

“C”

## Previous Project Conditions

Exhibit C

CONDITIONS OF APPROVAL

**Chappellet Winery  
Use Permit Application № P11-00138  
1581 Sage Canyon Road, St. Helena, C<sup>alif.</sup>, 94574  
Assessor's Parcel №. 032-010-046**

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

**Road and Street Standards Exception to allow width reductions (18 feet required, 10 to 20 feet proposed) along the existing +/- 1 mile entry drive (APNs: 032-010-078, 032-010-010, and 032-010-053).**

**Use Permit to bring a pre-1974 winery under use permit including the following:**

- recognize wine production of 150,000 gallons per year;
- recognize an existing 19,636 square foot winery building;
- alterations within the existing 19,636 square foot winery building to convert 4,431 of production space to office, wine tasting, retail, storage, and commercial kitchen uses;
- construction of a +/- 24,000 square foot barrel storage building;
- construction of a +/- 9,500 square foot delivery, ADA-parking, and truck turnaround area adjacent to the proposed barrel storage building;
- approval of a two-phase construction phasing plan as detailed in submitted materials;
- recognize 18 employees and add 6 additional employees, for a total of 24 employees;
- recognize 24 parking spaces and install 2 additional ADA-accessible spaces, for a total of 26 spaces;
- recognize hours of winery operation from 6 am to 6 pm daily with public visitation from 10 am to 5 pm;
- add Evans on-premise consumption in existing and proposed marketing areas within the 19,636 square foot winery building;
- roadway improvements on parcels 032-010-046 and 032-010-053 including the widening of an existing 12 to 14 foot wide winery access road to 14 to 18 foot wide and construction of a new 20 foot wide driveway providing access to the proposed barrel storage building;
- domestic and process wastewater treatment improvements on parcels 032-010-046 and 032-010-053 including alteration of an existing off-stream reservoir to allow treated process wastewater storage with disposal via vineyard irrigation and conversion of an existing domestic/process waste disposal leachfield to dedicated domestic waste use;
- installation of a 60,000 gallon fire-flow water storage tank located on parcel 032-010-053; and
- grading including 10,000 cubic yards of net cut with spoils distributed within existing vineyard blocks on APN 032-010-053.

Except as they may be modified by the project revision statement or by these conditions of approval, 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.

1. **MARKETING:** Marketing events shall be limited to **four 40-person food and wine pairing events monthly, four 75-person wine club/open house events annually, one 125-person large event annually, and participation in Auction Napa Valley (all marketing events may include food service).**

**Food may be prepared in the winery commercial kitchen or may be catered. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.**

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

Business events are similar to cultural and social events, in that they will only be considered as "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's use permit. Marketing plans in their totality must remain "clearly incidental, related and subordinate to the primary operation of the winery as a production facility" (subsection (G)(5) of Sections 18.16.030 and subsection (I)(5) of 18.20.030 of the Napa County Code). To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of recovery of variable costs, and any business content unrelated to wine must be limited. Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan. (Ord. 1340, 2010: Ord. 1104 § 11, 1996: Ord. 947 § 9 (part), 1990: prior code § 12071).

Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM.

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

**2. TOURS AND TASTING:**

Tours and tastings shall be limited to **open-to-the-public tours and tastings with a maximum of 40 visitors per day and may include food and wine pairings.**

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. Tours and tastings may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant. (Ord. 1340, 2010: 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 Department upon request.

**Consistent with Assembly Bill 2004 (Evans) and the Planning Director’s July 17, 2008 memo, “Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises,” on-premise consumption may occur solely in winery building marketing areas. Any and all visitation associated with on-premise consumption shall be subject to the 40 person maximum daily tours and tastings visitation limitation.**

**3. GRAPE SOURCE:**

**No increase in wine production is approved as a component of this application; however, this approval increases the facility’s winery development area. As a result, if an increase in maximum production is at some point in the future approved, at least 75% of the grapes used to make any wine in excess of the presently-approved 150,000 gallons per year shall be grown within the County of Napa.** The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the production is from Napa County grapes. The report shall recognize the Agriculture Commission’s format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the Conservation, Development, and Planning Department upon request, but shall be considered proprietary information not available to the public.

