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Recommended Conditions of Approval and Final Agency Approval Memos Duckhorn Vineyards Winery Major Modification P19-00097-MOD

PLANNING COMMISSION HEARING MAY 3, 2023
RECOMMENDED CONDITIONS OF APPROVAL

DUCKHORN VINEYARDS WINERY MAJOR MODIFICATION
P19-00097-MOD
1000 LODI LANE, ST. HELENA, CA 94574
(APN 022-130-010, 022-100-033, -034, -035)

This permit encompasses and shall be limited to the project commonly known as **Duckhorn Vineyards Winery**, located at **1000 Lodi Lane**. 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

The permit encompasses shall be limited to:

1.1 An Exception to the Napa County Road and Street Standards from a Left Turn Lane Warrant for east bound traffic on Lodi Lane entering the East Property driveway.

1.2 Approval to modify an existing 160,000 gallon per year winery, to allow the following:

a. Construction of a new 58,042 sq. ft. facility ('West Winery') on the West Property (APN 022-100-033) containing 54,722 sq. ft. of production space and 3,320 sq. ft. of office and accessory uses, a 90,000 gallon fire protection water tank, two 158,000 gallon irrigation storage water tanks, a 24,000 gallon domestic water tank, landscaping, driveways, and other winery improvements;

b. Construction of a 8,839 sq. ft. expansion to the existing Estate House on the East Property (APN 022-130-010) for a total floor space of 18,162 sq. ft. At build out the Estate House will consist of 17,810 sq. ft. of accessory space and 352 sq. ft. of production space;

c. Removal of the existing combined process and sanitary wastewater system on the East Property and the development of separate process and sanitary wastewater systems on both the East and West Properties connected through Directional Boring under the Napa River;
d. Increasing onsite parking spaces from 68 to 96;
e. Demolition of the existing Tank Shed, Chai's 1, 2, 3 & 4 on the East Property;
f. Demolition of a single-family residence (Red House), portions of the existing gravel driveway and other agricultural and single-family dwelling improvements on the West Property and APN 022-100-034;
g. Conversion and expansion of a 16,900 sq. ft. agricultural pond on the West Property to a 20,300 sq. ft. bio-retention pond;
h. Removal of approximately 3.55 acres of vineyard on the West Property;
i. Removal of approximately 49 trees;
j. Increase in maximum annual permitted wine production from 160,000 gallons to 300,000 gallons;
k. Visitation and tours and tastings as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.2 below;
l. Marketing as set forth in Conditions of Approval Nos. 4.1 and 4.3 below; and
m. Temporary relocation of approved hospitality activities (Tours and Tastings, Marketing Events, AB 2004 on-premise consumption) in and around the Estate House to the 2,067 sq. ft. of ground floor accessory space and adjacent outdoor areas of the proposed West Winery during the expansion of the Estate House. Hospitality activities to return to the Estate House and East Property upon approval of a Final Certificate of Occupancy for the Estate House.

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: 219
c. Maximum number of persons per week: 1,533
d. Hours of visitation: 10:00 A.M. to 4:00 P.M.
e. Voluntary abandonment of pre-WDO Public Tours and Tastings entitlement of 50 visitors per week and 30 on the busiest day.

"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 4:00 P.M. to 6:00 P.M.

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. **Private Tours and Tastings (A)**
   1. Frequency: 120 times per year
   2. Maximum number of persons: 20
   3. Time of Day: 10:00 A.M. to 11:00 P.M. with quiet cleanup till 12:00 A.M.

b. **Private Tours and Tastings (B)**
   1. Frequency: 80 times per year
   2. Maximum number of persons: 20
   3. Time of Day: 10:00 A.M. to 10:00 P.M. with quiet cleanup till 11:00 P.M.

c. **Wine with Food Pairings (A)**
   1. Frequency: 36 times per year
   2. Maximum number of persons: 25
   3. Time of Day: 10:00 A.M. to 11:00 P.M. with quiet cleanup till 12:00 A.M.

d. **Wine with Food Pairings (B)**
   1. Frequency: 4 times per year
   2. Maximum number of persons: 25
   3. Time of Day: 10:00 A.M. to 10:00 P.M. with quiet cleanup till 11:00 P.M.

e. **Medium Events**
   1. Frequency: 40 times per year
   2. Maximum number of persons: 60
   3. Time of Day: 10:00 A.M. to 10:00 P.M. with quiet cleanup till 11:00 P.M.

f. **Large Events**
   1. Frequency: 3 times per year
   2. Maximum number of persons: 400
   3. Time of Day: 10:00 A.M. to 10:00 P.M. with quiet cleanup till 11:00 P.M.

g. **Auction-related Event**
   1. Frequency: 1 time per year
   2. Maximum number of persons: 250

