



A Tradition of Stewardship  
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Planning, Building & Environmental Services

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

David Morrison  
Director

August 28, 2019

Glenn Salva  
Antinori California  
3700 Soda Canyon Rd  
Napa, CA 94558

Re: Antica Napa Valley Very Minor Modification Use Permit Request #P18-00439-VMMM  
Assessor's Parcel Number: 032-550-004; 3700 Soda Canyon Rd.

Dear Mr. Salva:

The Napa County Planning, Building, and Environmental Services Department has reviewed your request for a Very Minor Modification, #P18-00439-VMM, submitted on December 12, 2018, to modify Use Permit #U488687 and Modification #95095-MOD to reduce the administration office building, remove the tower, and reallocate interior areas.

No other changes are being approved. There will be no change in operations, production, employees, or visitation.

Please be advised that this request has been **APPROVED** by the Director subject to the attached conditions of approval. It should be noted that all previous Use Permit conditions not in conflict with this modification will still apply.

The Department has determined this application to be Categorically Exempt from the provisions of CEQA, the California Environmental Quality Act, pursuant to Section 15301, Appendix B, Class 1(3) (Very Minor and Minor modifications of existing use permits in conformance with Section 18.124.130 of the Napa County Code) of the Napa County's Local Procedures for implementing the California Environmental Quality Act.

The modification is effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Antica Napa Valley  
P18-00439-VMM  
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You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the ninety day period in which to protest imposition of any fees, dedications, reservations, or other exactions that may have been adopted as conditions of approval has begun.

Pursuant to Section 18.124.080 of the Napa County Code, the modification must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of this permit.

**Expiration Date: August 28, 2021**

Should you have any questions, please contact Wyntress Balcher, Planner II at (707) 299-1351 or e-mail at [wyntress.balcher@countyofnapa.org](mailto:wyntress.balcher@countyofnapa.org).

Sincerely,

David Morrison  
Director

A handwritten signature in black ink, appearing to read 'Wyntress Balcher', with a long horizontal flourish extending to the right.

By: Wyntress Balcher, Planner II

Enclosures

cc: Rob Anglin, Holman Teague Roche Anglin, LLP, 1455 First Street Suite 217, Napa, CA 94559  
Napa County Departments/Divisions – Environmental Services, Environmental Health, Building,  
Fire, J. Tuteur (Assessor)  
Project Files

**CONDITIONS OF APPROVAL**

**ANTICA NAPA VALLEY VERY MINOR MODIFICATION  
P18-00439-VMM  
3700 Soda Canyon Rd, Napa  
APN: 032-550-004**

This permit encompasses and shall be limited to the project commonly known as Antica Napa Valley Very Minor Modification, located at 3700 Soda Canyon Rd. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

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

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

**PART I**

**1.0 PROJECT SCOPE**

This permit encompasses shall be limited to:

- 1.3 Approval to modify an existing 450,000 gallon per year winery, previously approved under U-488687 and modified by #95095-MOD, to allow the following:
  - a. Modification to reduce the size of the approved administration office building to a 3,855 ft<sup>2</sup> structure, single story and ±18-ft in height. The request includes the elimination of the approved 50-ft tower. The existing production building (17,233 ft<sup>2</sup> in area) plus the proposed 3,855 ft<sup>2</sup> hospitality/administration building do not exceed the approved 25,000 ft<sup>2</sup> total building area for the Phase I of the winery.
  - b. Reallocation of offices/boardroom spaces of the administration building to add a 1,015 ft. <sup>2</sup> and a 407ft<sup>2</sup> tasting area.

No other changes are being requested. The requested changes shall be designed in substantial conformance with the submitted site plans dated March 5, 2019, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code.

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 [RESERVED]
- 4.2 TOURS AND TASTINGS/VISITATION [RESERVED]
- 4.3 MARKETING [RESERVED]
- 4.4 ON-PREMISES CONSUMPTION [RESERVED]

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

4.6 GRAPE SOURCE **[RESERVED]**

4.7 COMPLIANCE REVIEW **[RESERVED]**

4.8 RENTAL/LEASING

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

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

4.10 AMPLIFIED MUSIC

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

4.11 TRAFFIC **[RESERVED]**

4.12 PARKING

The location of visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

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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.

