

REVISED

JUN 17 2015

Agenda Item # 9B

"APPLICANT PROPOSAL"

PLANNING COMMISSION TENTATIVE ACTION

PLANNING COMMISSION HEARING – JUNE 31⁷, 2015
EXHIBIT B – CONDITIONS OF APPROVAL

REVERIE ON DIAMOND MOUNTAIN

Use Permit Modification #P13-00027-MOD, Use Permit Exception to the Conservation Regulations #P15-00141, & Exception to the Napa County Road & Street Standards.
1530 Diamond Mountain Road, Calistoga, CA
APN: 020-440-005

1. SCOPE

The permit shall be limited to:

- A. Subject to Permittee's completion of the restoration plan set forth in Condition of Approval No. 2.KH. A Use Permit Exception (#P15-00141) to the Conservation Regulations with regards to retention of the following with a condition on restoration and/or conservation: 1) the portal for the existing wine cave encroaches into the setback for the small tributary creek on the property; and 2) the minor landscaping improvements along a portion of Teal Creek that are within the required setback of that creek. No visitation or marketing activities shall occur within the lawn area.
- B. An Exception to the Napa County Road & Street Standards (RSS) to allow for a reduction in the required 20 foot roadway width to preserve unique features of the natural environment. Access to the project site is from an approximately 1,000 ft. long paved private drive crossing several properties which outlets onto Diamond Mountain Road, a County maintained public right of way. Minor widening will occur on portions of this road on the adjoining property where no mature trees are located and outside of creek setbacks. The RSS exception would apply only to areas where natural features are to be preserved (see RSS exception drawing for details).
- C. Request for approval of a modification to Use Permit #94254-UP, to allow the following:
 1. Recognize and authorize an increase the approved production capacity from 5,000 to 9,200 gallons per year with a condition on estate grown grapes;
 2. Recognize and authorize the 1,460+/- sq.ft. (Second Floor) of the winery building allocated to accessory use;
 3. Recognize and authorize the use of the 4,710 +/-sq.ft. cave for wine production, case storage and wine barrel storage. Visitation and marketing activities are prohibited within the cave ~~and once fire sprinklers are installed~~

~~use of the cave for tours, tastings and some events (Cave spoils were kept on the property and used to improve the vineyard roads);~~

~~4. Recognize and authorize an increase in the approved "by appointment visitation" of 20 persons per day with an average of 20 per week to a maximum of 40 persons per day with an average of 200 persons per week;~~

~~5. Recognize and authorize expansion of the existing marketing plan from the following: 1) tours and tastings for wine trade personnel at 10 persons per year with 5 to 10 (average 6) persons per event; 2) private promotional dinners at 4 per year with 6 to 18 (average 12) persons per event; and 3) wine auction related events such as barrel tastings and auctions at 2 per year with an average attendance of 25 persons to allow 1) 4 events per year with up to 60 persons; 2) 2 events per year with up to 40 persons; 3) 12 events per year with up to 10 guests; and 4) participation in the wine auction;~~

~~6.4. Recognize and authorize an increase in the approved number of employees from 2 employees plus 1 temporary employee during harvest to a maximum of 5 employees;~~

~~7.5. Recognize and authorize on-premise consumption of the wines produced on-site, consistent with Business and Professions Code §§23356, 23390, and 23396.5 (also known as AB 2004 (Evans 2008 or the Picnic Bill) within the winery building and improved lawn areas, and under the mature redwood grove;~~

~~8.6. Recognize and authorize catered food pairings;~~

~~9.7. Abandonment of an existing septic system and the installation of a new code compliant domestic and winery waste system subject to condition of approval 2.J below. Both hold and haul and rapid aerobic treatment with storage are proposed;~~

~~10.8. Installation of a new well;~~

~~11.9. Installation of a new automatic storm water diversion valve and a temporary crush pad cover; and~~

~~12.10. Installation of a new ADA compliant parking space.~~

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with County Code Section 18.124.130 and may be subject to the Use Permit modification process.

**Alternative locations for cave spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services (the PBES Director), when such alternative locations do not change the overall

concept, and do not conflict with any environmental mitigation measures or conditions of approval.

2. **PROJECT SPECIFIC CONDITIONS**

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document, the Project Specific Conditions shall supersede and control.

A. **On-Premises Consumption**

Consistent with Business and Professions Code §§23358, 23390 and 23396.5 (also known as AB 2004 (Evans 2008) or the Picnic Bill) and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premises consumption of wines produced on-site may occur solely within the winery building ~~and improved lawn areas and~~ under the mature redwood grove. Any and all visitation associated with on-premises consumption shall be subject to the ~~40~~ 20 person maximum daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan.

C. **During all construction activities, the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Mitigation Measures (Table 8-1, May 2011 Updated CEQA Guidelines) as provided below:**

1. All exposed surfaces (e.g. parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person

shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible.

- D. The existing single-family residence are classified for residential purposes only) and cannot be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, the residence shall only be rented out for periods of 30 days or more, pursuant to Napa County Code Section 18.104.410, Transient Commercial Occupancies of Dwelling Units Prohibited.
- E. General Compliance and Annual Audits
Permittee shall obtain and maintain all permits (Use Permits and Modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC), United States Tax and Trade Bureau (TTB), Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event permittee loses required ABC or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.
Visitation log books, custom crush client records, and any additional documentation determined by staff to be necessary to evaluate compliance may be requested in the event the winery is chosen in the annual audit. The permittee (and their successors) shall be required to participate fully in the audit process.
- F. No building, grading, or sewage disposal permit shall be issued, nor shall beneficial occupancy be granted until all accrued planning permit processing fees have been paid in full.
- G. Prior to commencing winery production or visitation the permittee shall implement the follow transportation demand management programs, subject to review and approval by the Director of Planning, Building and Environmental Services:
 - 1. Implement a program to inform employees of the traffic congestion issues south of the project site and to encourage employees to utilize alternative forms of transportation.
 - 2. Implement measures, such as signage, tasting room information handouts, education of tasting room staff, internet content, etc. to inform/educate/encourage visitors to utilize alternative forms of transportation.
 - 3. Schedule commencement and conclusion of by-appointment visitation to occur outside of peak traffic periods which are between 4:00 p.m. and 6:00 p.m. weekdays, 2:00 p.m. and 4:00 p.m. on Saturdays, and 1:00 p.m. and 3:00 p.m. Sundays.

4. Schedule employee work shifts to commence and conclude outside of peak periods between 4:00 p.m. and 6:00 p.m. weekdays, 2:00 p.m. and 4:00 p.m. on Saturdays, and 1:00 p.m. and 3:00 p.m. Sundays.
5. Schedule marketing event set up, arrival and departure to occur outside of weekday and Saturday peak traffic periods. Peak periods are between 4:00 p.m. and 6:00 p.m. weekdays, 2:00 p.m. and 4:00 p.m. on Saturdays, and 1:00 p.m. and 3:00 p.m. Sundays.

H. Prior to the issuance of a building permit for the cave portal and conversion of the second floor of the winery building (e.g., guest quarters) and/or the increase in wine production, a final Conservation and Restoration Plan substantially in conformance with the First Carbon Solution's letter and report dated June 5, 2015 shall be submitted for review and approval by the Planning Division. ~~Such plan~~ The restoration project called for in the approved plan shall be implemented prior to issuance of a final certificate of occupancy.

I. The production increase (4,200 gallons per year) shall be restricted to use of of estate grown grapes. The permittee shall keep records of annual production documenting the source of grapes to verify use of estate grown grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the Planning, Building & Environmental Services Department upon request, but shall be considered proprietary information not available to the public for purposes of this Condition, "estate grown grapes" means grapes grown within the 27 acres vineyard located on the subject property.

J. Hold and Haul Sewage Program shall be restricted to the 2015 winery crush season. Prior to any crushing after 2015, a new on-site sewage treatment system shall be permitted and installed pursuant to ~~conditions of approval set forth by the~~ Environmental Health Division's conditions of approval dated March 21, 2015.

~~K. A Restoration Plan substantially in conformance with the First Carbon Solution's letter and report dated June 5, 2015 shall be submitted to the Planning Division for review and approval prior to issuance of building permits for the cave, and the restoration project called for in the approved plan shall be implemented prior to grant of final occupancy for the cave.~~

3. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and

Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- A. Engineering Services Division as stated in their Memorandum dated March 10, 2015 & March 5, 2014.
- B. Environmental Health Division as stated in their Memorandum dated March 21, 2014.
- C. Fire Department as stated in their Inter-Office Memo dated January 21, 2014 & February 13, 2013.
- D. Building Division as stated in their Memorandum dated February 28, 2013.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

4. VISITATION

Consistent with County Code Sections 18.16.030 and 18.20.030, marketing and tours and tastings may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility." Marketing and/or Tours and Tastings are not typically authorized until grant of Final Certificate of Occupancy, but exceptions may be granted where extenuating circumstances exist, subject to review and approval by the County Building Official, County Fire Marshal, and the PBES Director.

Permittee shall obtain and maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation. In the event permittee loses required ABC and/or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (be they tours and tastings or marketing event visitors), and the dates of their visit. This record of visitors shall be made available to the Planning, Building and Environmental Services Department upon request.

A. TOURS AND TASTING

Tours and tastings are limited to the following:

- 1. Frequency: Daily
- 2. Maximum number of persons per day: ~~40~~ 20

3. ~~Maximum Average~~ ~~[No averages, they are unenforceable, is there a weekly max?]~~ number of persons per week: ~~200~~ 20 Average
- 3.4. Yearly Maximum: 1040
- 4.5. Hours of operation: 8:00 am to 5:00 pm
- 5.6. Catered Food Pairings

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings.

Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant. (County Code Section 18.08.620 - Tours and Tastings.)

Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in County Code 18.20.030(H)(5)(c) – AW Zoning.

B. **MARKETING**

Marketing events are limited to the following:

1. Frequency: ~~4~~ 10 times per year
Number of persons: ~~60~~ 10 maximum
Catered Food Pairings
2. Frequency: ~~2~~ [?] times per year
Number of persons: ~~40~~ 18 maximum
Catered Food Pairings
3. Frequency: ~~12~~ 2 times per year
Number of persons: ~~10~~ 25 maximum
Catered Food Pairings
4. Participation in Auction Napa Valley
Catered Food Pairings

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to County Code Chapters 18.16 and 18.20. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's use permit. Marketing plans in their totality must remain "clearly incidental, related and subordinate to the primary operation of the winery as a production facility" (County Code Sections 18.16.030(G)(5) and 18.20.030(I)(5)). To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of recovery of variable costs, and any business content unrelated to wine must be limited. Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan. (County Code Section 18.08.370 - Marketing of Wine).

All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. If any event is held which will exceed the available on-site parking, the applicant shall prepare an event specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

5. **GRAPE SOURCE**

At least 75% of the grapes used to make the winery's wine shall be grown within the County of Napa. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the Planning, Building & Environmental Services Department upon request, but shall be considered proprietary information not available to the public.

6. **RENTAL/LEASING**

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the on-site winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

7. **SIGNS**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning, Building, and Environmental Services Department for administrative review and approval. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in County Code Chapter 18.116. At least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

8. **LIGHTING**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, two copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

9. **LANDSCAPING**

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the Building Permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO) (County Code Chapter 18.118), as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

Landscaping shall be completed prior to issuance of a final certificate of occupancy, and shall be permanently maintained in accordance with the landscaping plan.

10. **OUTDOOR STORAGE/SCREENING/UTILITIES**

All outdoor storage of winery equipment shall be screened from the view of residents of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and County Code Chapter 18.106) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

11. COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the Planning, Building & Environmental Services Department prior to painting the building. Highly reflective surfaces are prohibited.

12. SITE IMPROVEMENTS AND ENGINEERING SERVICES-SPECIFIC CONDITIONS

Please contact (707) 253-4417 with any questions regarding the following.

A. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to issuance of a final certificate of occupancy.

B. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

C. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur during windy periods.

D. STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board (SRWQCB).

E. PARKING

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the

available on-site parking, the permittee shall prepare an event-specific parking plan which may include but, shall not necessarily be limited to, valet service or off-site parking and shuttle service to the winery.

F. GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the Planning, Building & Environmental Services Department and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

13. ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact (707) 253-4471 with any questions regarding the following.

A. WELLS

The permittee may be required (at the permittee's expense) to provide well monitoring data if the PBES Director determines that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. If the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the PBES Director has provided notice and the opportunity for hearing in compliance with the County Code Section 13.15.070 (G-K).

B. NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a

hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

14. ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the Planning, Building and Environmental Services Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

15. ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

16. INDEMNIFICATION

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the Planning, Building and Environmental Services Department's standard form.

17. AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.

18. PREVIOUS CONDITIONS

As applicable, the permittee shall comply with any previous conditions of approval for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.

19. **MONITORING COSTS**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the owner. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final certificate of occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Commission at some time in the future, the Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation hearings in accordance with County Code Section 18.124.120.

