

**“B”**

**Recommended Conditions of Approval  
and Final Agency Approval Memos**

**PLANNING COMMISSION HEARING – MAY 6, 2020  
RECOMMENDED CONDITIONS OF APPROVAL**

**Chappellet Winery Use Permit Major Modification  
Application Number P18-00307-MOD & Exception to Road and Street Standards  
1579 & 1581 Sage Canyon Road, St. Helena, California  
APN #032-010-090; and 098**

This permit encompasses and shall be limited to the project commonly known as Chappellet Winery, located at 1579 & 1581 Sage Canyon Road. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee 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.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

**PART I**

**1.0 PROJECT SCOPE**

The permit encompasses and shall be limited to:

- 1.1 Approval of an exception to the Napa County Road and Street Standards to the State Responsibility Area Fire Safe Regulations to allow for a reduction of driveway width for some portions of the existing driveway, and for a portion of road with slopes exceeding 18 percent but less than 20 percent without transition zones (sections of road not exceeding 10 percent for 100 feet in length immediately preceding and ensuing the section of road with the roadway grade of 18 to 20 percent).
- 1.2 Approval to modify an existing 150,000 gallon per year winery, previously approved under Use Permit P11-00138, to allow the following:
  - a. Increase in maximum annual permitted wine production from 150,000 to 250,000 gallons;
  - b. Visitation, tours and tasting, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
  - c. Maximum number of employees; 30 full time employees
  - d. Increase parking spaces from 26 spaces to 38 spaces and provide a minimum of two on-site bicycle parking spaces;

- e. Upgrade the existing water system permit from a Transient Non Community (TNC) water system to a Non-Transient Non-Community (NTNC) water system;
- f. Temporary and/or final location of spoils; Majority of spoils will be permanently kept on site while the remaining excess spoils will be transported off-site to a County approved location; and
- g. Improvement of the existing access driveway and Pritchard Hill Road to County standards except for the request noted in 1.1 above.

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 permittee 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 change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

## **2.0 STATUTORY AND CODE SECTION REFERENCES**

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

## **3.0 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 of approval 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 property owner or permittee. 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 issuance of a 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 a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning 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 proceedings in accordance with the County Code.

## **PART II**

## **4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT**

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing 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.”

Tours and tastings (defined below) 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.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings shall be by appointment only and shall be limited to the following:

- a. Frequency: seven days per week, Monday through Sunday
- b. Maximum number of persons per day: 55
- c. Maximum number of persons per week: 385
- d. Hours of visitation: 10 am to 6 pm
- g. On days when large marketing events are occurring (greater than 100 visitor events), no tours and tastings shall occur.

“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. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times 3:30 PM to 6:00 PM, Monday through Sunday.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

4.3 MARKETING

Marketing events shall be limited to the following:

- a. **Type 1**
  - 1. Frequency: 10 times per year
  - 2. Maximum number of persons: 20
  - 3. Time of Day: 11:00 am to 10:00 pm
- b. **Type 2**
  - 1. Frequency: 6 times per year
  - 2. Maximum number of persons: 80
  - 3. Time of Day: 11:00 am to 10:00 pm

- c. **Type 3**
  - 1. Frequency: 3 times per year
  - 2. Maximum number of persons: 160
  - 3. Time of Day: 11:00 am to 10:00 pm
  
- d. **Type 4**
  - 1. Frequency: 3 times per year
  - 2. Maximum number of persons: 200
  - 3. Time of Day: 11:00 am to 10:00 pm
  
- e. The use of shuttle service from an off-site pick up area for all events of greater than 100 persons is required.
  
- f. Marketing Event Notification

A minimum of 30 days prior notice of marketing events when 100 or more guests are held shall be provided by the permittee to the owners of the following properties located within 1,000' radius of the Winery parcel (APN 032-520-009; 032-520-008; 032-510-003; 032-510-004; 032-510-010; 032-510-011; 032-010-001; 032-010-039; 032-010-048; 032-010-079; 032-010-083; 032-010-084; 032-010-095; and 032-510-069). Said notice will include a cell phone number of a contact person who will be on-site during the event with authority to immediately address any issues that may arise. Copies of such notices shall be provided to the PBES Department.

"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 the County Code. 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. 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 cost recovery, 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).

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 pm. 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 not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery's marketing plan because they are covered by ANV's Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

#### RECOGNITION OF PRE-WDO MARKETING AND VISITATION

Existing Public Tours & Tastings:

Frequency: Daily

Maximum number of persons per day: 40

Maximum number of persons per week: 280

Hours of operation: 10:00 am to 5:00 pm

Existing Marketing Program:

Marketing events are limited to the following:

Type of event: Type 1

Frequency: 4 times per month

Number of persons: 40

Time of Day: 11:00 am to 10:00 pm

Type of event: Type 2

Frequency: 4 times per year

Number of persons: 75

Time of Day: 11:00 am to 10:00 pm

Type of event: Type 3

Frequency: 2 times per year

Number of persons: 125

Time of Day: 11:00 am to 10:00 pm

#### 4.4 ON-PREMISES CONSUMPTION

In accordance with State law 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 wine produced on-site and purchased from the winery may occur solely in the marketing area of the existing winery building. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in COA Nos.4.2 and 4.3 above.

#### 4.5 RESIDENCE OR NON-WINERY STRUCTURES

Unless specifically authorized by this permit or a previously approved permit, the existing single-family residence] shall not be used for commercial purposes or in

conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

#### 4.6 GRAPE SOURCE **[RESERVED]**

#### 4.7 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event the required ABC and/or TTB permits and/or licenses are suspended or revoked, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are reinstated.

Visitation log books, visitor reports, custom crush client records, and any additional documentation determined by Staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance review process.

#### 4.8 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 winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this Permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

#### 4.9 GROUND WATER MANAGEMENT - WELLS

This condition is implemented jointly by the Public Works and PBES Departments:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence<sup>1</sup> indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and 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. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

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<sup>1</sup> Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of Public Works determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of Public Works determines that the well could be useful in supporting the program.

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 County Code and to protect public health, safety, and welfare.

4.10 **AMPLIFIED MUSIC**

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

4.11 **TRAFFIC**

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (3:30 PM to 6:00 PM, Monday through Sunday.). 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.

4.12 **PARKING**

The location of 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.

4.13 **BUILDING DIVISION – USE OR OCCUPANCY CHANGES**

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

4.14 **FIRE DEPARTMENT – TEMPORARY STRUCTURES**

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized marketing events allowed per COA No. 4.3 above.

- 4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**
- 4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS
- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.
  - b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
  - c. 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. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.
  - d. Designated trash enclosure areas shall be made available and properly maintained for intended use.
- 4.17 NO TEMPORARY SIGNS  
Temporary off-site signage, such as “A-Frame” signs, is prohibited.
- 4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS  
The attached project conditions of approval include all of the following County Divisions, Departments and Agencies’ requirements. 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 operational conditions as stated in their Memorandum dated October 1, 2019.
  - b. Environmental Health Division operational conditions as stated in their Memorandum date September 4, 2018.
  - c. Building Division operational conditions as stated in their Memorandum dated August 31, 2018.
  - d. Department of Public Works operational conditions as stated in their Memorandum dated March 26, 2020.
  - e. Fire Department operational conditions as stated in their Inter-Office Memo dated October 25, 2019.

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 County 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 this permit.

#### 4.19 OPERATIONAL MITIGATION MEASURES

The permittee shall comply with the following operational mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

- a. **MM GEO-2:** Daily tours and tastings shall be suspended on days when events are held with more than 20 guests and with meals prepared onsite. Portable toilets shall be utilized for all events with more than 40 guests.

Method of Monitoring: Upon final occupancy and thereafter, daily tours and tastings shall be suspended on days when events are held with more than 20 guests and with meals prepared onsite and portable toilets must be utilized for all events with more than 40 guests.

Responsible Agency: PBES

- b. **MM TRANS-1:** An operations plan shall be adopted that does not generate more than 13 outbound trips within any one-hour period between 3:30 P.M. and 6:00 P.M. on weekdays. The project shall also implement the Transportation Demand Management Plan as proposed in the *Traffic Impact Study for the Chappellet Winery Use Permit Modification* dated November 27, 2019, particularly the *Alternative Shift Schedule* that will require five employees to end their work day at 3:15 P.M. and another five employees to end their work day at 6:00 P.M.

Method of Monitoring: An operations plan shall be prepared that does not generate more than 13 outbound trips within any one-hour period between 3:30 P.M. and 6:00 P.M. on weekdays and Transportation Demand Management Plan, as proposed in the *Traffic Impact Study for the Chappellet Winery Use Permit Modification* dated November 27, 2019, shall be finalized and submitted to the Planning Division prior to the issuance of a Final Certificate of Occupancy. After issuance of a Final Certificate of Occupancy, an Ongoing Monitoring and Reporting Statement shall be submitted to the Planning Division on January 15 of each year. Planning Division staff will review the statement to ensure compliance with the TDM Plan. Enforcement steps will be taken, if needed, to attain compliance status.

Responsible Agency: PBES

- c. **MM TRANS-2:** Events at the winery with 160 or 200 persons shall be scheduled to conclude before 4:30 PM on weekend days to avoid generating outbound trips during the midday peak hour.

Method of Monitoring: A TDM Plan which requires events at the winery with 160 or 200 persons to be scheduled to conclude before 4:30 PM on weekend days shall be prepared and submitted to the Planning Division prior to the issuance of a Final Certificate of Occupancy. After issuance of a Final Certificate of Occupancy, an Ongoing Monitoring and Reporting Statement shall be submitted to the Planning Division on January 15 of each year. Planning Division staff will review the statement to ensure compliance with the TDM Plan. Enforcement steps will be taken, if needed, to attain compliance status.

Responsible Agency: PBES

#### 4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. At least 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling wine shall be grown within Napa County provided that the winery's existing 150,000 gallons of production are not subject to the County's 75% grape source rule. 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 PBES Department upon request, but shall be considered proprietary information and not available to the public.

#### 4.21 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

### PART III

## 5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

### 5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

**6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES**

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

**6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS**

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' 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 plan review/construction/ preoccupancy conditions as stated in their Memorandum dated October 1, 2019.
- b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated September 4, 2018.
- c. Building Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated August 31, 2018.
- d. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated March, 26, 2020.
- e. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated October 25, 2019.

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 County 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 permit.

**6.2 BUILDING DIVISION – GENERAL CONDITIONS**

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.

- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

#### 6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) 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 CBC.
- b. 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; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. 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 exempt from this requirement.

#### 6.4 LANDSCAPING – PLAN SUBMITTAL

- a. 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 Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. 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.

- d. 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.

#### 6.5 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. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

#### 6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item 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.
- b. 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 the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.
- c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

#### 6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

#### 6.8 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. 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 I numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.9 HISTORIC RESOURCES [RESERVED]

6.10 DEMOLITION ACTIVITIES [RESERVED]

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION [RESERVED]

6.12 PERMIT PREREQUISITE MITIGATION MEASURES

The permittee shall comply with the following permit prerequisite mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

- a. **MM BIO-1:** All areas of woodland habitat containing narrow-anthered brodiaea (*Brodiaea leptandra*) are to be avoided and shall clearly be demarcated in the field by a qualified biologist prior to ground disturbing activities to ensure these habitats are completely avoided.

Method of Monitoring: The grading plan shall reflect the installation of temporary protective fencing around the areas of woodland habitat containing narrow-anthered brodiaea (*Brodiaea leptandra*) to be avoided prior to issuance of the grading permit. The temporary protective fencing shall remain in place throughout the duration of project construction and all construction personnel shall be advised by the project contractor to avoid any disturbance to the area.

Responsible Agency: PBES

- b. **MM BIO-2:** If vegetation clearing or other land disturbance is proposed during the bird breeding season (February 15 through August 31), the work shall be preceded by a survey for special-status bird species and migratory passerines (perching birds) by a qualified biologist within 14 days prior to the beginning of work. In the event that nesting birds are found during the survey, construction buffers shall be established by the biologist in cooperation with the California Department of Fish and Wildlife. These buffers shall remain in place until offspring have fledged or after August 31.

Method of Monitoring: If vegetation clearing or other land disturbance is proposed during the bird breeding season (February 15 through August 31), the special-status bird species and other migratory passerines (perching birds) survey shall be submitted to Planning Division staff prior to issuance of the grading permit.

Responsible Agency: PBES

- c. **MM BIO-3:** A qualified bat biologist, with documented experience conducting bat habitat assessments, shall conduct a bat habitat assessment of all trees proposed for removal at least 30 days prior to tree removal activities, to determine if any of the trees contain potential bat roost habitat.

If any trees proposed for removal contain potential bat roost habitat, presence of roosting bats shall be presumed. All trees containing potential bat roost habitat shall be removed using a two-day phased removal method as described: On day 1, under the supervision of a qualified bat biologist who has documented experience overseeing tree removal using the two-day phased removal method, branches and small limbs not containing potential bat roost habitat (e.g. cavities, crevices, exfoliating bark) shall be removed using chainsaws only. On day 2, the next day, the rest of the tree should be removed.

All trees shall be removed during seasonal periods of bat activity: Prior to maternity season – from approximately March 1 (or when night temperatures are above 45°F and when rains have ceased) through April 15 (when females begin to give birth to young); and prior to winter torpor – from September 1 (when young bats are self-sufficiently volant) until about October 15 (before night temperatures fall below 45°F and rains begin).

Method of Monitoring: If construction activity is to occur during the seasonal periods of bat activity identified above, the bat habitat assessment prepared by a qualified bat biologist shall be submitted to Planning Division staff prior to issuance of the grading permit.

Responsible Agency: PBES

- d. **MM BIO-4:** Prior to issuance of a grading permit, a final tree removal plan and oak replacement and preservation plan shall be prepared by a certified arborist.

Method of Monitoring: The final tree removal plan and oak replacement and preservation plan shall be submitted for review and approval to Planning Division staff with recommendations regarding trees to be retained or removed prior to issuance of the grading permit.

Responsible Agency: PBES

- e. **MM GEO-1:** Prior to grading or building permit submittal, a subsurface geological exploration of the proposed construction area shall be conducted by a qualified geologist and shall include a geologic hazard report containing the information and technical recommendations required under Napa County Code section 15.08.050.

Method of Monitoring: The grading and building plans shall reflect the implementation of the final geotechnical report recommendations prior to issuance of a grading and building permit.

Responsible Agency: PBES

## 6.13 PARCEL CHANGE REQUIREMENTS [RESERVED]

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

## **7.0 PROJECT CONSTRUCTION**

Permittee shall comply with the following during project construction:

### **7.1 SITE IMPROVEMENTS**

Please contact Engineering Services with any questions regarding the following.

#### **a. GRADING AND SPOILS**

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by 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.

#### **b. 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 when average wind speeds exceed 20 mph.

#### **c. AIR QUALITY**

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.

6. 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.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. 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. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

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 California Regional Water Quality Control Board.

7.2 **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 PBES 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 project development, all work in the vicinity must be 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 permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 **CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the

project site, if at all practicable. 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 daily between the hours of 8 am to 5 pm.

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

**8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES**

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. Departments and/or agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

**9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES**

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence.

9.1 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.

9.2 SIGNS **[RESERVED]**

9.3 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows 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 pursuant 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 permit approval.

9.4 LANDSCAPING

Landscaping shall be installed in accordance with the approved landscaping plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS [RESERVED]

9.6 DEMOLITION ACTIVITIES [RESERVED]

9.7 GRADING SPOILS

All spoils shall be removed in accordance with the approved grading permit and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

The permittee shall comply with the following preoccupancy mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project,

- a. **MM BIO-5** Prior to issuance of a final certificate of occupancy, an oak replacement and preservation plan shall be implemented in consultation with a certified arborist. The oak replacement and preservation plan is to include the planting of 2 times the number of oak trees removed within an appropriate location on the property as determined in consultation with a certified arborist with the replanting schedule to match the oak species to be removed. The oaks are to be gallon sized and planted at approximately 20 feet on center or as otherwise advised by a certified arborist. The oaks will be watered by hand, as necessary, during the first three years to promote survival. Successful planting will be considered an 80 percent survival rate at five years. If less than 80 percent of the trees are surviving, replanting will be necessary.

Method of Monitoring: A letter from a certified arborist certifying that the replanting plan has been fully implemented shall be submitted to Planning Division staff prior to issuance of a Final Certificate of Occupancy.

Responsible Agency: PBES

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY

- a. Emergency Plan

Prior to the Final Certification of Occupancy and commencement of visitation and marketing activities authorized under this permit, the permittee shall submit for review and approval to the Napa County Fire Marshal and Planning Division a Fire Safety and Evacuation Plan in accordance with Section 403 of the California Fire Code which, includes but is not limited to, winery personnel training, access routes, and an evacuation plan from the winery buildings, and outdoor areas for winery guests and employees during an emergency event.

