RECEIVED

APR 3 2013

Napa County Planning, Building
& Environmental Services

monteverdiconsulting

PLANNING + PERMITTING + PROJECT MANAGEMENT

April 3, 2013

VIA HAND DELIVERY

Mr. Sean Trippi Napa County Planning, Building and Environmental Services 1195 Third Street, Suite 210 Napa, CA 94559

Re:

Application for Modification of Winery Use Permit for Cliff Lede Vineyards (#3496-UP) 1473 Yountville Crossroad (APN 031-220-021)

Dear Sean:

Please accept this application for Modifications to the above referenced winery use permit. This proposal is for an increase in permitted wine production at the Cliff Lede Vineyards (CLV) winery, conversion of a portion of a mechanical/storage building to wine production, and authorization to operate in accordance with AB 2004 in the vicinity of the CLV tasting room.

CLV is currently permitted to produce up to 80,000 gallons per year (gpy) of wine. This application requests an increase in that permitted production to 120,000 gpy. The existing winery buildings, caves and infrastructure, including water service and the existing process water (PW) treatment pond system, can accommodate the demands associated by the increase in production. As stated in the attached application, it is anticipated that annual water demand for the 120,000 gpy winery (including demand associated with production and domestic use) will be approximately 1.0 million gpy. This is approximately 225,000 gpy less than what CLV is entitled to under their water service agreement with the Town of Yountville (see Attachment A: Water Demand Estimate and Water Use Agreement). A Wastewater Feasibility Study prepared by Summit Engineering, Inc., also attached to this application verifies that the existing PW treatment pond system can accommodate the anticipated PW flows (Attachment B).

CLV also requests approval for conversion of +/-1,086 s.f. of an existing +/-1,900 square foot mechanical/storage building to wine production (<u>Attachment C</u>). This building is located proximate to the winery and caves, and will require a minimal amount of interior improvements in order to accommodate the proposed function. Finally, CLV requests authorization to operate in accordance with AB 2004 (the so-called "picnic bill") in the vicinity of the CLV tasting room.

No other modifications to Use Permit #02606-UP are being requested at this time.

Please contact me directly with any questions regarding this application.

Regards,

George H. Monteverdi, Ph.D. Monteverdi Consulting, LLC

Attachments

cc: Remi Cohen, Cliff Lede Vineyards



A Commitment to Service

file Nº P13-00116

Napa County

Conservation, Development, and Planning Department

1195 Third Street, Suite 210, Napa, California, 94559 phone (707) 253-4417 web www.countyofnapa.org/cdp/ email cdp@countyofnapa.org

	Use Permit	Application			
	To be completed by	y Planning staff			
Application Type:					
	Resubmittal(s):	Date	Complete	e:	
					24
*Application Fee Deposit: \$	Receipt No.	Received by:		Date:	
	•			pased on actual time ar	
	To be completed		ccs will be t	asca on actual time as	a matemat
Project Name: Cliff Lede Vine	yards Winery Production Inc	rease Request			
Assessor's Parcel №: <u>031-220-02</u>	3	Existing Parcel	Size: +/-2	25.52	ac.
Site Address/Location: 1473 Your	ntville Cross Road	Yountville	CA	94599	
Primary Contact:		Representative (attorney, engine			
Property Owner: Cliff Lede Vir	neyards				
Mailing Address: 1473 Yountvil	le Cross Road	Yountville	CA State	94599 Zip	
	8 E-Mail: remi@cliffled		State	Ζip	
Applicant (if other than property owr	ner):				
Mailing Address:					
No. Telephone Nº()	Street E-Mail:	City	State	Zip	m=
Representative (if applicable): Geo					
Mailing Address: PO Box 6079		Napa	CA	94581	
No. 761 251	Street	City	State	Zip	

Use Permit Information Sheet

Use

Narrative description of the proposed use (please attach additional sheets as necessary):

This application seeks approval of the following modifications to Use Permit #3496-UP:

- a. Increase in permitted wine production from 80,000 gallons per year (gpy) to 120,000 gpy.
- b. Conversion of \pm 1,086 s.f. of a \pm 1,900 square foot mechanical/storage building to wine production (See Attached Site Plan and Floor Plan).
- c. Authorization to operate in accordance with AB 2004 in the vicinity of the CLV tasting room.

