

“C”

Previous Project Conditions



NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

W. Scott Snowden
Chairman

May 8, 1978

1121 FIRST STREET · NAPA, CALIFORNIA 94558
AREA CODE 707/ 253-4416

Robert B. Long, Jr.
Box 589
Angwin, CA 94508

Dear Mr. Long:

Your Use Permit Application Number 11-457778 to establish a winery
on two (2) parcels totalling 120.92 acres

located along a private right-of-way southeast of State Highway #128
has been approved by the Napa County Conservation, Development and Planning Com-
mission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

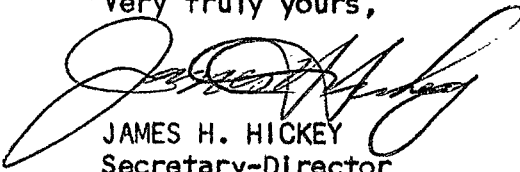
APPROVAL DATE: May 3, 1978

Your Use Permit becomes effective ten (10) days from the approval date, provided all conditions of approval are met or assurances made to guarantee compliance. The ten (10) day waiting period is required to provide sufficient time for anyone wishing to appeal the action of the Commission in approving your Use Permit. In the event an appeal is made to the Board of Supervisors, you will be notified.

Should this Use Permit not be used within one (1) year after the date of approval, it shall be null and void without further action by the Commission or Department.

If you intend to request any time extension for your approved Use Permit, please note that any such request must be submitted to the Conservation, Development and Planning Department at least 30 days prior to the expiration of the present permit.

Very truly yours,


JAMES H. HICKEY
Secretary-Director

JHH:jl

cc: Donald W. Jonas
Chief Building Inspector
County of Napa

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
REPORT AND RECOMMENDATION

Meeting of May 3, 1978

Agenda Item: 8

APPLICATION DATA:

APPLICANT: Robert B. Long, Jr.

REQUEST FOR: Use Permit to establish a winery on two (2) parcels totalling 120.92 acres.

LOCATION: Along a private right-of-way approximately 4,000 feet southeast of State Highway #128 and 3,600 feet southwest of Chiles-Pope Valley Road within a WR District (Assessor's Parcel #32-010-2159 and 41).

FINDINGS:

SPECIAL INFORMATION:

1. Details of the proposed winery are contained in the attached letter and supplemental information sheets submitted by the applicant.
2. Public Works recommends that the permit be conditioned to limit visitors to five (5) or fewer vehicles per week and limit production to the requested 5,000 gallons per year. Public Works also requires improvement of any required parking.
3. Environmental Health requires that the applicant secure a discharge requirement or waiver from Regional Water Quality Control Board, approval of a County sewage disposal permit and submission of a detailed plan for domestic water supply.
4. The Bay Area Air Pollution Control District requires the applicant to contact their agency for permit review.
5. The City of Napa Planning Department offers no comments or recommendations at this time.
6. The State Division of Forestry requires installation of an approved valve to the tank-fed water system.
7. Comments and recommendations from various County departments and other agencies are attached.

ENVIRONMENTAL ANALYSIS:

8. The project is not anticipated to result in significant environmental effects, either individually or cumulatively. There are no unique or rare biological or physical resources that will be adversely affected. A Negative Declaration is recommended.

Page 2

Report and Recommendation

ROBERT B. LONG, JR. - USE PERMIT

Meeting Date: 5-3-78

ZONING ANALYSIS:

9. The WR District allows facilities for the processing of agricultural products, including wineries, upon grant of a use permit.
10. The procedural requirements for use permits outlined in the Zoning Ordinance have been satisfied in regard to this application.
11. Approval of this proposal to utilize existing structures for a winery facility would have no detrimental effects on the public health, safety or general welfare.

PLANNING ANALYSIS:

12. The proposal is in conformance with the General Plan designation of Agricultural Watershed specified for the property.

RECOMMENDATION:

ENVIRONMENTAL: Issue a Negative Declaration to this project.

PLANNING: APPROVAL with Findings and subject to the following Conditions:

1. The winery be limited to an annual production of approximately 5,000 gallons per year. Any future expansion of the winery shall require submission of a separate use permit application for consideration by the Commission.
2. The number of visitors to the site be limited to a maximum of five (5) per week.
3. All plans for outdoor signs be submitted to the Department for review and approval with respect to design, area, height and placement.
4. A minimum of three (3) off-street parking spaces be provided on a dust free, all weather surface approved by the Public Works Department.
5. No public tours or public wine tasting be allowed.
6. Compliance with all requirements of the Bay Area Air Pollution Control District.
7. Compliance with all applicable building codes, zoning standards and requirements of various County departments and other agencies.



NAPA COUNTY

DEPARTMENT OF PUBLIC WORKS

HARRY D. HAMILTON
Director of Public Works

1127 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/ 253-4351

County Surveyor — County Engineer
Road Commissioner

March 27, 1978

Conservation, Development
and Planning Commission
1121 First Street
Napa, California 94558

Re: SR 128
Long Winery Use Permit

Commissioners:

We have further reviewed the use permit application of Mr. Robert B. Long Jr. to construct a winery on AP-32-010-21 & 41 and wish to modify our letter of March 2, 1978 regarding the subject application.

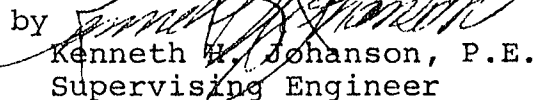
The existing road access from SH-128 to the site is deemed to be adequate for the proposed use. The existing road is improved to a width of 12 to 14 feet with turn-outs placed at strategic locations. Further improvements to the road would benefit access but the benefits are offset by the excessive grading which would result. We therefore recommend that this paragraph supersede the second paragraph of our March 2, 1978 letter.

As a result of this change in recommendations, no engineered plans for the roadway will be necessary.

In addition, due to the access limitations, the use permit should be conditioned to limit the visitors to five (5) or fewer vehicles per week and limit production to the requested limit of 5000 gal. per year.

Very truly yours,

HARRY D. HAMILTON, P.E.
Director of Public Works

by 
Kenneth H. Johanson, P.E.
Supervising Engineer

KHJ/lw

cc: Robert B. Long Jr.

RECEIVED

MAR 27 1978

Napa County Conservation,
Development & Planning Commission



NAPA COUNTY

DEPARTMENT OF PUBLIC WORKS

HARRY D. HAMILTON
Director of Public Works

1127 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/ 253-4351

County Surveyor — County Engineer
Road Commissioner

March 2, 1978

Napa County Conservation,
Development and Planning
Commission
1121 First Street
Napa, California 94558

RE: SR 128
Long
Winery
U-457778

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MAR 2 1978

Napa County Conservation,
Development & Planning Commission

Commissioners:

We have reviewed the Use Permit Application of Robert B. Long Jr. to construct a winery on Assessor's Parcel No. 32-010-21 & 41. We offer the following comments for your use:

The portion of the 60 foot right of way which serves the subject parcels as it extends from SR 128 to the northern boundary of Assessor's Parcel No. 32-010-21 is to be improved to the status of common drive, low density, i.e., a minimum 16 foot pavement width with a minimum pavement section consisting of a double seal coat on 5 inches of class II aggregate base. Credit may be given where existing improvements coincide.

Any parking area required by the Commission is to be constructed to the status of a dust free all weather surface i.e., a minimum double seal coat on 5 inches of Class II aggregate base.

The portion of the 60 foot right of way which crosses the subject parcels and any other rights of way found crossing the parcels to serve parcels further removed from the public roadway are to be irrevocably offered to Napa County for roadway and utility purposes. These rights of way shall have a minimum width of 40 feet.

The above improvements are to be constructed according to plans prepared by a registered civil engineer and reviewed and approved by the County Engineer.

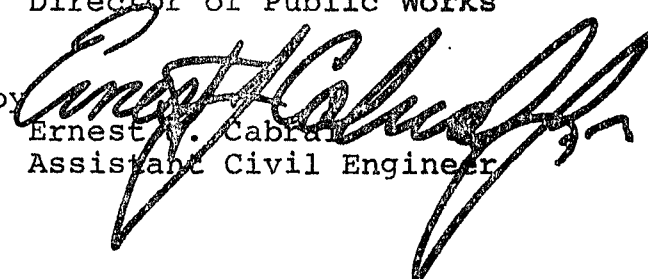
The State is to be contacted if any work is to be performed within the right of way of SR 128.

The Napa County Flood Control and Water Conservation
District has no comments.

Very truly yours,

HARRY D. HAMILTON, P.E.
Director of Public Works

by



Ernest V. Cabran
Assistant Civil Engineer

EJC/fmt



NAPA COUNTY
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MAR 10 1978

CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1121 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/253-4416

Napa County Conservation
Development & Permitting APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: Division of Environmental Health

A.P. 32-010-21 & 41

APPLICATION TITLE: Long Winery

FILE #: U-457778

RESPONSE REQUEST DATE: February 23, 1978

RESPONSE RETURN DATE: March 9, 1978

This application (see enclosed project description and/or maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

General Questions

1. Do you have jurisdiction by law over this project Yes No
2. Do you recommend: Approval Denial No Recommendation
3. Recommended conditions-of-approval (use additional page if needed);
(see attached sheet)

4. Are you a responsible agency? Yes No. If yes, indicate required permits: Water supply and sewage disposal

5. Indicate areas of environmental concern and availability of appropriate technical data:

6. Do you recommend: Negative Declaration Environmental Impact Report

7. Have you previously reviewed an application on any portion of this project?
 Yes No

8. Name of contact person: A.R. Van Woerkom Telephone: 253-4471

cc: Robert Long, Jr.

Response Prepared by: Robert M. Greenleaf

Title: Director, Environmental
Date: 3/10/78 Health

February 8, 1978

Use Permit Application

Long Winery - U-457778 - A.P. 32-010-21 & 41

March 10, 1978

Page 2

3. COMMENTS

The applicant proposes to construct a winery with an ultimate production of approximately 8,000 gallons per year.

Sewage Disposal: Industrial waste from a winery of this size would approximate the volume produced by a three bedroom single family dwelling, during the peak crushing period. Soils described on the site (Aiken Loam) should be suitable for sub-surface effluent disposal. The project is located on Lake Hennessey water shed which supplies domestic water to the City of Napa. Sewage disposal should not have a significant effect on the water of the Lake. A discharge requirement or waiver of same must be secured from the Regional Water Quality Control Board. A permit must be secured from our office for the installation of the sewage disposal system. A soil percolation test will be required for design purposes.

Water Supply: The property is in an area considered to be marginal with respect to water supply from underground sources to serve residential use. A test well was drilled on an adjacent parcel in 1973 and apparently did not yield water. The applicant indicates there is a source available from springs and a stream to serve the parcel. It is also indicated that storage tanks are available. No information has been presented with reference to the design of the domestic water supply system.

We do not consider it appropriate to use a surface source of water for domestic use.

Solid Waste Disposal: It is indicated that solid wastes will be disposed of by truck to an approved disposal site with pomace and stems disposed of in the vineyard.

RECOMMENDATIONS

We recommend the following conditions to be included in the use permit:

1. That the applicant secure a discharge requirement or waiver of same, for the winery wastes, from the Regional Water Quality Control Board.
2. That a sewage disposal permit be approved by our office prior to issuance of a building permit. A soil percolation test will be required for design purposes.
3. That a detailed plan of the winery domestic water supply be submitted to our office for review and approval.
4. That the water supply system provide a pure water supply as determined by bacteriological analysis.
5. That solid wastes be stored and disposed of in a manner to prevent nuisances from odors or insect breeding or attraction.

RMG:mh

cc: Robert Long, Jr.



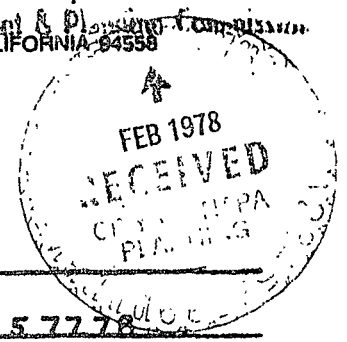
NAPA COUNTY

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CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY Director

1121 FIRST STREET NAPA, CALIFORNIA 94558 AREA CODE 707/253-4416



PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: City of Napa Planning Department

APPLICATION TITLE: LONG WINERY FILE #: U-457778

RESPONSE REQUEST DATE: 23 Feb. 78 RESPONSE RETURN DATE: 9 MARCH '78

This application (see enclosed project description and/or maps) is being sent to you for your review and comment. With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

General Questions

- 1. Do you have jurisdiction by law over this project [] Yes [X] No
2. Do you recommend: [] Approval [] Denial [X] No Recommendation
3. Recommended conditions-of-approval (use additional page if needed);

Blank lines for handwritten conditions-of-approval.

4. Are you a responsible agency? [] Yes [X] No. If yes, indicate required permits:

5. Indicate areas of environmental concern and availability of appropriate technical data:

Blank lines for handwritten areas of environmental concern.

