

“C”

Previous Project Conditions

Planning

Cover Sheet

APN	032-030-027 - 000
Permit #	32-030-27
Program	USE
DocType	DD
Street #	
Street Name	
Year	





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

Date: September 14, 1988

Applicant: Chuck and Nel Sweeny
7400 Silverado Trail
Oakville, California 94562

Small Winery Name: Sweeny Vineyards Winery
Application Number: SW - 178889
Location: 7400 Silverado Trail
Oakville, CA
Assessor's Parcel #: 32-030-27

Dear Mr. and Mrs. Sweeny:

Your application for a Small Winery Use Permit Exemption has been approved by the Napa County Conservation, Development and Planning Department.

Approval Date: **September 14, 1988** This approval will expire on **September 14, 1989**, if not activated. Annual Production Capacity is limited to **10,000 gallons**. Any increase in annual production capacity must be approved in advance by the Conservation, Development and Planning or the Planning Commission and appropriate County departments.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey Redding".

JEFFREY REDDING
Deputy Planning Director

JR:jcc2

cc: James H. Hickey, Director
John Tuteur, County Assessor
Bill Hall, Building Codes Administrator
Tim Smellings, Department of Environmental Management
Ron Childress, Napa County Fire Department
Patrick Mervin, 320-A Tesconi, Santa Rosa CA 95401

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JUL 24 1989

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

2. Building Features: (Wood, stucco or rock facing required on any non-historic structures).

FLOOR AREA: EXISTING STRUCTURES 0 SQ. FT. NEW CONSTRUCTION 4428 SQ. FT.

TYPE OF CONSTRUCTION: STONE, CONC, WOOD, SLATE

TYPE OF EXTERIOR WALL FACING: STONE & WOOD

TYPE OF ROOF: SLATE

MAX. HEIGHT (FT.): EXISTING STRUCTURES _____ PROPOSED STRUCTURES _____
(Height 35')

COMPLIANCE WITH THE U.S. SECRETARY OF INTERIOR'S
"STANDARDS FOR REHABILITATION" AND ASSOCIATED
"GUIDELINES FOR REHABILITATING HISTORIC STRUCTURES" NA YES NO

EXISTING STRUCTURES OR IMPROVEMENTS TO BE REMOVED: NONE

TYPE OF SHIELDS TO BE INSTALLED
ON EXTERIOR LIGHTS: COPPER

WIDTH OF FIRE CLEAR ZONE AROUND WINERY TO BE MAINTAINED:
(Not less than 100 ft. is located with County designated high fire risk
area). 100 FT.

METHOD OF DOMESTIC WASTE DISPOSAL: SEPTIC SYSTEM

METHOD OF INDUSTRIAL WASTE DISPOSAL: SEPTIC SYSTEM

3. Site Characteristics:

PARCEL ACREAGE: (Not less than 4 AC.) 99.59 ACRES

ZONING DISTRICT INVOLVED: (AW, AND AP ONLY) AW

WINERY COMPLEX SETBACK FROM CENTERLINE OF NEAREST PUBLIC ROAD:
(Not less than 400 ft. Silverado Trail and State Highways for new
structures; 200 ft. in all other cases). 1200 FT.

ROAD FRONTAGE SEPARATION BETWEEN PROPOSED WINERY:
(Not less than 2,000 ft. with 1,000 ft. corridor). 4000 FT. N/A

DISTANCE BETWEEN PROPOSED WINERY & NEAREST OFF-SITE RESIDENCE:
(Not less than 500 ft. unless a waiver is granted by
property owner). 1400 FT. DIC

MINIMUM DISTANCE BETWEEN THE PROPOSED WINERY COMPLEX INCLUDING
SEWAGE SYSTEM AND ACCESS ROAD AND THE TOP OF THE BANK OF THE
ORDINARY HIGH WATER CHANNEL OF THE NEAREST RIVER OR STREAM
NOT COVERED BY COUNTY FLOOD PLAIN MANAGEMENT ORDINANCE.
(Not less than 50 ft.) 60+ FT.

NAME OF NEAREST RIVER OR STREAM: NAPA RIVER

4. Access and Parking:PUBLIC ROAD FOR ACCESS TO WINERY: SILVERADO TRAIL

(Small wineries requiring access by means of the following roadways shall not be eligible for use permit exemption.

- (1) State Highway Route 29 between Yountville and St. Helena (Lodi Lane) and all dead-end roads extending from that section of highway;
- (2) State Highway 121 west of the City of Napa;
- (3) American Canyon Road west of Flosden Road;
- (4) Flosden Road).

PARKING SPACES: EXISTING SPACES: 3PROPOSED SPACES: 45. Building Site Requirements:

MONTH DURING WHICH WINERY CONSTRUCTION RELATED
GROUND DISTURBING ACTIVITIES WILL OCCUR:

(April through October ONLY unless catch
basin installed).

APRIL

NUMBER OF DEBRIS CATCH BASINS TO BE INSTALLED:

1 IF REQ'D

TYPE OF EROSION CONTROL MEASURES INSTALLED TO
DISCHARGE ALL CONCENTRATED RUN-OFF AT NON-EROSIVE
VELOCITIES:

CULVERTS & BERMS

TYPE OF GRASS MIXTURE TO BE USED IN AREAS
DISTURBED BY WINERY CONSTRUCTION:

RYE

DATE BY WHICH DISTURBED AREAS WILL BE RESEED:

1 MONTH PRIOR TO RAINY SEASON6. Landscaping Requirements:

- a. INDICATE ON THE PLOT PLAN THE NAMES AND LOCATIONS OF THE PLANT MATERIALS TO BE PLANTED TO SCREEN WINERY STRUCTURES, PARKING LOTS, AND OUTDOOR WORK AND STORAGE AREAS FROM VIEW FROM SURROUNDING PROPERTIES AND ROADWAYS.

- b. PROPOSED METHOD OF LANDSCAPE MAINTENANCE: EXISTING FARM LABOR,
WATER USE BY WELL, DRIP SYSTEM, & TIME CLOCK

File No.: SW-178889

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
1195 Third Street, Room 210 . Napa, California 94559 . (707) 253-4416

APPLICATION FOR
SMALL WINERY USE PERMIT EXEMPTION
Please fill in all appropriate information
Items in () are County Requirements for Use Permit Exemption

Proposed Winery Name: SWEENEY WINERY Assessor's Parcel No.: 32-030-27

Applicant's Name: PATRICK HERVIN Telephone No.: (707) 579-1926

Address: 320-A TERCONI CIRCLE NANTA ROSA CA 95401
No. Street City State Zip Code

Status of Applicant's Interest in Property: ARCHITECT

Property Owner's Name: CHUCK & NEL SWEENEY

Address: 7400 Silverado Trail Oakville Telephone No.: 579-1926
No. Street City State 963-1565

I. Operating Features: (Check the appropriate spaces)

☒ CRUSHING ☒ FERMENTATION ☒ STORAGE/AGING ☒ BOTTLING/PACKING

☒ SHIPPING VIA: TRUCK; ☒ ADMINISTRATIVE: (NO) TOURS/PUBLIC TASTING

OTHER: _____

GALLONS OF WINE TO BE PRODUCED: INITIAL OR CURRENT PRODUCTION N/A GAL/YEAR
(NOT TO EXCEED 20,000 GAL.)

