except as they may be modified by the project revision statement or by these conditions of approval, the winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials, **Arkin-Tilt Architects Winery Renovation Plans for Robert Sinskey Vineyards, dated august 23, 2011**, and shall comply with all requirements of the Napa County Code. It is the responsibility of the applicant 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 changes in use shall be approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.



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**Planning, Building, & Environmental Services**

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

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

**David Morrison**  
Director

To: Emily Hedge	From: Stacie Gutierrez, Plans and Permit Supervisor
Date: November 4, 2020	Re: Robert Sinskey Winery Major Modification P19-00161

**Building Inspection Division; Conditions of Approval**

APN: 031-230-017-000

Project: Robert Sinskey Major Modification

Description: Code Compliance Program - Major modification to recognize employee and visitation levels and utilize the cave for tours and events.

The Building Division is not reviewing this project for compliance with the California Building Standards 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 P19-00161; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The exact layout shown on the cave plan, dated October 19, 2020, is not approved from a Building code standpoint and the layout of the caves will be reviewed during the Building Permit process. A complete and thorough plan review will be performed at the time application is made for the required building, plumbing, mechanical, electrical, and any other construction permits required by other Napa County Agencies.



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David Morrison  
Director

## MEMORANDUM

To: Emily Hedge, Planning	From: Jeannette Doss, Engineering <i>JD</i>
Date: November 4, 2020	Re: Robert Sinskey Vineyards Use Permit Modification Engineering CoA 6230 Silverado Trail, Napa CA 94558 P19-00161      APN: 031-230-017-000

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

### EXISTING CONDITIONS

1. Napa County parcel 031-230-017-000 is located on Silverado Trail, just south of the intersection with Yountville Cross Road.
2. The existing parcel is approximately 11.82 acres.
3. There is an existing left hand turn lane facilitating southbound traffic into the winery parcel along Silverado Trail.
4. Site is currently developed with a winery, associated winery accessory structures and site improvements, and vineyards.

### RECOMMENDED APPROVAL CONDITIONS:

### OPERATIONAL CHARACTERISTICS

1. Should any existing outdoor/uncovered loading/unloading areas and/or processing areas, including but not limited to wine grape crushing/pressing, juice fermentation, blending and fining, filtration and bottling, be modified, expanded and/or improved in the future, Napa County may require these areas to be paved and performed undercover.



2. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.
3. All required and/or proposed new roadway, access drive, and parking area improvements shall be completed **prior to the execution** of any entitlements approved by this application.

#### PREREQUISITES FOR ISSUANCE OF PERMITS

4. The property owner shall obtain a grading permit and/or a formal grading exemption for any proposed or required roadway and site improvements.
5. Prior to issuance of a permit and/or formal exemption, the owner shall demonstrate on the plans that all roadways, access driveways, and parking areas will be improved to meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of approval of this application.
6. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and grading permit documents at the time of permit application. A plan check fee will apply.
7. 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.
8. **Prior to issuance of a 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 for Applicant and Review Staff dated December 2014.

#### PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

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

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



**PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY**

10. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

**Any changes in use may necessitate additional conditions for approval.**

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



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**David Morrison**  
Director

MEMORANDUM

To: Emily Hedge, Planner III	From: Maureen S. Bown R.E.H.S.
Date: March 17, 2020	Re: Use Permit Application Robert Sinskey Vineyards Located at 6320 Silverado Trail Assessor Parcel # 031-230-017-000 Permit# UP MOD P19-00161

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

Immediately:

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

Within 60 days of use permit approval and prior to implementing changes authorized by this modification:

2. Submit a Domestic Water Supply Permit Amendment to the Planning, Building, and Environmental Health Department, Consumer Protection division for approval. Questions regarding water system requirements shall be directed to Brittany Urquhart or Stacey Harrington of this Division.

Thereafter:

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. 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.

5. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
6. Adequate area must be provided for collection of recyclables and compostable. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The designated area shall remain available and be properly maintained for its intended use.
7. Please be advised-requirements for process wastewater treatment systems in Napa County are being reviewed and may be modified to comply with State Water Quality Control Board (SWQCB) minimum standards.

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_ Planning Division	Building Division	Engineering & Conservation Space	Environmental Health	Parks & Open
(707) 253-4417	(707) 253-4417	(707) 253-4417	(707) 253-4471	(707) 259-5933



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

Office: (707) 299-1461

James Bales  
Fire Marshal

## MEMORANDUM

<b>TO:</b>	Planning Department	<b>DATE:</b>	11/5/2020
<b>FROM:</b>	Jason Downs, Fire Captain	<b>PERMIT #</b>	P19-00161
<b>SUBJECT:</b>	RSV Conditions of Approval	<b>APN:</b>	

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. The permittee and/or designee shall submit a complete application to the fire department within one year that makes the existing Automatic Fire Suppression operational.
2. The large table located in the library tasting room shall be permitted to stay in place so long as the table is not used for tasting.
3. The combustible storage located in the cave shall have a minimum of 24" clearance from the ceiling, clear aisle, and proper housekeeping shall be maintained.
4. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
5. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
6. The permittee and/or designee shall obtain a permit from the fire department for any temporary structures/canopies/tents utilized for authorized events.
7. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.
8. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, High Piled Storage (any combustible stored over 12 feet in height).



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Hall of Justice, 2nd Floor  
1125 3rd Street  
Napa, CA 94559

Office: (707) 299-1461

James Bales  
Fire Marshal

## MEMORANDUM

9. 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.
10. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
11. 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.
12. Roadways shall be a minimum of 20 feet in width with a 2 foot shoulder and 15 foot vertical clearance.
13. Driveways shall be a minimum of 10 feet in width with a 4 foot shoulder and 15 foot vertical clearance.
14. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25 foot taper on each end.
15. Turnarounds are required on driveways and dead end roadways.
16. Grades for all roadways and driveways shall not exceed 16 percent.
17. Roadway radius shall not have an inside radius of less than 50 feet. And 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.
18. 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.
19. 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 Table B105.2 through Table 105.4 of the Napa County Code Amendments.



A Tradition of Stewardship  
A Commitment to Service

Napa County Fire Department  
Fire Marshal's Office  
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20. 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 2016 edition.
21. 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.
22. 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, 2013 edition for the installation of Underground Fire Protection Mains
23. Developments in excess of 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals.
24. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
25. 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.
26. Provide 100 feet of defensible space around all structures.
27. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.
28. Emergency responder radio coverage **in** new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.
29. All cave development shall comply with CBC Section 436 as well as the Napa County Fire Marshal's Office Cave Development Guidelines.



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Please note that the comments noted above are based on a Fire Marshal's Office 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](http://www.countyofnapa.org/firemarshal). Should you have any questions of me, contact me at (707)299-1467 or email at [jason.downs@countyofnapa.org](mailto:jason.downs@countyofnapa.org).