6. Do you recommend: [] Negative Declaration [] Environmental Impact Report

7. Have you previously reviewed an application on any portion of this project? [] Yes [X] No

8. Name of contact person: DeleFolles Telephone: 252-7711 R x 360

Response Prepared by: DeleFolles Title: Associate Planner Date: 3/2/78

February 8, 1978



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1121 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/253-4416

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FEB 2 1978

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Agricultural Commissioner

APPLICATION TITLE: LONG WINERY FILE #: U-45777B

RESPONSE REQUEST DATE: 23 Feb. 78 RESPONSE RETURN DATE: 9 MARCH '78

This application (see enclosed project description and/or maps) is being sent to you for your review and comment. With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

General Questions

1. Do you have jurisdiction by law over this project [] Yes [X] No
2. Do you recommend: [X] Approval [] Denial [] No Recommendation
3. Recommended conditions-of-approval (use additional page if needed);

I believe this proposed winery would be an asset to our leading industry in Napa County - wine grape production

4. Are you a responsible agency? [X] Yes [] No. If yes, indicate required permits:

5. Indicate areas of environmental concern and availability of appropriate technical data: That industrial wastes be disposed of adequately

6. Do you recommend: [X] Negative Declaration [] Environmental Impact Report

7. Have you previously reviewed an application on any portion of this project? [] Yes [X] No

8. Name of contact person: Al DelFino Telephone: 253-4357

Response Prepared by: Al DelFino

Title: Agric. Comm.

Date: 2/24/78

February 8, 1978

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MAR 17 1978



NAPA COUNTY

Napa County Conservation, Development & Planning Commission
CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

JAMES H. HICKEY
Director

1121 FIRST STREET • NAPA, CALIFORNIA 94558
AREA CODE 707/263-4416

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: Bay Area Air Pollution Control District

APPLICATION TITLE: LONG WINERY FILE #: U-457778

RESPONSE REQUEST DATE: 23 Feb. 78 RESPONSE RETURN DATE: 9 MARCH '78

This application (see enclosed project description and/or maps) is being sent to you for your review and comment. With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

General Questions

1. Do you have jurisdiction by law over this project Yes No
2. Do you recommend: Approval Denial No Recommendation
3. Recommended conditions-of-approval (use additional page if needed);

A winery will require permit review by this agency. Contact Daniel Coakley 771-6000 x 308

4. Are you a responsible agency? Yes No. If yes, indicate required permits: _____

5. Indicate areas of environmental concern and availability of appropriate technical data: _____

6. Do you recommend: Negative Declaration Environmental Impact Report

7. Have you previously reviewed an application on any portion of this project? Yes No

8. Name of contact person: _____ Telephone: _____

Response Prepared by Ron Heglin

Title: PLANNING

Date: 14 MAR 78

February 8, 1978

DEPARTMENT OF CONSERVATION

DIVISION OF FORESTRY

P.O. Box 73

St. Helena, California 94574

(707)963-3601



Date: March 3, 1978

Subject: Long Winery
#U-457778

Napa County Conservation,
Development and Planning Commission
1121 First Street
Napa, California 94558

Gentlemen:

We have reviewed the subject application and offer the following comments:

- 1. We have no comments at this time.
- 2. Project need only meet existing state and local fire codes.
- 3. Project must conform to the following specific requirements:
 - 1. Supply a fire department connection to the tank fed water system, 2 1/2" NSHT wharf valve. Locate after contact with CDF.

Sincerely,

B. J. CARNIGLIA
State Forest Ranger IV

BY: 

R. J. Smart
Operations Officer

RJS/ps

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MAR 7 1978

Napa County Conservation,
Development & Planning Commission

Robert B. Long Jr.
660 White Cottage Road
Angwin, California 94508

January 20, 1978

Napa County Conservation,
Development and Planning Commission
1121 First Street
Napa, California 94558

Gentlemen,

Attached are six copies of the Use Permit Application for proposed Winery construction on Assessor's Parcel #32-01-21,41 owned by Robert B. and Edith C. Long dba Azalea Springs, a partnership. Also find attached two copies of Farm Access Road Agreement # 1853 between the City of Napa and Azalea Springs and two copies of Application for Encroachment of above Farm Access Road on Highway 128 to the California State Division of Highways.

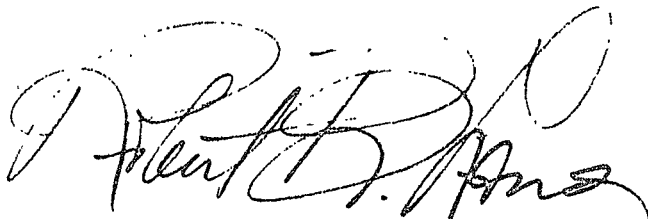
My parents, my wife and I are applying for Use Permit to build, initially, a 900 square foot winery that may be expanded to 1500-1800 square feet in 5-6 years depending on future vineyard development and production and increased production from the 13 acres already established on this property. My family will operate the winery with occasional help from part-time workers at harvest and bottling time. We expect to produce 1000 cases (2400 gal), initially and 2000 cases (5000 gal), ultimately.

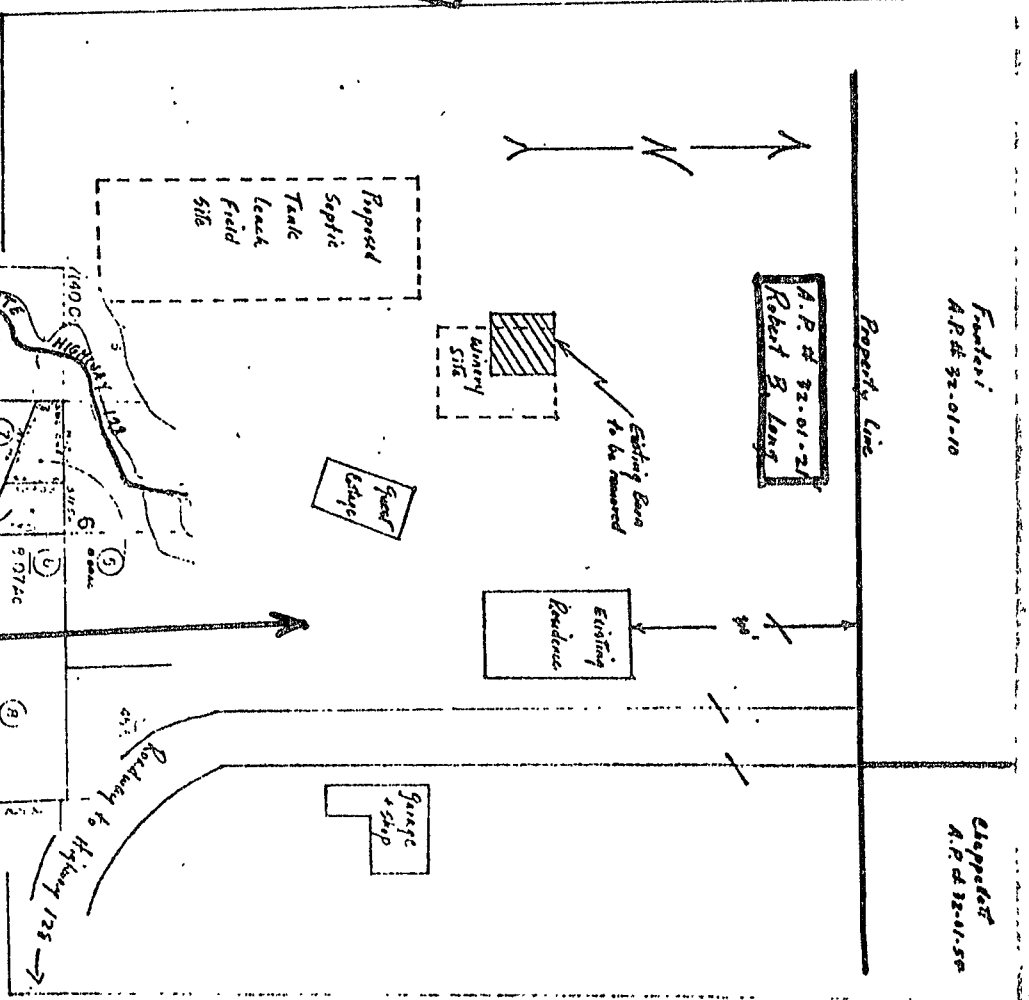
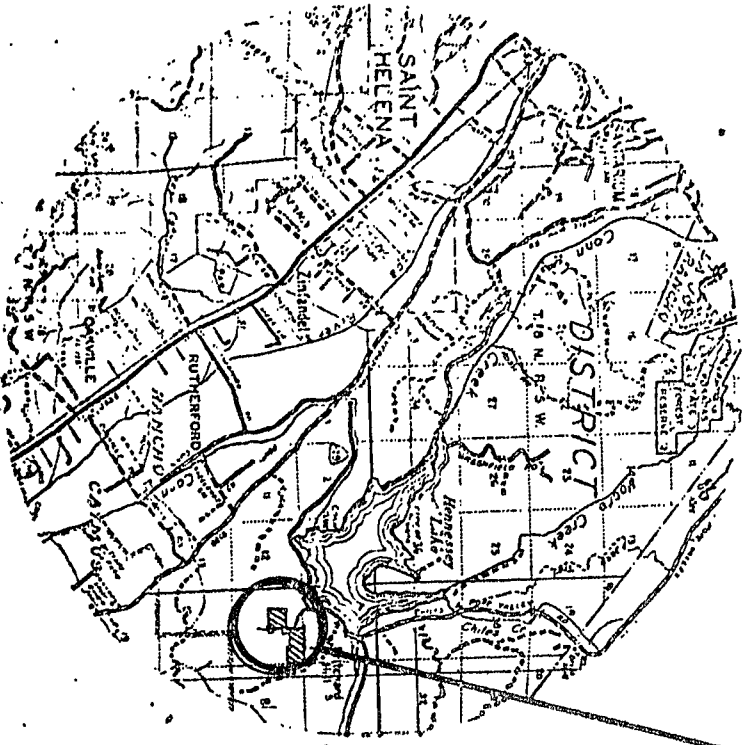
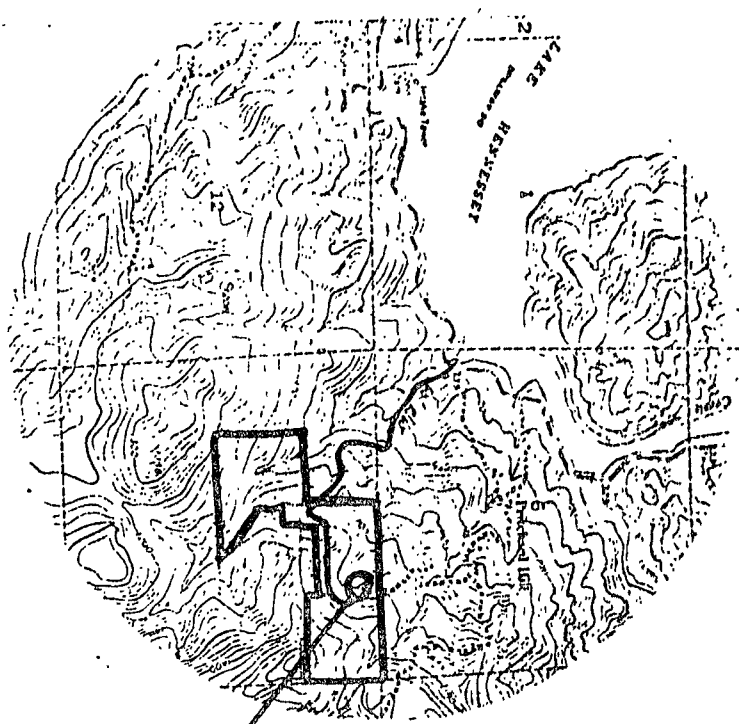
The property is served by a $1\frac{1}{2}$ mile private road - $\frac{9}{10}$ of a mile crosses City of Napa land on a 60 foot right-of-way. The entire $1\frac{1}{2}$ miles were constructed in 1971 to the standards set forth in the agreement (attached) with the City of Napa - road to be built 10 feet wide with turnouts located a 500 foot intervals, on a 6" crushed rock base, double seal-coated, properly drained and culverted and closed to the public by means of a locked gate at Highway 128. We are anxious to continue to keep the road closed to the public due to the isolated location of the residence and proposed winery and (our agreement with the City of Napa).

This existing private road is adequate and safe for present uses and future traffic generated by the winery and we ask therefore, to be exempted from the 16 foot width requirement, generally required by Napa County for wineries (which can at the winery operator's option be) open to the public. In addition in the highly unlikely event we should wish to open the road to the public (and can obtain approval from the City of Napa) we are willing to agree to improve the road to applicable county standards. We are asking the planning staff to recommend the above exemption to the Planning Commission in order to avoid the delay of having to apply to the Board of Supervisors for it.

It is critical that we begin construction this spring and are, therefore, anxious to assist in expediting this application in every way - you will need to contact us to inspect the property and the site and may do this by calling me at 965-2101 or Zelma Long at 963-7156 (Robert Mondavi Winery).