3. Time of Day: 10:00 A.M. to 11:00 P.M. with quiet cleanup till 12:00 A.M.

"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 expanded marketing event activity, excluding quiet clean-up, shall cease by 10:00 P.M. 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 Estate House Porch and Landscape Gardens west of the Estate House. On-Premise consumption may also occur temporarily within 2,067 sq. ft. of the ground floor accessory space and adjacent outdoor areas of the 'West Winery' facility during expansion of the Estate House. 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 [RESERVED]

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 50,000 gallons of the winery's production is 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 [RESERVED]

4.10 AMPLIFIED MUSIC

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

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 (4:00pm – 6:00pm). 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 bio-retention 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 May 6, 2021.

b. Environmental Health Division operational conditions as stated in their Memorandum dated November 10, 2021.

c. Department of Public Works operational conditions as stated in their Memorandum dated July 22, 2021.

d. Fire Department operational conditions as stated in their Inter-Office Memo dated September 17, 2020.

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]

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT [RESERVED]

a. The permittee shall not increases production levels, tours and tastings, marketing events or allow on-premise consumption activities in conformity with AB 2004 (Evans Bill), as described in COA Nos. 1.1.a and 4.2 and 4.3 herein, prior to completion of the Lodi Lane roadway asphalt resurfacing, improvements and restriping enumerated in COA No. 9.5 as well as the

proposed onsite wastewater treatment systems. The applicant will provide copies of their completed encroachment and environmental health permits to the PBES Planning Division prior to commencement of the above mentioned activities.

b. Groundwater Management - The parcel shall be limited to 14 acre-feet of groundwater per year for all water consuming activities (utilizing wells) on the parcels comprising the winery. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(a) below.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the 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.

4.21 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 plan review/construction/ preoccupancy conditions as stated in their Memorandum dated May 6, 2021.

b. Environmental Health Division plan review/construction/ preoccupancy conditions as stated in their Memorandum dated November 10, 2021.

c. Department of Public Works plan review/construction/ preoccupancy conditions as stated in their Memorandum dated July 22, 2021.

d. Fire Department plan review/construction/ preoccupancy conditions as stated in their Inter-Office Memo dated September 17, 2020.

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. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.

b. All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Lighting utilized during harvest activities is exempt from this requirement.

6.4 LANDSCAPING – PLAN SUBMITTAL

a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with the winery development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

d. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

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

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of l numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.9 HISTORIC RESOURCES

All permitted work performed on any historic resources shall follow the latest edition of the Secretary of the Interior's Standards for Historic Preservation and Guidelines for Treatment of Historic Properties (Standards). Written verification that such work meets the Standards shall be submitted by a qualified historic architect for review and approval by the PBES Department prior to issuance of any grading or building permit.

6.10 DEMOLITION ACTIVITIES

a. Final demolition plans of the single-family residence shall be submitted for building permit issuance. A site plan prepared by a qualified professional shall denote streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities

are allowed within established stream setbacks unless specifically approved as part of this permit in COA No. 1.0 (Scope) above. As determined by the PBES Director or designee, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.

b. A landscape plan or restoration plan for the demolition area (existing residential and accessory structures) shall be submitted showing how the area will be restored to its natural vegetation state to the extent feasible. The landscape plan shall be approved by the PBES Director or designee prior to installation.

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION [RESERVED]

6.12 PERMIT PREREQUISITE MITIGATION MEASURES

The permittee shall comply with the following permit prerequisite mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

a. **MM BIO-1; Northern Spotted Owl:** A qualified biologist shall conduct an assessment of potential NSO nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding NSO are detected during surveys, a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of NSO cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal ESA.

Method of Monitoring: Prior to issuance of the grading/building permits, a report by a qualified biologist shall be submitted to the Napa County Planning, Building & Environmental Services Department including the results of the three focused nesting spotted owl surveys. If an active nest was identified on site the report shall include nest buffers and monitoring.

Responsible Agency: PBES

b. **MM BIO-2; Raptors and Nesting Birds:** For earth-disturbing activities occurring between February 1 and August 31, (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with potential to occur at the project site and experienced with conducting pre-construction nesting bird and raptor surveys) shall conduct pre-construction surveys for nesting birds and raptors, within all suitable habitat on the project site, and all suitable nesting habitat within 500 feet of the Project site. The preconstruction survey shall be conducted no earlier than seven (7) days prior to vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, or if there is a lapse in Project activities of seven (7) days or more during the nesting season surveys shall be repeated. A copy of the survey report shall be provided to the Napa County Planning Division and the CDFW prior to commencement of work.

In the event that nesting birds are found, the qualified biologist shall determine adequate no-disturbance buffer distances from all active nests based on the species and in consultation with the County Planning Division and the U.S. Fish and Wildlife Service (USFWS) and/or CDFW prior to initiation of project activities.