- 4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]** [
- 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 **[RESERVED]**
- 4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS
- The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:
- a. Engineering Services Division operational conditions as stated in their Memorandum dated August 23, 2019.
  - b. Environmental Health Division operational conditions as stated in their Memorandum dated March 26, 2019.
  - c. Building Division operational conditions as stated in their Memorandum dated January 16, 2019.

- d. Fire Department operational conditions as stated in their Inter-Office Memo dated August 23, 2019.

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 **[RESERVED]**

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. Engineering Services Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated August 23, 2019.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated March 26, 2019.
- c. Building Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated January 16, 2019.
- d. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated August 23, 2019.

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

#### 6.2 BUILDING DIVISION – GENERAL CONDITIONS

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

#### 6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.



- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

#### 6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.
- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

#### 6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written

approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

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

6.7 TRASH ENCLOSURES

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

6.8 ADDRESSING **[RESERVED]**

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES

- a. Final demolition plans of the existing improvements shall be submitted for building permit issuance. A site plan prepared by a qualified professional shall denote streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities are allowed within established stream setbacks unless specifically approved as part of this permit in COA No. 1.0 (Scope) above. As determined by the PBES Director or designee, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.
- b. A landscape plan or restoration plan for the demolition area (existing residential and accessory structures) shall be submitted showing how the area will be restored to its natural vegetation state to the extent feasible.

The landscape plan shall be approved by the PBES Director or designee prior to installation.

- 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**

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

d. **STORM WATER CONTROL**

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

7.2 **ARCHEOLOGICAL FINDING**

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

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if

the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

**7.3 CONSTRUCTION NOISE**

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

**7.4 CONSTRUCTION MITIGATION MEASURES [RESERVED]**

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

**8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES**

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

**8.1 TEMPORARY OCCUPANCY**

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

**9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES**

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

**9.1 FINAL OCCUPANCY**

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

**9.2 SIGNS [RESERVED]**

- 9.3 GATES/ENTRY STRUCTURES **[RESERVED]**
- 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 ACTIVITIES  
All demolition activities associated with the proposed Administrative Building shall be completed, landscaping installed, and debris cleared from the subject parcel.
- 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 **[RESERVED]**



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Planning, Building & Environmental Services

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David Morrison  
Director

## MEMORANDUM

To: Wyntriss Balcher, Planning	From: Jeannette Doss, Engineering <i>JD</i>
Date: August 22, 2019	Re: Antica Napa Valley Use Permit Mod – Engineering CoA 3700 Soda Canyon Road, Napa CA 94558 P18-00439      APN: 032-550-004-000

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. Existing parcel is currently developed with a winery.

### RECOMMENDED APPROVAL CONDITIONS:

### OPERATIONAL CHARACTERISTICS

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

### PREREQUISITES FOR ISSUANCE OF PERMITS

1. 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 & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
2. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and grading permit documents at the time of permit application. A plan check fee will apply.
3. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.

4. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
5. **Prior to issuance of a building permit** the owner shall prepare a 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.

#### **PREREQUISITES DURING PROJECT CONSTRUCTION**

6. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction.**

#### **PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY**

7. All roadway and parking improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit [P18-00439]. **\*\* If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

#### **PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY**

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

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

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





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## MEMORANDUM

To: Wyntress Balcher, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: March 26, 2019	Re: Use Permit – Antica Napa Valley APN 032-550-004 File #P18-00439

Environmental Health staff has reviewed a revised application requesting to modify an approved use permit by reducing the height of the proposed winery office building and reconfiguring rooms within the building. This Division has no objection to approval of the application with the following conditions of approval:

### Prior to building permit issuance:

1. The site plan included with the building permit application must include all improvements on the parcel including well(s) and sanitary and process wastewater systems.
2. Prior to the approval of a building permit, an inspection of the existing sanitary wastewater treatment system must be conducted by a licensed sewage contractor and a report on their findings submitted to this Division for review and approval. Deficiencies noted during the inspection must be corrected prior to final of the building permit. A construction permit may be required.
3. 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.
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. 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.

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

6. Annual food and water system permits must be obtained prior to issuance of a final on the project.
7. 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:

8. All catered 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.
9. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
10. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
11. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
12. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.



