



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding
Director

1195 Third Street, Room 210 • Napa, California 94559-3092
Telephone 707/253-4416 FAX 707/253-4176

August 27, 1996

Assessor's Parcel # 39-040-004

Robert C. Hartwell
5795 Silverado Trail
Napa CA 94558

Dear Mr. Hartwell:

Please be advised that **Use Permit Application Number 95608-UP** has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions. (SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: August 21, 1996

EXPIRATION DATE: August 31, 1997

The use permit becomes effective ten (10) working days from the approval date 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.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date and provided that any modification of the permit has become final. A request for an extension of time is subject to payment of the filing fee in effect at the time the request for extension is made.

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael Miller".

MICHAEL MILLER

Deputy Planning Director

cc: John Tuteur, County Assessor
Gary Brewen, Building Codes Administrator

CONDITIONS OF APPROVAL

Use Permit # 95608-UP (Hartwell Winery)

1. The permit shall be limited to establishing a 12,000 gallon per year estate bottled winery of 8,000 sq.ft. plus 5,000 sq.ft. of barrel storage cave, consistent with the attached materials and site plan and elevations. Any change in the "as-built" configuration of the cave shall be submitted to the Department within 60 days of the cave's completion, and any increase in the size of the cave will require a project modification.

Any other changes will require review and approval of a use permit modification that would be reviewed by the Zoning Administrator or the Commission.

2. Compliance with the two (2) signed Mitigation Measures in the Project Revision Statement incorporated herein by reference.
3. Compliance with all applicable building codes, zoning standards and requirements of various County departments and other agencies including the following:
The Department of Environmental Management comments dated May 6, 1996;
The Department of Public Works comments dated May 2, 1996;
The Building Division comments dated Apr. 29, 1996;
The County Fire Department comments dated May 7, 1996.
4. A detailed landscaping plan including parking details shall be submitted to the Department for review and approval indicating the names and locations of plant materials along with the method of maintenance prior to the issuance of any building permits for the winery. The landscaping shall be completed prior to the completion and final occupancy of the winery.
5. Parking shall be limited to the approved parking spaces only and shall not occur along access roads or in other locations except during harvest and marketing events. In no case shall parking impede emergency vehicles.
6. All exterior lighting shall be the minimum necessary for the operational and security needs. Light fixtures shall be kept as low as possible, and shall include shields to deflect the light down and away from adjacent properties and roadways.
7. The approved Marketing Plan consists of the following and the attending persons shall meet the criteria in the definition in Section 18.08.370:
 - a.) End of Harvest Event
Frequency: 1 per year.
Number of persons: 16 to 20; average 18.
 - b.) Wine and Food Events
Frequency: 3 per year.
Number of Persons: 20 to 25, average 22.

c.) Wine Release Events.

Frequency: 2 per year.

Number of persons: 16 to 20, average 18.

d.) Christmas Party.

Frequency: 1 per year.

Number of persons: 30 to 36, average 32.

e.) Wine Auction Weekend

Frequency: 1 per year.

Number of persons: 30 to 50.

8. ✓
*revised
July 9, 1999*
Prior to final occupancy of the winery, a deed restriction shall be recorded which provides that the driveway located on parcel no. 39-040-025 serves the winery on parcel no. 39-040-004, and that upon transfer of either parcel to separate ownership, an easement shall be granted to the same effect. As an alternative, a lot line adjustment may be completed to locate the driveway on the winery parcel, prior to final occupancy.

9. At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis the source of grapes verifying that 75% of his approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall 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.
10. Any sign along the Silverado Trail shall first be reviewed and approved by the Department as to location, size, height, design, color and material. Any sign shall include legible wording "No public tours or tasting".
11. If any gate is installed at the Silverado Trail primary or secondary entrances to the winery, it shall be designed to allow a large vehicle such as a motorhome to turn around if the gate is closed and not back out onto the Silverado Trail.
12. All staff costs associated with monitoring compliance with these conditions, the previous 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.

