#### Kelham Vineyards 360 Zinfandel Lane St. Helena, California 94574

RECEIVED

November 5, 2010

NOV 0 4 2010

Kirsty Shelton, project planner
Department of Conservation, Development and Planning
County of Napa
1195 Third Street, room 210
Napa, California 94559

NAPA CO. CONSERVATION DEVELOPMENT & PLANNING DEPT.

Re:

Kelham Vineyards Winery Use Permit modification #P10-00177 UP. Assessor's Parcel Number 030-260-029

Dear Ms. Shelton:

As you know, the public hearing on our application for permit modification was continued to the meeting of November 17, 2010 by the Conservation, Development and Planning Commission to allow us the opportunity to clarify the extent of our modification in light of issues raised regarding possible changes to our existing water supply system. Since that meeting our representative has had an opportunity to discuss this matter with you and the staff of the Department of Environmental Management. Based upon these discussions and our internal deliberations we have updated our project description and request your approval for the following project elements:

Convert Existing Residence for tasting

Remodel bathroom in residence for handicap access and public use

Convert existing kitchen within existing residence to employee break room; remove stove top

Existing trellised area to be approved for use for wine tasting, outdoor marketing events and picnics. No food will be provided by the winery for picnickers. Trellised area shall be designated for those uses permitted by AB 2004

Convert second story of existing winery to storage use

Increase visitors by prior appointment from 10 per day maximum and an average of 30 per week to 20 per day maximum and 140 per week

Modify the approved marketing plan from one lunch and one dinner event per month for up to ten people (total of 240 people per year) to 6 events per year for up to

80 people (for a total of 480 people per year). Marketing events will conform to 18.08.370 as recently amended. Food service for Marketing Events shall be prepared off-site and catered.

Conduct on-site retail sales

No change in approved wine production

The major changes to the project reviewed by the Commission on October 20, 2010 involve capping our daily visitors and FTE employees at 25 and limiting food service for marketing events to food prepared off-site by bonafide caterers. By modifying our project as described, we will not longer be required to obtain a food facility permit from the Department of Environmental Health. In addition, we have been advised that no changes to our existing approved water supply system are needed for the level of visitation and employees proposed.

We would like to confirm that we will supplement the existing landscaping along the east property line to screen our parking area that is used both for visitor, employee and overflow parking related to marketing events from the existing residence to the east. We will plant six (6), 15-gallon evergreen trees compatible with the existing landscape palette in the general location shown on the attached site plan. Further as required by proposed condition #8, we will show the location of these screening trees on our landscape plan.

Finally, we are including the 'Checklist of Voluntary Greenhouse Gas Emission Reduction Measures' and the 'Use Permit Application Supplemental Information Sheet for Winery Uses' as requested.

7 11.01.2010

Kirsty, thank you so much for working with us on this project and the help you have provided through out the process.