ULTIMATE PRODUCTION CAPACITY 10,000 GAL/YEAR

HOURS OF OPERATION 9 A.M. TO 4 P.M. DAYS OF OPERATION 7

NUMBER OF SHIFTS: N/A EMPLOYEES PER SHIFT: N/A FULL TIME N/A PART TIME N/A
(Currently) (Currently)

NUMBER OF SHIFTS: 1 TOTAL EMPLOYEES PER SHIFTS: 2 FULL TIME 2 PART TIME
(Proposed) (Proposed)

NO. VISITORS ANTICIPATED: PER DAY 1 PER WEEK 7

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AUG 8 1988

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

FOR COUNTY
USE ONLY

YES NO

SMALL WINERY USE PERMIT EXEMPTION NO.: _____

FINDINGS

ASSESSOR'S PARCEL NO. (S): _____

THIS APPLICATION _____ QUALIFY FOR A SMALL WINERY USE PERMIT EXEMPTION
does/does not

BY: _____
Conservation, Development and
Department

DATE: _____

☐ *Failure to activate this application within one year of the Planning Department determination shall invalidate this application and a new application will be required.*

cc: BUILDING INSPECTION DEPARTMENT
ENVIRONMENTAL HEALTH
ASSESSOR

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
1195 Third Street, Room 210
Napa, California 94559
(707) 253-4416

YES NO

7. Environmental Considerations:

1. DOES THE PROPOSED SMALL WINERY BUILDING OR RELATED FACILITIES LIE WITHIN AN "ENVIRONMENTALLY SENSITIVE AREA":

NO a. A DESIGNATED FLOODWAY

NO b. A RECOGNIZED ACTIVE EARTHQUAKE FAULT ZONE

NO c. AN AREA THREATENED BY LANDSLIDES

NO d. THE EXTENDED CLEAR ZONE OF A HELIPORT OR AIRPORT

NO e. AN ARCHAEOLOGICALLY SENSITIVE AREA

NO f. THE HABITAT AREA OF A RARE AND/OR ENDANGERED PLANT OR ANIMAL

2. DOES THE PROPOSED SMALL WINERY LIE WITHIN:

NO a. A HIGH FIRE RISK HAZARD AREA

NO b. A RECOGNIZED HISTORIC STRUCTURE

William L. Soluk 13 Sep '88

I CERTIFY THAT THE ABOVE STATEMENTS ARE CORRECT AND THAT THE PLANS SUBMITTED ARE ACCURATE:

[Signature]
SIGNATURE OF APPLICANT
PATRICK HERWIN AIA

[Signature]
SIGNATURE OF PROPERTY OWNER
(if different from applicant)

O.O. BB 198__
DATE

8-2 198*8*
DATE

FOR COUNTY USE ONLY

DATE FILED: *Aug 8, 1988* ACCEPTABLE PLOT PLAN SUBMITTED: *X* YES NO

FILE NO: TOPOGRAPHIC SITE LOCATION MAP SUBMITTED: *X* YES NO

RECEIVED BY: *Barbara Abate*

Receipt # 000286 \$150.00

Planning

Cover Sheet

APN	032-030-027-000
Permit #	94180
Program	USE
DocType	DD
Street #	7400
Street Name	Silverado Tr
Year	





NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING
Director

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

February 21, 1995

Charles M. Sweeney
7400 Silverado Trail
Napa, CA 94558

RE: Modification of Small Winery Exemption #SW-178889
File # 94180-MOD (APN 32-030-27)

Dear Mr. Sweeney:

At the meeting of February 17, 1995, the Napa County Zoning Administrator **APPROVED** your request to modify previously-issued Small Winery Exemption #SW-178889 to allow redesign of the winery floor plan, reduction of production space to 4,424 sq.ft. (including a trellis-covered tank pad), construction and use of a 2,271.5 ft outdoor slab for grape receiving and crushing, located on a 99.59 acre parcel on the east side of Silverado Trail in the Oakville area, within an AW (Agricultural Watershed) Zoning District.

The modification is subject to the attached conditions of approval.

Notice of this approval will be published on Friday, February 24, 1995 in the Napa County Record. Pursuant to Section 18.124.130(C) of the Napa County Code, this determination may be appealed to the Board of Supervisors within ten working days of the date of publication.

If you have any further questions, please call.

Very truly yours,

A handwritten signature in cursive script, reading "Michael Miller".

MICHAEL MILLER
Zoning Administrator

attachment

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Kay Doughty, Eberlin Construction

minormod.za

CONDITIONS OF APPROVAL

Small Winery Modification #94180-MOD (Sweeney/Vine Cliff Winery)

1. The permit is limited to the modification of Small Winery Use Permit Exemption #SW-178889 to redesign the winery floor plan, which includes with an existing 1498 square foot barrel room; the construction of a 2926 square foot raised tank pad; and the construction of a 2271.5 square foot slab for use to receive grapes and grape crushing. The location of all construction shall occur as shown on the attached approved floor plan.

Any expansion or changes in use shall be by separate Use Permit submitted for consideration.
2. The applicant shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies.
3. All conditions and requirements of the Small Winery Use Permit Exemption #SW-178889 shall remain in force, including, but not limited to: a maximum of 10,000 gallons/year production capacity; no public tours or tasting; no more than 1 visitor/day, 7/week; and no more than 2 full-time and 2 part-time employees.
4. The cave located adjacent to the winery shall not be included as part of the winery operations, except by approval of a separate Use Permit submitted for consideration.
5. The applicant shall comply with all applicable design standards and conditions included in the Small Winery Use Permit Exemption criteria. Any conditions that are in conflict with the requirements of this permit shall be null and void.
6. Compliance with all current applicable building codes, zoning standards, and requirements of County Departments and agencies.
7. Compliance with the requirements of the Department of Environmental Management as stated in their letter of January 25, 1995.
8. All facilities of the winery, including caves, offices, and storage buildings, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased and the winery facility shall not be used for events hosted by entities other than the winery itself.
9. Prior to any use in reliance on this modification (including but not limited to "use" as defined in Napa County Code Sec. 18.124.080), the trailer shall be fully permitted or removed from the parcel.



NAPA COUNTY

DIVISION OF
ENVIRONMENTAL HEALTH

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

1195 THIRD STREET, ROOM 101 • NAPA, CALIFORNIA 94559-3082
AREA CODE 707/253-4471 • FAX 707/253-4545

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JAN 26 1995

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

MEMORANDUM

TO: Napa County Planning Dept. - Jeffrey Redding, Director

FROM: Department of Environmental Management-Christine Secheli, REHS *CMS*

SUBJECT: Use Permit Application for Charles Sweeney

DATE: January 25, 1995

APN 32-030-27

FILE # 94180-MOD

Located at 7400 Silverado Tr.

We are in receipt of the January 24, 1995 memo from Wyntress Chatman Balcher regarding the issue of production capacity for the subject use permit. Because there will be no increase in production capacity, our comments will be limited to the following:

1. That all wastewater from the proposed crush pad be connected to the approved sewage disposal system. If this connection will be outside of the pad ie., via a new sewer line to the septic tank, a sewer line permit must be secured from this department.
2. Within 60 (sixty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Negative Declaration Response form shall be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management.

cc: Vinecliff Winery, 7400 Silverado Tr., Oakville, CA

planning/COUNTY/8927.1

Planning

Cover Sheet

APN	032-030-027-000
Permit #	96095
Program	USE
DocType	STR
Street #	7400
Street Name	Silverado Tr
Year	



**PROPOSED
CONDITIONS OF APPROVAL**

Agenda Item #12

**CDPC Meeting Date: December 18, 1996
Use Permit #96095-UP/ Vine Cliff Winery**

1. The permit is limited to:
 - a. Increase the production capacity of the existing winery from 10,000 to 30,000 gallons per year.
 - b. The construction of an 840 sq. ft. mezzanine within the existing 1498 sq. ft. barrel room building..
 - c. The construction of a single-story, 3,835 sq. ft. structure for those uses outlined on the building floor plan: offices, conference room, kitchen and tasting/reception room.
 - d. The use of the existing 2,072 sq. ft. cave and the use of new 10,255 sq. ft. caves for wine barrel storage only.
 - e. Custom production for 3 custom producers utilizing 5,000 gallons of the 30,000 gallon/year production capacity and 2800 sq. ft of the winery for production activities, including crush, fermentation, and ageing, but no marketing, sales or tasting.

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

2. Provide 12 off-street parking spaces on a dust-free all-weather surface approved by the Public Works Department.
3. Plans for any outdoor signs shall be submitted to the Department for review.
4. All outdoor storage of equipment shall be screened from view of Silverado Highway and adjacent properties by a visual barrier consisting of fencing and/or dense landscaping. No open storage is to exceed the height of the screening.
5. Comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies.
6. Comply with the requirements of the Department of Public Works as stated in their letter of September 17, 1996.
7. Comply with the requirements of the Department of Environmental Management stated in their letter of September 13, 1996.