20. **TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a final certificate of occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a temporary certificate of occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the temporary certificate of occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

Gallina, Charlene

Planning Commission Mtn

From: Peter Thompson <peterthompson@mindspring.com>
Sent: Tuesday, June 16, 2015 12:16 PM
To: Gallina, Charlene
Subject: Reverie Winery Use Permit Modification #P13-0027MOD

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Dear Ms. Gallina,

I own the property located at 1769 Diamond Mountain Road, near the end of the south fork of Diamond Mountain Road. I have owned the property since 1995. I drive to the property from my home in St. Helena at least daily. I am familiar with Reverie Winery as I have visited the property many times throughout the last 20 years. I am fully in support of the Use Permit Modification being requested by Reverie Winery. I urge the Planning Commission to grant the requested Modifications. I am confident that Mr. Kiken will undertake with great care any structural or site construction necessary to support the modifications he is requesting.

Sincerely,

Peter Thompson
836 Chiles Avenue
St. Helena, CA 94574
619-954-8687 cell

Gallina, Charlene

From: Marcia Goldstein <goldstein.marcia@yahoo.com>
Sent: Friday, June 12, 2015 11:20 AM
To: Gallina, Charlene
Subject: Reverie Winery

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My name is Marcia Goldstein and I live at 1450 Diamond Mountain Road. I would like to confirm my support of the application by Reverie Winery to modify it's use permit. My husband and I were fans and members of the winery before we purchased our property on Diamond Mountain. The owners and staff are warm, friendly people who provide an exceptional tasting experience. Since moving to Diamond Mountain we have not noticed any negative effects from Reverie's production or tasting room. Therefore, I support the permit modification application to legalize the winery's current production and visitation.

Sincerely,
Marcia Goldstein
707-942-1241

Gallina, Charlene

From: Scott Greenwood-Meinert <scottgm@dpf-law.com>
Sent: Monday, June 15, 2015 3:51 PM
To: Gallina, Charlene
Subject: FW: Reverie
Attachments: Planning Commission Mtg - 6.3.15.doc

Planning Commission Mtg.

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SCOTT GREENWOOD-MEINERT
707.252.7122 | SCOTTGM@DPF-LAW.COM

From: Barbara Barrera
Sent: Monday, June 15, 2015 3:50 PM
To: Scott Greenwood-Meinert
Subject: Reverie

BARBARA BARRERA
ASSISTANT TO TOM ADAMS,
SCOTT GREENWOOD-MEINERT,
JOHN TRINIDAD AND JEFFREY T. DODD
DICKENSON, PEATMAN & FOGARTY
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NAPA COUNTY PLANNING COMMISSION MEETING
June 3, 2015

Reverie on Diamond Mountain

PHILLIPS: Commissioner Cottrell.

COTTRELL: Thank you. Yeah, I think it is challenging to um, you know, to Commissioner Scott's point to have something that requires further review, investigation, negotiation. I do think this component is one of several components of a decision by this Commission so I would agree with Commissioner Basayne that we could ask for a speedy turnaround but I really do think this is an opportunity for staff to work with other County departments and have the applicant work with them too to say let's come up with some assessment of some – we can't ever know what the impacts are be they large or small but I think it offers an opportunity for County environmental staff to have some input here to come up with some project that would benefit the local streambed.

MORRISON: Madam Chair – for clarification given I understand the time constraints on Commissioner Cottrell. I've heard concerns expressed about estate grapes, about the level of visitation, about creek restoration and the hold and haul. Is staff to assume that the Commission has no concerns regarding the restoration of the second floor of the building or the existence of the caves the production increase just so when we bring back a package we can make sure we address all the Commission's concerns.

PHILLIPS: I heard no objections to the guest quarters so winery use and I have heard the caves supported with creek restoration and project to PVD and that no marketing and entertaining with the staff recommendation on the caves. I've heard on visitation we've heard mixed and on outdoor visitation we haven't heard any feedback on terms of removing the grass area.

MORRISON: I would agree that the production I didn't hear any objection to the increase in production either. Or is that tied to the estate grape issue?

PHILLIPS: I would say it was part of the estate grape.

SCOTT: I have no objection to the increase in production.

BASAYNE: Nor do I.

PHILLIPS: And with the reduction being tied to estate only.

SCOTT: I have a concern with that because if in fact we're talking about this is a use permit that goes with the land and maybe the current applicant has no desire to make a blended wine or some kind of a blend that would require grapes that he doesn't have on his property but if in fact he did, I wouldn't want to say he couldn't use any other grapes if he needed, you know, 10% of a Bordeaux blend to come from somebody else to make a product. I don't want to get into that. I think we're telling them how to run their business and I'm not comfortable with that.

PHILLIPS: Agreed but the whole premise of what they presented to us is that it's an estate program so . . .

SCOTT: But again, the use permit goes with the land not with the owner.

POPE: Well I think that would be a question for a future permit modification if they wanted to increase production again to start bringing outside grapes.

SCOTT: So you're proposing that it do go with the owner?

POPE: Yeah, I would propose that we keep it to the estate.

SCOTT: I would submit that's a policy decision, not within our purview.

COTTRELL: Chair Phillips?

PHILLIPS: Commissioner Cottrell.

COTTRELL: I did have a brief conversation with the applicant about this and one of the interesting things about the parcel is that right now he does have a few different varietals planted there and when I asked about this condition it seemed to now cause consternation. We could, you know, it looks like we're heading towards getting some more information and having more conversations with the applicant. You know, I still stand in support of an estate grown condition of approval but I think it's worth having this discussion with the applicant.

PHILLIPS: Well now I'm falling into Terry's camp where that our process seems to be broken. Where we have I feel a very, very thoughtful and well thought recommendation by staff and that we cannot even seem that it becomes so difficult that we don't seem to be working efficiently. So, um . . .

COTTRELL: Chair Phillip's – well should we try to make a motion addressing the issues that we feel that we have reached resolution on?

PHILLIPS: So we have the – do we do them separately to give direction to staff so the 5,000 to 9,200 gallons – having it be estate grown?

SCOTT: Again, we're setting policy. That's not our job. It is not our job. That comes from the Board of Supervisors.

PHILLIPS: Well Laura – do you feel comfortable?

ANDERSON: I think it's the under purview that _____ of - Commissioner Pope pointed out if a future owner wants to have the flexibility they'd have to come in for a use permit mod.

PHILLIPS: So I appreciate Terry that you don't want to overstep our bounds but, I – Laura says it is permissible.

POPE: I think given the eccentricities of this particular project and application, I think it's reasonable in this case and doesn't necessarily have to set precedent for every single issue that we discuss after that.

SCOTT: But it does set precedent.

POPE: It doesn't remove our discretionary authority in the future.

SCOTT: And then I would state it sets an initial precedent. Never been done before.

POPE: No – that's the grave new world we're in now.

SCOTT: Yeah.

PHILLIPS: But next time you accuse me of using – setting a precedent Terry, I'm gonna say "well, yay."

COTTRELL: Chair Phillips are you asking for our motion on -

PHILLIPS: Exactly.

COTTRELL: I move that we approve a production level increase with the condition of approval that the grapes are estate grown.

PHILLIPS: All in favor.

COTTRELL: Aye.

POPE: Aye.

SCOTT: I'm gonna oppose that one.

PHILLIPS: Okay, so

McDOWELL: If I could dive in on the motion and get some understanding intent from the Commission. Are you making a tentative motion in regard to the various aspects of the project in advance of taking a formal action on this project?

SCOTT: We're trying to give staff direction I think and let you know.

POPE: I recommend that we make a collective motion on all the items listed there.

McDOWELL: Guidance as well on the CEQA documents.

PHILLIPS: So I guess then that is really what we are doing is just giving staff direction so, there was that item and the cave supported we have two people support the cave and would that include the creek restoration and no marketing or entertaining with the cave?

POPE: Yes.

COTTRELL: Yes.

PHILLIPS: Yes

BASAYNE: Yes, with options from my perspective as well in terms of the creek restoration.

PHILLIPS: The guest quarters to winery use.

POPE: Yes.

COTTRELL: Yes.

SCOTT: Yes.

BASAYNE: Yes.

PHILLIPS: Outdoor visitation to remove the grass barbeque area.

SCOTT: No.

BASAYNE: No.

COTTRELL: Yes.

PHILLIPS: The visitation remaining as permitted per the staff recommendation.

BASAYNE: Option Two?

PHILLIPS: Um hum.

BASAYNE: Yes.

COTTRELL: I'm sorry. Can you repeat that?

PHILLIPS: The visitation per the staff recommendation.

BASAYNE: Visitation would not be increased.

PHILLIPS: Visitation would not be increased.

COTTRELL: Yes, I'm in favor of that.

BASAYNE: Yes.

PHILLIPS: Yes.

SCOTT: No.

POPE: No.

SCOTT: I'm supportive of the visitation levels as presented in Option One.

PHILLIPS: So based on this direction, the visitation would not be increased, the outdoor visitation they would not be required to remove the grass or barbeque area and restore the restoration project. The guest quarters could be moved to the winery use and the caves would explore the restoration project and there is no marketing or entertaining and there is an increase from 5,000 to 9,2000 gallons of estate grapes.

SCOTT: No marketing or entertaining?

_____: In the caves.

PHILLIPS: In the caves.

BASAYNE: Okay.

MORRISON: I appreciate the thoroughness with which the Commission's delved through these various issues. Could we also get a temperature on the hold and haul?

PHILLIPS: No. Hold and haul.

POPE: Yeah, I think there's general support for the alternative system as opposed to hold and haul.

BASAYNE: And just to express my comments, I think there was some important compelling thoughts expressed by the Commission members with regard to hold and haul. I'd like to look at, and quite frankly I know that it isn't necessary our area of purview to look at the cost benefit analysis for the applicant but I'd just like to get an understanding of what the impact of an engineered septic system would be or a live system relative to a hold and haul and I absolutely agree that we don't want to put more vehicles than we have to on the road but again, its incremental impact that does add up down the road but I'd like to get a better understanding of what an engineered or live system would

PHILLIPS: In the context of this permit or

BASAYNE: Yes.

PHILLIPS: Well I'm sorry but technically we had three commissioners say that they support it.

BASAYNE: Okay. So I'm just

PHILLIPS: So it might be just in terms of forward but . . .

BASAYNE: I'm spinning my wheels here.

POPE: 92 parcels and answers as well. We're focused on the outdoor visitation and the barbeque and the grass area. I was not looking at the fact at the moment that we did talk about the grass area removal as part of the restoration efforts. It kind of divides it but I am supportive of the barbeque area is fine, the redwood ring is fine, but I am in support of looking at that grass area in terms of restoration so . . . I guess I would join Commissioners Cottrell and Phillips on that one.

SCOTT: I have a question of _____. When you say restoration to what dirt rock, what?

PHILLIPS: I think that's what they're going to work and come back with the options. It's not dirt and rocks. There would be a natural habitat and

McDOWELL: That would be the intent in turn for allowing an encroachment into the creek setbacks to have some portion of the property have some natural environmental setting.

SCOTT: Having the property I strongly oppose that. I can't go there.

BASAYNE: Well and I think, if I may interject, I think it gets back to that old notion of how long a restoration or how extensive a restoration project are we looking at and if it's something that should be 600 or 700 feet rather than 1,500 feet or 2,000 feet or a 900 square foot area relative to lawn versus a half acre area and I'd just like to see options.

PHILLIPS: I think that's where we all have run into some frustration that we're not sure what that means or what that would look like and that's not something that necessarily staff can do on their own. I would think we'd talk to DFG and to the Conservation Department to see what . . . I think that's part of the frustration that it's adding on another component unknown to us so, but in concept I think it was supporting it.

POPE: And so if the grass area remains does not automatically invalidate the idea of any sort of restoration?

McDOWELL: There's possibly other areas on the property.

POPE: I mean I would be in support if its possibly more open ended. There sounds like there's going to be some ongoing dialog here, maybe find other options for restoration not necessarily centered on that one area and if sufficient restoration can be found elsewhere on the property that perhaps doesn't necessarily need to come out.

SCOTT: I would be supportive of that as well. I think the grassy area is in my mind that they represent kind of the crown jewel of the property and to just throw away crown jewels doesn't seem to be very efficient. I would like to see restoration in other areas, certainly in the creek but I think we need some more guidelines or guidance from the County other departments as to how much of that is appropriate or whether or not it would be appropriate in other areas.

POPE: Would there be any mitigating factor in perhaps preserving that area for visitation but offsetting – you know, it's one issue with grass but of course these days a lot of people are saying get rid of grass you know, can we take some of the turf out and find maybe some semi-permeable surfaces that

PHILLIPS: Well I think it's part of what, you know, the health – one reason why you do a restoration is the health of the creeks so I think part of it is getting a,

you know, an expert's analysis on what would be the most beneficial to the creek and maybe having the grass right there isn't the best thing or you know, so . . .

COTTRELL: Yeah, Chair Phillips, I would agree. I think it's important to reiterate that the point here is what kind of restoration project could give the most positive impact to the creek, not the one that causes the most heartache. So, I think with that focus in mind we will hear from you know, streambed restoration professionals who will be able to assess the parcel and the creeks in the neighborhood.

BASAYNE: I think that if we are prohibiting visitation in the caves which heretofore has occurred, then that would cause the flow of traffic to go to the half lawn area and perhaps the redwood grove as well. You take away the lawn area or you create a whole new stream that hasn't existed there for ten years or you make an even bigger stream, then ham stringing the applicant in terms of trying to figure out where they're going to put the visitors and so to your point Commissioner Cottrell, I think that we just again, we need to look at options in favor of the perfect restoration.