**4. SIGNS:**

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for

administrative review and approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the County Code.

**5. GATES/ENTRY STRUCTURES:**

Any gate installed at the winery entrance shall be reviewed by the Conservation, Development, and Planning Department, the Department of Public Works, and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motor homes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure, an additional permit shall be required according to the County Code. 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.

**6. 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.

**7. 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 any building permit associated with this approval. 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 submitted landscape plan shall identify tree replacement as required elsewhere in this condition.

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 which may have been identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan.

The applicant/owner shall implement the following elements to avoid disturbing raptor nests:

- For earth disturbing activities occurring during the breeding season (February 1 through July 31), a qualified wildlife biologist shall conduct preconstruction surveys of all potential nesting habitat for raptors within 500 feet of earthmoving activities and related project construction activities. Survey results shall be submitted for the review and approval of the Planning Director, or her designee.
- If active nests are found during preconstruction surveys, a 500-foot no-disturbance buffer will be created around active raptor nests during the breeding season or until it is determined that all young have fledged. A 250-foot buffer zone shall be created around the nests of other special-status birds. If non-special status active bird nests are present, the nests shall be left undisturbed. These buffer zones are consistent with California Department of Fish and Game (CDFG) avoidance guidelines; however, they may be modified in coordination with CDFG based on existing conditions at the project site.
- If preconstruction surveys indicate that nests are inactive or potential habitat is unoccupied during the construction period, no further action is required.
- If earth-disturbing activities are delayed or suspended for more than one month after the preconstruction survey, the areas within 500 feet of earthmoving activities shall be resurveyed.

Before the start of any clearing, excavation, construction, or other work in their vicinity, all trees in the project area which are not otherwise slated for removal shall be securely fenced-off at the dripline. Such fences shall remain continuously in place for the duration of work undertaken in connection with this approval. 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.

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

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or 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.

New utility lines required for this project that are visible from any designated scenic transportation route (see 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.

**9. RENTAL/LEASING:**

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

**10. 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 memo of May 11, 2011;
- Department of Public Works as stated in their memo of July 29, 2011; and
- County Fire Department as stated in their memo of May 2, 2011.

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.

**11. GRADING AND SPOILS:**

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

**12. 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).

**13. NOISE:**

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

**14. COLORS:**

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

**15. 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.

**16. ARCHEOLOGICAL FINDING:**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the 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.



**17. TRAFFIC:**

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

**18. ADDRESSING:**

All project site addresses shall be determined by the Planning Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The 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.

**19. STORM WATER CONTROL:**

For any construction activity that results in disturbance to more than one acre of total land area, the permittee shall 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, 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.

**20. MITIGATION MEASURES:**

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

**GEOLOGY AND SOILS**

Prior to County authorization of a building permit, the permittee shall submit a final geotechnical study report specifying design parameters for the proposed construction. Project construction shall comply with the recommendations and/or requirements of the final geotechnical study report to the satisfaction of the Building Official.

**21. INDEMNIFICATION:**

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

**22. 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.

**23. 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. 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 Conservation, Development, and 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.

**24. 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 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 No 2010-48, "Temporary Certificates of Occupancy are generally not to be used to allow production of wine for more than one year."

# INTER-OFFICE MEMO

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TO: Chris Cahill  
Conservation, Development, and Planning Department

FROM: Brian Hampton  
Fire Department

DATE: May 1, 2011

SUBJECT: Chappellet Winery  
P11-00138 APN# 032-010-046

**SITE ADDRESS: 1581 Sage Canyon Road**

The Napa County Fire Marshal staff has reviewed the application to bring pre-1974 winery under use permit, adopt a marketing plan, recognize production volume, make water ex septic system improvements, build a new 24,000 square foot barrel storage building, make 4,431 square feet of improvements to the existing winery, and sundry utility structure improvements. The following comments are required based on current codes and standards.

