



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

December 5, 2006

Mr. Mike Reynolds
Hall Winery
401 St. Helena Highway South
St. Helena, CA 94574

SUBJECT: HALL WINERY
401 St. Helena Highway South
Use Permit Modification (P06-01337-MOD)
APN's: 027-120-052, 061, & 062

Dear Mr. Reynolds:

Your application for a Minor Modification (P06-01337) to the Hall Winery Use Permit Modification (P05-0140-MOD) has been reviewed by the Planning Director. The project consists of modifying the reflection ponds, parking lot, underground barrel storage floor area, hospitality building floor area, eliminating the reception building and incorporating the reception area and viticulture control room into Production Building #2. Please be advised that your request has been administratively **APPROVED** subject to the conditions of approval attached as Exhibit A.

This project is within the scope of the potential environmental affects assessed by the Hall Winery Negative Declaration (file #P05-0140-MOD) and there are no substantial changes to the project or circumstances under which the project is being undertaken and there is no new substantial information. Therefore no further environmental review is required.

The Use Permit Modification 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 another, you will be notified.

This approval will expire automatically two (2) years from the effective date of approval of the Hall Winery Use Permit Modification (file #P05-0140-MOD), unless building permits have been issued and the construction authorized has been substantially begun or the occupancy is in use. This letter serves as the only notice you will receive regarding the expiration date of your use permit modification approval.

Should you have any questions, please contact me at strippi@co.napa.ca.us or at (707) 253-4416.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Trippi".

Sean Trippi, Principal Planner

Napa County Conservation, Development and Planning Department

EXHIBIT A

HALL WINERY 401 St. Helena Highway South (APN# 027-120-061 Minor Modification, File #P06-01337-MOD

Conditions of Approval

1. This approval is limited to the following:
 - Reconfiguring the reflection ponds (the ponds would still be located around the hospitality building and near the former distillery building);
 - Reconfiguring the parking lot area with no change to the previously approved number of parking spaces (150);
 - Reducing the floor area of the underground barrel storage area beneath production building #2 from approximately 31,904 square feet to approximately 30,398 square feet;
 - Reorganizing the interior floor plan of the hospitality building with no change to the areas designated for public tasting, private marketing events, and retail sales; and
 - Incorporating the reception area and viticulture control room into production Building #2 and eliminating the 2,576 square foot reception and viticulture control building.
2. The applicant shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:
 - Department of Environmental Management as stated in their letter of October 19, 2006.
 - Department of Public Works as stated in their letter of October 10, 2006.
 - County Fire Department as stated in their letter of November 30, 2006.
 - Building Division as stated in their letter of November 6, 2006.
3. The activities permitted on the site are limited to those shown on the plans and information submitted with the Modification application dated October 5, 2006. Any substantial change in use is subject to review and approval as determined by the CDPD Director in accordance with the Zoning Ordinance.
4. Plans submitted for building permits shall be in substantial compliance with the plans dated August 29, 2006 and approved with this action, except as modified by these conditions of approval.
5. All conditions of approval from the Hall Winery Use Permit Modification (#P05-0140-MOD) shall remain in effect to the extent they are not in conflict with these conditions.
6. All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the applicant 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 applicant's contractors, employees, and guests are the responsibility of the applicant.



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

HILLARY GITELMAN
Director

PATRICK LYNCH, AICP
Assistant Director

STEVE LEDERER
Deputy Director

JOHN MCDOWELL
Project Manager

ROBERT NELSON
Supervisor

HEATHER MCCOLLISTER
Principal Planner

SEAN TRIPPI
Principal Planner

BARBARA ABATE
Planner

TRISH HORNISHER
Planner

NANCY JOHNSON
Planner

RONALD GEE
Planner

FLOYD MCGREGOR
Planner/ITS

SUZIE GAMBILL
Planning Technician

January 23, 2006

Mr. Craig Hall
Hall Winery
401 South St. Helena Hwy
St. Helena, CA 94574

**Re: HALL WINERY
Use Permit Modification, File # P05-0140-MOD
APN's 027-120-052, 061 & 062**

Dear Mr. Hall,

Please be advised that Use Permit Modification #P05-0140-MOD has been **APPROVED** by the Napa County Planning Commission on January 18, 2006, based on the attached conditions of approval, Napa County departments comments, and applicable County regulations.

