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## Previous Project Conditions

**FINAL CONDITIONS OF APPROVAL  
PLANNING COMMISSION HEARING - MAY 2, 2012  
ROMBAUER VINEYARDS  
VARIANCE #P10-00038-VA & USE PERMIT MAJOR MODIFICATION P#10-00039-UP  
3522 SILVERADO TRAIL, ST. HELENA, CA  
APNS 021-410-025, 021-410-022, & 021-410-021**

**1. SCOPE**

The permit shall be limited to:

- A. A Variance (#P10-00038) to allow Rombauer Vineyards to construct a new 8,740 square foot administrative building 420 feet where 600 feet is required from the centerline of Silverado Trail.
- B. A Use Permit Major Modification (#P10-00039) modifying prior Use Permit Modification #96010-MOD to allow the following:
  - 1. No change in production of 450,000 gallons per year;
  - 2. Construction of a new 8,740 square foot administration building consisting of one main floor with a basement for office, lab, and work areas, including a kitchen for employee use only;
  - 3. Temporarily convert existing barrel storage space (1,889 square feet) located in the main winery building for use as interim offices during the construction of the new administration building;
  - 4. Increase the number of parking areas from two (2) to four (4) and increase the number of parking spaces from a total of twenty-six (26) to seventy-four (74);
  - 5. Eliminate the custom crush and alternating proprietor restrictions contained in Condition #2 of Use Permit Modification #96010-MOD;
  - 6. Increase the number of full-time employees from eighteen (18) to twenty-five (25);
  - 7. Add an additional four (4) part-time interns for a total of nine (9) part-time employees;
  - 8. Extend the days of operation of the winery to seven (7) days per week (originally authorized Monday-Friday);
  - 9. Clarify the hours of operation during harvest (from 6:00 a.m. to midnight);
  - 10. Revise the existing Tours and Tastings Plan to include ten 8-person food and wine pairings within the existing maximum 400 person per day limit;
  - 11. Revise the existing Marketing Plan to include four 250-person wine club events per year;
  - 12. Expand the tasting room (2,500 square feet) and allow seasonal tastings in its unenclosed patio area (700 square feet);
  - 13. Allow marketing events to occur in the existing caves;
  - 14. Designate on-premises wine consumption areas including outdoor picnicking pursuant to AB 2004;
  - 15. Include a 350 square foot "plating area" in the expanded tasting room to be used for the catered marketing events and for the winery staff to plate tasting items to be used in the food and wine pairings;
  - 16. Extend the hours for retail sales, tours, and tastings to conclude at 6 pm (originally authorized from 8:00 a.m. to 5:00 p.m.);
  - 17. Installation of a gated access approximately 620 feet from the winery entrance off Silverado Trail; and
  - 18. Construction of an interior road modification for localized narrowing of the existing upper driveway and to reduce inside radius of curvature over a short section of

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roadway [Exception to the Napa County Road and Street Standards (RSS) for road modifications.]

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 by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

**2. PROJECT SPECIFIC CONDITIONS**

A. Hours of Operation shall be as follows:

- 8:00 am to 5:00 pm Monday through Friday (Winery Office)
- 10:00 am to 6:00 pm Seven days per week (Retail Sales, Tours & Tasting)
- 6:00 am to Midnight Seven days per week (Harvest Operations)

B. Wine Club Release Events and Wine Club Events shall not occur simultaneous, nor be held the same day as, the Barrel Tasting, Auction Related Events or Lunch/Dinner Events, and Tours and Tastings.

C. If Wine Club Release Events or Wine Club Events are scheduled August through December, portable toilets shall be required.

**3. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

Project conditions of approval include all of the following County Departments and Agency requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies at the time of submittal and may be subject to change, including but not limited to:

Department of Public Works as stated in their letter of January 20, 2012 and January 19, 2012.

Department of Environmental Management as stated in their letter of October 12, 2011 as revised April 19, 2012.

County Fire Department as stated in their letter of August 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.

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**4. VISITATION**

Consistent with Sections 18.16.030 and 18.20.030 of the Napa County Code, marketing and tours and tastings may occur at a winery only where such activities are accessory and “clearly incidental, related, and subordinate to the primary operation of the winery as a production facility.”

Permittee shall obtain and maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation. In the event permittee loses required ABC and/or TTB permits and licenses, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

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.

**A. TOURS AND TASTING**

Tours and tastings are limited to the following: (Appointment Only)

1. Private Tours & Tastings Only - A Maximum of 400 persons per day with a maximum of 2,800 persons per week; and
2. Food & Wine Pairings – 10 per day; maximum 8 persons (included in the maximum 400 persons per day limit).

"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 appointment 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 §2, Sec. 18.08.062)

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).