**PROPOSED
CONDITIONS OF APPROVAL**

Agenda Item #12

**CDPC Meeting Date: December 18, 1996
Use Permit #96095-UP/ Vine Cliff Winery**

8. Marketing activities are limited to the following and in conformance with Section 18.08.370 of the Napa County Code:
- a. Private tours and tasting: invited persons who have pre-established business or personal relationships with the winery or its owners and persons who have made unsolicited prior appointments.
Frequency: 100 per year
Number of persons: 2 to 4 Average: 3
 - b. Tours and tasting for wine trade only
Frequency: 2 times per week
Number of persons: 2 to 4 Average: 3
 - c. Luncheons for wine trade only
Frequency: 2 times per month
Number of persons: 5 to 10 Average: 7
 - d. Private promotional dinners for persons who have pre-established business or personal relationships with the winery or its owners:
Frequency: 6 times per year
Number of persons: 8 - 12 Average: 10
9. The applicant shall report to the Department on an annual basis 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.
10. For the public record, the applicant shall annually submit to the Department a statement certifying compliance with the source requirement and indicating the percentage of Napa County grapes utilized.
11. The production capacity of the winery shall not exceed 30,000 gallons/year as averaged over any consecutive three (3) year period. In any given year production shall not exceed 37,500 gallons. The applicant shall report to the Planning Department in December of each year the number of gallons produced during the year.

**PROPOSED
CONDITIONS OF APPROVAL**

Agenda Item #12

**CDPC Meeting Date: December 18, 1996
Use Permit #96095-UP/ Vine Cliff Winery**

12. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased and the winery facility shall not be used for events hosted by entities other than the winery itself, except as authorized through the Temporary Events License.
13. Comply with 2 Mitigation Measures described in the Project Revision Statement signed by the applicant dated December which includes the construction of a left turn lane from Silverado Trail to the expanded facility.
14. 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.
15. The applicant shall comply with all applicable conditions and measures which were included in the previously approved use permit #94180-MOD. Any conditions that are in conflict with the requirements of this permit shall be null and void.

Planning

Cover Sheet

APN	032-030-027-000
Permit #	98323
Program	USE
DocType	DD
Street #	7400
Street Name	Silverado Tr
Year	





NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding
Secretary-Director

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

May 20, 1999

Mr. and Mrs. Charles Sweeney
Vine Cliff Winery, Inc.
7400 Silverado Trail
Napa CA 94558

Corrected Copy

RE: Request for Use Permit #98323-UP(APN 32-030-27)

Dear Mr. and Mrs. Sweeney::

Please be advised that **Use Permit Application #98323-UP** has been **APPROVED** by the Napa County, **Conservation, Development and Planning Commission** on May 5, 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: May 17, 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,

A handwritten signature in cursive script, appearing to read "Jeffrey Redding".

Jeffrey R. Redding
Director

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

CONDITIONS OF APPROVAL
Use Permit Application # 98323-UP (Vine Cliff Winery)

1. The permit is limited to:

- A. The increase in the production capacity from 30,000 to 48,000 gallons/year.
- B. The increase the area of the caves from 12,327 ft² to 15,000 ft² to use for barrel storage and library wine storage as delineated on the attached site plan, and consistent with the application forms and supplemental winery information sheet.

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

2. Marketing activities are modified and limited to the following and in conformance with Section 18.08.370 of the Napa County Code :

a. Tours and tasting for wine trade only

Frequency: 2 times per week
Number of persons: maximum 4 persons
Time of Day: Between 11:00 AM to 11:00 PM ~~Between 11:00 AM to 4:00 PM or 6:00 PM to 11:00 PM~~

b. Luncheons for wine trade only:

Frequency: 2 times per month
Number of persons: maximum 50 ~~25~~ persons
Time of Day: Between 11:00 AM to 11:00 PM ~~Between 11:00 AM to 4:00 PM or 6:00 PM to 11:00 PM~~

c. Private promotional dinners for persons who have pre-established business or personal relation ship with the winery or its owners:

Frequency: 6 times per year
Number of persons: maximum 50 ~~25~~ persons
Time of Day: Between 11:00 AM to 11:00 PM ~~Between 11:00 AM to 4:00 PM or 6:00 PM to 11:00 PM~~

The winery will be closed for retail sales during the periods when there will be over 40 persons attending any of the above- indicated events. Events will not be scheduled to begin or end between 4:00 to 6:00 PM.

3. All parking shall be provided on-site. A maximum 21 parking off-street parking spaces shall be provided on a dust-free all-weather surface approved by the Public Works Department and in conformance with the regulations outlined in the Road and Street Standards.

CONDITIONS OF APPROVAL
Use Permit # 98323-UP Vine Cliff Winery

4. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:

The Department of Environmental Management as stated in their letter of April 6, 1999.

The Department of Public Works as stated in their Memorandums of January 26, 1999 and April 9, 1999

The County Fire Department as stated in their letter of April 15, 1999.

The Building Division as state in their memo of January 21, 1999.

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.
6. The permittee shall comply with all applicable conditions and measures which were included in the previously approved use permit #96095-UP (and modifications #98041-MOD and #94180-MOD). Any conditions that are in conflict with the requirements of this permit shall be null and void.
7. During winery construction, all construction equipment muffling and hours of operation shall be in compliance with the County Code section regarding noise, Chapter 8.16.
8. All exterior lighting shall be shielded and directed downward, and shall be the minimum necessary for security or operations.



NAPA COUNTY RECEIVED

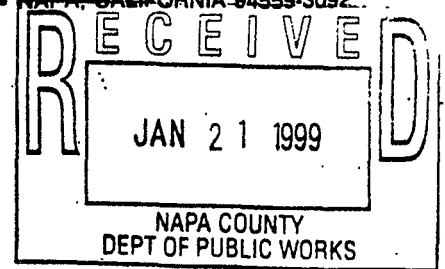
JEFFREY R. REDDING
Director

JAN 26 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

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



TO: Public Works

APPLICATION TITLE: Vine Cliff Winery Use Permit FILE #: 98323-UP

RESPONSE REQUEST DATE: 1.21.99
FINAL REQUEST DATE: _____

RESPONSE RETURN DATE: 2.4.99
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 Permit
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):
APPLICANT SHALL APPLY AND OBTAIN A GRADING PERMIT FOR ON-SITE PLACEMENT
OF EARTH SOILS FROM THE EXCAVATION OF THE CAVES.
5. Have you previously reviewed an application on any portion of this project?
☐ Yes ☒ No
6. Name of contact person: RUSS BERGHOLZ Telephone: 253-4351

Response Prepared by: RUSS BERGHOLZ

Title: ASSISTANT ENGINEER

Date: 1/26/99



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding
Secretary-Director

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

May 19, 1999

Mr. and Mrs. Charles Sweeney
Vine Cliff Winery, Inc.
7400 Silverado Trail
Napa CA 94558

RE: Request for Use Permit #98323-UP(APN 32-030-27)

Dear Mr. and Mrs. Sweeney::

Please be advised that **Use Permit Application #98323-UP** has been **APPROVED** by the Napa County, Zoning Administrator on May 5, 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: May 17, 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,

A handwritten signature in cursive script, reading "Jeffrey R. Redding".
Jeffrey R. Redding
Director

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

CONDITIONS OF APPROVAL
Use Permit Application # 98323-UP (Vine Cliff Winery)

1. The permit is limited to:
 - A. The increase in the production capacity from 30,000 to 48,000 gallons/year.
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Frequency: 2 times per week
Number of persons: maximum 4 persons
Time of Day: Between 11:00 AM to 11:00 PM ~~Between 11:00 AM to 4:00 PM or 6:00 PM to 11:00 PM~~
 - b. Luncheons for wine trade only:
Frequency: 2 times per month
Number of persons: maximum 50 ~~25~~ persons
Time of Day: Between 11:00 AM to 11:00 PM ~~Between 11:00 AM to 4:00 PM or 6:00 PM to 11:00 PM~~
 - c. Private promotional dinners for persons who have pre-established business or personal relation ship with the winery or its owners:
Frequency: 6 times per year
Number of persons: maximum 50 ~~25~~ persons
Time of Day: Between 11:00 AM to 11:00 PM ~~Between 11:00 AM to 4:00 PM or 6:00 PM to 11:00 PM~~

The winery will be closed for retail sales during the periods when there will be over 40 persons attending any of the above- indicated events. Events will not be scheduled to begin or end between 4:00 to 6:00 PM.