The action becomes final ten (10) working days from the hearing date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the Planning Commission action. In the event an appeal is made to the Board by another, you will be noticed.

EXPIRATION DATE: January 18, 2008

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

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Should you have any questions, please contact Sean Trippi at (707) 253-4417 or by e-mail: strippi@co.napa.ca.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Lederer".

Steven Lederer, Deputy Director
Napa County Conservation, Development and Planning Department

1195 THIRD STREET
SUITE 210

NAPA, CALIFORNIA
94559

TELEPHONE:
707-253-4417

FAX:
707-253-4336

WWW.CO.NAPA.CA.US

cc: Mike Reynolds

**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
CONSERVATION & DEVELOPMENT PLANNING COMMISSION**

**CONDITIONS OF APPROVAL
USE PERMIT MODIFICATION – HALL WINERY, FILE #P05-0140-MOD
APN: #027-120-052, 061, &062**

1. **SCOPE:** The permit shall be limited to:
 - (a) decrease production capacity from 2,805,000 gallons per year to 1,260,000 gallons per year;
 - (b) restore and reconstruct the two-story 5,228 sq. ft. circa 1885 Peterson-Bergfeld winery building and the 1,752 sq. ft. circa 1933 distillery building for use as viticultural, historical, and enological display;
 - (c) demolish subsequent additions to the Peterson-Bergfeld winery building that enclosed it within the existing warehouse structure, subsequent additions to the distillery building, other small structures, and the outdoor tank farm;
 - (d) relocate the circa 1935 Forni-Williamson building and add a partial second floor, for a total of 19,361 sq. ft., for use as bottling and administrative center (production building #1) to another location on-site;
 - (e) construct a new 51,214 sq. ft. fermentation building including a mezzanine level to access the fermentation tanks (production building #2);
 - (f) construct a new 53,531 sq. ft. tank and barrel building (production building #3 – approximately 20,000 sq. ft. during Phase 1);
 - (g) construct a new two-story 10,160 sq. ft. hospitality building, with 3,367 sq. ft. of exterior terraces, that includes administrative offices, a 944 sq. ft. commercial kitchen, private marketing events areas, and 3,068 sq. ft. for public wine tasting and retail sales (including a 990 sq. ft. exterior terrace) to replace the existing 3,080 sq. ft. visitor's center;
 - (h) convert the existing 3,080 sq. ft. visitor's center to meeting rooms and storage;
 - (i) construct a new 2,576 sq. ft. reception building with public restrooms and a viticulture control room;
 - (j) construct a new 31,904 sq. ft. underground barrel storage building including a wine library and private marketing area partially below the hospitality building;
 - (k) increase on-site parking from 88 to 150 spaces;
 - (l) decrease the number of full-time employees from 51 to 33. Part-time/seasonal employees would remain at five (5);
 - (m) add new marketing events as noted below;
 - (n) decrease the number of driveways off State Highway 29 from three (3) to two (2);
 - (o) add acceleration and deceleration lanes at the two driveways off Highway 29;
 - (p) add a three (3) foot high wall along the highway frontage;
 - (q) construct new gates at the two driveways off the highway and the vineyard/emergency vehicle driveway off Inglewood Avenue;
 - (r) revise internal site access roads;
 - (s) preserve the existing ±150-year old 42-inch Valley Oak tree on-site;
 - (t) provide new site landscaping, vineyards, courtyards and reflection pools;
 - (u) decrease the size and capacity of the existing process waste water pond from 6.5 million gallons to 2.6 million gallons;
 - (v) install a new domestic waste water system; and
 - (w) reduce annual water allotment from the City of St. Helena from 12 million gallons per year to 8 million gallons per year.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. 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 Use Permit modification process.

2. **MARKETING:** Marketing events shall be limited as follows:

- a. Twelve (12) new private wine and food events per year (average of one per month) with 100 guests maximum per event;
- b. Condition of approval #8 approved with Use Permit Modification 97365-MOD remains in effect, allowing:
 - Three (3) private promotional wine tastings and meals for the trade and invited consumers per week with an average of 30 guests per event; and,
 - Three (3) Napa Valley wine auction-related events (such as barrel tastings and auctions) per year with no more than 500 guests at each event.