PHILLIPS: Does staff feel that this is enough direction at this time?

McDOWELL: Yes.

PHILLIPS: Do we need to make this an official motion or I guess it would just be the continuation . . .

COTTRELL: Yes, a continuance.

POPE: And are we continuing this to a date certain?

SCOTT: What are you comfortable with John, in terms of continuation?

McDOWELL: I'm not going to be available for the meetings in July but Charlene would be available for the meetings in July. The next available meeting is June 17th but the amount of material that we could bring back on June 17th is rather limited, I think we could show some options on where restoration work could be performed and perhaps reach some level of agreement with the applicant but I don't think we have really an detail on the scope of that if that's indeed what you desire of seeing. I guess what my recommendation would be is to continue it to June 17th and then give staff and the applicant a chance to try to perform and if we can't then at that point on the 17th potentially continue it further if we haven't made enough headway.

POPE: It would be appropriate to ask the applicant how much time they need.

PHILLIPS: Well I think in some ways June 17 would be the soonest that we could do it so that would make sense.

McDOWELL: I think the sooner the better, not that we want to get close to a decision but I would think that June 17 would be the soonest.

PHILLIPS: Correct. So I would entertain the motion to continue this matter until the June 17th meeting to give the opportunity with direction.

BASAYNE: Second.

PHILLIPS: All in favor.

BASAYNE: Aye.

POPE: Aye.

PHILLIPS: Opposed? The continuation passes unanimously.

DAVID B. GILBRETH

Attorney at Law
1152 Hardman Avenue
Napa, CA 94558
(707) 337-6412

Planning Commission Mtg.

JUN 17 2015

Agenda Item # 9B

June 16, 2015

Napa County Planning Commission
Heather Phillips, Chair
1195 Third Street, 2nd Floor
Napa, CA 94559

Re: Norm Kiken/Reverie Winery Use Permit Modification

Dear Ms. Phillips and Commissioners:

The Norm Kiken/Reverie Winery Use Permit Modification complies with CEQA and the staff recommended Negative Declaration, and is consistent with the General Plan, Zoning and applicable Napa County regulations and has been voluntarily submitted pursuant to the long-standing and presently existing Napa County policy of voluntary compliance and it certainly is reasonable to approve it.

The voluntary Use Permit Modification application consists of a very thorough environmental review, including the staff recommended Negative Declaration and comprehensive reports and analyses by CAB Consulting Engineers related to the Roads, Storm Water Run-off Management Plan, and Septic System Feasibility Report; First Carbon Solutions (original report and riparian addendum); and WTrans (traffic), all of which have been reviewed and essentially approved by staff.

As a result there is no question whatsoever that there are no remaining environmental issues regarding the proposed voluntary Use Permit Modification application. The general opposition comments have cited no contrary meritorious facts or scientific information.

The attached Historical Approvals and Permits demonstrate that Norm Kiken has sought and obtained a Winery Use Permit including a Negative Declaration and, Landscaping Plan and separately an Erosion Control Plan related to the Residence including another Negative Declaration and a sampling of Building Permits. These historical approvals and permits demonstrate that Norm has been a responsible citizen.

The attached Historical Information and Permits, sets for the State of California Cave Permit and also reviews the historical information and permits and information and biological report confirming no change related to the riparian corridor vegetation related

to the unnamed watercourse (essentially a ditch). This information is verified by Mr. Cassayre's site visit and related letter and FirstCarbon Solutions' letter and the historical West Elevation photograph which was actually taken in approximately 1995 as work commenced on the approved Winery Use Permit. The photograph, although dated currently, as is customary by the staff, shows the state of the land in 1995 well prior to the construction of the cave and clearly shows no riparian corridor vegetation and that the land was flat.

The attachment also refers to the Board Agenda letter regarding the long-standing and presently existing policy of voluntarily compliance regarding Use Permits. Norm has complied with the voluntary policy and worked diligently with staff for over 2 years! (in conjunction with Norm and his counsel I have also worked with staff for over 2 years) in a good-faith effort to review all issues and bring them voluntarily to the Planning Commission. No enforcement action was ever undertaken by Napa County. The general opposition comments are simply in error.

In response to the staff report, Norm Kiken has included in the Norm Kiken/Reverie Winery Use Permit Modification application a reasonable Marketing Plan which has been reviewed and approved by Professor, Dr. Liz Thach, MW, who is very knowledgeable on these topics. Even though Norm Kiken submitted the Marketing Plan, in his opinion as a result of the staff report, I would, respectfully, request that the Planning Commission, as a matter of good government and policy, consider whether or not the Planning Commission should be involved in critiquing Mr. Kiken's business decisions including marketing. Especially since this application is in compliance with CEQA, and the staff recommended Negative Declaration, and is consistent with the General Plan, Zoning and applicable Napa County regulations and Mr. Kiken's voluntary submittal pursuant to the long-standing and presently existing Napa County policy of voluntary compliance.

Accordingly, respectfully, I believe that it is reasonable for the Planning Commission to approve the application since it is consistent with CEQA, the General Plan, Zoning and applicable Napa County regulations and has been voluntarily submitted pursuant to the long-standing and presently existing Napa County policy of voluntary compliance.

Very truly yours,

David B. Gilbreth

NORM KIKEN/REVERIE WINERY
1520 Diamond Mountain Road
Napa County Assessor Parcel No. 020-440

I. HISTORICAL APPROVALS AND PERMITS

- 1) Winery Use Permit No. 94254-UP Approval Letter dated 6/21/95
- 2) Negative Declaration, Reverie on Diamond Mountain LLC Winery/Kiken dated 6/21/95
- 3) Reverie Winery Landscaping Approval on 12/14/95
- 4) Erosion Control Plan for Kiken Residence and Access Approval Letter dated 8/9/94
- 5) Negative Declaration, Norman Kiken Grading Permit dated 8/5/94
- 6) Napa County Building Permits:
 - No. 0056655, Convert Barn to Winery dated 12/14/95
 - No. 0055127, Convert Storage to Guest House dated 8/30/94
 - No. 0054925, Convert Barn to Office and Storage dated 7/7/94
 - No. 0055744, Install 10,500 Gallon Water Tank dated 3/31/95
 - No. 0055073, Dwelling dated 8/11/94
 - No. 0055328, Swimming pool dated 11/1/94
- 7) Underground (Cave) Classification dated 6/16/2008 (State of California Permit)

II. INFORMATION AND BIOLOGICAL REPORT CONFIRMING NO RIPARIAN PLANTS OR CHANGE IN TERRAIN RELATED TO THE UNNAMED WATERCOURSE (DITCH)

- 8) Report by James L. Cassayre dated 6/15/2015
- 9) Reverie Winery West Elevation dated 5/22/2015
- 10) First Carbon Solutions – Reverie Vineyard & Winery: Current and Historic Riparian Habitat dated 3/18/15

III. BOARD AGENDA LETTER DATED AUGUST 6, 2014 SETTING FORTH THE LONG-STANDING AND PRESENTLY EXISTING VOLUNTARY COMPLIANCE OPTION.



JEFFREY REDDING
Secretary-Director

NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING COMMISSION

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

June 21, 1995

Assessor's Parcel #20-440-05

Norman and Evelyn Kiken
1520 Diamond Mountain Road
Calistoga, CA 94515

Dear Mr. and Mrs. Kiken:

Please be advised that Use Permit Application # 94254-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: June 21, 1995

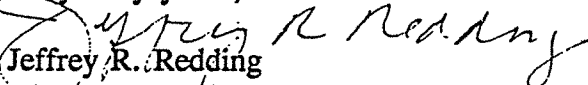
EXPIRATION DATE: July 5, 1996

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 an 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,


Jeffrey R. Redding
Director

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

fdia:kikemap.ltr

CONDITIONS OF APPROVAL
Norman and Evelyn Kiken
94254-UP

1. The Use Permit shall be limited to the establishment of a 5,000 gallon per year estate winery with the conversion of 2,237 sq.ft. of an existing 2,951 sq.ft. barn and the addition of a 3,000 sq.ft. crush and tank pad, and a variance to allow the winery to be within the 300 foot setback from a minor private road. The project shall conform to the approved site plan, floor plan and elevations. Any expansion of production capacity, changes in use, construction or design shall be subject to the approval of the Planning Director, or if deemed necessary, the County Planning Commission.
2. Retail sales shall be limited to only those persons visiting by prior appointment. No drop-in retail sales shall be permitted.
3. The applicant shall comply with all applicable building codes, and requirements of various County departments and agencies, including those of the Department of Public Works dated Mar. 21, 1995, the Department of Environmental Management dated Mar. 14, 1995, the Building Division dated Mar. 9, 1995, the Airport Land Use Commission dated Mar 23, 1995 and the County Fire Dept. dated Apr. 6, 1995.
4. 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 his 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. That 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.
5. Plans for any outdoor signs shall be submitted to the Planning Department for administrative review and approval. A sign shall be placed at the property entrance reading "Tours, tasting and retail sales by prior appointment only" if any winery identification sign is installed. The only off-site signs allowed shall be in conformance with the County Code.
6. During winery construction, all construction equipment mufflery and hours of operation shall be in compliance with the County Code section regarding noise, Chapter 8.16.
7. The marketing events shall not exceed the three different types of events approved:
 - a. Tours and tasting for wine trade personnel - 10 per year with 5 to 10 (ave. 6) persons per event.

June 21, 1995
Conditions of Approval
94254-UP (Continued)

- b. Private promotional dinners - 4 per year with 6 to 18 (ave. 12) persons per event.
 - c. Wine auction related events such as barrel tasting and auctions - 2 per year with an average attendance of 25 persons.
8. 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 the winery crush/tank pad. To the greatest extent possible the plant materials shall be the same native plants found on the adjoining hillside. Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the approved landscaping plan.
9. Any exterior lighting shall be the minimum necessary for operational and security needs only. All light fixtures shall be kept as low as possible and shall be designed to deflect light down and away from adjacent properties and roadways.
10. The parking spaces shall be limited to the five proposed, and parking shall not be allowed along access roads or in any other location, except during the limited approved marketing events.
11. All mechanical and electrical equipment and storage areas shall be screened from view.
12. Cut and fill slopes shall be graded to blend into the adjoining natural hillside.
13. 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 if the gate is closed.
14. The guest cottage within the same structure is accessory to the residence and shall have no connection to the winery, nor shall it be used for marketing or other winery activities.

NEGATIVE DECLARATION

The Conservation, Development and Planning Director of Napa County has tentatively determined that the following project would not have a significant effect on the environment. Documentation supporting this determination is on file for public inspection at the Napa County Conservation, Development and Planning Department Office, 1195 Third St., Room 210, Napa, California 94559. For further information call (707) 253-4416.

Reverie on Diamond Mountain, LLC Winery / Kiken

94254-UP & 94255-VAR

PROJECT DESCRIPTION:

A request to convert 2,237 sq.ft. of an existing 2951 sq.ft. barn and guest quarters to a 5,000 gal. per year winery and add 3,000 sq.ft. of crush and tank pad, and a variance request to allow the winery to be within the 300 ft. winery setback from a private road, on a 39.83 acre parcel located approximately 1,000 feet west of Diamond Mountain Road approximately 4,000 feet from its intersection with State Highway 29 within an AW:AC (Agricultural Watershed/Airport Combining) zoning district.
(APN 20-440-005)