All active nests shall be monitored by a qualified biologist for the first week during Project activities to ensure the established buffer distances are adequate to avoid disturbances to the nest. If the qualified biologist observes bird behavior that may indicate nest disturbance, the qualified biologist shall have the authority to immediately cease Project activities. In this event, the qualified biologist shall consult with CDFW regarding larger buffer distances, and buffer zones shall be refenced accordingly, prior to resuming Project activities. If larger buffer distances cannot be established, Project activities shall be delayed until the nest is no longer active (i.e. the young have fledged the nest and can feed independently, or the nest fails due to natural causes), as determined by a qualified biologist.

Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County Planning Division prior to the commencement of any earthmoving and/or

development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

Alternative methods aimed at flushing out nesting birds prior to pre-construction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas should undergo consultation with the Napa County Planning Division, USFWS and/or CDFW prior to any activity that could disturb nesting birds.

Method of Monitoring: If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff prior to issuance of the grading/building permits.

Responsible Agency: PBES

c. **MM BIO-3; Lake or Streambed Alteration Agreement:** The applicant shall submit a Notification of Lake or Streambed Alteration with the California Department of Fish and Wildlife for the horizontal directional drilling and installation of utility lines under the Napa River. Issuance of a Streambed Alteration Agreement or demonstration that CDFW determined that the agreement was unnecessary shall be provided to the Planning, Building & Environmental Services department prior to issuance of building permits associated with the drilling.

Method of Monitoring: A Streambed Alteration Agreement or other notification from CDFW determining the permit is unnecessary for this project will be submitted prior to the issuance of permits associate with the installation of utility lines under the Napa River.

Responsible Agency: PBES

d. **MM CUL-1; Archeological Testing:** Prior any earthmoving activities, the permittee shall retain an archeologist to perform further archeological testing on the areas of development to determine whether the sites are eligible for listing in the California Registry of Historic Resources or whether they meet the definition of a “unique archeological resource” as defined in Public Resource Code 21083.2. Standard archeological testing procedures (i.e. auger excavation, test units, mechanical trenching) shall be utilized to define the nature and extent of the potential resource, as well as obsidian hydration analysis to establish chronology. A geoarchaeological study shall be prepared to develop soil profiles and investigate stratigraphy within the excavation areas to define and distinguish disturbed and intact soils and interpret soil development and

past disturbances. At the conclusion of the geoarchaeological study a report shall be prepared and submitted to the County, by a professional who meets the Secretary of the Interior's professional qualification standards demonstrating that the testing and geoarchaeological study have been conducted to sufficient standards and whether the sites are eligible for listing on the California Registry of Historic Resources or meets the definition of a "unique archeological resource" as defined in Public Resource Code 21083.2. The applicant shall comply with all recommendations from the report.

Method of Monitoring: Prior to issuance of any grading, demolition or building permits pursuant to this approval a report shall be prepared, by a professional who meets the Secretary of the Interior's professional qualification standards, demonstrating that the testing and geoarchaeological study described under MM CUL-1 have been conducted to sufficient standards and whether the sites are eligible for listing on the California Registry of Historic Resources or meets the definition of a "unique archeological resource" as defined in Public Resource Code 21083.2. In the event that the sites are found to be eligible for listing on the California Registry of Historic Resources or if they would meet the definition of a "unique archeological resource", the report will also outline the steps the County must take to consider potential adverse impacts under Public Resource Code 21084.1 and 21083.2(i) or the treatment of a "unique archeological resource" under the provisions of Public Resource Code 21083.2.

Responsible Agency: PBES

e. **MM CUL-2; Archeological Monitoring:** The permittee shall retain a professional, who meets the Secretary of the Interior's professional qualification standards, who shall be onsite to conduct archaeological monitoring during project related ground disturbing activities. Monitoring procedures shall proceed as follows:

- Monitoring shall involve the observation of ground-disturbing activities in areas that have the potential to contain artifacts or subsurface archaeological features, as well as the inspection of excavation spoils to verify the presence or absence of artifacts. At times, grading of fill soil taken from a known sensitive area will be monitored as well. Monitoring shall occur during the entire work day, and daily while ground-disturbing activities are taking place in culturally sensitive areas.

- During monitoring, if the archaeologist observes artifacts or potential archaeological features, the equipment and/or personnel that encountered the archaeological material will be stopped so that the archaeological monitor can inspect the area and associated soils to determine the presence or absence and potential significance of the archaeological materials encountered.

- When artifacts or subsurface archaeological features are encountered, archaeological materials shall be photographed and the location recorded. A field number shall be assigned to each artifact. Artifacts shall be placed in labeled bags that fully protect them from damage. Work will be allowed to resume once the archaeological monitor removes the artifact(s) and determines that further artifacts or an archaeological feature are not present.