Very truly yours,



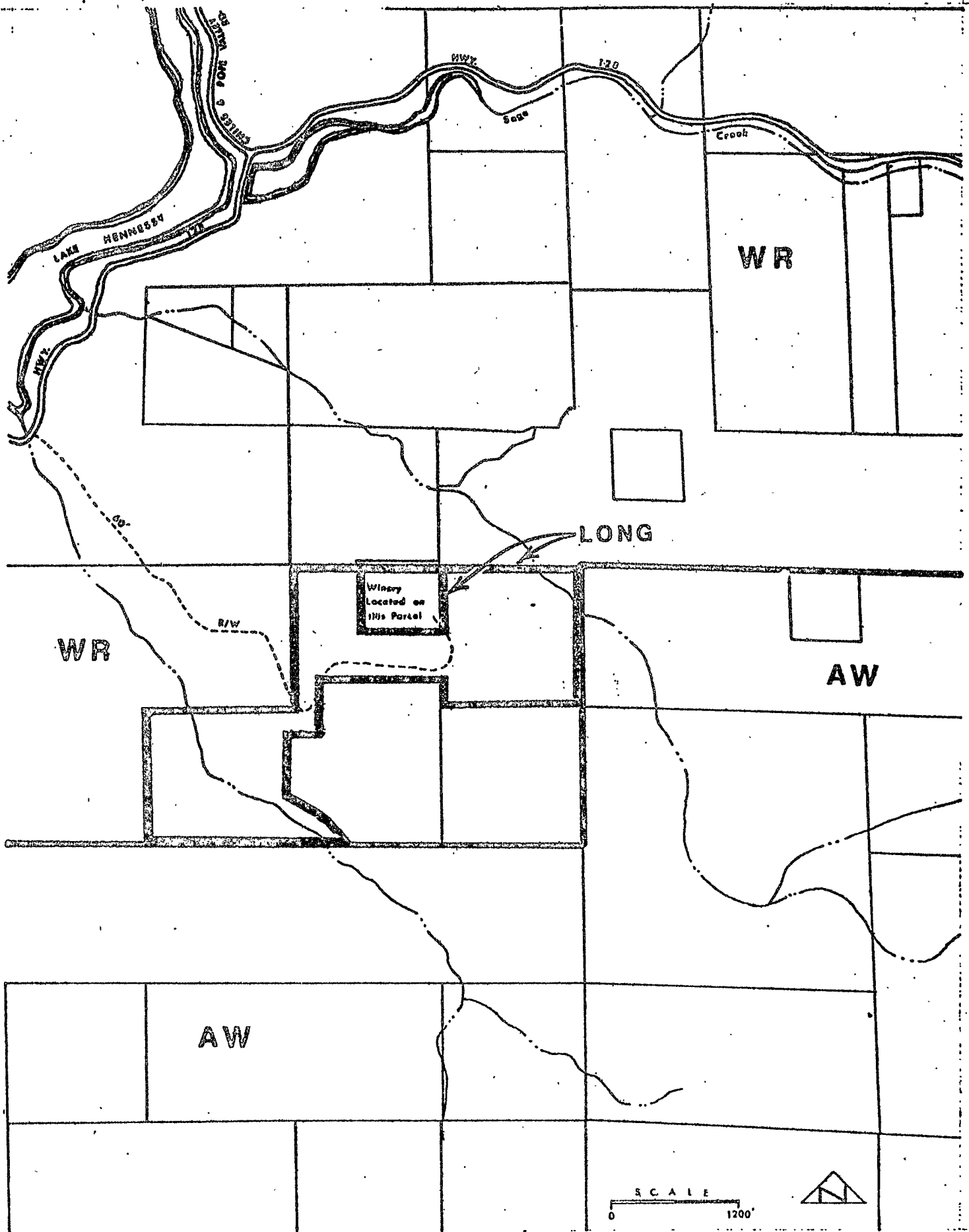


Frontier
A.P.# 32-01-10

Chapellest
A.P.# 32-01-50

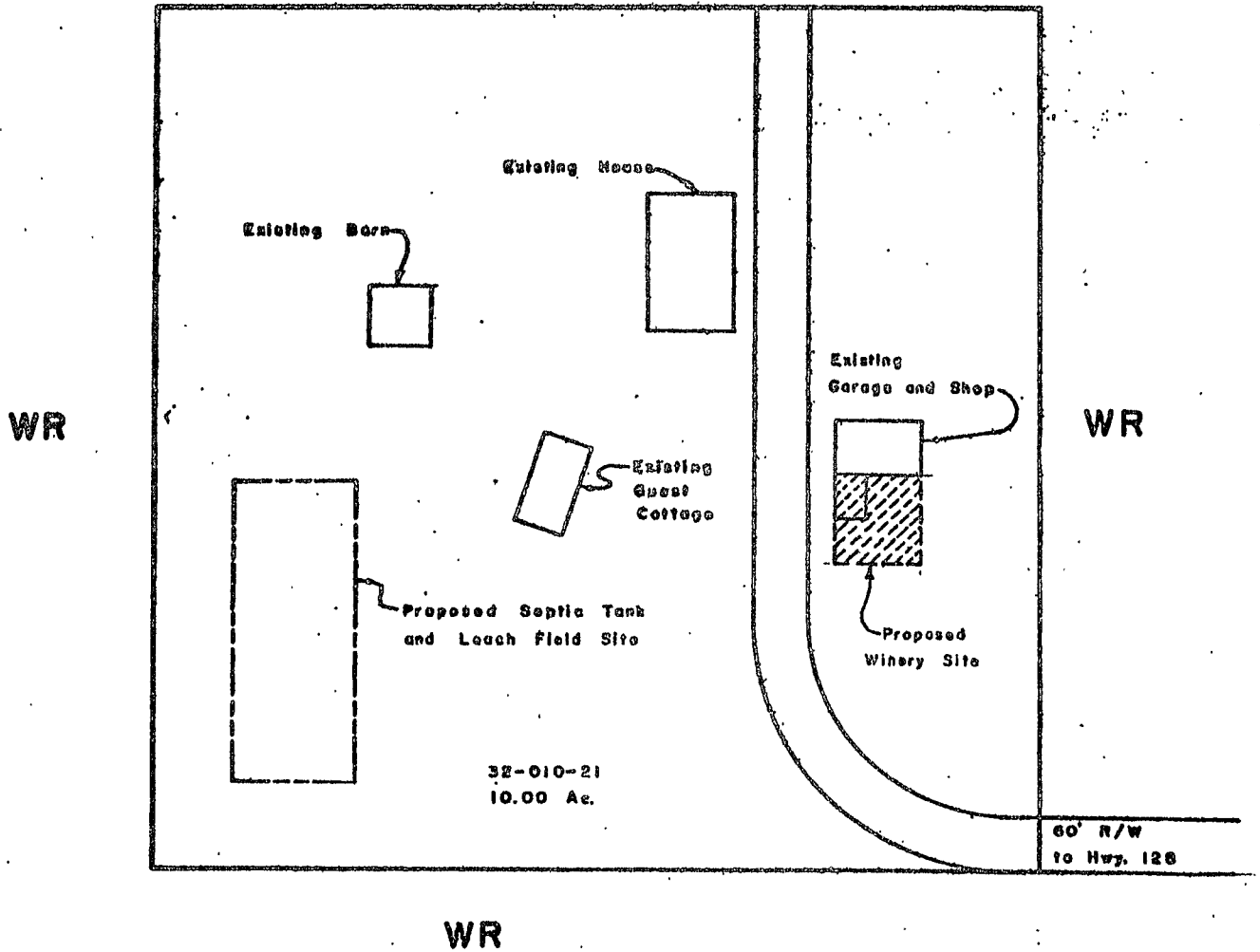
A.P.# 32-01-24
Robert B. Long

Donald Long (no relation to applicant)



Informational Use Permit Map
 Conservation, Development & Planning Department

LONG



32-010-21
10.00 Ac.

60' R/W
to Hwy. 126

WR



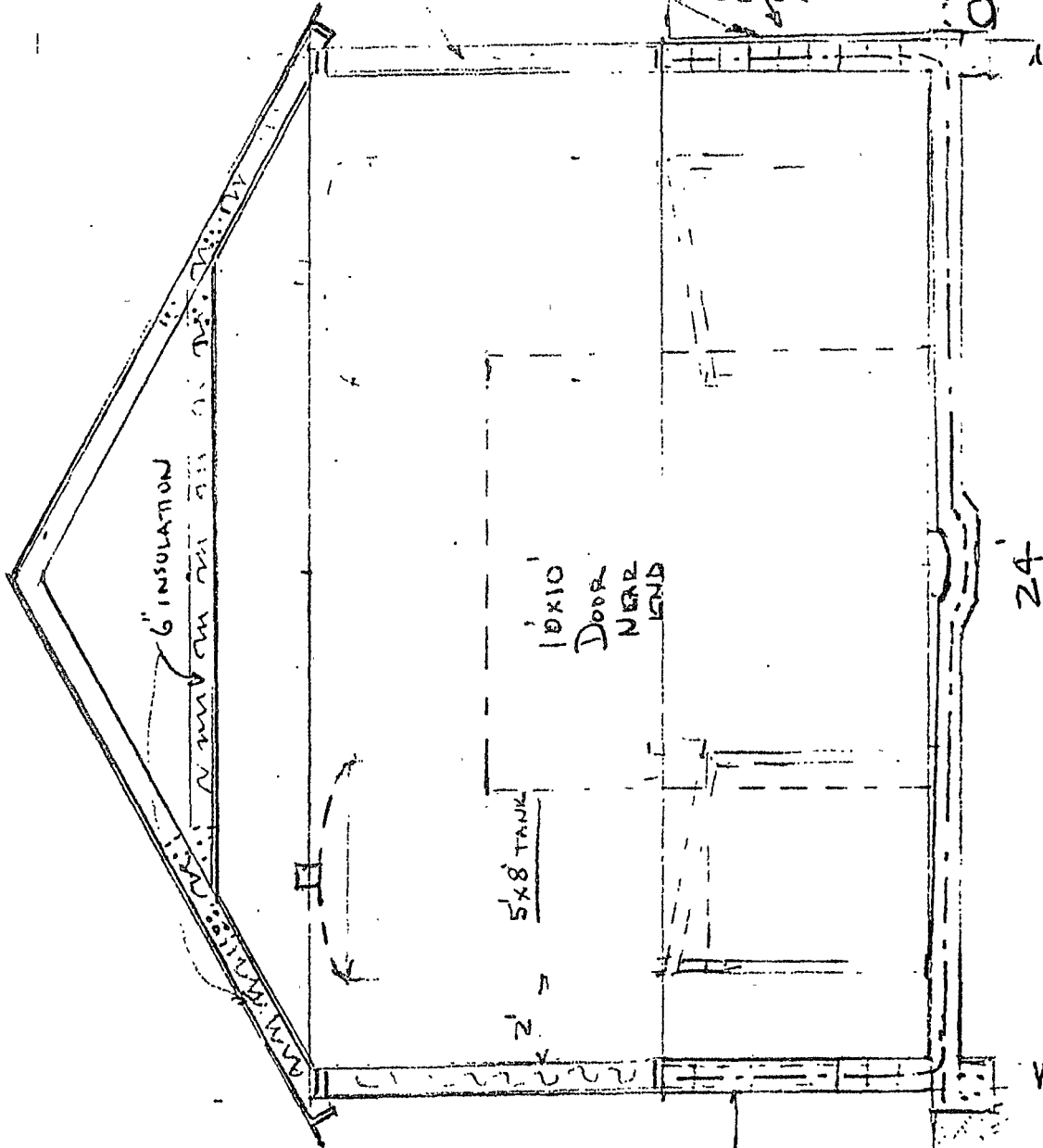
Informational Use Permit Map
Conservation, Development & Planning Department

USE PERMIT APPLICATION - ROBERT LONG
PATCHARD HILL - AP # 32-01-21
Proposed Winery

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JAN 25 1978

Maple County Conservation,
Development & Planning Commission



FILL CELLS WITH
PERLITE
THIS SIDE

ASPHALT MEMBRANE
1\"/>

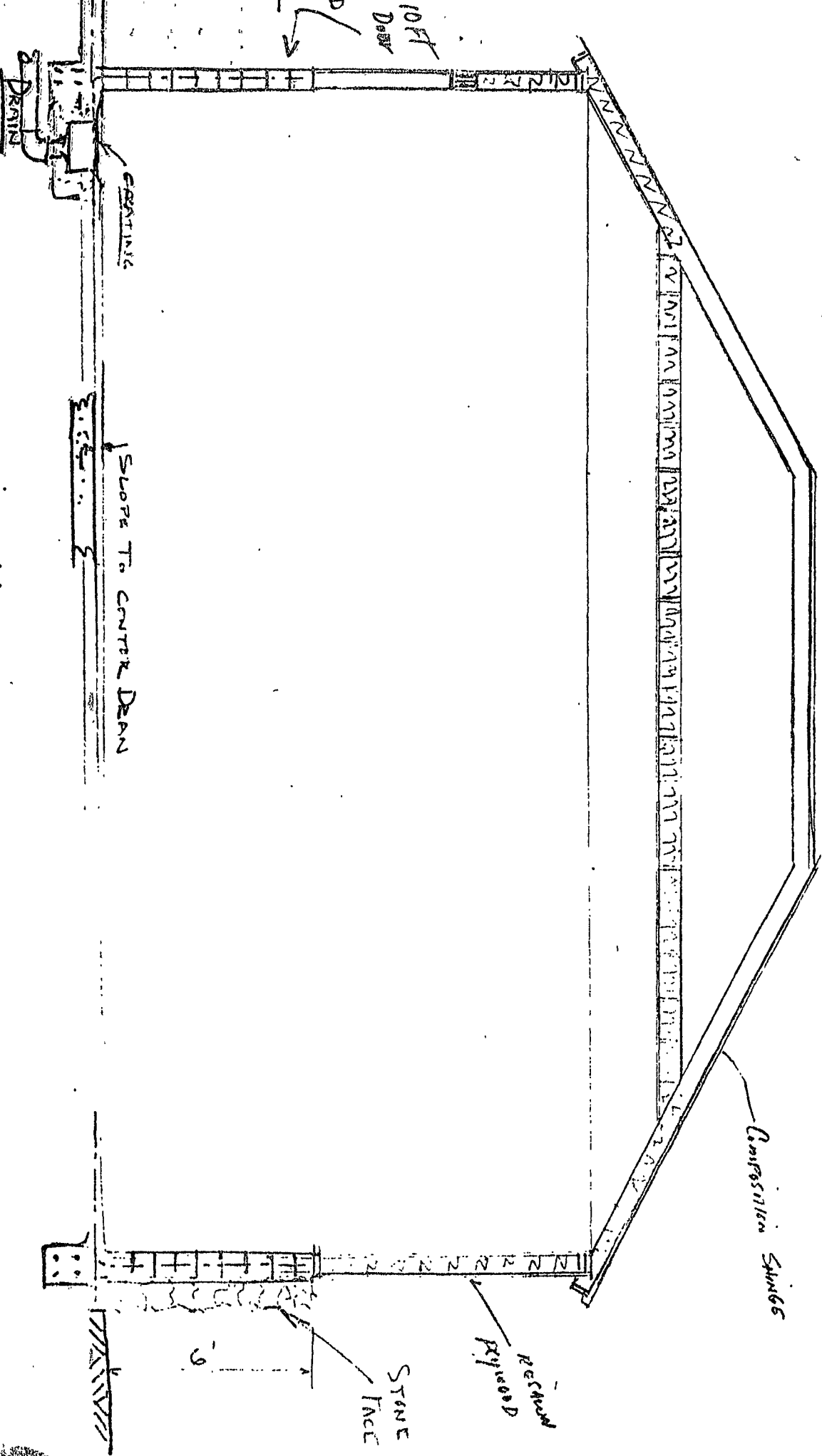
CRUSHED
ROCK

DRAIN

24'