**B. MARKETING**

Marketing events shall be limited to the following: (By Invitation Only)

1. Wine Club Release Event - 1 per year, maximum of 300 persons;
2. Wine Auction Event – 1 per year; maximum of 40 persons;
3. Barrel Tasting Event – 1 per year; maximum of 40 persons;
4. Lunches or Dinners Event – 4 per month; maximum of 40 persons; and

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5. Wine Club Events – 4 per year; maximum 250 persons; Shall occur between the hours of 4:00 pm and 7:00 pm to minimize traffic impacts.

"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 (1)(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).

All activity, including cleanup, shall cease by 10:00 PM. 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 have prepared an event specific parking plan which may include but not be limited to valet service or off-site parking and shuttle service to the winery.

**5. GRAPE SOURCE**

At least 75% of the grapes used to make the winery's wine 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.

**6. RENTAL/LEASING**

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other

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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 (Chapter 5.36).

**7. 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. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this use permit approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the County Code. 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".

**8. LIGHTING**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and 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 for construction of the winery, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval. All lighting shall comply with the California Building Code.

**9. LANDSCAPING/PARKING**

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. **The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO), as applicable, and 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. Trees to be retained shall be protected during construction by fencing securely

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installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residence that can view these areas. Any trees that are removed not shown on the submitted site plan 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.

**10. 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 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. 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 shall be prohibited.

**12. SITE IMPROVEMENTS AND PUBLIC WORKS DEPARTMENT**

Contact (707) 253-4351

**A. 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.

**B. 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 required per the Department of Public Works shall be maintained in good working condition.

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**C. 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.

**D. STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by County Public Works Department and the California Regional Water Quality Control Board (SRWQCB).

**E. PARKING**

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).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

**F. 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 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.

**13. ENVIRONMENTAL MANAGEMENT DEPARTMENT SPECIFIC COMMENTS**

(707) 253-4351

**A. 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 condition 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.



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**14. 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.

**15. ADDRESSING**

All project site addresses shall be determined by the Conservation, Development and Planning Director, and reviewed and approved by the U.S. 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.

**16. INDEMNIFICATION**

An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

**17. 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.

**18. PREVIOUS CONDITIONS**

The permittee shall comply with all previous conditions of approval for Use Permits (U-338182, U-188384, 97052-S, 96010-MOD, P10-00036-VMM, & P11-0172-VMM), except as 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 and supersede earlier ones.

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**19. 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 (\$125.00/hour as of July, 2006). 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.

**20. TEMPORARY AND FINAL OCCUPANCY**

All project improvements, including compliance with all applicable codes, conditions and requirements from 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, Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions can be requested due to extenuating circumstances 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.



# COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

August 10, 2006

Rombauer Winery  
c/o Chuck Meibeyer  
1236 Spring Street  
St Helena 94574

- HILLARY GITELMAN  
Director
- PATRICK LYNCH, AICP  
Assistant Director
- VACANT  
Deputy Director
- JOHN MCDOWELL  
Project Manager
- ROBERT NELSON  
Supervisor
- HEATHER MCCOLLISTER  
Principal Planner
- SEAN TRIPPI  
Principal Planner
- TRISH HORNISHER  
Planner
- NANCY JOHNSON  
Planner
- SUZIE GAMBILL  
Planning Technician
- TERRI ABRAHAM  
Planning Technician
- C. RENEE LEDERER  
Planning Administrative Specialist

**RE: Use Permit Modification P06-01108; APN 021-410-025**

Dear Chuck,

Please be advised that this Use Permit Modification to permit the additional roof cover and recognize the existing roof cover configuration and allow the temporary use of the modular offices – for up to three years - has been **APPROVED** by the Planning Department on August 10, 2006 based on the information provided and applicable County regulations. These approved modifications shall be consistent with the material submitted with this application. All previous Use Permit conditions not in conflict with this modification still apply.

The permit becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone, you will be notified.

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

Should you have any questions, please contact Robert Nelson at (707) 253-4417.