3. All parking shall be provided on-site. A maximum 21 parking off-street parking spaces shall be provided on a dust-free all-weather surface approved by the Public Works Department and in conformance with the regulations outlined in the Road and Street Standards.

CONDITIONS OF APPROVAL
Use Permit # 98323-UP Vine Cliff Winery

4. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:

The Department of Environmental Management as stated in their letter of April 6, 1999.

The Department of Public Works as stated in their Memorandums of January 26, 1999 and April 9, 1999

The County Fire Department as stated in their letter of April 15, 1999.

The Building Division as state in their memo of January 21, 1999.

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.
6. The permittee shall comply with all applicable conditions and measures which were included in the previously approved use permit #96095-UP (and modifications #98041-MOD and #94180-MOD). Any conditions that are in conflict with the requirements of this permit shall be null and void.
7. During winery construction, all construction equipment muffling and hours of operation shall be in compliance with the County Code section regarding noise, Chapter 8.16.
8. All exterior lighting shall be shielded and directed downward, and shall be the minimum necessary for security or operations.



NAPA COUNTY RECEIVED

JEFFREY R. REDDING
Director

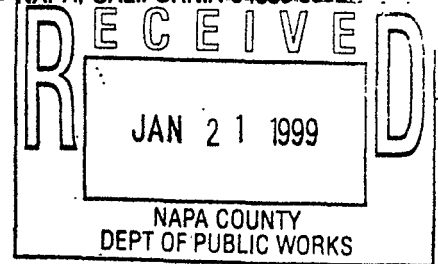
JAN 26 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

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

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS



TO: Public Works

APPLICATION TITLE: Vine Cliff Winery Use Permit FILE #: 98323-UP

RESPONSE REQUEST DATE: 1.21.99 RESPONSE RETURN DATE: 2.4.99
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 Permit
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):
Applicant shall apply and obtain a Grading Permit for on-site placement
of earth spoils from the excavations of the caves.
5. Have you previously reviewed an application on any portion of this project?
☐ Yes ☒ No
6. Name of contact person: Russ Bergholz Telephone: 253-4351

Response Prepared by: Russ Bergholz
Title: Assistant Engineer
Date: 1/26/99



MEMORANDUM

April 6, 1999

TO: Napa County Planning Department, Jeff Redding, Director

FROM: Napa County Environmental Management Department, *AMS*
Christine Secheli, R.E.H.S., Senior Environmental Health Specialist

SUBJECT: Application for Vine Cliff Winery
Located at 7400 Silverado Trail, Napa
Assessor Parcel # 32-030-27
File # 98323-UP

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

1. That an annual sewage (operating) permit for the pressure distribution sewage disposal system be obtained and that the septic system monitoring requirements be fully complied with as required.

cc: Vine cliff winery, Inc., 7400 Silverado Trail, Napa

- d. Access to the building for the purpose of firefighting shall be provided. Construction material shall not block access to buildings, hydrants or fire appliances.
3. Fire department access shall be provide by compliance with County FPS section IV.9, State FSR Article 2, California Fire Code section 902 and specifically:
 - a. Installation of fire department/sheriff office "Rapid Entry System" key switches or padlocks for access through locked gates.
 - b. Fire apparatus access roads shall be provided in accordance with section 901 and 902.2 for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet form fire apparatus access as measured by an approved route around the exterior of the building or facility.
 - c. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
4. Water supplies and hydrants for fire protection shall be in accordance with County FPS section IV and the California Fire Code section 903 and specifically:
 - a. Required fire flow in accordance with County FPS section IV .3-6 is estimated.
 - b. number and spacing of fire hydrants in accordance with CFC appendix III-B (County FPS section IV.5)
 - c. Water storage capacity for fire protection in accordance with County FPS section IV .3-6.
 - d. Or comply with the fire flow requirements set forth in the CFC appendix III-A.
 - e. If a fire pump is required to pressurize the fire protection system it shall be installed and maintained to appropriate NFPA standards.
5. Built-in fire protection shall consist of that required by applicable codes and the following:
 - a. An automatic sprinkler system with alarm supervision by an approved central, or remote station installed and maintained to appropriate NFPA standards;
 - b. An automatic fire alarm system with alarm supervision by an approved central or remote station installed an maintained to appropriate NFPA standards.
6. Fire, Panic, and Life-Safety in the proposed caves shall be provided by:
 - a. Compliance with applicable sections of Titles 19 & 24 of the California Code of Regulations (California Fire and Building Codes) to provide a reasonable level of safety for the subterranean occupancy and specifically the 1997 CFC Article 41 "Winery Caves."
 - b. Design, materials, or methods of construction alternate to that prescribed by the above codes may be approved in writing by the appropriated authority having jurisdiction. A

- c. Copy of the documentation with details for granting such approval shall be provided to the Fire Department.
 - d. Construction plans shall be reviewed for compliance with the above codes and approved by the appropriate authority having jurisdiction prior to cave construction.
 - e. A copy of the construction plans shall be provided to the Fire Department prior to cave construction.
 - f. A Fire Department/Sheriff Office "Rapid Entry System" storage cabinet shall be installed prior to construction for emergency and rescue information storage.
 - g. Detailed as-built floor plans shall be provided to the Fire Department prior to occupancy.
 - h. Cave contents shall be limited to storage of wine-filled barrels, metal tanks, and other non-combustible materials.
 - i. "Assembly occupancy" use of the caves shall be limited to that specifically approved for in the above plan review documentation.
7. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly to the NCFD shall be provided by the applicant at no charge to the County (CFC section 103.1.1) upon request from the County Fire Marshal for the following circumstances:
8. If the project is designed without direct compliance to the applicable constructions requirements, alternate methods proposals (CFC 103.1.2) will be required from the applicant and technical assistance may be requested for review and compliance inspection.
9. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Fire Department and appropriate authorities having jurisdiction (e.g. State Fire Marshal) for review and approval prior to building permit issuance and /or as described above.
10. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established deposit basis plus project consultation time at the hourly rate of \$59 per hour (Napa County Resolution 92-65).

Discussion

The above item on cave safety is necessary because construction of subterranean structures can be done in Napa County without a building permit and without the associated construction plan review for Fire, Panic and Life-Safety.

The only public agency oversight for structural stability of winery caves is the Cal-OSHA, Mining and Tunneling Division, who enforces regulations for the safety of cave construction workers. Structural and seismic safety issues pertaining to the use of underground occupancies is not within the scope of our Department's ability to comments



Note: revision to parking layout to Add spaces -

NAPA COUNTY
RECEIVED

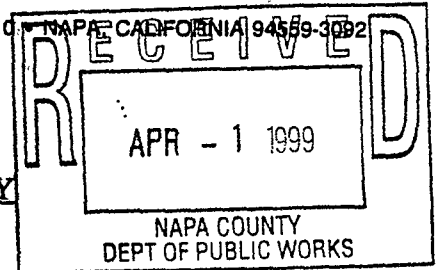
CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

Wyntrass
Balcher

JEFFREY R. REDDING
Director

APR 9 - 1999

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



NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

WB

TO: Public Works

APPLICATION TITLE: Vine Crag Winery Modification FILE #: 98323-410

RESPONSE REQUEST DATE: 4/1/99 RESPONSE RETURN DATE: 4/14/99
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: NONE

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):

Parking lot striping to be reviewed in the field for conformance to county parking standards

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

6. Name of contact person: Russ Berghak Telephone: 253-4351
Response Prepared by: Russ Berghak

Title: ASSISTANT ENGINEER
Date: 4-9-99

RECEIVED

APR 15 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

INTER-OFFICE MEMO



TO: Jeffery Redding, Director
Conservation – Development and Planning Department

FROM: Barbara Easter, Fire Department

DATE: April 15, 1999

SUBJECT: Vine Cliff Winery Use Permit Apn: 032-030-027 98323-UP

7660 Recommended Fire Safety Standards
9200 Fire Protection Engineer
7400 Silverado Trail, Napa

The Fire Department (NCFD) has reviewed the Vine Cliff Winery use permit application to modify an existing winery with an expansion of annual production from 30,000 gallons to 48,000 gallons a year. Use existing caves for additional barrel and bottle storage along with marketing activities in the cave. The following items to be incorporated as project conditions or mitigation measures if the commission approves the project.