WRITTEN COMMENT PERIOD: June 1 to June 20, 1995

DATE: June 21, 1995

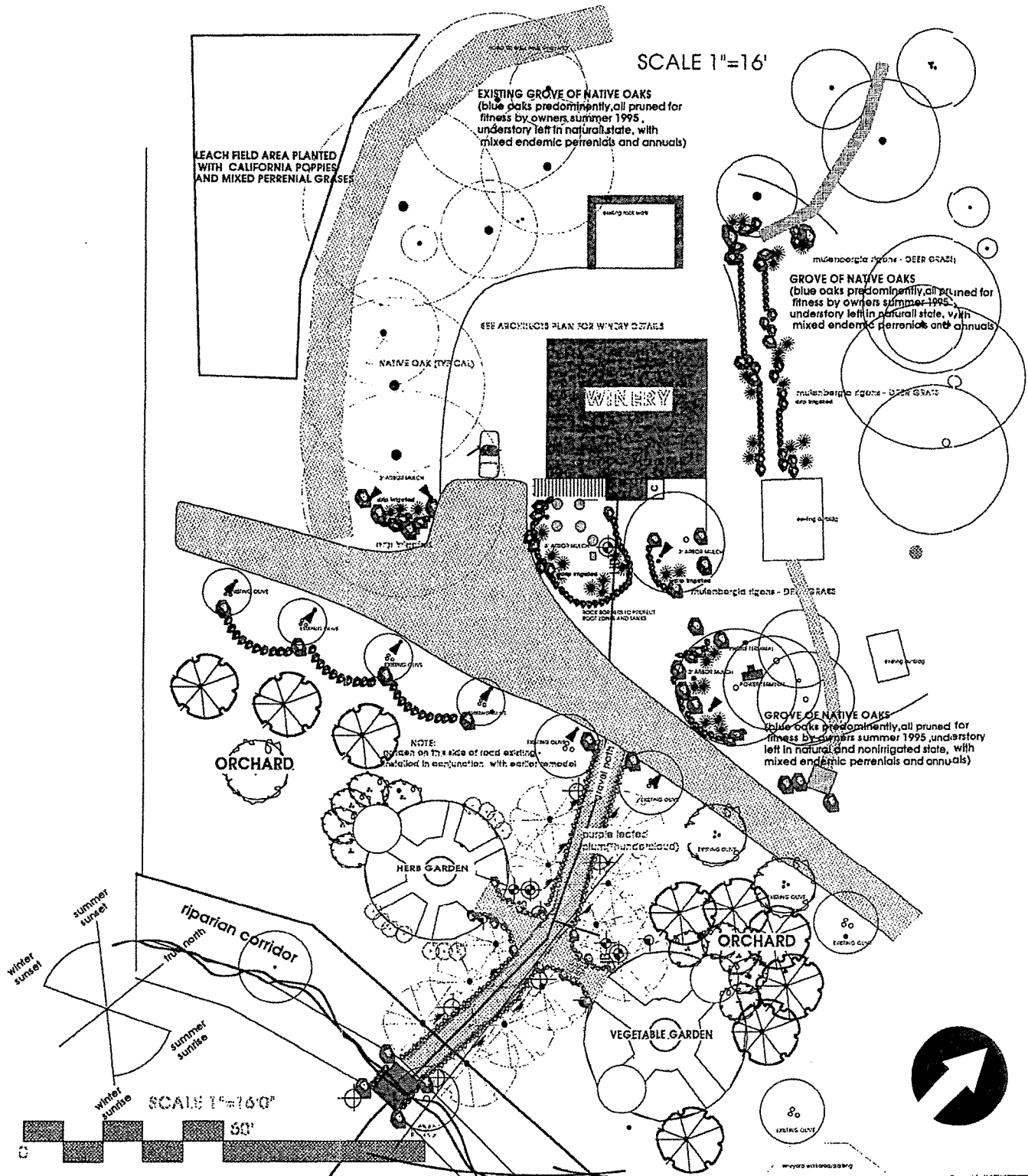
BY THE ORDER OF

JEFFREY REDDING

Director

Napa County Conservation, Development and Planning Department

REVERIE WINERY



Landscaping Approved per Use Permit 94254



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING
Director

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

August 9, 1994

Norman Kiken
22 Robin Road
Warren, NJ 07059

Re: Erosion Control Plan for Kiken Residence and Access,
File # 93391-ECPS, AP # 20-440-05

Dear Mr. Kiken:

The above-referenced application, for erosion control associated with construction of a 2000+/- ft. access drive, residence, pool and onsite septic waste system, located at 1520 Diamond Mountain Road, has been reviewed by Napa County pursuant to the standards of Ordinances #991 and #1062, and is hereby **APPROVED**. The County Erosion Control Fee of \$ 1600.00 has been paid.

The approved Erosion Control Plan is composed of a 6 page full scale plan prepared by James Cassayre dated received February 25, 1994. Each page is stamped "APPROVED." You are responsible for acquiring a building permit and any other necessary permissions for the activity that is subject to the erosion control plan. Please note that this letter does not constitute approval to commence any work.

In order to facilitate timely inspection, please notify Douglas Nix at (415) 573-8733 three (3) days prior to commencement of clearing, grading, or construction. You must maintain the Approved Plan or a copy thereof on the site at all times during grading, clearing, and construction.

Sincerely,

Therese Garbarino

Therese Garbarino
Planner II

cc. Gary Brewen, Building Codes Administrator (with Plan)
Bill Bickell, Public Works Director (with Plan)
Douglas Nix (with Plan)
Kay Doughty, Eberlin Construction (with Plan)

Dee Plaus

COUNTY OF NAPA
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
1195 Third Street, Rm. 210
Napa, California, 94559
(707) 253-4416

INITIAL STUDY

PROJECT NAME: NORMAN KIKEN GRADING PERMIT
FILE NO: #94017-ENVR

PROJECT DESCRIPTION: GRADING ACTIVITY #94017-ENVR OF NORMAN KIKEN for a grading permit application for the reconstruction of a 2000 foot access drive and construction of a residence with approximately 4,400 cubic yards of excavation and 3400 cubic yards of fill located on a 39.83 acre parcel (Assessor's Parcel #20-440-05) north of Diamond Mountain Road, adjacent to the Calistoga City Limits within an AW:AC (Agricultural Watershed with an Airport Compatibility Combination) Zoning District.

JURISDICTIONAL BACKGROUND:
Public Plans and Policies

Based on an initial review, the following findings have been made for the purpose of the Initial Study and do not constitute a final finding by the County in regard to the question of consistency.

	YES	NO	N/A
Is the project consistent with:			
a) Regional and Subregional Plans and Policies?	<u>X</u>	—	—
b) LAFCOM Plans and Policies?	—	—	<u>X</u>
c) The County General Plan?	<u>X</u>	—	—
d) Appropriate City General Plans?	—	—	<u>X</u>
e) Adopted Environmental Plans and Goals of the Community?	<u>X</u>	—	—
f) Pertinent Zoning?	<u>X</u>	—	—

Responsible (R) and Trustee (T) Agencies
none

Other Agencies Contacted

ENVIRONMENTAL SETTING: Steeply to moderately sloping area (slopes typically 5-50%) with the building site on a relatively flat knoll elevation 560 to 800 MSL north of Diamond Mountain Road on the south facing hillside approximately 2000 feet south of the City of Calistoga. Foundation material consists of Sonoma Volcanics (primarily rhyolitic lava flows) with the majority of the site overlain by Class VI soils of the Boomer-Forward-Felta Complex. Runoff is rapid, and erosion hazard slight on the Boomer soils and severe on the Forward and Felta soils. Existing land use is vineyard. Surrounding land uses include open space and limited residential.

ENVIRONMENTAL EFFECTS:
Normally Significant Individual Impacts

YES NO

(Geology)

- | | | | |
|---|----------|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| — | <u>X</u> | 1. | Exposure of new site users to substantial life and/or property hazards from geologic processes (e.g., severe settlement, sliding, faulting, intense seismically induced ground shaking, seismically-induced ground failures, etc.). |
| — | <u>X</u> | 2. | Exposure of existing area occupants to substantially increased life and/or property hazards from geologic processes. |
| — | <u>X</u> | 3. | Damage, destruction or burial of any unique or scientifically important geologic or geomorphologic feature. |

(Meteorology)

- | | | | |
|---|----------|----|------------------------------------------------------------------------------------------------------------------------------|
| — | <u>X</u> | 4. | Substantial modification of climatic or microclimatic conditions (e.g., temperature, rainfall, wind, shadow patterns, etc.). |
|---|----------|----|------------------------------------------------------------------------------------------------------------------------------|

(Hydrology)

- | | | | |
|---|----------|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| — | <u>X</u> | 5. | Exposure of new site users to substantial life and/or property hazards from flooding (e.g., stream flooding, tsunamis, seiches, dam or levee failure, etc.). |
| — | <u>X</u> | 6. | Exposure of existing area occupants to substantially increased life and/or property hazards from flooding. |
| — | <u>X</u> | 7. | Substantial temporary construction period increase in erosion and/or sedimentation. |
| — | <u>X</u> | 8. | Substantial permanent increase in erosion and/or sedimentation. |
| — | <u>X</u> | 9. | Substantial depletion of groundwater resources or significant interference with groundwater recharge. |

(Water Quality)

- | | | | |
|---|----------|-----|--------------------------------------------------------------------------------------|
| — | <u>X</u> | 10. | Substantial degradation of the quality of waters present in a stream, lake, or pond. |
| — | <u>X</u> | 11. | Substantial degradation of the quality of groundwater supplies. |
| — | <u>X</u> | 12. | Substantial contamination of a public or private water supply. |

(Air Quality)

- | | | | |
|---|----------|-----|-----------------------------------------------------------------------------------------------------------------|
| — | <u>X</u> | 13. | Exposure of new site users to substantial health hazards from breathing polluted air. |
| — | <u>X</u> | 14. | Exposure of existing area occupants to substantially increased health hazards from breathing polluted air. |
| — | <u>X</u> | 15. | Substantial degradation of local or regional air quality. |
| — | <u>X</u> | 16. | Exposure of new site users or existing area occupants to annoyance from dust and/or highly objectionable odors. |

(Noise)

- | | | | |
|---|----------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| — | <u>X</u> | 17. | Exposure of new site users to health hazards from noise levels in excess of those recognized as necessary to protect public health and welfare. |
| — | <u>X</u> | 18. | Exposure of existing area occupants to health hazards from noise levels in excess of those recognized as necessary to protect public health and welfare. |
| — | <u>X</u> | 19. | Exposure of people to high construction noise levels for substantial periods of time. |
| — | <u>X</u> | 20. | Exposure of existing area occupants to annoyance from substantially increased ambient noise levels. |

* Mitigable (see Mitigation Measures below)

° Cumulatively Significant Only

YES NO

(Ecosystem)

- X 21. Substantial reduction in the number of a rare or endangered species of plant or animal or damage or restriction of the habitat of such a species.
- X 22. Destruction of or substantial damage to a unique, scarce, or particularly productive biological area (e.g., marshes, riparian galleries, vernal pools, etc.).
- X 23. Substantial reduction in habitat for plants, fish, and/or wildlife.
- X 24. Substantial modification in the number or diversity of plant or animal species present.
- X 25. Substantial interference with the movement of a resident or migratory fish or wildlife species.

(Social)

- X 26. Disruption or division of an established community.
- X 27. Displacement of a large number of people.

(Aesthetic)

- X 28. Blockage or substantial degradation of important public or private views.
- X 29. Exposure of new site users or existing area occupants to annoyance from increased nighttime light levels or glare.
- X 30. Creation of a litter problem.

(Cultural)

- X 31. Destruction of or substantial damage to a recognized archaeological site.
- X 32. Destruction of or substantial damage to the historical character of a recognized historical structure, facility, or feature.
- X 33. Elimination of or conflict with the established recreational, educational, religious, or scientific uses of the project site or surrounding properties.

(Traffic)

- X 34. Exposure of new site users to substantial life and/or property hazards from traffic accidents.
- X 35. Exposure of the existing users of the roads providing access to the project site to substantially increased life and/or property hazards from traffic accidents.
- X 36. Exposure of the users of the roadways providing access to the project site to annoyance from noticeably increased traffic congestion.
- X 37. Increase in traffic on the roadways providing access to the project site which is substantial in relation to the existing traffic load and capacity of the street system.
- X 38. Creation of a substantial local parking problem.

(Energy)

- X 39. Increase in the demand for energy which is substantial in relation to the existing energy demands of the area.
- X 40. Creation of a facility or development which will use fuel or energy in a wasteful manner.
- X 41. Creation of a facility or development which will use substantially higher than average amounts of fuel or energy for transportation purposes.

(Public Health)

- X 42. Exposure of new site users to substantial health hazards from contaminated drinking water, inadequately treated sewage and/or insect or rodent pests.
- X 43. Exposure of existing area occupants to substantially increased health hazards from contaminated drinking water, inadequately treated sewage and/or insect or rodent pests.
- X 44. Exposure of new site users to substantial life and/or property hazards from fire.
- X 45. Exposure of existing area occupants to substantially increased life and/or property hazards from fire.

* Mitigable (see Mitigation Measures below)

° Cumulatively Significant Only

YES NO

(Public Health)

- X 46. Exposure of new site users to substantial life and/or property hazards from air crashes.
- X 47. Exposure of existing area occupants and/or existing air or heliport users to substantially increased life and/or property hazards from air crashes.
- X 48. Exposure of new site users or existing area occupants to substantial annoyance from insect or rodent pests.

(Community Services)

- X 49. Increase in the demand for a community service (e.g., sewer, water, fire protection, schools, etc.) which is substantial in relation to the currently existing uncommitted capacity of the agency involved to provide such a service.

(Commercial Resources)

- X 50. Preclusion of the development of aggregate, rock product, or mineral resources of current or potential importance.
- X 51. Removal of a substantial amount of agricultural or grazing land from current or potential production.

(Fiscal)

- X 52. Creation of a development to which it would cost the community substantially more to provide services than it would return in taxes.

(Growth Inducement)

- X 53. Inducement of substantial residential, commercial, or industrial development.

Mandatory Findings of Significance

YES NO

Does the project:

- a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b) Have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?
- c) Have possible environmental effects which are individually limited but cumulatively considerable?
- d) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

— X

— X

— X

— X

* Mitigable (see Mitigation Measures below)

° Cumulatively Significant Only

Impact Discussion

The project area is approximately 2 acres of a 39.8 acre parcel. No sensitive areas have been identified on the site. The access road is an existing agricultural road for the vineyards on site. The building site is on top of a knoll and surrounded by vineyard and dense forests. The proposed residence is a single-story structure, and while the structure will be located on the knoll, the visual impact should be limited due to surrounding topography and forest area. Restructuring of the existing road will require grading through a portion of a wooded area which will necessitate new cut slopes and removal of approximately 33 trees most of which are less than 12 inches dbh. One 30 inch oak may be removed along the northern boundary. Because of the location of the trees, their removal should not result in a significant visual impact. All grading and vegetation removal will require compliance with the County's Conservation Regulations which regulate grading on slopes greater than 5%. All potential impacts of erosion and sedimentation will be addressed in the erosion control measures implemented through the Conservation Regulations.

