

“C”

Previous Project Conditions



A Tradition of Stewardship  
A Commitment to Service

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 15, 2019

Ms. Smitty Wermuth  
Wermuth Winery  
3942 Silverado Trail, Calistoga, CA 94515

Via Certified Mail

RE: Status Determination #P19-00135-SD  
Wermuth Winery (Rancho de las Flores Cellars) - 3942 Silverado Trail, Calistoga  
APN: 021-030-047  
Date of Decision: **July 15, 2019**

Dear Ms. Wermuth:

Your request for the County to document and/or delineate the existing property rights for the property located at 3942 Silverado Trail, Calistoga (APN: 021-030-047) (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, Code Enforcement 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 Wermuth Winery has the following operational entitlements based on the Conditions of Approval adopted by the Planning Commission on August 19, 1987 for Major Modification U-698687 and on July 21, 1982 for Use Permit U-388182:

Operational Entitlements:

- Production: 20,000 gallons
- Size of Winery: Two structures totaling 775 sf (375 sf winery/tasting room and 400 sf wine storage)
- Visitation: 30 public tours and tastings per day; 100 per week anticipated.

Ms. Smitty Wermuth

July 15, 2019

Page 2

- Marketing: None authorized.
- Except as permitted by County ordinance, no outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
- Retail sales shall be limited to wine produced and bottled by the winery.
- Number of Employees: No additional employees were authorized with exception of two winery operators. Therefore, a maximum of 2 full time employees may work at the winery either as owners or other employees.
- Parking: A total of 8 spaces.
- Hours of Operation: 11:00 am – 4:30 pm (Winery/Visitation); Irregular days of operation

With regards to your request to recognize changes to the winery's entitlements since County authorization in 1987, specifically recognition of the increase in number of visitation at the winery (40 per day and 240 per week), increase in the number of employees (1 part-time), and that the winery is open 7 days a week versus an irregular operation, Major Modification U-698687 approved the winery uses described in the Supplemental Information Sheet attached to the approval letter, which specifically identified these operational characteristics. Staff cannot authorize at this time any increases in entitlements without the processing of an amendment. Therefore, staff recommends that a Major Modification be processed to seek this recognition and/or to intensify any winery operations.

It should be noted that the County has no building permit records on file for the conversion of the garage to wine storage, nor the addition of a tasting room to reflect the Major Modification of U-698687 entitlement authorization. Furthermore, the County's Major Modification and Use Permit records did not disclose the location of a tasting room nor its size. However, staff, has made a determination based upon the submitted plot plans for the project along with application materials that the tasting room was to be located within the 375 sf winery building. Therefore, the size of the tasting room is 375 sf.

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.

Should you have any questions, please contact Charlene Gallina, Supervising Planner at (707) 299-1355 or e-mail at [charlene.gallina@countyofnapa.org](mailto:charlene.gallina@countyofnapa.org).

Sincerely,

David Morrison  
Director



By: Charlene Gallina, Supervising Planner

cc: Katherine Philippakis, Farella Braun + Martel LLP, 899 Adams Street, Suite G, St. Helena, CA 94574  
Jason Dooley, Deputy County Counsel III

## EXHIBIT 1

### USE PERMITS/BUILDING PERMITS ASSOCIATED WITH THE PROPERTY

| Permit Number or Documentation | Approval Date                                         | Applicable Condition of Approval or Other Documentation                      | Project Scope or Entitlement                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------|-------------------------------------------------------|------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| U-388182 - Use Permit          | July 21, 1982 - Planning Commission                   | Condition #1, #3, #7 #10; Staff Report & Application Description             | Established a 20,000 gallon/year winery in an existing building 375 sf in size with no public tours and tastings; Hours of Operation 8 am to 10 pm; Number of employees – No additional employees, authorized owners (2) only; Minimum of 2 parking spaces authorized (4 existing); No signs of an invitational type authorized to be installed erected or placed on the property [Note: A residence, garage, guest house, out building (proposed winery), and vineyards existed on the property] |
| Building Permit 32050          | Issued: June 15, 1983;<br>Finaled: September 21, 1983 |                                                                              | Conversion of existing barn to wine storage building (the Winery)                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| U-698687-Major Modification    | August 10, 1987 – Planning Commission                 | Conditions #1, #2, #3, #6, #7, & #8, Staff Report, & Application Description | Authorized public tours and tastings (30 per day; 100 per week anticipated) and conversion of a garage to a wine storage building 400 sf in size; Hours of Operation 11 am to 4:30 pm, irregular days of operation; Number of employees – No additional employees authorized; Parking – Provision of 8 spaces; Use Permit 388182 shall become null and void upon issuance of a building permit for this use permit or commencement of Tours and/or Tastings.                                      |



## NAPA COUNTY

JAMES H. HICKEY  
Secretary-Director

### CONSERVATION—DEVELOPMENT AND PLANNING COMMISSION

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

July 22, 1982

Ralph and Mary Wermuth  
3942 Silverado Tr.  
Calistoga, CA 94515

Dear Mr. and Mrs. Wermuth:  
Your Use Permit Application Number U-386182 to establish a 20,000  
gallons per year winery with no public tours or testing on a 7.4 acre parcel

located east of the Silverado Tr. north of Gale Lane in an AW District  
has been approved by the Napa County Conservation, Development and Planning  
Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

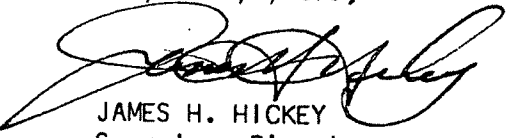
APPROVAL DATE: July 21, 1982

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

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

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

Very truly yours,

  
JAMES H. HICKEY  
Secretary-Director

JHH:pm

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

P-UP-APVL  
21-030-47: 388182  
021-030-047

NAPA COUNTY  
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

USE PERMITS

DEPARTMENT REPORT AND RECOMMENDATION

Meeting of July 21, 1982

Agenda Item: # 4

APPLICATION DATA:

APPLICANT: Ralph E. and Mary D. Wermuth (#U-388182, filed May 20, 1982)

REQUEST FOR: To establish a 20,000 gallon per year winery  
with no public tours or tasting on a 7.4  
acre parcel.

LOCATION: east of the Silverado Trail, approximately 1/2 mile  
north of Bale Lane within an AW District  
(AP# 21-030-47)

FINDINGS: [All checked (X) Items Apply to This Application]

SPECIAL INFORMATION:

- ☒ 1. Details of the proposal are contained in the attached supplemental information sheet.
- ☒ 2. Comments and recommendations from various County departments and other agencies are attached.
- ☒ 3. The proposed winery building is located within 400 feet  
from the centerline of the Silverado Trail. Consequently,  
the proposal does not qualify for a small winery  
use permit exemption under Section 1204B of the Napa  
County Code.