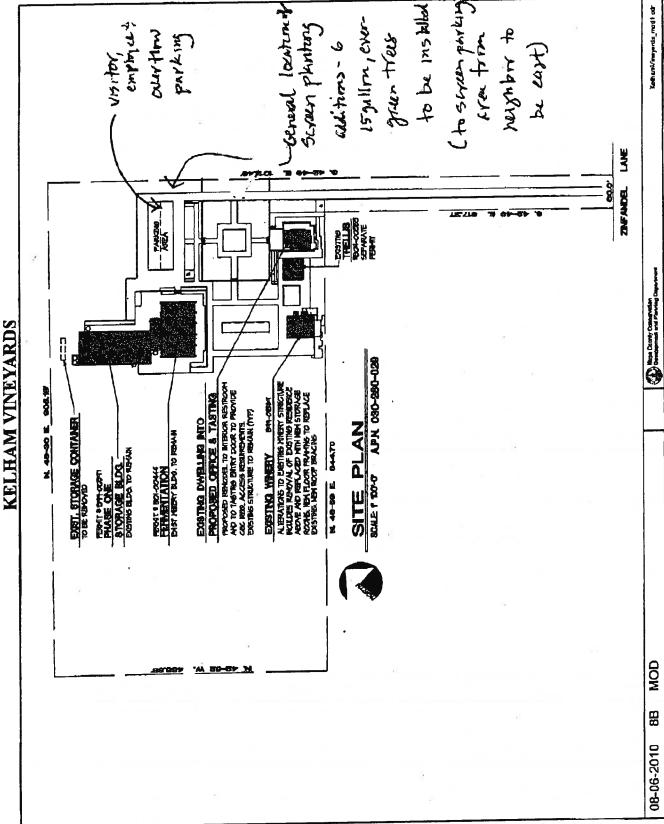
Regards

Ron Nicholsen

Proprietor and Owner

Kelham Vineyards

CC: Brian Russell, Russell Law Group



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# KELHAM VINEYARDS

**Checklist of Voluntary Greenhouse Gas Emission Reduction Measures** 



	An addendum to the I	Entitlement Application and a su	pplement for Initial Stu	udies as require	ed by CEQA
	PROJECT NAME	Kertan	VINETAI	205	
	PROJECT ADDRESS	3CEO ZINE	ENDEZ	LN	
	APPLICANT	SUBANITA	KELHA	<b>~</b>	
	CONTACT INFO	PONCKELHAM		s.com	
I	l	email	phone		
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	.C.™ LEED™ or Build It				
15	se include a copy of their	required spreadsheets.			
si	ion team?				

		ition of Stewardship	CONTACT INFO	Post Blog Land	10/20/05	-	
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		Are you building on exi	isting disturbed areas?			$\perp \times \perp$	
	3.3	Landscape Design					
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			all site design (such as o				
	3.9	Is the structure designe	ed to take advantage of i	natural cooling and passive solar a	aspects? '		
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	7.7		ty insulation above Title :	24 standards2	<u> </u>	1 - 100	
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5	WATE	R CONSERVATION					
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	5.2		ise zero potable water im		<u> </u>	<del>1 \ \ \  </del>	
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GHG emission reduction spreadsheet, page two of two

	GITG EMISSION FEC	yes no I don't kno
	ERIAL RECYCLING	
6.1	Are you using reclaimed materials?	
6.2	If yes, what and where:  Are you using recycled construction materials-	
0.2	6.21 finish materials?	
	6.22 aggregate/concrete road surfaces?	
	6.23 fly ash/slag in foundation?	<del>    / \                                </del>
6.3	Will your contractor be required to recycle and reuse construction materials as part	of your contract?
6.4	,, , ,	
	6.41 Kitchen recycling center?	X
	6.42 Recycling options at all trash cans?	X.
	6.43 Do you compost green waste?	X
	6.44 Provide recycling options at special events?	
NATU	JRAL RESOURCES	
	Will you be using certified wood that is sustainably harvested in construction?	
	Will you be using regional (within 500 miles) building materials?	
	Will you be using rapidly renewable materials, such as bamboo?	
	Will you apply optimal value engineering (studs & rafters at 24" on center framing)?	
7.5	Have you considered the life-cycle of the materials you chose?	X
INDO	OR AIR QUALITY	
8.1	Will you be using low or no emitting finish and construction materials indoors-	
	8.11 Paint?	
	8.12 Adhesives and Sealants?	X
	8.13 Flooring?	X
	8.14 Framing systems?	×
	8.15 Insulation?	×
8.2	• • • • • • • • • • • • • • • • • • • •	×
8.3	, , , , , , , , , , , , , , , , , , , ,	<u> </u>
8.4	Does your design include dayling, such as skylights?	
TRAN	ISPORTATION DEMAND MANAGMENTMENT	
9.1	After your project is complete, will you offer your employees incentives to carpool, b	ike, or use transit?
9.2	After your project is complete, will you allow your employees to telecommute or hav	e alternative work schedules?
	The project is complete, this you allow your displayed to telegrammate of may	X I I I I I I I I I I I I I I I I I I I
9.3	Does your project include design features that encourage alternatives modes of tran	sportation, such as
	preferred parking for carpooling, ridesharing, electric vehicles?	
	secured bicycle parking, safe bicycle access?	
	loading zones for buses/large taxi services?	V
9.4	How close is your facility to public transportation?	
	- HMILE	
Are th	ere any superior environmental/sustainable features of your project that should be not	red?
		(\(\o\)
What	other studies or reports have you done as part of preparing this application?	
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	2	· · · · · · · · · · · · · · · · · · ·
	4	
	project involves an addition or modification to an existing building, are you planning to	improve energy conservation of
	g space (such as insulation, new windows, HVAC, etc.)?	
If yes,	please describe:	
Once	your facility is in operation, will you:	_
	13.1 calculate your greenhouse gas emissions?	
	13.2 implement a GHG reduction plan?	
	13.3 have a written plan to reduce your vehicle miles traveled of your operation	ons and employee's commute?
		· -
	your project provide for education of green/sustainable practices?	
If yes,	please describe:	( -
Any co	omments, suggestions, or questions in regards to the County's efforts to reduce green	house gases?
		<b>4</b>
		·
	Form filed out by: 10H NC	10 0
	Form filed out by:	HOUSET

Please feel free to include additional sheets of paper as necessary.