1. All construction and use of the facility shall comply with applicable standards, regulations, and codes in effect at the time of building permit issuance including (as a minimum): Napa County Fire Protection Standards (County FPS); Napa County Road and Street Standards (R&SS); California Fire Code (CFC with State amendments); and appropriate fire protection system standards (e.g. NFPA 13, 20, 24, 72, etc.).
2. All buildings undergoing construction, alteration or demolition shall be in accordance with California Fire Code article 87 and specifically:
 - a. Fire department access roads shall be established and maintained in accordance with CFC section 902.
 - b. Water mains and hydrants shall be installed and operational in accordance with CFC section 903.
 - c. Combustible debris shall not be accumulated within buildings. Combustible debris, rubbish and waste material shall be removed from buildings as often as practical.



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

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AREA CODE 707/253-4416

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JAN 21 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection

APPLICATION TITLE: Vine Cliff Winery Use Permit FILE #: 98323-UP

RESPONSE REQUEST DATE: 1.21.99 RESPONSE RETURN DATE: 2.4.99
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: PLUMBING, 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. CAVES MUST COMPLY WITH STATE FIRE MARSHAL REQUIREMENTS.
2. SECURE PERMITS AS NECESSARY.
5. Have you previously reviewed an application on any portion of this project?
☒ Yes ☐ No
6. Name of contact person: [Signature] Telephone: 253-4416

Response Prepared by: GARY W. BRENNEN
Title: BUILDING CODES ADMIN.
Date: 1-21-99

Large facilities such as proposed in this project can have emergency incidents which would significantly impact fire fighter safety and the ability of the Fire Department to provide emergency services. Incorporation of the above condition of approval in the use permit will reduce the maximum extent reasonable labor, time and resources required for the Fire Department to manage emergency incidents at the facility. A building expansion is an appropriate time to ensure that fire and life safety requirements are clear and implemented.

If there are any question please do not hesitate to contact Barbara Easter at Napa County Fire Department Headquarters (707) 963-3601 ext. 129.

Byron J. Carniglia
Fire Chief

By: *Barbara A. Easter*

Barbara Easter
County Fire Inspector

BJC/BE/be

CC: Applicant, D1404-Loveless, B1421- Shew
B1414 - Barclay, NCFD/CFM File, Chron

Planning

Cover Sheet

APN	032-030-027-000
Permit #	P08-00159
Program	USE
DocType	DD
Street #	7400
Street Name	silverado tr
Year	





HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

April 3, 2008

Vine Cliff Winery
Rob Sweeney, General Manager
7400 Silverado Trail
Napa, CA. 94558

Re: **Vine Cliff Winery Very Minor Modification**
Very Minor Modification #P08-00159-VMM
Assessor's Parcel Number 032-030-027

Dear Mr. Sweeney:

Please be advised that your request for a Very Minor Modification to Use Permit #96095-UP to redesign and reduce the previously approved 3,835 sq. ft. hospitality and administration building to 2,393 sq. ft., with the building to remain in the same location as the previously approved building, and removing custom crush from the previous permit, consistent with the change of County policy, has been approved by the Director of Conservation, Development on April 3, 2008.

Be advised that all previous Use Permit conditions, not in conflict with this modification, still apply. In addition, the following comments are now conditions:

1. Environmental Management memo dated March 19, 2008.
2. Napa County Fire memo dated March 31, 2008.
3. Building Inspection Division memo dated March 28, 2008
4. Public Works memo dated March 31, 2008

EXPIRATION DATE: April 3, 2010

Pursuant to Section 18.124.080 of the Napa County Code, this minor modification must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your very minor modification permit. In addition, approval of this very minor modification has no effect on the time limits in which to activate the original project use permit.

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 Appendix B, Class 1, Existing Facilities of Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project consists of a minor alteration to a previously approved project involving no expansion in production or marketing activities and it is not located in an environmentally sensitive area.

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.

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 Terri Abraham, Project Planner at (707)299-1331 or e-mail at tabraham@co.napa.ca.us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terri Abraham", with a horizontal line extending to the right.

Hillary Gitelman
Director

By: Terri Abraham
Planning Technician

cc: file
John Tuteur

CONDITIONS OF APPROVAL

Vine Cliff Winery

File #P08-00159-VMM

APN: #032-030-027

1. **SCOPE:** The permit shall be limited to improvements described in the Project Statement submitted as part of the application for this modification changing the size of the previously 3,835 sq. ft., permitted hospitality and administration building to 2,393 sq. ft. but leaving it on the same footprint as the original plans, and removing custom crush from the previous permit, consistent with the change of County Policy.

2. PREVIOUS CONDITIONS

The permittee shall comply with all previous conditions of approval for Use Permit # 96095-UP and subsequent modifications, except as modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control and supersede all earlier ones.

3. MONITORING COSTS

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$134.00/hour). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

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



COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

HILLARY GITELMAN
Director

1195 Third Street, Suite 210, Napa CA 94559
Phone: 707/253-4417 Fax: 707/253-4336
www.co.napa.ca.us

RECEIPT THIS IS NOT A PERMIT

Application Type: PL Permits-Use Permit-Use Permit Very Minor Mod

Permit Number: P08-00159

Parcel Number: 032-030-027-000

Situs Address: 7400 SILVERADO TR, NAPA, CA

Applied Date: 03/06/2008

Applicant: Tom Carey

Phone: 252-7122

Owner: SWEENEY CHARLES M AND NELL M H/W

Phone:

DEPOSIT/PAYMENT LIST:

Receipt No.	Payor	Method	Date	Reference No.	Comments	Cashier	Payment Amount
67496	SWEENEY CHARLES M AND NELL M H/W	Check	03/06/2008	11775	Vine Cliff Winery, Inc. 7400 Silverado Trail Napa CA 94558 944-1364	RLEDERER	\$1,303.00

FEES:

Fee	Invoice Number	Account	Fee Amount	Payment	Balance Due
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Date Printed: 03/06/2008

INDEMNIFICATION AGREEMENT

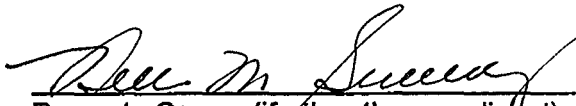
Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless the Napa County, its agents, officers, attorneys, employees, departments, boards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

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

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


Applicant

3-4-08
Date


Property Owner (if other than applicant)

Project Identification



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

January 22, 2018

Michael Sweeney
Vine Cliff Winery
7400 Silverado Trail
Napa, CA 94558

Re: Vine Cliff Winery Major Modification #P17-00129-MOD
7400 Silverado Trail Napa, CA 94558
APN: 031-070-039

Dear Michael Sweeney,

Please be advised that **Use Permit Major Modification #P17-00129-MOD** was approved by the Napa County Planning Commission (hereafter "Commission") on **January 17, 2018**, subject to the attached final conditions of approval, Napa County Department comments, and all applicable Napa County regulations. In approving the above application, the Commission adopted the Negative Declaration on file with the Planning, Building, & Environmental Services Department.

The permit becomes effective immediately 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 anyone, you will be notified.

You are hereby further notified that the ninety day period, established by California Government Code §66020(d)(1), in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has commenced. Please note that additional fees will be assessed if a landscaped plan, erosion control plan, or a mitigation monitoring program is required by this approval.

EXPIRATION DATE: January 17, 2020

Pursuant to Napa County Code §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.

Vine Cliff Major Modification
P17-00129-MOD
January 22, 2018
Page 2

If you have any questions about this letter, please feel free to contact me at 707.299-1351 or via email at wyntress.balcher@countyofnapa.org.

