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Napa County  
Conservation, Development, and Planning Department  
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file No P19-00004-MOI

Use Permit Application

To be completed by Planning staff...

Application Type: Major MOD  
Date Submitted: 1/27/2019 Resubmittal(s): \_\_\_\_\_ Date Complete: \_\_\_\_\_  
Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Application Fee Deposit: \$ 10,000.- Receipt No. 133012 Received by: TA Date: 1/2/19

\*Total Fees will be based on actual time and materials

To be completed by applicant...

Project Name: Brasswood Winery permit modification An application for a development permit

Assessor's Parcel No: 022-070-028 Existing Parcel Size: 50.31 +/- ac.

Site Address/Location: 3125 St. Helena Highway No. St. Helena, CA. 94574  
No. Street City State Zip

Primary Contact:  Owner  Applicant  Representative (attorney, engineer, consulting planner, etc.)

Property Owner: Stacia Dowdell

Mailing Address: 818 Chiles Avenue St. Helena, CA. 94574  
No. Street City State Zip

Telephone No: (707) 200 - 1243 E-Mail: stacia@brasswood.com

Applicant (if other than property owner): Marcus Marquez

Mailing Address: 3111 St. Helena Highway No. St. Helena, CA. 94574  
No. Street City State Zip

Telephone No: (707) 968 - 5434 E-Mail: marcus@brasswood.com

Representative (if applicable): Land Use Planning Services

Mailing Address: 2423 Renfrew Street Napa, CA. 94558  
No. Street City State Zip

Telephone No: (707) 255 - 7375 E-Mail: jreddingaicp@comcast.net

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## Use Permit Information Sheet

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### Use

Narrative description of the proposed use (please attach additional sheets as necessary):

Brasswood Winery (formerly Cairdean) has an approved production capacity of 50,000 gallons annually. The winery approved in 2012 also includes a 24,000 s.f. winery building and 16,000 s.f. of wine caves. Tours and tastings by appointment was approved at the same time. The applicant proposes to increase annual production to 95,000 gallons annually. An increase in the number of employees approved in 2012 is proposed to accommodate the increase in production. Employee levels would change from 6 FT and 4 PT to 10 FT employees. The water availability and wastewater feasibility analysis have been updated to reflect this change. No change to the number of daily visitors, the production or visitation hours is proposed.

What, if any, additional licenses or approvals will be required to allow the use?

District \_\_\_\_\_ Regional \_\_\_\_\_

State ABC Federal TTB

### Improvements

Narrative description of the proposed on-site and off-site improvements (please attach additional sheets as necessary):

No changes to the winery building or caves is proposed. The only physical change necessary to accommodate the proposed increase in production is to the wastewater treatment and disposal system. As noted in the Wastewater Feasibility System report, the additional wastewater expected from the increase in annual production will be dispersed on existing vineyards and landscaping. No off-site improvements or other changes to the property are proposed.

**Improvements, cont.**

Total on-site parking spaces: 24 existing 24 proposed  
Loading areas: 1 existing 1 proposed

Fire Resistivity (check one; if not checked, Fire Marshal will assume Type V – non rated):

Type I FR     Type II 1 Hr     Type II N (non-rated)     Type III 1 Hr     Type III N  
 Type IV H.T. (Heavy Timber)     Type V 1 Hr.     Type V (non-rated)  
*(for reference, please see the latest version of the California Building Code)*

Is the project located in an Urban/Wildland Interface area?     Yes     No

Total land area to be disturbed by project (include structures, roads, septic areas, landscaping, etc): 42,400 s.f. +/- (approx. 1acre) acres

**Employment and Hours of Operation**

Days of operation: Sunday-Saturday existing    Sunday-Saturday proposed  
Hours of operation: 7:30 a.m.-6:00 p.m. existing    7:30 a.m.-6:00 p.m. proposed  
Anticipated number of employee shifts: 1 existing    1 proposed  
Anticipated shift hours: 7:30 a.m.-6:00 p.m. existing    7:30 a.m.-6:00 p.m. proposed

Maximum Number of on-site employees:

10 or fewer     11-24     25 or greater (specify number) \_\_\_\_\_

*Alternately, you may identify a specific number of on-site employees:*

other (specify number) 10 FT

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### Certification and Indemnification

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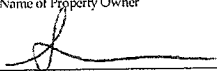
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Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

<u>Stacia Dowdell</u> Print Name of Property Owner	 Print Name Signature of Applicant (if different)
<u></u> Signature of Property Owner	<u>11-10-2018</u> Date
	 Signature of Applicant
	 Date

## Supplemental Application for Winery Uses

### Operations

Please indicate whether the activity or uses below are already legally **EXISTING**, whether they exist and are proposed to be **EXPANDED** as part of this application, whether they are **NEWLY PROPOSED** as part of this application, or whether they are neither existing nor proposed (**NONE**).