No other changes to Use Permit #3496-UP are being proposed at this time.

What, if any, additional licenses or approvals will be required to allow the	he use?
District_None	Regional None
State None; ABC Notification of use change only	Federal None; TTB Notification of use change only

Improvements

Narrative description of the proposed on-site and off-site improvements (please attach additional sheets as necessary): No improvements are planned as part of this Application.

- a. The existing Cliff Lede Vineyards (CLV) winery and supporting facilities and infrastructure can accommodate the water, wastewater, production space and other demands associated with the proposed increase in production from 80,000 gpy to 120,000 gpy. See Wastewater Feasibility Study (WWFS) report prepared by Summit Engineering and submitted with this application.
- b. Approximately 1,086 s.f. of an existing +/-1,900 square foot mechanical/storage building will be converted to wine production. No changes to the existing building will be required, and the areas currently used for mechanical hardware will continue to be used for those purposes.
- c. No property improvements will be required to accommodate the AB 2004-related operations.

Improvements, cont.				
Total on-site parking spaces:	42	existing	No Change proposed	
Loading areas:	2	existing	No Change proposed	
Fire Resistivity (check one; if not checked, Fire	e Marshal will assume Type V	non rated):		
Type I FR Type II 1 H	r Type II N (non-rated	Type III	1 Hr Type III N	
Type IV H.T. (He	avy Timber) Type r reference, please see the late	V 1 Hr. est version of the	Type V (non-rated) California Building Code)	
Is the project located in an Urban/Wildland In	nterface area?	'es 🗸	No	
Total land area to be disturbed by project (inc	clude structures, roads, septic	areas, landscapir	ng, etc): None	acre
Employment and Hours of Op	peration			
Days of operation:	Mon-Sun	existing	No Change	_ proposed
Hours of operation:	8:00am - 5:00pm	existing	No Change	_ proposed
Anticipated number of employee shifts:	1	existing	No Change	_ proposed
Anticipated shift hours:	8:00am - 5:00pm	existing	No Change	_ proposed
Maximum Number of on-site employees:				
10 or fewer 11-24	25 or greater (specify number)		
Alternately, you may identify a specific number	er of on-site employees:			
other (specify number)				

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but not limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

CUFF LEDE		Cliff Lede	
Print Name of Property Owner	2	Print Name Signature of Applicant (If different)	1/29/13
Signature of Property Owner	Date	Signature of Applicant	Date

Supplemental Application for Winery Uses

Operations	
Please indicate whether the activity or uses below are already legally EXISTING , whether they exist and are proposed to be application, whether they are NEWLY PROPOSED as part of this application, or whether they are neither existing nor proposed.	

Please indicate whether the activity or uses below are all application, whether they are NEWLY PROPOSED as part				
Retail Wine Sales	Existing	Expanded	Newly Proposed	None
Tours and Tasting- Open to the Public	Existing			
Tours and Tasting- By Appointment	Existing	Expanded	Newly Proposed	None
Food at Tours and Tastings	Existing	Expanded	Newly Proposed	None
Marketing Events*	Existing	Expanded	Newly Proposed	None
Food at Marketing Events	Existing	Expanded	Newly Proposed	None
Will food be prepared		On-Site?	atered?	
Public display of art or wine-related items	Existing	Expanded	Newly Proposed	None
* For reference please see definition of "Marketing," at N	lapa County Code §	518.08.370 - <u>http://lil</u>	brary.municode.com/index	:.aspx?clientId=16513
Production Capacity *				
Production Capacity * Please identify the winery's				
	gal/y Per per	mit №: <u>P11-0438</u>	-MOD Permit d	late: 03/21/2012
Please identify the winery's	gal/y Per per	mit №: <u>P11-0438</u> gal/y For what ye		late: 03/21/2012
Please identify the winery's Existing production capacity: 80,000	gal/y Per per	gal/y For what ye		late: 03/21/2012
Please identify the winery's Existing production capacity: 80,000 Current maximum actual production: 67,000	gal/	gal/y For what ye		late: <u>03/21/2012</u>
Please identify the winery's Existing production capacity: 80,000 Current maximum actual production: 67,000 Proposed production capacity: 120,000	gal/	gal/y For what ye		late: 03/21/2012
Please identify the winery's Existing production capacity: 80,000 Current maximum actual production: 67,000 Proposed production capacity: 120,000 * For this section, please see "Winery Production Process."	gal/	gal/y For what ye		late: 03/21/2012
Please identify the winery's Existing production capacity: 80,000 Current maximum actual production: 67,000 Proposed production capacity: 120,000 * For this section, please see "Winery Production Process." Visitation and Hours of Operation	gal/	gal/y For what ye	ear? 2012	
Please identify the winery's Existing production capacity: 80,000 Current maximum actual production: 67,000 Proposed production capacity: 120,000 * For this section, please see "Winery Production Process" Visitation and Hours of Operation Please identify the winery's	gal/ s," at page 11.	gal/y For what ye	No Chan	geproposed
Please identify the winery's Existing production capacity: 80,000 Current maximum actual production: 67,000 Proposed production capacity: 120,000 * For this section, please see "Winery Production Process." Visitation and Hours of Operation Please identify the winery's Maximum daily tours and tastings visitation:	gal/ s," at page 11. 145	gal/y For what ye	No Chang	ge proposed