1. **All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance.**
2. Install steamer fire hydrants to within 250 feet of any exterior portion of the building as measured along approved vehicular access roads. Civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval.
3. Install a KNOX CABINET at the driveway entrance on the right hand side. Contact the Napa County Fire Marshal's Office for an application and additional information.
4. Install blue dot reflectors 12 inches of center line in front of all fire hydrants.
5. Currently serviced and tagged fire extinguishers with a minimum rating of 2A10BC shall be mounted 3 1/2 feet to 5 feet to the top of the extinguisher. Fire extinguishers shall not exceed 75 feet of travel distance to any portion of the facility.
6. Install illuminated exit signs and emergency backup lighting throughout per the California Building Code 2007 edition.

7. Your fire flow for this project is 500 gallons per minute (GPM) for a 60 minute duration at 20 psi residual pressure. Provide 18,000 gallons of water dedicated for fire protection for the fire hydrants. Fire tanks shall be installed per NFPA 22 2002 edition. A UL listed fire pump conforming to NFPA 20 2002 edition may be required to meet the required fire flow for the project. Water storage for fire sprinklers will be in addition to the water storage to meet your required fire flows.
8. Approved access walkways shall be provided to all exterior doors and openings required by either the California Building Code or California Fire Code. A concrete walkway or other approved hard surface will meet the intent of the access walkway requirement.
9. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with 4-inch white letters to read: "NO PARKING FIRE LANE" CVC 22500.1, stenciled every 30 feet on top of the curb.
10. All exit doors shall be operable without the use of a key or any special knowledge or effort.
11. The request for beneficial occupancy will not be considered until all fire and life safety issues have been installed, tested and finalized.
12. A complete set of building drawings and civil drawings shall be submitted to the Fire Department for plan review and approval.
13. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to permit issuance.
14. The numerical address for the project shall be posted at the public right of way and shall be visible from both directions and shall be a minimum of 4-inches in height on a contrasting background and numbers shall be reflective and/or illuminated.
15. All commercial type cooking equipment shall be protected by an automatic fire extinguishing system. Plans shall be submitted to the Napa County Fire Marshal's Office for plan review and approval.
16. All structures exceeding 3,600 square feet shall be equipped with an automatic fire sprinkler system with water flow monitoring to a central receiving station shall be installed. Plans shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to any installation.
17. All emergency vehicle access roads shall be installed per the Napa County Road and Street Standards.

18. All driveways and roads shall comply with the California Fire Code 2007 edition and Napa County Public Works road and street standards.
19. All gated entrances shall be provided with a KNOX KEY SWITCH for electronic gates and/or a KNOX PADLOCK for manual gates.
20. Provide one hundred (100') feet of defensible space around all structures per Public Resources Code 4291.
21. Provide 10 feet of defensible space on both sides of driveways per Public Resources Code 4291.

If you have any questions and/or concerns in regards to the meaning of these conditions, please feel free to contact our office Monday through Friday at 707-967-1423.



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**Steven Lederer**  
Director

**MEMORANDUM**

To: Napa County Planning Department, Chris Cahill, Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: May 11, 2011	Re: Application for Chappellet Winery Use Permit Located at 1581 Sage Canyon Road Assessor Parcel #s 032-010-046 & -053 File # P11-00138

The Use Permit Application to bring a pre-1974 winery under use permit, including adopting a marketing plan, recognizing production volume, water and septic improvements, constructing a new barrel storage building and making improvements to the existing winery building has been reviewed. The following items shall be incorporated as conditions if the project is approved:

1. Complete plans and specifications for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Department prior to issuance of any building permits for said areas. An annual food permit will be required.
2. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Department. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.
3. Since the proposed water system is to be installed (or exists) on a separate parcel from the facilities it will serve, an approved and recorded water easement must be filed with this Department prior to approval of a building permit.
4. Prior to the approval of a building permit, an inspection of the existing sanitary sewage disposal system must be performed by a licensed sewage contractor and a report submitted to this Department for review and approval.
5. Since all or part of the proposed sanitary and process wastewater systems are to be installed on a separate parcel from the facility they will serve, an approved sewage

easement must be filed with this Department prior to issuance of septic system construction permits.