Retail Wine Sales	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Tours and Tasting- Open to the Public	<input type="checkbox"/> Existing			
Tours and Tasting- By Appointment	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Tours and Tastings	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Marketing Events*	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Marketing Events	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Will food be prepared...		<input type="checkbox"/> On-Site?	<input checked="" type="checkbox"/> Catered?	
Public display of art or wine-related items	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input type="checkbox"/> Newly Proposed	<input type="checkbox"/> None

\* For reference please see definition of "Marketing," at Napa County Code §18.08.370 - <http://library.municode.com/index.aspx?clientId=16513>

### Production Capacity \*

Please identify the winery's...

Existing production capacity: 50,000 gal/y Per permit No: P11-00298-UP Permit date: June 6, 2012

Current maximum actual production: \_\_\_\_\_ gal/y For what year? \_\_\_\_\_

Proposed production capacity: 95,000 gal/y

\* For this section, please see "Winery Production Process," at page 11.

### Visitation and Hours of Operation

Please identify the winery's...

Maximum daily tours and tastings visitation:	<u>25</u> existing	<u>25</u> proposed
Average daily tours and tastings visitation <sup>1</sup> :	<u>20</u> existing	<u>20</u> proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	<u>Sun-Sat 10:00-6:00</u> existing	<u>Sun-Sat 10:00-6:00</u> proposed
Non-harvest Production hours <sup>2</sup> :	<u>Sun-Sat 7:30-6:00</u> existing	<u>Sun-Sat 7:30-6:00</u> proposed

<sup>1</sup> Average daily visitation is requested primarily for purposes of environmental review and will not, as a general rule, provide a basis for any condition of approval limiting allowed winery visitation.

<sup>2</sup> It is assumed that wineries will operate up to 24 hours per day during crush.

## Grape Origin

All new wineries and any existing (pre-WDO) winery expanding beyond its winery development area must comply with the 75% rule and complete the attached "Initial Statement of Grape Source". See Napa County Code §18.104.250 (B) & (C).

## Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, food service details, etc. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

No change to the approved marketing plan is proposed. The approved marketing plan is as follows:

Two (2) events/month for 25 persons (maximum)

Two (2) events/month for 50 persons (maximum)

Two (2) release events/year for 100 persons (maximum)

Participation in annual Napa Valley charitable events: 25 persons (maximum)

## Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service. (Attach additional sheets as necessary.)

Food service at approved marketing events will continue to be catered. County approved and licensed catering services will continue to be used. Wine tasting will continue to include food pairings at levels approved in 2012

## Winery Coverage and Accessory/Production Ratio

**Winery Development Area.** Consistent with the definition at "a.," at page 11 and with the marked-up site plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing	<u>13,400</u> sq. ft.	<u>0.31</u> acres
Proposed	<u>13,400</u> sq. ft.	<u>0.31</u> acres

**Winery Coverage.** Consistent with the definition at "b.," at page 11 and with the marked-up site plans included in your submittal, please indicate your proposed winery coverage (maximum 25% of parcel or 15 acres, whichever is less).

<u>30,600</u> sq. ft.	<u>0.70</u> acres	<u>1.3</u> % of parcel
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**Production Facility.** Consistent with the definition at "c.," at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed *production* square footage. If the facility already exists, please differentiate between existing and proposed.

Existing	<u>9,900</u> sq. ft.	Proposed	<u>9,900</u> sq. ft.
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**Accessory Use.** Consistent with the definition at "d.," at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed *accessory* square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing	<u>2,500</u> sq. ft.	<u>25</u> % of production facility
Proposed	<u>2,500</u> sq. ft.	<u>25</u> % of production facility

## Caves and Crushpads

If new or expanded caves are proposed please indicate which of the following best describes the public accessibility of the cave space:

- None – no visitors/tours/events (Class I)
  Guided Tours Only (Class II)
  Public Access (Class III)
   
 Marketing Events and/or Temporary Events (Class III)

Please identify the winery's...

Cave area	Existing: <u>16,000 (approx.)</u> sq. ft.	Proposed: <u>16,000 (approx.)</u> sq. ft.
Covered crush pad area	Existing: <u>2,000 (approx.)</u> sq. ft.	Proposed: <u>2,000 (approx.)</u> sq. ft.
Uncovered crush pad area	Existing: <u>0 (all work areas covered)</u> sq. ft.	Proposed: <u>0 (all work areas covered)</u> sq. ft.

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**Initial Statement of Grape Source**

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Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.



11-10-2018

Owner's Signature

Date

*Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.*



## Water Supply/ Waste Disposal Information Sheet

### Water Supply

Please attach completed Phase I Analysis sheet.

