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Previous Conditions of Approval

CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
SUPPLEMENTAL INFORMATION SHEET
USE PERMIT APPLICATION

1. DESCRIPTION OF PROPOSED USE:

USE: Winery

PRODUCT OR SERVICE PROVIDED: Production of Wine + Sales at the Winery with Tours.

FLOOR AREA: EXISTING STRUCTURES -0- SQ. FT. NEW CONSTRUCTION 16,000 SQ. FT.

INDICATE SQUARE FOOTAGE ON EACH FLOOR DEVOTED TO EACH SEPARATE USE WITHIN AN EXISTING

AND/OR PROPOSED BUILDING: 1st. floor: wine production + tasting + sale. 16,000 sq. ft.

2nd. floor: office. 3,000 sq. ft.

SEATING CAPACITY: RESTAURANT -0- BAR -0- OTHER _____

EXISTING STRUCTURES OR IMPROVEMENTS TO BE REMOVED: house to be moved.

RELATED NECESSARY CONCURRENT OR SUBSEQUENT PROJECTS ON THE SITE OR IN SURROUNDING

AREAS: -0-

2. NEW CONSTRUCTION:

PROJECT PHASING: -1-

CONSTRUCTION TIME REQUIRED (EACH PHASE): 18 months.

TYPE OF CONSTRUCTION: concrete

MAX. HEIGHT (FT.): EXISTING STRUCTURES -0- PROPOSED STRUCTURES 34'

DESCRIPTION OF PROPOSED EXTERIOR NIGHT LIGHTING: as needed.

3. AVERAGE OPERATION:

HOURS OF OPERATION 7 A.M. TO 7 P.M. DAYS OF OPERATION 7

NUMBER OF SHIFTS: 0 EMPLOYEES PER SHIFT: 0 FULL TIME 0 PART TIME 0
(CURRENTLY) (CURRENTLY)

NUMBER OF SHIFTS TOTAL EMPLOYEES PER FULL TIME 4 PART TIME 2
PROPOSED: 2 SHIFT PROPOSED: 6

NUMBER OF DELIVERIES OR PICK-UPS: PER DAY 3 PER WEEK 15

NO. VISITORS ANTICIPATED: PER DAY 30 PER WEEK 300

ARE THERE SPECIAL OPERATIONS? PLEASE DESCRIBE ON SEPARATE PAGE 0

4. LANDSCAPING AND PARKING:

EXISTING LANDSCAPING PLAN SUBMITTED: YES X NO _____

PROPOSED LANDSCAPING PLAN SUBMITTED: YES X NO _____

PARKING SPACES: EXISTING SPACES 0 EMPLOYEE 0 CUSTOMER 0

PROPOSED SPACES 40 ⁻¹⁵⁻ EMPLOYEE 6 CUSTOMER 34

5. UTILITIES:

WATER SUPPLY SOURCE: well METHOD OF SEWAGE DISPOSAL: Pond/Septic System

IS ANNEXATION TO A SPECIAL SERVICE DISTRICT PROPOSED?: YES _____ NO X

NAME OF DISTRICT: _____

6. LICENSES OR APPROVALS REQUIRED:

DISTRICT _____ REGIONAL _____

STATE ABC FEDERAL _____ STATE BATF

7. WINERY OPERATION:

X CRUSHING X FERMENTATION X STORAGE/AGING X BOTTLING/PACKING

X SHIPPING: VIA: truck; ADMINISTRATIVE: X TOURS/PUBLIC TASTING

X OTHER: _____

GALLONS OF WINE TO BE PRODUCED: INITIAL OR CURRENT PRODUCTION 0 GALLONS/YEAR

ULTIMATE ESTIMATED PRODUCTION: 85,000 GALLONS/YEAR

REQUESTED PRODUCTION CAPACITY: 85,000 GALLONS/YEAR

METHOD OF DOMESTIC WASTE DISPOSAL: Septic System - Leach line.

METHOD OF INDUSTRIAL WASTE DISPOSAL: Pond

GALLONS OF DOMESTIC WASTE PRODUCED: See Attached PER _____

GALLONS OF INDUSTRIAL WASTE PRODUCED: see attached study PER _____

METHOD OF SOLID WASTE DISPOSAL: Commercial carrier and vineyard disposal of pumice.

CAPACITY OF WATER SUPPLY: well GALLONS.

WATER AVAILABILITY: 180 GALLONS PER MINUTE.

ON-SITE FIRE PROTECTION:

EMERGENCY WATER STORAGE: 0 GALLONS.

TYPE OF STORAGE FACILITY: 0

8. SPECIFIC INFORMATION FOR REST HOMES/DAY CARE CENTERS:

TYPE OF CARE: _____

TOTAL NUMBER OF GUESTS: EXISTING: _____ PROPOSED: _____

NUMBER OF BEDROOMS: EXISTING: _____ PROPOSED: _____

SPECIAL CARE HOME WITHIN 300 FEET OF PROPERTY?: _____

NUMBER OF EMPLOYEES: FULL TIME: 16 PART TIME: _____

CONDITIONS OF APPROVAL

Jacques DeGoninck

Agenda Item #: 9

Meeting Date: December 3, 1986

Use Permit: #U-168687

1. The permit be limited to the construction and operation of an 85,000 gallons per year winery including above ground waste water treatment facilities as submitted by the applicant in the attached plot plan.

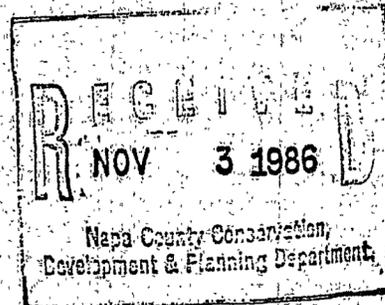
Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.

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. Provisions for a minimum of 40 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. 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 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. Retail sales may commence following the construction of the winery.
9. Public tours and tasting shall not commence until after the winery has been constructed and is in operation.

:3d

ATTACHMENT 1

Mitigation Measures for
DeConinck (Monet) Use Permit
(#U-168687)



FLOOD PLAIN

- 1) Build above or flood proof to elevation as approved by Department of Public Works.

ODOR

- 2) Ponds shall be monitored and maintained so as to not produce odors - to satisfaction of Napa County Environmental Health Department.

NOISE

- 3) Suppression of noisy equipment by adequate acoustical shielding and location away from residences off-site.

LIGHTS

- 4) Shield all outdoor lighting and direct away from highway and residences off-site.

ARCH.

- 5) All subsurface trenching or grading activity shall be monitored by a trained archaeologist; unless the sensitive areas are avoided by relocating the planned facilities.

TRAFFIC

- 6) Installation of a left turn lane and acceleration and deceleration tapers on Hwy. 29 - to satisfaction of Napa County Public Works Department and CalTrans.

I AGREE TO INCLUDE THE ABOVE MITIGATION MEASURES IN THIS PROJECT.


J. DeConinck, Owner

November 2, 1986

Date

By: Monica L. Wolf Marvin, Attorney for Owner



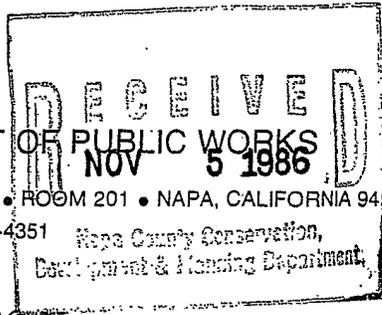
NAPA COUNTY

HARRY D. HAMILTON
Director of Public Works

County Surveyor — County Engineer
Road Commissioner

DEPARTMENT OF PUBLIC WORKS

1195 THIRD STREET • ROOM 201 • NAPA, CALIFORNIA 94559
AREA CODE 707/253-4351



November 5, 1986

Napa County Department of
Conservation, Development and
Planning
1195 Third Street - Room 210
Napa, California 94559

RE:

Hwy 29, at Mee Lane
U-168687
Monet Vineyards
Winery
(IS #2591)

Commissioners:

This application is to establish an 85,000 gallon/year winery having tours and tasting. Nearly all of the property is located within a flood hazard area. The developer is encouraged to revise the proposed location of the access road so that it connects to Hwy 29 opposite Mee Lane.

Regarding the conditions of this use permit the following is recommended:

1. A left turn storage lane be constructed in Hwy 29 so as to facilitate north bound traffic turning into the access road.
2. The access road serving the proposed winery be a minimum width of 20 feet and consist of Class II Aggregate Base plus 2 inches of asphalt concrete.
3. Visitor parking areas shown on the site plan and any additional areas required by the commission have a minimum structural section equivalent to 5 inches of Class II Aggregate Base plus 2 inches of asphalt concrete.
4. Employee parking areas shown on the site plan and any additional areas required by the commission have a minimum structural section equivalent to 5 inches of Class II Aggregate Base plus a double seal coat.
5. Any necessary storm drainage improvements be constructed.
6. All the above improvements be constructed according to plans prepared by a registered civil engineer and reviewed and approved by this department. A plan check and inspection fee in an amount equal to 3% of the estimated cost of construction of the above improvements be paid to this department.