MITIGATION MEASURES:

- ☒ None Required
☐ Identified By This Study - Unadopted (see attached Draft Project Revision Statement)
☐ Included By Applicant As Part of Project (see attached Project Revision Statement)
☐ Recommended For Inclusion As Part of Public Project (see attached Recommended Mitigation Measure List)

BASIS OF CONCLUSIONS:

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Sensitivity Maps, the other sources of information listed in the file, and the comments received, conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary, a visit to the site. For further information, see the Environmental Background Information Form contained in the permanent file on this project.

AGENCY STAFF PARTICIPATING IN THE INITIAL STUDY:

Resource Evaluation:	<u>B. Abate</u>	Date: <u>7-12-94</u>
Site Review:	<u></u>	Date: <u></u>
Planning/Zoning Review:	<u>B. Abate</u>	Date: <u>7-12-94</u>

PRELIMINARY DETERMINATION:

- ☒ No reasonable possibility of environmental effect has been identified, and a Negative Declaration should be prepared.
☐ A Negative Declaration cannot be prepared unless all identified impacts are reduced to a level of insignificance or avoided.

DATE: July 14, 1994

BY: Barbara Abate

FINAL DETERMINATION:

On the basis of this preliminary evaluation:

☒ I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be approved.

— I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION should therefore be approved.

— I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT would be required:

— Mitigation measures to reduce all impacts to levels of insignificance or to avoid such impacts have been identified and may be adopted as part of the project.

— A previously-certified Environmental Impact Report will fully address the impacts of the project, supplemented as necessary for public projects by additional mitigation recommended as part of the project.

— A new, Subsequent or Supplemental Environmental Impact Report is appropriate for the project.

DATE:

August 5, 1994

BY:

Michael Miller
ZONING ADMINISTRATOR



NAPA COUNTY

CONSERVATION DEVELOPMENT AND PLANNING DEPARTMENT
JEFFREY R. REDDING
DIRECTOR

BUILDING DIVISION

GARY W. BREWEN
BUILDING CODES ADMINISTRATOR

OFFICE COPY

CONSTRUCTION APPLICATION AND PERMIT

OWNER - BUILDER DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors License Law for the following reason (Sec. 7031.5, Business and Professions Code): Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.).

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his or her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he or she did not build or improve for the purpose of sale.).

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law.).

☐ I am exempt under Sec. _____, B.&P.C. for this reason _____

Date _____ Owner _____

WORKERS' COMPENSATION DECLARATION

by affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation, as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier _____

Policy NO. _____

(This section need not be completed if the permit is for one hundred dollars (\$100) or less). I certify that in the performance of the work for which this permit is issued, I shall not employ any person who is not licensed as to become subject to the workers' compensation laws of California, and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall comply with those provisions.

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

LICENSED CONTRACTOR DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Lic. Class B Lic. No. 264633 (SCL)
Date 12/14/95 Contractor [Signature]

CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.).

Lender's Name _____
Lender's Address _____

Building Address 1530 DIAMOND MOUNTAIN RD
Owner REVERIE VINEYARDS WINERY Phone 707-942-6800
Mailing Address 1520 DIAMOND MOUNTAIN RD
CALISTOGA, CA 94515

DEPARTMENT USE ONLY

PERMIT NO. 0056655
PARCEL NO. 020-440-0500
DATE ISSUED 12/14/95
VALUATION \$ 15,500
VALIDATED BY cf
RECEIPT NO. 2359

CONTRACTORS

EBERLIN CONSTRUCTION

General Address 1320 SPRUCE STREET
NAPA, CA 94559

LIC. NO./PHONE

707-224-2004
264633 (SCL)

DESCRIPTION OF WORK

WORK: CONVERSION
PERMIT: WINERY
CATEGORY: COMBINATION
CONVERT BARN TO WINERY
WITH GUESTHOUSE ABOVE

PROCEDURE	BY	DATE	ISSUE CLEARANCE
Plans Not Required			
Plans Received	FRE	10/04/95	ADDRESS 10/16/95 BUILDING DEPT 11/28/95 ENVIRON MNGMT 11/29/95 CALIST SCH DIST 12/04/95 PUBLIC WORKS 12/07/95 PLANNING DEPT 12/14/95
Site Checked			
Plans Reviewed			
Application Approved			(* FINAL OCCUPANCY CLEARANCE) VARIANCE NO. _____ USE PERMIT NO. _____

ZONING AW:AC SIZE 39.83A
PROPOSED USE INDUSTRIAL BUILDINGS
OCCUPANCY GROUP B2
TYPE OF CONSTRUCTION V NO. OF STORIES 0
SIZE OF ELECTRICAL SERVICE _____

REQUIRED INSPECTION CODES					FEES	
DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED AND THE INSPECTION IS RECORDED ON THE BACK OF THE JOB COPY OF THIS PERMIT. ALL INSPECTION REQUESTS ARE REQUIRED 24 HOURS IN ADVANCE OF THIS INSPECTION.						
010	030	050	060	061	Building	234.00
210	220	230	250	260	Issuance	15.00
280	290	440	450	460	Plumbing	51.00
470	480	490	520	540	Micro-Filming	9.60
550	570				Strong Motion Tax	4.75
					Electrical	75.00
					Mechanical	31.80
					Plan Review	152.10
					Housing Impact	1,781.00
					TOTAL FEES	2,354.25

CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION GIVEN IS TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL LOCAL ORDINANCES AND STATE LAWS RELATING TO BUILDING CONSTRUCTION AND I MAKE THIS STATEMENT UNDER PENALTY OF LAW. I HEREBY AUTHORIZE REPRESENTATIVES OF THIS COUNTY TO ENTER UPON THE ABOVE MENTIONED PROPERTY FOR INSPECTION PURPOSES. NOTICE: THIS PERMIT WILL EXPIRE BY LIMITATION IF WORK IS NOT STARTED IN 90 DAYS OR IF WORK IS ABANDONED FOR MORE THAN 180 DAYS. A REQUEST FOR AN EXTENSION OF TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING CODES ADMINISTRATOR WITHIN THE FIRST 30 DAYS OF THE EXPIRATION DATE.

☐ Agent for ☒ Contractor ☐ Owner I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, cost and expenses which may in any way accrue against said County in consequence of the granting of this permit.



NAPA COUNTY

CONSERVATION DEVELOPMENT AND PLANNING DEPARTMENT
JEFFREY R. REDDING
DIRECTOR

BUILDING DIVISION

GARY W. BREWEN
BUILDING CODES ADMINISTRATOR

OFFICE COPY

CONSTRUCTION APPLICATION AND PERMIT

OWNER — BUILDER DECLARATION

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE
(This section need not be completed if the permit is for three hundred dollars (\$300) or less).
I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Applicant _____ Date _____

NOTICE TO APPLICANT: If, after making the Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Workers' Compensation Insurance or a certified copy thereof.

Policy No. WCP80571623
Expiration Date 5/30/94 Company TRANSAMERICA INS. GROUP

() Certified copy is hereby furnished
() Certified copy is filed with the county building inspection department or county _____ department.

Applicant Hugh Dougherty Date 8/30/94

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class B License Number 264633 (SCL)
Contractor Hugh Dougherty

I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance also requires the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than \$500):

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvement is sold within one year of completion, the owner - builder will have the burden of proving that he did not build or improve for the purpose of sale).

☐ I, as owner of the property, am exempt from the sale requirements of the above due to: (1) I am improving my principal place of residence or appurtenances thereto, (2) the work will be performed prior to sale, (3) I have resided in the residence for the 12 months prior to completion of the work, and (4) I have not claimed exemption in this subdivision on more than two structures more than once during any three-year period. (Sec. 7044, Business and Professions Code).

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law).

☐ I am exempt under Sec. _____ B&P. C. for this reason _____

Signature of Owner or Authorized Agent _____

Date _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name _____

Lender's Address _____

Building Address 520 DIAMOND MOUNTAIN RD
Owner NORMAN KIKEN Phone 707-963-1563
Mailing Address 22 ROBIN ROAD
Address WARREN, NJ 07058

CONTRACTORS

LIC. NO./PHONE

General Address EBERLIN CONSTRUCTION
95 DUBLIN DRIVE 707-255-8968
PLEASANT HILL, CA 94523 264633 (SCL)

Electrical _____

Plumbing _____

Mechanical _____

Architect _____

Engineer _____

Address _____

PROCEDURE	BY	DATE	ISSUE CLEARANCE
Plans Not Required			BUILDING DEPT 08/29/94 ENVIRON MGMT 08/30/94
Plans Received	FRE	08/23/94	
Site Checked			
Plans Reviewed			
(* FINAL OCCUPANCY CLEARANCE)			
Application Approved			VARIANCE NO. _____ USE PERMIT NO. _____

DEPARTMENT USE ONLY

PERMIT NO. 0055127
PARCEL NO. 020-440-0500
DATE ISSUED 08/30/94
VALUATION \$ 29,000
VALIDATED BY DS
RECEIPT NO. 57479

DESCRIPTION OF WORK

WORK: ADDITION
PERMIT: GUEST COTTAGE
CATEGORY: COMBINATION
CONVERT STORAGE TO GUESTHOUSE

ZONING AW-AC 39
PROPOSED USE CONV. RESIDENTIAL
OCCUPANCY GROUP I
TYPE OF CONSTRUCTION N NO. OF STORIES _____
SIZE OF ELECTRICAL SERVICE _____

REQUIRED INSPECTION CODES					FEES		FEES	
DO NOT CONCEAL OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED AND THE INSPECTION IS RECORDED ON THE BACK OF THE JOB COPY OF THIS PERMIT. ALL INSPECTION REQUESTS ARE REQUIRED 24 HOURS IN ADVANCE OF THIS INSPECTION.								
030	140	210	220	221	Building	278.00	Electrical	43.80
230	240	241	260	270	Building Issuance	15.00	Plumbing	51.00
271	280	290	440	450	Plan Review	180.70	Strong Motion Tax	2.90
460	470	480	500	510				
530	540	550	570	610				
TOTAL FEES							571.40	

I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION GIVEN IS TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL LOCAL ORDINANCES AND STATE LAWS RELATING TO BUILDING CONSTRUCTION AND I MAKE THIS STATEMENT UNDER PENALTY OF LAW. I HEREBY AUTHORIZE REPRESENTATIVES OF THIS COUNTY TO ENTER UPON THE ABOVE MENTIONED PROPERTY FOR INSPECTION PURPOSES. NOTICE: THIS PERMIT WILL EXPIRE BY LIMITATION IF WORK IS NOT STARTED IN 180 DAYS OR IF WORK IS ABANDONED FOR MORE THAN 180 DAYS. A REQUEST FOR AN EXTENSION OF TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING CODE AD.

☐ Agent for ☐ Contractor ☐ Owner I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, cost and expenses which may in any way accrue against said County in consequence of the granting of this permit.



NAPA COUNTY

CONSERVATION DEVELOPMENT, JEFFREY R. REDDING
AND PLANNING DEPARTMENT DIRECTOR
BUILDING DIVISION
GARY W. BREWEN
BUILDING CODES ADMINISTRATOR

OFFICE COPY

CONSTRUCTION APPLICATION AND PERMIT

OWNER - BUILDER DECLARATION

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

Application need not be completed if the permit is for three hundred dollars (\$300) or less.

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Applicant _____ Date _____

NOTICE TO APPLICANT: If, after making the Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Workers' Compensation Insurance or a certified copy thereof.

Policy No. MCP 80554123
Expiration Date 9/30/72 Company TRANSAMERICA INS. GROUP

- () Certified copy is hereby furnished
() Certified copy is filed with the county building inspection department or county _____ department.