Sincerely,

Robert Nelson, Supervising Planner

1195 THIRD STREET  
SUITE 210  
NAPA, CALIFORNIA  
94559  
TELEPHONE:  
707-253-4417  
FAX:  
707-253-4336  
WWW.CO.NAPA.CA.US

cc: file  
John McDowell, Acting Deputy Director



# NAPA COUNTY

## CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

**Jeffrey Redding**  
Secretary-Director

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

November 25, 1998

Assessor's Parcel #21-410-<sup>025</sup>02

Koerner Rombauer  
Rombauer Vineyards  
3522 Silverado Trail  
St. Helena, CA 94574

Dear Mr. Rombauer:

Please be advised that **Use Permit Application #96010-MOD** has been approved by the Napa County Board of Supervisors based upon the following conditions. (SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

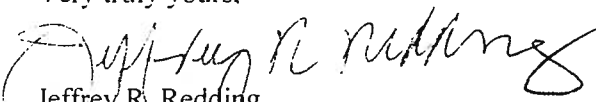
**APPROVAL DATE: November 24, 1998**

**EXPIRATION DATE: November 24, 1999**

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

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

Very truly yours,

  
Jeffrey R. Redding  
Director

cc: John Tuteur, County Assessor  
Gary Brewen, Building Codes Administrator  
Eugene and Cody Kirkham (with copy of conditions of approval and project revision statement)

c:\data\dm:\rombauer MOD approval ltr BOS 11-24-98

Nov. 12, 1999 Letter  
"used"

**CONDITIONS OF APPROVAL**  
**Use Permit Modification #96010-MOD (Rombauer Vineyards)**

1. The Use Permit shall be limited to modifying an existing winery use permit to expand the winery in one phase as follows: 1.) Increase the annual production from 120,000 to 450,000 gallons; 2.) utilize 26,340 sq.ft. of new cave for bulk wine storage only; 3.) authorize 20 custom production operations, including 5 alternating proprietors using up to 300,000 gal/yr of the winery production; 4.) construct a 3,200 sq.ft slab for a covered production area; 5.) construct a total of 19,680 sq.ft. of roof over the existing outdoor and new production area including covering the crushing, processing and storage operation areas and involving the construction of a retaining wall approximately 110 feet in length; 6.) construct a 1,980 sq.ft. winery addition for office, lab and work area; 7.) increase the number of employees from 5 to 18; 8.) add 16 parking spaces; 9.) install new fermentation and storage tanks; 10.) install a new pressurized leach field system for the process wastewater and a new leach field for the domestic wastewater; 11.) realign entry road.

The project shall conform to the approved site plan, floor plan and elevations, and the application materials. Any expansion of production capacity, changes in use, construction or design shall be subject to the approval of the Planning Director, or if deemed necessary, the County Planning Commission.

2. Custom production at this winery may occur with up to 20 custom producers including up to 5 alternating proprietors, and up to 3 of the 18 employees may be employed by the custom producers, and up to 300,000 gallons of the 450,000 gallon annual production may be used. None of the custom producers, including the alternating proprietors, will have case good storage, retail wine sales, wine tasting or marketing activities at this location.
3. Visitors to the winery for tours and tasting shall only be by prior appointment and shall be limited to an average of 2000 per week and 400 on the peak day. A visitor log shall be maintained by the winery and shall be made available to the County upon request.
4. The applicant shall comply with all applicable building codes, and requirements of various County departments and agencies, including:  
the Department of Public Works dated Apr. 13, 1998;  
the Department of Environmental Management dated Nov 18, 1998;  
the Building Division dated July 15, 1996;  
the County Fire Dept. dated Dec. 10, 1996 and Apr. 28, 1998;  
and the project's three signed Mitigation Measures in the Project Revision Statement.
5. At least 75% of the grapes used to make the winery's additional 330,000 gal/yr production (over the previously approved 120,000 gallons per year) shall be grown

Page Two

Conditions of Approval

Use Permit Modification #96010-MOD (Rombauer Vineyards)

within the County of Napa. The applicant shall report to the Department on an annual basis the source of his grapes verifying that 75% of this approved increased production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. That report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

6. Changes in outdoor signs shall be submitted to the Planning Department for administrative review and approval. If and when the winery identification sign is changed, wording shall be included as follows: "Tours and tasting by prior appointment only". The only off-site signs allowed shall be in conformance with the County Code.
7. During winery construction, all construction equipment muffling and hours of operation shall be in compliance with the County Code section regarding noise, Chapter 8.16.
8. The marketing events shall not exceed those approved and listed below:
  - 1 per year release event in July or August – maximum of 300 persons;
  - 1 per year wine auction event – maximum of 40 persons;
  - 1 per year barrel tasting event – maximum of 40 persons;
  - 4 per month lunches or dinners – maximum of 40 personsAll of the above shall be by invitation only.

The attending persons shall meet the criteria in the definition in Section 18.08.370 which includes:

Limiting those attending 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;

Limiting the activity to the education and development of the persons or groups listed above; and,

Shall not include cultural and social events unrelated to such education and development.

9. A detailed landscaping plan shall be submitted to the Department for review and approval indicating names and locations of plant materials along with the method

Page Three  
Conditions of Approval  
Use Permit Modification #96010-MOD (Rombauer Vineyards)

of maintenance prior to the issuance of any building permits for work on the winery. Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the approved landscaping plan.