7. Any work performed within the right of way of Hwy 29 be done under an encroachment permit issued by Caltrans.

8. All applicable buildings and other improvements be flood proofed in accordance with a flood plain management permit to be issued by this department. Flood proofing be to an elevation based upon calculations prepared by the developer's engineer and be reviewed and approved by this department.

Very truly yours,

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

By 
J.B. KLEIN, P.E.
Civil Engineer

JBK:lks
11/86:6

cc: Lynn Miller, Caltrans
Jacques De Coninck



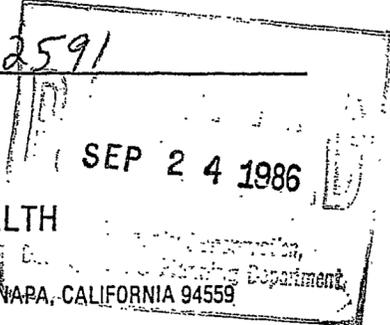
NAPA COUNTY

DEPARTMENT OF ENVIRONMENTAL HEALTH

TRENT CAVE, R.S.
Director of Environmental Health

1195 THIRD STREET, ROOM 205, NAPA, CALIFORNIA 94559
AREA CODE 707/253-4471

I.S.#: 2591



MEMORANDUM

TO: CONSERVATION, DEVELOPMENT AND PLANNING

FROM: Department of Environmental Health

SUBJECT: Use Permit Application of JACQUES DE CONINCK (MORNET VINEYARDS)
 Located at 1695 St. Helena Hwy
 A.P. # 27-470-07 File # U-168687

We have reviewed the above proposal and recommend approval of the use permit providing the conditions checked below are included as conditions of the use permit.

- That the applicant secure a discharge requirement or waiver of same, from the Regional Water Quality Control Board for the proposed waste water system.
- That a permit for the sewage disposal system be secured from the Department of Environmental Health prior to issuance of a building permit.
- That a permit for any additions or repairs to the sewage disposal system be secured from the Department of Environmental Health.
- That the use of the drainfield area be restricted to activities which will not contribute to compaction of the soil with the consequent reduction in soil aeration. This includes equipment storage, traffic, livestock, etc., over the system.
- That plans for the proposed SEPTIC SYSTEM AND WINERY WASTE POND shall be designed by a LICENSED ENGINEER and be accompanied by complete design criteria based upon local conditions and shall be subject to approval by the Department of Environmental Health prior to issuance of any permits.

EH 280-A

That all waste water lines at the proposed development be connected to _____.

X The applicant shall maintain regular monitoring of the waste water system as required by the Department of Environmental Health and submit monitoring reports quarterly.

X That an annual sewage permit be obtained and that the septic system monitoring requirements be fully complied with as required.

X That the water supply system comply with the California Safe Drinking Water Act. This will require an annual permit from the Department of Environmental Health. A plan review of the water system will also be required.

X That prior to drilling any wells, a well permit be obtained from the Department of Environmental Health.

 That the proposed parcel be connected to the _____ water system.

X That all underground storage facilities for any hazardous materials as defined by Division 20, Chapter 6.7 of the State Health and Safety Code shall comply with that law. Plans for all such facilities must be approved by the Department of Environmental Health prior to issuance of any building permits. A permit issued by the Department of Environmental Health will also be required.

X That any hazardous wastes produced on the site be handled, stored, transported and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Administrative Code.

 That all infectious waste as defined in Section 25117.5 of the Health and Safety Code be handled, stored, transported and disposed of in conformance with Napa County Environmental Health Department requirements and Division 4, Title 22, Section 66011 through 66865 of the California Administrative Code. An annual infectious waste generator permit may be required.

 That if any food or beverage facilities are included in the project, that plan review and approval be obtained from the County Department of Environmental Health prior to issuance of any building permits. An annual food permit will also be required.

 That prior to issuance of any building permits complete plans containing equipment layout, finish schedule and plumbing plans for the food and beverage facilities and employee restrooms be submitted for review and approval by the County Department of Environmental Health. An annual food permit will also be required.

That complete plans for the including decking and accessory restroom facilities, be submitted to the County Department of Environmental Health for review and approval prior to issuance of building permits. An annual pool permit will also be required.

That complete plans for any future swimming pools, spas or hot tubs including decking and accessory restroom facilities, be submitted to the Department of Environmental Health for review and approval prior to issuance of building permits. An annual pool permit will also be required.

That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors,

ADDITIONAL CONDITIONS:

Response by Jim Snelling
Title Sanitarian
Date 9-22-86

CC: JACQUES De CONINCK
1, SAN ANTO COURT
ST. HELENA, CA 94574

MONET VINEYARD CO.
846 W. FOOTHILL BLVD.
UPLAND, CA 91786

BOB MAHONEY
1126 ADAMS ST. SUITE A
ST. HELENA, CA 94574



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Director

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

August 28, 2003

Chalone Wine Group
621 Airpark Road
Napa Ca 94558

Re: Request for Replacement and Directional Type Sign Use Permit #03142-S
(APN 027-470-007)

Please be advised that your request for a sign replacement and a directional type sign for Provenance Vineyards complies with the standards set forth in Chapter 18.116 and has been administratively **APPROVED**. This letter supercedes the previous approval letter, dated June 24, 2003.

The permit becomes effective unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If an appeal is filed by others, you will be notified.

This approval applies only to the signs detailed in your project request and as clarified in Cathy Roche's letter of August 22, 2003. Prior to installation you are required to obtain all applicable building permits, as well as an encroachment permit from Cal Trans.

Should you have any questions, please contact me at slederer@co.napa.ca.us or at (707) 253-4417.

Sincerely,

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

Steven E. Lederer
Deputy Planning Director

cc: file
Suzanne Gardner, Planning Technician
Larry Bogner, Department of Public Works



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Director

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

July 30, 2003

Chalone Wine Group
Provenance Vineyards Winery
621 Airpark Road
Napa, California 94558

Re: Request for Use Permit Modification (#03233-MOD) to allow for the construction of a 120 sq. ft. pump house and installation of two 8,000- gallon water tanks for Provenance Vineyards Winery (APN 27-470-007)

Please be advised that your request to modify Use Permit #U-168687 for Provenance Vineyards Winery has been administratively **APPROVED** (see attachment).

The permit becomes effective unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If others file an appeal, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within two years from the approval date, or it shall automatically expire and become void. No extensions are possible. This letter is your only notice regarding expiration.

This approval applies only to the modifications proposed in your application submitted on July 3, 2003. All applicable building permits must be applied for and obtained prior to construction. All conditions required by the original Use Permit, except as modified herein, remain in full effect.

Should you have any questions, please contact Naomi Beattie at nbeattie@co.napa.cau.us or a (707) 253-4416

Sincerely,

Steven E. Lederer
Deputy Planning Director

Cc: file
Bob Nelson, Supervising Planner
Cathy Roche, DP&F

Provenance Vineyards Winery

#03233-MOD

APN: 27-470-007

1. **SCOPE:** The approval allows modification of Use Permit #94310-UP, #98428-MOD, and #001167-MOD and is limited to the following:
 - Construction of a 120 square foot pump house;
 - Installation of two (2) 8,000-gallon water tanks.
 - The above project shall be consistent with the approved application materials. Any other changes will require review and approval of a use permit modification by the County.

2. **REFERRALS:** The permittee shall comply with all building codes, zoning standards and requirements of County Departments and agencies at the time of use of this use permit, including but not limited to comments by:
 - a. Napa County Building Inspection Division, dated July 10, 2003;

3. **LANDSCAPING:** The landscaping, as delineated on landscaping plan, shall be installed prior to approval of the final occupancy permit. All landscaping shall be permanently maintained in accordance with the approved landscaping plan.

4. **LIGHTING:** All exterior lighting for the pump house shall be shielded and directed downward, 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.



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

PATRICK LYNCH, AICP
Acting 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

NAOMI BEATTIE
Planner

NANCY JOHNSON
Planner

SUZIE GAMBILL
Planning Technician

C. RENEE LEDERER
Planning Administrative Specialist

September 15, 2004

Chalone Wine Group/Provenance Vineyards
Attn: Cathy Roche
809 Coombs Street
Napa, CA 94558

RE: Request for Use Permit Modification #03531-MOD (Assessor Parcel No. 27-470-007)

Dear Ms. Roche:

Please be advised that **Use Permit Application #03531-MOD** has been **APPROVED** by the Napa County Conservation, Development and Planning Commission on July 21, 2004 based on the attached amended conditions.

The permit became effective ten (10) working days from the approval date. Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within two (2) years from the approval date, or it shall automatically expire and become void. No extensions are possible. This letter is your only notice regarding expiration.