6. A permit for installation of new sanitary wastewater treatment tanks and grease interceptor must be secured from this Department prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
7. To secure a permit to install new sanitary waste tanks and make any other improvements to the sanitary waste disposal system the applicant must submit plans to this Department for review and approval. The plans must show the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area, all other site features such as storm drainage, wells, roads, slope, etc. The plans must be drawn to scale. If alternative sewage treatment system plans are required, such plans shall fulfill this requirement.
8. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, and etc.
9. A permit for installation of pretreatment system, pond improvements and related construction must be secured from this Department prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
10. Plans for proposed pond improvements 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 this Department. As a condition of the pond improvement plans, during the pond upgrades the pond liner must be visually inspected to verify the condition is suitable. This inspection must be completed by the designer and a representative of this department. A report on the condition must be submitted for review and approval prior to final approval of the pond improvements.
11. The applicant shall maintain regular monitoring of the above ground waste water treatment system as required by this Department which includes submitting quarterly monitoring reports. An annual operating permit is required for the waste water system.

12. Any hazardous waste produced on site, including laboratory wastes, must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Department.
13. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Department within 30 days of said activities. If your business does not store hazardous materials above threshold planning quantities, submit the Business Activities Page indicating as such.
14. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
15. 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.
16. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements and be included on the building permit submittal.
17. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.

cc: Jon Mark Chappellet, 1581 Sage Canyon Road, St. Helena, CA 94574  
Donna B. Oldford, Plans4Wine Consulting, 2620 Pinot Way, St. Helena, CA 94574  
Hillary Gitelman, CDPD





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Donald G. Ridenhour, P.E.  
Director

## MEMORANDUM

To:	Chris Cahill, Conservation Development and Planning Department	From:	Jeannette Doss, Assistant Engineer Public Works <i>JD</i>
Date:	July 29, 2011	Re:	Chappellet Winery Use Permit 1581 Sage Canyon Road, St. Helena, CA P11-00138 APN 032-010-046

The Napa County Public Works Department received a referral for comment on a use permit application, generally requesting the following:

*To bring a pre-1974 winery under Use Permit, adopt a marketing plan, recognize production volume, make water & septic system improvements, build a new 24,000 sq ft barrel storage building, make 4,431 sq ft of improvements to the existing winery, & sundry utility structure improvements.*

After careful review of the revised Continuum Winery Use Permit submittal package the Public Works Department recommends approval of the project with the following conditions:

### EXISTING CONDITIONS:

1. The existing parcel is approximately 10 acres.
2. Existing property is currently developed with a winery.

### RECOMMENDED CONDITIONS:

#### GROUNDWATER

1. See attached groundwater comments dated June 23, 2011.

#### PARKING:

2. Any parking proposed by the applicant or required by the Planning Commission as a condition of this permit shall conform to the requirements of the latest edition of the Napa County Road and Street Standards and shall be reviewed by this office at the time of building permit submittal.

### **NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:**

3. All roadway construction associated with this application shall conform to the current Road and Street Standards of Napa County at the time of building permit submittal and accepted construction and inspection practices.
4. Applicant has requested a modification to the Napa County Road and Street Standards for the access driveway. Public Works will support the request with the conditions outlined in separate attached memo titled "Chappellet Winery Road Modification" and dated July 29, 2011.
5. The applicant must obtain an encroachment permit from the California Department of Transportation for any work performed within the State Right-of-Way.

### **SITE IMPROVEMENTS:**

6. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive aisles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office prior to the commencement of any on site land preparation or construction. Plans shall be submitted with the building and/or grading permit documents at the time of building and/or grading permit application. A plan check fee will apply.
7. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of stormwater runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
8. Grading and drainage improvements shall be constructed according to the latest "Napa County Road and Street Standards" and the California Building Code. Specifically, all cuts and fills slopes shall be setback to meet the latest CBC.
9. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Public Works Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.
10. The applicant shall furnish an Adobe Acrobat PDF file with a complete set of all approved improvement plans to the County Engineer.
11. At the completion of construction, and prior to the final approval by the County, the applicant shall submit an Adobe Acrobat PDF file of the improvement plans reflecting all as built conditions and signed by the engineer of record.