10. The parking spaces shall be limited to the existing 10 plus the 16 spaces proposed, and parking shall not be allowed along access roads or in any other location, except during the limited approved marketing events. The new 16 spaces shall be reserved for employees during normal working hours, and all but three may be used by visitors during times the production employees are not present such as most evenings and weekends.
11. If a gated entrance is used, it shall include a turn around area to allow a large vehicle (such as a motorhome) to turn around if the gate is closed. Both the Department of Public Works and the Planning Department shall review and approve any plans prior to construction.
12. The winery wastewater systems shall be located on the same parcel as the winery through a lot line adjustment or merger prior to any building permit issuance for winery projects authorized by this modification.
13. All exterior lighting shall be shielded and directed downward, and shall be the minimum necessary for security or operations.
14. All prior use permit conditions not in conflict with these conditions shall continue in force and effect.
15. All staff costs associated with monitoring compliance with these conditions, previous use permit conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.
16. The existing forest / tree cover vegetation on the south and east sides of the knoll shall be permanently maintained to provide visual screening of the entire winery facility.
17. Use Permit conditions regarding the wastewater system shall be reviewed by the Planning Commission after one year and two years from the date of approval.
18. The Napa County Health Officer shall initiate a hearing before the County Zoning Administrator within 45 days of a determination of any health problem being created by the wastewater system.

12/20/00  
completed  
with

Sec. 12701. Exceptions to use limitations.

(a) The following accessory uses, in addition to those hereinbefore set forth, shall be allowed without a use permit in any zoning district, or where restricted to certain zoning districts, in accordance with such restrictions:

- (1) (Repealed by Ord. No. 759, 12-13-83)
- (2) The operation of necessary service facilities and equipment in connection with schools, colleges, and other institutions when located on the site of the principal use;
- (3) Recreation, refreshment and service buildings in public parks, playgrounds and golf courses;
- (4) Electric distribution lines with a primary voltage below 33 kv emanating from an electric distribution substation and installed for the purpose of distributing electric energy in the area around a substation; or a line with secondary voltage below 500 volts for general customer use;
- (5) Gas distribution lines installed to convey gas locally to individual services or to another such line;
- (6) Telephone lines other than long distance cables;
- (7) Cultivation of gardens;
- (8) Temporary sheds for the retail sale of agricultural products produced on the premises.

(b) The following uses may be permitted in any zoning district (or where restricted to certain zoning districts, in accordance with such restrictions) upon the grant of a use permit in each case:

- (1) Home occupations; provided, however, that notwithstanding Section 12020, Bed and Breakfasts shall not be considered a home occupation.
- (2) Private airports and helistops;





# NAPA COUNTY

## CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

JAMES H. HICKEY  
Secretary-Director

1195 THIRD STREET • NAPA, CALIFORNIA 94558  
AREA CODE 707/253-4416

October 24, 1983

ROMBAUER VINEYARDS  
Attn: Koerner Rombauer  
3522 Silverado Trail  
St. Helena, CA 94574

Dear Mr. Rombauer:

Your Use Permit Application Number U-188384 to Increase the pro-  
duction capacity of the existing winery from 48,000 to 120,000 gallons per  
year

located west of Silverado Trail north of Glass Mountain Road  
has been approved by the Napa County Conservation, Development and Planning  
Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: October 25, 1983

Your Use Permit becomes effective ten (10) working 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,

A handwritten signature in cursive script, appearing to read "James H. Hickey".

JAMES H. HICKEY  
Secretary-Director

JHH:pm

cc: Bill L. Hall  
Building Codes Administrator  
County of Napa



# COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

August 10, 2006

Rombauer Winery  
c/o Chuck Meibeyer  
1236 Spring Street  
St Helena 94574

**RE: Use Permit Modification P06-01108; APN 021-410-025**

- HILLARY GITELMAN  
Director
- PATRICK LYNCH, AICP  
Assistant Director
- VACANT  
Deputy Director
- JOHN MCDOWELL  
Project Manager
- ROBERT NELSON  
Supervisor
- HEATHER MCCOLLISTER  
Principal Planner
- SEAN TRIPPI  
Principal Planner
- TRISH HORNISHER  
Planner
- NANCY JOHNSON  
Planner
- SUZIE GAMBILL  
Planning Technician
- TERRI ABRAHAM  
Planning Technician
- C. RENEE LEDERER  
Planning Administrative Specialist

Dear Chuck,

Please be advised that this Use Permit Modification to permit the additional roof cover and recognize the existing roof cover configuration and allow the temporary use of the modular offices – for up to three years - has been **APPROVED** by the Planning Department on August 10, 2006 based on the information provided and applicable County regulations. These approved modifications shall be consistent with the material submitted with this application. All previous Use Permit conditions not in conflict with this modification still apply.