ENVIRONMENTAL ANALYSIS:

- ☐ 4. General Rule (Not Subject to CEQA).
- ☒ 5. Categorically Exempt pursuant to the California Environmental Quality Act (Class # 3).
- ☐ 6. Final Environmental Impact Report # \_\_\_\_\_ prepared by:  
  
(See Agenda Item # \_\_\_\_\_).
- ☐ 7. The project is not anticipated to result in significant environmental effects, either individually or cumulatively. There are no unique or rare biological or physical resources that will be adversely effected. A Negative Declaration is recommended.

Agenda Item: #4

Page 2  
Report and Recommendation

Meeting Date: July 21, 1982

Use Permit - U-388182

PLANNING AND ZONING ANALYSIS:

- ☒ 8. The procedural requirements for Use Permit outlined in the Zoning Ordinance have been satisfied in regard to this application.
- ☒ 9. The submitted proposal is in general compliance with Ordinance requirements.
- ☒ 10. Approval of this proposal will not result in detrimental effects to the public health, safety or general welfare.
- ☒ 11. The proposal is in conformance with the General Plan designation of Agriculture, Watershed, and Open Space specified for the property.
- ☐ 12. The property is within the district boundary and/or the Sphere of Influence of the following districts:

American Canyon County Water District      ☐ Within district ☐ Within Sphere  
(See attached map).

American Canyon Fire Protection District      ☐ Within district ☐ Within Sphere  
(See attached map).

\_\_\_\_\_ ☐ \_\_\_\_\_ ☐ \_\_\_\_\_

- ☐ 13. This proposal should be denied pursuant to findings contained in the attached Exhibit \_\_\_\_\_.

☐ 14. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

RECOMMENDATION:

- ☐ Continue to meeting of \_\_\_\_\_.
- ☒ Action

ENVIRONMENTAL:

- ☒ None Required. categorically exempt
- ☐ Adopt a Negative Declaration.
- ☐ Find that the \_\_\_\_\_ has read and considered the environmental documents relative to #U-\_\_\_\_\_.
- ☐ Certify Final EIR as adequate.

PLANNING:

- ☐ DENIAL based on Finding #13.
- ☒ APPROVAL with Findings and subject to the attached Conditions of Approval.

CONDITIONS OF APPROVAL

Agenda Item: #4

Meeting Date: July 21, 1982

Use Permit: U-388182

- ☒ 1. The permit be limited to: utilization of an existing metal building for a 20,000 gallon per year winery with no public tours or tasting  
Any expansion or changes in use to be by separate Use Permit submitted for Commission consideration.
- ☐ 2. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to issuance of the Building Permit. Landscaping, fencing and parking to be completed prior to finalization of Building Permit.
- ☒ 3. Provisions for <sup>a minimum of 2</sup> ^ 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. The applicant enter into an agreement with the County not to oppose annexation to an appropriate service district when deemed necessary by the County. The agreement to be reviewed by Environmental Health and approved by County Counsel.
- ☐ 6. Annexation of the property to the following districts:
- ☐ American Canyon County Water District
  - ☐ American Canyon Fire Protection District
  - ☐ \_\_\_\_\_
- ☐ 7. All open storage of \_\_\_\_\_ be screened from view of \_\_\_\_\_ and adjacent properties by a visual barrier. No open storage to exceed height of screening.
- ☐ 8. The permit be limited to a \_\_\_\_\_ year period.
- ☒ 9. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
- ☒ 10. No public tours or tasting. No sign of an invitational type shall be installed, erected, or placed on the property.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

1. DESCRIPTION OF PROPOSED USE:

USE: winery

PRODUCT OR SERVICE PROVIDED: wine

FLOOR AREA: EXISTING STRUCTURES 375 SQ. FT. NEW CONSTRUCTION 0 SQ. FT.

INDICATE SQUARE FOOTAGE ON EACH FLOOR DEVOTED TO EACH SEPARATE USE WITHIN AN EXISTING AND/OR PROPOSED BUILDING: one common room

SEATING CAPACITY: RESTAURANT na BAR na OTHER na

EXISTING STRUCTURES OR IMPROVEMENTS TO BE REMOVED: none

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

AREAS: repair roof, insulate existing building

2. NEW CONSTRUCTION:

PROJECT PHASING: \_\_\_\_\_

CONSTRUCTION TIME REQUIRED (EACH PHASE): \_\_\_\_\_

TYPE OF CONSTRUCTION: \_\_\_\_\_

MAX. HEIGHT (FT.): EXISTING STRUCTURES \_\_\_\_\_ PROPOSED STRUCTURES \_\_\_\_\_

DESCRIPTION OF PROPOSED EXTERIOR NIGHT LIGHTING: \_\_\_\_\_

3. AVERAGE OPERATION:

HOURS OF OPERATION 8 A.M. TO 10 P.M. DAYS OF OPERATION irregular

NUMBER OF SHIFTS: none EMPLOYEES PER SHIFT: none FULL TIME 0 PART TIME 0  
(CURRENTLY) (CURRENTLY)

NUMBER OF SHIFTS PROPOSED: none TOTAL EMPLOYEES PER SHIFT PROPOSED: none FULL TIME 0 PART TIME 0

NUMBER OF DELIVERIES OR PICK-UPS: PER DAY 0 PER WEEK 1

NO. VISITORS ANTICIPATED: PER DAY 0 PER WEEK 0

ARE THERE SPECIAL OPERATIONS? PLEASE DESCRIBE ON SEPARATE PAGE

4. LANDSCAPING AND PARKING:

EXISTING LANDSCAPING PLAN SUBMITTED: YES \_\_\_\_\_ NO ✓

PROPOSED LANDSCAPING PLAN SUBMITTED: YES \_\_\_\_\_ NO ✓

PARKING SPACES: EXISTING SPACES 4+ EMPLOYEE na CUSTOMER na

PROPOSED SPACES none EMPLOYEE \_\_\_\_\_ CUSTOMER \_\_\_\_\_

5. UTILITIES:

WATER SUPPLY SOURCE: well METHOD OF SEWAGE DISPOSAL: existing septic  
IS ANNEXATION TO A SPECIAL SERVICE DISTRICT PROPOSED?: YES \_\_\_\_\_ NO ✓  
NAME OF DISTRICT: \_\_\_\_\_

6. LICENSES OR APPROVALS REQUIRED:

DISTRICT \_\_\_\_\_ REGIONAL \_\_\_\_\_  
STATE Alcoholic Beverage Control FEDERAL Bureau of Alcohol Tobacco & Firearms

7. WINERY OPERATION:

✓ CRUSHING ✓ FERMENTATION ✓ STORAGE/AGING ✓ BOTTLING/PACKING  
SHIPPING: VIA: \_\_\_\_\_ ADMINISTRATIVE: none TOURS/PUBLIC TASTING  
OTHER: \_\_\_\_\_

GALLONS OF WINE TO BE PRODUCED: \_\_\_\_\_  
INITIAL OR CURRENT PRODUCTION 1000 GALLONS/YEAR  
ULTIMATE ESTIMATED PRODUCTION 20,000 GALLONS/YEAR  
REQUESTED PRODUCTION CAPACITY 20,000 GALLONS/YEAR

METHOD OF DOMESTIC WASTE DISPOSAL: septic tank

METHOD OF INDUSTRIAL WASTE DISPOSAL: septic tank

GALLONS OF DOMESTIC WASTE PRODUCED: approx 5,200 gal PER yr

GALLONS OF INDUSTRIAL WASTE PRODUCED: 10,000 (approx) gal PER yr

METHOD OF SOLID WASTE DISPOSAL: burn in vineyard, rest to dump

CAPACITY OF WATER SUPPLY: 200 gal pressure tank GALLONS.