A Tradition of Stewardship  
A Commitment to Service

Planning, Building, & Environmental Services

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

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

David Morrison  
Director

To: Wyntriss Balcher, Project Planner	From: Marie Taylor, Building Inspector
Date: January 16, 2019	Re: Use Permit – Antica Napa Valley File # P18-00439 Address: 3700 Soda Canyon Road Napa, Ca. 94558 APN: 032-550-004

**Building Inspection Division; Planning Use Permit Review Comments**

The plans provided for the Use Permit application P18-00439 do not provide enough information in sufficient detail to determine code requirements. A complete plan check will be performed at the time of application and plan submittal to the building division for required permits. The following are provided to prepare the applicant for some standard submittal requirements for the plan review of the building permit process.

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

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

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

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

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



A Tradition of Stewardship  
A Commitment to Service

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

Office: (707) 299-1461

Garrett Veyna  
Fire Marshal

## MEMORANDUM

TO: Planning Division	DATE: 8/23/2019
FROM: Chase Beckman Fire Department	
SUBJECT: Antica Napa Valley P18-00439	APN: 032-550-004

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. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at 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. The permittee and/or designee shall obtain a permit from the Fire Department for any temporary structures/canopies/tents utilized for authorized events.
4. 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.
5. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stored over 12 feet in height).
6. 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 most current Napa County Road & Street Standards.
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. Turnarounds are required on driveways and dead end roadways.
9. Grades for all roadways and driveways shall not exceed 16 percent.



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Office: (707) 299-1461

Garrett Veyna  
Fire Marshal

## MEMORANDUM

10. 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.
11. 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.
12. 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 Table B105.2 through Table 105.4 of the Napa County Code Amendments.
13. 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 2016 edition.
14. 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.
15. Provide 100 feet of defensible space around all structures.
16. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ [www.countyofnapa.org/firemarshal](http://www.countyofnapa.org/firemarshal). Should you have any questions of me, contact me at (707)299-1462 or email at [chase.beckman@fire.ca.gov](mailto:chase.beckman@fire.ca.gov)

Best regards,

Chase Beckman  
Deputy Fire Marshal



**CONDITIONS OF APPROVAL  
EXHIBIT A**

**ANTICA NAPA VALLEY VERY MINOR MODIFICATION  
P18-00439-VMM  
3700 Soda Canyon Rd, Napa  
APN: 032-550-00**

*(Please see attached 6 pages)*





WHITBREAD OF CALIFORNIA  
#U-488687

1. The Commission added two additional Mitigation Measures (Attachment 2) for a total of 17.

2. The Commission modified the size of the winery as follows:

Phase 1 - 25,000 sq. ft.

Phase 2 - 22,000 sq. ft.

Total 47,000 sq. ft.

3. The Commission modified Condition of Approval #10 to read:

Use Permit #U-278586 for the original winery location shall become null and void subject to compliance with Section 12806(b) of the Napa County Code.



CONDITIONS OF APPROVAL

Agenda Item: 9

Meeting Date: May 6, 1987

Use Permit: #U-488687

1. The permit be limited to the construction of a 450,000 gallons/year winery with related waste disposal ponds. The size of the winery structure shall not exceed 34,000 sq. ft. and the winery caves 36,000 sq. ft.

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

2. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to issuance of the Building Permit. Landscaping, fencing and parking to be completed prior to finalization of Building Permit. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
3. Provisions for a minimum of 30 off-street parking spaces on a dust free all weather surface approved by Public Works.
4. Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.
5. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
6. Compliance with Mitigation Measures #1 thru #15 contained in the attached Negative Declaration.
7. Except as permitted by County ordinance, only private tours and tastings shall be permitted. Private tours and tastings shall mean tours and tastings that are limited to members of wine trade, persons invited by the Winery who have pre-established business with the Winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. Tours or tastings that are available to the general public or are advertised as open to the general public by any means of communication are expressly prohibited. No tasting shall be conducted in conjunction with or prior to retail sales unless it constitutes a private tasting. The sale of merchandise of any kind other than wine is expressly prohibited.

The applicant shall install a sign at the winery entrance from the public roadway to the Winery reading, "Tours and Tasting By Appointment Only". The sign shall be commercially made by a sign contractor which complies with the following standards:



**Type:** Free-standing double-sided sign.

**Location:** The sign shall be installed perpendicular to the public roadway at the Winery entrance.

**Height:** Not less than 3 nor more than 5 feet off the ground.

**Size:** 12" x 36"

**Sign Lettering:** A minimum of 3" high.

**Sign Color:** White weatherized lettering on a dark-green background or such other color as may be approved by the Planning Director that will accomplish the intent of this requirement.