EXPIRATION DATE: August 4, 2006

All applicable building permits must be applied for and obtained prior to construction. Additionally, approval from the Fire Department, Public Works, and Environmental Management must be obtained and all conditions must be complied with as part of the Building Permit process. All conditions required by the original Use Permit, except as modified herein, remain in full effect.

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

Very truly yours,

Naomi Beattie
Planner II

Cc: John Tuteur, Assessor
Christine Secheli, Environmental Management
Larry Bogner, Public Works
Gabrielle Avina, Napa County Fire

1195 THIRD STREET
SUITE 210

NAPA, CALIFORNIA
94559

TELEPHONE:
707-253-4417

FAX:
707-253-4336

WWW.CO.NAPA.CA.US

**AMENDED CONDITIONS OF APPROVAL
PROVENANCE VINEYARDS WINERY**

APN: 27-470-007

#03531-MOD

1. SCOPE: The permit shall be limited to:

- Wine production of no more than 180,000 gallons per year.
- Construction of a 20,657 square foot winery addition to be utilized for barrel storage, plus mechanical room, lab and employee breakroom for a winery totaling 36,897 square feet.
- Construction of a 3,028 square foot canopy over the existing crush pad.
- Addition of 6 additional employee parking spaces for a total of 12 and 2 customer parking spaces for a total of 36.
- Reduce the number of shifts to 1 with a total of 12 full / 0 part-time employees.
- Recognition of the existing marketing plan (summarized below).
- Construction of a stormwater detention pond.

The barrel building, canopy, and detention pond 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, constructors, 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:

Hosted tours and tastings for wine trade personnel and consumers by appointment.

Frequency: Daily

Number of persons: 10 to 25 persons, maximum of 65/week

Time of day: 10 am to 4 pm

Private promotional tastings and meals:

Frequency: 24 times per year

Number of persons: 25 to 50, average 35

Time of day: 10:00 am to 10:00

Wine Auction and release events, such as barrel tasting, auctions and other social events accompanied by food and wine.

Frequency: 12 per year

Number of persons: 50 to 200, average 100

Time of day: 10:00 am to 10:00 pm

"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). 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 5:30 PM.

**AMENDED CONDITIONS OF APPROVAL
PROVENANCE VINEYARDS WINERY**

APN: 27-470-007

#03531-MOD

3. GRAPE SOURCE:

At least 75% of the grapes used to make the winery's increased 95,000 gallons/yr. production of still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The 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.

4. 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 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.

5. LANDSCAPING/PARKING:

Two (2) copies of a revised 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. 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.

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 them. Additionally, those trees shall be mature and sized 2' boxes. 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.

**AMENDED CONDITIONS OF APPROVAL
PROVENANCE VINEYARDS WINERY**

APN: 27-470-007

#03531-MOD

6. 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.

7. 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 the on-site winery itself, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010)

8. 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 February 4, 2004

Department of Public Works as stated in their letter of January 28, 2004

County Fire Department as stated in their letter of January 29, 2004

Building Division as stated in their letter of January 13, 2004

9. SPOILS:

All spoils generated by construction of the stormwater detention pond shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

10. WELLS:

The permittee may be required (at the permittee's expense) to provide well monitoring data if it 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.

**AMENDED CONDITIONS OF APPROVAL
PROVENANCE VINEYARDS WINERY**

APN: 27-470-007

#03531-MOD

11. 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.

12. 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. Highly reflective surfaces shall be prohibited.

13. 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.

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 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.

15. 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.

**AMENDED CONDITIONS OF APPROVAL
PROVENANCE VINEYARDS WINERY**

APN: 27-470-007

#03531-MOD

16. 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.

17. 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. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$88.00/hour as of December, 2002). 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.

18. PREVIOUS CONDITIONS:

The permittee shall comply with all applicable conditions and measures which were included in the previously approved Use Permit #U-168867. (Any conditions that are in conflict with the requirements of this permit shall be null and void).

**POOR
QUALITY
ORIGINAL (S)**

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5505
FAX (510) 286-5513
TTY (800) 735-2929

Post-It™ brand fax transmittal memo 7671		# of pages	2
To	N. Beatty		
Co.		From	P. Moulton
Dept.		Co.	
Fax #		Phone #	
		Fax #	

December 10, 2003

Mr. Steve Lederer
Deputy Planning Director
Napa County Planning Department
1195 Third Street, Suite 210
Napa, CA 94559

Dear Mr. Lederer:

PROVENANCE WINERY – PROJECT APPLICATION

Thank you for including the California Department of Transportation (Department) in the early stages of the environmental review process for the Provenance Winery project. A project site plan showing project access dimensions and configuration with respect to State Route 29 should be provided to the Department as soon as possible. The project location should also be clearly described in text as the Department cannot evaluate potential project impacts to state facilities without a clear representation/description of project access. Detailed graphics and descriptive text detailing project locations should be included in every project application submittal. This will facilitate the Department's review process and reduce review time.

Right of Way

Work that encroaches onto the State right-of-way (ROW) requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans, clearly indicating State ROW, must be submitted to the address below. Traffic-related mitigation measures will be incorporated into the construction plans during the encroachment permit process. See the following website link for more information:

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Sean Nozzari, District Office Chief
Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660

NAP029696

RECEIVED

JUN 14 2004

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

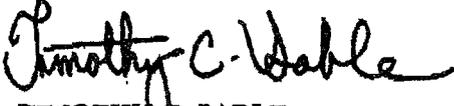
6. The applicant shall maintain regular monitoring of the above ground waste water system as required by the Department of Environmental Management and submit quarterly reports. An annual operating permit is required for the waste water system.
7. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
8. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
9. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site.
10. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is either a special design sewage disposal system or a private sewage disposal system, the plan submitted for review and approval must address bentonite disposal.

cc: Cathy Roche, Dickenson, Peatman & Fogarty, 809 Coombs St., Napa, CA 94559
Chalone Wine Group, Provenance Vineyards, 621 Airpark Rd., Napa, CA 94558-6272

Mr. Steve Ledney
December 10, 2003
Page 2

Please feel free to call or email Patricia Maurice of my staff at (510) 622-1644 or patricia_maurice@dot.ca.gov with any questions regarding this letter.

Sincerely,



TIMOTHY C. SABLE
District Branch Chief
IGR/CEQA

c: Ms. Jodee DiSalle, Napa County Public Works Department



CHARLES WILSON
Director

COUNTY of NAPA

RECEIVED CONSERVATION, DEVELOPMENT AND PLANNING

JAN 13 2004.

PATRICK LYNCH
Assistant Director

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

APPLICATION TITLE: PROYENANCE VINEYARDS APN: 027-470-007

RESPONSE REQUEST DATE: 1/12/04 RESPONSE RETURN DATE: 1/26/04

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

PLEASE RESPOND VIA E-MAIL TO: _____ @co.napa.ca.us

OR DIRECT FAX TO: _____ (707)299-_____

FOR QUESTIONS ON THIS REQUEST, PLEASE CONTACT: _____

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

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

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

1. Do you recommend: Do you have jurisdiction by law over this project? Yes No
2. Indicate areas of environmental concern and availability of appropriate technical data:
NONE

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions of approval (use additional page if needed). SECURE PERMITS AS NECESSARY

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

6. Name of contact person: [Signature] Telephone #: 259-4419

Prepared by: [Signature]
Title: PLDCA CODES ADMIN.
Date: 1-12-04

RECEIVED

FILE # 353/1-MAD



CHARLES WILSON
Director

JAN 12 2004

COUNTY of NAPA

NAPA COUNTY
DEPT. OF PUBLIC WORKS

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

RECEIVED

**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

FEB 02 2004

TO:

Public Works

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

APPLICATION TITLE: PROVENANCE VINEYARDS APN: 027-470-007

RESPONSE REQUEST DATE: 1/12/04 RESPONSE RETURN DATE: 1/26/04

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

PLEASE RESPOND VIA E-MAIL TO: _____ @co.napa.ca.us

OR DIRECT FAX TO: _____ (707)299-_____

FOR QUESTIONS ON THIS REQUEST, PLEASE CONTACT: _____

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

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

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

1. Do you recommend: Do you have jurisdiction by law over this project? Yes No

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

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions of approval (use additional page if needed). *FEMA Zone A - County Code Chapter 16 "Flood Plain Management" applies*

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

6. Name of contact person: Janet Walker Telephone #: 8383

Prepared by: J Walker
Title: Assistant Engineer
Date: 2-2-04

RECEIVED

FEB 03 2004

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



January 28, 2004

TO: Conservation Development and Planning Department
FROM: Janet Walker, Assistant Engineer *JW*
SUBJECT: Provenance Winery, Highway 29
APN 027-470-007, UPMOD-3531

This application will allow the applicant to increase production from 85,000 gallons per year to 180,000 gallons per year, increase full-time employees from 4 fulltime and 2 part time to 12 full time employees; add a new 20,657 sq ft barrel building to an existing portion of the winery; add a 3,028 sq ft cover over the existing crush pad, improve the entrance from Highway 29 by re-aligning the driveway; increase paved surfaces for loading, trash storage, etc., and install an additional detention pond for increased drainage efficiency.

EXISTING CONDITIONS:

1. Existing access road is 37 feet wide at the connection with Highway 29, averaging 14-16 feet wide with shoulders throughout the project site (as required in conditions of approval 4/9/1998). All access roads are paved.
2. Parking surface is currently paved.
3. An existing left-turn lane facilitates traffic turning into the existing winery.
4. The AADT traffic count for Highway 29 was 21,700 just north of Highway 128 east, as counted by the State Department of Transportation in 2002.
5. FIRM, Community-Panel Number 060205 0275-A, shows the site to be located within FEMA Flood Zone A.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. We have reviewed the phase one, water availability analysis for the proposed project. The 60.65 acre parcel is located in the "valley floor" area, with an extraction threshold of 1.00 AF/Acre, resulting in a total parcel threshold of 60.65 AF/Year. The estimated water demand of 40.77 AF/Year is below the established threshold for the property. Therefore, the

projected water use for this project should not have a significant impact on static water levels of neighboring wells. No further analysis is necessary.

DRIVEWAY:

2. Access drive shall be a minimum of 18 feet wide with 2 feet of shoulder from the nearest County maintained road to the project site. Structural section shall be a minimum 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 9, Par. 12).

PARKING:

3. Any parking area and surfaces paved to facilitate loading, storage, etc. proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 27, Section 19).
4. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

SITE IMPROVEMENTS

5. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.

Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards".

OTHER RECOMMENDATIONS:

6. Napa County Department of Public works defers all traffic mitigations on State Highway 29 to the State Department of Transportation. Any conditions imposed on the proposed project by the State shall apply. The applicant must obtain an encroachment permit from CalTrans for the proposed driveway modifications within the State Highway Right of Way.
7. Improvements shall be constructed according to plans prepared by a civil engineer registered in the State of California, which will be reviewed and approved by this office. A plan check fee in the amount of 3% of the estimated cost of the proposed construction will be paid to Napa County Public Works prior to approval of these plans.
8. All improvements shall be in accordance with Napa County Code Chapter 16, "Flood Plain Management".

9. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.
10. All conditions imposed in previous Use Permits shall still apply: U-168687, 03142-S, 03233-MOD, 03456-S.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Larry Bogner or Janet Walker at 253-4351. For groundwater questions, please contact Anna Maria Martinez

cc:-- Chalone Wine Group, 621 Airpark Road, Napa CA 94558
Cathy Roche, 809 Coombs Street, Napa CA 94559
Summit Engineering, 463 Aviation Blvd., Ste. 200, Santa Rosa CA 95403

INTER-OFFICE MEMO



RECEIVED
JAN 30 2004
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Charles Wilson, Director
Conservation, Development, and Planning Department

FROM: Gabrielle Maurino Avina, Fire Department

DATE: January 29, 2004

SUBJECT: *Chabone* Provenance Vineyards Winery Use Permit Modification Comments
Apn: 027-470-007 03531-MOD

Site Address: 1695 St. Helena Hwy., St. Helena

The Napa County Fire Marshal staff has reviewed the Use Permit Modification application to increase the square footage of the an winery from from 21,490 square feet to 45,175 square feet and increase production from 85,000 gallons/year to 180,000 gallons/year. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.
2. The addition of 23,685 square feet of building will require that an automatic fire sprinkler system be installed in both the existing building and throughout the addition. The fire sprinkler system shall be installed and maintained in accordance with *National Fire Protection Standard #13 (Installation of Sprinkler System, 1999 edition)*.
3. The **minimum** required fire flow for the protection of the **proposed** project is 1,500 gallons per minute for 4 hours duration at 20 pounds residual water pressure. This flow is based on the premise that the structure will be of Type V-N rated construction, the entire building is protected by an approved automatic fire sprinkler system and a municipal water source is available.
4. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard*

#20 (Installation of Stationary Pumps for Fire Protection 1999 edition). Fire pumps are required to be either diesel driven or electric. Electric fire pumps will also require a generator as a secondary source of power.

5. The private fire service mains shall be installed and maintained in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 1999 edition)*. Fire service mains shall be a minimum of 6" in diameter and shall be listed for fire protection use and comply with AWWA standards.
6. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2001 edition*.
7. All post indicator valves, control valves, waterflow devices shall be monitored by an approved remote station or central alarm monitoring company. The fire alarm system shall be installed and maintained accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*.
8. Fire apparatus access roads shall be provided to within 150 feet of all structures. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet.
9. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
10. The request for beneficial occupancy ***will not*** be considered until all fire and life safety issues have been installed, tested and finalized.
11. This project has no significant additional impact to wildfire risk over and above any other comparable project approved by the County.
12. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.

13. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
14. The approved address numbers shall be placed on each building by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 10" in height, contrasting in color with their background and shall be illuminated.
15. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
16. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.
17. A Knox box or a Knox Cabinet shall be installed at approved location by the Napa County Fire Marshal's Office. Since the building will require a fire alarm system the box/cabinet will require "tamper" monitoring.
18. The Knox rapid entry system shall have one or all of the following items placed in the Knox box or Knox cabinet, dependent on requirements of this facility:
 1. A minimum of 2 master keys to the building(s) for emergency access.
 2. Scaled site plan of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 3. Scaled floor plans of all buildings showing doors, offices, etc.
 4. Napa County Hazardous Materials Business including all MSDS forms, etc.
19. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
20. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.

21. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.

BYRON J. CARNIGLIA
Fire Chief

By: Gabrielle Maurino Avina

Gabrielle Maurino Avina
Assistant Fire Marshal

cc: Applicant, CFM Files, Chron



MEMORANDUM

NB

RECEIVED

February 4, 2004

FEB 06 2004

TO: Napa County Planning Department, Charley Wilson, Director

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

FROM: Napa County Environmental Management Department,
Christine Secheli, R.E.H.S., Environmental Health Manager

SUBJECT: Use Permit Modification Application for Provenance Vineyards
Located at 1695 St. Helena Hwy.
Assessor Parcel 27-470-07
File # 03531-MOD

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

1. Any hazardous waste produced on the site including any laboratory wastes, must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Code of Regulations.
2. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall obtain a permit and file an approved plan with the Department of Environmental Management within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Hazardous Materials Negative Declaration shall be filed.
3. A permit for the modification to the existing sanitary waste water systems and additional aeration in process waste water systems must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit a sealed plot plan showing the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area as well as the proposed trench detail. If special design sewage disposal plans are required, such plans shall fulfill this requirement.
4. The use of the drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc., over the system.
5. An annual sewage permit must be obtained for the engineered sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit must be fully complied with.



A Tradition of Stewardship
A Commitment to Service

Conservation, Development and Planning Department
Planning Department
1195 Third Street, Suite 201
Napa, CA 94559

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Planning Director

February 3, 2009

Diageo North America Inc.
801 Main Avenue
Norwalk Ct 06851

Re: Provenance Winery
Minor Modification #P08-00522-VMM
Assessor's Parcel Number 027-470-007-000

Dear Tim:

Your application for a Very Minor Modification (#P08-00522-VMM) to the previous Use Permit #U-168687, 03233-MOD and 03531-MOD requesting to 1) construct a 1,790 square foot employee break room and lab area; 2) construct a total of 2,436 square foot mechanical room housing a diesel generator; 3) relocate an electrical room to the south end of the building; 4) add a 75,000 gallon water storage tank; 5) move the existing transformer to the south end of the building; 6) underground electrical and fire service lines; and 7) redesign the sprinkler system, on a 60.65 acre parcel, has been **APPROVED** by the Conservation, Development, and Planning Director, based on the attached conditions of approval, applicable County regulations and submitted material dated September 2, 2008.

The proposed modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15301, Class 1, Existing Facilities, Section 15303, Class 3 new construction and Appendix B, Class 1, Existing Facilities and minor expansions of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project is located in an environmentally sensitive area.

The modification becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

EXPIRATION DATE: February 3, 2011

Pursuant to Section 18.124.080 of the Napa County Code, this minor 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 very minor modification permit. In addition, approval of this very minor modification has no effect on the time limits in which to activate the original project use 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.

Should you have any questions, please contact Suzanne Gardner-Gambill, Project Planner at (707)299-1334 or e-mail at sgambill@co.napa.ca.us.

Sincerely,

Suzanne Gardner-Gambill, Planner

A handwritten signature in cursive script that reads "Suzanne Gardner-Gambill".

CONDITIONS OF APPROVAL

Provenance Winery

File # P08-00522-VMM

APN: #027-470-007-000

1. SCOPE: This approval is limited to the following:

- a. construct a 1,790 square foot employee break room and lab area;
- b. construct a total of 2,436 square foot mechanical room housing a diesel generator;
- c. relocate an electrical room to the south end of the building;
- d. add a 75,000 gallon water storage tank;
- e. move the existing transformer to the south end of the building;
- f. underground electrical and fire service lines;
- g. redesign the sprinkler system; and
- h. future additions identified on plans are not included in this approval.