END ELEV

USE PERMIT APPLICATION - ROBERT LONG
Parrish Hill - AP # 32-01-21
Proposed Winery



SIDE ELEVATION

FOR COUNTY USE ONLY
 YES NO

EXISTING STRUCTURES OR IMPROVEMENTS TO BE REMOVED: NONE

TYPE OF SHIELDS TO BE INSTALLED ON EXTERIOR LIGHTS: ~~None~~ No Flood lighting proposed *

WIDTH OF FIRE CLEAR ZONE AROUND WINERY TO BE MAINTAINED: (NOT LESS THAN 100 FT.) 100 FT.

METHOD OF DOMESTIC WASTE DISPOSAL: ~~None~~ Existing System *

METHOD OF INDUSTRIAL WASTE DISPOSAL: EXISTING SYSTEM

X

X

X

X

3. Site Characteristics:

PARCEL ACREAGE: (NOT LESS THAN 6 AC.) 125 ACRES

ZONING DISTRICT INVOLVED: (AW, AP ONLY) ord # 691 adopted 10-20-81 AW WR

WINERY COMPLEX SETBACK FROM CENTERLINE OF NEAREST PUBLIC ROAD: (NOT LESS THAN 400 FT. SILVERADO TRAIL AND STATE HIGHWAYS OR 200 FT. OTHER PUBLIC ROADS.) 3000 FT.

ROAD FRONTAGE SEPARATION BETWEEN PROPOSED WINERY & NEAREST APPROVED WINERY: (NOT LESS THAN 2,000 FT. WITHIN 1,000 FT. CORRIDOR). CHAPPELLET WINERY 1/2 MILE FT.

DISTANCE BETWEEN PROPOSED WINERY & NEAREST OFF-SITE RESIDENCE: (NOT LESS THAN 500 FT.) 2500 - 3000 FT.

MINIMUM DISTANCE BETWEEN THE PROPOSED WINERY COMPLEX INCLUDING SEWAGE SYSTEM AND ACCESS ROAD AND THE TOP OF THE BANK OF THE ORDINARY HIGH WATER CHANNEL OF THE NEAREST RIVER OR STREAM NOT COVERED BY COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE. (NOT LESS THAN 50 FT. 3000 FT.)

NAME OF NEAREST RIVER OR STREAM: CONN CREEK

X

X

X

X

X

X

X

4. Access and Parking:

PUBLIC ROAD FOR ACCESS TO WINERY: Hwy 128

WIDTH OF FIRST 30 FEET OF ACCESS ROAD: (NOT LESS THAN 16 FT.) 16 + FT.

WIDTH OF REMAINDER OF ACCESS ROAD TO WINERY BUILDING: (DETERMINED BY PUBLIC WORKS) 14-16 FT.

ACCESS ROAD SURFACE: SEAL-COTE OVER GRAVEL

ACCESS ROAD GRADE: 10%

NUMBER OF PARCELS PROVIDED ACCESS VIA ACCESS ROAD TO WINERY repeated by B.O.S. Action 9-30-86 2

NUMBER OF USES OTHER THAN THE PROPOSED WINERY AND RELATED ON-SITE RESIDENTIAL STRUCTURES PROVIDED ACCESS VIA ACCESS ROAD TO WINERY NONE

X

X

X

X

X

X

X

COUNTY PUBLIC WORKS DEPARTMENT ACCESS ROAD REQUIREMENT MET: YES NO

X

PARKING SPACES: EXISTING SPACES:

10

PROPOSED SPACES:

NONE

5. Building Site Requirements:

MONTH DURING WHICH WINERY CONSTRUCTION RELATED GROUND DISTURBING ACTIVITIES WILL OCCUR: (APRIL THROUGH OCTOBER ONLY) UNLESS CATCH BASINS INSTALLED.

~~NOV~~ JUNE / August *

NUMBER OF DEBRIS CATCH BASINS TO BE INSTALLED:

N/A

TYPE OF EROSION CONTROL MEASURES INSTALLED TO DISCHARGE ALL CONCENTRATED RUN-OFF AT NON-EROSIVE VELOCITIES:

N/A

TYPE OF GRASS MIXTURE TO BE USED IN AREAS DISTURBED BY WINERY CONSTRUCTION:

N/A

DATE BY WHICH DISTURBED AREAS WILL BE RESEEDED:

N/A

6. Landscaping Requirements:

LANDSCAPE PLAN TO INCLUDE:

~~XXXXXXXXXX~~ *Surrounded by vineyard. south wall & west wall will include trellis / star sasmine* *

a. DESIGNATION OF PLANTINGS TO SOFTEN GEOMETRIC FORM OF BUILDING AND BLEND IT WITH AGRICULTURAL CHARACTER OF SURROUNDING AREA

b. THE NAMES AND LOCATIONS OF THE PLANT MATERIALS TO BE EMPLOYED (Attach List to Application Form)

NA

c. THE LOCATION OF THE PARKING AREA(S) PROPOSED WITH PARKING SPACES IDENTIFIED

NA

d. DESIGNATION OF PLANTINGS TO SCREEN PARKING LOTS, OUTDOOR WORK AND STORAGE AREAS FROM VIEW FROM SURROUNDING PROPERTIES AND HIGHWAYS

NA

e. PROPOSED METHOD OF LANDSCAPE MAINTENANCE

NA

7. Environmental Considerations:

1. DOES THE PROPOSED SMALL WINERY BUILDING OR RELATED FACILITIES LIE WITHIN AN "ENVIRONMENTALLY SENSITIVE AREA" (I.E., WITHIN:

NO

a. A DESIGNATED FLOODWAY

b. A RECOGNIZED ACTIVE EARTHQUAKE FAULT ZONE

U.S.G.S. MAP APPARENTLY WRONG - JUNE 82 FIELD TRIP SHOWED NO THREATS - BEDROCK - VERY ACCEPTABLE RISK FOR BARREL STORAGE. J, D, 1

c. AN AREA THREATENED BY LANDSLIDES

d. THE EXTENDED CLEAR ZONE OF A HELIPORT OR AIRPORT

e. AN ARCHAEOLOGICALLY SENSITIVE AREA

f. THE HABITAT AREA OF A RARE AND/OR ENDANGERED PLANT OR ANIMAL

FOR COUNTY USE ONLY
 YES NO

2. DOES THE ~~PROPOSED~~ SMALL WINERY LIE WITHIN:
1 JUNE 82 FIELD TRIP INDICATES LOW FIRE RISK DUE TO SURROUNDING
NO a. A HIGH FIRE RISK HAZARD AREA VINEYARDS & ALLWEATHER PAVED ACCESS ROAD, J.O.
NO b. A RECOGNIZED HISTORIC STRUCTURE

X
 X

I certify that the above statements are correct and that the plans submitted are accurate:

[Signature]
 Signature of Applicant

[Signature]
 Signature of Property Owner

April 19 1982
 Date

June 11 1982
 Date

FOR COUNTY USE ONLY

- ACCEPTABLE PLOT PLAN SUBMITTED: YES NO
 TOPOGRAPHIC SITE LOCATION MAP SUBMITTED: YES NO
 ACCEPTABLE LANDSCAPING PLAN SUBMITTED: YES NO*

Not required for this application

QUALIFIES FOR A SMALL WINERY USE PERMIT EXEMPTION

*Long Vineyards
 AP# 32-010-21 & 41*

YES NO

Evaluation made June 10 1982
 Date

BY T. E. Crumhall

Applicant notified June 11 1982
 Date

X
 X
 X
 X
 X
 X
 X

1561 (11 SW)
(ST. HELENA)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

STATE OF
REPRESENTATIVE
DIRECTOR OF
1561
(CHILES)

122°22'30"
38°30'

555000m.E.

R. 5 W. R. 4 W.

ANGWIN 14 MI.
POPE VALLEY 10 MI.
557

558 20'

559

4261000m.N.

T. 8 N.

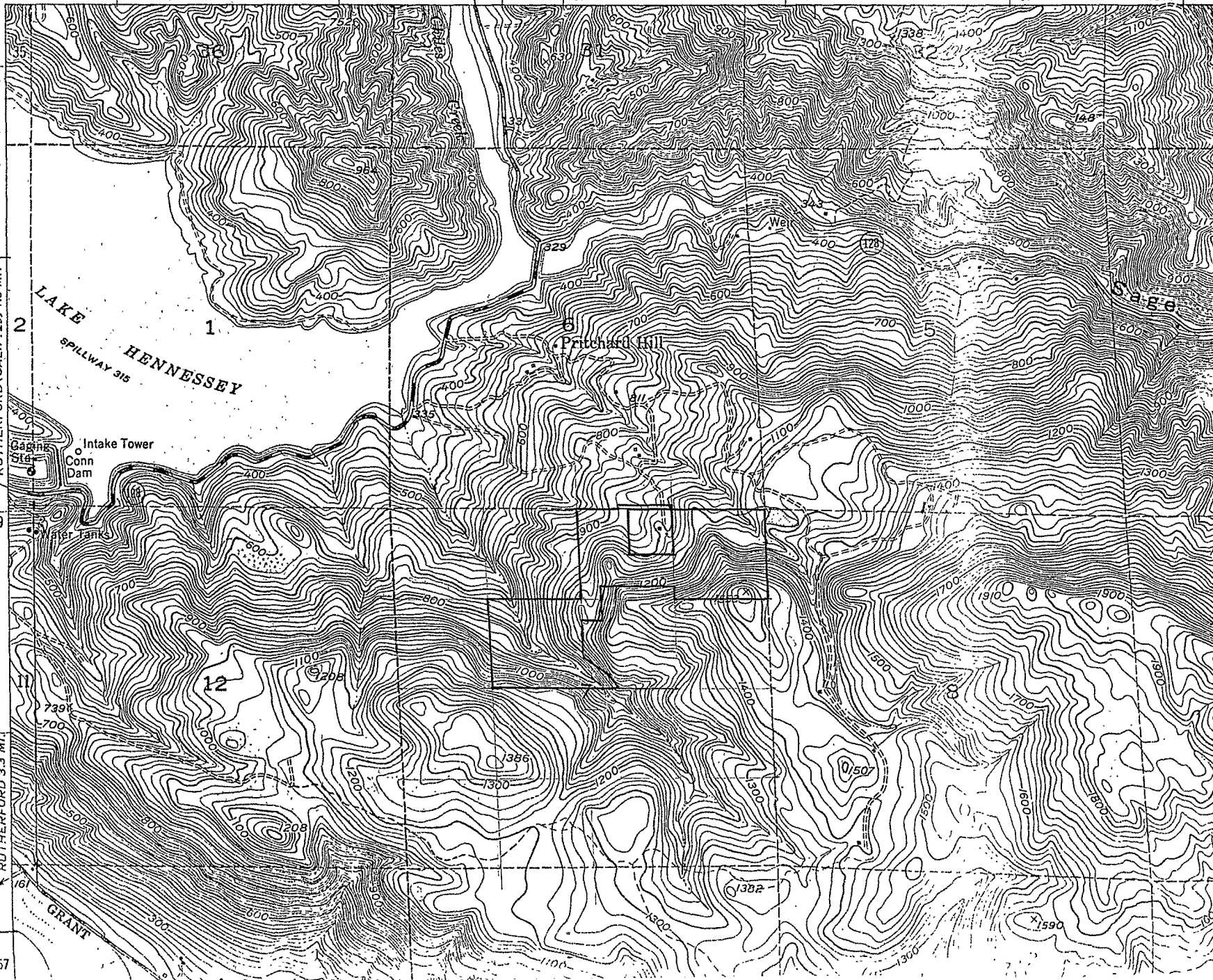
T. 7 N.

ST. HELENA 6.2 MI.
RUTHERFORD (CALIF. 29) 4.6 MI.