PROJECT REVISION STATEMENT

HARTWELL WINERY

95608-UP

I hereby revise my request to establish a 12,000 gallon per year estate bottled winery of 8,000 sq.ft. plus 5,000 sq.ft. of cave for barrel storage, and approval of a marketing plan, on a 29.81 acre parcel located on the west side of the Silverado Trail approximately 2 miles south of its intersection with Yountville Cross Road to include the measures specified below:

1.) Geology:

The recommendations for the construction of the winery and the cave outlined in the geologic survey prepared by Bauer and Associates, Geotechnical Consultants, dated April 5, 1996, will be followed.

2) Traffic:

A left turn lane that has been reviewed and approved by the Department of Public Works, will be installed at the driveway entrance on Silverado Trail prior to the final building clearance for the winery.

I understand and explicitly agree that with regards to all California Environmental Quality Act, Permit Streamlining Act, and Subdivision Map Act processing deadlines, this revised application will be treated as a new project, filed on the date this project revision statement is received by the Napa County Conservation, Development and Planning Department. For purposes of Section 66474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.



Signature of Owner(s)

ROBERT HARTWELL OWNER.

Print Name

Interest

RECEIVED

MAY 7 - 1996

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.



NAPA COUNTY

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

1195 THIRD STREET, ROOM 101 • NAPA, CALIFORNIA 94559-3082
AREA CODE 707/253-4471

TRENT CAVE, R.E.H.S.
Director

MEMORANDUM

TO: Napa County Planning Dept. - Jeffrey Redding, Director

FROM: Department of Environmental Management - Chris Secheli, R.E.H.S.

SUBJECT: Use Permit Application for Jon A. Lail, Hartwell Winery

DATE: May 6, 1996

APN 39-040-04

FILE # 95608-UP

Located at 5765 Silverado Trail

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

1. The proposed water system to serve this project is not currently required to be regulated by this Department under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy. The applicant may wish to retain the services of a consultant in this matter.
2. That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
3. During the construction/demolition/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 for the service area in which the project is located.
4. All diatomaceous earth/bentonite must be disposed of in an approved manner.
5. Adequate area must be provided for collection of recyclables. The applicant must contact 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.

6. That prior to issuance of any building permits, complete plans containing equipment layout, finish schedule and plumbing plans for the food and beverage facilities and employee restrooms, be submitted for review and approval by the County Department of Environmental Management. An annual food permit will also be required. This does not allow catering services to be provided to outside entities.
7. That a permit for the septic tanks and additional leach line be secured from the Department of Environmental Management prior to issuance of a building permit.
8. That prior to the issuance of a building permit, an inspection of the existing sewage disposal system be performed by a licensed sewage contractor and a report submitted to the Department of Environmental Management.
9. 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, livestock, etc., over the system.
10. A Hazardous Materials Business Plan or Negative Declaration Response Form must be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management. This must be submitted within 60 days of receiving the use permit unless the applicant submits a letter stating the hazardous materials will not be brought on site until a specified future date. In this case, the Business Plan or Negative Declaration must be submitted within 30 days of bringing the Hazardous Materials on site.

cc: Jon A. Lail, 5765 Silverado Trail, Napa, CA 94558



NAPA COUNTY

DEPARTMENT OF PUBLIC WORKS

1195 THIRD STREET • ROOM 201 • NAPA, CALIFORNIA 94559-3092
PHONE 707-253-4351 • FAX 707-253-4627

KENNETH H. JOHANSON
Director of Public Works
County Surveyor-County Engineer
Road Commissioner

May 2, 1996

Napa County
Conservation, Development and
Planning Department
1195 Third Street - Room 210
Napa, CA 94559

RECEIVED

MAY 2 1996

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RE: Hartwell Winery, 95608-UP, APN: 39-040-04

Commissioners:

This use permit will allow the applicant to construct a 12,000 gal/yr winery facility off of Silverado Trail. The following conditions have been provided by the Napa County Public Works Department in order to help the applicant meet applicable County ordinances and standards.