WATER AVAILABILITY: 20 GALLONS PER MINUTE.

ON-SITE FIRE PROTECTION:

EMERGENCY WATER STORAGE: 23,000 GALLONS.

TYPE OF STORAGE FACILITY: 3,000 gal cistern ; 20,000 gal swimming pool

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: \_\_\_\_\_ PART TIME: \_\_\_\_\_



## NAPA COUNTY

HARRY D. HAMILTON  
Director of Public Works

County Surveyor — County Engineer  
Road Commissioner

DEPARTMENT OF PUBLIC WORKS  
1195 THIRD STREET, RAL 201  
~~1195 THIRD STREET~~ • NAPA, CALIFORNIA 94558  
AREA CODE 707/ 253-4351

June 16, 1982

Conservation, Development  
and Planning Commission  
1195 Third Street, Room 210  
Napa, CA 94559

RE: Silverado Trail,  
North of Bale Lane  
U-388182  
Ralph Wermuth Winery  
(IS #1281)

### Commissioners:

The existing paved 18 foot driveway serving the residence is deemed adequate for purposes of this use permit application. The proposed winery site is about 100 feet from the end of the driveway.

The driveway is marked by two brick and stone columns located about one foot from the edge of paved shoulder along Silverado Trail. These square columns measure 2 1/2 feet at the base and are about 5 feet high. It is recommended that the columns be relocated 22 feet, more or less, to the right of way line of Silverado Trail.

Very truly yours,

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

By:

*J.B. Klein*  
J.B. KLEIN, P.E.  
Civil Engineer

am  
cc: Ralph E. Wermuth

RECEIVED  
JUN 17 1982

Napa County Conservation,  
Development & Planning Commission



**NAPA COUNTY**

**RECEIVED**  
MAY 24 1982

CONSERVATION — DEVELOPMENT  
AND PLANNING DEPARTMENT

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94558  
AREA CODE 707/253-4416

**RECEIVED**  
MAY 9 1982

DIVISION OF ENVIRONMENTAL HEALTH  
PERMIT APPLICATION AND INITIAL STUDY  
REQUEST FOR COMMENTS

TO: Environmental Health Napa County Conservation,  
Development & Planning Commission

APPLICATION TITLE: Ralph E. Warmuth FILE #: 12-388182

RESPONSE REQUEST DATE: 24 May '82 RESPONSE RETURN DATE: 7 June '82

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 334, it is essential that we receive your comments within the next 10 days.

General Questions

1. Do you have jurisdiction by law over this project ☒ Yes ☐ No
2. Do you recommend: ☐ Approval ☐ Denial ☒ No Recommendation
3. Recommend conditions-of-approval (use additional page if needed);

(Please see attached)

4. Are you a responsible agency? ☒ Yes ☐ No. If yes, Indicate required permits: Sewage

5. Indicate areas of environmental concern and availability of appropriate technical data: None

6. Do you recommend: ☒ Negative Declaration ☐ Environmental Impact Report
7. Have you previously reviewed an application on any portion of this project?  
☐ Yes ☒ No

8. Name of contact person: Ralph Hunter, R.S. Telephone: 253-4471

Response Prepared by: Ralph Hunter  
Title: Supervising Sanitarian  
Date: May 16, 1982

May 28, 1981

Ralph E. Wermuth  
U-388182  
May 26, 1982

- (1) That a permit for the sewage disposal system be secured from the Division of Environmental Health prior to issuance of a building permit.
- (2) The 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.
- (3) A waste discharge requirement or waiver of same for the proposed waste water system must be on file with the Division of Environmental Health. Environmental Health presently has a general waiver for this type of project, therefore the applicant will not have to make an application to the Regional Water Control Board.
- (4) That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

RH:WC

DEPARTMENT OF FORESTRY  
P. O. Box 73, 1572 Railroad Ave.  
St. Helena, CA 94574  
(707) 963-3601



Date: June 7, 1982

Subject: Ralph E. Wermuth  
#U-388182

1201

Napa County Conservation,  
Development & Planning Commission  
Rm. 210 1195 Third St.  
Napa CA 94558

Gentlemen:

We have reviewed the subject application and offer the following comments:

- ☐ 1. We have no comments at this time.
- ☐ 2. Project need only meet existing State and local fire codes.
- ☒ 3. Project must conform to the following specific requirements:
  - 1. All-weather, hard surfaced access road suitable for use by heavy fire engines to all building sites.
  - 2. Provide fire department connections to cistern or access to swimming pool for fire engine.