4259

RUTHERFORD 3.3 MI.

4257





HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

June 10, 2008

Mr. Manuel Pires
Sage Hill Vineyards LLC
214 Hog's Back Road
Oxford, CT 06578

Re: Sage Hill Vineyards; APN 032-010-079; Variance Application № P08-00080-VAR and Use Permit Modification, Conservation Regulations Use Permit Exception, and Road and Street Standards Exception Application № P07-00348-MOD

Dear Manuel,

Please be advised that Variance Application № **P08-00080-VAR** and Use Permit Modification, Conservation Regulations Use Permit Exception, and Road and Street Standards Exception Application № **P07-00348-MOD** were **APPROVED** by the Napa County Conservation, Development and Planning Commission (hereinafter the Commission) on June 4, 2008, subject to the attached final conditions of approval, Napa County departmental comments, and all applicable Napa County regulations. In approving the above applications, the Commission adopted the negative declaration on file with the Conservation, Development, and Planning Department.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another party.

Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

Pursuant to Napa County Code §18.124.080, the use permit modification must be activated within two (2) years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

If you have any questions about this letter please feel free to contact me at 707.253.4847 or via email at ccaahill@co.napa.ca.us.

Best Regards,

A handwritten signature in black ink, appearing to read "C. Cahill", with a long horizontal line extending to the right.

Christopher M. Cahill
Planner

PLEASE SEE
P08-00080VAR
FOR SEPTIC & WELL
FEASIBILITY REPORT.

Attached: adopted conditions of approval and Departmental requirements
Cc: file, Napa County Assessor, Randy Skidmore (Coombs & Dunlap)

RESOLUTION NO. _____

A RESOLUTION OF THE CONSERVATION, DEVELOPMENT, AND PLANNING COMMISSION, COUNTY OF NAPA, STATE OF CALIFORNIA, ADOPTING A NEGATIVE DECLARATION AND APPROVING A WINERY ROAD SETBACK VARIANCE, A CONSERVATION REGULATIONS SLOPE USE PERMIT EXCEPTION, AN EXCEPTION TO THE ROAD AND STREET STANDARDS, AND A MODIFICATION TO WINERY USE PERMIT № U-457778 AND ITS ASSOCIATED SMALL WINERY EXEMPTION FOR SAGE HILL VINEYARDS

WHEREAS, on February 7, 2008, Sage Hill Vineyards (Sage Hill Vineyards, LLC.) (Applicant) filed an application for: 1.) a variance to allow the construction of a winery 153 feet from the centerline of a shared private drive where 300 feet is required; 2.) a Conservation Regulations use permit exception to allow the construction of the proposed winery facility on a building site slope averaging 39% where slopes of less than 30% are required 3.) a Road and Street Standards exception to allow a winery access drive with 14 feet of surfaced roadway plus drivable shoulders ranging between three and six feet where 18 feet of surfaced roadway plus two foot shoulders is required; and 4.) an application to modify Winery Use Permit № U-457778 and an associated Small Winery Exemption to allow the following: a.) an increase in winery maximum total production from 5,000 gallons per year to 20,000 gallons per year; b.) construction of a 3,458 square foot single story winery building, a 797 square foot covered outdoor work area, and 4,716 square feet of caves for a winery totaling 8,971 square feet; c.) one full-time and two part-time employees; d.) ten parking spaces including one ADA-accessible space; e.) tours and tastings by appointment only with a maximum of six visitors per day with no more than a total of 18 visitors per week; f.) a marketing plan with five 15-person marketing events annually and one 50-person Wine Auction event annually; g.) installation of three additional 10,500 gallon water tanks; h.) installation of below-grade process and domestic wastewater treatment tanks; and, i.) treated wastewater disposal through subsurface disposal fields or via hold and haul (the Project) located on a 114.7 acre parcel accessed via a private drive beginning 150 feet northeast of the intersection of Sage Canyon Road (State Highway 128) and Long Ranch Road within an AW (Agricultural Watershed) zoning district, Assessor's Parcel # 032-010-079, 1535 Sage Canyon Road, St. Helena, California (the Property); and

WHEREAS, the Napa County Conservation, Development, and Planning Commission (Commission) conducted a public hearing on the Project on June 4, 2008; and

WHEREAS, the public hearing before the Commission was duly noticed in accordance with applicable State law and Napa County Code requirements; and

WHEREAS, the Commission received testimony from County staff, the applicant, and interested parties regarding the proposed Project; and

WHEREAS, the Commission received and reviewed the proposed Negative Declaration for the Project pursuant to the provisions of the California Environmental Quality Act (CEQA) and of Napa County's Local Procedures for Implementing CEQA; and

WHEREAS, the Commission has reviewed the above-described variance request and in accordance with the requirements of Napa County Code Section 18.128.060 and makes the following findings:

1. The requirements set forth in Chapter 18.128 of the Napa County Code have been met. The variance application has been filed and notice and public hearing requirements have been met. The hearing notice and notice of availability of the proposed Negative Declaration were posted on May 15, 2008 and copies were forwarded to property owners within 300 feet of the Property.

2. Special circumstances exist applicable to the Property, including size, shape, topography, location or surroundings, because of which strict application of the zoning district regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The Applicant's Property is underlain by massive, ancient, land slide deposits which make new development outside of required winery roadway setbacks extremely difficult, if not impossible. The two areas located both outside of winery setbacks and outside of the known landslide area (the Property's southwest and southeast corners) are steeply sloping and subject to Viewshed Protection Ordinance limitations because of their ridgeline location and visibility from Sage Canyon Road. Additionally, these two areas are dominated by the Napa County Oak Woodland sensitive biotic community, a mapped area of heightened environmental sensitivity, the protection of which would further constrain any potential development in these areas. The extensive landslide deposits, steep slopes, special-status oak woodland ecosystem, and regulatory limitations of the Viewshed Ordinance combine to create special circumstances which deprive the Applicant of privileges enjoyed by other property in the vicinity and under identical zoning classification.

3. Grant of the variance is necessary for the preservation and enjoyment of substantial property rights. The AW (Agricultural Watershed) zoning district, in which the Property is located, allows wineries and uses accessory to a winery, subject to the approval of a conditional use permit. The applicant has a vested right to produce wine on this property as established by Use Permit #U-457778. As discussed in the above special circumstances finding, a variance from the required 300 foot winery roadway setback is required to allow the construction of a new winery on the Property. This application allows the relocation of an existing permitted winery out of an area of known geological instability and its replacement with a modernized winery facility along with limited increases in production and allowed winery accessory uses. The operation of legally constructed and operated agricultural production facilities within the County's agricultural zoning districts is a substantial property right.

4. Grant of the variance will not adversely affect the public health, safety or welfare of the County of Napa. Various County departments have reviewed the Project and commented regarding water, waste water disposal, access, building permits, and fire protection. Conditions are recommended which will incorporate these comments into the Project to assure protection of public health and safety. The relocation of winery facilities out of the identified landslide area will result in a decrease in the public's exposure to risks associated with slope instability and ground failure

5. The subject property is not located in a "groundwater deficient area" as identified in Section 13.15.010 of the Napa County Code.

6. Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project that reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels. Based on the submitted phase one water availability analysis, the 114.7 acre subject parcel has a water availability calculation of 57 acre feet per year (af/yr). Existing water usage on the parcel is approximately 8.0 af/yr, including 0.7 af/yr for residential use, 0.25 af/yr for the existing winery, and 7.0 af/yr for established vineyards. This application proposes new water use associated with wine production to be 0.66 af/yr and as a result, annual water demand for this parcel would increase to 8.4 af/yr. Based on these figures, as reviewed by the County Public Works Department, the Project would be below the established threshold for groundwater use on the parcel and will not result in substantial depletion of groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

WHEREAS, the Commission has reviewed the above-described Conservation Regulations slope exception in accordance with the requirements of the Napa County Code Section 18.108.040 and makes the following findings:

1. The winery production building, parking lot, access drives, and site retaining walls have been designed to complement the natural landform and to avoid excess grading. Exclusive of cave construction, 50 cubic yards of cut are proposed at the winery site and 320 cubic yards of fill are proposed for road widening along the access drives entire, nearly one mile, length. The remainder of the cave spoils will be distributed along existing vineyard roads.

2. Structural development associated with this approval will be limited to the construction of small split level winery building which will step up the hillside following the existing slope. The proposed building employs architectural and design elements that serve to reduce the amount of grading and earthmoving activity associated with the Project.

3. Tree removal associated with this application has been limited to up to four trees along the widened roadway and eight trees at the winery site. No disturbance to the mapped Oak Woodland sensitive biotic community is proposed. A professionally prepared landscape plan has been submitted which proposes 37 new native trees and a substantial number of new native

shrubs and vines. The proposal minimizes removal of existing vegetation and incorporates both existing vegetation and significant replacement plantings.

4. Adequate fire safety measures have been incorporated into this application. The Fire Marshall has reviewed the submittal and recommends approval as conditioned.

5. This application proposes no disturbance to streams or watercourses. The Project area, including all road development, is more than 1,000 feet from the nearest identified stream.

6. Planning staff has reviewed the County's environmental sensitivity mapping and has determined that this Project will not impact any known threatened or endangered plant or animal habitats.

7. This Project will disturb more than an acre of total land area, and as a result, the permittee must file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted for the review and approval of the Department of Public Works (DPW) and Conservation, Development, and Planning Department (CDPD) prior to the issuance of a building, grading, or any other development permit. A standard condition requiring an NOI as reviewed and approved by the SRWQCB and a SWPPP reviewed and approved by the DPW and CDPD prior to the issuance of any development permit has been incorporated into this approval.

WHEREAS, the Commission has reviewed the above-described Road and Street Standards exception request in accordance with Road and Street Standards Section 3 and makes the following findings:

1. The requested exception will preserve unique features of the natural environment including steep slopes and a significant number of trees in excess of 6 inches in diameter at breast height (dbh). As analyzed by Nate Galambos of the Department of Public Works in a March 13, 2006 letter, existing slopes in the vicinity of the road are greater than 30% and "width reductions are warranted where cuts and fills would otherwise require engineered retaining walls and where traffic passing lanes are inter-visible." There are 367 trees larger than 6 inches dbh located within 20 feet of the existing roadway, including 6 bays, 2 black oaks, 59 blue oaks, 6 buckeyes, 1 Douglas-fir, 194 live oaks, 63 madrones, 1 pine, and 35 white oaks. Were the roadway to be constructed at a width of 18 feet with two foot shoulders, the vast majority of those 367 trees would be at risk of removal or permanent damage. With the Road and Street Standards exception proposed here, only two trees will be removed with an additional two trees at high risk for damage.

2. The Road and Street Standards exception proposed here provides the same overall practical effect as the Standards towards providing defensible space, and consideration towards life, safety, and public welfare. The Commission's approval of an exception, as conditioned above, will improve emergency vehicle access and general traffic flow along the subject access drive above existing conditions while protecting the vast majority of the unique features of the natural environment near the roadway including steep slopes and native trees with a diameter

greater than 6". The Project has been designed to comply with emergency access and response requirements and has been reviewed by the Napa County departments responsible for emergency services; it will not have a negative impact on the public health, safety, or welfare.

WHEREAS, the Commission has reviewed the above-described winery use permit modification request in accordance with the requirements of the Napa County Code Section 18.124.070 and makes the following findings:

1. The Commission has the power to issue a use permit under the Zoning Regulations in effect as applied to the Property. The Project is consistent with AW (Agricultural Watershed) zoning district regulations. A winery (as defined in Napa County Code §18.08.640) and uses in connection with a winery (see Napa County Code § 18.20.030) are permitted in an AW zoned district subject to an approved use permit. The requirements of the Winery Definition Ordinance (Ord. No. 947, 1990) and other portions of the Napa County Code (Zoning Regulations, as amended) can be met.

2. The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code have been met. The use permit application has been filed and the notice and public hearing requirements have been met. The hearing notice was posted on May 15, 2008 and copies were forwarded to property owners within 300 feet of the subject parcel. The CEQA public comment period ran from May 15 through June 3, 2008.

3. The grant of the use permit, as conditioned, will not adversely affect the public health, safety, or welfare of the County of Napa. Various County departments have reviewed the project and commented regarding water, waste water disposal, access, building permits and fire protection. Conditions are recommended which will incorporate these comments into the project to assure the ongoing protection of public health and safety.

4. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan. The goals established by the Napa County General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to concentrate urban uses in existing cities and urban areas. Napa County enacts and enforces regulations that act to retain agriculture as a major source of income and employment in Napa County. The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

A) **General Plan Agricultural Policy 3.11** recognizes wineries, and any use clearly accessory to a winery, as agriculture. The Land Use Standards of the General Plan, **subsection 3(F)(8)** and **subsection 3(F)(7)**, list the processing of agricultural products as one of the general uses recognized by the AWOS and AR land use designations. The proposed Project allows for the continuation of agriculture as a dominant land use within the County.

B) **General Plan Agricultural Policy 3.13** requires that wineries and winery-related activities be located off of prime agricultural soils, where practical, and that they “convey the attractiveness associated with existing Napa Valley wineries.” No portion of this Project will be

located on mapped farmland of state or local importance. The design of the proposed winery building, which utilizes native stone and earth-tone stucco cladding, is attractive and in keeping with other wineries in the area.