¹ Average daily visitation is requested primarily for purposes of environmental review and will not, as a general rule, provide a basis for any condition of approval limiting allowed winery visitation.
² It is assumed that wineries will operate up to 24 hours per day during crush.

Grape Origin

All new wineries and any existing (pre-WDO) winery expanding beyond its winery development area must comply with the 75% rule and complete the attached "Initial Statement of Grape Source". See Napa County Code §18.104.250 (B) & (C).

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, food service details, etc. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

The winery is currently permitted up to 18 Marketing Events per year with the maximum attendance per event not to exceed 350 persons (Use Permit #02606-UP).

This application proposes no changes to the existing, approved Marketing Program for Cliff Lede Vineyards.

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service. (Attach additional sheets as necessary.)

No new Food Service is proposed as part of this application.

Winery Coverage and Accessory/Production Ratio

Winery Development Are indicate your proposed wi	 a. Consistent with the one of the control of the control	definition at "a.," at pag a. If the facility already e	e 11 and with the exists, please diffe	e marked-up site plans erentiate between exist	included in your submittal, please ting and proposed.	3
Existing	+/-26,430	sq.	ft.	+/-0.61	acres	
Proposed	No Change	sq.	ft.	No Change	acres	
Winery Coverage. Consists your proposed winery cov	ent with the definition erage (maximum 25% o	at "b.," at page 11 and v of parcel or 15 acres, wh	with the marked- nichever is less).	up site plans included i	n your submittal, please indicate	
+/-57,730	sq. ft.	+/-1.3		acres +	/-0.05 % of parce	el
<u>Production Facility</u> . Consist proposed <i>production</i> squa					your submittal, please indicate yo osed.	ur
Existing +/-4	17,200 incl. cave	sq. ft.	Proposed	No Chan	gesq. ft.	
proposed <i>accessory</i> square production facility)	e footage. If the facility	already exists, please d	ifferentiate betw	een existing and propo	submittal, please indicate your used. (maximum = 40% of the	
Existing	+/-1,840	sq.	ft.	3.9	% of production facilit	ty
Proposed	No Change	sq.	ft.	No Change	% of production facilit	ty
Caves and Crush If new or expanded caves None – no visitors/too Marketing Events and	are proposed please in	Guided	owing best describ Tours Only (Clas s		ility of the cave space: Public Access (Class III)	
Please identify the winery	r's					
Cave area	Existing: $\pm \frac{+31,3}{}$	00	sq. ft.	Proposed: No Cha	ange sq	. ft.
Covered crush pad area	Existing: N/A		sq. ft.	Proposed: No Cha	ange sq	ı. ft.
Uncovered crush pad area	Existing: +/-1,20	00	sq. ft.	Proposed: No Cha	ange sq	ı. ft.

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.

1/29/13

Owner's Signature

Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.

