



# NAPA COUNTY

## CONSERVATION, DEVELOPMENT and PLANNING COMMISSION

Jeffrey Redding  
Secretary-Director

1195 Third Street, Room 210 • Napa, CA 94559-3092  
Telephone 707/253-4416 FAX 707/253-4336

July 9, 1999

Rawson & Susanna Kelham  
PO Box 2707  
Yountville Ca 94599

RE: Request for Use Permit # 98372-UP (Assessor Parcel No. 30-260-029)

Dear Mr. & Mrs. Kelham:

Please be advised that **Use Permit Application #98372-UP** has been **APPROVED** by the Napa County, Conservation, Development and Planning Commission on July 7, 1999 based on the attached conditions.

The permit becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by another, you will be notified.

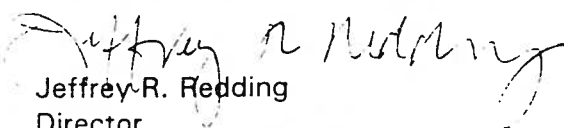
Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one year and ten calendar days from the approval date, or it shall automatically expire and become void.

**EXPIRATION DATE: July 18, 2000**

An extension of time in which to activate the use permit may be granted for a maximum of 12 months, upon application at least 30 days prior to expiration, and payment of fees in effect at the time of application, **and** provided that any approved modification of the permit has become final. This letter is your only notice regarding expiration and procedures for extension of this permit.

You are hereby further notified, pursuant to Government Code Sec.66020(d)(1), that the 90-day period in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Very truly yours,

  
Jeffrey R. Redding  
Director

cc. John Tuteur, Assessor  
Gary Brewen, Building Codes Administrator  
Michael Miller, Deputy Planning Director

**CONDITIONS OF APPROVAL**  
**Use Permit Application #98372-UP (KELHAM WINERY)**

1. The Use Permit shall be limited to modifying an existing small winery exemption facility to increase production from 20,000 to 75,000 gallons per year, and construct a 14,050 sq.ft. building for fermentation and barrel storage with 464 sq.ft. of office, increasing the 1 full time and 1 part time employees to 4 full time and 3 part time, adding 8 parking spaces for a total of 10 visitor spaces and 8 employee spaces. Process wastewater is to be treated in ETI (Evapotranspiration-Infiltration) Beds. The project shall conform to the approved site plan (revised 7/7/99), floor plan and elevations, and the application materials. Any expansion of production capacity, changes in use, construction or design shall be subject to approval by the Napa County Planning Division. There is no retail sales or case good storage on site.
2. Custom Crush operations may include up to 20,000 gal/yr and up to 3 custom producers. The custom crush may include crushing, fermenting, barrel aging and bottling, but no accessory uses or marketing.
3. Marketing activity is limited to 1 daytime wine tasting per month for 8-10 persons, and 1 dinner per month for 8-10 persons. The attending persons shall meet the criteria in the definition in Section 18.08.370 which includes:

Limiting those attending 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;

Limiting the activity to the education and development of the persons or groups listed above; and,

Shall not include cultural and social events unrelated to such education and development.

4. Visitors by prior appointment only are limited to 10 per day maximum and an average of 30 per week. An annual visitor's log shall be maintained and made available to the Department as necessary upon request.

5. A detailed landscaping plan shall be submitted to the Department for review and approval indicating names and locations of plant materials along with the method of maintenance prior to the issuance of any building permits for work on the winery. Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the approved landscaping plan.

Page Two  
Conditions of Approval  
Use Permit #98372-UP (Kelham Winery)

6. The applicant shall comply with all applicable building codes, and requirements of various County departments and agencies, including:  
the Department of Public Works dated Feb 26, 1999;  
the Department of Environmental Management dated Mar. 10, 1999;  
the Building Division dated Feb 22, 1999;  
the County Fire Dept. dated Mar 2, 1999.
7. At least 75% of the grapes used to make the winery's additional 55,000 gal/yr production shall be grown within the County of Napa. The applicant shall report to the Department, on an annual basis by December 31, the source of his grapes verifying that 75% of this approved increased production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. That report shall be proprietary and not available to the public. For the public record, the applicant shall, at the same time, annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.
8. Details of any outdoor sign shall be submitted to the Planning Department for administrative review and approval. Wording shall be included as follows: "Tours and tasting by prior appointment only". The only off-site signs allowed shall be in conformance with the County Code
9. All winery equipment, including air conditioners and cooling units, shall be located inside winery structures or housed within acoustical enclosures designed to reduce noise. During winery construction, all construction equipment shall be adequately muffled and construction hours shall not exceed 8 AM to 8 PM.
10. The necessary building permits shall be obtained for the expansion that occurred to the original winery building, prior to issuance of permits for the new winery building.
11. If a gated entrance is used, it shall include a turn around area to allow a large vehicle (such as a motorhome) to turn around without backing out onto the roadway if the gate is closed. Both the Department of Public Works and the Planning Department shall review and approve any plans prior to construction.
12. All exterior lighting shall be shielded and directed downward, and shall be the minimum necessary for security or operations.
13. If any historic or prehistoric material is encountered during any grading or excavation activity, all work in the vicinity shall cease until a qualified archaeologist has examined the find and made a recommendation. Recommended mitigation measures, if any, shall be followed and a report shall be filed with the Department.