All events shall typically be conducted outside peak traffic hours, i.e. after 10:00 a.m. or after 6:00 p.m. Such events may be held outside in an existing or approved area specifically designated for this purpose.

Weddings and concerts are not allowed at the winery. Musical programs may be allowed accessory to a marketing, special, or temporary events. Marketing events utilizing outdoor balconies or courtyards shall conclude by 8:00 p.m. and 10:00 p.m., respectively.

Note: the previous approval indicated that all meals or hors d'ouvres served with the tasting of wine were to be catered. This approval would allow food preparation in the new on-site kitchen facilities for all new and existing marketing events.

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis, and may include food service without charge except to the extent of cost recovery when provided in association with such education and development, but shall not include cultural and social events unrelated to such education and development. (Ord. 1104 § 11, 1996; Ord. 947 § 9 (part), 1990; prior code § 12071). Evening marketing events shall cease by 11:00 PM with personnel involved with the event off the premises by midnight. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.

3. **MITIGATION MONITORING PLAN:**

The permittee shall comply with the attached Mitigation Monitoring Plan.

4. TOURS AND TASTING:

Public tours and tasting without an appointment approved with Use Permit #U-118586 for 500 visitors per day (3,500 per week) remain in effect. Tours and tasting shall be conducted between the hours of 9:30 AM to 5:30 PM. Retail sale of wines shall complete by 5:00 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.

5. PREVIOUS CONDITIONS:

The permittee shall comply with all applicable conditions of approval and mitigation measures which were included in the previously approved use permits and use permit modifications. To the extent there is a conflict between this modification and any prior use permit or modification, this modification and these conditions of approval shall control.

6. SITE PLAN:

- a. Prior to the issuance of building permits, the applicant shall provide proof that the winery and accessory uses are all located on a single assessors' parcel."
- b. The berm along the highway frontage shall not exceed a height of 5-feet from existing grade and a slope of 20:1 (5%).
- c. The grade elevation of the courtyard shall be no more than 3-feet higher than the existing grade.
- d. The driveway off Inglewood Avenue shall be used for emergency vehicles and farm/agricultural equipment only. No visitor or commercial truck access to the winery will be allowed via this driveway.

7. HISTORIC BUILDINGS:

All site work; including rehabilitation, restoration, and re-use of the historic structures shall comply with *The Secretary of Interiors Standards for the Treatment of Historic Properties and Guidelines for Preserving, Restoring, and Reconstructing Historic Buildings*. The plans submitted for building permits shall be consistent with the plans reviewed by the Lail Design Group and the Architectural Resources Group which were determined to be consistent with the Secretary of Interiors Standards.

8. BUILDING HEIGHT:

- a. Except for architectural features, no building or structure shall exceed the height limits established by the Zoning Ordinance. Evidence shall be provided with the plans submitted for building permits that the height of the hospitality building does not exceed 35-feet measured from existing grade. No parapet shall exceed a height of 35-feet. Height shall be measured in accordance with the Zoning Ordinance and the Uniform Building Code. The canopies/trellises shown on the Hospitality building overlay an independent roof system and are therefore considered architectural features which may extend no more than 15-feet above the maximum height limit of 35-feet. (as shown on the plans, the canopies/trellises reach a maximum height of 49-feet)

- b. The height of Production Building #3 (at top of parapet) shall not exceed 24-feet for phase 1, 22-feet for phase 2, and 20-feet for phase 3, as measured from existing grade. Existing grade shall be the lowest elevation between the toe of slope at the mid-point of the existing waste water pond and the adjoining property line to the west.

9. **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 on Section 18.116 of the County Code.

10. **GATES/ENTRY STRUCTURES:**

Any gate installed at the winery entrance and at the agricultural/emergency vehicle access drive off Inglewood Avenue shall be reviewed by the Planning and Public Works Departments and the Napa County Fire Department to assure that it is designed to allow a 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.

11. **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 or vineyards 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 separate 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. Except for security, minimal decorative, special/marketing event, and production area lighting, exterior lighting shall be turned off by 8:00 p.m. Lighting for special/marketing events shall be turned off one half hour after cleanup. Searchlights or other similar lighting is not allowed. Interior lighting shall also be shielded and directed downward to reduce nighttime glare.