Applicant [Signature] Date 7-7-94

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class B License Number 244633 (SCL)
Contractor [Signature]

Building Address 1520 DIAMOND MOUNTAIN RD

Owner NORMAN KIKEN Phone 707-963-1563
Mailing Address 22 ROBIN ROAD
Address WARREN, NJ 07058

CONTRACTORS

LIC. NO./PHONE

General Address EBERLIN CONSTRUCTION
95 DUBLIN DRIVE 707-255-8969
Electrical PLEASANT HILL, CA 94523 264633 (SCL)

Plumbing _____

Mechanical _____

Architect _____

Address _____

Engineer _____

Address _____

Address _____

Address _____

Address _____

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DEPARTMENT USE ONLY

PERMIT NO. 0054925
PARCEL NO. 020-440-0500
DATE ISSUED 07/07/94
VALUATION \$ 156,000
VALIDATED BY DS
RECEIPT NO. 5-7022

DESCRIPTION OF WORK

WORK: NEW
PERMIT: OFFICE BUILDING
CATEGORY: COMBINATION
CONVERT BARN TO OFFICE
AND STORAGE

ZONING AW:AC 37-83A
PROPOSED USE NEW NON-RESIDENTIAL BLDG
OCCUPANCY GROUP B2-M1
TYPE OF CONSTRUCTION U-N
SIZE OF ELECTRICAL SERVICE _____

PROCEDURE	BY	DATE	ISSUE CLEARANCE
Plans Not Required			
Plans Received	FRE	05/11/94	DEPT FORESTRY 05/18/94 CALISTO SCH DIST 07/01/94 BUILDING DEPT 07/06/94 ALUC-PLANNING 07/06/94 ADDRESS 07/06/94 USE PRMT COND 07/06/94 ENVIRONMENTAL 07/06/94
Site Checked			
Plans Reviewed			
Application Approved			VARIANCE NO. _____ USE PERMIT NO. _____

REQUIRED INSPECTION CODES	FEE
010 030 050 060 061	Building 835.50
070 110 130 140 190	Building Issuance 15.00
210 220 221 230 240	Plumbing 50.50
241 260 270 271 280	Plan Review 543.08
290 440 450 460 470	Strong Motion Tax 32.76
480 500 510 530 540	
550 570 610	

FEE
Electrical 61.50
Mechanical 57.30
Plan Review-Energy 83.55
Housing Impact 604.00
TOTAL FEES 2,283.19

CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION GIVEN IS TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL LOCAL ORDINANCES AND STATE LAWS RELATING TO BUILDING CONSTRUCTION AND I MAKE THIS STATEMENT UNDER PENALTY OF LAW. I HEREBY AUTHORIZE REPRESENTATIVES OF THIS COUNTY TO ENTER UPON THE ABOVE MENTIONED PROPERTY FOR INSPECTION PURPOSES. NOTICE: THIS PERMIT WILL EXPIRE BY LIMITATION IF WORK NOT STARTED IN 180 DAYS OR IF WORK IS ABANDONED FOR MORE THAN 180 DAYS. A REQUEST FOR AN EXTENSION OF TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING CODE AD.

Agent for Contractor Owner I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, cost and expenses which may in any way accrue against said County in consequence of the granting of this permit.



NAPA COUNTY

CONSERVATION DEVELOPMENT AND PLANNING DEPARTMENT JEFFREY R. REDDING DIRECTOR

BUILDING DIVISION

GARY W. BREWEN
BUILDING CODES ADMINISTRATOR

CONSTRUCTION APPLICATION AND PERMIT

OWNER - BUILDER DECLARATION

I hereby affirm that I am exempt from the Contractor's License Law for the following reason (Sec. 7031.5, Business and Professions Code: Any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance also requires the applicant for such permit to file a signed statement that he is licensed pursuant to the provisions of the Contractor's License Law Chapter 9 (commencing with Sec. 7000) of Division 3 of the Business and Professions Code, or that he is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than \$500):

☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvement is sold within one year of completion, the owner - builder will have the burden of proving that he did not build or improve for the purpose of sale).

☐ I, as owner of the property, am exempt from the sale requirements of the above due to: (1) I am improving my principal place of residence or appurtenances thereto, (2) the work will be performed prior to sale, (3) I have resided in the residence for the 12 months prior to completion of the work, and (4) I have not claimed exemption in this subdivision on more than two structures more than once during any three-year period. (Sec. 7044, Business and Professions Code).

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law).

☐ I am exempt under Sec. _____ B&P.C. for this reason _____

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE
Application need not be completed if the permit is for three hundred dollars (\$300) or less).

I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Applicant _____ Date _____

NOTICE TO APPLICANT: If, after making the Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self - insure, or a certificate of Workers' Compensation insurance or a certified copy thereof.

Policy No. W947104910
Expiration Date 950701 Company CALIFORNIA COMP

☒ Certified copy is hereby furnished

☐ Certified copy is filed with the county building inspection department or county _____ department.

Applicant Frank Glazier Date _____

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class B License Number 373850 (SCL)
Contractor Frank Glazier

Building Address 1520 DIAMOND MOUNTAIN RD
Owner NORMAN KIKEN Phone 707-963-1563
Mailing Address 1520 DIAMOND MOUNTAIN RD
Address CALISTOGA, CA 94515

CONTRACTORS

GLAZIER & GLAZIER INC

LIC. NO./PHONE

373850 (SCL)

General Address _____
Electrical _____
Plumbing _____
Mechanical _____
Architect Address _____
Engineer Address _____

PROCEDURE	BY	DATE	ISSUE CLEARANCE
Plans Not Required	FRE	03/31/95	BUILDING DEPT 03/31/95 EROSION CONTRL 03/31/95
Plans Received			
Site Checked			
Plans Reviewed			
(*FINAL OCCUPANCY CLEARANCE)			
Application Approved	FRE	03/31/95	VARIANCE NO. _____ USE PERMIT NO. _____

REQUIRED INSPECTION CODES	FEES
010 060 061 071 080 090 100 440	Building 117.00 Strong Motion Tax .99

DEPARTMENT USE ONLY

PERMIT NO. 0055744
PARCEL NO. 020-440-0500
DATE ISSUED 03/31/95
VALUATION \$ 4,950
VALIDATED BY cb
RECEIPT NO. 00257

DESCRIPTION OF WORK

WORK: NEW
PERMIT: WATER TANK
CATEGORY: BUILDING
10500 GALLON CONCRETE
WATER TANK

ZONING AM-AC SIZE 50 SQ. FT.
PROPOSED USE WATER TANK
OCCUPANCY GROUP _____
TYPE OF CONSTRUCTION _____ NO. OF STORIES _____
SIZE OF ELECTRICAL SERVICE _____

FEES
Building Issuance 15.00
TOTAL FEES 132.99

I CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION GIVEN IS TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL LOCAL ORDINANCES AND STATE LAWS RELATING TO BUILDING CONSTRUCTION AND I MAKE THIS STATEMENT UNDER PENALTY OF LAW. I HEREBY AUTHORIZE REPRESENTATIVES OF THIS COUNTY TO ENTER UPON THE ABOVE MENTIONED PROPERTY FOR INSPECTION PURPOSES. NOTICE: THIS PERMIT WILL EXPIRE BY LIMITATION IF WORK IS NOT STARTED IN 180 DAYS OR IF WORK IS ABANDONED FOR MORE THAN 180 DAYS. A REQUEST FOR AN EXTENSION OF TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING CODE AD-

☐ Agent for ☐ Contractor ☐ Owner I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, cost and expenses which may in any way accrue against said County in consequence of the granting of this permit.



NAPA COUNTY

CONSERVATION DEVELOPMENT AND PLANNING DIVISION JEFFREY R. REDDING DIRECTOR

BUILDING DIVISION

GARY W. BREWEN
BUILDING CODES ADMINISTRATOR

OFFICE COPY

CONSTRUCTION APPLICATION AND PERMIT

OWNER - BUILDER DECLARATION

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☐ I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or through his own employees, provided that such improvements are not intended or offered for sale. If however, the building or improvement is sold within one year of completion, the owner - builder will have the burden of proving that he did not build or improve for the purpose of sale).

☐ I, as owner of the property, am exempt from the sale requirements of the above due to: (1) I am improving my principal place of residence or appurtenances thereto, (2) the work will be performed prior to sale, (3) I have resided in the residence for the 12 months prior to completion of the work, and (4) I have not claimed exemption in this subdivision on more than two structures more than once during any three-year period. (Sec. 7044, Business and Professions Code).

☐ I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractor's License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractor's License Law).

☐ I am exempt under Sec. _____ B&P C. for this reason _____

Signature of Owner or Authorized Agent _____ Date _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name _____

Lender's Address _____

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

Application need not be completed if the permit is for three hundred dollars (\$300) or less). certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Applicant _____ Date _____

NOTICE TO APPLICANT: If, after making the Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self - insure, or a certificate of Workers' Compensation Insurance or a certified copy thereof.

Policy No. WCP80556123
Expiration Date 5/30/92 Company TRANSAMERICA INS. GROUP

☐ Certified copy is hereby furnished
☐ Certified copy is filed with the county building inspection department or county _____ department

Applicant [Signature] Date 8/11/94

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class B License Number 264633 (SCL)
Contractor [Signature]

Building Address 1520 DIAMOND MOUNTAIN RD

Owner NORMAN KIKEN Phone 707-863-1563
Mailing Address 22 ROBIN ROAD
Address WARREN, NJ 07058

CONTRACTORS

LIC. NO./PHONE

EBERLIN CONSTRUCTION

General Address 95 DUBLIN DRIVE 707-255-8969
Electrical PLEASANT HILL, CA 94523 264633 (SCL)

Plumbing _____

Mechanical _____

Architect _____

Address _____

Engineer _____

Address _____

PROCEDURE

BY

DATE

ISSUE CLEARANCE

Plans Not Required

Plans Received FRE 02/25/94

Site Checked

Plans Reviewed

DEPT FORESTRY 03/07/94
BUILDING DEPT 06/23/94
ENCRO/SETBACKS 06/29/94
CALIST SCH DIST 07/01/94
ENVIRON MNGMT 07/06/94
EROSION CONTRL 08/09/94

(★ FINAL OCCUPANCY CLEARANCE)

VARIANCE NO. _____

USE PERMIT NO. _____

Application Approved

REQUIRED INSPECTION CODES

FEES

FEES

010 030 060 061 070
071 080 100 110 120
130 140 150 160 170
180 190 191 192 210
220 221 230 240 241
260 270 271 280 300
310 320 330 440 450
460 470 480 490 500
510 530 540 550 570

Building 2,105.50
Building Issuance 15.00
Plumbing 154.00
Plan Review 1,579.13
Strong Motion Tax 52.20

Electrical 258.90
Mechanical 128.40
Plan Review-Energy 210.55
Housing Impact 10,440.00

TOTAL FEES 14,943.68

CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION GIVEN IS TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL LOCAL ORDINANCES AND STATE LAWS RELATING TO BUILDING CONSTRUCTION AND I MAKE THIS STATEMENT UNDER PENALTY OF LAW. I HEREBY AUTHORIZE REPRESENTATIVES OF THIS COUNTY TO ENTER UPON THE ABOVE MENTIONED PROPERTY FOR INSPECTION PURPOSES. NOTICE: IF THIS PERMIT WILL EXPIRE BY LIMITATION IF WORK IS NOT STARTED IN 180 DAYS OR IF WORK IS ABANDONED FOR MORE THAN 180 DAYS, A REQUEST FOR AN EXTENSION OF TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING CODE ADMINISTRATOR WITHIN THE FIRST 180 DAYS OF THE PERMIT.

☐ Agent for ☐ Contractor ☐ Owner (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, cost and expenses which may in any way accrue against said County in consequence of the granting of this permit.

Signature of Applicant [Signature] Date 8/11/94

DEPARTMENT USE ONLY

PERMIT NO. 0055073
PARCEL NO. 020-440-0500
DATE ISSUED 08/11/94
VALUATION \$ 522,000
VALIDATED BY cf
RECEIPT NO. 57332

DESCRIPTION OF WORK

WORK: NEW
PERMIT: DWELLING (ONE FAMILY)
CATEGORY: COMBINATION
NEW DWELLING WITH
BASEMENT

ZONING AM:AC 800.83A
PROPOSED USE One-family houses, detached
OCCUPANCY GROUP R3-M1
TYPE OF CONSTRUCTION U-N No of STORIES
SIZE OF ELECTRICAL SERVICE



NAPA COUNTY

CONSERVATION DEVELOPMENT JEFFREY R. REDDING
AND PLANNING DEPARTMENT DIRECTOR
BUILDING DIVISION
GARY W. BREWEN
BUILDING CODES ADMINISTRATOR

OFFICE COPY

CONSTRUCTION APPLICATION AND PERMIT

OWNER - BUILDER DECLARATION

CERTIFICATE OF EXEMPTION FROM WORKERS' COMPENSATION INSURANCE

Application need not be completed if the permit is for three hundred dollars (\$300) or less.
I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the Workers' Compensation Laws of California.

Applicant _____ Date _____

NOTICE TO APPLICANT: If, after making the Certificate of Exemption, you should become subject to the Workers' Compensation provisions of the Labor Code, you must forthwith comply with such provisions or this permit shall be deemed revoked.

WORKERS' COMPENSATION DECLARATION

I hereby affirm that I have a certificate of consent to self-insure, or a certificate of Workers' Compensation Insurance or a certified copy thereof.

Policy No. 471-94 0000232
Expiration Date 951001 Company STATE FUND

- () Certified copy is hereby furnished
() Certified copy is filed with the county building inspection department or county _____ department.

Applicant Raez Williams Date 11/1/94

LICENSED CONTRACTORS DECLARATION

I hereby affirm that I am licensed under the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

License Class B License Number 467427 (SCL)
Contractor Raez Williams

Building Address 1520 DIAMOND MOUNTAIN RD

Signature of Owner or Authorized Agent _____ Date _____

CONSTRUCTION LENDING AGENCY

I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued.