EXISTING:

1. The first 800 feet of the paved primary access road is on average 12 feet wide. The remainder of the primary access road to the winery site is gravel and is on average 14' wide.
2. The secondary access road from Silverado Trail to the existing residence is paved and is on average 10 feet wide. From the residence to the winery site the secondary access road is gravel and on average 10 feet wide.
3. Silverado Trail near the winery site is on the average 40 feet wide.
4. The current traffic counts for Silverado Trail, near the winery site, show that the Average Daily Traffic is 5200.

RECOMMENDED CONDITIONS:

1. Right of way widening easement to 70 feet from the centerline of Silverado Trail be granted to the County for roadway and utility purposes.
2. The applicant shall construct a left turn storage lane on Silverado Trail so as to facilitate northbound traffic turning onto the access road.
3. The access road from Silverado Trail to the winery site shall be improved to the standards of an "Agricultural Special Purpose Road" as shown on the latest edition of the "Napa County Road and Street Standards". This design requires a 10 foot wide double seal coat roadway and earth shoulders

with intervisable turnouts at approximately 500 foot intervals (max.). The access road shall have a minimum structural section of five inch Class II Aggregate Base plus a double seal coat.

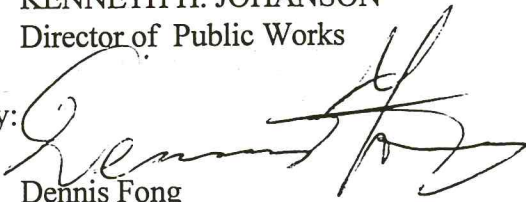
4. Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".
5. On site grading shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties.
6. Parking areas shown and required by the Planning Commission as a condition of this Use Permit shall have a minimum structural section equivalent to five inches of Class II Aggregate Base plus a double seal coat.
7. Improvements shall be constructed according to plans prepared by a registered civil engineer which will be reviewed and be 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 do not hesitate to contact our office.

Very Truly Yours,

KENNETH H. JOHANSON
Director of Public Works

by:


Dennis Fong
Associate Civil Engineer

cc: Jon Lail, 1126 Adams Street, St. Helena, 94574
Robert C. Hartwell, Separate Trust, 5795 Silverado Trail, Napa 94558



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

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

JEFFREY R. REDDING
Director

RECEIVED

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

APR 29 1996

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Blalcy

APPLICATION TITLE: HARTWELL WINERY FILE #: 95608-WP

RESPONSE REQUEST DATE: 4-29-96 RESPONSE RETURN DATE: 5-13-96
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 NOTED IN ITEM No. 1
2. BAY AREA AIR QUALITY MANAGEMENT DISTRICT CLEARANCE REQ'D.
PRIOR TO C.O.D.
3. CAUSE IMPROVEMENTS SUBJECT TO PERMITS PER ITEM No. 1
- Have you previously reviewed an application on any portion of this project?
☐ Yes ☒ No
- Name of contact person: Gay W. Brewer Telephone: 253-4416

Response Prepared by: GARY W. BREWER
Title: BUILDING CODES ADMIN.
Date: 4-29-96

INTER-OFFICE MEMO



7 May 1996

RECEIVED

MAY 7 1996

TO: Jeffrey Redding
Conservation - Development and Planning Department

FROM: Barbara Easter, Fire Department

SUBJECT: Initial Study Comments
Hartwell Winery

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

95608-UP

7660 Recommended Fire Safety Standards
9200 Fire Prevention Engineering
5765 Silverado Trail, Nap APN# 039-004-004

The Napa County Fire Department has reviewed your application for a use permit to establish a 12,000 gallon per year winery. We recommend the following conditions-of-approval.