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402 16 6

# USE PERMIT APPLICATION SUPPLEMENTAL INFORMATION SHEET FOR WINERY USES

public access - no guides/unescorted itemsmarketing events and/or temporary events ofood preparation  Marketing Activities. (Describe the nature of any marketing or educational events not above including the type of events, whether public or private, frequency of events, averattendance, etc. Differentiate between existing and proposed activities. Attach additional she necessary):	b. Efermentation c. E barrel ageing d. E bottling e. E case goods storage f. A caves:		perations. (In the blank in front of each operation, p "X" for Expanding, or an "N" for None.)	elace an "E" for Existing, a "P" for Propos
Marketing Activities. (Describe the nature of any marketing or educational events not above including the type of events, whether public or private, frequency of events, averattendance, etc. Differentiate between existing and proposed activities. Attach additional she necessary):  Food Service. (Describe the nature of any food service including type of food, whether public private whether profit or non-profit, frequency of service, whether prepared on site or not, kitch	Marketing Activities. (Describe the nature of any marketing or educational events not li above including the type of events, whether public or private, frequency of events, averattendance, etc. Differentiate between existing and proposed activities. Attach additional sheet necessary):  Food Service. (Describe the nature of any food service including type of food, whether public or private, whether profit or non-profit, frequency of service, whether prepared on site or not, kitch equipment, eating facilities, etc. Differentiate between existing and proposed food service. Attach additional sheets if necessary:  Production Capacity.	b. c. d. e.	E_fermentation E_barrel ageing E_bottling E_case goods storage A_caves:  use: barrel storagecase goods storageother accessibility to public:none - no visitors/tours/eventsguided tours only	h. Eabove-ground waste disposal i. Eadministration office j. Elaboratories k. Maycare l. Etours/tastings:
Food Service. (Describe the nature of any food service including type of food, whether public private whether profit or non-profit, frequency of service, whether prepared on site or not, kito	Food Service. (Describe the nature of any food service including type of food, whether public or private, whether profit or non-profit, frequency of service, whether prepared on site or not, kitch equipment, eating facilities, etc. Differentiate between existing and proposed food service. Atta additional sheets if necessary:	abo atto	arketing Activities. (Describe the nature of any ove including the type of events, whether public endance, etc. Differentiate between existing and pro-	or private, frequency of events, aver- oposed activities. Attach additional shee
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equipment, eating facilities, etc. Differentiate between existing and proposed food service. At	Production Capacity.	priv	vate, whether profit or non-profit, frequency of servicularity between the profit of services and profit of services are services.	e, whether prepared on site or not, kitch
b. current maximum actual production (year): 75,000 (Maximum Sc. proposed capacity: No CARNOS Grape Origin. (Fill out a "Initial Statement of Grape Source" form if establishing a new wind		Gr exp	(Fill Himbald Okalamani - Comma C	Course" form if actablishing a new wine

### G. Non-Governmental Constraints on the Production, Improvement, and Maintenance of Housing

Housing development in the unincorporated County is constrained by a number of physical and economic factors, particularly to achieve the higher densities necessary to support affordable housing. The major physical constraints include lack of water and incompatible adjoining land uses, and in many parts of the County, steep slopes and otherwise rugged terrain. The private market system also affects the direct sale price or rental cost of new housing through factors such as land costs, site improvement costs, construction costs, financing costs, sales, and profit.

Napa County cannot correct or change any of the non-governmental factors described below. However, this Housing Element includes both housing programs and identified sites that take these factors into account and are intended to result in housing production, despite them.

1. Water Supply and Sewer Services. Other than some small water systems at Lake Berryessa, the County is not a provider of water or sewer services and is dependent upon the cities – which do provide water under strict conditions – to allow development to take place in the areas adjacent to the cities. Additionally, groundwater supply and quality is problematic in much of the otherwise developable areas around Silverado County Club and Coombsville.