Water Supply/ Waste Di	isposal Information She	eet
Water Supply Please attach completed Phase I Analysis sheet.	Domestic	Emergency
Proposed source of water (e.g., spring, well, mutual water company, city, district, etc.):	Yountville	Yountville
Name of proposed water supplier (if water company, city, district):	Yountville	Yountville
Is annexation needed?	Yes No	Yes No
Current water use:	+/-1,893 gallons	per day (gal/d)
Current water source:	Yountville	Same
Anticipated future water demand:	+/-2,839 gal/d	Same gal/d
Water availability (in gallons/minute):	N/A gal/m	Same gal/m
Capacity of water storage system:	N/A gal	Same
Type of emergency water storage facility if applicable (e.g., tank, reservoir, swimming pool, etc.):	N/A	
Liquid Waste Please attach Septic Feasibility Report NOTE: All New Phase	e #1 flow to Ponds; All New Domestic	Phase #2 flow to Onsite Septic
Type of waste:	sewage	Process waste
Disposal method (e.g., on-site septic system, on-site ponds, community system, district, etc.):	on-site septic	Onsite ponds
Name of disposal agency (if sewage district, city, community system):	N/A	<u>N/A</u>
Is annexation needed?	Yes No	Yes 🗸 No
Current waste flows (peak flow):	+/-860 gal/d	+/-3,236 gal/d
Anticipated future waste flows (peak flow):	No change gal/d	+/-4,276 gal/d
Future waste disposal design capacity:	+/-860 gal/d	+/-4,300 gal/d
Solid Waste and Recycling Storage and Disposal Please include location and size of solid waste and recycling storage area www.countyofnapa.org/dem.	on site plans in accordance with th	e guidelines available at
Hazardous and/or Toxic Materials		
If your facility generates hazardous waste or stores hazardous materials 200 cubic feet of compressed gas) then a hazardous materials business p		
Grading Spoils Disposal Where will grading spoils be disposed of? (e.g. on-site, landfill, etc. If off-site, please indicate where off-site): N.	/A	

NAPA COUNTY UNIFIED PROGRAM CONSOLIDATED FORM FACILITY INFORMATION

BUSINESS ACTIVITIES

		Page 1 of p				
L FACILITY IDENTIFICATION						
FACILITY ID # (Agency Use Only)		Hazardous Waste Only) 2				
BUSINESS NAME (Same as Facility Name of DBA-Doing Business As) UIIT LOGG	vineyards	3				
BUSINESS SITE ADDRESS 1473 Yountville Cross Road		103				
BUSINESS SITE CITY Yountville		04 CA ZIP CODE 94599 105				
CONTACT NAME Richard Hall		⁰⁶ PHONE 707-754-4218 107				
H. ACTIVITIES DEC		The Affin Af				
NOTE: If you check YES to any part of this list, please subm Does your facility		lete these pages of the UPCF				
Does your facility	If ites, piease comp	iete titese pages of the OPCP				
A. HAZARDOUS MATERIALS Have on site (for any purpose) at any one time, hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in ASTs and USTs); or the applicable Federal threshold quantity for an extremely hazardous substance specified in 40 CFR Part 355, Appendix A or B; or handle radiological materials in quantities for which an emergency plan is required pursuant to 10 CFR Parts 30, 40 or 70?	YES X NO 4	HAZARDOUS MATERIALS INVENTORY - CHEMICAL DESCRIPTION				
B. REGULATED SUBSTANCES Have Regulated Substances stored onsite in quantities greater than the threshold quantities established by the California Accidental Release	CYES ONO 48	Coordinate with your local agency				
prevention Program (CalARP)?	0-0-	responsible for CalARP.				
C. UNDERGROUND STORAGE TANKS (USTs)	0 0	UST FACILITY (Formerly SWRCB Form A)				
Own or operate underground storage tanks?	YES ONO 5	UST TANK (one page per tank) (Formerly Form B)				
D. ABOVE GROUND PETROLEUM STORAGE Own or operate ASTs above these thresholds: Store greater than 1,320 gallons of petroleum products (new or used) in aboveground tanks or containers.	Ores Ono 8	NO FORM REQUIRED TO CUPAS				
E. HAZARDOUS WASTE						
Generate hazardous waste?	OYES ONO 9	EPA ID NUMBER provide at the top of this page				
Recycle more than 100 kg/month of excluded or exempted recyclable materials (per HSC 25143.2)?	O'TES ONO 10	RECYCLABLE MATERIALS REPORT (one per recycler)				
Treat hazardous waste on-site?	YES ONO 11	ON-SITE HAZARDOUS WASTE TREATMENT – FACILITY ON-SITE HAZARDOUS WASTE TREATMENT – UNIT (one page per unit)				
Treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)?	YES NO 12	CERTIFICATION OF FINANCIAL ASSURANCE				
Consolidate hazardous waste generated at a remote site?	OYES ONO 13	REMOTE WASTE / CONSOLIDATION SITE ANNUAL NOTIFICATION				
Need to report the closure/removal of a tank that was classified as hazardous waste and cleaned on-site?	OYES ONO 14	HAZARDOUS WASTE TANK CLOSURE CERTIFICATION				
Generate in any single calendar month 1,000 kilograms (kg) (2,200 pounds) or more of federal RCRA hazardous waste, or generate in any single calendar month, or accumulate at any time, 1 kg (2.2 pounds) of RCRA acute hazardous waste; or generate or accumulate at any time more than 100 kg (220 pounds) of spill cleanup materials contaminated with RCRA acute hazardous waste.	YES ONO 14a	Obtain federal EPA ID Number, file Biennial Report (EPA Form 8700- 13A/B), and satisfy requirements for RCRA Large Quantity Generator.				
Household Hazardous Waste (HHW) Collection site?	OYES ONO 146	See CUPA for required forms.				
F. LOCAL REQUIREMENTS (You may also be required to provide additional information by your CUPA)	or local agency.)	15 UPCF Rev. (12/2007)				