12. **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 indicate the names and locations of all plant materials to be used along with the method of maintenance. All trees provided to screen industrial portions of the facility and parking areas shall be a minimum 24-inch box. **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. 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. Trees to be retained shall be protected during construction.

Protective fencing shall be installed at the dripline of the 150-year old Oak tree to be preserved during all phases of construction or grading activities.

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 the structures. Parking shall be limited to approved parking spaces only and shall not occur along access roads or in other locations except during harvest or 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 applicant shall arrange for off-site parking and shuttle service to the winery.

The new trees planted perpendicular to Production building #2 shall not exceed a height of approximately 35-feet at maturity.

13. 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 Section 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.

14. 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 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 (Section 5.36.010)

15. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

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

Department of Environmental Management as stated in their letter of June 27, 2005.

Department of Public Works as stated in their letter of October 26, 2005.

County Fire Department as stated in their letter of August 6, 2005.

Building Division as stated in their letter of May 9, 2005.

Department of Transportation as stated in their letter of January 9, 2006.

Department of Toxic Substances control in their letter of January 9, 2006.

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.

16. **SPOILS:**

All 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.

17. **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 may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gage 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 section 13.15.070.G-K.

18. **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 Section 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, except as allowed by the Temporary Events License process.

19. **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 vegetation and shall be reviewed and approved by the Department prior to the issuance of any building permits.

20. **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. Construction activities shall not occur during windy periods.

21. **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 Department will be contacted for further guidance, which will likely include the requirement for the applicant 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.

22. **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.

23. **ADDRESSING**

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

24. **STORM WATER CONTROL**

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

25. **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.

26. **REVIEW:**

Six months after the buildings designed by Frank Gehry receive a final certificate of occupancy, visitor logs shall be submitted to the Planning Director. The visitor logs shall include the number of visitors to the site each day and the number of known visitors turned away. Signs shall be placed in the parking lot stating that there are no more tours once the 500th visitor has arrived at the site. The log shall be presented to the Planning Commission at a noticed public hearing to determine if additional monitoring or conditions are necessary to comply with the 500 visitor limitation.

27. **WATER AGREEMENT:**

No building permits will be issued until a revised or new water agreement between the winery owner's and the City of St. Helena has been signed. A copy of the signed agreement shall be submitted to the Planning Director prior to the issuance of building permits. Building permits may be issued prior to completion of the agreement subject to the mutual consent of the City of St. Helena and the Planning Director.

28. **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 (\$116.00/hour as of January, 2004). 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.

PUBLIC WORKS:

The drainage system shall be designed so that post-construction storm water runoff from the project site that discharges to the Inglewood Avenue drainage structure does not exceed existing storm water flows. Furthermore, the project shall not exceed existing storm water flows at the Inglewood Avenue drainage structure during the construction of the project. The drainage system shall be designed so as not to divert any drainage to the Inglewood Avenue drainage structure that does not already drain there.

The drainage system shall be designed by a qualified licensed engineer and subject to review and approval of the Napa County Public Works Department.



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING COMMISSION

Jeffrey Redding
Secretary-Director

1195 Third Street, Room 210 • Napa, CA 94559-3092
Telephone (707) 253-4416 Fax (707) 253-4336

May 22, 1998

Assessor's Parcel #27-120-48 & 49

Jeff O'Neill
Golden State Vintners
8418 So. Lac Jac Avenue
Parlier, CA 93648

Dear Mr. O'Neill,

Please be advised that **Use Permit Application Number 97365-MOD** 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 20, 1998

EXPIRATION DATE: May 31, 1999

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

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

A handwritten signature in dark ink, appearing to read "Jeffrey Redding".
JEFFREY REDDING
Director

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

CONDITIONS OF APPROVAL
Use Permit #97365-MOD (Golden State Vintners)

1. The permit is limited to the remodel and expansion of an existing 2,805,000 gallon/year winery in accordance with the approved site plan to:
 - a. Re-construct the 26,685 ft²± main winery building (barrel storage, bottling areas) and to construct a 27,986 ft²± addition to the winery for case good storage and support operations (bottling, offices, employee restroom, breakroom, workshop) as delineated on the attached floor plan and consistent with the application and supplemental winery information sheet.
 - b. Re-model and expand existing tank farm with relocated tanks and construct new canopy structure;
 - c. Remove miscellaneous structures (5,079 ft²± total area)
 - d. Construct new driveway and truck unloading area
 - e. Re-construct and expand the existing winery waste water pond for a total 4.5 MG
 - f. Increase the number of employees from 29 to 56;
 - g. Allow 10 custom production operations (five of which are alternating proprietors) for crushing, fermentation, barrel ageing, and bottling, utilizing 40% of the winery existing production capacity or 1,122,000 gallons/ year .