The permit becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone, you will be notified.

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

Should you have any questions, please contact Robert Nelson at (707) 253-4417.

Sincerely,

Robert Nelson, Supervising Planner

1195 THIRD STREET  
SUITE 210  
NAPA, CALIFORNIA  
94559  
TELEPHONE:  
707-253-4417  
FAX:  
707-253-4336  
WWW.CO.NAPA.CA.US

cc: file  
John McDowell, Acting Deputy Director

CONDITIONS OF APPROVAL

Agenda Item: 13

Meeting Date: October 19, 1983

Use Permit: #U-188384 Bombauer Vineyards

The permit be limited to: Increase production capacity of existing winery from 48,000 to 120,000 gallons per year.

Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.

Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to issuance of the Building Permit. Landscaping, fencing and parking to be completed prior to finalization of Building Permit.

Provisions for \_\_\_\_\_ off-street parking spaces on a dust free, all weather surface approved by Public Works.

Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.

The applicant enter into an agreement with the County not to oppose annexation to an appropriate service district when deemed necessary by the County. The agreement to be reviewed by Environmental Health and approved by County Counsel.

Annexation of the property to the following districts:

- American Canyon County Water District
- American Canyon Fire Protection District
- \_\_\_\_\_

All open storage of \_\_\_\_\_ be screened from view of \_\_\_\_\_ and adjacent properties by a visual barrier. No open storage to exceed height of screening.

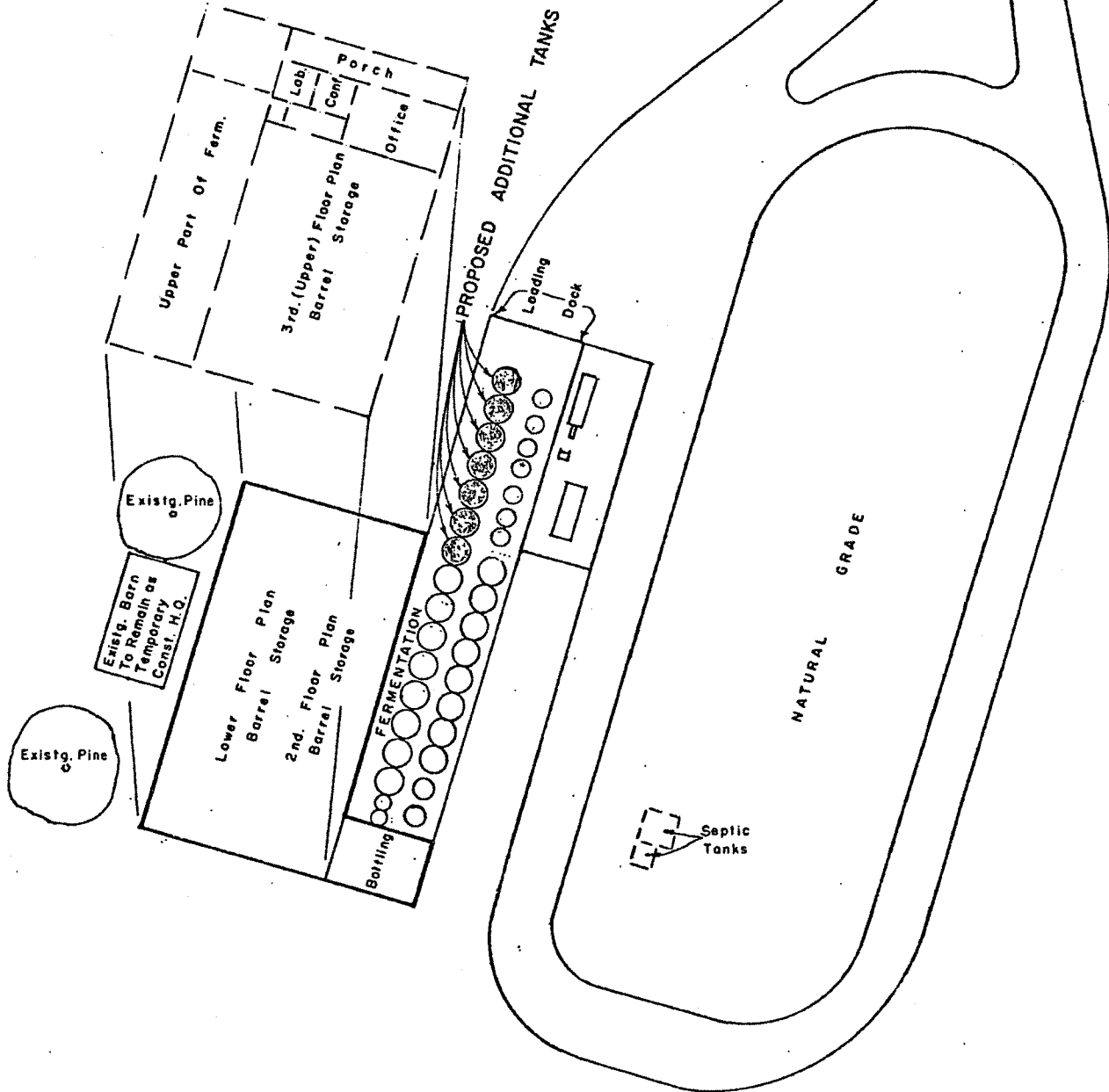
The permit be limited to a \_\_\_\_\_ year period.

Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.

With the exception of the changes specified in this permit, all conditions of approval relative to Use Permit #U-338182 still apply.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# ROMBAUER ENLARGED AREA



3-12-82  
REV. 8-17-83  
REV. 9-28-83



# NAPA COUNTY

## CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

JAMES H. HICKEY  
Secretary-Director

1195 THIRD STREET • NAPA, CALIFORNIA 94558  
AREA CODE 707/253-4416

21-410-02  
025

May 20, 1982

Koerner Rombauer  
3522 Silverado Tr.  
St. Helena, CA 94574

Dear Mr. Rombauer:

Your Use Permit Application Number U-338182 to construct a 3-story 23,750  
sq. ft., 48,000 gal/yr winery with no tours or tasting

located west of Silverado Tr. north of Glass Mtn. Rd.  
has been approved by the Napa County Conservation, Development and Planning  
Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: May 19, 1982

Your Use Permit becomes effective ten (10) working 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,

*J. Hickey* E. Humdall  
Senior Planner.

JAMES H. HICKEY  
Secretary-Director

Please Note:

Additional Condition:

The area labeled "apartment"  
on the plan be changed to  
"lounge".

JHH:pm

cc: Bill L. Hall  
Building Codes Administrator  
County of Napa

CONDITIONS OF APPROVAL

Agenda Item: #5

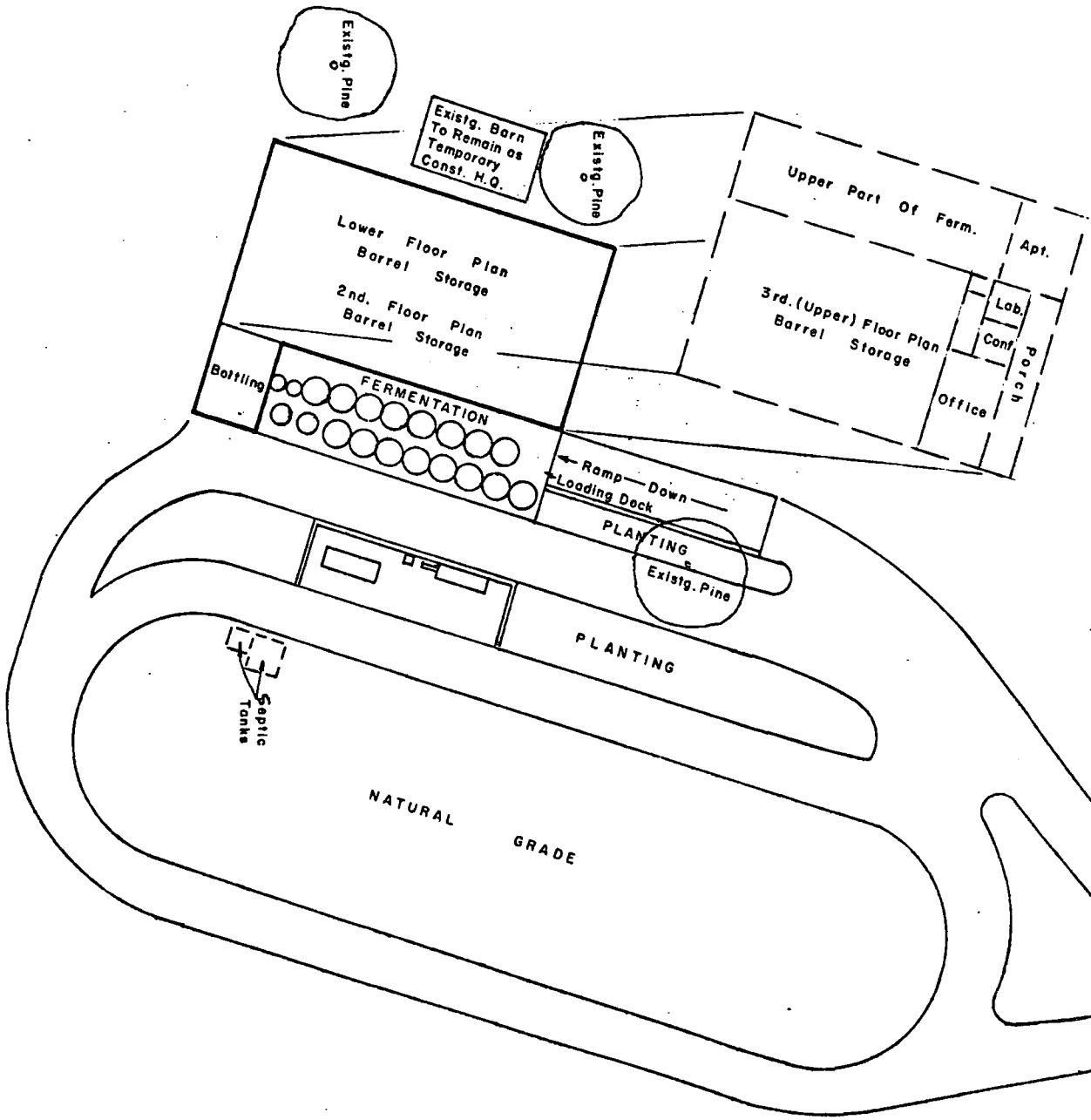
Meeting Date: May 19, 1982

Use Permit: # U-338182

- 1. The permit be limited to: the construction of a three-story 23,750 square foot - 40,000 gallon/year winery.  
Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.
- 2. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to issuance of the Building Permit. Landscaping, fencing and parking to be completed prior to finalization of Building Permit.  
*a minimum of*
- 3. Provisions for 12 off-street parking spaces on a dust free, all weather surface approved by Public Works.
- 4. Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.
- 5. The applicant enter into an agreement with the County not to oppose annexation to an appropriate service district when deemed necessary by the County. The agreement to be reviewed by Environmental Health and approved by County Counsel.
- 6. Annexation of the property to the following districts:
  - American Canyon County Water District
  - American Canyon Fire Protection District
  - \_\_\_\_\_
- 7. All open storage of \_\_\_\_\_ be screened from view of \_\_\_\_\_ and adjacent properties by a visual barrier. No open storage to exceed height of screening.
- 8. The permit be limited to a \_\_\_\_\_ year period.
- 9. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
- 10. No public tours or tasting. No sign of an invitational type shall be installed, erected, or placed on the property. The applicant shall install a sign at the entrance of the winery reading "No Public tours or tasting". Said sign shall be maintained in a readable condition.
- 11. Mitigation measures contained in attachment 1 of the Negative Declaration