BYRON J. CARNIGLIA  
Ranger-In-Charge

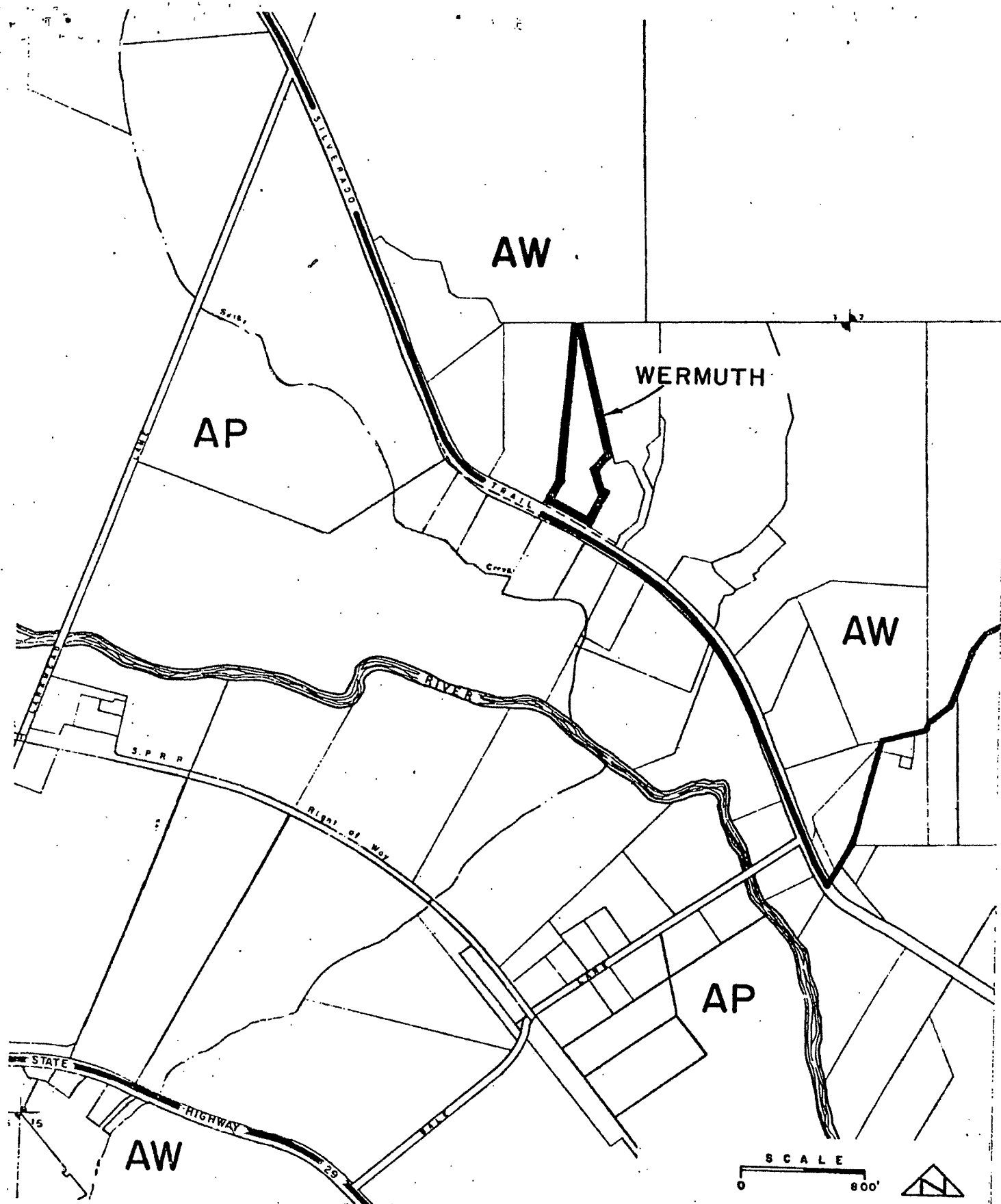
BY:

R. J. Smart  
Operations Officer

RECEIVED  
JUN 11 1982

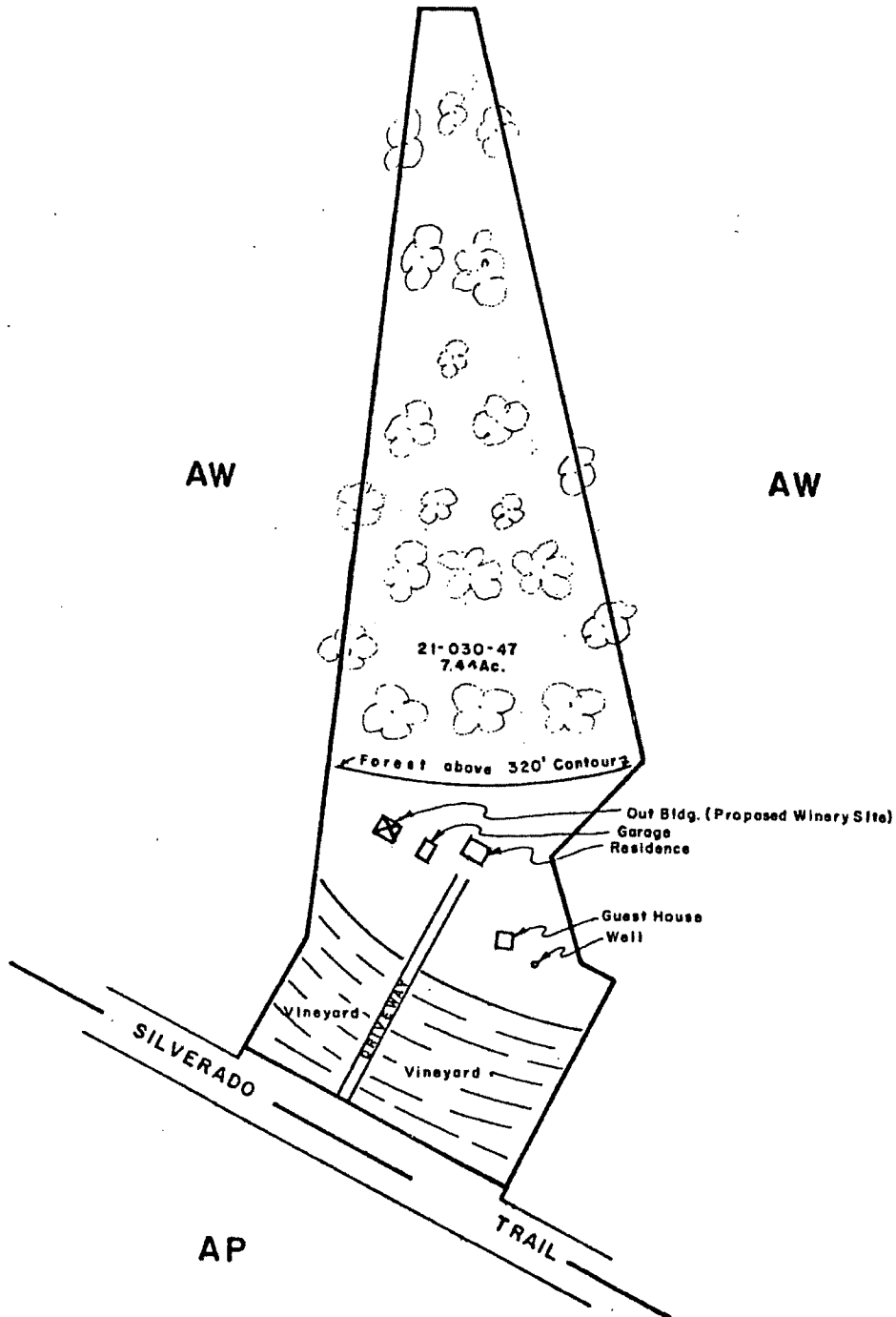
RTS/jeh

Napa County Conservation,  
Development & Planning Commission



3-9-82

# WERMUTH



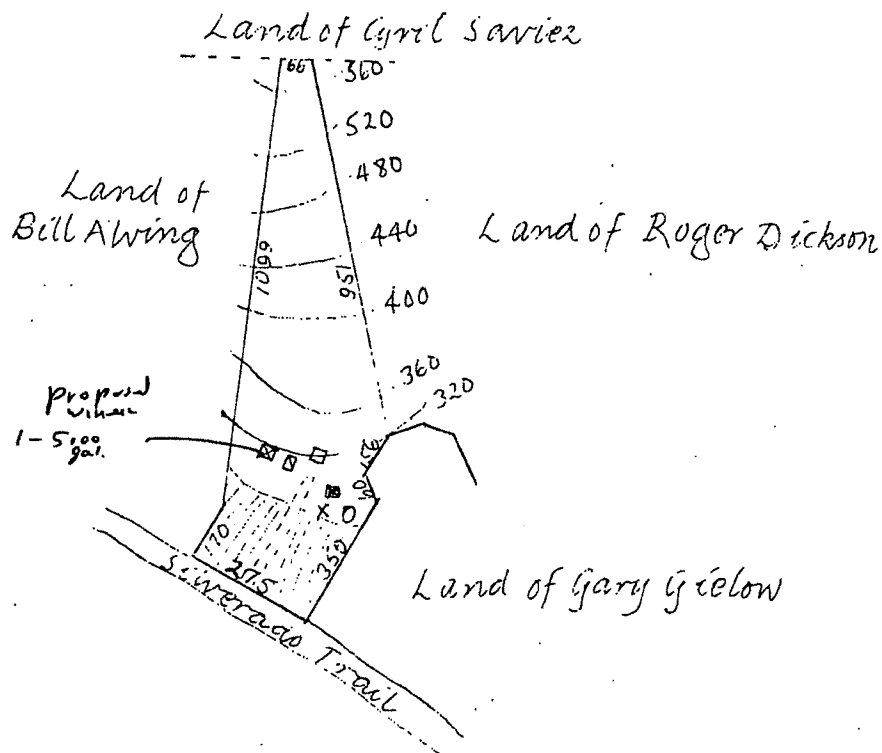
SCALE  
0 200'



3-9-B2

# Land Use Permit Plot Plan

Ralph E. Wermuth



## Legend

- driveway
- residence
- garage
- ⊠ out building (winery site)
- ⊠ guest house
- well
- x septic tank

||||| vineyard (between buildings & Trail)

land above 320 contour is forest

↑ scale 1" = 400'

Contour interval 40'

area = 8 ± acres



## NAPA COUNTY

### CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JAMES H. HICKEY  
Director

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

August 20, 1987

Assessor's Parcel # 21-030-47

Ralph Wernuth  
3942 Silverado Trail  
Calistoga, Ca. 94515

Please be advised that Use Permit Application Number U-698687 to  
allow public tours and tastings at the existing winery facility and to utilize  
an existing structure for wine storage

on a 7.44 acre parcel on the east side of Silverado Trail approximately  
located 0.5 mile north of Bale Lane within an AM District. (APN 21-030-47)  
has been approved by the Napa County Conservation, Development and Planning  
Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: August 10, 1987

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Title XIII of the Napa County Code. In the event an appeal is made to the Board, you will be notified.

Pursuant to Section 12806 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date. A request for an extension of time is subject to payment of a \$190.00 filing fee.

Very truly yours,

JAMES H. HICKEY  
Secretary/Director

JHH:ml:1

cc: Bill L. Hall, Building Codes Administrator  
Assessor's Office

NAPA COUNTY  
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

USE PERMITS

DEPARTMENT REPORT AND RECOMMENDATION

Commission Meeting of August 19, 1987

Agenda Item: 10

**APPLICATION DATA:**

APPLICANT: Ralph Wermuth  
Use Permit Request #U-698687 Date Filed: June 19, 1987

REQUEST FOR: Approval to allow public tours and tasting at the existing winery facility and to utilize an existing structure for wine storage on a 7.44 acre parcel.

LOCATION: On the east side of Silverado Trail approximately 0.5 mile north of Bale Lane within an AW (Agricultural Watershed) District. (Assessor's Parcel #21-030-47)

**FINDINGS:**

SPECIAL INFORMATION:

1. Details of the proposal are contained in the attached supplemental information sheet.
2. Comments and recommendations from various County departments and other agencies are attached.
3. On July 21, 1982, the Commission approved Use Permit #U-388182 to establish a 20,000 gallon per year winery with no public tours or tasting on this site. The applicant's current request for expansion of the facility does not include an increase in the annual production capacity.

ENVIRONMENTAL ANALYSIS:

4. Categorically Exempt pursuant to the California Environmental Quality Act (Class # 3 ).

PLANNING AND ZONING ANALYSIS:

5. The Commission has the power to issue a Use Permit under the Zoning Regulations in effect as applied to the property.
6. The procedural requirements for a Use Permit set forth in Title XII of the Napa County Code (zoning regulations) have been met.
7. The grant of the Use Permit, as conditioned, will not adversely affect the public health, safety or welfare of the County of Napa.

Page 2

Report and Recommendation

Meeting Date: August 19, 1987

Use Permit # U-698687

8. The proposed use complies with applicable provisions of the Napa County Code and is consistent with the policies and standards of the Napa County General Plan.
9. The proposal is in conformance with the General Plan designation of Agriculture, Watershed & Open Space and the AW District Zoning specified for the property.

**RECOMMENDATION:**

**ENVIRONMENTAL:**

1. None Required. (Categorically Exempt) (Class #3)

**PLANNING:**

2. APPROVAL with Findings and subject to the attached Conditions of Approval:

CONDITIONS OF APPROVAL  
Ralph Wermuth

Agenda Item: 10

Meeting Date: August 19, 1987  
Use Permit #: U-698687

1. The permit be limited to a 20,000 gal/yr winery with public tours and tasting utilizing two (2) structures totaling 775 sq. ft. (375 sq. ft. existing facility and 400 sq. ft. conversion of garage to wine storage).

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 8 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. Except as permitted by County ordinance, no outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
7. Retail sales shall be limited to wine produced and bottled by the winery.
8. Use Permit #U-388182 for the original winery location shall become null and void upon issuance of a Building Permit for this Use Permit #U-698687 or commencement of Tours and/or Tasting.

RECEIVED

APPLICATION FOR LAND USE PERMIT

MAY 20 1987

FOR OFFICE USE ONLY

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

ZONING DISTRICT AW

File No.: 4-698687

REQUEST: To allow public tours and tasting at the  
existing winery facility and to utilize an  
existing structure for wine storage located on  
a 7.44 ac. parcel on the east side of Silverado  
Trail approx. 0.5 mile north of Pate Lane  
(APN 21-030-47)

Date Filed: 19 June 87

Date Published: 6 Aug 87

ZA CDPC BS

Hearing 19 Aug 87

Action

TO BE COMPLETED BY APPLICANT

Applicant's Name: Ralph E. Wermuth

Telephone No.: (707) 942-5924

Address: 3942 Silverado Trail Calistoga CA  
(mail) No. Street City State

Assessor's No.: 21-030-47  
Zip Code: 94515

Status of Applicant's Interest in Property: Owner

Property Owner's Name: same

Address: same  
No. Street City State

Zip Code: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_

Use Permit request: to modify Wermuth Winery's use permit U388182  
to allow public tours and tasting and use the adjacent garage building  
for wine storage

I certify that the information contained in this application, including the supplemental information sheet, plot plan, and floor plan is accurate to the best of my knowledge.