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

2. Submit three (3) copies 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 is to be submitted prior to issuance of any building permit. Landscaping, fencing, and parking to be completed prior to final occupancy. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
3. All winery facilities shall be located on the same parcel. Prior to issuance of building permits for the winery addition or the new tanks, evidence confirming recordation of documents combining the subject parcels (APN: ~~27-120-048~~, ~~27-120-049~~ and ~~27-120-003~~) shall be submitted to the Department. *027-120-061*
4. Provide 88 off-street parking spaces as delineated on the approved site plan on a dust-free all-weather surface approved by the Public Works Department.
5. Plans for any outdoor signs shall be submitted to the Department for review and approval with regard to design, area, height, and placement.
6. All outdoor storage of processing equipment shall be screened from view from Inglewood Avenue and adjacent properties by a visual barrier consisting of fencing and/or dense landscaping. No open storage is to exceed the height of the screening.

CONDITIONS OF APPROVAL
Use Permit #97365-MOD (Golden State Vintners)

7. Comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:
 - a. The Department of Environmental Management as stated in their letter of February 2, 1998
 - b. The Department of Public Works as stated in their letter of February 9, 1998.
 - c. The Department of County Fire Department as stated in their letter of March 20, 1998.
 - d. Building Division as stated in their letter of January 27, 1998.
8. Marketing activities are limited to:
 - (a) Private promotional wine tastings and meals for the trade and invited consumers.

Frequency:	Average 3 times per week
Number of persons:	Average 30 per event
 - (b) Napa Valley Wine Auction-related events, such as barrel tastings and auctions:

Frequency:	3 annually
Number of persons:	No more than 500 at each event

All meals or hors d'oeuvres served with the tasting of wine are all catered food.
All events typically conducted outside peak traffic hours, that is after 10:00 am or after 6:00 PM.
Such events may be held outside in an existing area specifically designated for this purpose.
9. Any future request for an increase in production capacity shall be considered together with this permit for expanded development area in determining whether the 75% rule described in County Code Section 18.104.250 (C) applies.
10. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery and its alternating proprietors. No portion of the structure shall be rented, leased and the winery facility shall not be used for events hosted by entities other than the winery itself, except those approved for temporary event license pursuant to Chapter 5.36 Napa County Code.
11. The applicant shall comply with 5 Mitigation Measures described in the Project Revision Statement, dated May 14, 1998.
12. All staff costs associated with monitoring compliance with these 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.
13. The applicant shall comply with all applicable conditions and measures which were included in the previously approved use permit # Permit #U-697475 (and U-638384; U-118586 modification # File #96539-MOD). Any conditions that are in conflict with the requirements of this permit shall be null and void.

CONDITIONS OF APPROVAL
Use Permit #97365-MOD (Golden State Vintners)

14. The approved site plan shall show the internal truck circulation and shall identify the northwest driveway as emergency access only.
15. The applicant/developer shall comply with the City of St. Helena "Condition #2" as outlined in their letter dated February 11, 1998: "The property owner shall execute a water use agreement with the City of St. Helena."

Rev. 5/20/98 CDPC

h:goldnsta.doc



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding
Director

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

May 23, 1997

Linda Emerson
DICKENSON, PEATMAN & FOGARTY
809 Coombs St.
Napa, CA 94559

RE: Use Permit Modification #96539-MOD (Golden State Vintners)

Dear Ms. Emerson:


Use permit modification #96539-MOD came before the Zoning Administrator for action on May 23, 1997. The modification would amend #U-118586 and #92345-S by remodelling the exterior of the tasting room, modifying the parking lot, access drives, and landscaping, and replacing the winery identification signs ("Edgewood Estate") at the existing winery, 401 St. Helena Highway South, St. Helena. The use permit modification was **APPROVED** with the attached conditions.