C) On June 3, 2008, the Napa County Board of Supervisors adopted an update to the County's General Plan which altered some of the organization and policy language in the plan, possibly including some of the language cited here. Overall, the General Plan update reinforced the County's long-standing commitment to agricultural preservation, urban centered growth, and resource conservation. On balance, this Project is consistent with this policy framework and with the updated General Plan.

5. The proposed use would not require a new water system or improvement causing significant adverse effects, either individually or cumulatively, on the affected groundwater basin. Minimum thresholds for water use have been established by the Department of Public Works using reports by the United States Geological Survey (USGS). These reports are the result of water resources investigations performed by the USGS in cooperation with the Napa County Flood Control and Water Conservation District. Any project which reduces water usage or any water usage which is at or below the established threshold is assumed not to have a significant effect on groundwater levels.

Based on the submitted phase one water availability analysis, the 114.7 acre subject parcel has a water availability calculation of 57 acre feet per year (af/yr). Existing water usage on the parcel is approximately 8.0 af/yr, including 0.7 af/yr for residential use, 0.25 af/yr for the existing winery, and 7.0 af/yr for established vineyards. This application proposes new water use associated with wine production to be 0.66 af/yr and as a result, annual water demand for this parcel would increase to 8.4 af/yr. Based on these figures, the project would be below the established threshold for groundwater use on the parcel and is deemed not to result in a substantial depletion of groundwater supplies. The project will not interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level.

NOW, THEREFORE, BE IT RESOLVED by the Conservation, Development, and Planning Commission as follows:

1. The foregoing recitals are true and correct;
2. The Commission has read and considered the proposed Negative Declaration prior to taking action on said document and the proposed Project;
3. The Negative Declaration is based on independent judgment exercised by the Commission;
4. The Negative Declaration was prepared and considered in accordance with the requirements of CEQA;
5. That considering the record as whole, there is no substantial evidence that the Project will have a significant effect on the environment;
6. That the Secretary of the Commission is the custodian of records for the proceedings on which this decision is based. Records are located at the Napa

County Conservation, Development, and Planning Department, 1195 Third Street, Suite 210, Napa, Ca;

- 7. The Commission adopts the Negative Declaration, incorporated herein by reference; and
- 8. The Commission approves Variance № P08-00080-VAR and Conservation Regulations Slope Exception in the form of a Use Permit, Road and Street Standards Exception, and Use Permit Modification № P07-00348-MOD, based on the above findings and subject to the Conditions of Approval attached hereto as Exhibit "A."

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Conservation, Development, and Planning Commission of the County of Napa, State of California, at a regular meeting of the Commission held on the 4th day of June, 2008, by the following vote:

AYES: COMMISSIONERS _____

NOES: COMMISSIONERS _____

ABSENT: COMMISSIONERS _____

TERRY SCOTT, Chair
Napa County Planning Commission

ATTEST:
Clerk of the Planning Commission

By: _____

APPROVED AS TO FORM Office of County Counsel
By: _____
Date: _____

APPROVED BY THE NAPA COUNTY PLANNING COMMISSION
Date: _____
Processed by: _____
Deputy Clerk of the Commission

Exhibit "A" – Proposed Conditions of Approval

EXHIBIT A

SAGE HILL VINEYARDS (APN 032-010-079)

1. **SCOPE:** This approval shall be limited to:

A **Variance** to allow the construction of a winery 153 feet from the centerline of a shared private drive.

A **Conservation Regulations Use Permit Exception** to allow the construction of a winery facility on a building site slope averaging 39%.

A **Road and Street Standards Exception** to allow a winery access drive with 14 feet of surfaced roadway plus drivable shoulders ranging between three and six feet.

A **Use Permit Modification** to allow:

- Wine production of no more than 20,000 gallons per year (consistent with the Napa County Winery Production Process);
- Construction of a 3,458 square foot single story winery building;
- Construction of a 797 square foot covered outdoor work area;
- Construction of 4,716 square feet of winery caves for a winery totaling 8,971 square feet;
- Conversion of the existing winery facility to an allowed non-winery agricultural use;
- One full-time and two part-time employees;
- Construction of 10 parking spaces, including one ADA-accessible space;
- Installation of three 10,500 gallon fire flow and domestic water tanks;
- Installation of below-grade process and domestic wastewater treatment tanks;
- Treated wastewater disposal through subsurface disposal fields or via hold and haul, subject to ongoing permitting and regulation by the Department of Environmental Management; and
- Hours of operation for the winery shall be limited to 9 AM to 6 PM, Monday through Saturday and 9 AM to Noon on Sunday.

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. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

2. **MARKETING:** This approval shall be limited to:

- Five marketing events annually with a maximum of 15 persons per event and
- One Napa Valley Wine Auction event with a maximum of 50 persons.

Marketing events may include catered food, but may not include outdoor amplified music.

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development. (Ord. 1104 § 11, 1996: Ord. 947 § 9 (part), 1990: prior code § 12071).

The start and finish time of all activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. Parking during marketing events shall be subject to all requirements enumerated elsewhere in these conditions of approval and in those documents incorporated herein by reference.

3. **TOURS AND TASTING:** This approval shall be limited to:

- Tours and tastings by appointment only with a maximum of six visitors per day but no more than 18 visitors per week.

Tours and tastings shall not be held on the day of the annual Napa Valley Wine Auction marketing event.

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by a winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. (Ord. 947 § 9 (part), 1990: prior code § 12070). Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c).

A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Planning Department upon request.

4. ADDITIONAL LIMITATIONS:

The three additional water tanks approved here shall be located, installed, and/or screened with evergreen vegetation such that they are not visible from Sage Canyon Road or any other viewshed road.

Portable chemical toilets must be provided and used in lieu of restroom facilities on any day in which visitation exceeds 42 persons. As conditioned elsewhere in this document, the only day in which combined employee and visitor numbers are allowed to exceed 42 persons is the day of the 50-person Napa Valley Wine Auction event.

Prior to the issuance of a building permit for any work associated with this approval, the permittee shall submit detailed conversion plans, at the floor-plan scale, indicating any electrical, plumbing, and/or structural changes and proposed alternate uses for all portions of all winery facilities in existence as of the date of this approval.

All winery facilities approved by or existing pursuant to prior Use Permit or Small Winery Exemption approvals must be converted to allowed non-winery use prior to the issuance of a Certificate of Occupancy (be it Final, Temporary, or otherwise) for the new winery facility. Existing winery-specific electrical and/or plumbing improvements shall be removed or otherwise permanently disabled subject to the review and approval of the Planning Division.

Home Occupation P05-00230-HO, approved by Napa County on July 13, 2005, allows a 300 square foot office in the primary residence for wholesale wine sales. Any continuing use of the home occupation office must be entirely separate and distinct from the winery approved hereby and no winery employees may work there.

5. GRAPE SOURCE:

At least 75% of the grapes used to make all wine beyond the first 5,000 gallons annually 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 beyond the first 5,000 gallons annually 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.

6. **SIGNS:**

No winery signage is approved at this time. Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Conservation, Development and Planning Department for Comprehensive Sign Plan review and approval. All signs must meet the design standards at Chapter 18.116 of the County Code. Should any winery signage be installed, at least one sign placed and sized in a manner to inform the public must legibly include wording stating “Tours and Tasting by Prior Appointment Only”.

7. **GATES/ENTRY STRUCTURES:**

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

8. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

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

9. **LANDSCAPING/PARKING:**

Two (2) copies of a detailed final landscaping plan, including parking details, shall be submitted for Planning Division review and approval prior to the issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. **Plant materials shall**

be purchased locally when practical. The Agricultural Commissioner's office (707.253.4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Before the start of any clearing, excavation, construction, or other work on the site, every tree greater than 6" DBH in the vicinity of the project area which is not marked for removal on the submitted site plan shall be securely fenced-off at the dripline. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the winery development. **In no case shall construction materials or debris be stored within the fenced tree protection area.**

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view such areas.

Parking shall be limited to approved parking spaces only. Parking shall not occur in other locations except during harvest and approved marketing events. In no case shall parking impede emergency vehicle access, public roads, or any private road providing access to other properties.

If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

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

All outdoor storage of winery equipment shall be permanently screened from the view of adjacent properties by a visual barrier consisting of dense landscaping. No item in storage is to 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 and are subject to the review and approval of the Planning Department. New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 7 of the General Plan and Chapter 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

11. **RENTAL/LEASING:**

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

12. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

- Department of Environmental Management as stated in their memo of February 21, 2008;
- Department of Public Works as stated in their memo of May 19, 2008;
- County Fire Department as stated in their memo of March 27, 2008; and
- Building Division as stated in their printed comments of March 15, 2008.

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

13. **GRADING AND SPOILS:**

All grading and spoils generated by construction of the project facilities, including any cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

14. **WELLS:**

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

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

15. **NOISE:**

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM.

Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code.

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

16. **COLORS:**

The colors used for the roof, exterior walls and built landscaping features of the winery shall be in substantial compliance with submitted plans and specifications and shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The applicant shall obtain the written approval of the Planning Division prior to painting the building. Highly reflective surfaces are prohibited.

17. **DUST CONTROL:**

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

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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 Conservation, Development, and Planning Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

19. **PREVIOUS APPROVALS:**

Excepting those items which are explicitly amended here and those conditions of approval adopted hereby, all items, applicable conditions, and any mitigation measures included in any previous County approval shall remain in full force and effect. However, to the extent there is a conflict between this modification and any prior approval, this modification and these conditions of approval shall control.

20. **TRAFFIC:**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4 pm to 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.

21. **ADDRESSING:**

All project site addresses shall be determined by the Conservation, Development, and Planning Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The Conservation, Development, and Planning Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers.

For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

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The permittee shall fully comply with the requirements of the Napa County Temporary Events Ordinance (N.C.C. Chapter 5.36). No charitable or other event which would otherwise be subject to the requirements of the Napa County Temporary Events Ordinance shall be deemed to be a marketing activity simply because attendance at the event is by invitation only.

23. **STORM WATER CONTROL:**

The permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity and shall submit a Stormwater Pollution Prevention Plan for the review and approval of the Department of Public Works prior to the issuance of a building, grading, or any other development permit.

All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

24. **INDEMNIFICATION:**

An indemnification agreement was signed and submitted with initial application materials.

25. **AFFORDABLE HOUSING MITIGATION:**

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 15.60 or as may be amended by the Board of Supervisors.

26. **MONITORING COSTS:**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those

costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. 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 (\$136.27/hour as of July 1, 2007). Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

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

27. TEMPORARY AND FINAL OCCUPANCY:

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions where extenuating circumstances exist and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Conservation, Development, and Planning. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

EXHIBIT A

SAGE HILL VINEYARDS (APN 032-010-079)

1. **SCOPE:** This approval shall be limited to:

A **Variance** to allow the construction of a winery 153 feet from the centerline of a shared private drive.

A **Conservation Regulations Use Permit Exception** to allow the construction of a winery facility on a building site slope averaging 39%.

A **Road and Street Standards Exception** to allow a winery access drive with 14 feet of surfaced roadway plus drivable shoulders ranging between three and six feet.

A **Use Permit Modification** to allow:

- Wine production of no more than 20,000 gallons per year (consistent with the Napa County Winery Production Process);
- Construction of a 3,458 square foot single story winery building;
- Construction of a 797 square foot covered outdoor work area;
- Construction of 4,716 square feet of winery caves for a winery totaling 8,971 square feet;
- Conversion of the existing winery facility to an allowed non-winery agricultural use;
- One full-time and two part-time employees;
- Construction of 10 parking spaces, including one ADA-accessible space;
- Installation of three 10,500 gallon fire flow and domestic water tanks;
- Installation of below-grade process and domestic wastewater treatment tanks;
- Treated wastewater disposal through subsurface disposal fields or via hold and haul, subject to ongoing permitting and regulation by the Department of Environmental Management; and
- Hours of operation for the winery shall be limited to 9 AM to 6 PM, Monday through Saturday and 9 AM to Noon on Sunday.

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. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

2. **MARKETING:** This approval shall be limited to:

- Five marketing events annually with a maximum of 15 persons per event and
- One Napa Valley Wine Auction event with a maximum of 50 persons.

Marketing events may include catered food, but may not include outdoor amplified music.

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development. (Ord. 1104 § 11, 1996: Ord. 947 § 9 (part), 1990: prior code § 12071).

The start and finish time of all activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM. Parking during marketing events shall be subject to all requirements enumerated elsewhere in these conditions of approval and in those documents incorporated herein by reference.

3. **TOURS AND TASTING:** This approval shall be limited to:

- Tours and tastings by appointment only with a maximum of six visitors per day but no more than 18 visitors per week.

Tours and tastings shall not be held on the day of the annual Napa Valley Wine Auction marketing event.

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by a winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. (Ord. 947 § 9 (part), 1990: prior code § 12070). Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c).

A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Planning Department upon request.

4. **ADDITIONAL LIMITATIONS:**

The three additional water tanks approved here shall be located, installed, and/or screened with evergreen vegetation such that they are not visible from Sage Canyon Road or any other viewshed road.

Portable chemical toilets must be provided and used in lieu of restroom facilities on any day in which visitation exceeds 42 persons. As conditioned elsewhere in this document, the only day in which combined employee and visitor numbers are allowed to exceed 42 persons is the day of the 50-person Napa Valley Wine Auction event.

Prior to the issuance of a building permit for any work associated with this approval, the permittee shall submit detailed conversion plans, at the floor-plan scale, indicating any electrical, plumbing, and/or structural changes and proposed alternate uses for all portions of all winery facilities in existence as of the date of this approval.