19 May 1987 Ralph E. Wermuth  
Signature of Applicant

Signature of Property Owner

Submit with a check or money order in the amount of \$700.00 payable to the County of Napa.

TO BE COMPLETED BY CONSERVATION DEVELOPMENT & PLANNING DEPARTMENT

\$700.00 \$1708  
Receipt Number

Received by:

Barbara Skate  
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT

Date Submitted: 20 May 87

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

19 May 1987

1. DESCRIPTION OF PROPOSED USE: see prior application in support of  
use permit U-388182 approved 21 July 1982  
USE: winery  
PRODUCT OR SERVICE PROVIDED: wine  
FLOOR AREA: EXISTING STRUCTURES (garage) 400 SQ. FT. NEW CONSTRUCTION none SQ. FT.  
INDICATE SQUARE FOOTAGE ON EACH FLOOR DEVOTED TO EACH SEPARATE USE WITHIN AN EXISTING  
AND/OR PROPOSED BUILDING: one common room  
SEATING CAPACITY: RESTAURANT na BAR na OTHER na  
EXISTING STRUCTURES OR IMPROVEMENTS TO BE REMOVED: none  
RELATED NECESSARY CONCURRENT OR SUBSEQUENT PROJECTS ON THE SITE OR IN SURROUNDING  
AREAS: none
2. NEW CONSTRUCTION:  
PROJECT PHASING: none  
CONSTRUCTION TIME REQUIRED (EACH PHASE): \_\_\_\_\_  
TYPE OF CONSTRUCTION: \_\_\_\_\_  
MAX. HEIGHT (FT.): EXISTING STRUCTURES \_\_\_\_\_ PROPOSED STRUCTURES \_\_\_\_\_  
DESCRIPTION OF PROPOSED EXTERIOR NIGHT LIGHTING: \_\_\_\_\_
3. AVERAGE OPERATION:  
HOURS OF OPERATION 11 A.M. TO 4:30 P.M. DAYS OF OPERATION irreg  
NUMBER OF SHIFTS: na EMPLOYEES PER SHIFT: none FULL TIME none PART TIME none  
(CURRENTLY) (CURRENTLY)  
NUMBER OF SHIFTS PROPOSED: none TOTAL EMPLOYEES PER SHIFT PROPOSED: none FULL TIME \_\_\_\_\_ PART TIME \_\_\_\_\_  
NUMBER OF DELIVERIES OR PICK-UPS: PER DAY less than one PER WEEK 1-2  
NO. VISITORS ANTICIPATED: PER DAY 30 PER WEEK 100  
ARE THERE SPECIAL OPERATIONS? PLEASE DESCRIBE ON SEPARATE PAGE none
4. LANDSCAPING AND PARKING:  
EXISTING LANDSCAPING PLAN SUBMITTED: YES \_\_\_\_\_ NO x  
PROPOSED LANDSCAPING PLAN SUBMITTED: YES \_\_\_\_\_ NO x  
PARKING SPACES: EXISTING SPACES 8 plus EMPLOYEE na CUSTOMER 8  
PROPOSED SPACES none EMPLOYEE \_\_\_\_\_ CUSTOMER \_\_\_\_\_

5. UTILITIES:

WATER SUPPLY SOURCE: same (well) METHOD OF SEWAGE DISPOSAL: same  
IS ANNEXATION TO A SPECIAL SERVICE DISTRICT PROPOSED? YES \_\_\_\_\_ NO X  
NAME OF DISTRICT: \_\_\_\_\_

6. LICENSES OR APPROVALS REQUIRED:

DISTRICT \_\_\_\_\_ REGIONAL \_\_\_\_\_  
STATE ABC maybe supplemental FEDERAL BATF

7. WINERY OPERATION:

\_\_\_\_\_ CRUSHING X FERMENTATION X STORAGE/AGING X BOTTLING/PACKING  
\_\_\_\_\_ SHIPPING: VIA: \_\_\_\_\_; \_\_\_\_\_ ADMINISTRATIVE: X TOURS/PUBLIC TASTING  
\_\_\_\_\_ OTHER: \_\_\_\_\_

GALLONS OF WINE TO BE PRODUCED: INITIAL OR CURRENT PRODUCTION 3500 GALLONS/YR  
*Existing Use Permit #U-388182*  
*approved for 20000 gal/yr*  
*production capacity*  
REQUESTED PRODUCTION CAPACITY \_\_\_\_\_ GALLONS/YR  
METHOD OF DOMESTIC WASTE DISPOSAL: septic tank

METHOD OF INDUSTRIAL WASTE DISPOSAL: septic tank

GALLONS OF DOMESTIC WASTE PRODUCED: approx 5,200 gal PER year

GALLONS OF INDUSTRIAL WASTE PRODUCED: 10-15,000 gal PER year

METHOD OF SOLID WASTE DISPOSAL: pumice in vineyard, rest to dump

CAPACITY OF WATER SUPPLY: 200 gal pressure tank GALLONS.

WATER AVAILABILITY: 20 GALLONS PER MINUTE.

ON-SITE FIRE PROTECTION:

EMERGENCY WATER STORAGE: 23,000 GALLONS.

TYPE OF STORAGE FACILITY: ~~3000 gal cistern and 20,000 gal swimming pool~~

8. SPECIFIC INFORMATION FOR RESIDENTIAL CARE FACILITY/DAY CARE CENTERS:

TYPE OF CARE: \_\_\_\_\_

TOTAL NUMBER OF GUESTS/CHILDREN: EXISTING: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

NUMBER OF BEDROOMS: EXISTING: \_\_\_\_\_ PROPOSED: \_\_\_\_\_

IS FACILITY LOCATED WITHIN 300 FEET OF ANOTHER FACILITY?: \_\_\_\_\_

NUMBER OF EMPLOYEES: FULL TIME: \_\_\_\_\_ PART TIME: \_\_\_\_\_



## 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

RECEIVED

JUL 28 1987

July 27, 1987

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

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

RE: Silverado Trail North of  
Bale Lane  
U-698687  
Ralph Wermuth Winery  
(IS #2786)

#### Commissioners:

This application is to allow public tours and tastings and use the adjacent garage building for wine storage.

#### It is recommended that:

A left turn storage lane be constructed in Silverado Trail so as to facilitate southbound traffic turning into the access road. At his option the property owner may enter into an agreement to construct the left turn lane at a later time. Such later time being when the County deems the lane necessary.