The modification must be used by **June 2, 1998** or it will expire without further action. The period for activation may be extended for a maximum of 12 months following the procedures in the Napa County Code, including payment of the Extension fee.

This determination may be appealed to the Board of Supervisors in accordance with Napa County Code Chapter 2.88 within 10 working days of the decision. This is your only notice of conditions of approval, rights of appeal, and expiration.

If you have any questions, please contact Kevin Eberle, Project Planner.

Very truly yours,


Michael Miller
Zoning Administrator

cc. Gary Brewen, Building Codes Administrator
Golden State Vintners, 60 E. Sir Francis Drake Blvd., Suite 302, Larkspur 94939

CONDITIONS OF APPROVAL
Golden State Vintners Modification
96539-MOD

1. The permit shall be limited to (1) miscellaneous revisions to the existing landscaping, (2) replacement of two existing winery identification signs on each side of the main entrance driveway with two new signs on stone signage walls, (3) modification of the main entrance driveway from a divided driveway to a narrower, undivided driveway, (4) deletion of the driveway circle, (5) reduction in the number of parking spaces from 100 to 57, (6) remodeling of the exterior elevations of the tasting room with no change to the building footprint, and (7) expansion of the existing fire access road on the northern portion of the property at an existing winery facility as shown on the approved site plan and elevations. Any expansion of production capacity, changes in use, or changes in construction shall be subject to further approval by the County.
2. All conditions of previous use permits and modifications for this winery shall remain in full force and effect, except as modified herein.
3. The applicant shall comply with all building codes, zoning standards and requirements of various County departments and agencies, including but not limited to the following:
 - a. County Public Works Department written comments of April 1, 1997.
4. All staff costs associated with monitoring compliance with these conditions 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.



NAPA COUNTY

JAMES H. HICKEY
Secretary-Director

CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

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

February 10, 1986

Napa Valley Co-op Winery
401 St. Helena Hwy.
St. Helena, Ca. 94574

Gentlemen:

Your Use Permit Application Number U-118586 to construct a 3080 square
foot visitor's center for wine and cheese tasting, retail sales and offices on a
proposed 8.8 acre parcel

located on the southwest side of State Hwy. 29, 700 feet north of Inglewood Ave.
within an AP District.
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: February 5, 1986

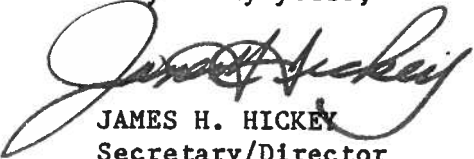
Your Use Permit becomes effective ten (10) working days from the approval date, provided all conditions of approval are met or assurances made to guarantee compliance. The ten (10) day waiting period is required to provide sufficient time for anyone wishing to appeal the action of the Commission in approving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

NOTE:

1. The Commission modified Condition #3 to allow for 100 parking spaces.
2. The Public Works Department modified Item #10 of their requirements to allow up to three driveway openings.
3. Permit limited to wine tasting and wine retail sales only.

Very truly yours,


JAMES H. HICKEY
Secretary/Director

JHH:ml

cc: Bill L. Hall, Building Codes Administrator

CONDITIONS OF APPROVAL

NAPA VALLEY CO-OP WINERY

Agenda Item: #7

Meeting Date: February 5, 1986

Use Permit: #U-118586

1. The permit shall be limited to the construction of a 3080 square foot visitor's center for wine tasting and wine retail sales. The applicant shall not conduct cheese tasting or tasting of any food.

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. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
3. Provision for 50 off-street parking spaces on a dust free all weather surface approved by Public Works. Applicant to use a "parking lot full" sign at entrance to his property (at highway) and shall provide a monitor on weekends and holidays.
4. Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.
5. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
6. Mitigation Measures contained in the attached Negative Declaration.
7. No outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
8. Retail sales shall be limited to wine produced and bottled by the winery.
9. Public tours and tasting shall not commence until finalization of building permits.
10. The applicant's lot line transfer application to locate the proposed visitor's center on the same parcel as the winery must be completed prior to issuance of building permits.