Lender's Name _____
Lender's Address _____

DEPARTMENT USE ONLY

PERMIT NO. 0055328
PARCEL NO. 020-440-0500
DATE ISSUED 11/01/94
VALUATION \$ 24,400
VALIDATED BY [Signature]
RECEIPT NO. 58746

DESCRIPTION OF WORK

WORK: NEW
PERMIT: SWIMMING POOL
CATEGORY: COMBINATION
HEATED SWIMMING POOL
W/AUTOMATIC POOL COVER
(16X40)

ZONING AM1AC SIZE 50'x75'
PROPOSED USE OTHER THAN BLDGS.
OCCUPANCY GROUP _____
TYPE OF CONSTRUCTION _____ NO. OF STORIES _____
SIZE OF ELECTRICAL SERVICE _____

PROCEDURE	BY	DATE	ISSUE CLEARANCE
Plans Not Required			
Plans Received	FRE	10/27/94	ENVIRON MNGMT 10/24/94 BUILDING DEPT 10/31/94 EROSION CNTRL 10/31/94
Site Checked			
Plans Reviewed			
Application Approved			VARIANCE NO. _____ USE PERMIT NO. _____

REQUIRED INSPECTION CODES	FEES	FEES
DO NOT CONCEPT OR COVER ANY CONSTRUCTION UNTIL THE WORK IS INSPECTED AND THE INSPECTION IS RECORDED ON THE BACK OF THE JOB COPY OF THIS PERMIT. ALL INSPECTION REQUESTS ARE REQUIRED 24 HOURS IN ADVANCE OF THIS INSPECTION.		
360 370 371 372 380 390 400 401	Building 252.00 Building Issuance 15.00 Strong Motion Tax 2.46	Electrical 35.00 Plumbing 40.00
TOTAL FEES		344.46

CERTIFY THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION GIVEN IS TRUE AND CORRECT. I AGREE TO COMPLY WITH ALL LOCAL ORDINANCES AND STATE LAWS RELATING TO BUILDING CONSTRUCTION AND I MAKE THIS STATEMENT UNDER PENALTY OF LAW. I HEREBY AUTHORIZE REPRESENTATIVES OF THIS COUNTY TO ENTER UPON THE ABOVE MENTIONED PROPERTY FOR INSPECTION PURPOSES. NOTICE: THIS PERMIT WILL EXPIRE BY LIMITATION IF WORK NOT STARTED IN 180 DAYS OR IF WORK IS ABANDONED FOR MORE THAN 180 DAYS. A REQUEST FOR AN EXTENSION OF TIME MUST BE SUBMITTED IN WRITING TO THE BUILDING CODE ADMINISTRATOR WITHIN THE FIRST 180 DAYS OF THE PERMIT.

☐ Agent for ☒ Contractor ☐ Owner I (We) agree to save, indemnify and keep harmless the County of Napa against liabilities, judgments, costs and expenses which may in any way accrue against said County in consequence of the granting of this permit.

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
MINING AND TUNNELING UNIT

2777 Park Towne Circle, Suite 2
Sacramento, California 95825



Telephone (916) 574-2540
FAX (916) 574-2542

June 16, 2008

RECEIVED

JUN 19 2008

Nordby Construction

Nordby Wine Caves
1550 Airport Blvd, Suite 201
Santa Rosa, California 95403

Attention: John C. Shook, General Manager

Subject: Underground Classification No. C230-055-08T
Reverie Vineyard Wine Cave Expansion

Owner: Reverie On Diamond Mountain, LLC
1520 Diamond Mountain Road
Calistoga, California 94515

Mr. Shook:

The information provided to this office relative to the above project has been reviewed. On the basis of this analysis, an Underground Classification of "Nongassy" With Special Conditions has been assigned to the underground complex identified on your submittal. Please forward the original Classification to the Owner, and retain a copy for your records, and for posting at the job site.

Please advise this office to schedule the mandated Prejob Conference with the Division prior to commencing any activity associated with construction of the underground complex.

During excavation, construction, alteration, repair, renovation and demolishing of the tunnel (a.k.a., Wine Cave), the provisions of the Tunnel Safety Orders apply. Thus, during these activities, each contractor must have a copy of the Classification posted, a Pre-job Conference, ventilation for their personnel, a Diesel Permit and Certified Gas Tester (if diesel equipment is operated underground), a Certified Underground Safety Representative, an effective Emergency Plan, and follow the other provisions of the Tunnel Safety Orders.

If you have any questions on this subject, please contact this office at your earliest convenience.

Sincerely,

John R. Leahy
Senior Engineer

cc: Doug Patterson
File



State of California

Department of Industrial Relations

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
MINING AND TUNNELING UNIT

Underground Classification

C230-055-08T

REVERIE ON DIAMOND MOUNTAIN, LLC

(NAME OF TUNNEL OR MINE AND COMPANY NAME)

1520 Diamond Mountain Road, Calistoga, California 94515

of

(MAILING ADDRESS)

REVERIE VINEYARD WINE CAVE EXPANSION

at

(LOCATION)

has been classified as *** NONGASSY with Special Conditions***

(CLASSIFICATION)

as required by the California Labor Code Section 7955.

The Division shall be notified if sufficient quantities of flammable gas or vapors have been encountered underground. Classifications are based on the California Labor Code Part 9, Tunnel Safety Orders and Mine Safety Orders.

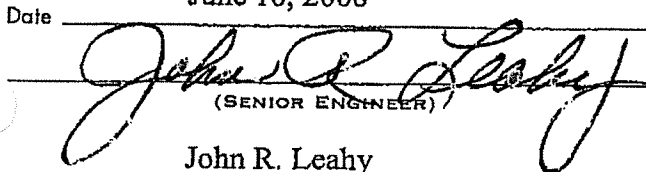
SPECIAL CONDITIONS

1. Positive mechanical ventilation shall be provided at any time a person is required, or allowed, to enter the tunnel, and at any other location where it is required for employee safety or health.
2. Ventilation velocity and air quality to be checked at least every 4 hours.

The 100 lineal feet of 10 feet high by 13 feet wide horseshoe-shaped tunnels constituting the 2,000 square foot Reverie Vineyard Wine Cave expansion located at 1520 Diamond Mountain Road, Calistoga, Napa County.

This classification shall be conspicuously posted at the place of employment.

Date June 16, 2008


(SENIOR ENGINEER)

John R. Leahy

DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
MINING AND TUNNELING UNIT

2211 Park Towne Circle, Suite 2
Sunnyvale, California 95825



Telephone (916) 574-2540
FAX (916) 574-2542

June 17, 2008

Nordby Wine Caves Inc
1550 Airport Blvd, Ste 202
Santa Rosa, California 95403

Attention: John Shook

Subject: Diesel Permit No. D025-055-08T
Reverie Vineyard Wine Cave

Owner: Reverie On Diamond Mountain LLC
1520 Diamond Mountain Rd
Calistoga, CA 94515

Mr. Shook:

This office has reviewed your application to obtain a Permit to Use Diesel Equipment Underground. On the basis of this review, a Permit to Use Diesel Engines Underground is hereby issued. Please post the Permit where employees have unrestricted access to the information and conditions contained therein.

If you have any questions in this matter, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in black ink that reads 'John Leahy'.

John Leahy
Senior Engineer

cc: Doug Patterson
File

(Applies to Underground Diesel Engines)

(Name of Company)

(Mailing Address of Company)

at 1520 Diamond Mountain Rd, Calistoga, California 94515

Permit No. D025-055-08T

This permit and the condition specified by the Division of Occupational Safety and Health shall be conspicuously POSTED at the place of employment.

Engineer

Date _____

CONDITIONS TO USE DIESEL ENGINES UNDERGROUND

The following is a list of conditions under which diesel powered equipment will be permitted to operate underground and are those believed necessary for the protection of workers. If experience indicates that any of the conditions are inadequate or unnecessary, the Division of Occupational Safety and Health – Mining and Tunneling Unit may revise this permit in the light of such experience.

1. Before any diesel engine is permitted underground, the employer shall make sure that it is in good operating condition.
2. The diesel exhaust shall pass through the approved scrubber which shall be installed and maintained in strict conformance with the manufacturer's instructions. The exhaust shall be directed away from employees breathing zones.
3. The diesel fuel shall not contain in excess of 0.35% of sulfur.
4. Each diesel unit shall be equipped with a fire extinguisher or fire suppression system suitable for control of oil fires.
5. Before any diesel engine is permitted underground, mechanical ventilation, reversible from the surface shall be provided and maintained as long as any diesel equipment is operating.
6. The flow of fresh air in any air course shall never be less than 100 cubic feet of air per minute per brake horsepower of the aggregate diesel equipment operating in such air course, plus 200 cubic feet of air per minute for each employee. The linear velocity of air flow shall never less than 60 ft. per minute.
7. Instructions shall be issued to all employees that all diesel equipment underground shall be shut down immediately should the air flow stop, and shall remain shut down until the airflow is resumed.
8. During each shift, a qualified person will conduct air quality tests for nitrogen dioxide, carbon monoxide and carbon dioxide at the peak of diesel operations. Results of such tests shall be kept with the daily diesel engine records. Diesels shall be shut down or ventilation increased if contaminant levels exceed the (PEL) Permissible Exposure Levels.
9. The Permit to use Diesel Engines Underground may be revoked or suspended for failure to comply with any of the above conditions and/or other condition herein described.
10. Any changes in the diesel equipment or ventilation from the condition of this permit shall not be made until an amended permit is applied for and obtained from the Division.

Special Conditions:

This permit and the conditions specified by the Division of Occupational Safety and Health shall be conspicuously POSTED at the place of employment.


Senior Engineer Date 6/17/08

June 15, 2015

David Gilbreth
1152 Hardman Ave.
Napa, CA 94558

Subject: Reverie Winery Site

Dear David:

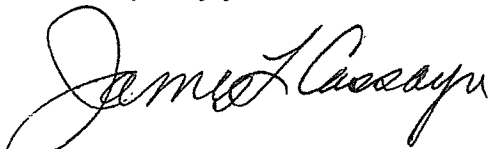
I have researched the drawings and records I kept on file for Reverie Winery. I prepared a parking and access plan in 1995. The plan proposed an overlay on top of an existing graded site with base rock and paving to provide for the necessary parking and access to the winery, but did not include the winery construction. I believe the plans were approved and conformed to County requirements.

At your request, while visiting the site today I compared the terrain and the vegetation in the vicinity of the unnamed watercourse to my old plans and to the Napa County Planning Exhibit, Reverie Winery Use Permit Major Modification dated 5-22-2015. I see very little alteration to the site except for the cave portal near the winery production area. I also observed that this cave portal is farther away from the unnamed watercourse (which appears to be a ditch in this area) than the approved perimeter of the production area appearing in the planning exhibit.

I also noticed the tree canopy is essentially unchanged except for one gap. It is my understanding the gap was due to the removal of a tree that died. The addition of gravel to the north of the unnamed water course is a change from 1995, but the shape of the terrain does not appear to be altered.

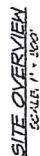
If you need any additional information, please let me know.

Very truly yours,



James L. Cassayre
RCE 17552 expires 6-30-17

NAPA COUNTY CALIFORNIA



PLANT	_____
PROPERTY LINE	_____
CASEMENT/SETBACK LINE	_____
ROAD CENTERLINE	_____
VEHICULAR EXITS	_____

THIS MAP DOES NOT REPRESENT A PROPERTY LINE SURVEY. PROPERTY LINES SHOWN HEREIN ARE BASED ON RECORD DATA, AND MAY NOT REPRESENT THE TRUE POSITIONS OF THE LINES.

THIS MAP IS BASED ON A FIELD SURVEY OF 11/20/02, 12/14/01, 12/14/01 & 12/15/00.

THE VERTICAL CURVE ON THIS ROAD IS ASSUMED

WHITE BOWTIE MARK DESCRIPTION:
 100' SURFACE ELEVATION IN GRAVEL PAVED AREA 1.5" SOUTHERLY
 OF PAVEMENT, 4.5" NORTHERLY OF 7.5" OLIVE AND 44"
 SOUTHWESTERLY OF DROP INLET.
 ELEVATION: 3.4721'



REVERIE WINERY



West Elevation per Use Permit 94254

March 18, 2015

Scott Greenwood-Meinert
DICKERSON PEATMAN & FOGARTY
1544 First Street, Suite 301
Napa, California 94559

Subject: Reverie Vineyard & Winery: Current and Historic Riparian Habitat

Dear Mr. Greenwood-Meinert,

At the request of the Reverie Vineyard & Winery, FirstCarbon Solutions conducted a review of historic and existing conditions at the Reverie Winery with special emphasis on riparian vegetation. The purpose of the review is to determine if riparian vegetation has been altered or removed during on-site improvements associated with construction of the wine cave and associated facilities.

Methods

Historic and current aerial photography was reviewed using Google[™] earth imagery. Starting with the most current aerial imagery available, FCS digitally mapped known locations of facility locations within the Reverie Vineyard & Winery including a wine garden, winery/office building, wine cave, and an unnamed drainage which is located approximately 30 feet east of the winery/office building. These feature locations were digitally mapped on aerials dating 1993, 2003, 2004, 2007, 2008, and 2014 as demonstrated in Attached A.

In addition, a site visit was conducted by FCS biologist on March 9, 2015, and a review of the County approved Reverie Vineyard & Winery Landscape Plan (1995) was conducted to assess planned, approved and implemented landscape design as it pertains to riparian vegetation.