Sincerely,

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

Wyntress Balcher
Planner II

Enclosures

cc: George H. Monteverdi, Monteverdi Consulting LLC, PO Box 6079, Napa, CA 94581
Napa County Dept. – Engineering Services, Environmental Health, Building, Fire,
J. Tuteur (Assessor), Matt Lamborn
Project Files
chron

**PLANNING COMMISSION HEARING – JANUARY 17, 2018
CONDITIONS OF APPROVAL**

**VINE CLIFF WINERY USE PERMIT MAJOR MODIFICATION
P17-00129-MOD
7400 SILVERADO TRAIL, NAPA 94558
APN 032-030-027**

This permit encompasses and shall be limited to the project commonly known as **Vine Cliff Winery Use Permit Modification**, located at **7400 Silverado Trail, Napa**. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee 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.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

This permit shall be limited to:

- 1.1 Approval to modify an existing 48,000 gallon per year winery, previously approved under Use Permits #96095-UP and #98323-UP and Use permit modifications #94180-MOD, #98041-MOD, and #P08-00159-VMM to allow the following:
 - a. Visitation, tours and tasting, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below;
 - b. On-premises consumption of wine as set forth in COA No. 4.4 below;
 - c. Maximum number of employees: 10 full-time and six (6) part-time employees;
 - d. Construction of driveway/access road improvements as required by County Road and Street Standards;
 - e. Removal of Use Permit #96095 Condition #1(e) regarding custom production;
 - f. Utilization of the existing $\pm 2,338$ ft² winery building for winemaking, retail sales, tastings, marketing events and offices, including the ± 840 ft² mezzanine. Of the 21,696 ft² production area (including caves), the total accessory use area is $\pm 2,338$ ft²; and,

- g. Utilization of the 15,000 ft² caves to also include marketing events for up to 50 persons. A Type III occupancy permit must be in place prior to use of the cave for public use.

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 permittee 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 change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

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

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 of approval 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 property owner or permittee. 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 issuance of a 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 a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings shall be by appointment only and shall be limited to the following:

- a. Frequency: 7 days per week, Monday through Sunday
- b. Maximum number of persons per day: 50
- c. Maximum number of persons per week: 350
- d. Hours of visitation: 11:00 am to 11:00 pm
- e. Tours and tastings may include food pairing, to be furnished by a licensed caterer or food service provider.
- f. Tours and tasting activities may take place in the existing winery building, patio, pond and garden area, vineyards and within the caves.

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times 3:15 – 4:15 PM weekdays; 3:30pm -4:30 pm on weekends.

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

4.3 MARKETING

Marketing events shall be limited to the following:

- a. **Event 1-Wine Trade Tours and Tasting**
 1. Frequency: Two (2) times per week
 2. Maximum number of persons: 4
 3. Time of Day: 11:00 am to 11:00 pm
- b. **Event 2 - Wine Trade Luncheons**
 1. Frequency: Two (2) times per month
 2. Maximum number of persons: 50
 3. Time of Day: 11:00 am to 11:00 pm
- c. **Event 3- Private promotional dinners**
 1. Frequency: Six (6) times per year
 2. Maximum number of persons: 50
 3. Time of Day: 11:00 am to 11:00 pm

- d. **Event 4**
 - 1. Frequency: 6 times per year
 - 2. Maximum number of persons: 100
 - 3. Time of Day: 11:00 am to 11:00 pm
- e. The winery shall be closed for retail sales and daily tours and tasting on days when any marketing events occur.
- f. Events shall not be scheduled to begin or end between the hours of 4:00 pm to 6:00 pm.
- g. Portable toilets shall be provided for all marketing events.
- h. Food for all marketing events shall be prepared by a licensed caterer.
- i. Marketing events shall take place in the existing winery building, caves, and its immediate environs (patio, gardens and vineyards).

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan. (County Code)

All marketing event activity, excluding quiet clean-up, shall cease by 11:00 pm. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery's marketing plan because they are covered by ANV's Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely in the winery building, by the pond and the garden area, vineyards and caves. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in COA Nos. 4.2 and 4.3 above.

4.5 RESIDENCE OR NON-WINERY STRUCTURES

Unless specifically authorized by this permit or a previously approved permit, the existing single family residence and guest house shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

4.6 GRAPE SOURCE

At least 75% of the grapes used to make the winery's still wine or the still wine used by the winery to make sparkling wine shall be grown within Napa County provided that the winery's **10,000** gallons of production are not subject to the County's 75% grape source rule. However, if the winery expands beyond its winery development area, at least 75% of the grapes used to make the winery's still wine or sparkling wine that is produced as a result of the expansion shall be grown within Napa County. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the annual production is from Napa County grapes. The report shall recognize the Agriculture Commission's format for County of origin of grapes and juice used in the Winery Production Process. The report shall be provided to the PBES Department upon request, but shall be considered proprietary information and not available to the public.

4.7 COMPLIANCE REVIEW

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

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

4.8 RENTAL/LEASING

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

4.9 GROUND WATER MANAGEMENT - WELLS

This condition is implemented jointly by the Public Works and PBES Departments:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence¹ indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of Public Works determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of Public Works determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence¹ that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

4.10 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

¹

Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

4.11 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (3:15 – 4:15 PM weekdays; 3:30pm - 4:30 pm on Saturday and Sunday). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.12 PARKING

The location of visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized marketing events allowed per COA No. 4.3 above.

4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM

The installation, operation and maintenance of the existing pond shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.

4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.
- b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.

- c. The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.
- d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS

Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated April 27, 2017.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated August 18, 2017.
- c. Building Division operational conditions as stated in their Memorandum dated May 11, 2017.
- d. Fire Department operational conditions as stated in their Inter-Office Memo dated September 16, 2017.

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 County 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 this permit.

4.19 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

- a. Prior to commencement of operational changes of this major modification, including increasing visitation levels or number of employees, or holding modified marketing activities, the applicant shall submit evidence to the Planning Division that all site and/or operational improvements required by County Divisions are complete. Site or operational improvements include: vegetation maintenance, signage at driveway for directing drivers, compliance with Napa County Roads and Streets Standards, use of equalization tank to hold wastewater generated by larger events.

4.21 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated April 27, 2017.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated August 18, 2017.
- c. Building Division operational conditions as stated in their Memorandum dated May 11, 2017.
- d. Fire Department operational conditions as stated in their Inter-Office Memo dated September 16, 2017.

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 County 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 permit.

6.2 BUILDING DIVISION – GENERAL CONDITIONS

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. **[RESERVED].**
- b. **[RESERVED]**

6.4 LANDSCAPING – PLAN SUBMITTAL **[RESERVED]**

6.5 COLORS **[RESERVED]**

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES **[RESERVED]**

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING **[RESERVED]**

6.9 HISTORIC RESOURCES **[RESERVED]**

6.10 DEMOLITION ACTIVITIES **[RESERVED]**

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.12 PERMIT PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENTS

Please contact Engineering Services with any questions regarding the following.

a. GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfact_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

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

7.2 **ARCHEOLOGICAL FINDING**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 **CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use.

Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur daily between the hours of 8 am to 5 pm.

7.4 CONSTRUCTION MITIGATION MEASURES **[RESERVED]**

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence.

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS **[RESERVED]**

9.3 GATES/ENTRY STRUCTURES

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this permit approval.

9.4 LANDSCAPING **[RESERVED]**

Landscaping shall be installed in accordance with the approved landscaping plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**

9.6 DEMOLITION ACTIVITIES **[RESERVED]**

9.7 GRADING SPOILS

All spoils shall be removed in accordance with the approved grading permit and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL
CERTIFICATE OF OCCUPANCY **[RESERVED]**

Exhibit A

**VINE CLIFF WINERY USE PERMIT MAJOR MODIFICATION
P17-00129-MOD
7400 SILVERADO TRAIL, NAPA 94558
APN 032-030-027**

PREVIOUS CONDITIONS

4.21 PREVIOUS CONDITIONS

The permittee shall comply with the following previous conditions of approval for the winery use as consolidated into the attached document as Exhibit A. To the extent there is a conflict between a previous condition of approval identified in the attached document and these conditions, the more stringent condition shall control.