See Mod. #1
App. July 12, 1991
by E.A.

"Except as permitted by County Ordinance or adopted Board of Supervisors policy, no outdoor social activities, including picnicking, outside dining, wine tasting, live music, outdoor festivals or other activities of a similar nature."



NAPA COUNTY

CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

JAMES H. HICKEY
Secretary-Director

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

July 30, 1984

NAPA VALLEY COOPERATIVE WINERY
Attn: Virgil Galleron
401 St. Helena Highway South
St. Helena, CA 94574

Dear Mr. Galleron:

Your Use Permit Application Number U-638384 to Increase the annual
production capacity from 2,059,000 to 2,805,000 gallons per year with the
addition of wine storage tanks on two parcels totalling 32.93 acres
located on the west side of St. Hwy. 29, 700 ft. south of Lowelling Ave.
has been approved by the Napa County Conservation, Development and Planning
Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

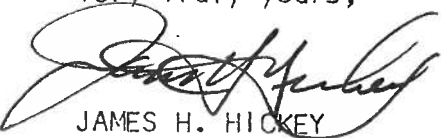
APPROVAL DATE: July 25, 1984

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,


JAMES H. HICKEY
Secretary-Director

JHH:pm

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

CONDITIONS OF APPROVAL

Agenda Item: _____

Meeting Date: July 25, 1984

Use Permit: U-638384

- 1) ☒ The permit be limited to: Increase in the annual production capacity to 2,805,000 gallons with the addition of wine storage tanks of: 60-20,000 gallon, 5-10,000 gallon, and 15-5,000 gallon
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.
- 3) ☒ Provisions for a minimum of 20 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.
- ☐ 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.
- 5) ☒ Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
- 6) ☒ No Public tours or tastings.
- 7) ☒ The applicant shall complete a property line transfer, which locates the proposed winery facilities on the site of the existing winery - A.P. # 27-120-02. The transfer shall be completed and recorded prior to issuance of a building permit for the proposed winery facilities.
- 8) ☒ The proposal shall meet all setback requirements of the AP District.

COUNTY OF NAPA

CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
August 8, 1975

Napa Valley Cooperative Winery
P. O. Box 272
St. Helena, California 94574

Gentlemen:

Your Use Permit Application Number U-697475 to expand an existing growers supply
storage building with a 1,200 square foot addition on a 4.89 acre parcel

on the west side of State Highway #29 within a PD District
located has been approved by the Napa County Conservation, Development and Planning Commission
based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

August 6, 1975

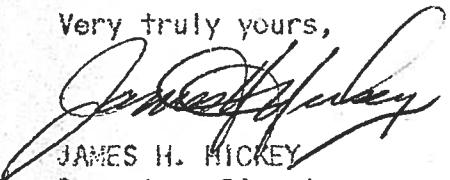
APPROVAL DATE: _____

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

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

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

Very truly yours,


JAMES H. MICKEY
Secretary-Director

JHM:jl

cc: Don Jonas
Chief Building Inspector
County of Napa

RECOMMENDATION #1

Approve Exhibit 'A' as the General Development Plan for this parcel.

RECOMMENDATION #2:

Approve the Use Permit subject to the following conditions:

- OK* 1. The permit be limited to the structures shown on the submitted development plan. Any expansion or change in use shall require separate Use Permit consideration by the Commission.
- OK* 2. Provision for a minimum of five (5) off-street parking spaces on a dust-free, all weather surface approved by the County Engineer.
- OK* 3. Any outside loading and storage areas be located to the sides and rear of the property and screened from view.
- OK* 4. The site be maintained in a clean and orderly condition at all times.
- OK* 5. The addition be of earth-tone coloring to blend with adjoining buildings and the surrounding area.
- OK* 6. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.

RECOMMENDATION #3:

The PD off-street parking requirements be revised as part of the overall zoning ordinance study in connection with the pending County General Plan.

Improvement Summary:

1. Public Works requires improvement and dedication to the County of a portion of the parcel frontage and improvement of all required parking areas and driveways. A deferred construction agreement for the above frontage improvements is acceptable.
2. Environmental Health, Flood Control and Water Conservation District and the State Division of Forestry offer no objections or improvement requirements at this time.