## Exhibit A

**Chappellet Winery  
Application Number P18-003047  
1579 & 1581 Sage Canyon Road  
APN 032-010-090; and 098**

### PREVIOUS CONDITIONS

4.21 The permittee shall comply with the following previous conditions of approval for the winery use as consolidated in this document. To the extent there is a conflict between a previous condition of approval identified in this document and the Recommended Conditions of Approval, the more stringent condition shall control.

#### A. USE PERMIT NO. P11-00138-UP

COA No. 1: Scope

The permit shall be limited to:

- a) recognize wine production of 150,000 gallons per year;
- b) recognize an existing 19,636 square foot winery building;
- c) alterations within the existing 19,636 square foot winery building to convert 4,431 of production space to office, wine tasting, retail, storage, and commercial kitchen uses;
- d) construction of a +/- 24,000 square foot barrel storage building;
- e) construction of a +/- 9,500 square foot delivery, ADA-parking, and truck turnaround area adjacent to the proposed barrel storage building;
- f) approval of a two-phase construction phasing plan as detailed in submitted materials;
- g) recognize 18 employees and add 6 additional employees, for a total of 24 employees;
- h) recognize 24 parking spaces and install 2 additional ADA-accessible spaces, for a total of 26 spaces;
- i) recognize hours of winery operation from 6 am to 6 pm daily with public visitation from 10 am to 5 pm;
- j) add Evans on-premise consumption in existing and proposed

- marketing areas within the 19,636 square foot winery building;
- k) roadway improvements on parcels 032-010-046 and 032-010-053 including the widening of an existing 12 to 14 foot wide winery access road to 14 to 18 foot wide and construction of a new 20 foot wide driveway providing access to the proposed barrel storage building;
  - l) domestic and process wastewater treatment improvements on parcels 032-010-046 and 032-010-053 including alteration of an existing off-stream reservoir to allow treated process wastewater storage with disposal via vineyard irrigation and conversion of an existing domestic/process waste disposal leachfield to dedicated domestic waste use;
  - m) installation of a 60,000 gallon fire-flow water storage tank located on parcel 032-010- 053; and
  - n) grading including 10,000 cubic yards of net cut with spoils distributed within existing vineyard blocks on APN 032-010-053.

COA No. 3: Superseded by COA 4.20.a

**GRAPE SOURCE:**

~~No increase in wine production is approved as a component of this application; however, this approval increases the facility's winery development area. As a result, if an increase in maximum production is at some point in the future approved, at least 75% of the grapes used to make any wine in excess of the presently approved 150,000 gallons per year 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 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 Conservation, Development, and Planning Department upon request, but shall be considered proprietary information not available to the public.~~



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A Commitment to Service

**Planning, Building & Environmental Services**

1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

**David Morrison**  
Director

## MEMORANDUM

To: Jason Hade, Planning	From: Daniel Basore, Engineering
Date: October 1, 2019	Re: P18-00307 Chappellet Winery Major Modification <b>ENG – Conditions of Approval</b> APN: 032-010-090-000

The Engineering Division has reviewed the use permit application P18-00307 for the Chappellet Winery Major Modification located on assessor's parcel number 032-010-090-000. In general the project proposes the following:

Major Modifications to increase production, increase daily and weekly visitors, modify existing marketing program, increase employees, and improve existing access driveway.

Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

### EXISTING CONDITIONS

1. The Existing Parcel is in a Sensitive Domestic Water Supply Area

### RECOMMENDED APPROVAL CONDITIONS:

### OPERATIONAL CHARACTERISTICS

1. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

### PREREQUISITES FOR ISSUANCE OF PERMITS

2. The roadway serving the winery shall conform to the Road Exception Evaluated composed by this Division, dated September 27, 2019 enclosed herein, and per the accepted construction and inspection practices defined in Federal, State and Local codes.

3. Any roadway, proposed new or reconstructed, not included in the above mentioned Road Exception Evaluation shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval.
4. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
5. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 and Chapter 18.108.027 of the Napa County Code, and Appendix J of the California Building Code.
6. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

#### **PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY**

7. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification. **\*\* If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

#### **PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY**

8. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

**Any changes in use may necessitate additional conditions for approval.**

If you have any questions regarding the above items, please contact Daniel Basore from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)259-8328 or by email at [Daniel.Basore@countyofnapa.org](mailto:Daniel.Basore@countyofnapa.org)



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A Commitment to Service

David Morrison  
Director

## MEMORANDUM

To: Jason Hade Planning Division	From: Daniel Basore Engineering Services
Date: September 27, 2019	Re: P18-00307 Chappellet Winery Major Modification <b>Road Exception Evaluation</b> APN: 032-010-090-000

### ROAD EXCEPTION REQUEST:

The Engineering Services Division received a request for an exception to the Napa County Road and Street Standards (NCRSS) for the proposed Chappellet Winery Major Modification located at 1581 Sage Canyon Road, Saint Helena, CA 94558.

The existing driveway from the connection to Sage Canyon Road to Chappellet Winery is approximately 1.4 miles long and serves four wineries (including Chappellet), various residences and vineyard developments. The driveway from Sage Canyon to the turnoff to Chappellet Winery is referred to as Pritchard Hill Road, once the driveway turns off to Chappellet Winery the driveway is referred to as the Chappellet Winery driveway. The Chappellet Winery project seeks exceptions to the NCRSS to allow for a reduction in commercial roadway width and an exception to the NCRSS roadway grade standards at various locations along the existing private driveway. For detailed information on the existing and proposed conditions of the driveway please refer to the attached Road Exception Request Letter and Chappellet Winery Use Permit Modification Conceptual Site Plans prepared by Applied Civil Engineering. Numerous site visit were performed by the Engineering and Fire Divisions to evaluate the exception requests.

### COMMERCIAL ROADWAY WIDTH REDUCTION EXCEPTION:

A reduction to the commercial roadway width standard is requested in eight different locations on the 1.4 mile long roadway totaling approximately half of the roadway length (0.7 miles). The longest contiguous section (0.44 miles) of roadway with an exception being requested has a minimum width of 17 feet; turnouts are proposed throughout this section to provide standard sections periodically throughout the substandard section. The other sections are relatively short (vary in length from 475 feet to 50 feet) and have standard roadway sections before and after the areas.

Sections of Roadway Commercial Width Reduction Requested:

Pritchard Hill Road:

**P18-00307 CHAPPELLET WINERY MAJOR MODIFICATION**

ENGINEERING SERVICE

ROAD EXCEPTION EVALUATION

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- STA 11+75 to 35+00 (2, 325 feet)
- STA 57+25 to 59+25 (200 feet)
- STA 60+25 to 65+00 (475 feet)
- STA 65+25 to 66+75 (150 feet)
- STA 70+00 to 70+75 (75 feet)
- STA 71+25 to 71+75 (50 feet)

Chappellet Winery Driveway:

- STA 504+50 to 506+00 (150 feet)
- STA 507+00 to 509+50 (250 feet)

[All roadway stationing is based off the attached Road Exception Request Letter and Chappellet Winery Use Permit Modification Conceptual Site Plans prepared by Applied Civil Engineering.]

The exceptions are being requested due to environmental and physical constraints as defined in Section 3 (d) i., ii. of the NCRSS.

**COMMERCIAL ROADWAY GRADE EXCEPTION:**

An exception is being request in three locations for sections of road between 18-20% longitudinal slope that exceed 300 feet in length and do not have the required sections of road 10% or less for 100 feet preceding and following the section with slopes between 18-20%.

Sections of Road Commercial Roadway Grade Exception Requested:

Pritchard Hill Road:

- STA 26+50 to 36+00 (350 feet)
- STA 53+50 to 54+75 (125 feet)
- STA 69+00 to 72+00 (300 feet)

The exception is being requested due to environmental and physical constraints as defined in Section 3 (d) i., ii. of the NCRSS.

[All roadway stationing is based off the attached Road Exception Request Letter and Chappellet Winery Use Permit Modification Conceptual Site Plans prepared by Applied Civil Engineering.]

**ENGINEERING DIVISION EVALUATION AND RECOMMENDATION:**

Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the NCRSS as adopted by Resolution No. 2019-053 by the Board of Supervisors on April 23, 2019, this division has determined the following:

The improvement achieves the same overall practical effect of the NCRSS by providing defensible space and consideration toward life, safety and public welfare by providing the following permanent measures:

1. Horizontal and vertical vegetation management as described in the accompanying Road Exception Request (attached) shall be implemented along the entire length of the private lane and driveway connection to Sage Canyon Road.

**P18-00307 CHAPPELLET WINERY MAJOR MODIFICATION**

ENGINEERING SERVICE

ROAD EXCEPTION EVALUATION

Page 3 of 5

2. Significant improvements are proposed to bring a majority of the road into compliance with the NCRSS as illustrated on the Chappellet Winery Use Permit Modification Conceptual Site Plans prepared by Applied Civil Engineering (attached).
3. Substandard width road sections are mitigated with standard turnouts throughout and/or are short in length with standard width sections immediately before and after the substandard section.
4. All portions of the driveway not discussed in this Road Exception Evaluation are proposed to meet commercial standards as defined in the NCRSS.

The road exception request has provided the necessary documentation as required by NCRSS Section 3(D) for the Engineering Division to support the Exception Request for approval by the required approving body. The following conditions are in addition to any and all conditions previously placed on the project as part of this discretionary application:

1. The roadway improvements shall be maintained to the approved condition prior to any new commercial use and/or occupancy and throughout the life of the parcel or until such time the County deems that future road design changes or changes in use of this roadway beyond the use proposed shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.
2. The private drive surface shall be periodically maintained by the property owner to assure sufficient structural section for loading conditions equivalent to the H20-44 criterion and the design Traffic Index.

Attachments:

1. Exception Request Letter dated June 28, 2019 prepared by Applied Civil Engineering.
2. Chappellet Winery Use Permit Modification Conceptual Plans dated August 30, 2019 prepared by Applied Civil Engineering

# Attachment 1



July 27, 2018  
June 28, 2019 – Revision #1

Job No. 10-139

Mr. David Morrison, Director  
Napa County Planning, Building and Environmental Services Department  
1195 Third Street, Suite 210  
Napa, California 94559

Re: Request for Exception to the Napa County Road and Street Standards for the  
Chappellet Winery Use Permit Modification Application  
1581 Sage Canyon Road, St. Helena, CA  
Napa County APN 032-010-090

Dear Mr. Morrison:

This request for an exception to the Napa County Road and Street Standards is being filed concurrent with the above referenced Use Permit Modification application for Chappellet Winery. We are providing this information for your review and final decision by the Conservation, Development and Planning Commission pursuant to Section 3 of the Napa County Road and Street Standards. Section 3 allows exceptions to the Standards provided that the exception still provides the same overall practical effect as the Standards towards providing defensible space and consideration towards life, safety and public welfare and:

1. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural watercourses, steep slopes, geological features, heritage oak trees, or other trees of at least 6" dbh and found by the decision maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like;
2. The exception is necessary to accommodate physical site limitations such as grade differentials; and/or
3. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

It is our opinion that approving the subject Use Permit Modification along with the proposed driveway improvements and granting this exception will:

1. Reduce the removal of heritage oak and other mature native trees and vegetation;
2. Minimize the need for grading on the steep slopes;
3. Allow for completion of road improvements within the limitations of the existing legal constraint (driveway easement);
4. Reduce potential impacts on municipal water supply by minimizing tree removal, grading and potential soil loss;
5. Provide the same overall practical effect as the Standards towards providing defensible space and consideration towards life, safety and public welfare; and
6. Improve emergency vehicle access to the subject properties and the area in general.

The remainder of this letter describes the proposed project, provides background information regarding existing access conditions, outlines the proposed driveway improvements, identifies specific areas where an exception to the Standards is being requested and provides justification for the requested exception.

**Project Description**

Chappellet Winery is proposing to modify their existing use permit for their winery facility located at 1581 Sage Canyon Road in St. Helena, California.

The current Use Permit and Proposed Use Permit Modification conditions are outlined below:

Category	Existing	Proposed	Notes
Winery Production	150,000 gallons per year	250,000 gallons per year	
Employees	24	30	
Tours and Tasting Visitors	40 / day	95 / day	40 existing without appointment. Adding 55 per day with appointment. Total = 95 per day.
Marketing Events			
40 guests	4 / month	4 / month	Food catered or prepared in future onsite kitchen
75 guests	4 / year	4 / year	Food catered
125 guests	2 / year	2 / year	Food catered
20 guests	0 / year	10 / year	Food catered
80 guests	0 / year	6 / year	Food catered
160 guests	0 / year	3 / year	Food catered
200 guests	0 / year	3 / year	Food catered

Existing structures on the winery property include winery fermentation and barrel storage buildings and a single-family residence. No alteration of these existing structures or construction of new structures is proposed as part of the Use Permit Modification.

**Existing Access Road Conditions**

Access to the Chappellet Winery is via a shared private driveway off of State Route 128 (Sage Canyon Road) that we will refer to as Pritchard Hill Road and then via a secondary private driveway that provides access from Pritchard Hill Road to the Chappellet Winery that we will refer to as the Chappellet Winery Driveway. Please refer to the Chappellet Winery Use Permit Modification Conceptual Site Plans for illustrations of the Pritchard Hill Road and Chappellet Winery Driveway descriptions that are outlined below.

Pritchard Hill Road

Pritchard Hill Road is located off of the east side of State Route 128 (Sage Canyon Road) approximately 225 feet northeast of the Lake Hennessey boat ramp driveway. Pritchard Hill Road is a shared driveway used by several properties on Pritchard Hill. It traverses the steeply sloping

hillsides for approximately 2.4 miles from its commencement at Sage Canyon Road to its terminus at the Continuum Winery located at 1683 Sage Canyon Road.

Pritchard Hill Road was the subject of much recent review and analysis as part of the Continuum Winery Use Permit Major Modification (P10-00255) and also the Chappellet Winery Use Permit (P11-00138). Exceptions to the Napa County Road and Street Standards were granted to both wineries to utilize the existing Pritchard Hill Road, with significant improvements to serve the permitted uses at the Continuum and Chappellet Winery properties. The improvements included roughening of roadway surfaces where slopes exceed 20% on portions of Pritchard Hill Road (STA 43+25 to 43+75, STA 54+40 to 54+65 and STA 63+25 to 63+90) as well as significant widening improvements which resulted in increased driveway widths along a substantial portion of the shared Pritchard Hill Road.

The required Pritchard Hill Road improvements approved as part of these two winery permits were constructed and inspected by Napa County prior to both wineries obtaining occupancy of their improved winery facilities. In many areas Chappellet and Continuum worked together to implement improvements that exceed the requirements to provide additional width and better sight lines where allowed by natural topography.

Pritchard Hill Road is paved along the entire length that is utilized for access to the Chappellet Winery.

#### Chappellet Winery Driveway

The Chappellet Winery Driveway starts at the triangle intersection located at Pritchard Hill Road, approximately 1.2 miles east of the intersection of Pritchard Hill Road and State Route 128 (Pritchard Hill Road STA 72+50 +/-). The Chappellet Winery Driveway extends approximately 1,000 feet northeasterly from Pritchard Hill Road to the parking area at the existing winery facility. The driveway is paved with asphalt for its entire length. The paved width varies but generally averages 12 to 15 feet as shown on the topographic map prepared by Albion Surveys.

#### **Napa County Road and Street Standards Requirements**

The Napa County Road and Street Standards require that private access driveways serving wineries provide two (2) 10-foot-wide travel lanes (20 feet total), 22 feet of horizontal clearance, 15 feet of vertical clearance, 50 foot minimum inside turning radius and a maximum 16% longitudinal slope (provisions are made to allow slopes up to 18% if paved with asphalt and up to 20% in certain circumstances if there are less sloping areas above and below the 20% section).

#### **Proposed Driveway Improvements and Request for Exception to Napa County Road and Street Standards**

Improving the existing Pritchard Hill Road and Chappellet Winery Driveway to the full 20 foot width and 16-20% maximum slope along the entire length would require substantial grading on steep slopes, modification of an existing drainage course and removal of numerous native oak and other trees, many over 6" dbh. Furthermore, these improvements would require relocating the

driveway outside of an existing easement that Chappellet Winery does not have the legal means to achieve.

During our initial review it was determined that the driveway width can be improved to meet the Standards in many areas. In fact, Chappellet Winery is proposing to widen a significant portion of both Pritchard Hill Road and the Chappellet Winery Driveway. Furthermore, one section of road is being rebuilt to lessen the slope to 20% maximum.