Winery Traffic Information / Trip Generation Sheet

Traffic during a Typical Weekda	у			
Number of FT employees:11	x 3.05 one-way trips per employee	=	34	daily trips.
Number of PT employees: 0	x 1.90 one-way trips per employee	=	0	daily trips.
Average number of weekday visitors:	/ 2.6 visitors per vehicle x 2 one-way trips	=	81	daily trips.
Gallons of production: 120,000 / 1,0	000 x .009 truck trips daily ³ x 2 one-way trips	=	2	daily trips.
	Total	=	117	daily trips.
(№ of FT employees) + (№ of PT employ	rees/2) + (sum of visitor and truck trips x .38)	=	43	PM peak trips.
Traffic during a Typical Saturda	у			
Number of FT employees (on Saturdays):11	x 3.05 one-way trips per employee	=	34	daily trips.
Number of PT employees (on Saturdays):0	x 1.90 one-way trips per employee	=	0	daily trips.
Average number of Saturday visitors:135	/ 2. 8 visitors per vehicle x 2 one-way trips	=	96	daily trips.
	Total	=	130	daily trips.
(Nº of FT employee	s) + (№ of PT employees/2) + (visitor <u>trips</u> x .57)	=	66	PM peak trips.
Traffic during a Crush Saturday				
Number of FT employees (during crush): 11	x 3.05 one-way trips per employee	=	34	daily trips.
Number of PT employees (during crush):0	x 1.90 one-way trips per employee	=	0	daily trips.
Average number of Saturday visitors: 135	/ 2. 8 visitors per vehicle x 2 one-way trips	=	96	daily trips.
Gallons of production: 120,000 / 1,0	000 x .009 truck trips daily x 2 one-way trips	=	2	daily trips.
Avg. annual tons of grape on-haul: 306	/ 144 truck trips daily ⁴ x 2 one-way trips	=	4	daily trips.
	Total	=	136	daily trips.
Largest Marketing Event- Additi	onal Traffic			
Number of event staff (largest event): 10	x 2 one-way trips per staff person	=	20	trips.
Number of visitors (largest event):350	/ 2.8 visitors per vehicle x 2 one-way trips	=	250	trips.
Number of special event truck trips (largest event):	2 x 2 one-way trips	=	4	trips.

³ Assumes 1.47 materials & supplies trips + 0.8 case goods trips per 1,000 gallons of production / 250 days per year (see *Traffic Information Sheet Addendum* for reference).

⁴ Assumes 4 tons per trip / 36 crush days per year (see *Traffic Information Sheet Addendum* for reference).