## OTHER RECOMMENDATIONS:

12. Prior to the issuance of applicable building or grading permits the applicant must obtain any and all appropriate regulatory permits from the Regional Water Quality Control Board, Army Corp. of Engineers and Fish & Game.
13. The following improvements were identified in the final traffic impact analysis and shall be constructed, reviewed, and approved by this office:
  - a. The foliage along the inside curve and west of the access road along SR 128 shall be trimmed to maximize line of site distance.
  - b. A stop sign and legend should be added at the access road's intersection with SR 128.
  - c. Foliage shall be trimmed on the inside of curves and at all of the minor driveway junctions along the access road.
  - d. Standard 15 mph speed limit signs should be installed at periodic intervals.
  - e. In the areas where the access road "splits" around a tree, the road should be signed and pavement arrows provided to direct two-way traffic flow around the tree.

## CONSTRUCTION STORMWATER REQUIREMENTS

14. 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.
15. Any construction activity that will result in disturbance of greater than one acre of total land area will require the permittee to obtain coverage in accordance with Napa County's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ) issued by the Regional Water Quality Control Board (SRWQCB). To achieve this, the permittee shall file a Notice of Intent with the SRWQCB prior to any grading or construction activity. Construction activity subject to this permit includes but is not limited to clearing, grading and disturbances to the ground such as stockpiling, or excavation. The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP. A plan check fee will apply.
16. Any construction activity that will result in disturbance of greater than 10,000 sq ft of total land area but less than one acre of total land area will require the permittee to prepare and maintain a

Stormwater Quality Management Plan (SQMP) to be submitted with the building permit application. A plan check fee will apply.

17. All hazardous materials stored and used on-site during construction 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.
18. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
19. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

### POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS

1. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for *Post-Construction Runoff Management Requirements* which is available at the Public Works office.
2. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. bio-retention unit) may be used to capture and infiltrate the excess volume.
3. Loading/unloading dock and processing areas must be covered or designed to preclude stormwater run-on and runoff. All direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
4. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. 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 prior to the issuance of applicable construction permits.
5. In design of retention facilities, the maximum percolation rate shall be two inches per hour.
6. For on-site common retention basins, the side slopes shall not exceed 3:1.
7. Provide concrete stamping, or equivalent, of all stormwater conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping – Drains to Napa

River”). Signage shall identify the receiving water the drain discharges to and include a message in Spanish.

8. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.
9. Prior to final occupancy the property owner must legally record an *“implementation and maintenance agreement”* approved by the Public Works department to ensure all post-construction structures on the property remain functional and operational for the indefinite duration of the project.
10. Each year the entity responsible for maintenance is required to complete an annual report. The report shall be signed by the property owner and include copies of completed inspection and maintenance checklists to document that maintenance activities were conducted during the previous year. The annual report shall be retained for a period of at least five years and made available upon request by the County.

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

If you have any questions regarding the above items please contact Jeannette Doss at 253-4351. For groundwater questions, please contact Anna Maria Martinez. For traffic questions, please contact Paul Wilkinson.



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Department of Public Works

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Donald G. Ridenhour, P.E.  
Director of Public Works

## GROUNDWATER MEMORANDUM

**DATE:** June 23, 2011  
**TO:** Conservation Development and Planning Department  
**FROM:** Annamaria Martinez, Assistant Engineer *AM*  
Phone: 707-259-8378, Email: [annamaria.martinez@countyofnapa.org](mailto:annamaria.martinez@countyofnapa.org)  
**SUBJECT:** Chappellet Winery, APN# 032-010-046, File # P11-00138

The purpose of the application is to bring a pre-1974 winery with under a use permit, to adopt a marketing plan, to recognize the existing production volume of 150,000 gpy, to make water and septic system improvements, to build a new barrel storage building, and to make additional improvements.

The property is located on Sage Canyon Road in St. Helena.

### EXISTING CONDITIONS:

1. Parcel is located in the "Hillside/Mountain" groundwater region.
2. Existing usage is 4.5 AF/Year.
3. There are no onsite wells on the project parcel.
  - a. Winery operations are sourced from three wells on the adjacent parcel.
  - b. The three acres of existing vineyard are irrigated by a surface water reservoir on the adjacent parcel in accordance with State of California Diversion of Water Rights Permits 14275 & 6960.
  - c. The applicant states that "due to the number of employees and visitors on-site during stipulated threshold periods, as well as the proposal for a new commercial kitchen, that a Public Water System filing is required by the State of California and the NCEM. The applicant's engineer has stated that the filing will be completed prior to the issuance of building permits.