USE PERMIT NO. 98323-UP

COA NO. 1

1. The permit is limited to:
 - A. The increase in production capacity from 30,000 to 48,000 gallons/yr.
 - B. The increase in the area of the caves from 12, 327 ft² to 15,000 ft² to use for barrel storage and library wine storage as delineated on the attached site plan, and consistent with the application forms and supplemental winery information sheet.

COA NO. 3

3. All parking shall be provided on-site. A maximum of 21 parking off-street parking spaces shall be provided on a dust-free all weather surface approved by the Public Works Department and in conformance with the regulations outlined in the Road and Street Standards.

USE PERMIT MODIFICATION NO. P08-00159-VMM)

COA NO 1.

1. **Scope:** The permit shall be limited to improvements described in the Project Statement submitted as part of the application for this modification changing the size of the previously 3,835 sq. ft. permitted hospitality and administration building to 2,393 sq. ft. but leaving it on the same footprint as the original plans, and removing custom crush from the previous permit, consistent with the change of County Policy.



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Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Wyntress Balcher, Planning	From: Jeannette Doss, Engineering <i>JD</i>
Date: April 27, 2017	Re: Vine Cliff Winery Use Permit Modification 7400 Silverado Trail, Napa, CA P17-00129 APN: 032-030-027

The Engineering and Conservation Division (Engineering) has reviewed the submittal package for the above proposed project, generally requesting the following:

To request approval to increase winery daily tours and tasting visitation and changes to the marketing plan.

After careful review of the submittal package the Engineering Division has determined that several items were either missing or not sufficiently detailed. The comments listed below outline the outstanding issues or additional information that we need to complete our review:

- **Use Permit Application, Various Information Sheets, Project Description and Supporting Reports:**
 1. Please provide a copy of the Project Guidance for Stormwater Compliance checklist listing the total area of disturbance and new impervious surface areas for this project. A copy is attached for your use.
 2. Please provide a copy of the Stormwater Control Plan (SCP) prepared for your project in accordance with the Bay Area Stormwater Management Agencies (BASMAA) manual titled - "Design Guidance for Stormwater Treatment and Control for Projects in Marin, Sonoma, Napa, and Solano Counties". A copy of this manual is available on the PBES Department website for your use and information.
- **Conceptual Site Plan and Grading Plan:**
 3. The project description states that "the application proposes no earthmoving, new construction or expansion of existing infrastructure", however, there are several items on the plans that indicate that there will be some site improvements.

4. The scope of work for this project triggers the application of the Napa County Road and Street Standards. Please include the dimensions and centerline slopes of all existing and proposed access drives on the plans from the County Right of Way to the project site. Please note that the requirement for a commercial driveway is to provide two ten-foot travel lanes with one foot of shoulder on either side. Please note that the travel lanes should be a homogenous surface.
5. Please include the dimensions and slopes of all existing and proposed access drives on the plans from the State Right of Way to the project site.
6. Please show a larger scale parking lot detail with the dimensions of a typical proposed parking space and ensure it meets current Napa County Road and Street Standards (19' long, 9' wide, with 25' backup clearance for 90 degree parking spaces, 14' backup clearance for 45 degree parking spaces, and 18' backup clearance for 60 degree spaces).
7. The civil drawing shows a proposed cave portal. Is this part of the project or was this approved in a previous mod? If newly proposed then please provide anticipated cut/fill amounts and stockpile information on the plans.

- **Other Information as Required**

Please be advised that once we receive the above information issues may arise requiring further submittal items that have not yet been identified or specified above.

If you have any questions or need additional information, please contact Jeannette Doss at (707) 259-8179 or jeannette.doss@countyofnapa.org



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David Morrison
Director

MEMORANDUM

To: Wyntress Balcher, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: August 18, 2017	Re: Vine Cliff Winery APN 032-030-027 File #P17-00129

Environmental Health staff has reviewed an application requesting approval to increase daily tours and tasting and modify marketing events as described in application materials. This Division has no objection to approval of the application with the following conditions:

Prior to building permit issuance, if required, or within 60 days of use permit approval:

1. An inspection of the existing wastewater treatment system shall be conducted by a licensed sewage contractor and report of findings submitted to this Division for review. Any deficiencies noted during the inspection must be corrected under permit from this office, if required.
2. An annual alternative sewage treatment system monitoring permit must be obtained for the alternative sewage treatment system /private sewage disposal system. The septic system monitoring, as required by this permit, must be fully complied with. Additionally, a service provider must be hired to monitor the wastewater treatment system.
3. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits or within 60 days of use permit approval. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.
4. Prior to drilling any wells, a well permit must be obtained by a licensed well driller, from this Division.

During construction and/or prior to final occupancy being granted:

5. An annual permit to operate a water system must be obtained.

Upon final occupancy and thereafter:

6. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
7. The applicant shall provide portable toilet facilities for guest use during events of 15 persons or more as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.
8. Please be advised-requirements for process wastewater treatment systems in Napa County are being reviewed and may be modified to comply with Regional Water Quality Control Board (RWQCB) minimum standards. The owner will have to comply with process wastewater system requirements in place at the time the application for a building permit is filed and the sewage installation permit is secured.
9. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
10. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
11. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
12. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To:	Wyntress Balcher	From:	Kevin Ruybal
Date:	May 11, 2017	Re:	Vine Cliff Winery Use Permit Modification P17-00129

Building Inspection Division Planning Use Permit Review Comments

Address: 7400 Silverado Trail, Napa CA 94558

APN: 032-030-027-000

Project: Vine Cliff Winery Use Permit Modification

Owner: Charles M. & Nell M. Sweeney TR

Contact: George Monteverdi

Description: Request approval of increase of daily tours and tasting to a maximum 50 persons; request for change to marketing events, and to add AB 204 (Evans Bill) on-premise consumption to winery.

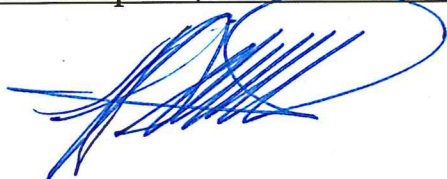
Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P17-00129; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, "only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit". The codes adopted at this time are 2016 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.

2. Path of travel. An identifiable accessible route within an existing site, building or facility by means of which a particular area may be approached, entered and exited, and which connects a particular area with an exterior approach (including sidewalks, streets and parking areas), an entrance to the facility, and other parts of the facility. When alterations, structural repairs or additions are made to existing buildings or facilities, the term "path of travel" also includes the toilet and bathing facilities, telephones, drinking fountains and signs serving the area of work. Reference Sec. 202 & 11B-202
3. The occupant load is being increased and a change of occupancy classification is proposed. An occupant load that exceeds 49 in a hospitality area is an A2 occupancy. A detailed means of egress plan with dimensions shall be provided to indicate compliance with Chapter 10 for all exiting and egress requirements.
4. Please be sure to provide plumbing fixture calculations the for increase occupant loads, be sure to justify the number of fixtures required for any proposed change in occupancy use. The plans submitted do appear to show the location of restrooms, please be sure indicate location of restrooms on plans. Chapter 4 CA Plumbing Code.
5. In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.
6. Projects that propose a change in occupancy shall provide a breakdown of the new occupant load based on the new proposed use and occupancy. The new occupant load shall be used to determine the required plumbing fixtures per Chapter 4 of the CPC. The amount of plumbing fixtures may need to be increased based on the new occupant load. This shall be incorporated into the project plans prior to submittal for building permit and plan review.

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707)259-8122.

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



Kevin Ruybal
Chief Building Official
Napa County Building Division
1195 Third St.
Napa Ca. 94559
(707)259-8230
kevin.ruybal@countyofnapa.org



A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1461

Garrett Veyna
Fire Marshal

MEMORANDUM

TO: Planning Division	DATE: September 6, 2017
FROM: Garrett Veyna Fire Department	
SUBJECT: P17-00129	APN: 032-030-027

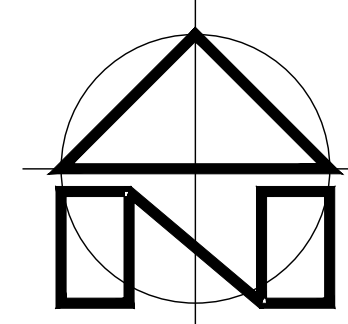
The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards.
4. All cave development shall comply with CBC Section 436 as well as the Napa County Fire Marshal's Office Cave Development Guidelines.