All winery facilities approved by or existing pursuant to prior Use Permit or Small Winery Exemption approvals must be converted to allowed non-winery use prior to the issuance of a Certificate of Occupancy (be it Final, Temporary, or otherwise) for the new winery facility. Existing winery-specific electrical and/or plumbing improvements shall be removed or otherwise permanently disabled subject to the review and approval of the Planning Division.

Home Occupation P05-00230-HO, approved by Napa County on July 13, 2005, allows a 300 square foot office in the primary residence for wholesale wine sales. Any continuing use of the home occupation office must be entirely separate and distinct from the winery approved hereby and no winery employees may work there.

5. **GRAPE SOURCE:**

At least 75% of the grapes used to make all wine beyond the first 5,000 gallons annually 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 beyond the first 5,000 gallons annually 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.

6. **SIGNS:**

No winery signage is approved at this time. Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Conservation, Development and Planning Department for Comprehensive Sign Plan review and approval. All signs must meet the design standards at Chapter 18.116 of the County Code. Should any winery signage be installed, at least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

7. **GATES/ENTRY STRUCTURES:**

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

8. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

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

9. **LANDSCAPING/PARKING:**

Two (2) copies of a detailed final landscaping plan, including parking details, shall be submitted for Planning Division review and approval prior to the issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. **Plant materials shall**

be purchased locally when practical. The Agricultural Commissioner's office (707.253.4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Before the start of any clearing, excavation, construction, or other work on the site, every tree greater than 6" DBH in the vicinity of the project area which is not marked for removal on the submitted site plan shall be securely fenced-off at the dripline. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the winery development. **In no case shall construction materials or debris be stored within the fenced tree protection area.**

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view such areas.

Parking shall be limited to approved parking spaces only. Parking shall not occur in other locations except during harvest and approved marketing events. In no case shall parking impede emergency vehicle access, public roads, or any private road providing access to other properties.

If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

10. OUTDOOR STORAGE/SCREENING/UTILITIES:

All outdoor storage of winery equipment shall be permanently screened from the view of adjacent properties by a visual barrier consisting of dense landscaping. No item in storage is to 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 and are subject to the review and approval of the Planning Department. New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 7 of the General Plan and Chapter 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

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

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All grading and spoils generated by construction of the project facilities, including any cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

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

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HILLARY GITELMAN
Director

OLD FILE # 707-00348

708-00080

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: ERIC BANVARD

APPLICATION TITLE: SAGE HILL VINEYARDS APN: 032-010-079

DESCRIPTION OF PROJECT: NEW 20,000 GPY WINERY IN 8174th
OF NEW WINERY AREA INCLUDING CLAVES - VARIANCE
FOR 154' ROAD SETBACK & ROAD EXCEPTION. CON. REG.
USE PERMIT FOR CONSTRUCTION ON 30% + SLOPES.

RESPONSE REQUEST DATE: 2.7.08 RESPONSE RETURN DATE: 2.21.08

PLEASE RESPOND VIA E-MAIL TO: CMCAHILL @co.napa.ca.us
OR FAX TO (707) 299- 4285

This application (see enclosed project description and maps) is being sent to you for your review and comment .

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

1. Do you have any comments on this project? Yes No
2. Do you have jurisdiction by law over this project? Yes No
3. Attach your agencies comments, or list below: Comments attached Comments below.

See attached comments from Assesla.

Name of contact person: Eric Banvard Telephone #: 299-1359

Email: ebanvard@co.napa.ca.us
Title: Plans & Permits Supervisor
Date: 3.15.08



Napa County

User ID: EBANVARD

Admin Tools

Dashboard

ACCELA AUTOMA1

SmartManager	Application	Property	People	Fees	Workflow	Attachments	Reports	Condition
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Workflow

Application #: P08-00080

Application Type: Planning / PL Permits / Variance / Variance

Address: 1535 SAGE CANYON ROAD, ST HELENA, CA 94574

<ul style="list-style-type: none"> ✓ Application Acceptance • Environmental Review • Public Works Review • Fire Review ✓ EM Review • County Council Review • Planning Review ✓ Building Review Planning Approval Closure <p style="text-align: center;"><input type="button" value="Task Activation"/></p>	<p>Task Details - Building Review</p> <p>Assigned Date: 02/13/2008 Due Date:</p> <p>Assigned To: Department: Building Department</p> <p>Current Status: Approved Status Date: 03/15/2008</p> <p>Action By: Eric Banvard Department: Building Department</p> <p>Status Comment:</p> <p>▶ Prior to any construction work applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B; submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits.</p>
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Vt



COUNTY of NAPA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

STEVEN LEDERER
Director

CHRISTINE M. SECHELI, R.E.H.S.
Assistant Director

TO: Napa County Planning Department
Hillary Gitelman, Planning Director

FROM: Napa County Environmental Management Department
Christine Secheli, R.E.H.S., Assistant Director

SUBJECT: Use Permit Application for Sage Hill Vineyards LLC
Located at 1535 Sage Canyon Road
Assessor Parcel 32-010-79
File # P07-00348 and P08-00080

DATE: February 21, 2008

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

1. Because the proposed facility will have a kitchen that will be used for food preparation for marketing events, this kitchen must be regulated and permitted by this department. As such, complete plans and specifications containing equipment layout, finish schedule and plumbing plans for the food preparation/food service area and the employee restrooms, must be submitted for review and approval by the County Department of Environmental Management prior to issuance of any building permit for said areas. Additionally, as a condition of approval and permitting of this food facility, the owner will have to comply with water system sampling and reporting as required. Owner shall apply for and obtain an annual food permit prior to issuance of a final on this project.
2. Any hazardous waste produced on the site including any laboratory wastes, must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Code of Regulations.
3. Pursuant to Chapter 6.5 & 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall file a Hazardous Waste Generator Application and/or Hazardous Materials Business Plan with the Department of Environmental Management within 30 days of said activities. All businesses must submit the required Business Activities Form which can be obtained from the Department of Environmental Management

1195 Third Street, Suite 101 • Napa, California 94559
Telephone: (707) 253-4471 • Fax: (707) 253-4545 • www.co.napa.ca.us

4. Plans for the proposed alternative sewage treatment and disposal system (either the pressure distribution system or the hold and haul system or both) shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be granted until such plans are approved by the Department of Environmental Management.

5. A permit for both the sanitary and process wastewater systems must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit a scaled plot plan showing the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area as well as the proposed trench detail. If special design sewage disposal plans are required, such plans shall fulfill this requirement.

6. The use of the 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., over the system.

7. An annual sewage permit must be obtained for the engineered/private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.

8. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

9. 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.

10. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site.

11. All diatomaceous earth and/or bentonite must be dried and disposed of as solid waste or in another appropriate manner. If the proposed septic system is either a special design sewage disposal system or a private sewage disposal system, the plan submitted for review and approval must address diatomaceous earth/ bentonite disposal.

cc: Doug Calhoun, Environmental Health Supervisor
Christopher Cahill, CDPD
Manuel Pires, Manager, Sage Hill Vineyards LLC, 214 Hogs Back Rd., Oxford, CT 06578
Coombs and Dunlap, LLP, 1211 Division St., Napa, 94559

RECEIVED


APR 02 2008

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.



Chuo

INTER-OFFICE MEMO

TO: Conservation, Development, and Planning Department
FROM: Gabrielle Avina, Fire Department 
DATE: March 27, 2008
SUBJECT: Sage Hill Winery Use Permit, Road Modification and Variance Comments
Apn: 032-010-079 P07-00348, P08-00080

Site Address: 1535 Sage Canyon Rd, St. Helena

The Napa County Fire Marshal staff has reviewed the Use Permit application to construct a winery within a 3,458 square foot above ground structure and 4,266 square feet of winery caves. The application also includes a road modification to the County Road and Street Standards and a variance to build on slopes greater than 30% and within private drive setbacks. Based on the permit application we have determined the winery caves to be Type I caves. We recommend that the following items shall be incorporated as project conditions if the project is approved.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.**
2. The winery structure as proposed does not require the installation of an automatic fire sprinkler system because the structure is less than 3,600 square feet. If a voluntary fire sprinkler system is installed it shall be designed and installed according to *National Fire Protection Standard #13 (Installation of Sprinkler System, 2002 edition)*.
3. Based on the use and occupancy of the cave as described in the use-permit application we have classified this cave to be a Type 1 wine cave. A Type 1 wine cave is used for the storage and/or processing of wine and is constructed and furnished solely of non-combustible materials and does not allow public access. Type 1 wine caves are not allowed to contain combustible contents and hosted events are never allowed in the caves.
4. The caves for this project will not require automatic fire sprinkler protection because they are considered Type 1 wine caves.
5. The winery cave shall have a minimum of two exits and all exits must be clearly identified. All exits shall be illuminated when the winery cave is occupied and the

fixtures providing exit illumination shall be supplied from a dedicated circuit or source of power used only for exit illumination. All exit doors shall have single action, common knowledge hardware.

6. The ***minimum*** required fire flow for the protection of the ***proposed*** project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 12,000 gallons. This flow is based on the premise that the structure will be of Type V-N rated construction and the structure and cave will not be protected by an automatic fire sprinkler system.
7. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 2003 edition)*. Fire pumps are required to be either diesel driven or electric. Electric fire pumps will also require a generator as a secondary source of power.
8. The private fire service mains shall be installed and maintained in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 2002 edition)*.
9. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2007 edition*. Hydrants shall be provided to within 250 feet of all exterior portions of a structure and to cave portals.
10. If a fire pump or voluntary sprinkler system is installed a fire alarm system will be required. All post indicator valves, control valves, waterflow devices and fire pumps will also require monitoring by an approved remote station or central alarm monitoring company. The fire alarm system shall be designed and installed in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 2002 edition)*.
11. **The applicant has requested a road modification to the road standards with reduced width for portions of the road where environmental constraints exist. We recommend approval of the road modification request as outlined in the letter to Napa County Public Works dated 2/7/2008.**
12. Fire apparatus access roads shall be provided to within 150 feet of all structures and to cave portals.
13. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.

14. Any gates on fire department access serving the facility shall be two feet wider than the road served and shall have fire department key access.
15. The applicant shall be responsible for maintaining 10 feet of defensible space along each side of the roadway. This defensible space zone shall include the removal of all dead fuel, dry grass mowed to less than four inches in height, the removal or cutting of all brush, the removal of small trees less than 8 inches in diameter and the removal of all ladder fuel on existing trees up to 8 feet in height, within 10 vertical feet of each side of the roadway.
16. A defensible space zone shall be created around all cave portals and structures. This defensible space zone shall be a minimum of 100' from the structures and portals. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site. Due to the variance request for construction on slopes greater than 30% the defensible space required may be increased due to fuel and slope characteristics on site.
17. The request for beneficial occupancy ***will not*** be considered until all fire and life safety issues have been installed, tested and finalized.
18. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.
19. The approved address numbers shall be placed in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 4" in height, contrasting in color with their background and shall be illuminated.
20. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
21. The applicant shall properly identify all required fire lanes. Fire lanes shall be

painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.

22. The applicant shall provide the Fire Department the ability to communicate between emergency personnel inside the cave.
23. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
24. A Knox Cabinet shall be installed at approved location by the Napa County Fire Marshal's Office.
25. The Knox Cabinet shall contain the following items:
 1. A minimum of 2 master keys to the winery structure and caves for emergency access.
 2. 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 3. 2 scaled floor plans of all structures showing doors, offices, etc.
 4. **A digital file of the site plans in a PDF format must be submitted at building final in addition to the hard copies listed above.**
 5. Napa County Hazardous Materials Business including all MSDS forms, etc.
26. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
27. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.
28. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at no charge to the County for independent review of alternate method proposals.

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



May 19th, 2008

TO: Conservation Development and Planning Department
FROM: Drew Lander, Assistant Engineer *DL*
SUBJECT: Sage Hill Winery, 1535 Sage Canyon Road
APN# 032-010-079-000, File #P07-00348UP, P08-00080VAR

This application will allow the applicant to construct a new 8,174 sqft winery building including 4266sqft of new caves and a total production of 20,000 gal/yr with 1 fulltime employee and 2 part time employees. Applicant proposes 2 employee parking spaces with 6 customer parking spaces and one loading area. Parcel is accessed from Sage Canyon Road.

EXISTING CONDITIONS:

1. Existing access road is over 5100 feet in length and varies in width from 16 feet to 10 feet of surfaced travel way with varying shoulder widths to the winery site. The access road is paved and chip-sealed to the location of the proposed winery driveway. The access road is located on steep cross slopes which are heavily wooded.
2. Current parking area at proposed winery site does not exist.
3. Average daily traffic count for Highway 128 just south of Chiles Pope Valley Road is 1800.
4. Drainage is sheet flow across the winery site on naturally vegetated slopes.
5. This winery is located approximately 4300ft away from Lake Hennessy in the Hennessey watershed.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. We have reviewed the phase one, water availability analysis for the proposed project. The 114.72 acre parcel is located in the "hillside" area, with an extraction threshold of 0.5 AF/Acre, resulting in a total parcel threshold of 57.36 AF/Year. The estimated water demand of 10.53 AF/Year is below the established threshold for the property. Therefore, the projected water use for this project should not have a significant impact on static water levels of neighboring wells. No further analysis is necessary.

DRIVEWAY.