Page Three

Conditions of Approval

Use Permit #98372-UP (Kelham Winery)

14. All new employees, all marketing events and all deliveries and shipments shall be scheduled to avoid the PM peak hours on Highway 29 of 4-6 PM.
15. All staff costs associated with monitoring compliance with these conditions, previous use permit conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.

nC\Kelham.UP

**PUBLIC WORKS DEPARTMENT  
INTER-OFFICE MEMO**



February 26, 1999

**TO:** Conservation Development and Planning Department

**FROM:** Russ Bergholz, Assistant Engineer

**SUBJECT:** Kelham-MacLean Winery Expansion, 360 Zinfandel Lane  
APN# 030-260-029, File #98372-UP

This application will allow the applicant to expand an existing 20,000 gal/yr winery established by an use permit exemption, to 100,000 gal/yr production capacity and the construction of a 14,032 winery production building.

**EXISTING CONDITIONS:**

1. Zinfandel Lane is a 24 feet wide, paved, Napa County maintained road.
2. The Average Daily Traffic count for Redwood Road is 1,235.
3. Driveway is approximately 12 feet wide, composed of loose gravel.
4. Paving surrounds the winery building.
5. The existing right-of-way for Zinfandel Lane is 50 feet. Ultimate right-of-way width is 84 feet.

**RECOMMENDED CONDITIONS:**

1. Access driveway shall be a minimum of 20 feet wide with 4 foot shoulder. Structural section shall be a minimum of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.
2. Any parking required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.

3. The applicant shall dedicate a right-of-way easement of 42 feet from the centerline of Zinfandel Lane, along the southerly boundary line of APN: 030-260-029, to Napa County for roadway and utility purposes.
4. The applicant must obtain an encroachment permit for any work performed within the Napa County Right-of-Way.
5. Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".
6. Improvements shall be constructed according to plans prepared by a registered civil engineer which will be reviewed and approved by this office. A plan check fee in the amount of 3% of the estimated cost of the proposed construction will be paid to Napa County Public Works prior to approval of these plans.

If you have any questions regarding the above items at this time please contact Russ Bergholz or Larry Bogner of this office.

cc: Rawson & Susanna Kelham, P.O. Box 2707 Yountville, CA 94599



# MEMORANDUM

RN

March 10, 1999

**TO:** Napa County Planning Department, Jeff Redding, Director

**FROM:** Napa County Environmental Management Department, *CMS*  
Christine Secheli, R.E.H.S., Senior Environmental Health Specialist

**SUBJECT:** Use Permit Application for Kelham-MacLean Winery  
Located at 360 Zinfandel Lane  
Assessor Parcel #30-260-29  
File # 98372-UP

**RECEIVED**

MAR 10 1999

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. Within 60 (sixty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Negative Declaration Response form shall be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management.
2. Plans for the proposed special designed sewage disposal system and/or private sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions and shall be subject to approval by the Department of Environmental Management prior to issuance of any permits.
3. That a permit for the installation of the septic system be secured from the Department of Environmental Management prior to issuance of a building permit.
4. That the use of the drain field area be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. This includes equipment storage, traffic, parking, livestock, etc., over the system.
5. That an annual sewage permit be obtained and that the septic system monitoring requirements be fully complied with as required.
6. That if any uncovered outdoor crush or process areas are a part of the project, the applicant must diversion valve (or equivalent) is needed, a detail on same must be submitted. This letter and detail must be received prior to issuance of sewage permits.
7. That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.