**Placement:** Tours and Tasting By Appointment Only sign shall be installed prior to finalization of any building permit issued by the County in connection with this Use Permit with the following exception: If the Winery owner/operator does not have or chooses not to install a sign or identify in any way the existence of the Winery on the site, the installation of the Tours and Tasting By Appointment Only sign may be deferred until such time as a winery identification sign is installed.

The sign shall be permanently installed and maintained in a readable condition.

8. Except as permitted by County ordinance, no outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
9. Retail sales shall be limited to wine produced and bottled by the winery. Retail sales may commence following the construction of the winery.
10. Use Permit #U-278586 for the original winery location shall become null and void upon issuance of a Building Permit for this Use Permit (#U-488687).

# 3



ATTACHMENT 1

Mitigation Measures for  
Whitbread of California (AP# 32-080-29, 30, 32-040-40)  
(#U-488687)

NOISE

1. Construction activities shall be limited to daylight hours between 7:30 AM and 6:30 PM during weekdays, and shall be prohibited in the evenings and during weekends.
2. Installation or reinstallation as needed of the state-of-the-art muffler systems required by current law on the construction equipment used. Proper maintenance of said muffler systems shall be provided.
3. Placement of noisy stationary construction equipment such as compressors away from developed areas off-site and/or the provision of acoustical shielding around such equipment.
4. Selection consistent with sound construction practice of construction techniques, staging plans and equipment designed to produce a minimum amount of noise.
5. Grading and construction equipment shall be shut down when not actively in use.

LIGHT & GLARE

6. All exterior lighting on the site shall be properly shielded and directed downward to preclude glare conditions that might impact nearby residential uses.
7. Low-level lighting shall be utilized in the parking areas, as opposed to elevated high-intensity light standards.

CIRCULATION

8. The applicant agree to participate in the construction of a left turn lane in Silverado Trail for use of south bound traffic turning into Soda Canyon Road. (Such participation be in the form of a payment to County equivalent to the cost of added pavement required for a left turn lane). We have established the amount of \$25,000.00 as being a proper contribution to this project.

Also, the applicant agree to finance pavement improvement and right of way widening along Soda Canyon Road in an amount of up to \$10,000.00. Such improvement and widening to be determined at sole discretion of County.

9. The access road serving the winery from the terminous of Soda Canyon Road be a minimum width of 20 feet and consist of a minimum structural section equivalent to 5 inches of Class II Aggregate Base plus a double seal coat.





At his option the applicant may defer 4 of the above 20 feet until such time in the future the County deems the full 20 feet to be necessary.

- 10. All construction within the County road right of way be in accordance with an encroachment permit issued by the Department of Public Works.
- 11. Hauling by trucks on public roads shall not be allowed Monday through Friday, between 7:00 AM - 9:00 AM and also between 2:00 PM - 4:00 PM on school days, to minimize hazardous conditions during school busing times.

WATER QUALITY & PUBLIC SAFETY

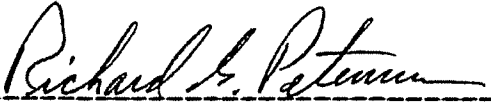
- 12. Comply with Napa County Dept. of Environmental Health memorandum of March 26, 1987.
- 13. Comply with Napa County Mosquito Abatement District Guidelines of June, 1982.
- 14. Comply with California Dept. of Forestry requirements.

ARCHEOLOGY

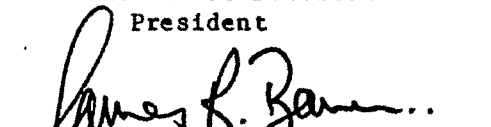
- 15. Placement in the specifications covering this project of a stipulation binding the applicant, his employees, and/or contractor(s) to stop all work within 35 feet if buried archaeological or historic materials (e.g., worked stone, greasy soil, bone, charcoal, building foundations, historic dumps, etc.) are encountered outside the boundaries of the leach field, leach field expansion, and force main trench areas. A qualified professional archaeologist shall be employed to collect the artifacts uncovered, evaluate their significance, and make recommendations to reduce any damage that would be involved to a non-significant level. All such recommendations shall, with the concurrence of the County Planning Director, be implemented.