2. This department supports the proposed improvements as illustrated on the provided roadway improvement plans titled "Sage Hill Vineyards LLC/Access Road", dated May 10th, 2007 with current Revision 04-15-08, by the office of Riechers Spence & Associates.
3. The average daily traffic count for the highway combined with the estimated daily winery traffic of 26 trips plus the existing roadway use for four single family residences do not warrant a left turn lane on State Route 128 using Napa County standards.

PARKING

4. Any parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.
5. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

SITE IMPROVEMENTS

6. Improvements shall be constructed according to plans prepared by a registered civil engineer which will be reviewed and approved by this office. A plan check fee will apply.
7. The disposition of all cave spoils and associated grading shall be specified and shown on the improvement plans along with proposed erosion control measures. A grading permit or grading exemption must be obtained prior to commencement of excavation for winery structures.
8. Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards.
9. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
10. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.

OTHER RECOMMENDATIONS

11. For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall prepare a Stormwater Pollution Prevention Plan and file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete,

etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into the watercourse. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

12. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items at this time please contact Drew Lander or Nathan Galambos of this office (707) 253-4251. For groundwater questions please contact Anna Maria Martinez.



COUNTY *of* NAPA

ROBERT J. PETERSON, P.E.
Director of Public Works
County Surveyor-County-Engineer
Road Commissioner

DONALD G. RIDENHOUR, P.E.
Assistant Director of Public Works

March 13th, 2006

Attn: Cathy A. Roche
DP&F
809 Coombs Street
Napa, CA 94559

Re: Roadway Modification site visit to Lands of Robert B. Long, Sr., APN 032-010-059-000

Dear Cathy Roche:

It is this Department's understanding that the property owner at 1535 Sage Canyon Rd. is investigating the possibility of improving a commercial winery facility on the property. For the safety and welfare of onsite workers, the public and to provide efficient all weather access for emergency service respondents that may visit the site, County code requires a minimum access roadway width of 18 feet double chip seal surface with 5 inches of aggregate base plus 2 feet of shoulder. The Department of Public Works has the authority to grant modifications to the required standards based on existing environmental and physical constraints to ensure the preservation of the unique features of the natural environment.

Based on a site visit conducted in September, 2005 at the site by Drew Lander and Nate Galambos of this department the following conditions exist:

Existing slopes greater than 30%

Width reductions are warranted where cuts and fills would otherwise require engineered retaining walls and where traffic passing lanes are inter-visible.

Large established trees

Localized roadway reductions are warranted for the large established Pine and Oak trees along the roadway.

Existing established drainage that would require extensive disturbance in the flow line.

Due to these environmental constraints this department is likely to grant modifications to the County Road and Street Standards. Please keep in mind that the goal is to achieve the maximum roadway width throughout the entire length to be improved. As discussed on site there are three design considerations that should be incorporated into the final design of the roadway to help achieve the maximum drivable width:

Where it is determined by an engineer to do so, crown or out-slope roadway to increase sheet flow runoff and reduce concentrated water flow.

Design drivable swales where drainage is required and the full roadway is not achieved.

Surface the maximum road width achievable (minimize shoulders) where the 18 ft width is not achieved.

Based on the information provided thus far, this Department would recommend roadway modifications for reductions in shoulder width and reductions in road width on a localized basis as needed to retain the large trees and minimize the disturbance on the steep slopes. Drainage swales may be considered as roadway width if designed to be drivable.

Station references are as illustrated on plans prepared by Terra Firma Surveys, revised April 21st, 2005 and titled "map of the/Conceptual Driveway Design/for road improvements to serve the lands of/Robert B. Long, Sr./as reviewed at the site meeting with state and county officials on March 7th, 2005."

The following sections have been determined to by this department to be capable of listed improvements:

Station 0+00 to 27+75 shall obtain a width of 18 feet surfaced roadway plus 2 feet of shoulder with a localized reduction in width at stations 13+75 to 14+50 due to slopes and drainage constraints.
Station 28+00 to 32+00 shall obtain a width of 17 feet surfaced roadway plus 0 feet of shoulder.
Station 32+00 to 46+50 shall obtain a width of 18 feet surfaced roadway plus 2 feet of shoulder.
Station 46+50 to 48+66 shall obtain a width of 18 feet surfaced roadway plus 0 feet of shoulder.
Station 48+66 to 54+50 shall obtain a width of 18 feet surfaced roadway plus 2 feet of shoulder.
Station 54+50 to 58+50 shall obtain a width of 16 feet surfaced roadway plus shoulder needed for stability.
Station 58+50 to 59+75 shall obtain a width of 18 feet surfaced roadway plus 2 feet of shoulder.
Station 59+75 to 62+75 shall obtain a width of 14 feet surfaced roadway plus 2 feet of shoulder.
Station 62+75 to 65+00 shall obtain a width of 18 feet surfaced roadway plus shoulder needed for stability.
Station 65+00 to 68+50 shall obtain a width of 14 feet surfaced roadway plus 2 feet of shoulder.
Station 68+50 to Winery Site shall obtain a width of 18 feet surfaced roadway plus 2 feet of shoulder with a localized reduction in width between stations 72+50 to 73+50 due to constraints of large established trees.

This department will make a final determination after submittal of a use permit to CDPD and engineered plans showing existing and proposed access improvements.

If you have any questions or comments regarding the documentation contained in this transmittal, please feel free to contact Larry Bogner or Drew Lander of this office.

Sincerely,

Nathan J. Galambos
Principal Engineer

Cc: Bob Nelson, CDPD
Gabriella Avina, CDF

Cahill, Christopher

From: Robertson, John (Sheriff's Department)
Sent: Friday, February 22, 2008 2:14 PM
To: Cahill, Christopher
Subject: Permit Application: Sage Hill Vineyards, APN# 032-010-079

The Napa Sheriff's Office does not have any comments or concerns at this time. Thanks!

***Captain John Robertson
Napa County Sheriff's Department
1535 Airport Blvd., Napa CA 94558
E-mail: jroberts@co.napa.ca.us
P- (707)259-8717
F- (707)299-4200***



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Hillary Gitelman
Director

August 2, 2010

Manuel Pires
Sage Hill Vineyards
1535 Sage Canyon Road
St. Helena, Calif. 94574

**Regarding: Use Permit Minor Modification and Road and Street Standards Exception № P10-00116
Sage Hill Vineyards Access Driveway Modification
1535 Sage Canyon Road, St. Helena, Calif. APN 032-010-079**

Dear Manuel,

Please be advised that Use Permit Minor Modification Application № **P10-00116**, modifying Use Permits associated with the Sage Hill Vineyards Winery to allow alterations to the approved winery access drive as shown in plans submitted on March 22, 2010 has been **APPROVED** by the Director of Conservation, Development, and Planning, subject to the attached findings and conditions of approval and all applicable Napa County regulations. The subject Minor Modification does not alter approved production capacity, hours of operation, employment levels, marketing events, or any adopted environmental mitigation measure. All work shall conform to submitted application materials, except as they may be superseded by the adopted conditions of approval.

In approving the above application, the Planning Director found the project Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (Class 1 – Existing Facilities) and Appendix B, Class 1, Subsection 3, of Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project is a minor alteration to a previously approved winery facility including no change in the winery's existing structural square footage.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another party. Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

Pursuant to Napa County Code §18.124.080, this use permit minor modification must be activated within two (2) years of the date of this letter, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

If you have any questions, please feel free to contact project planner Chris Cahill at 707.253.4847 or via email at chris.cahill@countyofnapa.org.

Best regards,
Hillary Gitelman, Planning Director

by Christopher M. Cahill, Planner

Attached: adopted findings and conditions of approval
Copied: R. Skidmore (C&D), D. Lander (DPW) , J. McDowell (CDPD), FILE

FINDINGS

1. **CEQA Status**

Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (Class 1 – Existing Facilities) and Appendix B, Class 1, Subsection 3, of Napa County’s Local Procedures for Implementing the California Environmental Quality Act. The project is a minor alteration to a previously approved winery facility including no increase in structural square footage.

2. **Purview of the Planning Director**

The Planning Director has the power to issue a use permit minor modification under the Zoning Regulations in effect as applied to the property. The project is consistent with AW (Agricultural Watershed) zoning district regulations. A winery (as defined in N.C.C. §18.08.640) and uses in connection with a winery (see N.C.C. §18.20.030) are permitted in an AW zoned district subject to an approved use permit. The requirements of the Winery Definition Ordinance (Ord. No. 947, 1990, as amended) and other portions of the Napa County Code can be met.

3. **Procedural Requirements**

The procedural requirements for a use permit set forth in Chapter 18.124 of the Napa County Code have been met.

4. **Public Welfare**

The grant of a minor modification allowing alterations to the approved winery access drive will not adversely affect the public health, safety, or welfare of the County of Napa. The applicant has submitted a traffic analysis (Mark Crane, *Sage Hill Vineyards LLC, Proposed Access Driveway Improvements*, March 4, 2010) which indicates that, “the proposed plan results in significant safety enhancements which more than compensate for the minor increase in weekday traffic due to the (approved) winery operation...” Relevant County departments have reviewed the project with regard to water, waste water disposal, access, building permits, and fire protection.

5. **Consistency with Standards**

The proposed minor modification complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan. The goals established by the Napa County General Plan are to plan for agriculture and related activities as the primary land use in Napa County and to concentrate urban uses in existing cities and urban areas. Napa County enacts and enforces regulations that act to retain agriculture as a major source of income and employment in Napa County. The Winery Definition Ordinance (WDO) was established to protect agriculture and open space and to regulate winery development and expansion in a manner that avoids potential negative environmental effects.

6. **Groundwater Deficient Areas**

The subject property is not located in a “groundwater deficient area” as identified in N.C.C. §13.15.010.

7. **Other Groundwater Basins**

No substantial evidence that the project would be above the established threshold for groundwater use on the parcel or that it would result in substantial depletion of groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level has been identified.

8. **Public Water Supplies**

This parcel does not have a reasonably foreseeable connection to a public water supply as defined in N.C.C. §13.15.010.

9. **Road and Street Standards – Natural Features**

The requested exception will preserve unique features of the natural environment including steep slopes and a significant number of trees in excess of 6 inches in diameter at breast height (dbh). As analyzed by Nate Galambos of the Department of Public Works in a March 13, 2006 letter, existing slopes in the vicinity of the road are greater than 30% and “width reductions are warranted where cuts and fills would otherwise require engineered retaining walls and where traffic passing lanes are inter-visible.” There are 367 trees larger than 6 inches dbh located within 20 feet of the existing roadway, including 6 bays, 2 black oaks, 59 blue oaks, 6 buckeyes, 1 Douglas-fir, 194 live oaks, 63 madrones, 1 pine, and 35 white oaks. Were the roadway to be constructed at a width of 18 feet with two foot shoulders, the vast majority of those 367 trees would be at risk of removal or permanent damage. With the Road and Street Standards exception proposed here, only one tree will be removed.

10. **Road and Street Standards – Same Overall Practical Effect**

The Road and Street Standards exception proposed here provides the same overall practical effect as the Standards towards providing defensible space, and consideration towards life, safety, and public welfare. The Director’s approval of an exception, as conditioned herein, will improve emergency vehicle access and general traffic flow along the subject access drive above existing conditions while protecting the vast majority of the unique features of the natural environment near the roadway including steep slopes and native trees with a diameter greater than 6”. The Project has been designed to comply with emergency access and response requirements and has been reviewed by the Napa County departments responsible for emergency services; it will not have a negative impact on the public health, safety, or welfare.

CONDITIONS OF APPROVAL

1. Scope

This approval modifies **Use Permits associated with the Sage Hill Vineyards Winery, only** in the following regard:

- The approved, but as-of-yet incomplete, winery access drive may be modified to further reduce its final width as shown in improvement plans on file with the Planning Division stamped "Received, March 22, 2010" and as further described in "Attachment A, Alternate Driveway Improvement Attachment, Sage Hill Vineyards, LLC" by Riechers Spence and Associates, also on file with the Planning Division.

The winery access road shall be designed in substantial conformance with the submitted site plan and other submittal materials and shall comply with all requirements of the Napa County Code. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and guests of the winery to ensure compliance is achieved.

Any expansion or changes in use shall be by the approved in accordance with Napa County Code § 18.124.130 and may be subject to the Use Permit modification process.

2. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not necessarily limited to:

- Department of Environmental Management as stated in their letter of April 12, 2010
- Department of Public Works as stated in their comments of July 28, 2010; and
- County Fire Department as stated in their memo of May 28, 2010; and

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

3. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

4. STORM WATER CONTROL

For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board

Sage Hill Vineyards Access Driveway Modification
1535 Sage Canyon Road, St. Helena, Calif. APN 032-010-079

(SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

5. **AFFORDABLE HOUSING MITIGATION**

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 15.60 or as may be amended by the Board of Supervisors.

6. **PREVIOUS CONDITIONS**

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

7. **MONITORING COSTS**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring. Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the 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 it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.

8. **TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building

USE PERMIT MINOR MODIFICATION AND ROAD AND STREET STANDARDS EXCEPTION N^o P10-00116

**Sage Hill Vineyards Access Driveway Modification
1535 Sage Canyon Road, St. Helena, C^{alif.} APN 032-010-079**

Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing and/or Tours and Tastings are not typically authorized until grant of Final Occupancy; exceptions where extenuating circumstances exist are subject to review and approval by the County Building Official, County Fire Marshal, and the Planning Director. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements. Consistent with Board of Supervisors Resolution N^o 2010-48, "Temporary Certificates of Occupancy are generally not to be used to allow production of wine for more than one year."