2. PREVIOUS CONDITIONS

The permittee shall comply with all previous conditions of approval for Use Permit # U-168687, 03233-MOD and 03531-MOD, 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 all earlier ones.

3. 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:

- (a) Environmental Management memo dated November 21, 2008
- (b) Napa County Fire memo dated November 25, 2008
- (c) Napa Building Inspection Division Memo dated December 13, 2008
- (d) Napa County Public Works memo dated January 13, 2009

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 or Agencies may result in the need to modify the approved use permit.

4. 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 (\$145.00/hour). 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.



A Tradition of Stewardship
A Commitment to Service

RECEIVE

NOV 21 2008

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

MEMORANDUM

To: Napa County Planning Department Hillary Gitelman, Planning Director	From: Napa County Environmental Management Department Christine Secheli, Assistant Director
Date: November 18, 2008	Re: Use Permit Modification Application for Provenance Winery Located at 1695 St. Helena Hwy. Assessor Parcel # 027-470-007 File #P08-00522

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

1. We have no recommendations or conditions of approval to be included if the project is approved.

cc: Suzanne Gambill, CDPD
Richard Mac Rae, Mac Rae Architects Inc., 825 Gravenstein Hwy., Ste. 6, Sebastopol, CA 95472
Tim Allen, 1960 St. Helena Hwy., Rutherford, CA 94573
Diageo North America Inc., 801 Main Ave., Norwalk, CT 06851

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



INTER-OFFICE MEMO

TO: Hillary Gitelman
Conservation, Development, and Planning Department

FROM: Alicia Amaro, Fire Department

DATE: November 25, 2008

SUBJECT: Provenance Winery Minor Mod Use Permit Comments
Apn: 027-470-007 P08-00522

Site Address: 1695 St. Helena Highway, St. Helena

The Napa County Fire Marshal staff has reviewed the use permit application to modify existing use permit and relocate electrical room, add generator room, redesign fire sprinklers, add water storage tanks move transformer and underground electrical and fire service lines. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance.**
- The ***minimum*** required fire flow for the protection of the proposed buildings is 625 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 37,500 gallons. The fire flow has been reduced by 50% because the winery will be protected by an automatic fire sprinkler system. The fire flow and storage volume in a sprinklered building is in ***addition*** to the water demand for the sprinkler system.
- An approved automatic fire sprinkler system will be required for all proposed structures 3,600 square feet or greater. The fire sprinkler system shall be installed and maintained in accordance with the *National Fire Protection Standard Association (NFPA) #13 (Installation of Automatic Sprinkler Systems 2002 edition)*. A minimum of 60 minutes of water storage for the sprinkler system will be required.
- A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 2003 edition)*. Fire pumps are required to be listed and tested by an approved testing agency and are required

to be either diesel driven or electric. Electric fire pumps also require a secondary power source.

5. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.

Please feel free to contact the Napa County Fire Marshal's Office at (707) 967-1425 to discuss any fire protection issues you may have regarding your project.

Alicia Amaro
Assistant Fire Marshal



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

APPLICATION TITLE: Provenance APN: 27-470-007

DESCRIPTION OF PROJECT: Modify existing use permit # 0353.1 to relocate electrical room, add generator room, redesign fire sprinklers, add water storage tanks, move transformer and underground electrical & fire service lines.

RESPONSE REQUEST DATE: 11-10-08 RESPONSE RETURN DATE: 11-24-08

PLEASE RESPOND VIA E-MAIL TO: Sgambill @co.napa.ca.us
OR FAX TO (707) 299-4077

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

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

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

See attached printout of comments in Accela

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

Email: eburvard@co.napa.ca.us

Title: Plans & Permit Supervisor

Date: 12.13.08



- SmartManager
- Application
- Property
- People
- Fees
- Workflow
- Attachments
- Reports
- Condition

Workflow

Application #: P08-00522

Application Type: Planning / PL Permits / Use Permit / Use Permit Very Minor Mod

Address: 1695 ST. HELENA HWY, ST. HELENA, CA 95474

<ul style="list-style-type: none"> ✓ Application Acceptance ✓ Environmental Review ● Public Works Review ✓ Fire Review ✓ EM Review ● County Council Review ● Planning Review ✓ Building Review Planning Approval Closure <p><input type="button" value="Task Activation"/></p>	<p>Task Details - Building Review</p> <p>Assigned Date: 11/10/2008 Due Date:</p> <p>Assigned To: Department: Building Department</p> <p>Current Status: Approved Status Date: 12/13/2008</p> <p>Action By: Eric Banvard Department: Building Department</p> <p>Status Comment:</p> <p>Prior to any construction work applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B; submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits.</p>
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Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

February 10, 2011

Mr. Tim Allen
Provenance Vineyards/Diageo Chateau & Estates
1695 St Helena Highway
St Helena, CA 94574

**Re: Use Permit #P10-00390 VMM (modification to use permit)
Provenance Vineyards
1695 St Helena Highway (APN 027-470-007)**

Dear Tim Allen,

Your application for a **Very Minor Modification (#P10-00390 VMM)** has been reviewed by the Director. The project consists of a modification to allow the use of four refrigeration units on a temporary basis until construction of the north building of the previously approved under use permits #U-89-24, #U-168687, #032333 Minor Mod through #P08-00522 VMM. No other changes are being requested. The winery is located on a 60.6-acre parcel, zoned AW (Agricultural Watershed) at 1695 St Helena Highway.

Please be advised that your request has been **APPROVED** by the Napa County Conservation, Development and Planning Department subject to the attached Conditions of Approval and the Conditions of Approval for #P10-00390 VMM including the Napa County Department comments, and applicable County regulations, except as modified by this action.

This project is **CATEGORICALLY EXEMPT** from the provisions of the California Environmental Quality Act (CEQA) and the Napa County Local Procedures for Implementing CEQA, under Section 15301, Class 1, very minor and minor modification of existing use permits in conformance with Section 18.124.130 of the County Code.

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

Pursuant to Section 18.124.080 (A) of the Napa County Code, this very minor modification

#P10-00390 VMM must be activated within one (1) year from the approval date, or shall automatically expire and become void on February 10, 2013. This letter serves as the only notice you will receive regarding the expiration date of your very minor modification/use permit.

Should you have any questions regarding this permit, please contact Mary Doyle, Project Planner at 707-299-1350 or mary.doyle@countyofnapa.org.

Regards,



Hillary Gitelman, Director

Napa County Conservation, Development and Planning Department

BY: Mary Doyle, Project Planner

Cc: EM
PW
FIRE
BLDG

Assessor
File
Chron

CONDITIONS OF APPROVAL

PROVENANCE VINEYARDS/WINERY

#P10-00390 VMM Use Permit Very Minor Modification
1695 St Helena Highway (APN# 032-430-015)

1. SCOPE: This permit shall be limited to the following:

- Allow the use of up to four temporary refrigeration units. Each unit is approximately 40 feet in length, 8 feet in width and 9.5 feet in height, and
- The units shall be brought on site to the winery for use during the 14 weeks of harvest and shall be removed off site after harvest.

The activities permitted on the site are limited to those shown on the plans submitted with the Use Permit Very Minor Modification application. Any substantial change in use is subject to review and approval as determined by the CDPD Director in accordance with the Zoning Ordinance.

2. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES;

The applicant shall comply with all applicable building codes, zoning standards and requirements of other County departments and various agencies including the following:

- Napa County Building Division comment Memo dated December 29, 2010,
- Napa County Public Works comment Memo dated January 15, 2011,
- Napa County Fire Department Memo dated February 1, 2011, and
- Napa County Environmental Management Department Memo dated January 3, 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.

3. PREVIOUS CONDITIONS:

The permittee shall comply with all previous conditions of approval for Use Permits (U-168687 through #P08-00522 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.

4. INDEMNIFICATION:

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

5. MONITORING COSTS:

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



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Fax: (707) 253-4336

Hillary Gitelman
Director

12-29-10

Building Inspection Department review comments for inclusion with:

Planning Department permit:P10-00390 Use Permit Minor Modification

Status of Building Department review of this planning entitlement: Approved; awaiting Building Permit submittals

At parcel: 027-470-007
1695 St Helena Highway, St Helena, CA

Owner: Diageo Chateau & Estate (Provenance Winery)

Description of permit: Use Permit Minor Modification to address Code Violations: For the reoccurring use of temporary refrigeration containers each harvest season.

Comments:

The Building Department is not reviewing this project for compliance with CA Building Standards at this time; it is only reviewing the proposed Planning entitlement. The Building Department has no issues or concerns with the approval of the Use Permit Minor Modification; it is a planning entitlement only and doesn't in itself authorize any installation, construction or change in occupancy.