At his option property owner may enter into an agreement with the County to defer the above improvements until such time as the County deems them to be necessary.

Very truly yours,

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

By

*Michael A. Shepherd*  
MICHAEL A. SHEPHERD  
Engineering Aide

cc: Ralph Wermuth

MAS:lks  
7/87:9



## NAPA COUNTY

TRENT CAVE, R.S.  
Director of Environmental Health

## DEPARTMENT OF ENVIRONMENTAL HEALTH

1195 THIRD STREET, ROOM 205 • NAPA, CALIFORNIA 94559-3082  
AREA CODE 707/253-4471

# RECEIVED

JUL 9 1987

### MEMORANDUM

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

To: Napa County Planning Department - James Hickey, Director

From: Department of Environmental Health - Tim Snellings, R.S. *TS*

Date: July 9, 1987

Subject: Use Permit Application of Ralph Wermuth

Located at 3942 Silverado Trail, Calistoga

A.P.# 21-030-47 FILE # U-698687 I.S.# 2786

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

- 1) That a permit for an addition of 100 feet of leachline to the sewage disposal system be secured from the Department of Environmental Health.
- 2) That the use of the drainfield area be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. This includes equipment storage, traffic, livestock, etc., over the system.
- 3) That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

TS:sb

cc: Ralph E. Wermuth  
3942 Silverado Trail  
Calistoga, CA 94515



# NAPA COUNTY

JAMES H. HICKEY  
DIRECTOR

## CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94558  
AREA CODE 707/253-4416

IS#: 2786

### PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Bldg. Insp  
APPLICATION TITLE: Ralph Wermuth FILE #: U-698687  
RESPONSE REQUEST DATE: 7-1-87 RESPONSE RETURN DATE: 7-15-87

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.

#### General Questions

1. Do you have jurisdiction by law over this project ☒ Yes ☐ No
2. Do you recommend: ☐ Approval ☐ Denial ☒ No Recommendation
3. Recommend conditions-of-approval (use additional page if needed);  
OWNER SHALL SUBMIT COMPLETE PLANS AND TAKE OUT ALL REQUIRED PERMITS TO CONVERT THE GARAGE FROM A M-1 OCCUPANCY TO A TASTING ROOM B-2 OCCUPANCY PRIOR TO USE OF Building
4. Are you a responsible agency? ☒ Yes ☐ No. If yes, indicate required permits: Building, Plumbing, Mechanical AND ELECTRICAL PERMITS
5. Indicate areas of environmental concern and availability of appropriate technical data: \_\_\_\_\_
6. Do you recommend: ☐ Negative Declaration ☐ Environmental Impact Report
7. Have you previously reviewed an application on any portion of this project?  
☐ Yes ☒ No
8. Name of contact person: Bill J. Crenshaw Telephone: 253-4376

Response Prepared by: Bill J. Crenshaw  
Title: Super. Bldg Insp  
Date: 7-12-87

May 28, 1981

## DEPARTMENT OF FORESTRY

& FIRE PROTECTION  
Lake-Napa Ranger Unit  
1572 Railroad Avenue  
St. Helena, CA 94574

RECEIVED

JUL 8 1987

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

Date: July 6, 1987

Subject: Ralph Wermuth  
File #: U-698687

Napa County Conservation,  
Development & Planning Commission  
Room 210  
1195 Third Street  
Napa, CA 94558

Gentlemen:

We have reviewed the subject application and offer the following comments:

Existing emergency water storage for on-site fire protection is adequate for this project providing the applicant provide an unobstructed fire lane for fire apparatus adjacent to the swimming pool. Fire lane to be clearly marked.

If you have any questions regarding this matter contact Ron Childress at (707) 963-4343.

