

“C”

Previous Project Conditions

P- UDET-APVL
P13-00299
034-160-008



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

Hillary Gitelman
Director

September 19, 2013

Patsy McVicar
5253 Solano Avenue
Napa, CA 94558

Re: Use Determination SW-188889 - "Chais de Napa"; APN: 034-160-008

Patsy,

In accordance with Napa County Zoning Ordinance 18.124.080(a), "one or more conditions must occur in order for a use permit to be deemed used. Securing a building permit, wastewater or sewage permit, or other construction permit for the project and having commenced construction pursuant to such permit prior to the use permit expiration date...and having constructed the wastewater or sewage disposal system...prior to the use permit expiration date."

Based on the review of the work completed pursuant to Environmental Management Permit finalized in July, 1992, and the last foundation inspection which occurred on January 2, 1990 it has been determined that the permit is "used" as of January 1990.

Regards,

A handwritten signature in cursive script that reads "Shaveta Sharma".

Shaveta Sharma
Planner III
Planning, Building, and Environmental Services

cc: Chron, File



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY

Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4376

Date: October 12, 1988

Applicant: Sid & Pat McVicar
5253 Solano Avenue
Napa, CA 94558


Small Winery Name: Chais De Napa
Application Number: SW - 188889
Location: 5253 Solano Avenue
Napa, CA 94558
Assessor's Parcel #: 34-160-08

Dear Mr. & Mrs. McVicar:

Your application for a Small Winery Use Permit Exemption has been approved by the Napa County Board of Supervisors and Conservation, Development and Planning Department.

Approval Date: October 11, 1988. This approval will expire on October 11, 1989, if not activated. Annual Production Capacity is limited to 20,000 gallons. Any increase in annual production capacity must be approved in advance by the Department of Conservation, Development and Planning or the Planning Commission and appropriate County departments.

Sincerely,


JEFFREY REDDING
Deputy Planning Director

:jm.6a

cc: James H. Hickey, Director
John Tuteur, Assessor
Bill Hall, Building Codes Administrator
Tim Snellings, Department of Environmental Management
Ron Childress, Napa County Fire Department



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY

Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4376

October 11, 1988

Sid and Pat McVicar
5253 Solano Avenue
Napa, CA 94558

Re: Application for Small Winery Use Permit Exemption — SW-188889 (Chais
De Napa) — APN: 34-160-08

Dear Mr. & Mrs. McVicar:

Please be advised that on October 11, 1988, the Napa County Board of Supervisors determined that your application for a Small Winery Use Permit Exemption met the minimum road frontage separation criteria as required by Ordinance #629. In addition, staff has completed its review of the site evaluation conducted by Taber Consultants (Report #3G3/588/50 dated October 7, 1988) relative to the affect of the West Napa Fault on your project. Based upon the action of the Board of Supervisors and evaluation of the Taber Consultant's report, staff has determined that your application qualifies for a Small Winery Use Permit Exemption and is approved. Please contact the Building Inspection Division, Napa County Conservation, Development and Planning Department for information necessary to complete your project.

Please be further advised that this approval will expire on October 11, 1989 unless activated.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey Redding".
JEFFREY REDDING
Deputy Planning Director

JRR/jm.6a
Attachment

cc:James H. Hickey, Director
Bill Hall, Building Codes Administrator
Jim Cool, Supervising Planner
Ann M. Kirlin, Dickenson, Peatman & Fogarty



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING
Director

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

December 7, 1994

Patsy McVicar
5253 Solano Avenue
Napa, CA 94558

RE: Status of the McVicar Small Winery "Chais de Napa" (SW-188889)
APN 34-160-08

Dear Ms. McVicar:

This Department has completed review of the status of your Small Winery at your request.

1. A use permit or Small Winery Exemption is "used" pursuant to the Napa County Code (Sec. 18.124.080, formerly Sec.12806), if a building or wastewater system is involved, by obtaining a permit and approved final inspection, for the respective building foundation or the entire wastewater system. SW-188889, approved October 11, 1988, included both a new structure and a wastewater system for the small winery. County records indicate that the wastewater system final signoff (from the Department of Environmental Management) occurred in July 1992. The last foundation-related building inspection occurred on January 2, 1990. SW-188889 was therefore "used" on or about January 2, 1990.
2. Section 4 of the Winery Definition Ordinance (#947) deals with those small wineries whose permits were "used" prior to January 22, 1990, but were not yet complete. This ordinance states the Board of Supervisors' purpose that such small wineries be permitted to "complete construction and operation in accordance with their approved certificate of exemption."
3. Because a number of wineries and small wineries approved prior to the Winery Definition Ordinance have not become operational despite technical adherence to the "use" section of the County Code, the Board of Supervisors on May 24, 1994 approved a policy that winery permits approved prior to January 14, 1990 "shall complete the winery authorized by the approved use permit or small winery exemption certificate and shall provide evidence to the Director of Conservation, Development and Planning that wine is being made at the facility on or before December 31, 1995." Failure to conduct and carry out authorized construction and activities, or to produce wine, shall be reported to the Conservation, Development and Planning Commission after that date, and may result in permit revocation. Modification may also occur, but would have to adhere to current ordinance requirements. The Alcoholic Beverage Control Board informs us that your facility is not licensed to produce wine in 1994.

McVicar Winery
SW-188889
December 7, 1994
Page 2

4. The concept of "vesting" is a legal (equitable) one which we cannot determine, involving the "substantial" nature of activities conducted in reliance on approved permits.

Please let us know if you have any further questions.

Very truly yours,



Michael Miller
Deputy Planning Director

cc. Jeffrey Redding, Director
Robert Westmeyer, County Counsel
John Tuteur, Assessor

mmp14



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING COMMISSION

Jeffrey Redding
Director

1195 Third Street, Room 210 • Napa, CA 94559-3092
Telephone 707/253-4416 FAX 707/253-4336

October 15, 1996

Patsy McVicar
5253 Solano Avenue
Napa, CA 94558

RE: "Chais de Napa"

Dear Ms. McVicar:

Thank you for your letter of September 30, 1996.

We do not require an annual report from you. However, because "Chais de Napa" appears to have undergone crush only, and has "produced" (released) no wine, you continue to be subject to ordinance requirements relating to completion of approved wineries.

When we last corresponded, the current County policy was that winery construction and wine production must have occurred by December 31, 1995. In late 1995 and 1996, the Board suspended implementation of that policy and reviewed and approved Ordinance No. 1114. That ordinance has become effective as of October 10, 1996.

The new ordinance requires all approved wineries to produce at least 10% of the authorized capacity by December 31, 2001. Please continue to inform us of actual production. We also remind you that if any sign is erected at the winery or any (private/by appointment) tours or tastings take place, they must meet Code requirements.

Very truly yours,

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

Michael Miller
Deputy Planning Director

cc. Jeff Redding, Director
Gary Brewen, Building Codes Administrator