However, in order to minimize environmental impacts, preserve many existing mature trees along the roadway and work within the confines of their existing legal easements across other properties Chappellet Winery is requesting an exception to the Napa County Road and Street Standards in discrete locations to allow existing driveway slopes that are 20% for longer than the 300 feet maximum length at 20% and without flatter landings above and below and also and to allow reduced driveway widths.

The summary below describes sections of the driveway that will be improved and areas that an exception is being requested for.

#### Pritchard Hill Road

Several improvements will be made to the existing Pritchard Hill Road as part of the proposed Use Permit Modification. The analysis starts at the intersection of Pritchard Hill Road and State Route 128 (STA 10+00) and continues to the Chappellet Winery Driveway (STA 72+50):

STA 10+00 to 11+75	Existing driveway width is greater than 20 feet. No improvements are proposed and no exception for width is requested.
STA 11+75 to 35+00	Exception requested to allow reduced width due to steep slopes and mature trees on both sides of driveway. Turnouts are to be constructed in this area as previously approved for recent development permits for 1551 Sage Canyon Road.
STA 35+00 to 39+25	Rebuild this section of driveway to provide 20 feet of paved width and to reduce slope to 20% maximum while maintaining existing alignment. No exception for width is requested. An alternate design to re-align this section to provide a better alignment with less than 20% slope is presented on the plans as an alternate. This improved option may be pursued if the City of Napa agrees to adjust the easement.
STA 39+25 to 44+00	Widen existing driveway to provide 20 feet of paved width. No exception for width is requested.
STA 44+00 to 49+00	Existing driveway width is greater than 20 feet. No improvements are proposed and no exception is requested.

STA 49+00 to 57+25	Widen existing driveway to provide 20 feet of paved width. No exception for width is requested.
STA 57+25 to 59+25	Exception requested to allow reduced width to save mature native trees and to preserve steep slopes on both sides of driveway.
STA 59+25 to 59+75	Widen existing driveway to provide 20 feet of paved width. No exception for width is requested.
STA 59+75 to 60+25	Existing driveway width is greater than 20 feet. No improvements are proposed and no exception for width is requested.
STA 60+25 to 65+00	Exception requested to allow reduced width to save mature native trees and to preserve steep slopes on both sides of driveway.
STA 65+00 to 65+25	Existing driveway width is greater than 20 feet. No improvements are proposed and no exception for width is requested.
STA 65+25 to 66+75	Exception requested to allow reduced width to save mature native trees and to preserve steep slopes on both sides of driveway.
STA 66+75 to 70+00	Widen existing driveway to provide 20 feet of paved width. No exception for width is requested.
STA 70+00 to 70+75	Exception requested to allow reduced width to save mature native trees and to preserve steep slopes on both sides of driveway.
STA 70+75 to 71+25	Widen existing driveway to provide 20 feet of paved width. No exception for width is requested.
STA 71+25 to 71+75	Exception requested to allow reduced width to save mature native trees and to preserve steep slopes on both sides of driveway.
STA 71+75 to 72+50	Widen existing driveway to provide 20 feet of paved width. No exception for width is requested.

There are three sections along Pritchard Hill Road that we are requesting to be allowed to remain with slopes that exceed the maximum length of road at 20% slope or that don't have the prescribed level areas with 10% slope or less for 100 feet preceding and following the section with 20% slope. These areas is described in detail below:

STA 26+50 – 36+00	Theoretical design profile slope in this area is 20 percent as determined based on field observation with Patrick Ryan PE, Engineering Division Manager. Total length of this section is more than 300' however, there are gentle to moderate slopes above and below this segment of driveway. This allows for safe ingress and egress. This section of driveway is flanked by steep slopes with mature trees and is located within an easement on land owned by
-------------------	--

the City of Napa. Realignment to lessen the slope has been studied but such work would require work outside of the existing easement, removal of mature trees and grading on sloping hillsides.

53+50 to 54+75

Theoretical design profile slope in this area is 20 percent as determined based on field observation with Patrick Ryan PE, Engineering Division Manager. Slopes continue at 10% to 16% above and below this section with 20% slope and therefore an exception is requested since there is not an area with 10% or less slope immediately preceding and following the section with 20% slope. However, there are less steeply sloping areas a little farther above and below this segment that result in the same overall practical effect. This allows for safe ingress and egress through this section of driveway. This section of driveway is flanked by hillside slopes with mature trees and is located within an easement on land owned by others. Realignment to lessen the slope has been studied and would require work outside of the existing easement, removal of mature trees and grading on sloping hillsides in the vicinity of a blueline stream.

69+00-72+00

Theoretical design profile slope in this area is 19 percent as determined based on field observation with Patrick Ryan PE, Engineering Division Manager. Slopes continue at 10% to 16% above and below this section with 19% slope and therefore an exception is requested since there is not an area with 10% or less slope immediately preceding and following the section with 19% slope. However, there are less steeply sloping areas a little farther above and below this segment that result in the same overall practical effect. This allows for safe ingress and egress through this section of driveway. This section of driveway is flanked by hillside slopes with mature trees. Realignment to lessen the slope has been studied and would require work outside of the existing easement, removal of mature trees and grading on sloping hillsides in the vicinity of a blueline stream.

### Chappellet Winery Driveway

Several improvements will also be made to the existing Chappellet Winery Driveway as part of the proposed Use Permit Modification. Below is a summary of the proposed improvements as well as a description of the features of the natural environment that will be preserved by allowing a reduced road width. The analysis starts at the intersection with Pritchard Hill Road STA 72+50 (Chappellet Winery Driveway STA 500+00) and continues to the existing Chappellet Winery parking area (STA 509+50):

STA 500+00 to 504+50

No exception requested. Existing driveway to be widened to provide 20' wide paved surface with two feet of additional horizontal clearance.

STA 504+50 to 506+00	Exception requested to allow reduced width at drainage crossing. Reduced width will allow preservation of an existing drainage course crossing and mature native trees.
STA 506+00 to 507+00	No exception requested. Existing driveway to be widened to provide 20' wide paved surface with two feet of additional horizontal clearance.
STA 507+00 to 509+50	Exception requested to allow reduced width to preserve mature native trees located on both sides of driveway.
STA 509+50 to END	No exception requested. Existing driveway conforms to Standards.

All driveway slopes along the Chappellet Winery Driveway fully comply with the 16-20% maximum slope requirement and no exceptions for slope are being sought for the Chappellet Winery Driveway.

Justification of Exception

As previously described, Section 3.D. of the Napa County Road and Street Standards, states that an exception to the Road and Street Standards may be granted if the exception will preserve unique features of the natural environment (including native trees, watercourses, steep slopes and geologic features) and the proposed project provides the same overall practical effect as the Standards towards providing defensible space, and consideration towards life, safety and public welfare.

In addition to the proposed substantial driveway improvements that will be constructed to improve ingress and egress to the subject property several other measures have been incorporated into the project design to provide the “same overall practical effect” as the Standards towards providing defensible space and consideration towards life, safety and public welfare. Below is a summary of the proposed measures:

*Defensible Space*

1. Horizontal and vertical vegetation management will be implemented along the entire length of the existing driveway and around the existing and proposed structures on the subject property to create defensible space. This will include vegetation management and modification 10 feet horizontally and 15 feet vertically along all private access roads and 100 feet (or to the nearest property or easement line) around buildings in accordance with Napa County Fire Department requirements.

*Life Safety and Public Welfare*

1. Address signage for existing uses on the subject property will be upgraded if needed to comply with County Fire Department Standards to improve emergency vehicle accessibility.
2. The project results in a minimal increase in daily truck traffic. The proposed production increase is expected to increase the number of operational harvest days rather than

increasing the amount of fruit processed on any one day and therefore peak day to day truck traffic is not expected to increase.

Section 3.F. of the Standards specifically identifies limiting of traffic as a means to help achieve the same overall practical effect as the Standards towards providing defensible space, consideration of life, safety and public welfare and not compromising civilian access or Fire Department access.

3. A robust fire protection system was installed as part of the last use permit project for Chappellet Winery when the barrel storage building was constructed. The system includes an elevated tank that provides pressure to supply hydrants around the facility and sprinklers within the barrel storage building.

Section 3.F. of the Standards specifically identifies that built in fire protection systems can be used to help achieve the same overall practical effect as the Standards towards providing defensible space, consideration of life, safety and public welfare and not compromising civilian access or Fire Department access.

#### Conclusions & Findings In Support of Exception Request

It is our opinion that this request to allow the existing access driveway to be approved with significant improvements and with segments that do not strictly comply with the Standards meets the criteria established in Section 3 of the Road and Street Standards. More specifically, approval of the proposed exception will:

1. Preserve mature native trees on steeply sloping hillsides;
2. Minimize the need for grading on steep slopes;
3. Abide by the limitations of the existing access easements;
4. Provide the same overall practical effect as the Standards towards providing defensible space and consideration towards life, safety and public welfare.

As previously described, there are mature native trees and steep hillside slopes along the existing driveway that are worthy of preservation. It is important to preserve the natural character of the area by minimizing the amount of grading on steep slopes and minimizing tree removal. Not only do the trees and topography contribute to the rural character of the woodlands and watershed areas, they also provide shelter and habitat for a wide range of animal and plant species. This is especially important given the project's location within the Lake Hennessey municipal water supply watershed.

Preservation of these features can be achieved by allowing an exception to the Standards in the areas previously described. The Applicant is willing to improve both Pritchard Hill Road and the Chappellet Winery Driveway to the greatest extent practicable where it is beneficial while abiding by the limitations of the existing easements and minimizing unnecessary grading on steep slopes and while preserving mature native trees and forest areas located along the driveways to the greatest extent possible. With the proposed improvements, proper vegetation management and

regular maintenance, there is no reason that these environmental features cannot be preserved while still achieving the same overall practical effect as outlined in the Standards. Furthermore, the driveway conditions that will result from the proposed improvements will be significantly better than what exists today and will therefore improve emergency vehicle access which is important to not only the property that is part of this application but the entire area in general. It is also noteworthy that the roadway performed satisfactorily to Cal Fire emergency response efforts during the October 2017 wildfires without any of the proposed improvements.

We look forward to hearing from a representative from your department to discuss any questions that may arise during review of this request. Please contact us at (707) 320-4968 if you have any questions.

Sincerely,

Applied Civil Engineering Incorporated

By:

*Michael R. Muelrath*

Michael R. Muelrath, R.C.E. 67435  
Principal



Copy:

- Cyril Chappellet, Chappellet Winery (via email)
- Dominic Chappellet, Chappellet Winery (via email)
- Devonna Smith, Chappellet Winery (via email)
- Dave Pirio, Chappellet Winery (via email)
- Phillip Corallo-Titus, Chappellet Winery (via email)
- Jeffrey Redding (via email)

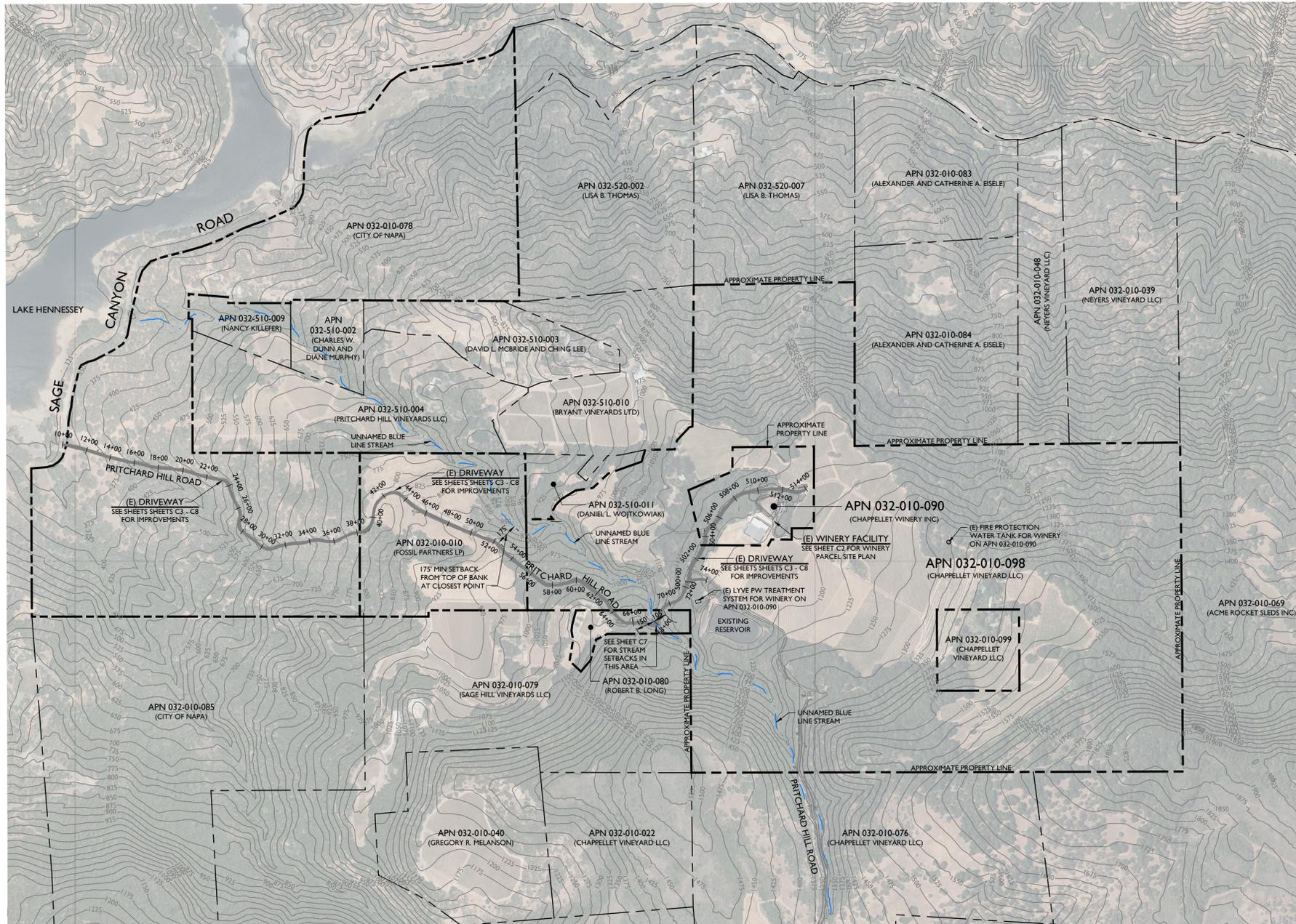
Enclosures:

Chappellet Winery Use Permit Modification Conceptual Site Plans

## Attachment 2

# CHAPPELLET WINERY

## USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS



OVERALL SITE PLAN  
SCALE: 1" = 500'

**TREE REMOVAL INVENTORY**

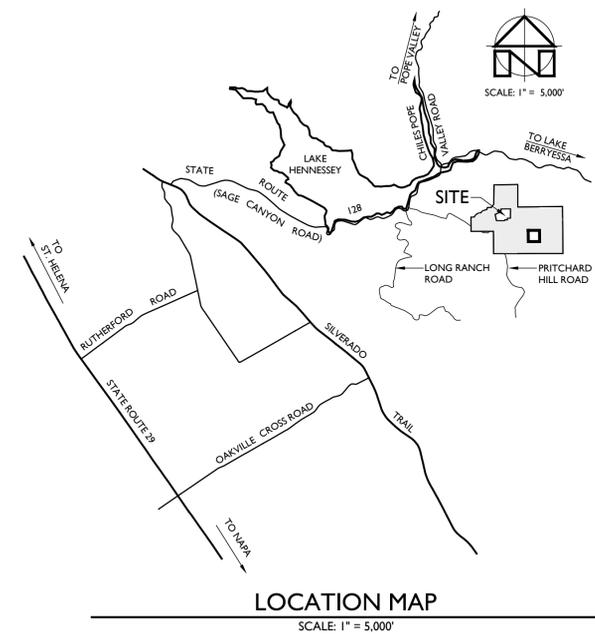
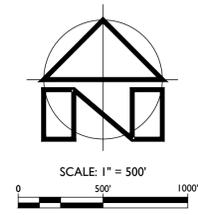
STATION & DISTANCE LEFT/RIGHT	TREE TYPE & SIZE
STA: 28+31.21, 12'LT	BLU 8-12/30
STA: 37+10.78, 11'RT	BLU 10/25
STA: 37+22.21, 15'LT	BLU 10/20
STA: 37+33.29, 11'LT	BLU 26/35
STA: 37+36.54, 15'RT	BLU 10/20
STA: 37+66.07, 11'LT	BLU 20/40
STA: 49+74.08, 10'LT	LO 8/15
STA: 50+90.72, 15'LT	LO 12/25
STA: 51+63.74, 15'RT	BO 4x6/30
STA: 52+47.49, 17'RT	LO 14/30
STA: 53+47.81, 16'RT	BO 30/60
STA: 53+98.23, 13'RT	LO 12/30
STA: 65+33.40, 14'LT	BO 16/40
STA: 65+39.36, 15'LT	BO 14/30
STA: 501+88.85, 12'RT	MAD 16/30
STA: 502+56.15, 13'RT	LO 16/35
STA: 503+65.61, 17'RT	BO 18/40
STA: 503+66.03, 14'RT	BO 16/35
STA: 507+99.46, 15'LT	MAD 18/35

**GRADING QUANTITIES\***

CUT	925 ± CY
FILL	400 ± CY
NET**	525 ± CY (CUT)

\* THIS ESTIMATE IS PROVIDED AS A TOOL FOR THE REVIEWING AGENCIES TO EVALUATE THE ENVIRONMENTAL IMPACTS OF THE PROJECT. IT IS NOT INTENDED TO BE USED FOR CONSTRUCTION PURPOSES. CONTRACTOR IS TO PERFORM THEIR OWN EARTHWORK CALCULATIONS AND SHALL NOT USE THE ESTIMATES PRESENTED ABOVE. THIS ESTIMATE IS BASED ON IN PLACE VOLUMES AND DOES NOT INCLUDE FLUFF, SHRINKAGE, PAVING, AGGREGATES OR SELECT FILL VOLUMES.