- Equipment stoppages will only involve the equipment that encountered archaeological material. During temporary equipment stoppages, the archaeologist will efficiently accomplish all necessary tasks so that work can continue.

- A Daily Monitoring Record form shall be completed for each day that archaeological monitoring occurs. The form shall be used to record daily monitoring activities, such as construction personnel, procedures and equipment, dimensions of excavated areas, soil description and stratigraphy, and cultural material observed. Photographs will also be taken throughout monitoring.

Method of Monitoring: Prior to issuance of any grading, demolition or building permits pursuant to this approval the applicant will provide to the Planning, Building & Environmental Services division the contact information for the archaeologist conducting onsite monitoring of project related ground disturbing activities. Archaeological monitoring shall continue until such time that the archaeologist determines that further ground disturbing activities will not adversely impact potentially significant archaeological resources. The Planning, Building & Environmental Services division shall be contacted at the conclusion of monitoring activities.

Responsible Agency: PBES

6.13 PARCEL CHANGE REQUIREMENTS [RESERVED]

6.14 FINAL MAPS [RESERVED]

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. Groundwater Demand Management Program

1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the winery or expanding any operations as approved under this modification, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes

a plan for the location and the configuration of the installation of a meter on all wells serving the parcel.

2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.

3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.

4. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately and the first monitoring report is due to the County within 120 days of approval of this modification.

5. For the first twelve months of operation under this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on the property exceeds, or is on track to exceed, 14.0 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.

6. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.

7. At the completion of the reporting period per 6.15(a)(5) above, and so long as the water usage is within the maximum acre- feet per year as specified above, the permittee may begin the following meter reading schedule:

    i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.

b. Oak trees planted in compliance with COA 6.4(C) will be native oak species.

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]

a. **MM CUL-2; Archaeological Monitoring:** The permittee shall retain a professional, who meets the Secretary of the Interior's professional qualification standards, who shall be onsite to conduct archaeological monitoring during project related ground disturbing activities. Monitoring procedures shall proceed as follows:

- Monitoring shall involve the observation of ground-disturbing activities in areas that have the potential to contain artifacts or subsurface archaeological features, as well as the inspection of excavation spoils to verify the presence or absence of artifacts. At times, grading of fill soil taken from a known sensitive area will be monitored as well. Monitoring shall occur during the entire work day, and daily while ground-disturbing activities are taking place in culturally sensitive areas.

- During monitoring, if the archaeologist observes artifacts or potential archaeological features, the equipment and/or personnel that encountered the archaeological material will be stopped so that the archaeological monitor can inspect the area and associated soils to determine the presence or absence and potential significance of the archaeological materials encountered.

- When artifacts or subsurface archaeological features are encountered, archaeological materials shall be photographed and the location recorded. A field number shall be assigned to each artifact. Artifacts shall be placed in labeled bags that fully protect them from damage. Work will be allowed to resume once the archaeological monitor removes the artifact(s) and determines that further artifacts or an archaeological feature are not present.

- Equipment stoppages will only involve the equipment that encountered archaeological material. During temporary equipment stoppages, the archaeologist will efficiently accomplish all necessary tasks so that work can continue.

- A Daily Monitoring Record form shall be completed for each day that archaeological monitoring occurs. The form shall be used to record daily monitoring activities, such as construction personnel, procedures and equipment, dimensions of excavated areas, soil description and stratigraphy, and cultural material observed. Photographs will also be taken throughout monitoring.

Method of Monitoring: Prior to issuance of any grading, demolition or building permits pursuant to this approval the applicant will provide to the Planning, Building & Environmental Services division the contact information for the archaeologist conducting onsite monitoring of project related ground disturbing activities. Archaeological monitoring shall continue until such time that the archaeologist determines that further ground disturbing activities will not adversely

impact potentially significant archaeological resources. The Planning, Building & Environmental Services division shall be contacted at the conclusion of monitoring activities.

Responsible Agency: PBES

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

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. Departments and/or agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

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

Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. At least one legible sign shall be placed at the property entrance with the words “Tours and Tasting by Prior Appointment Only” to inform the public of same. Any off-site signs allowed shall be in conformance with the County Code.

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

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS
The permittee shall construct asphalt resurfacing of Lodi Lane from 20 feet east of the Napa River bridge to 20 feet west of the stop sign facing Silverado Trail, Improvements to the driveway access points from the Duckhorn Vineyards Winery property onto Lodi Lane and restriping of the improvements area to meet NCRSS design standards. The design of the roadway improvements shall be submitted to the Public Works Department for review and approval. The roadway improvements shall be designed in substantial conformance with the submitted site plan, and other submittal materials and shall comply with all requirements of the County Code and Napa County Road and Street Standards.

