



**NAPA COUNTY CONSERVATION -- DEVELOPMENT
AND PLANNING DEPARTMENT**

1195 THIRD STREET, ROOM 210 NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416 • FAX 707/253-4336

CHARLES WILSON

Director

February 20, 2002

Robert Louer
Calistoga Partners/Calistoga Cellars Winery
3241 Ehlers Lane
St. Helena CA 94574

RE: Notice of Proposed Environmental Determination
Use Permit Request #0174-UP

RE: Request for Use Permit # 01074-UP

Dear Mr. Louer:

Please be advised that **Use Permit #01074-UP** has been **APPROVED** by the Napa County, Development & Planning Commission on February 20, 2002 based on the attached conditions.

The Use 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.

This Use Permit must be "used" pursuant to the requirements of Napa County Code Section 18.124.080 by March 2, 2003 or it will expire without further notification. One twelve-month extension may be applied for, in writing and by payment of applicable fees, not before February 1, 2003.

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,

A handwritten signature in black ink, appearing to read "St. Lederer".

Steven E. Lederer, P.E.
Deputy Planning Director

cc. Charles Wilson, Director
John Tuteur, Assessor
Gary Brewen, Building Codes Administrator

CONDITIONS OF APPROVAL

Page 1 of 3

CDPC Meeting Date: February 20, 2002

Use Permit # #01074 Calistoga Cellars Winery/Calistoga Partners

APN: 017-210-008, ~~018, 013, 017~~

0205 027

1. The permit is limited to:

- a. The establishment of a 20,000 gallon/year winery consistent with the application forms and project statement. Operations will be conducted 6 days a week; will include two full-time and two part-time employees; and will include retail wine sales as allowed by Code Section 18.16.030(G)(5)(c).
- b. The construction of a 3,043 sq. ft. winery structure, maximum 35 feet in height; as delineated on the attached site plan, and consistent with the application forms, supplemental winery information sheet and graphics.
- c. Custom production activities (crushing, fermentation, barrel ageing, bottling, retail wine sales, tasting, distribution/shipping) for a maximum 2 entities up to a maximum of 25% (5,000 gallons/year) of the production capacity of the winery.
- d. *25 Business Days* *Day* *Tours and Tastings* by prior appointment only pursuant to Section 18.080.620 (Tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by the winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings).
- e. A 28 sq. ft., two-sided winery identification sign, four feet in height shall be located at the driveway entrance. Said sign must legibly post the words "Tours and Tastings by Prior Appointment Only" and said words must be maintained legible. The sign shall conform to the sign plan as approved, and shall be located no closer than 10 feet from the right-of way. The sign shall not be lighted.

Any expansion or changes in use, or project changes that are necessitated by the requirements of other departments or agencies, are subject to further County approval.

2. All winery facilities shall be located on the same parcel. Prior to issuance of any building permits for the winery, the permittee shall submit evidence confirming recordation of documents adjusting the subject parcels (APN: 017-210-008, 017-210-013, 017-210-017, 017-210-018) and creating the parcel consistent with that 19.84 acre parcel shown on the approved site plan.
3. Marketing activities will take place between the hours of 11:00–10:00 PM, no longer than 4 hour duration, within the winery and covered porch, are limited to:

Private promotional tastings and meals

| | |
|---------------------|--------------------|
| Frequency: | one time per month |
| Maximum attendance: | 30 persons |

Release events:

| | |
|---------------------|------------------|
| Frequency: | 2 times per year |
| Maximum attendance: | 100 persons |

Marketing activities are 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 pre-arranged basis. **Use of amplified music at such events is prohibited.**

CONDITIONS OF APPROVAL

Page 2 of 3

CDPC Meeting Date: February 20, 2002

Use Permit # #01074 Calistoga Cellars Winery/Calistoga Partners

APN: 017-210-008, 018, 013, 017

4. Submit three copies 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. Landscaping, which shall both screen and enhance the winery, and screening shall be installed between any winery outdoor equipment, materials and storage areas and the adjacent residences. Said plan is to be submitted prior to issuance of the building permit. Landscaping, fencing, and parking to be completed prior to final occupancy. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
5. Provide 6 off-street parking spaces on a dust-free all-weather surface approved by the Public Works Department.
6. All outdoor storage of winery materials and equipment shall be screened from view of Tubbs Lane and adjacent properties by visual barriers consisting of fencing and/or dense landscaping. No open storage is to exceed the height of the screening.
7. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:
 - The Department of Environmental Management as stated in their letter of October 8, 2001.
 - The Department of Public Works as stated in their letter of February 14, 2002.
 - The County Fire Department as stated in their memo of September 17, 2001.
 - The Building Division as state in their memo of September 7, 2001.
8. The permittee shall report to the Department on an annual basis by December 31 the source of his grapes, verifying that 75% of the annual production is from Napa County grapes. The report shall include the grape tonnage and the Assessor's Parcel Number(s) where grown. Such report shall be proprietary and not available to the public. A separate report, for the public record, shall include a statement certifying compliance with the source requirement and indicating the percentage of Napa County grapes utilized.
9. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased and the winery facility shall not be used for events hosted by entities other than the winery itself, except those approved for temporary event license pursuant to Chapter 5.36 Napa County Code.
10. The permittee shall comply with 4 Mitigation Measures described in the Project Revision Statement signed by the applicant on February 19, 2002.
11. All staff costs associated with monitoring compliance with these 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.

CONDITIONS OF APPROVAL

Page 3 of 3

CDPC Meeting Date: February 20, 2002

Use Permit # #01074 Calistoga Cellars Winery/Calistoga Partners

APN: 017-210-008, 018, 013, 017

12. All operational noise-producing activities and winery construction activities shall be conducted in compliance with the County Code section regarding noise, Chapter 8.16. During construction, no power or noise-making equipment shall be used prior to 8:00 AM.
13. All exterior lighting shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety or operations, incorporating the use of motion detection lighting to the greatest extent possible. **No flood-lighting of the building is permitted.** Prior to issuance of any building permit for construction of the winery, a detailed Lighting Plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for review and approval by the Department.
14. Except as permitted by County Ordinance and this permit, no outside social activities, including picnicking, outside dining, outside wine tasting, live music, outdoor festivals, or other activity of a similar nature shall occur.
15. Noise-generating operational equipment shall not be located on the north or northeast side of the winery building. Said equipment shall be located within an enclosure that will incorporate sound damping measures.
16. All winery access shall be taken from Tubbs Lane.
17. If the winery will be served by an off-site well, the Permittee shall obtain such permits and easements as required by the Department of Environmental Management, prior to the issuance of the certificate of occupancy.