	Domestic	Emergency
Proposed source of water (e.g., spring, well, mutual water company, city, district, etc.):	well	well
Name of proposed water supplier (if water company, city, district):	n/a	n/a
Is annexation needed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Current water use:	1,768 gallons per day (gal/d)	
Current water source:	well	well
Anticipated future water demand:	2,009 gal/d	gal/d
Water availability (in gallons/minute):	38 gal/m	1,300 gal/m
Capacity of water storage system:	7,000 gal	59,000 gal
Type of emergency water storage facility if applicable (e.g., tank, reservoir, swimming pool, etc.):	tanks	tank

### Liquid Waste

Please attach Septic Feasibility Report

	Domestic	Other
Type of waste:	sewage	winery process
Disposal method (e.g., on-site septic system, on-site ponds, community system, district, etc.):	on site septic subsurface drip disposal	drip irrigation of treated Winery Process Wastewater
Name of disposal agency (if sewage district, city, community system):	n/a	n/a
Is annexation needed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Current waste flows (peak flow):	760 gal/d	1,667 gal/d
Anticipated future waste flows (peak flow):	760 gal/d	2,375 gal/d
Future waste disposal design capacity:	760 gal/d	2,500 gal/d

### Solid Waste and Recycling Storage and Disposal

Please include location and size of solid waste and recycling storage area on site plans in accordance with the guidelines available at [www.countyofnapa.org/dem](http://www.countyofnapa.org/dem).

### Hazardous and/or Toxic Materials

If your facility generates hazardous waste or stores hazardous materials above threshold planning quantities (55 gallons liquid, 500 pounds solid or 200 cubic feet of compressed gas) then a hazardous materials business plan and/or a hazardous waste generator permit will be required.

### Grading Spoils Disposal

Where will grading spoils be disposed of?  
(e.g. on-site, landfill, etc. If off-site, please indicate where off-site): Not Applicable No grading proposed

## Winery Traffic Information / Trip Generation Sheet

### Traffic during a Typical Weekday

Number of FT employees: <u>4</u> x 3.05 one-way trips per employee	=	<u>12.2</u> daily trips.
Number of PT employees: <u>6</u> x 1.90 one-way trips per employee	=	<u>11.4</u> daily trips.
Average number of weekday visitors: <u>25</u> / 2.6 visitors per vehicle x 2 one-way trips	=	<u>19.2</u> daily trips.
Gallons of production: <u>95,000</u> / 1,000 x .009 truck trips daily <sup>3</sup> x 2 one-way trips	=	<u>1.7</u> daily trips.
<b>Total</b>	<b>=</b>	<b><u>44.5</u> daily trips.</b>
(No of FT employees) + (No of PT employees/2) + (sum of visitor and truck trips x .38)	=	<u>14.9</u> <b>PM peak trips.</b>

### Traffic during a Typical Saturday

Number of FT employees (on Saturdays): <u>3</u> x 3.05 one-way trips per employee	=	<u>9.2</u> daily trips.
Number of PT employees (on Saturdays): <u>2</u> x 1.90 one-way trips per employee	=	<u>3.8</u> daily trips.
Average number of Saturday visitors: <u>25</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>17.9</u> daily trips.
<b>Total</b>	<b>=</b>	<b><u>30.9</u> daily trips.</b>
(No of FT employees) + (No of PT employees/2) + (visitor trips x .57)	=	<u>14.2</u> <b>PM peak trips.</b>

### Traffic during a Crush Saturday

Number of FT employees (during crush): <u>8</u> x 3.05 one-way trips per employee	=	<u>24.4</u> daily trips.
Number of PT employees (during crush): <u>4</u> x 1.90 one-way trips per employee	=	<u>7.6</u> daily trips.
Average number of Saturday visitors: <u>25</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>17.9</u> daily trips.
Gallons of production: <u>95,000</u> / 1,000 x .009 truck trips daily x 2 one-way trips	=	<u>1.7</u> daily trips.
Avg. annual tons of grape on-haul: <u>800</u> / 144 truck trips daily <sup>4</sup> x 2 one-way trips	=	<u>11.1</u> daily trips.
<b>Total</b>	<b>=</b>	<b><u>62.7</u> daily trips.</b>

### Largest Marketing Event- Additional Traffic

Number of event staff (largest event): <u>6</u> x 2 one-way trips per staff person	=	<u>12</u> trips.
Number of visitors (largest event): <u>100</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>71</u> trips.
Number of special event truck trips (largest event): <u>6</u> x 2 one-way trips	=	<u>12</u> trips.

<sup>3</sup> Assumes 1.47 materials & supplies trips + 0.8 case goods trips per 1,000 gallons of production / 250 days per year (see *Traffic Information Sheet Addendum* for reference).

<sup>4</sup> Assumes 4 tons per trip / 36 crush days per year (see *Traffic Information Sheet Addendum* for reference).