9.6 DEMOLITION ACTIVITIES
All demolition activities associated with the single-family residence shall be completed, landscaping installed, and debris cleared from the subject parcel.

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 CERTIIFICATE OF OCCUPANCY [RESERVED]

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Planning, Building & Environmental Services

1195 Third Street, Suite 210
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www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To:	Trevor Hawkes, Planning	From:	Daniel Hornett, Engineering
Date:	May 6, 2021	Re:	P19-00097 Duckhorn APN: 022-130-010 & 022-100-033

The Engineering Division has reviewed the use permit application P19-00097 for the Winery located on assessor's parcel numbers 022-130-010 and 022-100-033. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

EXISTING CONDITIONS

1. The Existing Parcel is in a designated 100-year FEMA Flood Zone and Regulatory Floodway

RECOMMENDED APPROVAL CONDITIONS:

OPERATIONAL CHARACTERISTICS

1. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.

3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and

Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.

4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.

5. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.

6. **Prior to issuance of a building permit** the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.

7. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

8. No person shall deposit or remove any material, excavate, construct, install, alter or remove any structure within, upon or across a Special Flood Hazard Area, nor otherwise alter the hydraulic characteristics of a Special Flood Hazard Area **without first obtaining a floodplain permit** pursuant to Chapter 16.04 of the Napa County Code and in conformance with county Code and 44 CFR Section 60.3.

9. **Prior to issuance of a building, grading permit, or floodplain management permit** the floodproofing plan for the Estate House building must re-certified by a professional engineer to provide evidence and assurance that new construction is adequately protected from flood damage and no alterations, proposed or otherwise, have compromised the water tightness of the building envelope and that staff and operators are properly trained to administer the floodproofing plan and procedures in the event of an emergency. The recertification shall include:

   a) Written verification that the building envelope is watertight;
   b) Written certification that the Engineer of Record's design and construction are in accordance with American Society of Civil Engineers ASCE 24-05 requirements to meet FEMA criteria;
   c) A comprehensive Maintenance Plan for the entire structure including the materials used for floodproofing, shields, gates, etc.;
   d) An Emergency Action Plan for the installation of flood shields and other measures;
   e) Written certification that all components and systems when installed meet the requirements of ASCE 24-05;
   f) Documentation or certification from the Authority Having Jurisdiction (permitting official) that they have reviewed and inspected the structure with all floodproofing measures in place and provide evidence of approved final inspection and certificate of occupancy.

10. **Prior to issuance of a building, grading permit, or floodplain management permit** for construction in the regulatory floodway, the owner shall submit a complete application for a floodplain management permit. A complete submittal shall include, but is not limited to:

    a) A detailed cost estimate of the proposed improvements or alterations;
    b) A list of any prior improvements to the structure that occurred within the a ten (10) year period dating back from the time of the floodplain permit application and their associated costs;
    c) A complete list of the historical and current valuations of the structure only, not including land values.
    d) Floodproofing plan
    e) Floodproofing operations and maintenance plan
    f) Hydraulic study
    g) No-rise certification

PREREQUISITES DURING PROJECT CONSTRUCTION

11. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction**.

PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY

12. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification. **** If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

13. Completed Elevation certificate (FEMA Form 086-0-33) shall be submitted and approved by the Engineering Division **prior to execution** of any new entitlements.

14. Completed Floodproofing Certificate for Non-Residential Structures (FEMA Form 086-0-34) shall be submitted and approved by the Engineering Division **prior to execution** of any new entitlements.

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

15. Operations and Maintenance Agreement for post construction Stormwater facilities must be legally recorded.

16. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items, please contact Daniel Hornett from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)299-1358 or by email at Daniel.Hornett@countyofnapa.org

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David Morrison
Director

MEMORANDUM

To:	Trevor Hawkes, Project Planner	From:	Kim Withrow, Environmental Health Supervisor KDW
Date:	November 10, 2021	Re:	Duckhorn Vineyards Winery APN: 022-130-010 SFAP w/ 022-100-033 Project #: P19-00097

This Division has reviewed an application requesting approval to increase production, construct a new winery building, increase visitation, and construct a new wastewater system among other items as described and depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. The water supply and related components must continue to comply with the California Safe Drinking Water Act and Related Laws. Expansion of the facility will require plan review and approval prior to approval of building permits. The technical report must be completed by a licensed engineer with experience in designing water systems. Prior to occupancy, an amended domestic water supply permit must be obtained from this Division. The applicant must comply with all required monitoring and reporting and all water supply permit conditions.

2. Complete plans and specifications for any food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Division prior to issuance of any building permits for said areas. An annual food permit will be required.

3. Plans for the proposed alternative sewage treatment system(s) shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system(s) will be approved until such plans are approved by this Division.

Process water discharges to land must comply with the State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water. The permitting process in place at the time the application is submitted must be followed. Currently enrollment under the order would be processed by the Regional Water Quality Control Board.

4. A permit to construct the proposed alternative sewage treatment system(s) must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system(s).

5. Temporary tasting facilities shall be connected to utilities (small public water system and wastewater system) with approved materials. Temporary facilities must be constructed and operated in accordance with the California Food Facilities Law (CalCode) and the California Safe Drinking Water Act and Related Laws.

Upon final occupancy and thereafter:

6. Some proposed food service will be catered; therefore, catered 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 more than 250 persons 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. 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.

9. 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.

10. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

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Steven Lederer
Director

A Tradition of Stewardship
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MEMORANDUM

To:	PBES Staff	From:	Ahsan Kazmi, P.E. Senior Traffic Engineer

Date: Updated:	July 22, 2021 April 10, 2023	Re:	Duckhorn Vineyards (P19-00097) Conditions of Approval

This memorandum on the Conditions of Approval is prepared at the request of Planning, Building, and Environmental Services (PBES) staff regarding the Use Permit Modification Application # P19-00097, APN# 022-130-010 & 022-100-033, for the proposed Duckhorn Vineyards located at 1000 Lodi Lane, in the County of Napa.

In preparation of this memorandum, we have reviewed the following documents:

- *Traffic Impact Study for the Duckhorn Vineyards Use Permit Modification,* dated June 10, 2021, prepared by W-Trans.
- *Traffic Demand Management Plan,* submitted July 2021, prepared by Duckhorn Vineyards.

After careful evaluation and review of the documents, we believe that the report provides sufficient information to develop conditions for the project.

The Department of Public Works established the following conditions of approval related to the Use Permit Application Number P19-00097:

Proposed Roadway Improvements

1. Asphalt resurfacing of Lodi Lane from 20 feet east of the Napa River bridge to 20 feet west of the stop sign facing Silverado Trail.

2. Improvements to the driveway access points from the Duckhorn Vineyards Winery property onto Lodi Lane.

3. Restriping of the improvement area to meet Napa County Road and Streets Standards design standards.

Timing

Due to the uncertain nature of future development and County-initiated roadway improvements, the timing of the Proposed Improvements will likely adhere to one of the following scenarios:

4. If development approved by the current P19-00097 is completed prior to the commencement of the County-initiated roadway improvements, then Duckhorn Wine Company (DWC) will contract with, and pay, a licensed third-party road construction firm to complete the Proposed Improvements. The Proposed Improvements will be completed in accordance with a plan approved by Napa County prior to work initiation.

5. If the County-initiated roadway improvements are initiated prior to completion of the development work approved by Pl9-00097, then DWC will pay a prorated portion of the cost of the County-initiated roadway improvements, not to exceed $100,000.00 (One hundred thousand dollars).

Right-Turn Lane:

6. The applicant/permittee shall install a dedicated right-turn lane at the westbound approach at SR 29/Lodi Lane.

Traffic Calming Improvements:

7. The project applicant/permittee shall install a northbound speed feedback sign on Silverado Trail and coordinate with the County of Napa to install a speed feedback sign in the south bound direction near Glass Mountain Road.

Transportation Demand Management (TDM) Program

8. The project applicant/permittee shall implement the measures in the Transportation Demand Management (TDM) plan in order to meet the County's greenhouse gases emission reduction goals by 15 percent.

9. The project applicant/permittee shall appoint a staff person appointed as Transportation Demand Management (TDM) coordinator to facilitate employees reducing solo vehicle commuting and report to County staff on January 15th of each year (annual basis) on the status on the strategies implemented.

On Street Parking

10. Parking within the public right-of-way is prohibited during visitation, large marketing and/or temporary events.

Site Improvements

11. The project applicant/permittee shall install at least ten bicycle parking spaces on site.

12. The project applicant/permittee shall improve the turning radii at the west project driveway, per the Napa County Road and Street Standards to accommodate large trucks and vehicles.

Landscape Maintenance

13. Landscaping at the project driveway shall be maintained to not interfere with sight lines requires for safe stopping distance on the public-right-of-way. No items that are wide than 18 inches can be taller than 30 inches other than street trees and traffic control devices. Street trees should be deciduous and have branches lower than 4 feet in height up kept once the tree is established.

Encroachment Permit

14. An encroachment permit will be required for any improvements in the County's Right-of-Way. For the application submittal process contact the Roads Division at 707-944-0196. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use. Any improvements located on Caltrans Right-of-Way will require a separate coordination and permitting process.

Please contact Ahsan Kazmi, P.E. Senior Traffic Engineer at **Ahsan.Kazmi@countyofnapa.org** or call (707) 259-8370 if you have any questions.

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

Office: (707) 299-1466

Adam Mone
Fire Plans Examiner

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MEMORANDUM

TO:	Planning	DATE:	9/17/2020
FROM:	Adam Mone, Plans Examiner		
SUBJECT:	**P19-00097 Duckhorn Vineyards**	APN:	**022-130-010-000**

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

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 finaled.

3. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.

4. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stored over 12 feet in height).

5. 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.

6. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.

7. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.

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

Office: (707) 299-1466

Adam Mone
Fire Plans Examiner

A Tradition of Stewardship
A Commitment to Service

MEMORANDUM

8. Roadways shall be a minimum of 20 feet in width with a 2 foot shoulder and 15 foot vertical clearance.

9. Driveways shall be a minimum of 10 feet in width with a 4 foot shoulder and 15 foot vertical clearance.

10. Turnouts shall be a minimum of 12 feet in width, 30 foot in length and 25 foot taper on each end.

11. Turnarounds are required on driveways and dead end roadways.

12. Grades for all roadways and driveways shall not exceed 16 percent.

13. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.

14. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards and CA Fire Safe Regulations for projects within SRA.

15. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.

16. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24.

17. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.

18. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains

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19. Commercial - Developments in excess of 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals.

20. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.

21. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.

22. Provide 100 feet of defensible space around all structures.

23. Provide 10 feet of defensible space fire hazard reduction on both sides of all roadways of the facility.

24. Emergency responder radio coverage **in** new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

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)299-1466 or email at adam.mone@countyofnapa.org

Exhibit A

DUCKHORN VINEYARDS WINERY MAJOR MODIFICATION
P19-00097-MOD
1000 LODI LANE, ST. HELENA, CA 94574
(APN 022-130-010, 022-100-033, -034, -035)

PREVIOUS CONDITIONS

4.21 The permittee shall comply with the following previous conditions of approval for the facility as consolidated in this document. To the extent there is a conflict between a previous condition of approval identified in this document and the Recommended Conditions of Approval, the more stringent condition shall control.

A. USE PERMIT No. U-827576

Findings

1. The proposed winery operations would include crushing, fermentation, storage and bottling of wine. ~~A maximum production of 36,000 gallons[1] per year is anticipated through a gradual buildup over a seven-year period. Initial production is anticipated to be 20,000 gallons per year. The winery would operate Monday through Friday from 8:00 A.M. to 5:00 P.M. would be six full-time employees and two part-time employees connected with the operation. The winery would not be open to the public for tours and tastings.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. U-28081, No. #96346-MOD COA 1 & No. #P05-00199-MOD COA 1

Conditions of Approval

1. ~~The permit be limited to a three-year period. The property owner may seek renewal.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. U-28081

5. ~~No public tastings or tours be allowed.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. U-28081

6. ~~A minimum of ten (10) off-street parking spaces be provided on a dust-free, all-weather surface approved by Public Works.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. U-28081 COA 3

B. USE PERMIT No. U-28081

[1]Maximum annual wine production would be reduced to 2,500 gallons by a request from the applicant on April 25, 1978.

Conditions of Approval

1. ~~Annual wine production of 36,000 gallons.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. U-428586 COA 1

3. ~~Provision for a minimum of 23 off-street parking spaces on a dust free, all-weather surface approved by Public Works.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. #95168-MOD COA 1

Mitigation Measures

1. ~~Immediate installation of a sign readable from Silverado Trail at the winery entrance to the subject property reading "No Tours or Tastings'. Said sign shall be maintained in a readable condition until such time as this winery is opened for Tours or tasting, at which time it shall be removed, and the improvements required under Condition 2 below installed.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. #96346-MOD COA 1

2. ~~Installation prior to opening of this winery for tours or tasting of a north-bound left turn lane on Silverado Trail at the subject winery's entrance whose design is acceptable to the Napa County Public Works Department. Associated acceleration and deceleration tapers shall be installed at the same time on the west side of Silverado Trail at the site entrance.~~

SUPERSEDED BY USE PERMIT MODIFICAITON No. #96346-MOD COA 1

C. USE PERMIT No. U-428586

Conditions of Approval

1. The permit shall be limited to the construction of 3,908 square feet of winery building for barrel storage and fermentation tanks and ~~the increase in the annual production capacity to 50,000 gallons.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. #96346-MOD COA 1

D. USE PERMIT No. #95168-MOD

Conditions of Approval

1. This approval is only to modify Use Permit #U-428586 to relocate the winery entrance from the Silverado Trail to Lodi Lane ~~and add a parking area with 8 new spaces (for a total of 40 approved parking spaces on site).~~