\*\* EXCESS SOIL CUT FROM THE PROJECT WILL BE HAULED OFFSITE TO A LOCATION THAT MUST BE PRE-APPROVED BY NAPA COUNTY.



**PROJECT INFORMATION:**

PROPERTY OWNER & APPLICANT:  
CHAPPELLET WINERY INC.  
c/o CYRIL CHAPPELLET  
1581 SAGE CANYON ROAD  
ST. HELENA, CA 94558  
(707) 286-4219

SITE ADDRESS:  
1581 SAGE CANYON ROAD  
ST. HELENA, CA 94558

ASSESSOR'S PARCEL NUMBER:  
032-010-090

PARCEL SIZE:  
15.1 ± ACRES

PROJECT SIZE:  
1.0 ± ACRE

ZONING:  
AGRICULTURAL WATERSHED (AW)

DOMESTIC WATER SOURCE:  
PRIVATE WELL

FIRE PROTECTION WATER SOURCE:  
STORAGE TANK

WASTEWATER DISPOSAL:  
ONSITE TREATMENT AND DISPERSAL

**NOTES:**

- FADED BACKGROUND REPRESENTS EXISTING TOPOGRAPHIC FEATURES. TOPOGRAPHIC INFORMATION ON SHEET C1 WAS TAKEN FROM THE NAPA COUNTY GEOGRAPHIC INFORMATION SYSTEM DATABASE. TOPOGRAPHIC INFORMATION ON THE REMAINING SHEETS WAS TAKEN FROM THE "MAP OF TOPOGRAPHY OF A PORTION OF THE LANDS OF CHAPPELLET" PREPARED BY ALBION SURVEYS, INC., DATED SEPTEMBER 2005 REVISED APRIL 30, 2018. APPLIED CIVIL ENGINEERING INCORPORATED ASSUMES NO LIABILITY REGARDING THE ACCURACY OR COMPLETENESS OF THE TOPOGRAPHIC INFORMATION.
- AERIAL PHOTOGRAPHS WERE OBTAINED FROM THE SAN FRANCISCO ESTUARY INSTITUTE (SFEI) SAN FRANCISCO BAY AREA ORTHOPHOTOS DATABASE, DATED JUNE 2014 AND MAY NOT REPRESENT CURRENT CONDITIONS.
- CONTOUR INTERVAL:  
SHEET C1: TWENTY FIVE (25) FEET.  
REMAINING SHEETS: ONE (1) FOOT, HIGHLIGHTED EVERY FIVE (5) FEET.
- BENCHMARK:  
SHEET C1: NAVD 88  
REMAINING SHEETS: ASSUMED
- THE PROPERTY LINES SHOWN ON THESE PLANS DO NOT REPRESENT A BOUNDARY SURVEY. THEY ARE APPROXIMATE AND ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

**SHEET INDEX:**

- |     |  |
|-----|--|
| C1  | OVERALL SITE PLAN  |
| C2  | WINERY PARCEL SITE PLAN                                    |
| C3  | DRIVEWAY PLAN STA 10+00 TO STA 22+00                       |
| C4  | DRIVEWAY PLAN STA 22+00 TO STA 35+00                       |
| C5  | DRIVEWAY PLAN STA 35+00 TO STA 48+00                       |
| C5A | DRIVEWAY REALIGNMENT PLAN & PROFILE STA 34+00 TO STA 40+00 |
| C6  | DRIVEWAY PLAN STA 48+00 TO STA 60+25                       |
| C7  | DRIVEWAY PLAN STA 60+25 TO STA 72+50                       |
| C8  | DRIVEWAY PLAN STA 500+00 TO STA 512+50                     |
| C9  | DRIVEWAY PROFILE STA 10+00 TO STA 46+00                    |
| C10 | DRIVEWAY PROFILE STA 46+00 TO STA 72+50                    |
| C11 | DRIVEWAY PROFILE STA 500+00 TO STA 514+00                  |

PREPARED UNDER THE DIRECTION OF:



DRAWN BY:  
BT DRAFTING

CHECKED BY:  
MRM

DATE:  
JUNE 28, 2019

REVISIONS: BY:

10/23/2018 BT  
RESPONSE TO COMMENTS #1

6/28/2019 BT  
RESPONSE TO COMMENTS #2

8/30/2019 BT  
RESPONSE TO COMMENTS #3

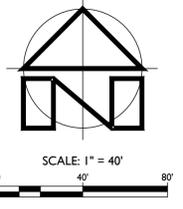
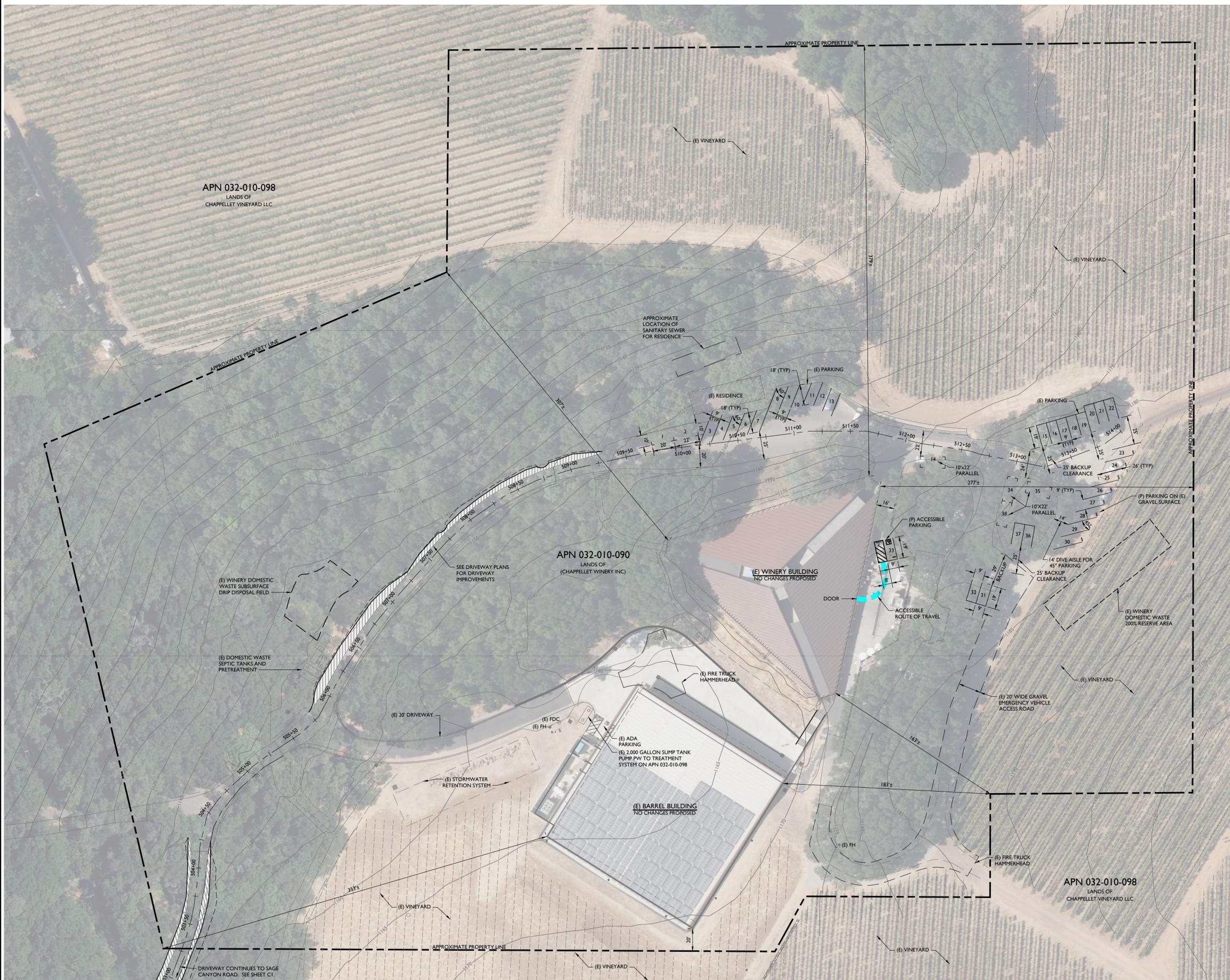
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10-139

FILE:  
10-139CON\_OSP-R.DWG

ORIGINAL SIZE:  
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SHEET NUMBER:

C1  
OF



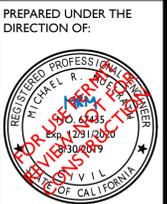
**PARKING SUMMARY**

EXISTING	26
PROPOSED	38

\* ALL EXISTING PARKING IS ON EXISTING ALL WEATHER SURFACE. OWNER TO STRIPE WITH PAINT, CHALK OR OTHER MEANS AS NEEDED TO IDENTIFY LOCATIONS.

**WINERY PARCEL SITE PLAN**  
SCALE: 1" = 40'

**CHAPPELLET WINERY**  
**USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS**  
**WINERY PARCEL SITE PLAN**

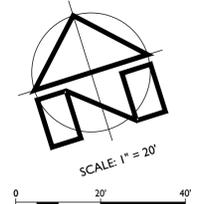


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CHECKED BY:	MRM
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REVISIONS:	BY:
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RESPONSE TO COMMENTS #1	
6/28/2019	BT
RESPONSE TO COMMENTS #2	
8/30/2019	BT
RESPONSE TO COMMENTS #3	

JOB NUMBER:	10-139
FILE:	10-139CON_OSP.DWG
ORIGINAL SIZE:	24" X 36"
SHEET NUMBER:	

SAGE CANYON ROAD  
(STATE ROUTE 128)



STA 11+75 TO STA 34+50  
EXCEPTION REQUESTED TO ALLOW  
REDUCED WIDTH DUE TO STEEP  
SLOPES AND TREES ON BOTH SIDES  
OF DRIVEWAY. INSTALL TURNOUTS  
AS PREVIOUSLY APPROVED FOR 1551  
SAGE CANYON ROAD.

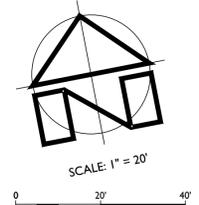
APN 032-010-078  
LANDS OF  
THE CITY OF NAPA

STA 10+00 TO STA 11+75  
(E) PAVED WIDTH  $\geq$  20'

STA 11+75 TO STA 34+50  
EXCEPTION REQUESTED TO ALLOW  
REDUCED WIDTH DUE TO STEEP  
SLOPES AND TREES ON BOTH SIDES  
OF DRIVEWAY. INSTALL TURNOUTS  
AS PREVIOUSLY APPROVED FOR 1551  
SAGE CANYON ROAD.

MATCHLINE STA 16+00

DRIVEWAY PLAN  
STA 10+00 TO STA 16+00  
SCALE: 1" = 20'



STA 11+75 TO STA 34+50  
EXCEPTION REQUESTED TO ALLOW  
REDUCED WIDTH DUE TO STEEP  
SLOPES AND TREES ON BOTH SIDES  
OF DRIVEWAY. INSTALL TURNOUTS  
AS PREVIOUSLY APPROVED FOR 1551  
SAGE CANYON ROAD.

APN 032-010-078  
LANDS OF  
THE CITY OF NAPA

MATCHLINE STA 16+00

MATCHLINE STA 22+00

DRIVEWAY PLAN  
STA 16+00 TO STA 22+00  
SCALE: 1" = 20'

CHAPPELLET WINERY  
USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS  
DRIVEWAY PLAN STA 10+00 TO STA 22+00

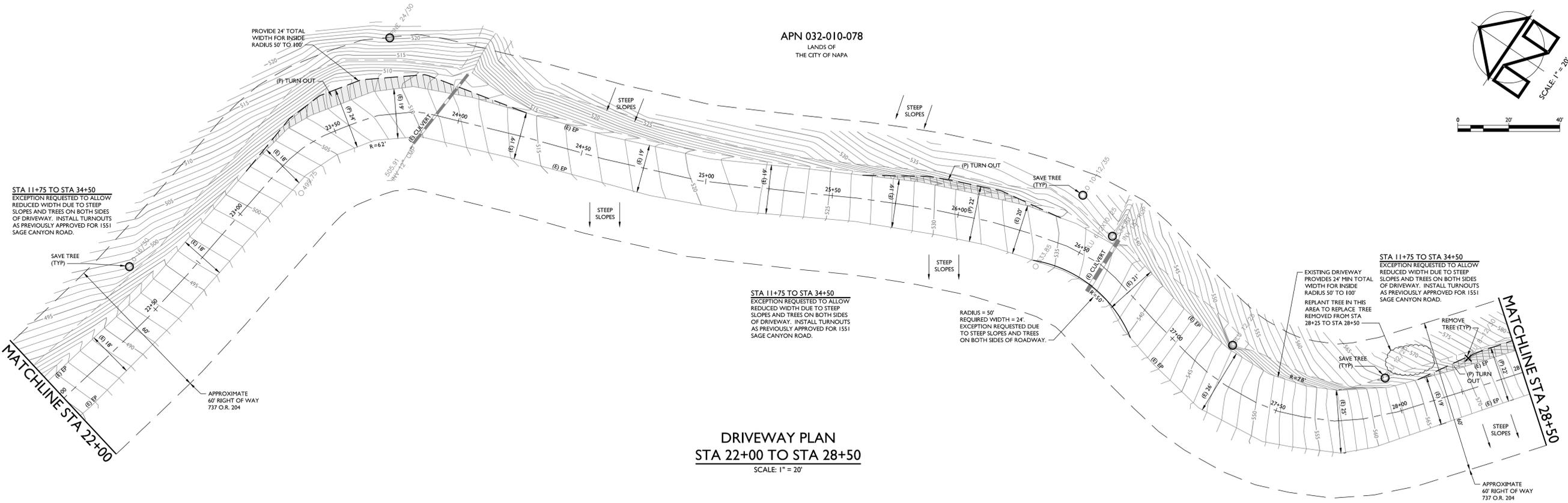
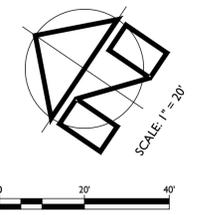
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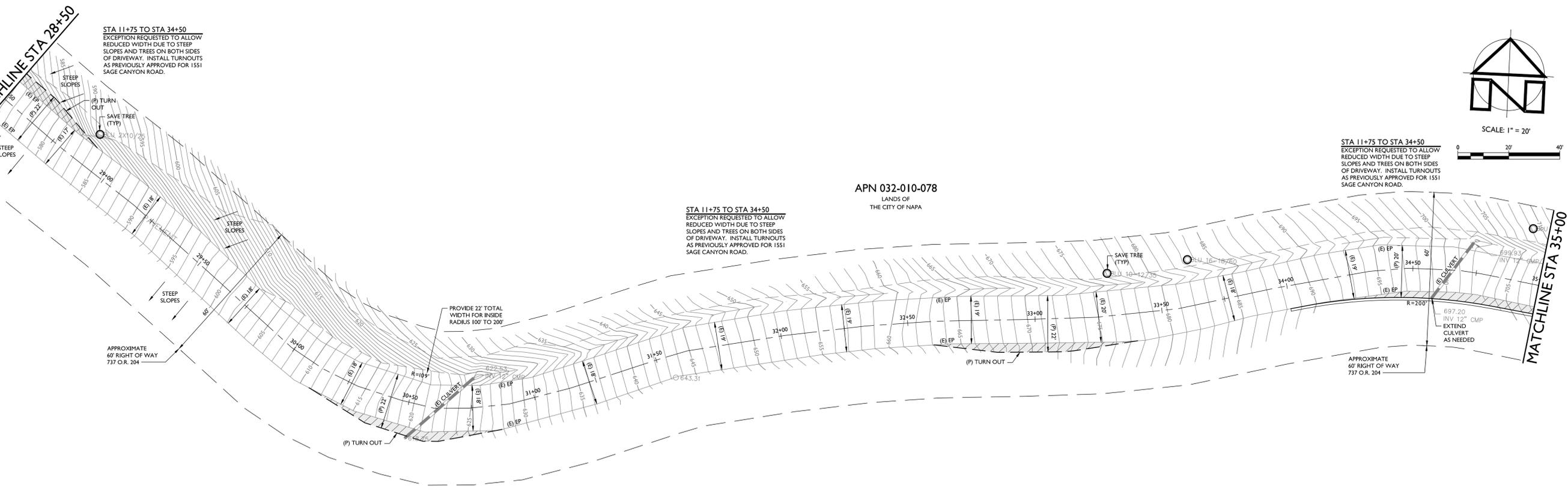
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SHEET NUMBER:

APN 032-010-078  
LANDS OF  
THE CITY OF NAPA

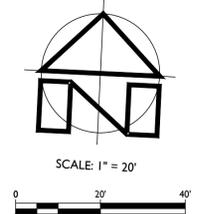


DRIVEWAY PLAN  
STA 22+00 TO STA 28+50  
SCALE: 1" = 20'



DRIVEWAY PLAN  
STA 28+50 TO STA 35+00  
SCALE: 1" = 20'

APN 032-010-078  
LANDS OF  
THE CITY OF NAPA



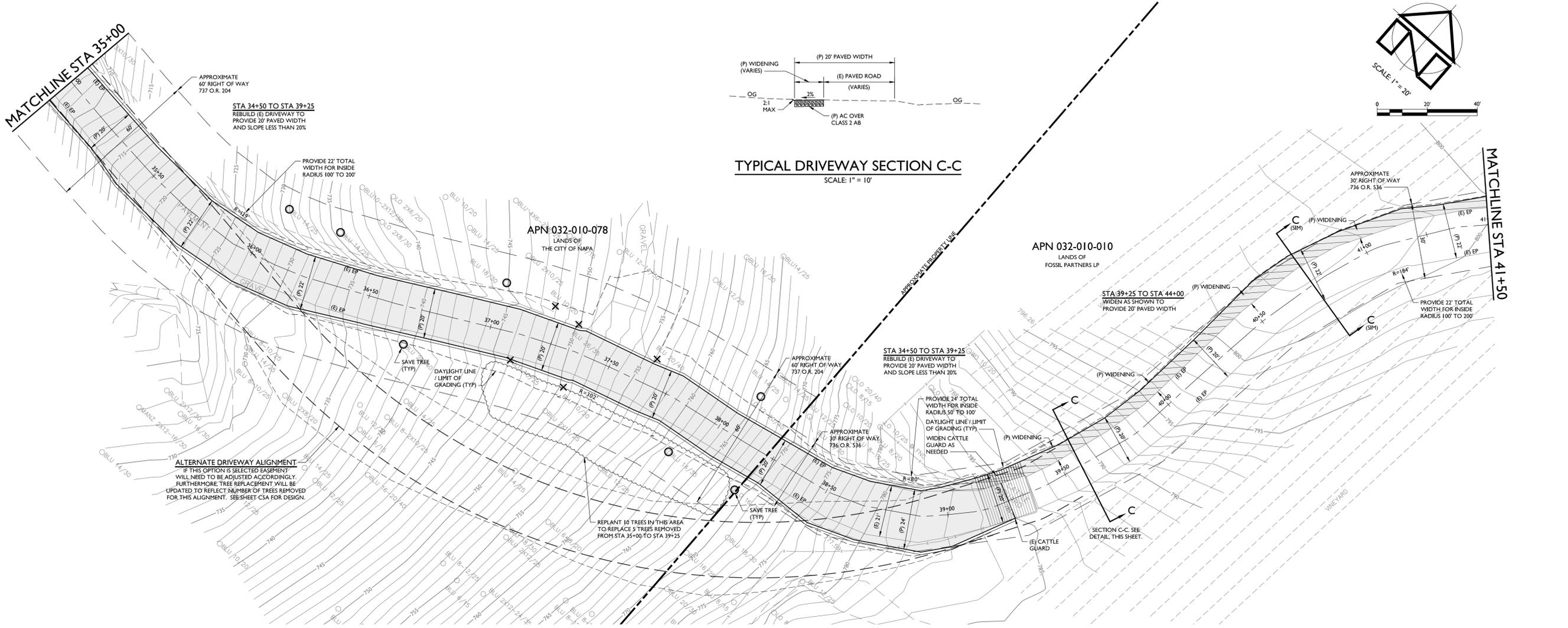
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USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS  
DRIVEWAY PLAN STA 22+00 TO STA 35+00



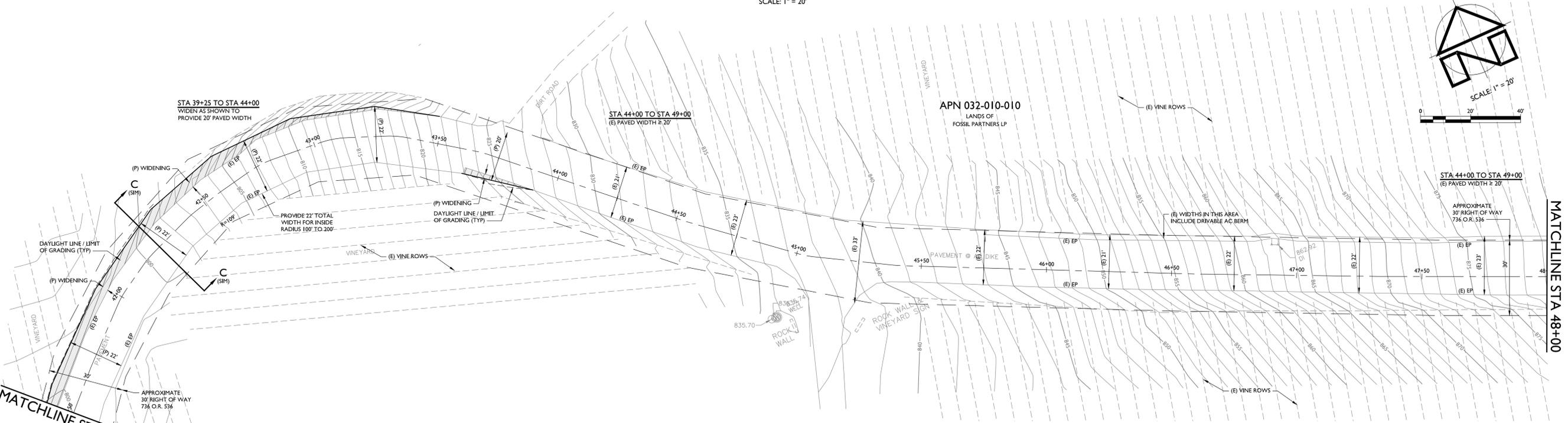
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REVISIONS:	BY:
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8/30/2019	BT
RESPONSE TO COMMENTS #3	

JOB NUMBER:  
10-139  
FILE:  
10-139CON\_P&P.DWG  
ORIGINAL SIZE:  
24" X 36"  
SHEET NUMBER:



**DRIVEWAY PLAN**  
**STA 35+00 TO STA 41+50**  
SCALE: 1" = 20'



**DRIVEWAY PLAN**  
**STA 41+50 TO STA 48+00**  
SCALE: 1" = 20'

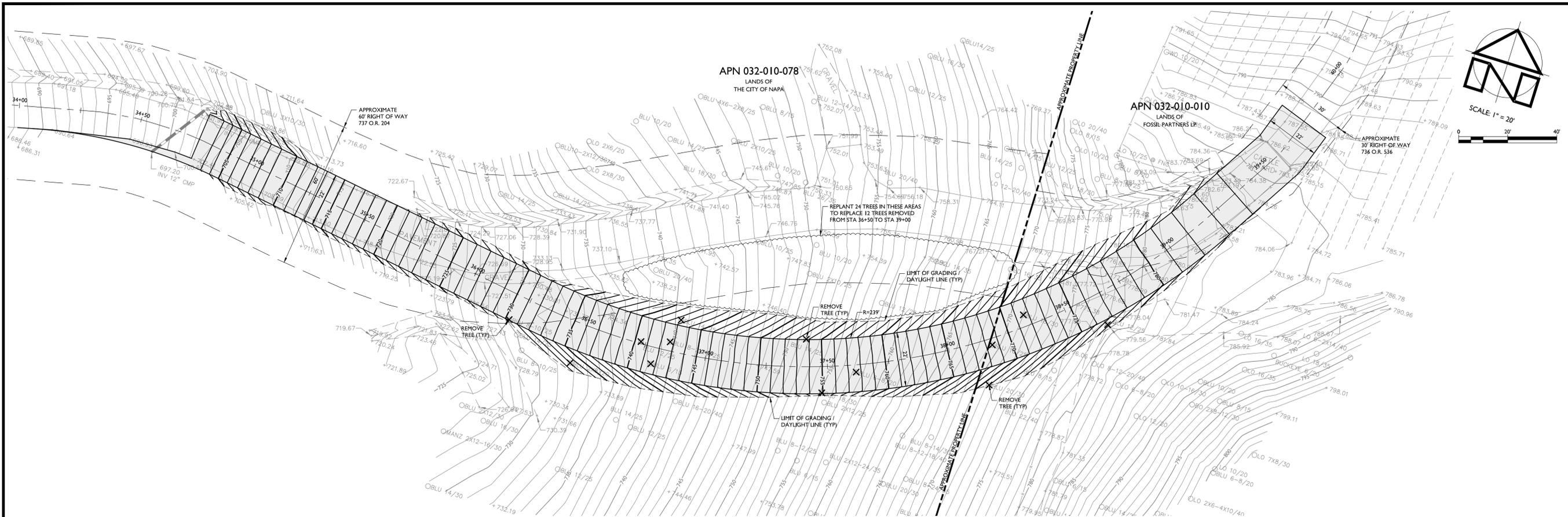
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PREPARED UNDER THE DIRECTION OF:

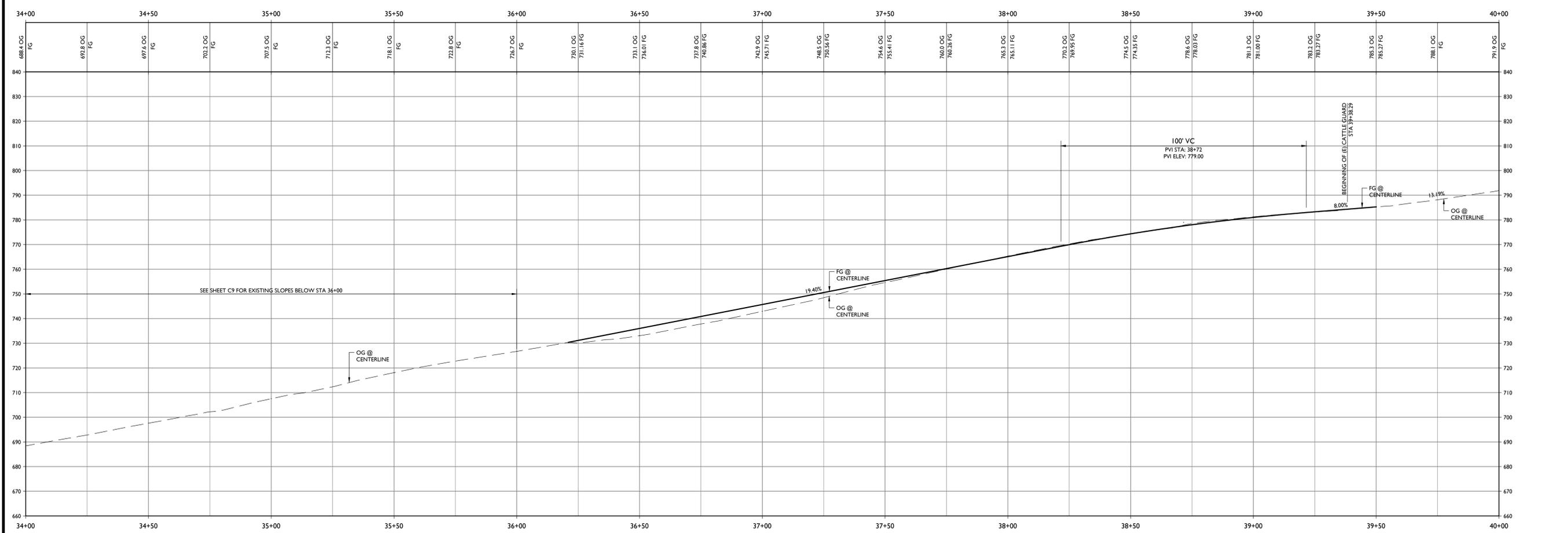


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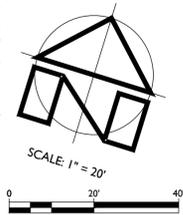
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ORIGINAL SIZE:	24" X 36"
SHEET NUMBER:	



**DRIVEWAY REALIGNMENT PLAN**  
SCALE: 1" = 20'



**DRIVEWAY REALIGNMENT PROFILE**  
SCALE: 1" = 20'



**CHAPPELLET WINERY**  
 USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS  
 DRIVEWAY REALIGNMENT PLAN & PROFILE STA 34+00 TO STA 40+00

PREPARED UNDER THE DIRECTION OF:



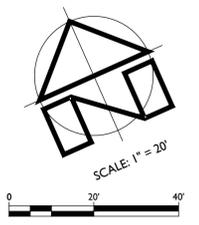
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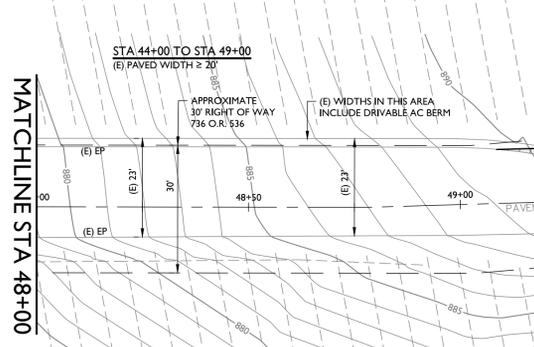
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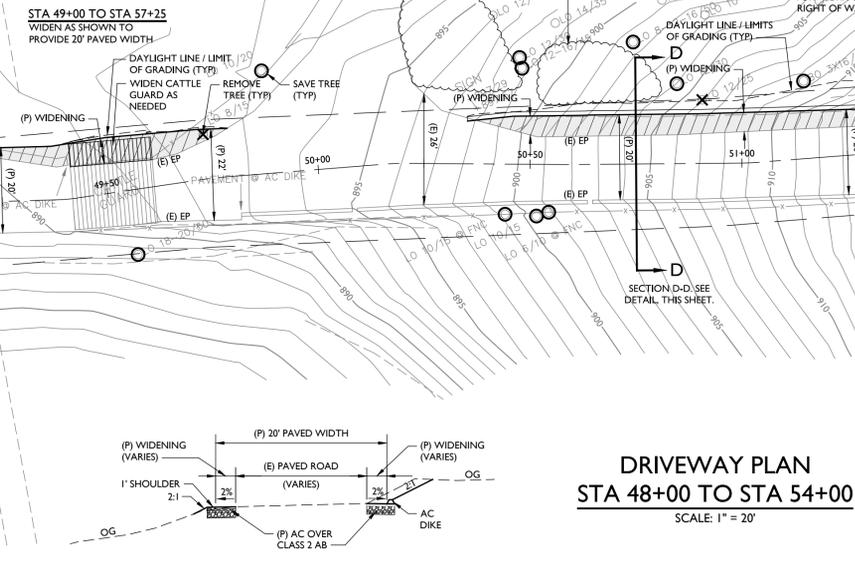
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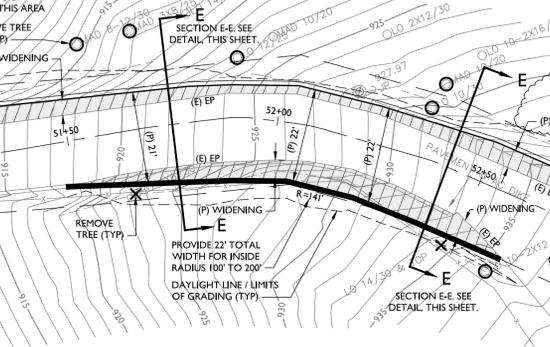
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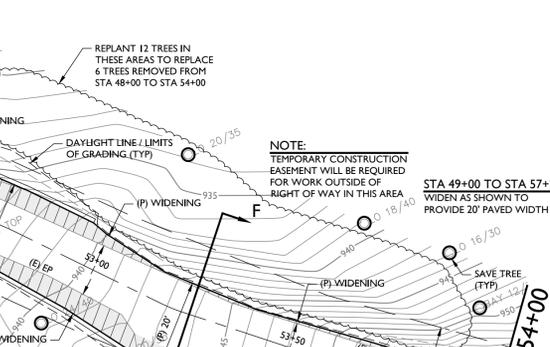
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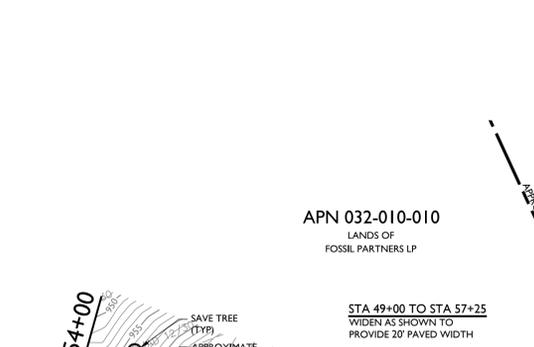
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SCALE: 1" = 10'



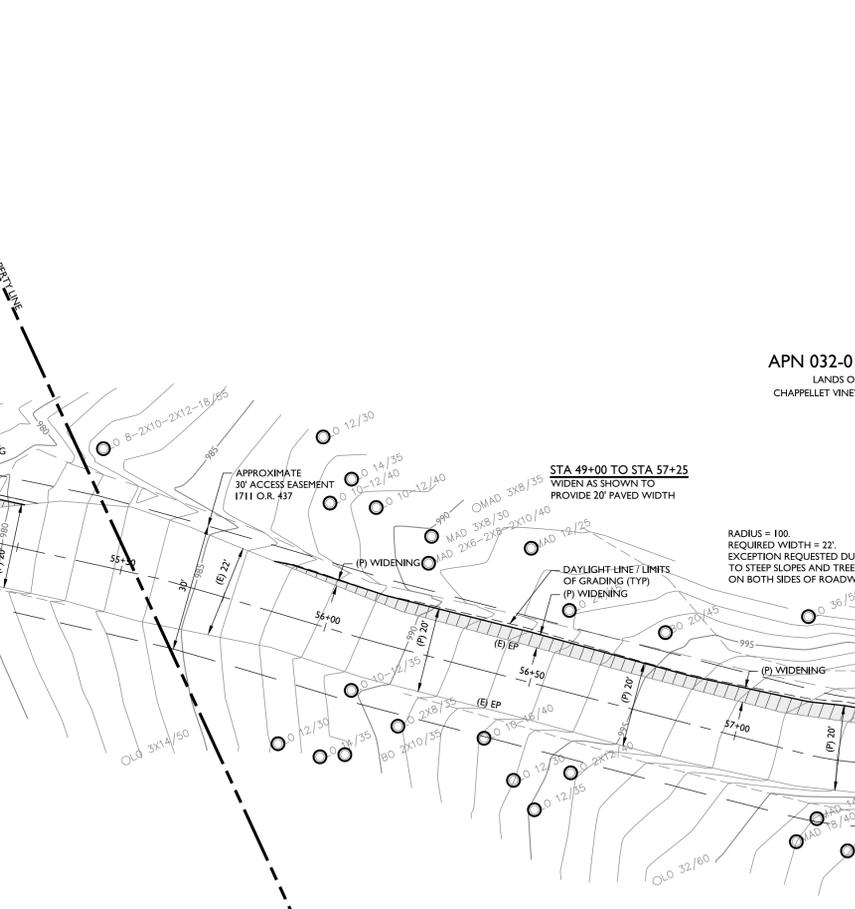
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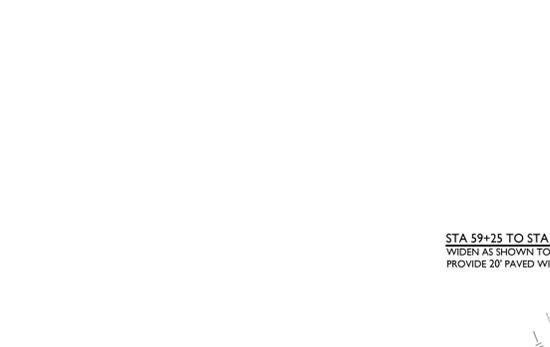
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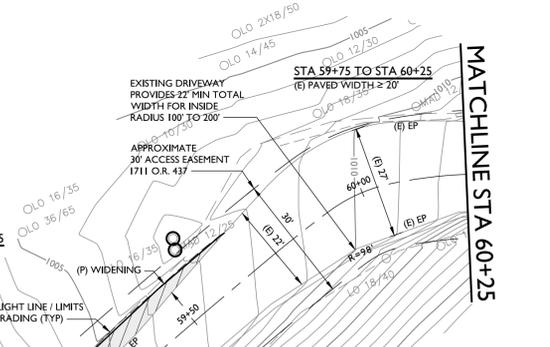
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SCALE: 1" = 20'



**TYPICAL DRIVEWAY SECTION E-E**  
SCALE: 1" = 10'

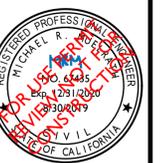


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SCALE: 1" = 10'



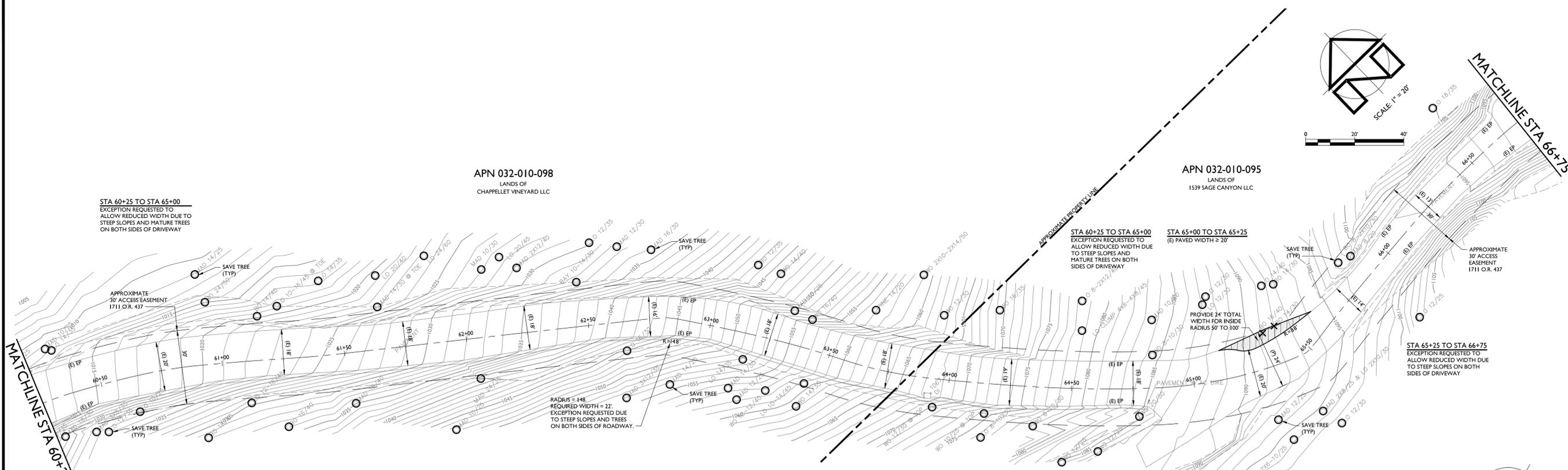
CHAPPELLET WINERY  
USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS  
DRIVEWAY PLAN STA 48+00 TO STA 60+25

PREPARED UNDER THE DIRECTION OF:

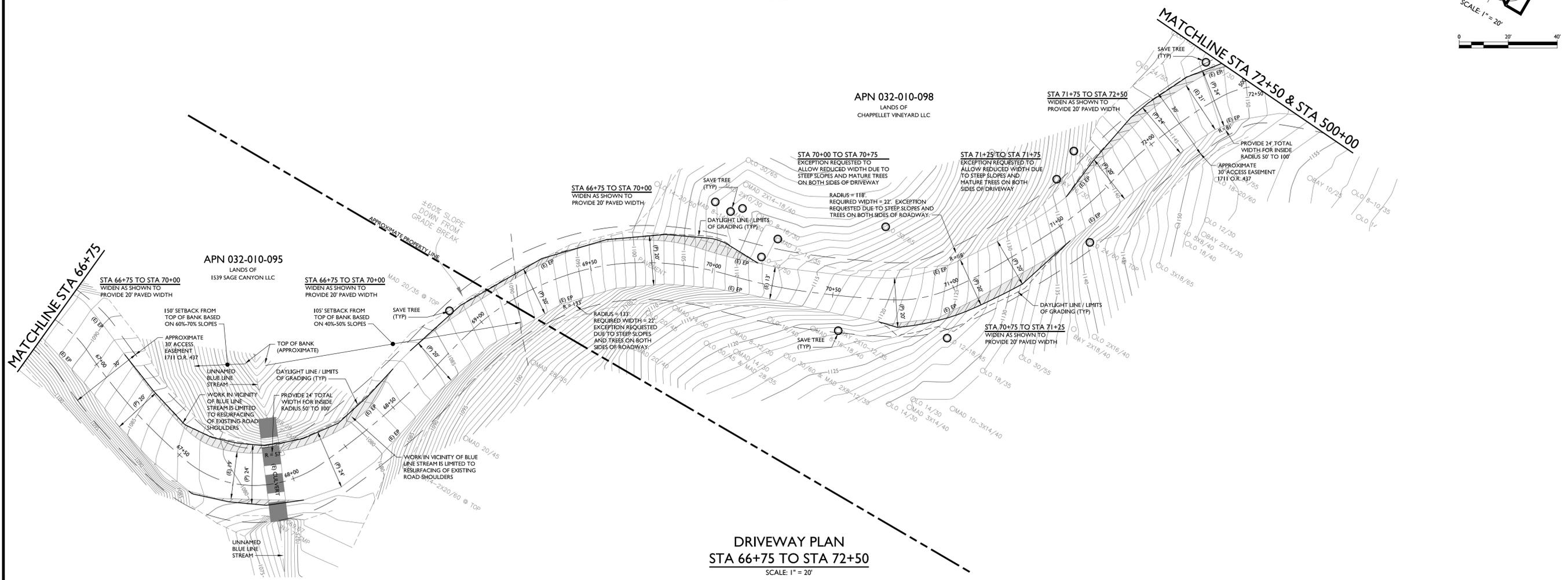


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CHECKED BY:	MRM
DATE:	JUNE 28, 2019
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1	10/23/2018 BT
2	RESPONSE TO COMMENTS #1
3	6/28/2019 BT
4	RESPONSE TO COMMENTS #2
5	8/30/2019 BT
6	RESPONSE TO COMMENTS #3

JOB NUMBER:	10-139
FILE:	10-139CON_P&P.DWG
ORIGINAL SIZE:	24" X 36"
SHEET NUMBER:	



**DRIVEWAY PLAN  
STA 60+25 TO STA 66+75**  
SCALE: 1" = 20'



**DRIVEWAY PLAN  
STA 66+75 TO STA 72+50**  
SCALE: 1" = 20'

**CHAPPELLET WINERY**

USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS  
DRIVEWAY PLAN STA 60+25 TO STA 72+50

PREPARED UNDER THE DIRECTION OF:



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BT DRAFTING

CHECKED BY:  
MRM

DATE:  
JUNE 28, 2019

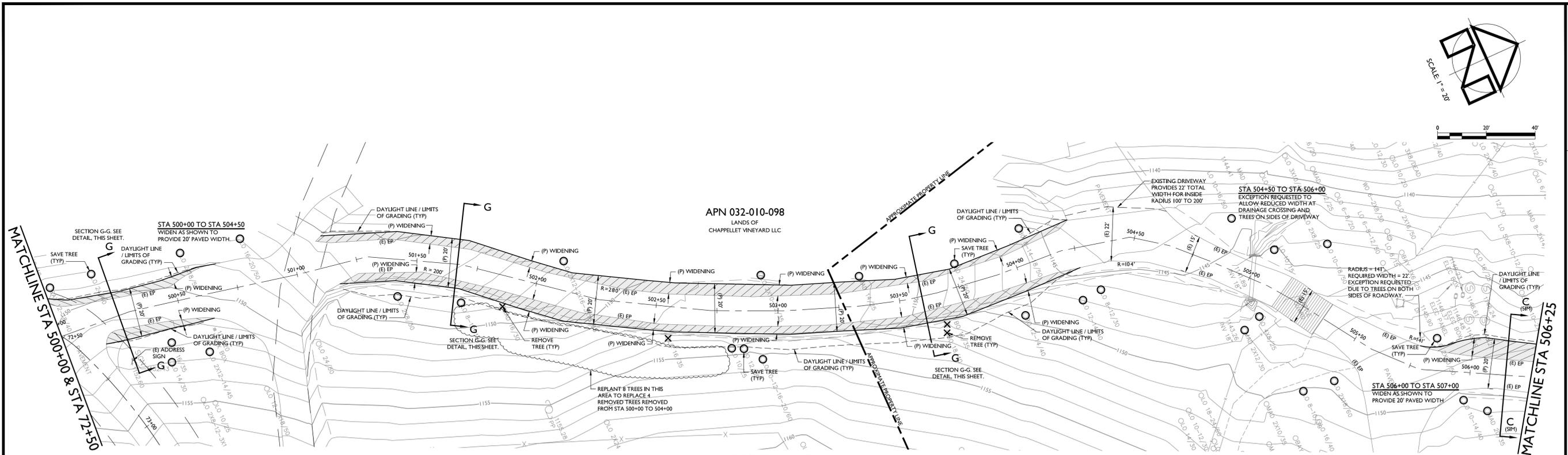
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JOB NUMBER:  
10-139

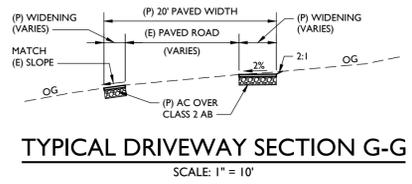
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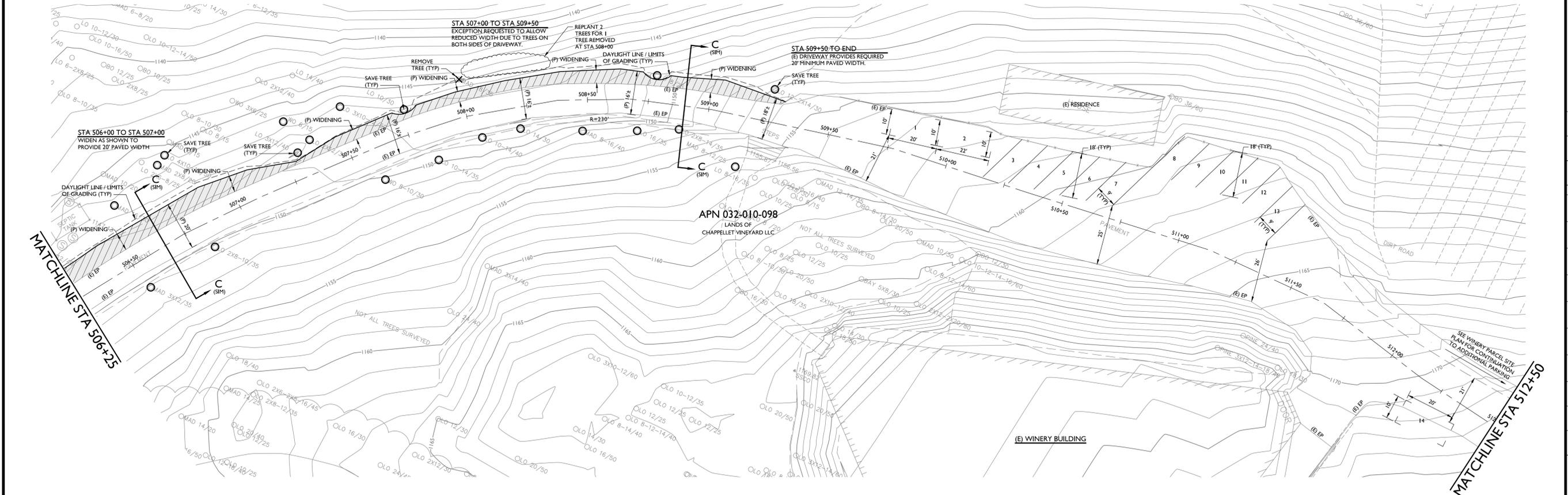
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**DRIVEWAY PLAN**  
**STA 500+00 TO STA 506+25**  
SCALE: 1" = 20'