# NAPA COUNTY

## CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING  
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092  
AREA CODE 707/253-4416

RECEIVED

FEB 22 1999

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

### PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

APPLICATION TITLE: Kellham-Maclean Winery Expansion FILE #: 98372-UP

RESPONSE REQUEST DATE: 2-22-99 RESPONSE RETURN DATE: APN: 030-260-029 3 8-99

FINAL REQUEST DATE: \_\_\_\_\_ FINAL RESPONSE DATE: \_\_\_\_\_

This application (see enclosed project description and/or maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

- Do you have jurisdiction by law over this project ☒ Yes ☐ No  
If yes, indicate required permits: GRADING; BUILDING; PLUMBING  
MECHANICAL; ELECTRICAL
- Indicate areas of environmental concern and availability of appropriate technical data: NONE
- Do you recommend: ☒ Negative Declaration ☐ Environmental Impact Report
- If the project is approved, recommend conditions-of-approval (use additional page if needed):  
1. SECURE PERMITS AS NECESSARY PER ITEM NO. 1  
2. SECURE APPROVAL FROM RAY AREA AIR QUALITY MANAGEMENT  
DISTRICT PRIOR TO PERMIT ISSUANCE
- Have you previously reviewed an application on any portion of this project?  
☐ Yes ☒ No
- Name of contact person: [Signature] Telephone: 253-4416  
Response Prepared by: GARY W. BREVEN  
Title: BUILDING CODES ADMIN.  
Date: 2-22-99



# INTER-OFFICE MEMO



TO: Jeffery Redding, Director  
Conservation – Development and Planning Department

**RECEIVED**

FROM: Barbara Easter, Fire Department

MAR - 4 1999

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

DATE: March 2, 1999

SUBJECT: Kelham-MacLean Winery Use Permit    Apn: 030-260-029    98372-UP

7660    Recommended Fire Safety Standards  
9200    Fire Protection Engineer  
         360 Zinfandel Lane, St. Helena

The Fire Department (NCFD) has reviewed the Kelham-MacLean Winery expansion use permit application to construct a 14,032 square foot building. The following items to be incorporated as project conditions or mitigation measures if the commission approves the project.

1. All construction and use of the facility shall comply with applicable standards, regulations, and codes in effect at the time of building permit issuance including (as a minimum): Napa County Fire Protection Standards (County FPS); Napa County Road and Street Standards (R&SS); California Fire Code (CFC with State amendments); and appropriate fire protection system standards (e.g. NFPA 13, 20, 24, 72, etc.).
2. All buildings undergoing construction, alteration or demolition shall be in accordance with California Fire Code article 87 and specifically:
  - a. Fire department access roads shall be established and maintained in accordance with CFC section 902.
  - b. Water mains and hydrants shall be installed and operational in accordance with CFC section 903.
  - c. Combustible debris shall not be accumulated within buildings. Combustible debris, rubbish and waste material shall be removed from buildings as often as practical.
  - d. Access to the building for the purpose of firefighting shall be provided. Construction material shall not block access to buildings, hydrants or fire appliances.

RA

8. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established deposit basis plus project consultation time at the hourly rate of \$59 per hour (Napa County Resolution 92-65).

### **Discussion**

Large facilities such as proposed in this project can have emergency incidents which would significantly impact fire fighter safety and the ability of the Fire Department to provide emergency services. Incorporation of the above condition of approval in the use permit will reduce the maximum extent reasonable labor, time and resources required for the Fire Department to manage emergency incidents at the facility. A building expansion is an appropriate time to ensure that fire and life safety requirements are clear and implemented.

If there are any question please do not hesitate to contact Barbara Easter at Napa County Fire Department Headquarters (707) 963-3601 ext. 129.

Byron J. Carniglia  
Fire Chief



By: Barbara Easter  
County Fire Inspector

CC: Applicant, Loveless, B1414,  
NCFD/CFM File, Chron

## APPLICATION FOLDER CONTROL SHEET

APP.#98372 -UP

APPLICANT: KELHAM RAWSON AND SUSANNA

PARCEL #: 030-260-029-000

CONTACT: SUSANNA KELHAM

CONTACT PHONE: 944-8063

CONTACT ADDRESS: PO Box 2707, Yountville CA  
94599

## PROJECT PLANNER:

Expansion of an existing winery established by use  
permit exemption, from 20,000 to 100,000 gal/year  
production capacity and the construction of a new  
additional 14,032 sf winery production building

## ENVIRONMENTAL REVIEW:

INITIAL STUDY DATE

ENV'L DOCUMENT TYPE

DATE OF DETERMINATION 00/00/0000

PROJECT ACTION: APPLIED

FINAL ACTION DATE:

HEARING RECORD:

DATE

BY

RESULT

DATE

BY

RESULT

DATE

BY

RESULT

DATE

BY

RESULT

## COMMENTS:

MODIFICATIONS: REFERENCE FILE NO.

DATE

SUBJECT

REFERENCE FILE NO.

DATE

SUBJECT

REFERENCE FILE NO.

DATE

SUBJECT

## APPLICATION FOLLOW-UP

CONDITION COMPLIANCE REVIEW:

MITIGATION MEASURE MONITORING:

BUILDING PERMIT - PLAN CHECK:

PLANNING CLEARANCE:

PERMIT ISSUANCE:

FINAL INSPECTION:

OCCUPANCY:

## NOTES: