

“C”

Previous Project Conditions



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Acting Director

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

April 9, 2001

CHARLES J. MCMINN
VINEYARD 29 LLC
2929 ST.HELENA HIGHWAY NORTH
ST.HELENA, CA 94574

RE: Request for Use Permit #00146-UP
APN 022-200-027

 Dear Mr. McMinn:

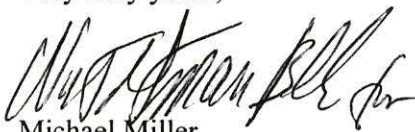
Please be advised that the above-referenced **Use Permit** was **APPROVED** by the Napa County, Development & Planning Commission on February 21, 2001 based on the attached conditions, and became effective on March 7, 2001.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit modification must be activated within one year and ten calendar days from the approval date, or it shall automatically expire and become void on **March 3, 2002**.

An extension of time in which to activate the permit may be granted for a maximum of 12 months, upon application at least 30 days prior to expiration, and payment of fees in effect at the time of application.

This letter is your only notice regarding expiration and procedures for extension of this permission.

Very truly yours,



Michael Miller
Deputy Planning Director

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Larry Bogner
Christine Secheli
Barbara Easter

4/22/01

**CONDITIONS OF APPROVAL
#00146-UP (Vineyard 29 Winery)**

1. The permit is limited to:
 - a. The establishment of a 48,500 gallon/year winery, consistent with the application forms and supplemental winery information sheet. No other retail sales are permitted.
 - b. The construction of 20,543 ft² as delineated on the attached and filed site plans, floor plans, and elevation plans.
 - c. Retail sales by appointment only. Retail sales at the winery are limited to wines fermented or refermented and bottled at the winery.
 - d. Custom production (crushing, fermentation, barrel ageing and bottling) with marketing and tasting by alternating proprietors only for a maximum of 5 entities up to a maximum of 50% (24,250 gallons/year) of the 48,500 gallon/year production capacity of the winery.
 - e. All tours of the winery and/or tasting of wine are limited to members of the wine trade; persons invited by the winery who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; and persons who have made unsolicited prior appointments for tours or tastings (§18.080.620).

Any expansion or changes in use, or project changes which are necessitated by the requirements of other departments or agencies, are subject to further County approval.

2. Marketing activities by all permitted entities shall occur during the hours of 12:00 to 4:00PM and 6:00 – 11:30 PM and are limited to:

Private wine and food tastings for trade	
Frequency:	6 per year
Maximum attendance:	15 persons
Private wine and food events	
Frequency:	12 per year
Maximum attendance:	110 persons
Private harvest event	
Frequency:	1 per year
Maximum attendance:	50 persons

Marketing activities are limited to members of the wine trade; persons who have pre-established business or personal relationships with the winery, or its owners or its alternating proprietors; or members of a particular group for which the activity is being conducted on a pre-arranged basis. Parking shall be provided on-site or on adjacent parcels utilizing shuttle vans. No on-street parking is permitted.

3. Submit three copies of a detailed landscaping, fencing, and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan is to be submitted prior to issuance of the building permit. Landscaping, fencing, and parking to be completed prior to final occupancy. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
4. Provide 5 off-street parking spaces on a dust-free all-weather surface approved by the Public Works Department.
5. All outdoor storage of winery equipment shall be screened from view of adjacent properties by a visual barrier consisting of fencing and/or dense landscaping. No open storage is to exceed the height of the screening.
6. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:
 - a. The Department of Environmental Management as stated in their letter of December 14, 2000 and memorandum of February 16, 2001.
 - b. The Department of Public Works as stated in their letter of October 9, 2000.
 - c. The County Fire Department as stated in their memo of October 18, 2000.
 - d. The Building Division as stated in their memo of September 26, 2000.
7. The permittee shall report to the Department on an annual basis by December 31 the source of his grapes, verifying that 75% of the annual production is from Napa County grapes. The report shall include the grape tonnage and the Assessor's Parcel Number(s) where grown. Such report shall be proprietary and not available to the public. A separate report, for the public record, shall include a statement certifying compliance with the source requirement and indicating the percentage of Napa County grapes utilized.
8. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery.
9. The permittee shall comply with 2 Mitigation Measures described in the Project Revision Statement signed by the applicant dated February 2, 2001.
10. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.
11. During construction of the caves and the winery, all construction equipment muffling and hours of operation shall be in compliance with the County Code section regarding noise, Chapter 8.16 (7:00 a.m. to 7:00 p.m.). Any exterior winery machinery equipment shall be sufficiently enclosed or muffled and maintained so as not to create a noise disturbance in accordance with County Code Section 8.16.060(A) or 8.16.0705816(a).

12. If a gated entrance is used, it shall include a turn around area to allow a large vehicle (such as a motor home) to turn around if the gate is closed. Both the Department of Public Works and the Planning Department shall review and approve any plans prior to construction.
13. All exterior 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, incorporating the use of motion detection lighting to the greatest extent possible. No flood-lighting of the building is permitted. Prior to issuance of any building permit for construction of the winery, a detailed Lighting Plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for review and approval by the Department.
14. No portion of the structure shall be rented or leased and the winery facility shall not be used for events hosted by entities other than the winery itself or its alternating proprietors, except those approved for temporary event license pursuant to Chapter 5.36 Napa County Code.

CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

INTER-OFFICE MEMO
PLANNING DIVISION



TO: Annamaria Martinez, Junior Engineer

FROM: Jeff Sharp, Planner I *[Signature]*

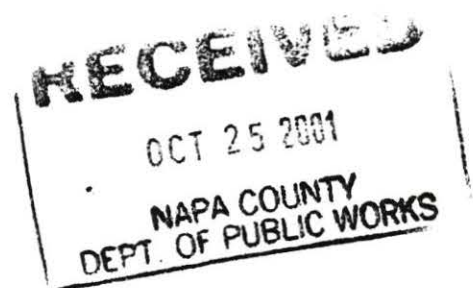
SUBJECT: Improvement Plans #89, Vineyard 29, 2929 N. St. Helena Highway
APN# 022-200-027-000

DATE: 10/23/01

*needs to be
filed in
Bldg. jacket*

Our Department has reviewed the applicant's request for approval of improvement plans #89 (Planning file #01129-ENVR) on the above parcel. Our review has determined that there is a need for additional erosion control review by county staff and consultants (per Preliminary Civil Drawings, dated 06/22/01). Therefore, the Planning Department is asking that a full erosion control plan review be requested by the applicant/owner of this project through submission of complete Erosion Control Plan Application package available at the Planning Counter.

Based upon the results of this review, the Conservation Development and Planning Department **recommends denial** of Improvement Plans #89 (Planning file #01129-ENVR), Vineyard 29, 2929 N. St. Helena Highway (APN# 022-200-027-000) until such time that an approved erosion control plan for the development area is on file with the Planning Department.





NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Acting Director

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

May 25, 2001

KATHLEEN WINTER
DICKENSON, PEATMAN & FOGARTY
809 COOMBS ST.
NAPA, CA 94559

RE: Request for Minor Use Permit Modification #00397-MOD
Correction of Building and Cave Size and Marketing Frequency -- McMinn/Vineyard 29 LLC)
APN 022-200-027

Dear Ms. Winter:

The above request came before the Zoning Administrator for action on May 25, 2001. The modification would reduce the size of the approved winery building and cave use, and would correct the approved marketing level, at the proposed winery on State Highway 29 north of Deer Park Road. The modification was APPROVED with the attached conditions.

The approval may be appealed to the Board of Supervisors by 5 PM on June 11 in accordance with the procedures in Chapter 2.88 of the Napa County Code. The appeal fee in this matter is \$125.00.

The use permit being modified (#00146-UP) was approved on February 21, 2001 and has not yet been "used." According to County regulations, such a modification does not extend the expiration date of the original permit. The modifications must therefore be incorporated in the project "used" by **March 3, 2002**, and which may be extended as described in the letter of approval for that permit.

Please contact Wyntress Balcher, Project Planner, or Bob Nelson, Supervising Planner, if you have any further questions.

A handwritten signature in black ink, appearing to read "Michael Miller".

Michael Miller
Deputy Zoning Administrator

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator

**CONDITIONS OF APPROVAL
VINEYARD 29/MCMINN WINERY MODIFICATION #00397-MOD**

The permit modification is limited to Modification of Use Permit #00146-UP as follows:

1. Condition #1 is revised to read in full as follows:

- a. The establishment of a 48,500 gallon/year winery, consistent with the application forms and supplemental winery information sheet. No other retail sales are permitted.
- b. The construction of a 17,804 ft² winery structure as delineated on revised site plans, floor plans, and elevation plans to be submitted within 14 days of this approval.
- c. The use of 14,038 ft² of caves for barrel storage, as delineated on site plans, floor plans, and elevation plans submitted within 14 days in accordance with the applicant's letter received April 2, 2001.
- d. Retail sales by appointment only. Retail sales at the winery are limited to wines fermented or refermented and bottled at the winery.
- e. Custom production (crushing, fermentation, barrel ageing and bottling) with marketing and tasting by alternating proprietors only for a maximum of 5 entities up to a maximum of 50% (24,250 gallons/year) of the 48,500 gallon/year production capacity of the winery.
- f. All tours of the winery and/or tasting of wine are limited to members of the wine trade; persons invited by the winery who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; and persons who have made unsolicited prior appointments for tours or tastings (§18.080.620).

Any expansion or changes in use, or project changes which are necessitated by the requirements of other departments or agencies, are subject to further County approval.

2. Condition #2 is revised to read in full as follows:

Marketing activities by all permitted entities shall occur during the hours of 12:00 to 4:00PM or 6:00 –11:30 PM and are limited to:

- a. Private wine and food tastings for trade
Frequency: 6 per year
Maximum attendance: 15 persons
- b. Private wine and food events (total 10)
Frequency: 2 per year
Maximum attendance: 110 persons

Frequency: 4 per year
Maximum attendance: 50 persons

Frequency: 4 per year
Maximum attendance: 25 persons

c. Private Harvest Event
Frequency: 1 per year
Maximum attendance: 50 persons

d. Marketing activities are limited to members of the wine trade; persons who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; or members of a particular group for which the activity is being conducted on a pre-arranged basis. Parking shall be provided on-site or on adjacent parcels utilizing shuttle vans. No on-street parking is permitted.

3. The permittee shall comply with all applicable conditions and measures which were included in the previously-approved use permit #00146-UP. Any conditions that are in conflict with the requirements of this permit shall be null and void.
4. The permittee shall comply with all applicable building codes, zoning standards and requirements County departments and other agencies, including but not limited to:

The Department of Public Works as stated in their letter of April 4, 2001.

The County Fire Department as stated in their memo of April 10, 2001.

The Building Division as stated in their memo of April 3, 2001.

5. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



NAPA COUNTY

RECEIVED

APR 4 2001

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-309
AREA CODE 707/253-4416

JEFFREY R. REDDING
Director

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

RECEIVED

APR 03 2001

NAPA COUNTY
DEPT. OF PUBLIC WORK

TO:

Public Works

APPLICATION TITLE:

Vineyard 29 Modification

FILE #: 00397-MOD

RESPONSE REQUEST DATE:
FINAL REQUEST DATE:

04/03/01

RESPONSE RETURN DATE:
FINAL RESPONSE DATE:

04/18/01

This application (see enclosed project description and/or 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 have jurisdiction by law over this project Yes No
If yes, indicate required permits: _____

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): _____

Existing conditions of approval still apply.
see memo dated 03/16/2001 (attached)

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

6. Name of contact person: ANNA MARIA MARTINEZ Telephone: 253-4351

Response Prepared by: AM

Title: Junior Engineer

Date: 4/4/01

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



March 16, 2001

TO: Conservation Development and Planning Department
FROM: Nathan Valles, Assistant Engineer *N. V.*
SUBJECT: Vineyard 29 LLC, 2929 St. Helena Highway North, St. Helena, CA 94574
APN# 022-200-027, File #00146-UP

This application will allow the applicant to establish a winery with a production capacity of 48,500 gal/yr; 3 full time and 2 part time employees; construct a 5 space parking lot; 23,100 sqft of floor space and 17,577 sqft of caves. Parcel is located on the west side of Highway 29, at mile marker 30.47, between Deer Park Road and Lodi Lane.

EXISTING CONDITIONS:

1. Existing access road is paved 12-foot wide and 0.2 miles long. The connection to Hwy 29 is 24 feet wide, but the access narrows rapidly to 12 feet wide. There is an existing old stone fence with a natural 28 foot wide opening used by the access road. At 0.1 miles from Hwy 29 there is an existing steel gate with a keypad and speakerphone.
2. The area for the winery is currently unimproved and is planted with grape vines.
3. The traffic count for Highway 29 was 356 just north of Yountville Crossroad taken on 8/12/99

RECOMMENDED CONDITIONS:

1. This Department has reviewed the phase one, water availability analysis for the proposed project. The estimated water demand 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.
2. Access drive shall be a minimum of 18 feet wide with 2 feet of shoulder. 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)
3. The estimated annual daily traffic count for Hwy 29 was 14,800 at Lodi Lane, taken from the 1998 Caltrans traffic counts. This count combined with an estimated daily average of 5

employees and 13 visitors/deliveries indicate that a left turn lane on Highway 29 is required. (County Road and Street Standards, Page 15, Sec. 16 and Page 16-A)

4. Any parking 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.
5. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.
6. Proposed drainage for the development shall be shown on the improvement plans, shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties, and shall conform to the latest "Napa County Road and Street Standards. Indicate the path and changes in runoff.
7. Improvement plans shall address the attenuation of peak flow due to the additional runoff resulting from this development
8. Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards.
9. The applicant must obtain an encroachment permit from Caltrans for any work performed within the Caltrans Right-of-Way.
10. Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".
11. Improvements shall be constructed according to plans prepared by a registered Civil Engineer 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.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items at this time please contact Nathan Valles or Larry Bogner of this office.

cc: Vineyard 29 LLC, 2929 St. Helena Hwy. North. St. Helena, CA 94574

RECEIVED

APR 12 2001

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT



INTER-OFFICE MEMO

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

FROM: Barbara Easter, Fire Department

DATE: April 10, 2001

SUBJECT: Vineyard 29 Modification Comments
Apn: 022-200-027 0000397-Mod

Site Address: 2929 St. Helena Hwy. N. St. Helena

The Napa County Fire Marshal's staff has reviewed the above Vineyard 29 modification to add additional design detail and to address minor changes between the conceptual drawings and final construction drawings. We recommend that the item listed below is incorporated as project conditions or mitigation measures if the commission approves the project.

1. This modifications will need to comply with the fire department written comments dated October 18, 2000 that were address an approved on February 21, 2001 for use permit 00146-UP.

If there are any questions please feel free to contact Barbara Easter at (707) 963-3601 ext. 129 (Monday thru Thursday)

BYRON J. CARNIGLIA
Fire Chief

By: *Barbara C. Easter*

Barbara Easter
County Fire Inspector

CC: Applicant, D1404-Loveless,
CFM Files, Chron



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RECEIVED
APR 3 2001

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

APPLICATION TITLE: Vineyard 29 Modification FILE #: 00397-MOD

RESPONSE REQUEST DATE: 04/03/01 RESPONSE RETURN DATE: 04/18/01
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

This application (see enclosed project description and/or 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 have jurisdiction by law over this project Yes No
If yes, indicate required permits: GRADING; BUILDING; PLUMBING; MECHANICAL
ELECTRICAL

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):
1. APPLY FOR AND SECURE PERMITS AS NOTED IN ITEM NO. 1 ABOVE

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

6. Name of contact person: [Signature] Telephone: 253-4417
Response Prepared by: GARY W. BRENER
Title: BUILDING CODES ADMIN.
Date: 4-3-01



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Acting Director

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

May 25, 2001

KATHLEEN WINTER
DICKENSON, PEATMAN & FOGARTY
809 COOMBS ST.
NAPA, CA 94559

RE: Request for Minor Use Permit Modification #00397-MOD
Correction of Building and Cave Size and Marketing Frequency -- McMinn/Vineyard 29 LLC)
APN 022-200-027

Dear Ms. Winter:

The above request came before the Zoning Administrator for action on May 25, 2001. The modification would reduce the size of the approved winery building and cave use, and would correct the approved marketing level, at the proposed winery on State Highway 29 north of Deer Park Road. The modification was APPROVED with the attached conditions.

The approval may be appealed to the Board of Supervisors by 5 PM on June 11 in accordance with the procedures in Chapter 2.88 of the Napa County Code. The appeal fee in this matter is \$125.00.

The use permit being modified (#00146-UP) was approved on February 21, 2001 and has not yet been "used." According to County regulations, such a modification does not extend the expiration date of the original permit. The modifications must therefore be incorporated in the project "used" by **March 3, 2002**, and which may be extended as described in the letter of approval for that permit.

Please contact Wyntress Balcher, Project Planner, or Bob Nelson, Supervising Planner, if you have any further questions.

A handwritten signature in black ink, appearing to read "Michael Miller", with a long horizontal flourish extending to the right.

Michael Miller
Deputy Zoning Administrator

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator

CONDITIONS OF APPROVAL
VINEYARD 29/MCMINN WINERY MODIFICATION #00397-MOD

The permit modification is limited to Modification of Use Permit #00146-UP as follows:

1. Condition #1 is revised to read in full as follows:

- a. The establishment of a 48,500 gallon/year winery, consistent with the application forms and supplemental winery information sheet. No other retail sales are permitted.
- b. The construction of a 17,804 ft² winery structure as delineated on revised site plans, floor plans, and elevation plans to be submitted within 14 days of this approval.
- c. The use of 14,038 ft² of caves for barrel storage, as delineated on site plans, floor plans, and elevation plans submitted within 14 days in accordance with the applicant's letter received April 2, 2001.
- d. Retail sales by appointment only. Retail sales at the winery are limited to wines fermented or refermented and bottled at the winery.
- e. Custom production (crushing, fermentation, barrel ageing and bottling) with marketing and tasting by alternating proprietors only for a maximum of 5 entities up to a maximum of 50% (24,250 gallons/year) of the 48,500 gallon/year production capacity of the winery.
- f. All tours of the winery and/or tasting of wine are limited to members of the wine trade; persons invited by the winery who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; and persons who have made unsolicited prior appointments for tours or tastings (§18.080.620).

Any expansion or changes in use, or project changes which are necessitated by the requirements of other departments or agencies, are subject to further County approval.

2. Condition #2 is revised to read in full as follows:

Marketing activities by all permitted entities shall occur during the hours of 12:00 to 4:00PM or 6:00 –11:30 PM and are limited to:

- a. Private wine and food tastings for trade
Frequency: 6 per year
Maximum attendance: 15 persons
- b. Private wine and food events (total 10)
Frequency: 2 per year
Maximum attendance: 110 persons
Frequency: 4 per year
Maximum attendance: 50 persons



CHARLES WILSON
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

January 22, 2004

Charles McMinn
Vineyard 29
2929 St Helena Highway North
St Helena Ca 94574

Re: Highway 29 Winery Modification # 04067-MOD (APN #022-200-027-000)

Please be advised that Winery Use Permit Modification #**04067** has been Administratively **APPROVED** by the Napa County Conservation, Development and Planning Department. The approval applies only to the rearranging interior spaces within the approved winery structure. The approval of this modification does not affect the exterior appearance of the winery and recognizes the as-built interior configuration.

APPROVAL DATE: January 22, 2004

The use permit becomes effective unless an appeal is filed. You may appeal the conditions of approval in accordance with the procedures in Chapter 2.88 of the Napa County Code. If an appeal is filed by others, you will be notified.

Please contact Robert Nelson at 253-4417 if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Lynch", written over a horizontal line.

Patrick Lynch
Assistant Planning Director
Napa County Conservation, Development and Planning Department

Cc: DP&F, Tom Carey



A Tradition of Stewardship
A Commitment to Service

Conservation Development and Planning

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

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

Hillary Gitelman
Director

April 29, 2011

Mr. Charles McMinn
PO Box 93
St. Helena, CA 94574

Re: Vineyard 29 Winery
Use Permit Very Minor Modification #P11-00122
Assessor's Parcel Number 022-200-027

Dear Mr. McMinn,

Please be advised that your request for a Very Minor Modification (#P11-00122) to Use Permit #00146 to convert the existing private residential cave for winery storage uses, with no increase to production, employees, and visitation, was **APPROVED** by the Director of Conservation, Development and Planning on April 29, 2011 contingent on the attached conditions of approval. All previous Use Permit conditions not in conflict with this modification still apply in addition to the attached conditions of approval.

Please be advised that the Director of Conservation, Development and Planning has determined that this very minor modification is **Categorically Exempt** from the provisions of CEQA, the California Environmental Quality Act. Pursuant to CEQA Section 15301, Class 1, Existing Facilities and Class 1 (3) of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project consists of a minor alteration to a previously approved and existing winery involving no expansion in production or marketing activities. No environmental impacts are reasonably foreseeable by this action.

In addition, as required by Napa County Code Section 18.10.020(M), the project is a very minor alteration to a previously approved winery project consistent with Napa County Code Section 18.124.130 (C) and can therefore be administratively approved pursuant to Napa County Code Section 18.126.030 (F).

Pursuant to Section 18.124.080 of the Napa County Code, this very 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.

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.

Expiration Date: April 29, 2013

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 Jessica Jordan, Supervising Planner at (707) 299-1355 or e-mail at Jessica.Jordan@countyofnapa.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hillary Gitelman', with a long horizontal flourish extending to the right.

Hillary Gitelman
Director

By: Jessica Jordan, Supervising Planner

cc: File
Napa County Assessor – Recorder – County Clerk

CONDITIONS OF APPROVAL

Vineyard 29 Winery
Very Minor Modification File # P11-00122-VMM
2929 St. Helena Highway North, APN: #022-200-027

1. SCOPE

The permit shall be limited to:

- Modification of the previously approved Use Permit #00146 to recognize the existing private residential cave for use by the winery. The private residential cave will be used for storage of tax paid wine, equipment and supplies, and for storage of the winery owner's personal wine collection with no public access.

Any expansion or changes in use shall be by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

2. 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. Napa County Fire memo dated April 7, 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 #628081UP and as modified by #02168 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.



A Tradition of Stewardship
A Commitment to Service

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: Jessica Jordan
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: April 7, 2011

SUBJECT: Vineyard 29
P11-00122 APN# 022-200-027

SITE ADDRESS: 2929 ST Helena Highway

The Napa County Fire Marshal's Office has reviewed the Use Permit application for the conversion of a residential cave to a winery cave. The following items shall be incorporated as project conditions or mitigation measures if the commission approved 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. This cave shall be classed as a TYPE I cave. As such case good storage will not be allowed. Storage of case goods shall require an automatic fire sprinkler system conforming to NFPA 13, 2002 edition with water flow monitoring to a Central Receiving Station.
3. All exit doors shall be operable without the use of a key or any special knowledge or effort.
4. Install illuminated exit signs and emergency back-up lighting throughout the cave.
5. Install currently serviced and tagged 2A10BC fire extinguisher within 75 feet of travel distance from any portion of the cave. Fire extinguishers shall be mounted 3 1/2 feet to 5 feet to the top of the fire extinguisher.

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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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

May 15, 2017

Hugh Linn
RSA+
1515 Fourth Street
Napa, CA 94559

**Re: VINEYARD 29 WINERY
Use Permit, Minor Modification (P16-00317)
2929 St. Helena Hwy, N., St. Helena, APN: 022-200-027**

Dear Hugh:

Your application for a Minor Modification (P16-00317) to previous Vineyard 29 Winery approvals has been reviewed by the Napa County Zoning Administrator. The request consists of relieving the winery of the requirement to construct a left-turn lane on State Route 29. Please be advised that your request has been administratively **APPROVED** subject to the attached conditions of approval, Napa County division and departmental and reviewing agency comments, and applicable County regulations.

The Director has determined the project to be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Napa County's Local Procedures for implementing the California Environmental Quality Act 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.

This action 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, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone, you will be notified.

Pursuant to Napa County Code Section 18.124.080, the approved Use Permit must be activated within two 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 of your permit.

USE PERMIT EXPIRATION DATE: May 15, 2019

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

You are hereby further notified, that the ninety day period, established by California Government Code Sec. 66020 (d)(1), in which to protest imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval, has commenced.

If you have any questions about this letter, please contact me by telephone at (707) 299-1353 or by email at sean.trippi@countyofnapa.org.

Sincerely,
David Morrison, Zoning Administrator



By: Sean Trippi, Principal Planner
Napa County Planning, Building and Environmental Services Department

CONDITIONS OF APPROVAL

Vineyard 29 Winery
Use Permit, Minor Modification (P16-00317)
6170 Washington Street, Napa, APN: 036-110-009

1.0 SCOPE:

This permit encompasses and shall be limited to:

- 1.1 Deleting the previous condition of approval to construct a left-turn lane on State Route 29.

No changes to production, tours and tastings visitation, marketing activities, employees, number of parking space, hours of operation, water use or wastewater treatment are proposed or approved as part of 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 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.

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.

3.0 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.

CONDITIONS OF APPROVAL

**Vineyard 29 Winery
Use Permit, Minor Modification (P16-00317)
6170 Washington Street, Napa, APN: 036-110-009**

1.0 SCOPE:

This permit encompasses and shall be limited to:

- 1.1 Deleting the previous condition of approval to construct a left-turn lane on State Route 29.

No changes to production, tours and tastings visitation, marketing activities, employees, number of parking space, hours of operation, water use or wastewater treatment are proposed or approved as part of 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 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.

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.

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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.



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Planning, Building, and Environmental Services

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

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

David Morrison
Director

July 23, 2019

Vineyard 29
Charles McMinn, Manager
2929 St. Helena Highway N.
St. Helena, CA 94574

Via Certified Mail

RE: Status Determination #P19-00123
Vineyard 29 Winery – 2929 St. Helena Hwy N., St. Helena; APN: 022-200-027
Date of Decision: **July 23, 2019**

Dear Mr. McMinn:

Your request for the County to document and/or delineate the existing property rights for the property located at 2929 St. Helena Hwy., N., St. Helena (APN 022-200-027) (the "property") was received by this office on March 27, 2019. Status determinations merely confirm existing legal entitlements already granted by the County. Status determinations are not permits and do not authorize new uses or structures. They also do not authorize or grandfather historic uses or structures that were not legally established.

Your request has been reviewed by the Planning Division and County Counsel. Below is a historic summary, evaluation and conclusion of existing use permits, use permit modifications, other land use entitlements, and any other documentary evidence demonstrating the uses or structures on the property have been legally established.

Historic Assessment of Project Approvals:

Exhibit 1, as attached, provides a historical accounting of the property's entitlement to assist staff in the confirmation of existing legal entitlements already granted by the County.

Staff Analysis & Conclusion:

Based upon the historic assessment provided in Exhibit 1, staff has determined that Vineyard 29 Winery is entitled to the following:

Production: 48,500 gallons per year. Custom production (crushing, fermentation, barrel ageing and bottling) with marketing and tasting by alternating proprietors only for a maximum of 5 entities up to a maximum of 50% (24,250 gallons/year of the 48,500 gallon/year production capacity of the winery.)

Building Floor Area: 17,804 square feet.

Cave Area: 14,038 square feet of cave area used for barrel storage, and approximately 3,390 square feet of additional private residential cave area to be used for storage of tax paid wine, equipment and supplies, and for storage of the winery owner's personal wine collection with no public access.

Number of Employees: Three (3) full-time employees and two (2) part-time employees.

Hours of Operation: Monday – Friday, 7:00 AM – 5:00 PM.

Parking: Five (5) off-street parking spaces.

Retail Sales: Retail sales by appointment only. Retail sales at the winery are limited to wines fermented or refermented and bottled at the winery. No other retail sales are permitted.

Visitation: 30 visitors on the busiest day, 10 on average per week.

Marketing Activities: Marketing activities by all permitted entities shall occur during the hours of 12:00 to 4:00 PM and 6:00-11:30 PM and are limited to:

- a. Private wine and food tastings for trade

Frequency: 6 per year

Maximum attendance: 15 persons

- b. Private wine and food events (total 10)

Frequency: 2 per year

Maximum attendance: 110 persons

Frequency: 4 per year

Maximum attendance: 50 persons

Frequency: 4 per year

Maximum attendance: 25 persons

- c. Private Harvest Event

Frequency: 1 per year

Maximum attendance: 50 person

- d. Marketing activities are limited to members of the wine trade; persons who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; or members of a particular group for which the activity is being conducted on a pre-arranged basis. Parking shall be provided on-site or on adjacent parcels utilizing shuttle vans. No on-street parking is permitted.

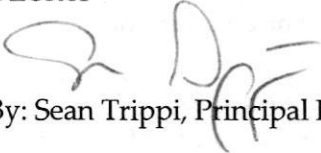
This determination is final unless an appeal is filed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You will be notified if an appeal is filed.

Vineyard 29 Winery
July 23, 2019
Page 3

Should you have any questions, please contact Sean Trippi at (707) 299-1353 or e-mail at sean.trippi@countyofnapa.org.

Sincerely,

David Morrison
Director

A handwritten signature in black ink, appearing to read 'S. Trippi', is written over the typed name 'Sean Trippi'.

By: Sean Trippi, Principal Planner

cc: Laura Anderson, Deputy County Counsel
David Gilbreth, 1152 Hardman Avenue, Napa, CA 94558

EXHIBIT 1

USE PERMITS ASSOCIATED WITH THE PROPERTY

Permit Number or Documentation	Approval Date	Applicable Condition of Approval or Other Documentation	Project Scope or Entitlement
#00146-UP	February 21, 2001 (Planning Commission)	Condition No. 1	<p>The permit is limited to:</p> <ul style="list-style-type: none"> a. The establishment of a 48,500 gallon/year winery, consistent with the application forms and supplemental winery information sheet. No other retail sales are permitted. b. The construction of 20,543 square feet as delineated on the attached and filed site plans, floor plans, and elevation plans. c. Retail sales by appointment only. Retail sales at the winery are limited to wines fermented or refermented and bottled at the winery. d. Custom production (crushing, fermentation, barrel ageing and bottling) with marketing and tasting by alternating proprietors only for a maximum of 5 entities up to a maximum of 50% (24,250 gallons/year of the 48,500 gallon/year production capacity of the winery.) e. All tours of the winery and/or tasting of the wine are limited to members of the wine trade; persons invited by the winery who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; and persons who have made unsolicited prior appointments for tours or tastings (§ 18.080.620).