**TYPICAL DRIVEWAY SECTION G-G**  
SCALE: 1" = 10'



**DRIVEWAY PLAN**  
**STA 506+25 TO STA 512+50**  
SCALE: 1" = 20'

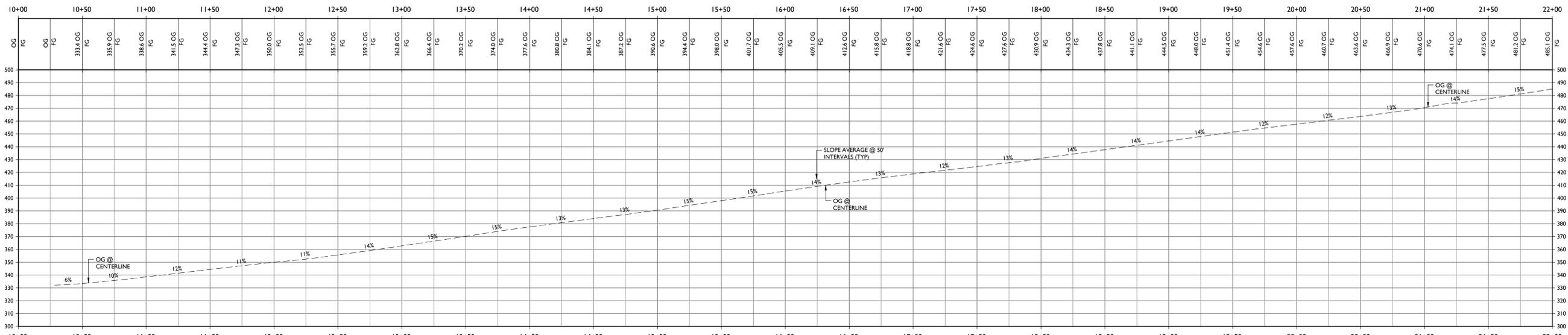
CHAPPELLET WINERY  
USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS  
DRIVEWAY PLAN STA 500+00 TO STA 512+50

PREPARED UNDER THE DIRECTION OF:



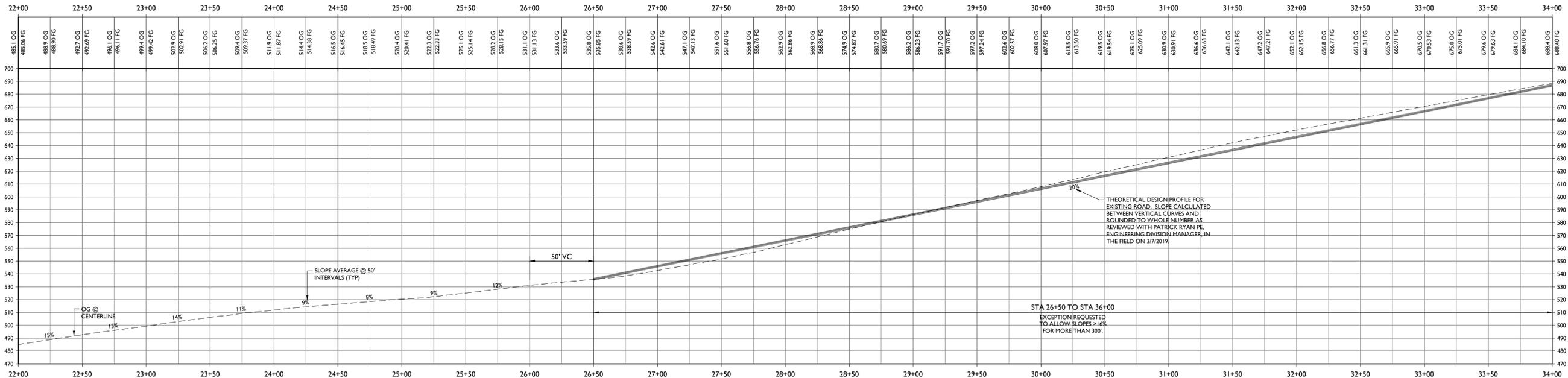
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DATE:	JUNE 28, 2019
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RESPONSE TO COMMENTS #2	
8/30/2019	BT
RESPONSE TO COMMENTS #3	

JOB NUMBER:	10-139
FILE:	10-139CON_P&P.DWG
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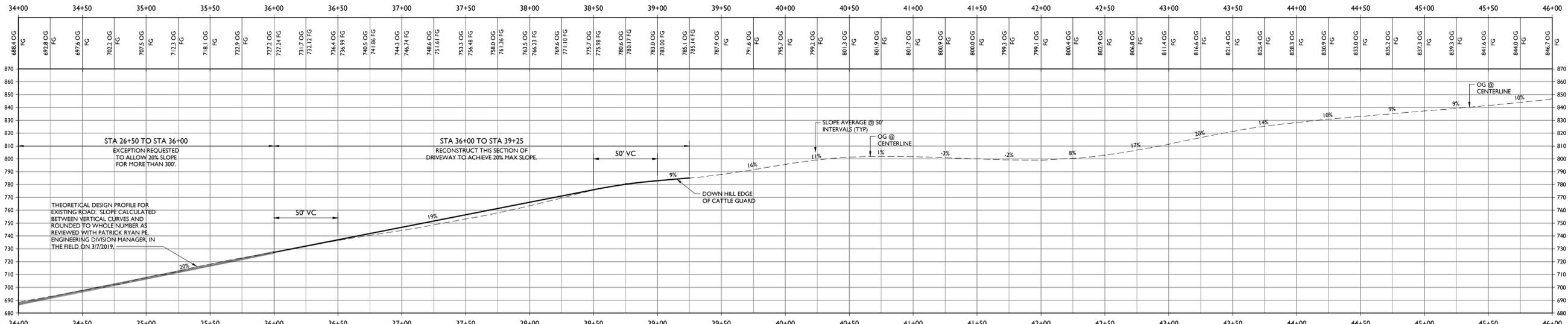
DRIVEWAY PROFILE STA 10+00 TO STA 22+00

SCALE: 1" = 40'



DRIVEWAY PROFILE STA 22+00 TO STA 34+00

SCALE: 1" = 40'



DRIVEWAY PROFILE STA 34+00 TO STA 46+00

SCALE: 1" = 40'

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CHECKED BY: MRM

DATE: JUNE 28, 2019

REVISIONS: BY:

10/23/2018 RESPONSE TO COMMENTS #1 BT

6/28/2019 RESPONSE TO COMMENTS #2 BT

8/30/2019 RESPONSE TO COMMENTS #3 BT

JOB NUMBER: 10-139

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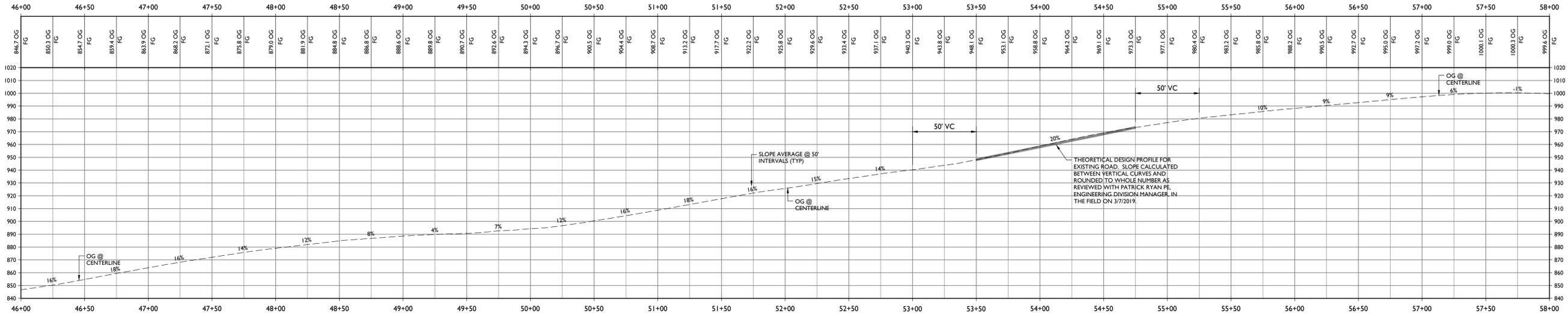
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C9

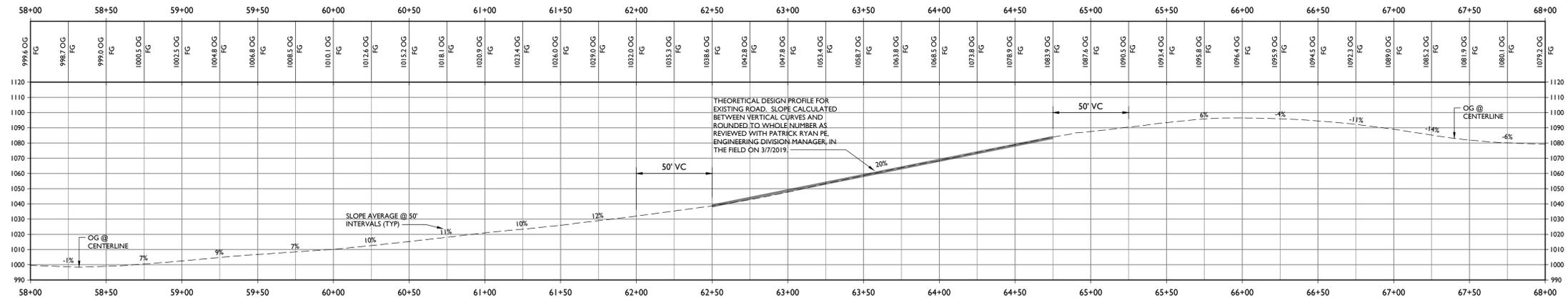
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12



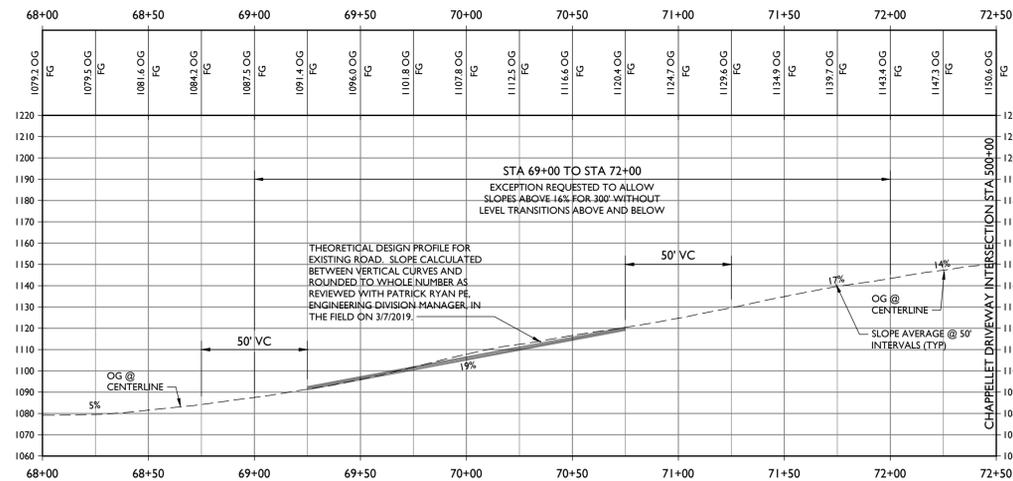
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SCALE: 1" = 40'



DRIVEWAY PROFILE STA 58+00 TO STA 68+00

SCALE: 1" = 40'



DRIVEWAY PROFILE STA 68+00 TO STA 72+50

SCALE: 1" = 40'

PREPARED UNDER THE DIRECTION OF:



DRAWN BY: BT DRAFTING

CHECKED BY: MRM

DATE: JUNE 28, 2019

REVISIONS:	BY:
10/23/2018	BT
RESPONSE TO COMMENTS #1	
6/28/2019	BT
RESPONSE TO COMMENTS #2	
8/30/2019	BT
RESPONSE TO COMMENTS #3	

JOB NUMBER: 10-139

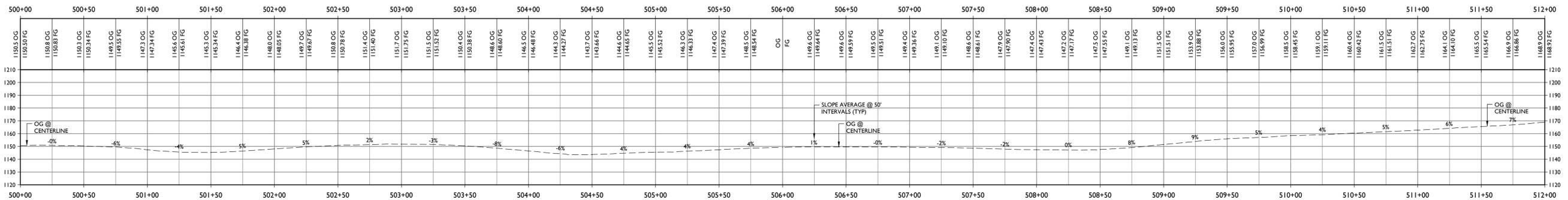
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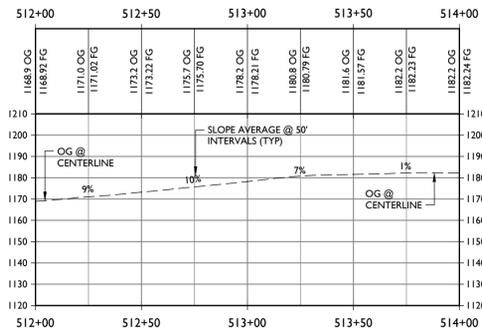
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C10  
OF

**CHAPPELLET WINERY**  
 USE PERMIT MODIFICATION CONCEPTUAL SITE PLANS  
 DRIVEWAY PROFILE STA 500+00 TO STA 514+00



**DRIVEWAY PROFILE STA 500+00 TO STA 512+00**  
SCALE: 1" = 40'



**DRIVEWAY PROFILE STA 512+00 TO STA 514+00**  
SCALE: 1" = 40'

PREPARED UNDER THE DIRECTION OF:



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BT DRAFTING

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MRM

DATE:  
JUNE 28, 2019

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6/28/2019 RESPONSE TO COMMENTS #2	BT
8/30/2019 RESPONSE TO COMMENTS #3	BT

JOB NUMBER:  
10-139

FILE:  
10-139CON\_P&P.DWG

ORIGINAL SIZE:  
24" X 36"

SHEET NUMBER:



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Planning, Building & Environmental Services

1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

David Morrison  
Director

## MEMORANDUM

To: Jason Hade, Planner III	From: Darell Choate EHS
Date: September 4, 2018	Re: Use Permit Application for Chappellet Winery Located at 1581 Sage Cyn. Rd., St. Helena Assessor Parcel # 032-010-090-000 Permit# P18-00307

Environmental Health Division staff has reviewed an application for Chappellet Winery. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.

During construction and/or prior to final occupancy being granted:

1. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
2. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

1. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet

compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities.

2. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.
3. The applicant shall provide portable toilet facilities for guest use during events of 40 persons or more as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.
4. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
5. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal. The designated area shall remain available and be properly maintained for its intended use.
6. The existing well must be properly protected from potential contamination. If the existing well(s) is to be destroyed, a well destruction permit must be obtained from this Division by a licensed well driller. If this well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water System's specifications.



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Main: (707) 253-4417  
Fax: (707) 253-4336

David Morrison  
Director

To: Jason Hade, Project Planner	From: Marie Taylor, Building Inspector
Date: August 31, 2018	Re: Use Permit – Chappellet Winery File # P18-00307 Address: 1581 Sage Canyon Road St. Helena, Ca. 94558 APN: 032-010-090

### Building Inspection Division; Planning Use Permit Review Comments

The plans provided for the Use Permit application P18-000307 do not provide enough information in sufficient detail to determine code requirements. A complete plan check will be performed at the time of application and plan submittal to the building division for required permits. The following are provided to prepare the applicant for some standard submittal requirements for the plan review of the building permit process.

Any existing structures and/or buildings on the property that will be demolished require a separate demolition permit issued by The Napa County Building Division prior to demolition. The applicant will be required to provide a J number form Bay Area Air Quality Management District at the time of application for the permit.

The site and associated buildings are required to be accessible to persons with disabilities. This includes but not limited to, parking, accessible path of travel from parking to all buildings and areas on site that are available to employees and the public. Plans must also include all accessibility features for the interior work. An Accessible Upgrade Worksheet must be submitted with plans as a part of the permit process.

Occupant load will determine occupancy types, exiting requirements, and restroom facilities.

Any change in occupancy or use will require building to comply with the requirements of the California Building Code for a new occupancy or use.