No significant California Building Standards Code issues are foreseen at this time based on the information presented. Any such issues will be dealt with during the future building permit application review and approval processes.

NOTE: A separate Building Permit must be obtained each time (or season) that the refrigeration containers are installed. Primary focus is safety of electrical connections and container anchorage for wind and seismic loads.

All plans and documents for commercial projects are required by State Law to be prepared and coordinated under the direction of a California Licensed Architect (Business and Professions Code, Chapter 3, Division 3 & California Building Code, Appendix Chapter 1).

Prior to any future construction work, or change in occupancy, applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B. Submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits.

Eric Banvard
Plans & Permit Supervisor
Conservation Development & Planning
Napa County, CA 94559
Eric.Banvard@countyofnapa.org



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RECEIVED
DEC 23 2010
NAPA COUNTY
DEPT OF PUBLIC WORKS

Conservation Development and Planning

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Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: Distribution (PW) Public Works

File #: P10-00390 MinMod

APPLICATION TITLE: Provenance Vineyards

APN: 027-470-007

DESCRIPTION OF PROJECT: (1) Allow use of 4 temporary refrigeration units to be used until the previous approved North Building expansion is completed. The units will be used on-site during the harvest period or approximately 14 weeks.

RESPONSE REQUEST DATE: 12/23/10

RETURN RESPONSE DATE: 01/07/10

PLEASE RESPOND VIA E-MAIL TO: mary.doyle@countyofnapa.org OR FAX TO (707) 253-4336

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

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

Floodplain management permit is required and storage units shall be designed to resist flooding to the design flood elevation of 163 ft NGVD29 (165.75 ft NAVD83)

Name of contact person: D LANDER

Telephone # (707) 253-4892

Email: drew.lander@countyofnapa.org

Title: Assistant Eng

Date: 1/15/11



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Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

Office: (707) 967-1419
Fax: (707) 967-1474

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Mary Doyle
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: February 1, 2011

SUBJECT: Provenance Vineyards
P10-003390 APN# 027-470-007

SITE ADDRESS: 1695 ST Helena Highway

The Napa County Fire Marshal's Office has reviewed the Use Permit application for use of 4 temporary refrigeration units to be used until the previous north building expansion is complete not to exceed 14 weeks. The following items shall be incorporated as project conditions or mitigation measures if the commission approved the project.

1. This current application does not warrant any new fire protection conditions.
2. **All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**

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



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Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

MEMORANDUM

To: Napa County Planning Department, Mary Doyle, Planning	From: Kim Withrow, Senior Environmental Health Specialist <i>KW</i>
Date: January 3, 2011	Re: Application for Use Permit Modification Located at 1695 St. Helena Hwy., St. Helena Assessor Parcel # 027-470-007 File # P10-00390

The submitted application has been reviewed and this department recommends approval with the following condition of approval:

1. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities Page shall be submitted and approved by this Department.

RECEIVED

JAN 13 2011

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

cc: Tim Allen, 1695 St. Helena Hwy., St. Helena, CA 94574
Summit Engineering, c/o Lewis Watchorn, 463 Aviation Blvd., Ste. 200, Santa Rosa, CA 95403



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Fax: (707) 253-4336

Hillary Gitelman
Director

August 10, 2011

Provenance Vineyards
1695 St Helena Highway
St Helena Ca 94574

Re: PROVENANCE VINEAYRDS

**Use Permit Very Minor Modification Application № P11-00206
1695 St Helena Highway; Assessor's Parcel № 027-470-007-000**

Dear Mr. Yang,

Your application for a Very Minor Modification № P11-00206 to the previous use permits, has been considered by the Conservation, Development, and Planning Director. This request allows for the expansion of the outdoor crush pad, construction of a canopy cover over the crush pad and the construction of an interior mezzanine. Please be advised that your request has been **APPROVED** by the Director subject to the conditions of approval attached as Exhibit A, and as follows.

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA). Pursuant to CEQA Section 15301, Class 1, existing facilities, and Appendix B, Class 3 New Construction, of the Napa County's Local Procedures for Implementing the California Environmental Quality Act.

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

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

EXPIRATION DATE: August 10, 2013

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

Prior to commencing construction Building Permits must first be obtained.

If you have any questions regarding this letter please feel free to contact me at 707.299.1334 or via email at suzie.gambill@countyofnapa.org.

Sincerely,

Hillary Gitelman, Director

A handwritten signature in cursive script that reads "Suzanne Gardner-Gambill". The signature is written in black ink and is positioned above the typed name.

By: Suzanne Gardner-Gambill, Planner

**CONDITIONS OF APPROVAL
PROVENANCE VINEYARDS
VERY MINOR MODIFICATION –FILE #P11-00206-VMOD
(APN 027-470-007-000)**

1. SCOPE:

This permit shall be limited to:

- Expand the existing 4,290 outdoor crush pad by 3,210 square feet to a maximum of 7,500 square feet;
- Construct a 7,500 square foot canopy cover over the existing /proposed crush pad; and
- Construct a 1,600 square foot mezzanine for wine storage within the existing winery building.

2. No other change is authorized by this permit.

3. The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

4. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The applicant shall comply with applicable development standards, the zoning regulations and all other applicable building codes, zoning standards and requirements of various County departments and other agencies including the following:

- a) Napa County Fire Department's memo dated March 24, 2011.
- b) Department of Environmental Management memo dated July 18, 2011.
- c) Department of Public Works memo dated July 27, 2011.
- d) Napa County Building Department's memo dated

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.

5. 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/alteration 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 Uniform Building Code (UBC).

6. OUTDOOR STORAGE/SCREENING/UTILITIES:

All outdoor storage of all wastewater equipment or tanks shall be permanently screened from the view of adjacent properties by a visual barrier consisting of dense landscaping and slatted chained link fencing. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels and are subject to the review and approval of the Planning Department.

7. 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.

8. PREVIOUS CONDITIONS/MITIGATION MEASURES:

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.

9. MONITORING COSTS:

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

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at

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



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Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

April 9, 2012

Diageo Chateau & Estate Wines
1695 St. Helena Hwy.
St. Helena CA 94574

Re: **Provenance Winery**
Very Minor Modification #P12-00112-VMMOD
Assessor's Parcel Number 027-470-007-000

Dear Ian:

Your application for a Very Minor Modification (#P12-00112-VMMOD) to the previous Use Permit #03531-UP, to allow a 12 table picnic area in the location shown on the site plan, was administratively APPROVED, on April 9, 2012.

The project consists of adding 12 picnic tables to an existing, lawn area, on the east side of the winery building. Waste receptacles will be provided, with landscaping and trees providing screening between adjacent parcels and the proposed picnic area. There will be no increase in traffic, wastewater, or other impacts.

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), which exempts minor expansions to existing structures. Pursuant to CEQA Section 15301, Class 1, Existing Facilities/minor expansions, and Appendix B, Class 1 Existing Facilities, of the Napa County's Local Procedures for Implementing the California Environmental Quality Act, on a parcel located in the AW (Agricultural Watershed) District

The modification becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

EXPIRATION DATE: April 9, 2014

Pursuant to Section 18.124.080 of the Napa County Code, this minor 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 very minor modification permit. In addition, approval of this very minor modification has no effect on the time limits in which to activate the original project use permit.

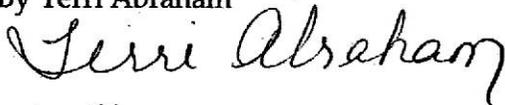
Page 2

Should you have any questions, please contact Terri Abraham, Project Planner at (707)299-1331 or e-mail at terri.abraham@countyofnapa.org.

Sincerely,

Hillary Gitelman, Director

By Terri Abraham

A handwritten signature in cursive script that reads "Terri Abraham".

cc: file
John Tuteur

CONDITIONS OF APPROVAL

Provenance Winery

File # P12-00112-VMMOD

APN: #027-470-007-000

1. **SCOPE:** This approval is limited to the following:
 - a. Adding 12 picnic tables to an existing, lawn area, on the east side of the winery building.

This permit does not include any increase to annual production, tours and tasting and marketing visitor numbers, numbers of employees, hours of operation, etc.

The activities permitted on the site are limited to those shown on the plans and information submitted with the Modification. Any substantial change in use is subject to review and approval as determined by the CDPD Director in accordance with the Zoning Ordinance.

2. PREVIOUS CONDITIONS

The permittee shall comply with all previous conditions of approval for Use Permit #03531-UP, 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 all earlier ones.

3. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies.

4. 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 (\$154.00/hour). 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.