The USGS recently completed a study of groundwater resources in the southeastern portion of Napa County. This study examined hydrological data compiled over the years for the Lower Milliken-Sarco-Tulocay Creeks areas and found that nearly all of the rainfall that the area receives is either lost to surface runoff into the Napa River or is lost to evapotranspiration, leaving relatively little that can be pumped for agricultural or domestic uses. The report concluded, "ground water is being depleted under current pumping and recharge conditions." The report stated that, "to achieve a hydrologic balance that stops ground water level declines, it would be necessary to supply additional water to the area or to decrease the amount of ground water withdrawn".

- 2. Incompatible Land Uses. In some parts of the County, land that might otherwise be physically suitable for development is not available for residential development due to the nature of adjoining land uses. For example, although water supplies are available in the vicinity of the County's Airport Industrial Area, compatibility considerations (e.g. noise conflicts) generally preclude siting high-density residential development in the vicinity of operating airports. Similarly, much of the land in the County is in active agricultural use. Here too, compatibility considerations (e.g., noise, chemical exposure) constrain the viability of siting high-density residential uses adjacent to active agricultural operations. In addition, much of the land in the Unincorporated Area (approximately 68,000 acres) is subject to Williamson Act contracts.
- 3. Topography. Comprised of more than 513,000 acres, Napa County topography encompasses a full range of geologic features. The valley floor is a narrow, relatively flat corridor that spans the length of the county, ranging in width from 1 to 3 miles at various points, comprising approximately one-third of the County's land area. Consisting largely of prime agricultural land, the majority of the property is occupied by established vineyard and commercial wineries. The remaining two-thirds of the County is mountainous, rugged terrain accessed only by long, remote, winding roads. The cost of high-density development on the steep slopes of the valley would be prohibitive due to both the lack of infrastructure availability and increased construction costs relative to assuring compliance with Uniform Building Codes.

4.	Production Capacity  a. existing capacity: 2000 (AL date authorized: UNKNOWN  b. current maximum actual production (year): 12,500 (1998)  c. proposed capacity: 45,000 9al
₺.	Grape Origin. (Fill out a "Initial Statement of Grape Source" form if establishing a new winery of expanding an existing winery development area.) SEEATACHEO
6.	Total Coverage. (as defined below)  a. square feet: 17232 b  b. percent of total parcel: (15%)
7.	Production Facility Coverage. (as defined below) a. square feet: 16.032 中
8.	Accessory Structure Coverage (as defined below)  a. square feet: 12.00 5  b. percent of production facility coverage: .(2/0

#### Marketing Definition (paraphrased from County Code)

1. Marketing of Wine - Any activity conducted at the winery shall be limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development.

#### Coverage Definitions (paraphrased from County Code)

- 1. Total Coverage The aggregate paved or impervious ground surface areas of the production facility; storage areas (except caves), offices, laboratories, kitchens, tasting rooms, paved areas and access roads to public or private roads or rights-of-way and above-ground sewage disposal systems.
- 2. Production Facility Coverage The aggregate paved or impervious ground surface areas of crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities; not including wastewater treatment or disposal areas which cannot be used for agricultural purposes.
- 3. Accessory Structure Coverage The square footage of structures used for accessory uses related to a winery (i.e., the Total Coverage less Production Facility Coverage, paved areas, and access roads).

Table 17: Estimated Need and Inventory for Emergency Shelter, Transitional Housing, and Permanent Supportive Housing

\* All need and inventory figures are expressed below in terms of beds.

	TOTAL	918	501	417
tive Housing	Families	48	4	4
Permanent Supportive Housing	Individuals	184	64	120
Housing	Families	155	115	40
Transitional	Individuals Families	146	64	82
Shelter	Families	194	156	38
Emergency	Individuals	191	86	93
		Estimated Need	Current Inventory	Unmet Need/Gap

Note: The estimated demand for emergency and transitional housing is based on surveys from community agencies and faith organizations.

Source: Napa County Continuum of Care, 2003; BAE 2003.