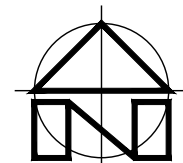
Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1461 or email at garrett.veyna@fire.ca.gov

VINE CLIFF WINERY

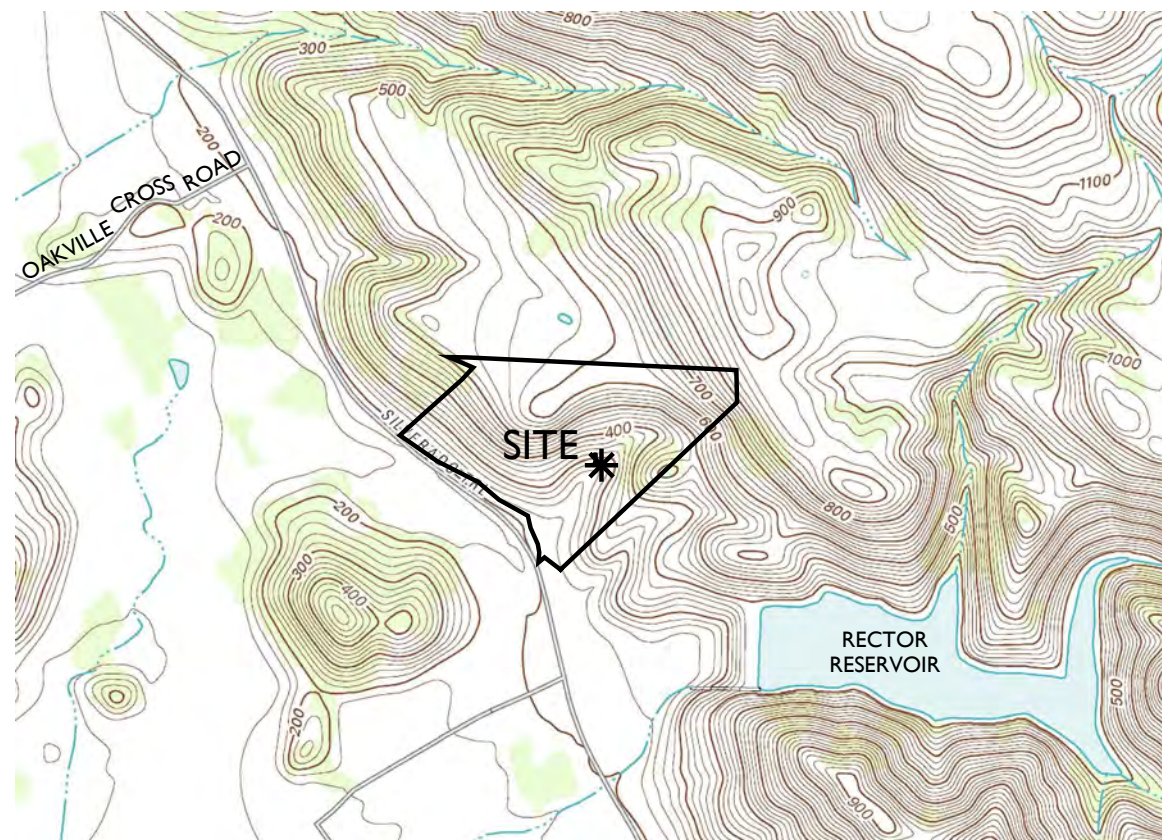
USE PERMIT CONCEPTUAL SITE PLANS



SCALE: 1" = 150'



SCALE: 1" = 2,000'



LOCATION MAP

SCALE: 1" = 2,000'

PROJECT INFORMATION

PROPERTY OWNER & APPLICANT:

VINE CLIFF WINERY
C/O CHARLES SWEENEY
7400 SILVERADO TRAIL
NAPA, CA 94558
(707) 944-2388

SITE ADDRESS:

7400 SILVERADO TRAIL
NAPA, CA 94558

ASSESSOR'S PARCEL NUMBER:

032-030-027

PARCEL SIZE:

99.6 ± ACRES

ZONING:

AGRICULTURAL WATERSHED (AW)

DOMESTIC WATER SOURCE:

PRIVATE ONSITE WELLS

WASTEWATER DISPOSAL:

ONSITE TREATMENT AND DISPOSAL

SHEET INDEX:

C1	OVERALL SITE PLAN
C2	WINERY AREA SITE PLAN
C3	PROFILE STA 9+00 TO STA 21+00
C4	PROFILE STA 500+00 TO STA 506+50

FLOOD HAZARD NOTE:

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 06055C0405E, EFFECTIVE SEPTEMBER 26, 2008, THE PROJECT SITE IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.

NOTES:

1. FADED BACKGROUND REPRESENTS EXISTING TOPOGRAPHIC FEATURES. TOPOGRAPHIC INFORMATION WAS TAKEN FROM THE NAPA COUNTY GEOGRAPHIC INFORMATION SYSTEM DATABASE. APPLIED CIVIL ENGINEERING INCORPORATED ASSUMES NO LIABILITY REGARDING THE ACCURACY OR COMPLETENESS OF THE TOPOGRAPHIC INFORMATION.
2. AERIAL PHOTOGRAPHS WERE OBTAINED FROM THE SAN FRANCISCO ESTUARY INSTITUTE (SFEI) SAN FRANCISCO BAY AREA ORTHOPHOTOS DATABASE, DATED JUNE 2014 AND MAY NOT REPRESENT CURRENT CONDITIONS.
3. CONTOUR INTERVAL: FIVE (5) FEET, HIGHLIGHTED EVERY TWENTY FIVE (25) FEET.
4. BENCHMARK: NAVD 88
5. THE PROPERTY LINES SHOWN ON THESE PLANS DO NOT REPRESENT A BOUNDARY SURVEY. THEY ARE APPROXIMATE AND ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
6. PERPENDICULAR PARKING STALLS ARE SHOWN 9' WIDE BY 19' LONG. PARALLEL PARKING STALLS ARE SHOWN 8' WIDE BY 22' LONG. ACCESSIBLE PARKING LOADING ZONE IS 19' LONG BY 8' WIDE. SEE SHEET C2 FOR PARKING DETAILS.

66,000± SF	WINERY COVERAGE AREA
17,000± SF	WINERY DEVELOPMENT AREA
24,269± SF	AB2004 AREA

OVERALL SITE PLAN

SCALE: 1" = 150'

VINE CLIFF WINERY

USE PERMIT CONCEPTUAL SITE PLANS
OVERALL SITE PLAN

PREPARED UNDER THE
DIRECTION OF:



DRAWN BY:
BT DRAFTING

CHECKED BY:
MRM

DATE:
JUNE 9, 2017

REVISIONS: BY:

JOB NUMBER:
08-139

FILE:
08-139CONC.DWG

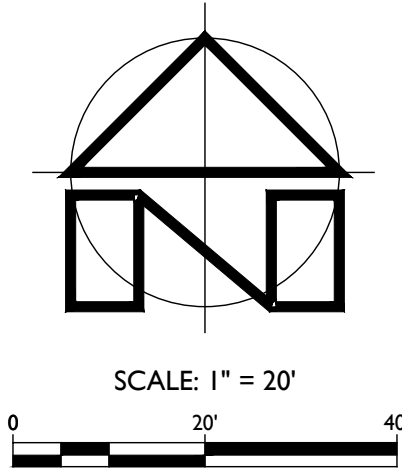
ORIGINAL SIZE:
24" X 36"

SHEET NUMBER:

C I

OF

4



PARKING LAYOUT PLAN

SCALE: 1" = 20'

VINE CLIFF WINERY
USE PERMIT CONCEPTUAL SITE PLANS
PARKING LAYOUT PLAN



DRAWN BY: BT DRAFTING
CHECKED BY: MRM
DATE: JUNE 9, 2017
REVISIONS: BY:

JOB NUMBER: 08-139
FILE: 08-139CONC_LOP.DWG
ORIGINAL SIZE: 24" X 36"
SHEET NUMBER:

Vine Cliff Winery Building: Existing Interior Floor Plan

