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Previous Project Conditions



# NAPA COUNTY

## CONSERVATION, DEVELOPMENT and PLANNING COMMISSION

Jeffrey Redding  
Secretary-Director

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

July 12, 1999

James W. & Barbara J. Richards  
4013 Spring Mountain Rd  
St Helena Ca. 94574

RE: Request for Use Permit # 98368-UP (Assessor Parcel No. 22-150-008)

Dear Mr. & Mrs. Richards:

Please be advised that **Use Permit Application #98368-UP** has been **APPROVED** by the Napa County Conservation, Development and Planning Commission on July 7, 1999 based on the attached conditions.

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

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

**EXPIRATION DATE: July 18, 2000**

An extension of time in which to activate the use 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, **and** provided that any approved modification of the permit has become final. This letter is your only notice regarding expiration and procedures for extension of this 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.

Very truly yours,

Jeffrey R. Redding  
Director

cc. John Tuteur, Assessor  
Gary Brewen, Building Codes Administrator  
Michael Miller, Deputy Planning Director

**CONDITIONS OF APPROVAL**  
**Use Permit Application #98368-UP (RICHARDS WINERY)**

1. The Use Permit shall be limited to establishing an 10,000 gal/yr winery in two phases consisting of a 1600 sq.ft. "cut and cover" barrel storage building and a 1693 sq.ft. winery building with a 1720 sq.ft. crush pad, consistent with the attached application and related materials. This winery operation is to be an Estate Bottled winery.

The Annual Production shall average not more than 10,000 gallons per year over any three years, and in any one year shall not exceed 12,000 gallons.

Any other expansions or changes in use, construction or design shall be subject to the approval of the Zoning Administrator or the County Planning Commission.

2. Visitors to the winery for tours and tasting are limited to prior appointment only and a maximum of 2 persons per day. Retail sales of the wine produced will be permitted at this site. No other retail sales are permitted. Hours of operation shall be limited to 7:30 AM to 4:30 PM.
3. Marketing activities are limited to a Harvest Party once a year for 50 persons plus two lunches per year for 25 persons. Outdoor facilities can be used for these approved marketing activities, but shall not be used for drop-in or by appointment visitors. All marketing activity shall end by 11:00 PM.
4. The cut and cover building may be rotated to fit into the terrain and avoid trees only with Department review and approval prior to any building permit issuance and grading activity.
5. The applicant shall comply with all applicable building codes, and requirements of various County departments and agencies, including:
  - the Department of Public Works dated Feb. 26, 1999;
  - the Department of Environmental Management dated Mar. 18, 1999;
  - the Building Division dated Feb.22, 1999;
  - the County Fire Dept. dated Mar. 3, 1999;

Note: The Commission modified the Public Works Department conditions regarding the road surfacing to read: the existing access road shall be maintained in a passable condition year round, based on findings of environmental sensitivity, winery size and the number of visitors.

6. At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department every year by December 31 the source of grapes verifying that 75% of his 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.

7. Plans for any new outdoor signs shall be submitted to the Planning Department for administrative review and approval. If and when a winery identification sign is installed, a sign shall be placed at the property entrance reading "No Public Tours or Tasting.". The only off-site signs allowed shall be in conformance with the County Code.
8. During winery construction, all construction equipment shall be muffled to not cause off-site disturbance, in compliance with the County Code Chapter 8.16 regarding noise. All winery machinery or equipment not located inside a structure shall be within an acoustical enclosure to reduce noise off-site.
9. No winery facilities, nor portions thereof, shall be rented, leased or used by entities other than the on-site winery itself, except as may be specifically authorized pursuant to the Temporary Events Ordinance, Sec. 5.36.010.
10. A detailed landscaping plan which includes all outdoor lighting shall be submitted to the Department for review and approval indicating names and locations of plant materials along with the method of maintenance prior to the issuance of the building permits for the first phase, and all plant material shall be planted prior to the completion of each phase as appropriate. Landscaping shall be permanently maintained in accordance with the approved landscaping plan. Exterior lighting shall be the minimum necessary for operational and security needs only. All light fixtures shall be kept as low as possible and shall be shielded and designed to deflect light down and away from adjacent properties and roadways.
11. All mechanical and electrical equipment and storage areas shall be screened from view.
12. If any historic or prehistoric material is encountered during any grading or excavation activity, all work in the vicinity shall cease until a qualified archaeologist has examined the find and made a recommendation. Recommended mitigation measures, if any, shall be followed and a report shall be filed with the Department.
13. All staff costs associated with monitoring compliance with these conditions, previous use permit conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



# NAPA COUNTY

## CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding  
Director

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

May 15, 2000

James W. Richards  
RICHARDS VINEYARD  
4013 Spring Mountain Road  
St. Helena, CA 94574

RE: Request for Rescission of April 7, 2000 ZA Action (#99285-MOD) and  
Request for Use Permit Modification #99439-MOD  
APN 022-150-008

Dear Mr. Richards:

The above requests came before the Zoning Administrator for action on May 5, 2000. The rescission was granted in order to clarify the request for modification as revised by #99439-MOD. The modification essentially would consolidate the approved structural component of the winery into a single building, complete construction in a single phase, and allow covering of the outdoor work area under certain circumstances, modifying the winery approved under #98368-UP on a 17.11-acre parcel on Spring Mountain Road. The permit was **APPROVED** with the attached conditions.

Your appeal of the April 7 action (now rescinded) was not perfected and was therefore dismissed. The May 5 actions may be appealed to the Board of Supervisors by 5 PM on May 19 in accordance with the procedures in Chapter 2.88 of the Napa County Code. The appeal fee in this matter is \$125.00.

Please contact Bob Nelson, Project Planner, if you have any further questions.

A handwritten signature in cursive script, appearing to read "Michael Miller".

Michael Miller  
Zoning Administrator

cc. John Tuteur, Assessor  
Gary Brewen, Building Codes Administrator  
Bob Nelson  
Christine Secheli  
Barbara Easter  
Linda Emerson, DP&F

**CONDITIONS OF APPROVAL  
WINERY USE PERMIT MODIFICATION #99439-MOD (Richards)**

1. This modification is a revision of the design and phasing of the winery project. It deletes the "cut and cover" barrel building approved by #98368-UP, adding a structure of the same size to the winery building, and adds 320 sq.ft. to the resulting 3293 sq.ft. winery building. The modification also establishes the winery in a single construction phase. Plans are as submitted through February 11, 2000.
2. The approved crush pad may be covered if required by another agency. Such written requirement shall be submitted to the Department prior to issuance of a building permit for the cover.
3. The changes shall conform to the comments and requirements from various County departments and other agencies, including the following:
  - (a) Department of Environmental Management memo dated 2/16/00;
  - (b) Building Division memo dated 1/21/00;
  - (c) County Fire Department memo dated 2/8/00.
4. Landscaping, according to the plan submitted and approved by the Department on April 7, 2000, shall be completed prior to the use of the new facilities, and shall be permanently maintained in accordance with the approved landscaping plan.
5. An exterior lighting plan shall be submitted by the permittee and approved by the Department prior to issuance of a building permit. All exterior lighting shall be shielded and directed downward, kept as low to the ground as possible, and shall be the minimum necessary for security or operations.
6. All conditions of the previous Use Permit not in conflict with these conditions shall remain in force and effect.
7. All staff costs associated with monitoring compliance with these conditions shall be borne by the property owner(s), other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Board of Supervisors Resolution #95-77 or as that resolution may be amended.