#### WINERY CALCULATION WORKSHEET

#### **WINERY COVERAGE**

All paved or impervious ground surface area	as of the production facility:
Footprint of all winery structures	17,232
Outside work areas	10,000
Tank areas	1,000
Storage areas (excluding caves)	7100
All paved areas:	
Parking areas	20,000
Loading areas	1,000
Walkways	8000
Access driveways to the public or private rd	30,000
Above-ground wastewater and run-off treatr	nent systems: 18 000
Wastewater pond or SDSD	Ho
Spray disposal field	NO
Parcel size: 10.9 acres Total winery coverage: 1. acres	Percent of winery coverage of parcel size:

#### **PRODUCTION FACILITY** 2.

Crushing	Loco
Fermenting	6000
Bottling	3000
Bulk & bottle storage	7200
Shipping	1000
Receiving	LOUP
Laboratory	500
Equipment storage & maintenance	
facilities (excludes fire protection facilities)	6000
Employee-designated restrooms	150

#### ACCESSORY USE

Office space	500	····· v4#########
Lobbies/waiting rooms		<b>784</b> 44221124412414
Conference/meeting rooms	<i>500</i>	
Non-production access hallways		
Kitchens		
Testing rooms (private & public areas)	5000	18 <b>10 10 15 15 10 10 10</b> 10 10 10 10 10 10 10 10 10 10 10 10 10
Retail space areas	3000	
Libraries	0	
Visitor restrooms	150	
Art display areas	<i>7000</i>	
Any other areas within the winery structure not directly related to production	3000	
tal square footage of accessory use space:_	3,997	

#### **Table 16: Napa County Farmworkers**

Farmworker Housing Survey Results (a) **Producing Acres Represented** 14,142 Acres **Farmworkers** Average Wage Regular Workers (work more than 8 months a year) 365 9.62 /hour Seasonal Workers (those who wore less than 8 month a year) 1,121 8.62 /hour **Harvest Only Workers** 12.71 /hour (b) 1,479 **Total Farmworkers** 2,965 Average: 10.32 /hour (b) **Total Farmworker Estimates** Estimated Number of Producing Acres (c) 31,000 Acres Farmworker Multiplier (d) 2.19 Farmworkers Average Wage Regular Workers (work more than 8 months a year) 800 9.62 /hour Seasonal Workers (those who wore less than 8 month a year) 2,457 8.62 /hour **Harvest Only Workers** 3,242 12.71 /hour (b) **Total Farmworkers** 6,499 Average: 10.32 /hour (b)

#### Notes:

Sources: Farmworker Housing Survey, Napa Valley Grape Growers, Napa Valley Farm Bureau, Napa Valley Vintners Association, 1999; BAE, 2001.

<sup>(</sup>a) The Napa Valley Grape Growers Association, the Farm Bureau, and the Napa Valley Vintners Association sent the Farmworker Housing Survey to approximately 738 addresses. Approximately 157 responses were returned, representing 14,142 producing acres. Of the 157 responses, 38 responded that a vineyard management company handled all aspects of their farm labor.

<sup>(</sup>b) The surveys that reported wages paid per ton were not included in this average.

<sup>(</sup>c) The Napa County Agricultural Commission Office estimated that there are approximately 31,000 producing acres in Napa County.

<sup>(</sup>d) The farmworker multiplier is the total estimated number of producing acres divided by the total number of producing acres represented in the farmworker housing survey. The multiplier is used to estimate the total number of farmworkers within Napa County.

## INITIAL STATEMENT OF GRAPE SOURCE (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.



Letters of commitment from grape suppliers and supporting documents will 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.

Table 15: Female Head of Household

		1990		2000 (b)
Unincorporated Areas of Napa County (a)	Number	%	Number	%
Total Number of Households	9,835	100% of Total HH	9,745	100% of Total HH
Family Households	7,305	74% of Total HH	7,024	72% of Total HH
Below the Poverty Level (b)	366	5% of Family HH	294	4% of Family HH
Female Head of Households with Children	280	4% of Family HH	269	4% of Family HH
Below the Poverty Level (b)	66	35% of Female Head HH	82	30% of Female Head HH
		1990		2000
Napa County	Number	%	Number	%
Total Number of Households	41,312	100% of Total HH	45,402	100% of Total HH
Family Households	28,545	69% of Total HH	30,694	68% of Total HH
Below the Poverty Level	1,304	5% of Family HH	1,739	6% of Family HH
Female Head of Households with Children	2,235	8% of Family HH	2,247	7% of Family HH
Below the Poverty Level	539	24% of Female Head HH	989	31% of Female Head HH

Note:
(a) The unincorporated totals for 1990 do not include American Canyon, which incorporated in 1992.

Sources: 1990 U.S. Census, STF3A; U.S Census Bureau, Census 2000; Bay Area Economics, 2003.