KOERNER  
ROMBAUER  
ENLARGED AREA

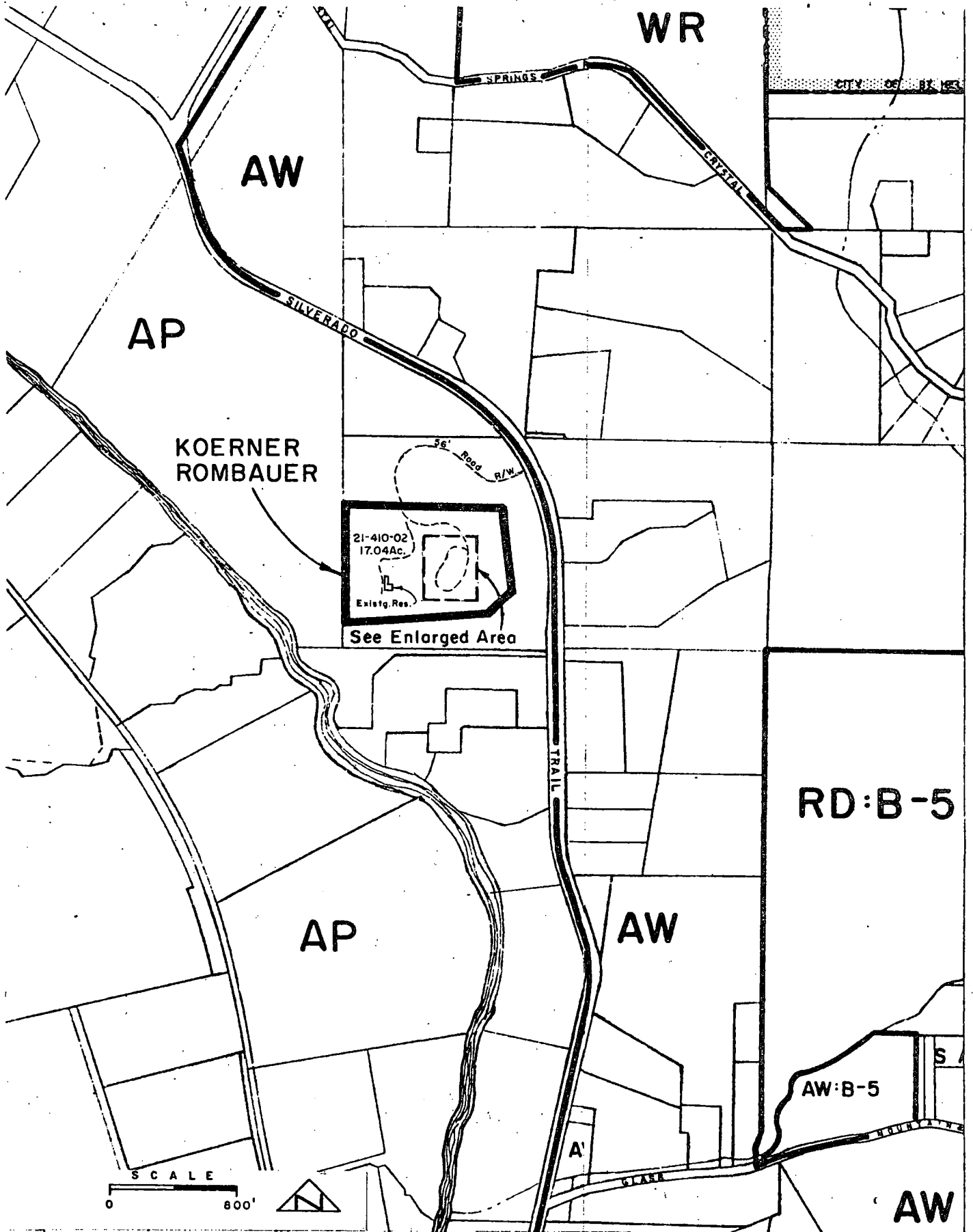


SCALE  
0 48' 1

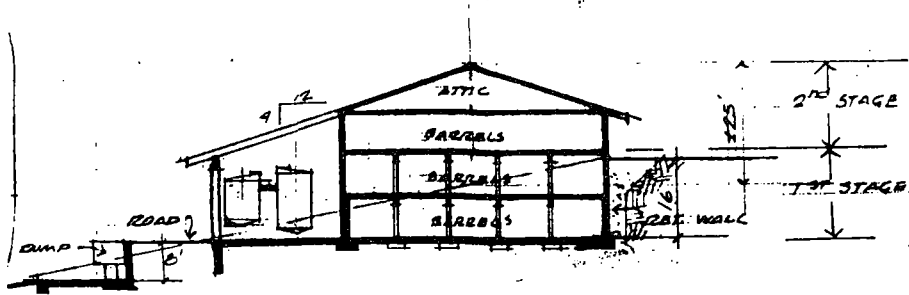


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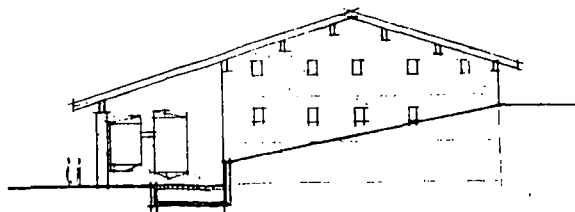