Conditions of Approval

- I. Fire apparatus access shall be provided by:
 - A. compliance with Fire Department standards for emergency access (Napa County Resolution 88-98§IV).
 - B. compliance with Napa County Road and Street Standards;
- II. Water supplies for fire protection shall be provided by compliance with Fire Department standards for water systems, required fire flow, and hydrants (Napa County Resolution 88-98§IV)
 - A. required fire flow (gallons per minute from hydrant[s]) and storage capacity determination to be based on cubic volume of the building and construction features (Napa County Resolution 88-98§IV).
 - B. water storage, delivery systems, and private fire service mains shall be installed to the appropriate National Fire Protection Association Standard (NFPA 20, 22, 24, etc.)
 - C. hydrant number and spacing to be guided by California Fire Code appendix III-B (Napa County Resolution 88-98§IV).
- III. Built-in fire protection systems and /or components shall consist of:
 - A. an approved audible sprinkler flow alarm shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location per CFC Section 1003.3.2 (1994).

- IV. Fire fighter and public safety measures shall be provided by the following if on-site storage or use of hazardous materials triggers a Department of Environmental Management Hazardous Materials Business Plan.
- A. a hazardous materials data storage cabinet shall be installed and maintained, utilizing the Fire Department/Sheriff's Office "Rapid Entry System", with building access keys, floor plans, and additional information as per Fire Department specifications, or functionally equivalent information and access availability provided by 24-hour security personnel.
- V. Facility construction and use shall comply with all applicable provisions of the California Building Code (CBC) and California Fire Code (CFC), which are the "Uniform" model codes with California state and local amendments.
- VI. Plans detailing compliance with the above adopted conditions-of-approval shall be submitted to the Fire Department and appropriate authorities having jurisdiction (e.g. the State Fire Marshal) for review and approval during the building permit issuance process. All conditions shall be implemented in accordance with Fire Department standards, resolutions, and uniform model codes in effect at the time of building permit issuance. Current resolutions and standards are provided for reference.
- VII. "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

The proposed winery sits on the valley floor west of Silverado Trail approximately two miles south of the intersection of Yountville Cross Road. The response time for the first due engine is approximately five to ten minutes with the balance of the first alarm assignment consisting of five engines and a truck arriving within approximately twenty minutes.

If there are any questions, interested parties should feel free to contact Barbara Easter at Napa County Fire Department Headquarters (707) 963-3601.

GARY L. BUZZINI
Fire Chief

By: *Barbara A. Easter*
Barbara Easter
County Fire Inspector

GLB/BE/sh
cc: chron
fpp



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

June 26, 1991

Robert Hartwell
Hartwell Vineyard
5795 Silverado Trail
Napa, CA 94558

Subject: Erosion Control Plan # ECP-90-58, Hartwell Vineyard, 5765 Silverado Trail,
Assessor Parcel #39-040-04

Dear Mr. Hartwell:

The Conservation, Development and Planning Department has completed its review of the Erosion Control Plan prepared by the USDA Soil Conservation Service dated June 1991, for a vineyard of approximately 5.7 acres on a 29 acre site located on the west side of Silverado Trail, approximately 2.5 miles southeast of Yountville. The project will be completed in two phases; Phase I, clearing and temporary cover crop to be completed by September of 1991, and Phase II, terracing and permanent erosion control measures installed by September 1992.

The Erosion Control and Water Quality Protection Plan complies with the requirements of the Interim Hillside Ordinance for development and land clearing projects on natural slopes between 15-30%, and is hereby APPROVED. This approval is subject to the specific measures identified in the Erosion Control Plan, including installation of the runoff control practices (underground outlet piping, hillside benching, and water bar installation); groundcover protection including temporary cover crop; sediment retention measures; construction schedule; and subsequent review and maintenance outlined in the Plan. A copy of the approved Erosion Control Plan has been retained on file with the Conservation, Development and Planning Department.

Prior to commencing any grading activity, a Grading Assessment Evaluation should be completed through the Napa County Department of Public Works. You may contact that Department for more information on the Grading Assessment at (707) 253-4416.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Miller".

Michael Miller
Deputy Director

cc: Jeffrey Redding, Director
Harry Hamilton, Director of Public Works
Kelly Gin, USDA-SCS Soil Conservationist
J. Beck

The first part of the report deals with the general situation of the country and the progress of the work. It is followed by a detailed account of the work done during the year, and a summary of the results.

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