### RECOMMENDED CONDITIONS:

As the project involves a lot line adjustment to two existing parcels, we have reviewed multiple water analyses for this project: a) A water analysis for the parcels as currently configured and b) Water analyses for the two proposed parcels after lot line adjustment.

a) Existing parcel configuration

**Existing Vineyard Parcel:**

We have reviewed the phase one, water availability analysis for the proposed project. The existing 293.74 acre parcel is located in the hillside area, with an extraction threshold of 0.5 AF/Acre, resulting in a total parcel threshold of 146.9 AF/Year. The estimated water demand of 1.5 AF/Year is equal to the existing water usage and well below the established threshold for the property.

**Existing Winery Parcel:**

We have reviewed the phase one, water availability analysis for the proposed project. The existing 10 acre parcel is located in the hillside area, with an extraction threshold of 0.5 AF/Acre, resulting

in a total parcel threshold of 5 AF/Year. The estimated water demand of 4.5 AF/Year is equal to the existing water usage and below the established threshold for the property.

b) New parcel configuration after Lot Line Adjustment:

**Proposed Vineyard Parcel:**

We have reviewed the phase one, water availability analysis for the proposed project. The proposed 288.74 acre parcel is located in the hillside area, with an extraction threshold of 0.5 AF/Acre, resulting in a total parcel threshold of 144.4 AF/Year. The estimated water demand of 1.5 AF/Year is equal to the existing water usage and well below the established threshold for the property.

**Proposed Winery Parcel:**

We have reviewed the phase one, water availability analysis for the proposed project. The proposed 15 acre parcel is located in the hillside area, with an extraction threshold of 0.5 AF/Acre, resulting in a total parcel threshold of 7.5 AF/Year. The estimated water demand of 4.5 AF/Year is equal to the existing water usage and below the established threshold for the property.

The projected water use for the project is below the established thresholds for each property configuration.

No further analysis is necessary.



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Donald G. Ridenhour, P.E.  
Director

## MEMORANDUM

To:	Chris Cahill, Conservation Development and Planning Department	From:	Jeannette Doss, Assistant Engineer 90 Public Works
Date:	July 29, 2011	Re:	Chappellet Winery Road Modification 1581 Sage Canyon Road, St. Helena, CA P11-00138      APN 032-010-046

### Road Modification Request

As part of the Use Permit (P11-00138) referral for the Chappellet Winery, the Napa County Public Works Department has received a request (The Request) for a modification of the Napa County Road and Street Standards (RSS) for the existing driveway. The Request dated June 24, 2011 from the project's consultant, Applied Civil Engineering, Inc. is to allow for a reduced width over portions of the driveway and to allow for increased centerline grades over three short sections of driveway. The reason for the road modification request is to avoid grading on steep slopes, avoid the disturbance of established drainage ways, and to preserve several large mature trees that would otherwise have to be disturbed and/or removed if the driveway were to conform to the full 20 ft width with a maximum slope of 20% for the entire road length as required by the RSS.

### Public Works Evaluation and Recommendation

Section 3 of the RSS as adopted by Resolution No. 06-198 by the Board of Supervisors on November 21, 2006, grants the Department of Public Works the authority to recommend exceptions to the required standards based on existing environmental and physical constraints, where those exceptions provide the same overall practical effect as the standards towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public.

The Public Works Department has carefully reviewed The Request and plans titled "Chappellet Winery" and consulted with Cal Fire. Together with Cal Fire, Public Works has evaluated the balance between the existing and expected traffic demands, sight distances, road slopes, anticipated speeds, fire department access, emergency site evacuation and the environmental constraints surrounding the driveway and determined the following:

- The request for modification from the Road and Street Standards is in connection with an active use permit application to an existing pre-Winery Definition Ordinance and pre-Use Permit winery and has received the appropriate environmental review from the Conservation, Development and Planning Department; therefore the approving body shall be the Planning Commission.