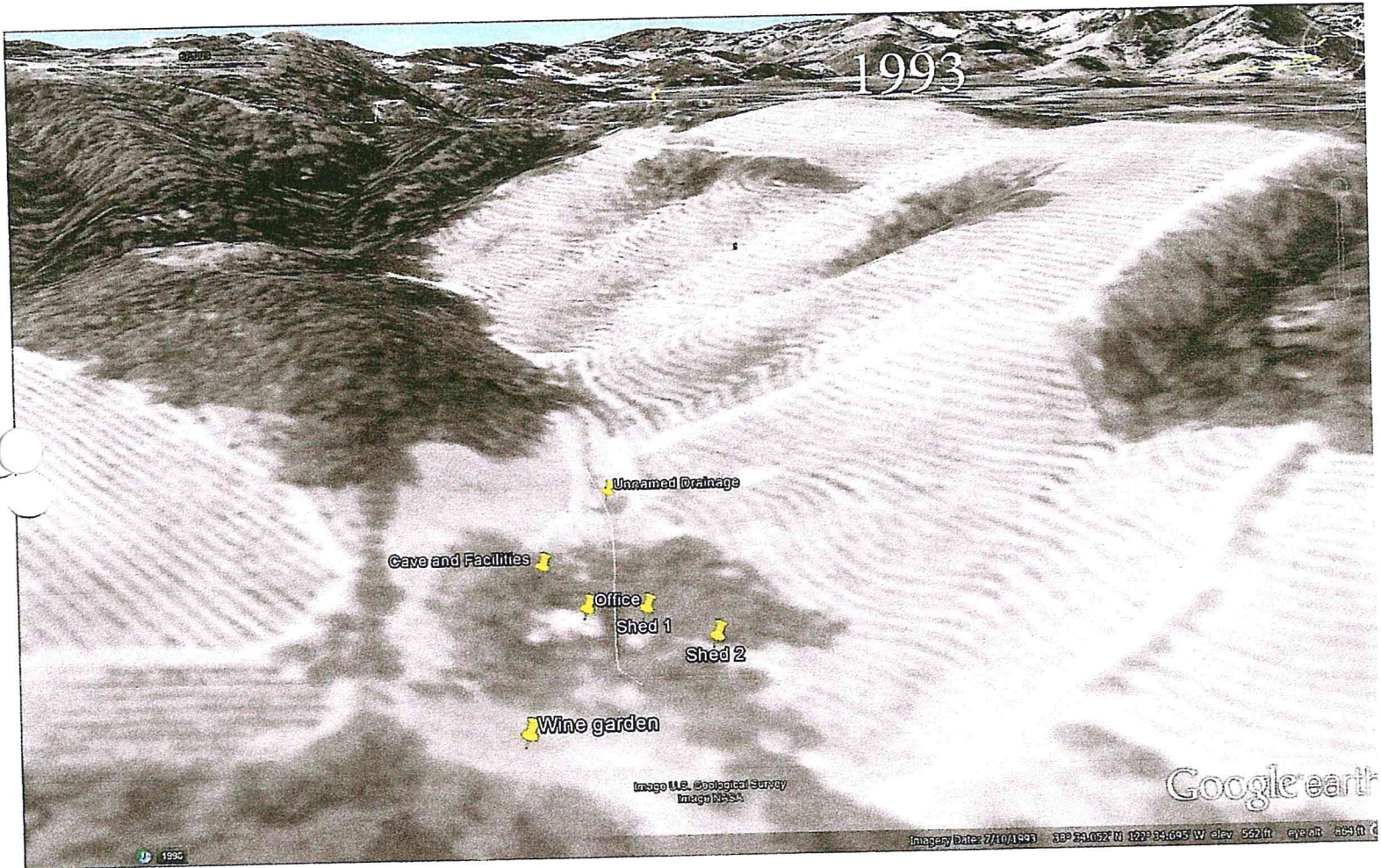
Findings

An unnamed drainage is located approximately 30 feet east of the existing winery/office building, wine cave and associated facilities. This feature is approximately 200 feet long and approximately 3 feet wide at the ordinary high water mark. The drainage has an earthen bottom with sparse vegetation and the steep banks are composed of river-rock and mud (presumably to reduce erosion during high flow events). This drainage is ephemeral in nature, only flowing after storm events. This drainage flows onto a dual piped culvert under the entrance road to the winery facility and eventually flows into Teal Creek near the southern limits of the site.

Based on a review of historical aerial imagery, the approved landscape design plan, and existing site conditions, the unnamed drainage feature does not now and has not historically supported riparian vegetation or a riparian corridor.

Please contact Jeannette Owen at 916.447.1100 with any questions or concerns.

Attachment A



1993

Unnamed Drainage

Cave and Facilities

Office

Shed 1

Shed 2

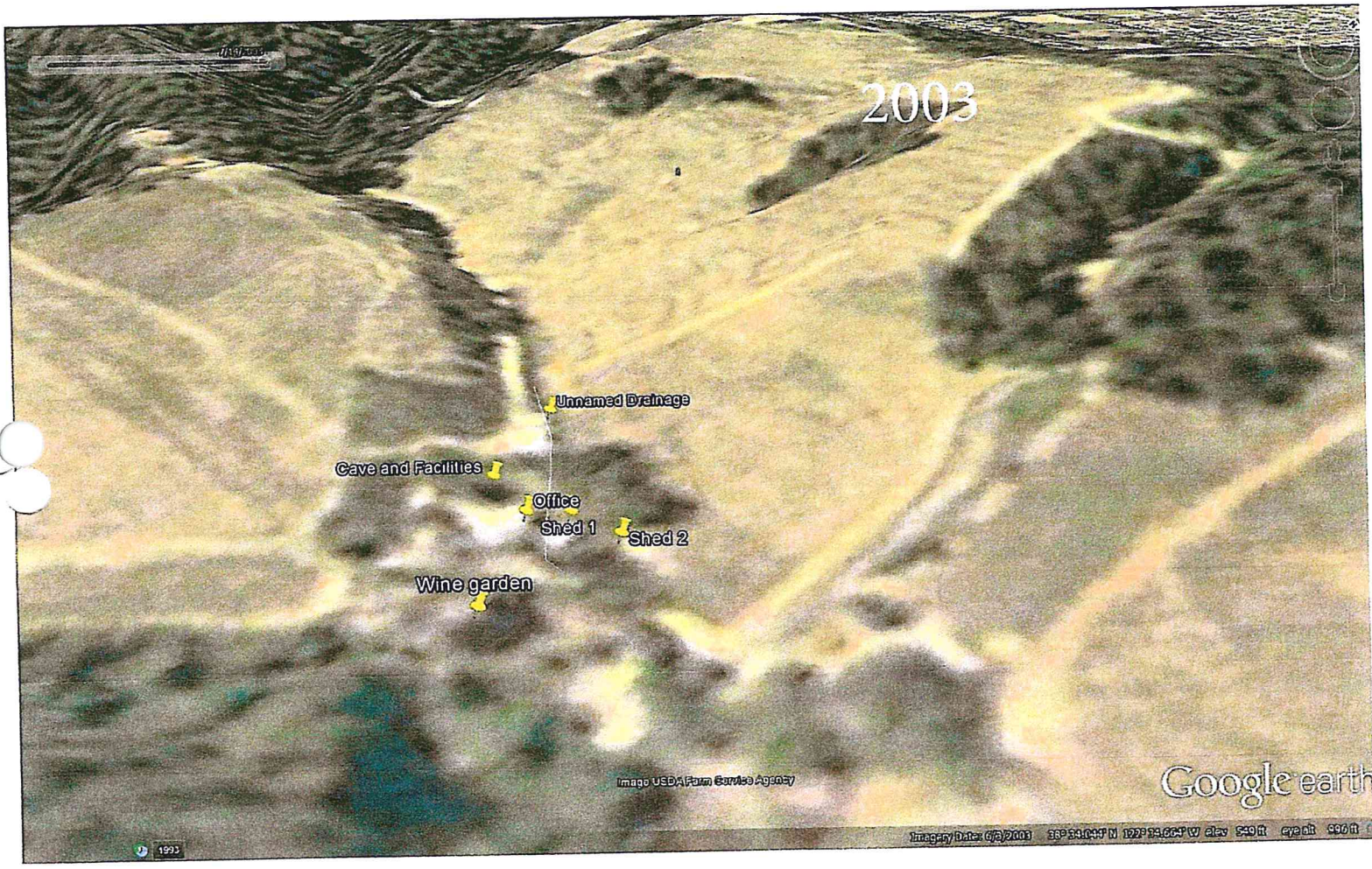
Wine garden

Imagery U.S. Geological Survey
Imagery NASA

Google Earth

Imagery Date: 7/10/1993 38° 39.092' N 122° 34.695' W elev 562 ft eye alt 154 ft

1993



2003

Unnamed Drainage

Cave and Facilities

Office

Shed 1

Shed 2

Wine garden

Image USD Aerial Service Agency

Google earth

Imagery Date: 4/5/2003 35° 34.047' N 122° 54.604' W Elev 540 ft eye alt 540 ft





Cave and Facilities

Unattended Drainage

Office

Shed 1

Shed 2

Wine garden

Google earth

Image © 2005 Earthstar

Imagery Date: 12/05/2007 23° 24' 00" N 122° 31' 00" W elev: 500 ft 474 ft 500 ft

2008

Unnamed Drainage
Cave and Facilities
Office
Shed 1, Shed 2
Wine garden

Google earth

Image © 2008 DigitalGlobe

Imagery Date: 12/12/2008 26° 24' 04.72" N 122° 04' 04.3" W elev: 550 ft aya: 41 987 ft

1993

2014

Cave and Facilities

Unnamed Grainage

Office

Shed 1

Shed 2

Wine garden

Image NASA
Image © 2015 DigitalGlobe

Google earth

1993

Imagery Date: 5/30/2014 38° 34.048' N 122° 34.694' W elev 554 ft eye alt 648 ft



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 8/6/2014
Agenda Placement: 10B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Linda St. Claire, Planner III Code Enforcement Officer - 707.299.1348
SUBJECT: 2013 Winery Production Review

RECOMMENDATION

2013 WINERY PRODUCTION AUDIT

CEQA Status: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Request: Presentation, discussion and direction to staff regarding the outcome of a confidential review of wine production and visitation at wineries selected randomly by the Planning Commission in 2013, followed by selection of 2014 audit participants.

Staff Recommendation: Review and comment on the results of the 2013 winery use permit monitoring program and select 2014 participants.

Staff Contact: Linda St. Claire, 299-1348; Linda.StClaire@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Actions:

That the Commission:

- 1) Receive the audit results and direct staff to work with wineries to achieve compliance if their wine production, visitation, or grape sourcing exceed amounts specified in their use permit; and
- 2) Select new participants for the 2014 review.

- Two wineries (N & P) were found in compliance for production after averaging of two years of data. Winery N is currently in for a modification to their use permit. The remaining winery out of compliance for production (D) has not produced any wine for the past nine years. They understand that their use permit is in jeopardy for possible revocation. They will be included in the 2014 Audit.
- One column was modified this year to show only the percentage of actual production in comparison to the approved production of each winery. Actual production ranged from 0% to 100% of the permitted production.
- In addition to the twenty wineries in the 2013 audit, staff reevaluated the wineries from the 2012 audit that were found out of compliance. With this reevaluation, one winery (M) continued to be over production even after averaging three to five years of production records. The two remaining wineries are in for modifications to their use permits.

Visitation (see Attachment G)

- Eight wineries were found to be out of compliance for visitation. Six wineries were found to be out of compliance for Tours and Tastings, four wineries were found to be out of compliance for Marketing, and two of the eight wineries were found to be out of compliance for both Tours & Tastings and Marketing.
- All of the wineries maintained adequate records.
- Of the twenty wineries, five are pre-WDO (Winery Definition Ordinance) and three of them are allowed to conduct public tours & tastings with no set limits on the number of visitors.
- Twelve wineries are allowed tours and tasting "By Appointment Only." Two are Pre-WDO wineries. The remaining one winery does not have authorization to conduct tours and tastings and two wineries do not have approved marketing plans.
- Of the seven non-compliant wineries from the 2012 audit, three have or will apply to modify their use permits. The remaining four non-compliant wineries (F, H, Q & T) have agreed to reduce their visitation or modify their use permits. Averaging is not an option due to the potential impacts of traffic, as well as, impacts on septic systems that have been sized to the number of approved visitors.

Staff was also directed to visit the wineries participating in the audit and observe the items for sale in the tasting rooms to determine if the items met the general definition in Napa County Code Sections 18.16.030 & 18.20.030, which state that all products for sale at the winery must be wine related. Staff conducted a visual inspection and found products in the tasting rooms generally meet the Ordinance's "wine related" requirement.

Grape Sourcing (see Attachment F)

- There are five Pre-WDO wineries in the 2013 audit which are not subject to the 75% rule.
- The remaining wineries were evaluated and all but one were found compliant. Winery O was only 52% compliant, and purchased the remaining 48% of their grapes from District 3 (Sonoma and/or Marin Counties). Winery O is currently in the process of modifying their use permit. They will be included in the audit next year in hopes that compliance will be reached.

Staff Recommendation:

As in previous years, staff will follow up with all wineries which exceed their production, visitation, and/or comply with the seventy-five percent rules. Each winery will receive a letter from staff indicating the audit results and discussing their options to comply with their use permit conditions. In regards to production and visitation, a winery has two options. They can either modify their use permit or return to the allowed levels. The seventy-five percent rule does not offer any options. All of the wineries which exceed their conditions (and have not entered into a modification process) will be required to submit 2014 production, visitation and grape sourcing data to ensure compliance has been met. At this time, staff is recommending that the Commission discuss the audit results