



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING COMMISSION

JEFFREY REDDING
Secretary-Director

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

June 21, 1995

Assessor's Parcel #20-440-05

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

Dear Mr. and Mrs. Kiken:

Please be advised that Use Permit Application # 94254-UP has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions. (SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: June 21, 1995

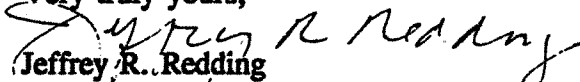
EXPIRATION DATE: July 5, 1996

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

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

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

Very truly yours,


Jeffrey R. Redding
Director

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

CONDITIONS OF APPROVAL
Norman and Evelyn Kiken
94254-UP

1. The Use Permit shall be limited to the establishment of a 5,000 gallon per year estate winery with the conversion of 2,237 sq.ft. of an existing 2,951 sq.ft. barn and the addition of a 3,000 sq.ft. crush and tank pad, and a variance to allow the winery to be within the 300 foot setback from a minor private road. The project shall conform to the approved site plan, floor plan and elevations. Any expansion of production capacity, changes in use, construction or design shall be subject to the approval of the Planning Director, or if deemed necessary, the County Planning Commission.
2. Retail sales shall be limited to only those persons visiting by prior appointment. No drop-in retail sales shall be permitted.
3. The applicant shall comply with all applicable building codes, and requirements of various County departments and agencies, including those of the Department of Public Works dated Mar. 21, 1995, the Department of Environmental Management dated Mar. 14, 1995, the Building Division dated Mar. 9, 1995, the Airport Land Use Commission dated Mar 23, 1995 and the County Fire Dept. dated Apr. 6, 1995.
4. At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis the source of his grapes verifying that 75% of his approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. That report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.
5. Plans for any outdoor signs shall be submitted to the Planning Department for administrative review and approval. A sign shall be placed at the property entrance reading "Tours, tasting and retail sales by prior appointment only" if any winery identification sign is installed. The only off-site signs allowed shall be in conformance with the County Code.
6. During winery construction, all construction equipment muffling and hours of operation shall be in compliance with the County Code section regarding noise, Chapter 8.16.
7. The marketing events shall not exceed the three different types of events approved:
 - a. Tours and tasting for wine trade personnel - 10 per year with 5 to 10 (ave. 6) persons per event.

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Conditions of Approval
94254-UP (Continued)**

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