- The request for modification has provided the necessary documentation as required by Section 3 of the RSS. With respect to the findings, the steep slopes, natural drainage ways, and the mature trees are consistent with the definition of unique features of the natural environment as described in Section 3 part D of the RSS.
- The existing driveway which varies in width from 14ft to 20 ft, currently serves existing wineries and residences.
- The request does illustrate full improvement of the roadway when practical and illustrates a fire truck turn around area and staging area at the termination of the roadway.
- Each of the three sections of roadway currently greater than 20% slope is no greater than 21.5% slope and no greater than 100 linear feet.
- The applicant is proposing to improve the existing vineyard access road around the back of the existing winery building to a full 20' drivable width in order to provide improved emergency vehicle access to both the existing and proposed winery buildings.
- The project is not proposing to generate additional vehicle trips per year. The project's consultant, Applied Civil Engineering, Inc. has projected that the proposed new building will result in a reduction in the number of truck trips generated by the winery facility by as many as 75 trips per year and decrease the employee trips by as many as 100 trips per year relative to the existing baseline levels.

Public Works and Cal Fire have concluded that the access road, as proposed by the applicant and as shown on the "Chappellet Winery" plans would provide the same overall practical effect as the standards towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public. Therefore, Public Works and Cal Fire will support the approval of the road modification as proposed by the applicant with the following conditions that are in addition to any and all conditions previously placed on the project:

1. Localized reductions in width as described in the road modification request letter dated June 24, 2011 are warranted in order to minimize disturbance on steep slopes, to minimize disturbance to natural drainage ways, and/or to preserve large established trees.
2. Applicant shall improve the existing road to the maximum road width achievable in the areas identified above where the full 20 ft cannot be achieved and the road width shall not be less than 16 ft in any area except as shown on the plans at the existing drainage crossing and cattle guard where 12 ft to 13 ft will be allowed for a short distance.
3. Applicant shall design drivable swales where drainage is required and the full roadway is not achieved.
4. As shown on the civil drawings titled "Chappellet Winery", in the areas identified where 20 ft drivable widths are not achieved then the applicant shall provide inter-visible road widening with no more than 400 feet of separation. At these areas of road widening the total paved width

shall be a minimum of 20 feet, per RSS, and must be long enough to allow larger service and emergency/fire vehicles to pass.

5. Increasing the maximum allowable longitudinal slope from 20% is warranted at the following stations in order to minimize disturbance on steep slopes and/or to preserve large established trees:
  - a. Station 43+25 to 43+75 *maximum allowable slope 20.8%*
  - b. Station 54+40 to 54+65 *maximum allowable slope 21.5%*
  - c. Station 63+25 to 63+90 *maximum allowable slope 21.4%*

**In the areas identified above with increased longitudinal slope the road surface shall be prepared with either a grooved concrete surface or stamped pattern concrete to help improve traction in poor weather conditions. Roadway shall be surfaced to the maximum extent practical to provide improved emergency vehicle access.**

6. Access road shall be paved for the entire length of the road. Pavement must have a *minimum* structural section to support an H20 load designed by a licensed Civil or Geotechnical Engineer and shall not be less than two inches of hot mix asphalt over five inches of Class II Aggregate or equivalent.
7. The property owner shall be responsible for maintaining clearance at all times of the hammerhead turn around area and the emergency vehicle staging area as illustrated on the plans to accommodate emergency vehicle access to the winery.
8. The property owner will implement a horizontal and vertical vegetation management plan consistent with California Department of Forestry and Fire Protection requirements along the entire length of the driveway to provide defensive space and improve sight distance. The vegetation management plan shall be reviewed and approved by the Napa County Fire Marshall.
9. As directed by the Napa County Fire Marshall the applicant shall provide other mitigation measures (i.e. fire sprinklers, location of a fire hydrant, etc.) at the time of building permit submittal relating to the construction of the buildings.
10. Any/all future road design changes or changes in use of this roadway beyond the existing use shown on the above noted application and site plans dated June 24, 2011 shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.

cc: Pete Munoa – Cal Fire  
File – Public Works