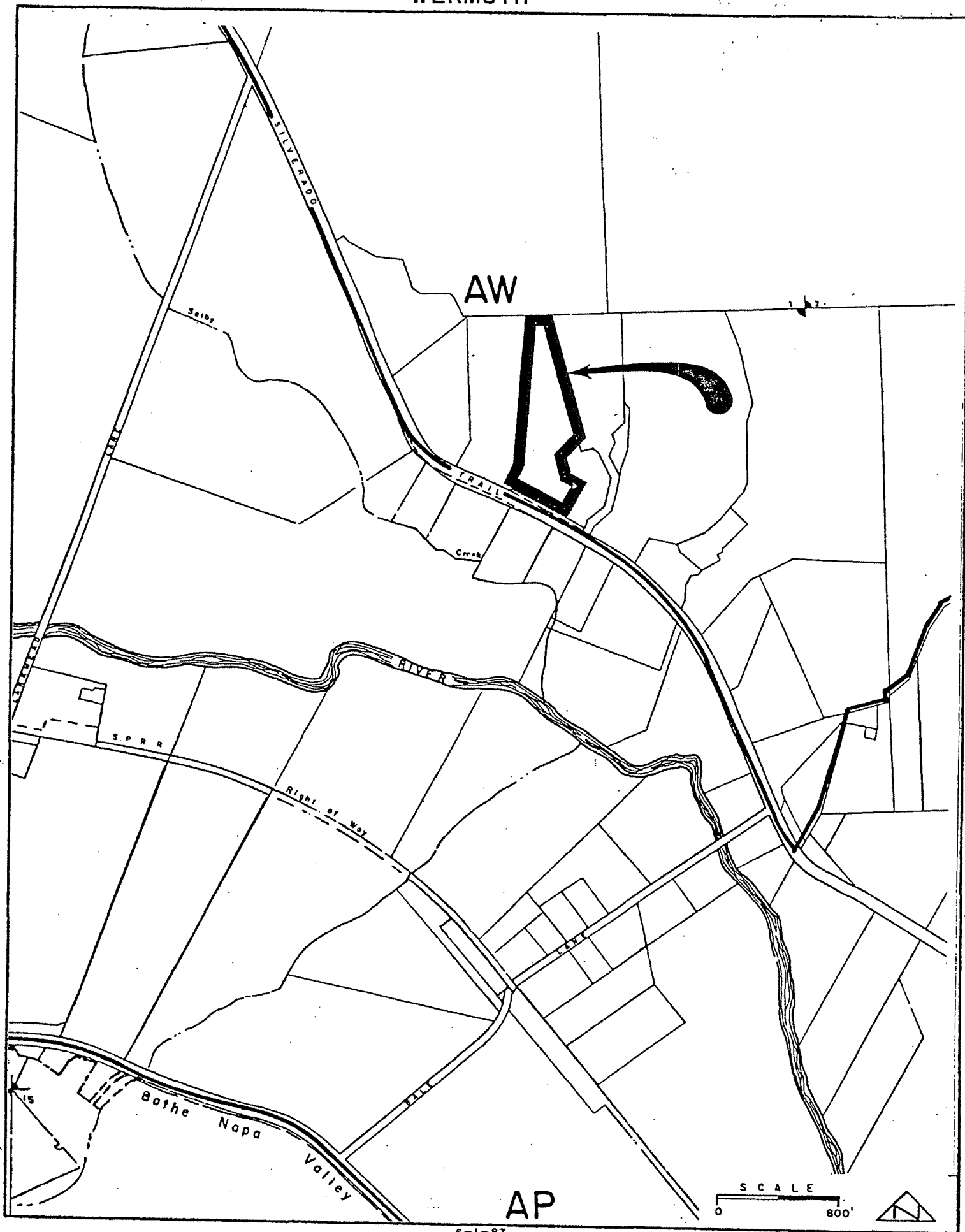
BYRON J. CARNIGLIA  
Ranger-In-Charge

BY: *Don Ferguson*  
10/7/87

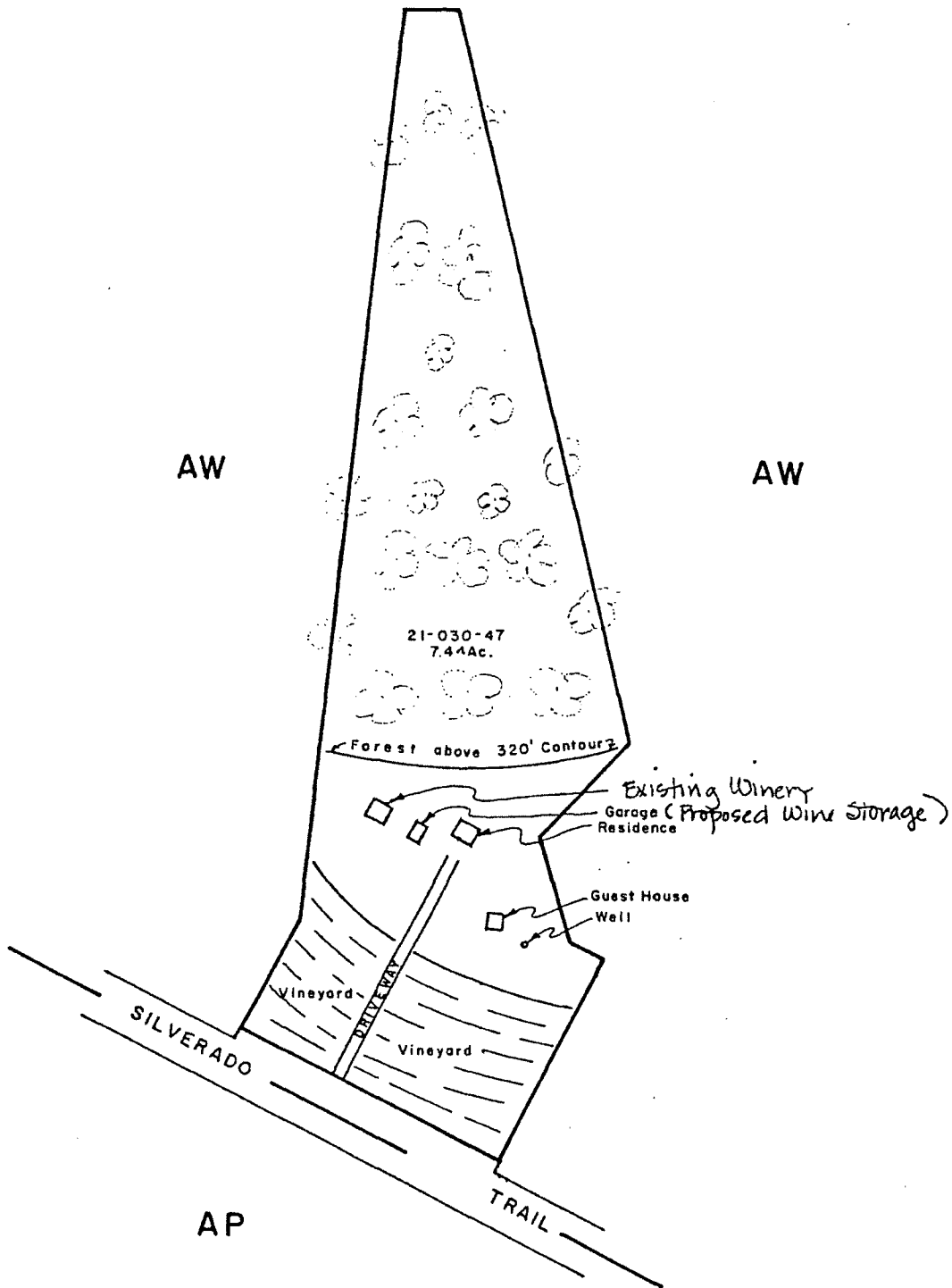
Don Ferguson  
Operations Officer

DF:cmd

# WERMUTH



# WERMUTH

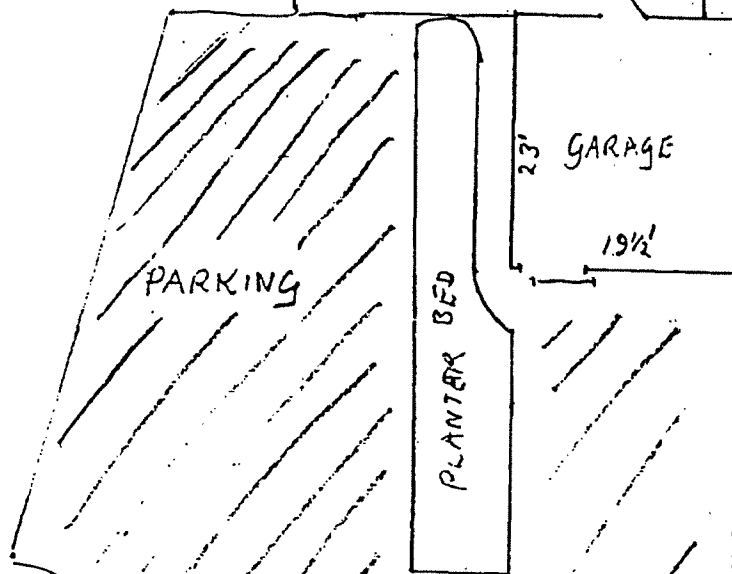
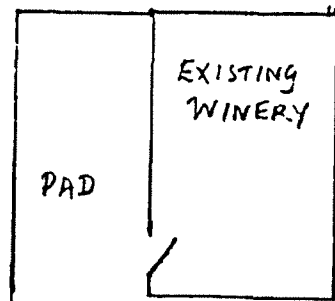


SCALE  
0 200'



WERMUTH

RALPH E. WERMUTH  
WERMUTH WINERY  
ASSESSOR'S No 21-030-47



PLANTER BED

← 200' driveway

PLANTER BED

PLANTER BED

→ To House

→ To House

/// = PAVED SURFACE

SCALE  
0 16'