027-470-007 MOD
P12-00430-UP/APV1



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

Revised

March 29, 2013

Diageo Chateau & Estate Wines
1695 St Helena Hwy
St Helena Ca 94574

Re: 1695 St Helena Highway; APN 027-470-007; Very Minor Modification Permit № P12-00430

Your application for a Very Minor Modification № P12-00430 to the previous use permits, has been considered by the Planning, Building and Environmental Services Director on March 28, 2013. The request allows conversion of a first floor office area and the second floor mezzanine area to existing hospitality uses, no other changes are proposed or approved as part of this permit. Please be advised that your request has been **APPROVED** by the Director subject to the conditions of approval attached as Exhibit A, and as follows:

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301, Class 1, which exempts minor alterations to existing buildings. and Appendix B, of the Napa County's Local Procedures for Implementing the California Environmental Quality Act, Class 1 existing facilities

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

EXPIRATION DATE: MARCH 29, 2015

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

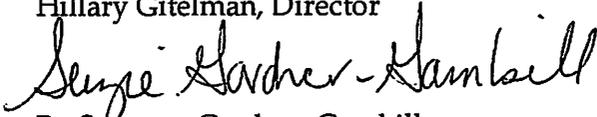
Pursuant to Napa County Code §18.124.080, the modification must be activated within two (2) years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

Prior to commencing construction, Building Permits must first be obtained.

If you have any questions about this letter please feel free to contact me at 707.299.1334 or via email at suzie.gambill@countyofnapa.org

Sincerely,

Hillary Gitelman, Director

A handwritten signature in cursive script that reads "Suzanne Gardner-Gambill". The signature is written in black ink and is positioned above the typed name.

By Suzanne Gardner-Gambill

Cc: chron
file
applicant

CONDITIONS OF APPROVAL

EXHIBIT A

**Provenance Vineyards
Application Number P12-00430
1695 St Helena Highway
APN No 027-470-007-000**

1. SCOPE:

The permit shall be limited to:

- a) The conversion of a 144 square foot office space to hospitality area, located on the first floor.
- b) Conversion of a 1,600 square foot mezzanine (wine storage area) to hospitality area, located on the second floor.
- c) The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

2. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable.

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

3. PREVIOUS CONDITIONS:

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

4. **MONITORING COSTS:**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

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



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Hillary Gitelman
Director

MEMORANDUM

To: Suzie Gambill Planner Planning Division	From: Patrick C. Ryan Assistant Engineer Engineering Division
Date: March 14, 2013	Re: Permit No. P12-00430 Provenance Winery Conditions of Approval APN: 027-470-007-000 1695 St. Helena Highway

The County of Napa Planning, Building, and Environmental Services Department (PBES), Engineering Division has received a referral for comments on a Use Permit Major Modification application, generally requesting the following:

Use the existing areas of the mezzanine for approved marketing events as depicted on the enclosed plan for existing hospitality activities.

After careful review of the Provenance Winery Use Permit application submittal package the Engineering Division has determined that all items are complete and sufficiently detailed. As long as no additional changes are made to the proposed improvements this Division recommends approval of the project with the following conditions:

Existing Conditions:

1. The County of Napa parcel 027-470-007-000 is located on 1695 St. Helena Highway in St. Helena, CA.
2. The existing parcel is approximately 60.65 acres.
3. The existing parcel is zoned AP, Agricultural Preserve District.
4. Existing property is currently developed with an existing winery, parking area, two ponds, and vineyards.

Planning Division
(707) 253-4417

Building Division
(707) 253-4417

Engineering & Conservation
(707) 253-4417

Environmental Health
(707) 253-4471

Parks & Open Space
(707) 259-5933

6. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
7. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards and the California Building Code (CBC). Specifically, all cut and fill slopes shall be setback to meet the latest CBC.
8. The applicant shall furnish a complete set of the electronic files of all approved improvement plans on a storage media acceptable to the County Engineer.
9. At the completion of construction, and prior to the final approval by the County, the applicant shall verify that all electronic files provided to the County reflect any changes to the approved plans made during construction and that all plans reflect the as built conditions.

CONSTRUCTION STORMWATER REQUIREMENTS

10. Any Project that requires a building or grading permit shall complete a Napa County Construction Site Runoff Control Requirements Appendix A - Project Applicability Checklist and shall wet sign and submit this form to the Napa County PBES Department Engineering Division for review.
11. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
12. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
13. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS

14. Any Project that requires a building or grading permit shall complete a Napa County Post-Construction Runoff Management Requirements Appendix A - Project Applicability Checklist and shall wet sign and submit this form to the Napa County PBES Department Engineering Division for review.
15. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for Post-Construction Runoff Management Requirements which is available at the PBES Department office.



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Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

Office: (707) 967-1419
Fax: (707) 967-1474

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Suzie Gambill
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: March 14, 2013

P12-00430 APN# 027-470-007

Subject: Provenance Winery

SITE ADDRESS: 1695 ST Helena Highway

The Napa County Fire Marshal's Office has reviewed the Use Permit application to convert an existing floor office area into a hospitality use & second floor storage to a hospitality area. We would like to recommend the following comments be incorporated as project conditions if the Planning Commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. All fire department access roads shall comply with Napa County Public Works Road and Street Standards.
3. The numerical address of the facility shall be posted on the street side of the buildings visible from both directions and shall be a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.
4. Currently serviced and tagged 2A10BC fire extinguishers shall be mounted 31/2' to 5 feet to the top of the extinguisher within 75 feet of travel distance from any portion of the facility.
5. All exit doors shall open without the use of a key or any special knowledge or effort.
6. Install illuminated exit signs throughout the buildings and caves per the California Building Code, 2010 edition.

7. Install emergency back-up lighting throughout the buildings per the California Building Code, 2010 edition.
8. Install laminated 11" x 17" site plans and building drawings in the existing KNOX CABINET. Two Master keys to all exterior doors shall be provided in the KNOX CABINET.
9. Beneficial occupancy will not be granted until all fire department issues have been inspected, tested and finalized.
10. Fire lanes shall be painted red with white 4 inch high white letters to read "NO PARKING FIRE LANE-CVC22500.1" stenciled on the tops of the curbs every 30 feet.
11. Barricades shall be provided to protect any natural gas meter, fire hydrants, or other fire department control devices, which may be subject to vehicular damage.
12. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.
13. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.
14. All gated entrances shall be equipped with a KNOX key switch for electric gates and/or a KNOX padlock for manual gates.



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Hillary Gitelman
Director

MEMORANDUM

To: Suzie Gambill, Project Planner

From: Kim Withrow, Senior Environmental
Health Specialist

Date: March 18, 2013

Re: Provenance Winery Use Permit
Application, 1695 St. Helena Highway
Assessor Parcel # 027-470-007
File # P12-00430

The revised application requesting approval to convert an existing office area and second floor storage area to hospitality use has been reviewed. This Division has neither an objection nor conditions to include if the application is approved.



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Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

Building Inspection Division Planning Use Permit Review Comments

Date: March 15, 2013

Planning Use Permit #: P12-00430

APN: 027-470-007

Owner: Provenance Winery

Description of Use Permit: This application is a request to convert existing office area into hospitality use and also to convert a 2 floor area into a hospitality area.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards at this time; the Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement only and does not in itself authorize any construction or change in occupancy.

The plans provided for Use Permit application #P12-00430 does not provide enough information in sufficient clarity and detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building construction permits.

1. This facility will be required to comply with the California Code of Regulations, Title 24, and local ordinances that are adopted at the time of building permit application. At the time of this letter the current editions adopted are the **2010** Building, Plumbing, Mechanical, Electrical, Energy, and the Green Building Standards Code

Issues of compliance with the California Building Standards Codes, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any question please do not hesitate contact me at (707) 253-4417.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Architect (Business and Professions Code, Chapter 3, Division 3 and California Building Code Chapter 1).

Darrell Mayes, CBO
Chief Building Official
County of Napa
Planning, Building and Environmental Services Department
1195 Third Street, Suite 210
Napa, CA 94559
Phone: (707) 253-4417
Fax: (707) 299-4434
E-mail: darrell.mayes@countyofnapa.org



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1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

September 12, 2013

Diageo Chateau & Estate Wines
301 Main Avenue
Norwalk Ct 06851

Re: 1695 St Helena Highway; APN 027-470-007; Very Minor Modification Permit No P13-00246

Your application for a Very Minor Modification No P13-00246 to the previous use permits has been considered by the Planning, Building and Environmental Services Director on September 12, 2013. The request allows modification to the existing landscape area which includes an 819 square foot pergola and a 4,276 square foot pergola; no other changes are proposed or approved as part of this permit. Please be advised that your request has been **APPROVED** by the Director subject to the conditions of approval attached as Exhibit A, and as follows:

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15303, Class 3, which exempts new construction and Appendix B, of the Napa County's Local Procedures for Implementing the California Environmental Quality Act, Class 3 new construction

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

EXPIRATION DATE: SEPTEMBER 12, 2015

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

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

Prior to commencing construction, Building Permits must first be obtained.