<p>#00397-MOD</p>	<p>May 25, 2001 (Zoning Administrator)</p>	<p>Condition No. 9/Mitigation Measure No.1</p> <p>Information contained in the Staff Report, Environmental document, and/or application materials</p> <p>The permit modification is limited to Modification of Use Permit #00146-UP as follows: Condition No. 1</p>	<p>public record, shall include a statement certifying compliance with the source requirement and indicating the percentage of Napa County grapes utilized.</p> <p>Noise Motor vehicles shall not stand idling outside of the "grape delivery area" delineated on the winery third-level floor plan, between the hours of 7:00 PM and 7:00 AM, unless written waiver of this requirement by the inhabitants of every residence within 1300 feet is submitted to the Napa County Conservation, Development and Planning Department. Truck traffic shall be scheduled on weekdays and daytime hours whenever possible.</p> <ul style="list-style-type: none"> • 16,110 square feet of cave area. • Three full-time employees and two part-time employees. • 30 visitors on the busiest day, 10 on average per week. • The applicant proposes to install a left turn lane from Highway 29. <p>Condition #1 is revised to read in full as follows:</p> <ol style="list-style-type: none"> a. The establishment of a 48,500 gallon/year winery, consistent with the application forms and supplemental winery information sheet. No other retail sales are permitted. b. The construction of a 17,804 square feet winery structure as delineated on revised site plans, floor plans, and elevation plans to be submitted within 14 days of this approval. c. The use of 14,038 square feet of caves for barrel storage, as delineated on site plans, floor plans, and elevation plans submitted within 14 days in
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		<p>Condition No. 2</p>	<p>accordance with the applicant's letter received April 2, 2001.</p> <ul style="list-style-type: none">d. Retail sales by appointment only. Retail sales at the winery are limited to wines fermented or refermented and bottled at the winery.e. Custom production (crushing, fermentation, barrel ageing and bottling) with marketing and tasting by alternating proprietors only for a maximum of 5 entities up to a maximum of 50% (24,250 gallons/year of the 48,500 gallon/year production capacity of the winery.)f. All tours of the winery and/or tasting of the wine are limited to members of the wine trade; persons invited by the winery who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; and persons who have made unsolicited prior appointments for tours or tastings (§ 18.080.620). <p>Any expansion or changes in use, or project changes which are necessitated by the requirements of other departments or agencies, are subject to further County approval.</p> <p>Condition #2 is revised to read in full as follows: Marketing activities by all permitted entities shall occur during the hours of 12:00 to 4:00 PM and 6:00-11:30 PM and are limited to:</p> <ul style="list-style-type: none">a. Private wine and food tastings for trade Frequency: 6 per year Maximum attendance: 15 persons
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			<p>b. Private wine and food events (total 10) Frequency: 2 per year Maximum attendance: 110 persons</p> <p>Frequency: 4 per year Maximum attendance: 50 persons</p> <p>Frequency: 4 per year Maximum attendance: 25 persons</p> <p>c. Private Harvest Event Frequency: 1 per year Maximum attendance: 50 person</p> <p>d. Marketing activities are limited to members of the wine trade; persons who have pre-established business or personal relationships with the winery, its owners or its alternating proprietors; or members of a particular group for which the activity is being conducted on a pre-arranged basis. Parking shall be provided on-site or on adjacent parcels utilizing shuttle vans. No on-street parking is permitted.</p>
#04067-MOD	January 22, 2004 (Director)	First paragraph of approval letter.	The approval applies only to the rearranging interior spaces within the approved winery structure. The approval of this modification does not affect the exterior appearance.
P11-00122	April 29, 2011 (Director)	Condition No. 1, Scope	The permit shall be limited to: Modification of the previously approved Use Permit #00146 to recognize the existing private residential cave for use by the winery. The private residential cave will be used for storage of tax paid wine, equipment and supplies, and for storage of the winery owner's personal wine collection with <u>no public access</u> .

<p>P16-00317</p>	<p>May 15, 2017 (Zoning Administrator)</p>	<p>Application submittal materials</p> <p>Fire Department Condition No. 2</p> <p>1.0 Scope</p>	<p>Add to the existing wine production facility approx. 3,390 square feet of additional cave storage located less than 1/10th of a mile to the south of the winery premises.</p> <p>This cave shall be classified as a TYPE I cave. As such case good storage will not be allowed. Storage of case goods shall require an automatic fire sprinkler system conforming to NFPA 13, 2002 edition with water flow monitoring to a Central Receiving Station.</p> <p>This permit encompasses and shall be limited to:</p> <p>1.1 Deleting the previous condition of approval to construct a left-turn lane on State Route 29.</p> <p>No changes to production, tours and tastings visitation, marketing activities, employees, number of parking space, hours of operation, water use or wastewater treatment are proposed or approved as part of this modification.</p> <p>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.</p>
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