Should you have any questions, please contact Marie Taylor at (707) 299-1359



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Department of Public Works

1195 Third Street, Suite 101  
Napa, CA 94559-3092  
[www.countyofnapa.org/publicworks](http://www.countyofnapa.org/publicworks)

Main: (707) 253-4351  
Fax: (707) 253-4627

**Steven Lederer**  
Director

## MEMORANDUM

To: PBES Staff	From: Ahsan Kazmi, P.E. Senior Traffic Engineer
Date: Revised March 26, 2020	Re: Chappellet Winery (P18-00307) DPW Conditions of Approval

This memorandum is prepared in regards to the revised Draft Traffic Impact Study (TIS) Report and Response to Comments Memorandum, both prepared by W-Trans, for the Chappellet Winery Use Permit Modification, dated November 27, 2019. DPW has determined the revised report addresses the comments sent from the County to the project sponsor and W-Trans on August 19, 2019. The following conditions of approval for Use Permit Application Number P18-00307 are recommended by DPW:

### I. Silverado Trail/Sage Canyon Road

The TIS deemed the deterioration of this intersection to LOS F, with an increase volume of 8.3 percent, during the Future plus Project weekday p.m. peak hour. To mitigate, the project operations plan would need to be revised to reduce the number of outbound trips during the weekday p.m. peak hour by at least 5 trips.

Under Future plus Marketing Event Conditions, the intersection deteriorates to LOS F with events with 200 people during the peak weekend days. To mitigate, the project shall implement the Transportation Demand Management Plan as proposed in the TIS, particularly the *Alternative Shift Schedule* that will require five employees to end their work day at 3:15 p.m. and another five employees to end their work day at 6:00 p.m. After issuance of a Final Certificate of Occupancy, an Ongoing Monitoring and Reporting Statement shall be submitted to the Planning Division on January 15 of each year.

### II. Transportation Impact Fee (TIF) Program

The project applicant has proposed to pay into the upcoming traffic impact fee program. It is noted that prior to issuance of the grading permit for driveway improvements or other increase in intensity requested by this modification, the permittee shall make payment of funds in accordance with any countywide transportation impact fee (TIF) program if adopted by the Board of Supervisors by the date specified below. Upon determination of good cause, the PBES Director or the Director's designee may allow a deferral of the fee payment until after issuance of the grading permit, but in no case shall any extension granted under this Condition 6.1.d allow the fee to be paid later than issuance by the County certification of completion of the driveway improvements and approval to increase intensification of uses. Notwithstanding the above sentence, this paragraph and the voluntary commitment to pay the fees becomes null and void if the County has not adopted the TIF by May 31, 2022. The fee paid will be in accordance with the adopted TIF, but in no case will it exceed \$439/trip for 62 daily net trips.

**III. Left Turn Lane Exception**

Based on the findings disclosed in the report, a left-turn lane is warranted at the intersection of Sage Canyon Road at the project driveway per the County's standards. However, a left turn lane is not warranted per Caltrans standards. In a letter by Mr. Jeff Redding, AICP, for Chappellet Winery Inc., to Mr. Steven Lederer, Director, Department of Public Works dated; March 17, 2020, requested for exception to Napa County Road and Street Standards (NCRSS) per Paragraph 3(d) of the current NCRSS. Based on the justifications and facts provided in Mr. Redding's letter, Mr. Lederer granted an exception for waiving a left turn requirements on March 24, 2020 (both documents are attached).

**IV. Traffic**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property shall be maintained in good working condition subject to the review and approval of the Department of Public Works.

**V. Encroachment Permit Required**

An encroachment permit will be required for any improvements in the County's Right-of-Way. For the application submittal process contact the Roads Division at 707-944-0196. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use.

**VI. Landscaping Maintenance**

Landscaping at the project driveway shall be maintained to not interfere with sight lines required for safe stopping distance on the public right-of-way. No items that are wider than 18 inches can be taller than 30 inches other than street trees and traffic control devices. Street trees should be deciduous and have branches lower than 4 feet in height up kept once the tree is established.

Please contact me at [Ahsan.Kazmi@countyofnapa.org](mailto:Ahsan.Kazmi@countyofnapa.org) or call (707) 259-8370 if you have questions or need additional information.



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**Napa County Public Works**

1195 Third Street, Suite 101  
Napa, CA 94559-3092  
[www.countyofnapa.org/publicworks](http://www.countyofnapa.org/publicworks)

Main: (707) 253-4351  
Fax: (707) 253-4627

**Steven E. Lederer**  
Director

March 24, 2020

Mr. Jeff Redding  
Representative for Chappellet Winery  
1581 Sage Canyon Road  
St. Helena, CA 94574

Subject: Left Turn Exception Request; Chappellet Winery Use Permit Modification Request #P18-00307; APN 032-010-090

Dear Mr. Redding:

Thank you for your letter dated March 17, 2020, requesting an exception from the Napa County Road and Street Standards, which would otherwise require installation of a left turn lane at the entrance to the project driveway at 1581 Sage Canyon Road (also known as State Route 128). The requirement is prompted by the property owner's request for a Use Permit Modification (#P18-00307) to increase wine production, daily visitors, and employees. Private driveway improvements are also included.

**Basis for Request:**

In support of your request, you offer that:

1. A code compliant left-turn lane will require work within the banks of two stream crossings.
2. Installation of the left turn lane would (because of the needed widening of the road) result in the removal of several Oak trees, some of them very large, on slopes exceeding 30%.
3. The majority of the traffic accessing the site would be coming from the Napa area and turning right into the private driveway; very few trips would be coming from the east (Berryessa/Pope Valley).
4. For those cars that do need to make a left turn into the driveway, there is adequate sight distance to allow cars to see a turning vehicle and stop to avoid it.
5. Installation of the turn lane would require purchase of additional right of way from the City of Napa, and it is not clear that this could be done.

**Discussion:**

The standards for waiving a left turn requirement are difficult to meet. The County has one opportunity to ensure the needed facilities are installed, even though the project will exist many decades into the future. As such the findings to waive the left turn requirement are challenging. Significant hardship needs to be showed, including the presence of natural water courses, steep slopes, geological features or heritage trees, etc. Neither minor earthmoving, reasonable cost, nor inconvenience is a factor to be considered.

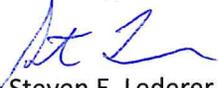
**Determination:**

I tentatively find that the left turn lane need not be installed for this project based on items 1 through 5 listed above. This decision shall automatically become final upon the Planning Commission's final action on the underlying use permit, and this determination relies on the project's CEQA analysis.

While not directly connected, I do note that the project applicant has proposed to pay into the upcoming traffic impact fee program. This is a valuable contributions to the greater good and is appreciated.

This decision may be appealed to the Board of Supervisors following the Planning Commission's decision on your project as a whole and based on the record before the Planning Commission. If you have any questions please feel free to contact me.

Sincerely,



Steven E. Lederer  
Director of Public Works

Cc: David Morrison, Director, Planning, Building, and Environmental Services  
Jason Hade, PBES Project Planner  
Laura Anderson, Deputy County Counsel

Chappellet Winery  
1581 Sage Canyon Road  
St. Helena, California 94574

March 17, 2020

Steven Lederer, Director  
Department of Public Works  
County of Napa  
1195 Third Street, suite 101  
Napa, California 94559

SUBJECT: Request for Exception to Napa County Road and Street Standards  
(RSS)—Chappellet Winery Application #P18-00307. APN 032-010-090

Chappellet Winery filed an application in August 2018 to increase wine production, daily visitors (by appointment) and the number of employees on property is located at 1581 Sage Canyon Road, St. Helena. A private driveway that intersects with State Highway 128 north of and across from the City of Napa boat dock provides access to the existing winery.

A traffic study (TIS) to evaluate potential impacts of the proposed modification was prepared by W-Trans pursuant to county guidelines. The TIS evaluated the need for a left turn lane at the project driveway's intersection with State Highway 128 under both CALTRANS and County of Napa warrants. While a left turn lane was warranted under County warrants, no left turn lane was warranted at the driveway's intersection with State Highway 128 based on CALTRANS warrant. For the reasons discussed below, Chappellet Winery is requesting an exception to the RSS to eliminate the left turn lane requirement at the intersection of the project driveway with State Highway 128. This request is being filed in conjunction with the pending application for winery permit modification.

### **Background/Findings of the TIS**

In addition to evaluating potential impacts of the project on local street networks and intersections, the TIS also evaluated turning movements into the winery driveway by east and westbound travelers on Highway 128/Sage Canyon Road. The TIS documented that the majority of inbound traffic comes from Napa (eastbound) and turns right into the project driveway. The TIS also evaluated the sight lines at the driveway intersection with State Highway 128. Although Highway 128/Sage Canyon Road is generally curvy in the study area, the project driveway is positioned such that adequate sight distance is available in both directions for drivers exiting the private driveway, allowing drivers to see and react to any westbound vehicle stopped to make a left-turn into the driveway.<sup>1</sup>

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<sup>1</sup> Traffic Impact Study for the Chappellet Winery Use Permit Modification, W-Trans November 2018, page 24

In addition to concluding that sight distance at the driveway intersection meets or exceeds CALTRANS standards for the design speed of this segment of State Highway 128, the TIS noted the presence of a posted speed advisory of 25 mph as for vehicles traveling westbound vehicles as they approach the subject intersection.

### **Required Findings**

Paragraph 3(d) of the current Road and Street Standards (RSS) list the required findings for the Director to grant an exception for improvements required on a public road or drainage facility. Pursuant to paragraph 3, the Director may grant an exception to the RSS by making at least one of the following findings:

1. The exception will preserve unique features of the natural environment which includes but is not limited to, natural watercourses, steep slopes, geologic features, heritage oak trees, or other trees of at least 6" dbh and found by the decision maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like;
2. The exception is necessary to accommodate physical site limitations such as grade differentials; and/or
3. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

Approval of the requested exception will preserve unique features of the natural environment which includes but is not limited to, natural watercourses, steep slopes, geologic features, heritage oak trees, or other trees of at least 6" dbh and found by the decision maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like

Section 3(e) requires the Director to make additional findings relating to the provision of defensible space, life, safety, and public welfare.

Based on existing conditions depicted on the attached exhibit and the findings of the TIS we believe that the attached exhibit confirms that the findings required by paragraph 3(d) support the approval of the requested exception.

### **Existing Conditions**

As illustrated by the attached exhibit prepared by Applied Civil Engineering (ACE) State Highway 128/Sage Canyon Road in the vicinity of project driveway is bounded on both the east and west by property owned by the City of Napa. Lake Hennessey and the City's boat dock lies to the west, with steep

wooded slopes, mature oak trees and two unnamed blue line creeks that enter Lake Hennessey southwest of the project driveway.

### **Factors in Support of Required Findings**

We believe the factors below support the granting of the requested exception.

#### Impact on Heritage Trees and Natural Watercourses

This paragraph allows the director to approve exceptions to the County RSS if granting the exception would preserve natural watercourses, steep slopes, geologic features or if the exception would preserve heritage oak or other significant trees, of at least 6" dbh and protect existing natural features such as natural watercourses. As depicted on the attached exhibit prepared by ACE, granting of the requested exception would preserve existing heritage oak trees, eliminate grading and earthmoving on adjacent, steeply wooded slopes and preserve existing blue line stream. Elimination of the tree removal and grading on steep slopes would also protect one of the City of Napa's drinking water source (Lake Hennessey from any increase in soil erosion and sedimentation that could result for tree removal and grading of adjacent steep slopes.

Specifically, construction of the left turn lane at the project driveway's intersection with State Highway 128/Sage Canyon Road would necessitate grading and removal of mature oak and other mature vegetation on slopes between 30% & 50%. While the total number of trees to be removed is not known precisely, ACE has estimated that as many twenty (20) oak trees over 12"dbh will be removed if the left turn lane is required. This preliminary estimate is based on aerial photos and Google earth street view. These trees are within the watershed of Lake Hennessey. Their removal even with erosion control could increase the flow of sediment into the public water supply.

As further depicted on the attached exhibit, construction a left turn lane would impact two natural blue-line watercourses that supply water to Lake Hennessey. Both watercourses are routed beneath State Highway 128/Sage Canyon Road by two existing culverts. The existing culverts would have to be removed, reconstructed and extended to reach the flow line of Lake Hennessey. Vegetation removal, and extensive grading would be necessary to reconstruct and extend the two culvers. Like tree removal on steep slopes to the west, reconstruction of these two culverts has the potential to increase sedimentation to the public water supply. Further it is unclear if the City of Napa or the State Department of Fish and Wildlife would grant the necessary

permits to accomplish this task. Other Limiting Factors

As noted on the attached exhibit prepared by ACE, improvements necessary to construct a left turn lane would require acquisition of property or easements from the City of Napa. The City was approached for additional right of way to improve the existing project driveway without success. Acquiring additional right of way from non-project property owners is a legal constraint to constructing the left turn lane as the applicant does not own or control the property along the length of the left turn lane. In addition, earthmoving/grading necessary to replace and reconstruct the two existing culverts may also require stream setback exceptions from Napa County. Exceptions to stream setbacks are discretionary in nature with outcomes uncertain.

### Paragraph 3 (e)

Section 3(e) requires the Director to make additional findings relating to the provision of defensible space, life, safety, and public welfare prior to approving a request for an RSS. Sight distance at the project driveway intersection with State Highway 128 meets or exceeds required site distance. This factor together with limited westbound traffic on State Highway 128 in the vicinity of the subject intersection, and the 25 mph advisory together ensure that winery traffic exiting the project driveway can turn left (westbound) safely onto State Highway 128 even without a left turn lane

### **Conclusions and Recommendations**

The TIS prepared by W-Trans concludes that while additional traffic generated by the proposed modification would warrant a left turn lane under County criteria, no left would be required under the warrant used by CALTRANS. The TIS notes that most of project-generated traffic is expected to approach the site from the west and make a right turn into the project driveway. The TIS goes on to state that the Napa County left-turn lane warrants methodology does not take turning movements into consideration so does not reflect the actual need for a left-turn lane in this instance. Finally the TIS notes that the sight distance at the project driveway with State Highway 128/Sage Canyon road meets or exceeds the required site distance for the posted 40-mph speed limit. Based on a review of field conditions, sight distance at the driveway extends more than 400 feet to the east and approximately 325 feet to the west, which is more than adequate for the posted speed limit. The project driveway is situated near a horizontal curve with a posted advisory speed of 25 mph, so drivers would likely be traveling well below 40 mph adjacent to the project driveway's intersection with State Highway 128.

In order to approve an exception, one or more of the findings below must be made:

1. The exception will preserve unique features of the natural environment which

includes but is not limited to, natural watercourses, steep slopes, geologic features, heritage oak trees, or other trees of at least 6” dbh and found by the decision maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like;

2. The exception is necessary to accommodate physical site limitations such as grade differentials; and/or
3. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

As illustrated by the ACE exhibit, construction of the required left turn lane would necessitate:

1. Removal of mature vegetation, including as many as twenty (20) heritage oak trees all exceeding the 6” dbh threshold;
2. Require grading on steep slopes in excess of 30% with concomitant removal of mature vegetation;
3. Require the acquisition of additional right of way or easements from the City of Napa to construct improvements associated with the left turn lane. A left lane and associated improvements cannot be accommodated within the existing right of way. Acquisition of additional right of way is beyond the purview of the application; and construction of the left turn lane cannot proceed with this additional right of way, a significant legal constraint.

Based upon the factors above, we respectfully request approval to eliminate the construction of a left turn lane at the intersection of the project driveway with State Highway 128/Sage Canyon Road. Thank you for your consideration of our request.

Sincerely,

Jeffrey Redding AICP for  
Chappellet Winery Inc., a California Corporation

CC: Syed Ahsan Kazmi, Department of Public Works  
Jason Hade, project planner  
Dave Pirio, Chappellet Winery  
Mike Muelrath, ACE

Enclosures:

- Schematic of Left Turn Lane, prepared by ACE



A Tradition of Stewardship  
A Commitment to Service

Napa County Fire Department  
Fire Marshal's Office  
Hall of Justice, 2nd Floor  
1125 3rd Street  
Napa, CA 94559

Office: (707) 299-1466

Adam Mone  
Fire Plans Examiner

## MEMORANDUM

TO: Planning	DATE: 10/25/19
FROM: Adam Mone, Plans Examiner	
SUBJECT: <b>P18-00307</b>	APN: <b>032-010-090-000</b>

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. Where deviations are not specifically addressed and approved by the Engineering Division in the Road Exception Conditions of Approval dated 10/1/2019, the fire access road shall comply with the requirements of the Napa County Road & Street Standards.
3. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.
4. Provide 100 feet of defensible space around all structures.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ [www.countyofnapa.org/firemarshal](http://www.countyofnapa.org/firemarshal). Should you have any questions of me, contact me at (707)299-1466 or email at [adam.mone@countyofnapa.org](mailto:adam.mone@countyofnapa.org)