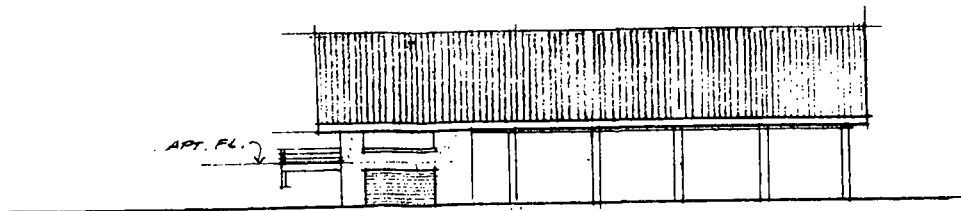
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SECTION "A-A" SCALE 1"=20'



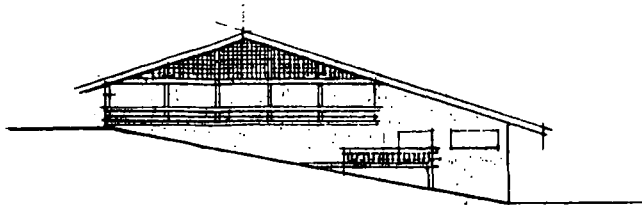
NORTH ELEV.



EAST ELEV.



WEST ELEV.



SOUTH ELEVATION SCALE 1"=20'