I understand and explicitly agree that with regards to all CEQA and Permit Streamlining Act (i.e., GCS 63920-63962) processing deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date this project revision statement is received by the Napa County Conservation, Development and Planning Department.

I AGREE TO INCLUDE THE ABOVE MITIGATION MEASURES IN THE PROJECT.

  
 \_\_\_\_\_  
 Dr. Richard G. Peterson  
 President

4-10-87  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 James Barnes  
 Vice-President

4/9/87  
 \_\_\_\_\_  
 Date



RECEIVED

JUN 24 1987

ATTACHMENT II

Additional Mitigation Measures for  
Whitbread (#U-488687 & #U-278586 Extension)

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEP

1. The well which is located near the gate to the property will not be the source for general winery use. Water for general winery use, approximately 8 acre /feet per year at maximum winery operation, will come from existing wells near the center of the vineyard property or from reservoirs.
2. Hauling by winery trucks on Soda Canyon Road while the school bus is on the road shall not be allowed Monday through Friday on school days. The applicant shall stay in contact with the Napa Valley Unified School District, Transportation Department to ascertain the bus schedule and revise trucking schedules accordingly.

I Understand and explicitly agree that will regards to all CEQA and Permit Steamlining Act (i.e., GCS 63920-63962) processing deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date this project revision statement is received by the Napa County Conservation, Development and Planning Department.

I AGREE TO INCLUDE THE ABOVE MITIGATION MEASURES IN THE PROJECT.

James R. Barnes  
James Barnes, Vice President

23<sup>rd</sup> June 1987.  
Date

Richard S. Peterson  
Richard Peterson, President

23 June 1987  
Date

:7k

#6

EXHIBIT PD-18

PAGE 2 OF 5













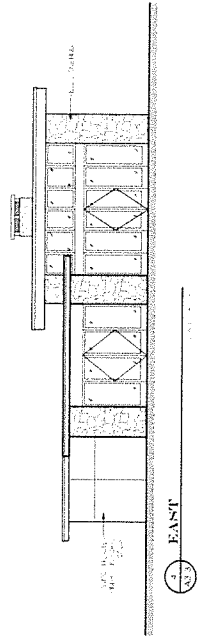
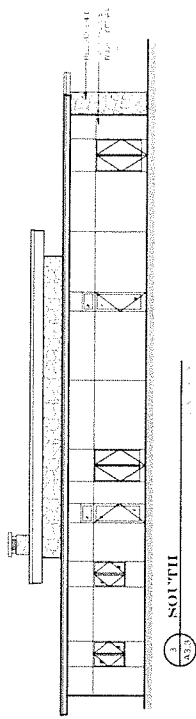
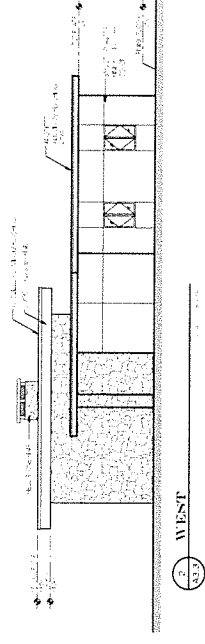
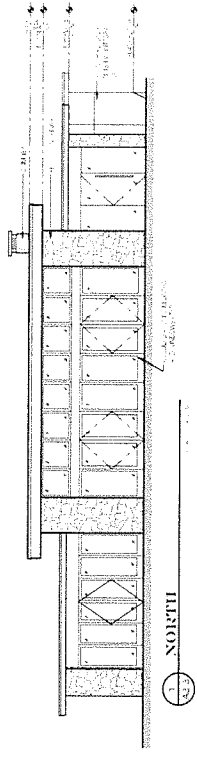


**JAMES JEFFERY  
ARCHITECTS-AIA-INC**  
ARCHITECTURAL  
PLANNING & DESIGN

1175 S. GILBERT STREET  
NAPATA, CALIFORNIA 94558  
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THE ARCHITECTS' SEAL OF THE STATE OF CALIFORNIA  
No. 10000  
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FAX: 707.251.1001



ANTINDRI FAMILY  
WINE ESTATE  
3700 Soda Canyon Road  
Napa, CA 94558

PROPOSED  
HOSPITALITY  
EXT. ELEVATIONS

DATE: 10/15/11  
DRAWN BY: JJJ  
CHECKED BY: JJJ  
SCALE: AS SHOWN

**A3.3**