If you have any questions about this letter please feel free to contact me at 707.299.1334 or via email at suzie.gambill@countyofnapa.org

Sincerely,

Hillary Gitelman, Director



By Suzanne Gardner-Gambill

Cc: chron
file
applicant

CONDITIONS OF APPROVAL

EXHIBIT A

Provenance Vineyards

Application Number P13-00246

1695 St Helena Highway

APN No 027-470-007-000

1. SCOPE:

The permit shall be limited to:

- a) Modify the existing landscaped area;
- b) Construction of an 819 square foot pergola;
- c) Construction of a 4,276 square foot pergola; and
- d) The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

2. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable.

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

3. PREVIOUS CONDITIONS:

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

4. **MONITORING COSTS:**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of final occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

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



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1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

March 13, 2017

Provenance Winery
1695 St Helena Highway
St Helena Ca 94574

Re: Use Permit #P16-00073-VMM; 1695 St. Helena Highway; (APN: 0027-470-007-000)

The application for a Very Minor Modification (#P16-00073) to the previous Use Permits has been considered by the Planning, Building, & Environmental Services Director on February 15, 2017.

The project includes the construction of two (2) outdoor trellis's, a garden wall, allow for on premise consumption of wines produced on site in accordance with the Business & Professions Code Sections 223396.5 (also known as the AB 2004 (Evans 2008) or the the Picnic Bill), food and wine pairing and removal of condition number 7 of use permit U-168687.

No other changes to the project are being requested or approved. Please be advised that this request has been **APPROVED** by the Director subject to the conditions of approval as noted above.

The Department has determined this application to be Categorically Exempt from the provisions of CEQA, the California Environmental Quality Act, pursuant to Section 15301 Appendix B, Class 1(3) (Very Minor and Minor modifications of existing use permits in conformance with Section 18.124.130 of the Napa County Code) of the Napa County's Local Procedures for implementing the California Environmental Quality Act.

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

Provenance Winery
P16-00073
March 13, 2017
Page 2

Pursuant to Napa County Code Section 18.124.080 and authorization of this 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 this permit.

Expiration Date: March 13, 2019

Should you have any questions, please contact Suzie Gambill, Planner at (707)299-1334 or e-mail at suzie.gambill@countyofnapa.org.

Sincerely,

David Morrison
Director

By: 
Suzanne Gambill, Planner

cc: Napa County Dept. – Engineering Services, Environmental Health, Building, Fire, J. Tuteur (Assessor), Matt Lamborn (GIS), Project Files, Chron

CONDITIONS OF APPROVAL

Provenance Winery
Application Number P16-00073
1695 St. Helena Highway
APN #027-470-007-000

1.0 SCOPE

1.1 The approval allows the following:

- a. The construction of two exterior trellis's;
- b. The construction of a decorative garden wall;
- c. Allow for on premise consumption of wines produced on site in accordance with the Business & Professions Code Sections 223396.5 (also known as the AB 2004 (Evans 2008) or the the Picnic Bill) within the approved tasting area and in the new approved outdoor area.
- d. Allowing food and wine pairings;
- e. remove condition #7 within the Use Permit #U-168687

There is no increase in production, employees, hours of operation, visitation, or marketing included in this modification.

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

2.0 PROJECT CONDITIONS

Should any of the conditions conflict with any of the conditions included in this document the more specific Conditions shall supersede and control.

3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions,

Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- 3.1 Engineering Services Division as stated in their Memorandum dated March 24, 2016.
- 3.2 Environmental Health Division as stated in their Memorandum dated March 13, 2017.
- 3.3 Building Division as stated in their Memorandum dated August 26, 2016.

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

4.0 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (Use Permits and Modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC), United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the event permittee loses the required ABC or TTB permits and licenses (or permit/license is revoked), permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are re-established.

Visitation log books, custom crush client records, and any additional documentation determined by staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance process.

5.0 RENTAL/LEASING

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

6.0 LIGHTING

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, 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. Lighting utilized during harvest activities is not subject to this requirement.

Prior to issuance of any building permit pursuant to this approval, 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 Planning Division review and approval. All lighting shall comply with the California Building Code.

7.0 LANDSCAPING

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (WELO) requirements in affect at the time of building permit submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

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

No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely 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.

Landscaping shall be completed prior to issuance of a Final Certificate of Occupancy, and shall be permanently maintained in accordance with the landscaping plan.

8.0 OUTDOOR STORAGE/SCREENING/UTILITIES

All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage shall 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 Community Character Element of the General Plan and County Code Chapter 18.106) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

9.0 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 the written approval of the PBES Department prior to painting the building. Highly reflective surfaces are prohibited.

10.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

10.1 GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to issuance of a Final Certificate of Occupancy.

10.2 TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

10.3 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 when average wind speeds exceed 20 mph.

10.4 AIR QUALITY

During all construction activities the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Best Management Practices, as provided in Table 8-1, May 2011 Updated CEQA Guidelines:

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
 - b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
 - c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - e. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
 - h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
-

10.5. STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board (SRWQCB).

10.6 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.

10.7 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES 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 and in accordance with the Napa County Roads and Street Standards. 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.

11.0 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact Environmental Health with any questions regarding the following:

11.1 NOISE

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

12.0 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 PBES 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 the Coroner 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 shall be contacted by the permittee 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.

13.0 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 18.107.

14.0 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 to the owner. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

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

15.0 TEMPORARY AND FINAL OCCUPANCY

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

However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow commencement of production activities prior to completion of all project improvements. 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.

16.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

17.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full.

18.0 PREVIOUS CONDITIONS

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



A Tradition of Stewardship
A Commitment to Service

FILE #: P16-00073

Planning, Building, & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Main: (707) 253-4417
Fax: (707) 253-4336

David Morrison
Director

**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

TO: Engineering

APPLICATION TITLE: Provenance Winery APN: 027-470-007-000

a) DESCRIPTION OF PROJECT: request to add food & wine pairing and allow for on premise consumption within the designated outdoor area and patio of wines produced on site in accordance with Business & Professions Code Sections 223396.5 (also known as the AB 2004 (Evans 2008) or the Picnic Bill.

RESPONSE REQUEST DATE: 3/23/16 RESPONSE RETURN DATE: 3/29/16

PLEASE RESPOND VIA E-MAIL TO suzie.gambill @countyofnapa.org
OR VIA FAX TO (707) 707-299-1334 OR VIA TELEPHONE (707) 707-299-4077

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

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

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

Comments:

Engineering NA supports this proposal and has no additional COA. All previous COA from Engineering remain applicable.

Name of contact person: NG

Telephone #: 8371

Email: _____

Title: _____

Date: 3/24/16



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Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Suzie Gambill, Project Planner

From: Kim Withrow, Environmental Health
Supervisor

Date: March 13, 2017

Re: Provenance Winery
APN 027-470-007
File #P16-00073

Environmental Health staff has reviewed an application requesting approval to modify an existing use permit by constructing terraces and offering food and wine pairing as described in application materials. We have no objection to approval of the application with the following condition of approval:

1. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.



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Planning, Building & Environmental Services

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www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Suzie Gardner-Gambill	From: Gary J. West, Chief Building Official
Date: August 26, 2016	Re: Provenance P16-00073

Building Inspection Division Planning Use Permit Review Comments

Address: 1695 State Highway 29, St. Helena CA 94574

APN: 027-470-007-000

Project: Provenance Winery P16-00073

Owner: Chalone Wine Group Ltd.

Contact: Treasury Chateau & Estates

Description: Proposed request to add food and wine pairing, on premise consumption within the designated outdoor area and patio, of wines produced on site in accordance with Business & Professions Code Sections 223396.5, remove condition #7 from Use Permit U-168687, adding new outdoor trellis and replanting landscaping.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P16-00073; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for Use Permit application P16-00073 do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

Planning Division
(707) 253-4417

Building Division
(707) 253-4417

Engineering & Conservation
(707) 253-4417

Environmental Health
(707) 253-4471

Parks & Open Space
(707) 259-5933

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, "only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit". The codes adopted at this time are 2013 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
2. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public.
3. All cooking equipment in occupancies other than residential shall be commercial grade. Commercial kitchens are required to comply with the California Mechanical Code. Cooking equipment used in processes producing steam, smoke or grease-laden vapors shall be equipped with an exhaust system that complies with all the equipment and performance requirements of the Mechanical Code, and all such equipment and performance shall be maintained per the Mechanical Code during all periods of operation of the cooking equipment. Specifically, the following equipment shall be kept in good working condition:
A. Cooking Equipment. B. Hoods. C. Ducts. D Fans. E. Fire suppression systems. F. Special effluent or energy control equipment. All airflows shall be maintained. Maintenance and repairs shall be performed on all components at intervals necessary to maintain working conditions. If there is not a kitchen proposed for this winery disregard this comment.
4. In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707)259-8230.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.



GARY J. WEST
CHIEF BUILDING OFFICIAL
NAPA COUNTY BUILDING DIVISION
1195 THIRD STREET
NAPA CA 94559
(707)259-8230
gary.west@countyofnapa.org