SUPERSEDED BY USE PERMIT MODIFICATION P19-00097-MOD COA 1.2.d

E. USE PERMIT No. #96346-MOD

Conditions of Approval

1. The Use Permit Modification shall be limited to 1.) ~~increasing the annual production from 50,000 to 110,000 gallons;~~ 2.) constructing a 7,880 sq. ft. building for office, marketing activities and public tasting; 3.) recognizing the existing marketing activities; 4.) ~~increasing the number of full-time employees from the 7 approved to 16 and part-time employees from the 2 approved to 3;~~ and 5.) modifying the condition requiring the left turn lane to recognize the relocated winery access off of Lodi Lane. The project shall conform to the approved site plan, floor plan and elevations. Any other expansions or changes in use, construction or design shall be subject to the approval of the Zoning Administrator or the County Planning Commission.

SUPERSEDED BY USE PERMIT MODIFICATION No. #P05-0040-MOD COA 2 & USE PERMIT No. #P05-00199-MOD COA 1

2. ~~Visitors to the winery for public tours and tastings shall be limited to 50 per week and 30 on the busiest day.~~ A visitor log shall be maintained by the winery and shall be made available to the County upon request. ~~The public tasting area shall be limited to the 672 sq.ft. tasting room and the 240 sq.ft. entry area.~~ The reception area, conference area and the terrace shall only be used for the permitted marketing activity. Signage reading "private-no entry" and or a moveable barrier shall be used to accomplish this.

SUPERSEDED BY USE PERMIT MODIFICATION No. #98122-MOD COA 1 & P19-00097-MOD COA 4.2

5. ~~At least 75% of the grapes used to make the winery's 60,000 gallon per year increase in production shall be grown within the County of Napa per County Code Section 18.104.250 C. The applicant shall report to the Department on an annual basis the source of grapes verifying that 75% of his approved additional production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. #P05-00199-MOD COA 5

8. ~~The marketing events shall be limited to the following and shall end before 11 P.M with all personnel involved with the event off the premises by 12 midnight: (these are existing activities which are not proposed to be increased. Food service may be included at any of these activities.)~~
    a. ~~5 to 7 wine marketing events per year averaging 25 persons per event; these are private, industry-related marketing and hospitality events including the Napa Valley Wine Auction, trade customer hospitality, etc.~~
    b. ~~8 to 10 invitational tastings per month with 2-20 persons; these are prearranged trade customer tours and tastings.~~

SUPERSEDED BY USE PERMIT MODIFICATION No. #P05-00199-MOD COA 2 & P19-00097-MOD COA 4.3

F. USE PERMIT No. #98122-MOD
Conditions of Approval

1. The permit is limited to modify #96346-MOD to revise the office, tasting, and retail sales building design and layout, reducing the overall building area to 7,060 sq.ft. and increasing the proposed public tasting area to 1000 sq.ft., consistent with the application materials and plans and elevations on file.

6. ~~No public wine tasting shall be permitted in the designated "entry/reception" area or on the terrace/veranda adjacent to the tasting room on three sides. Signs shall be prominently displayed and maintained in all four directions of potential exit from the designated tasting room to this effect.~~

SUPERSEDED BY USE PERMIT MODIFICATION P19-00097-MOD COA 4.2

G. USE PERMIT No. #P05-00040-MOD
Conditions of Approval

2. ~~Increase number of full-time employees by 12 FTEs;~~

SUPERSEDED BY USE PERMIT MODIFICATION No. #P05-00199-MOD COA 1

H. USE PERMIT No. #P05-00199-MOD
Conditions of Approval

1. SCOPE: The permit shall be limited to:
   - ~~Increase wine production to no more than 160,000 gallons per year.~~
   - Increase the number of full-time employees from 28 to 45 (with 5 part-time employees and 6 seasonal workers)
   - Increase winery operations from six days a week to seven days a week
   - Expand hours of operation from 8 a.m. - 5 p.m. to 6 a.m. - 7 p.m., except during crush.
   - Establish retail sales and tours and tasting by appointment only.

2. MARKETING: Marketing events shall be limited as follows:
   - ~~36 private wine and food events per year for a maximum of 25 guests at each event. This replaces condition of approval 8(a) approved with 96346-MOD that allowed 5 to 7 marketing events per year averaging 25 guests per event.~~
   - ~~2 wine industry/consumer events per year for a maximum of 600 guests at each event;~~
   - ~~2 Wine Auction related events per year for a maximum of 250 guests at each event.~~

~~Condition of approval 8(b) approved with 96346-MOD allowing 8 to 10 tastings per month with 2 to 20 invited guests remains in effect.~~

~~"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of Wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis and may include food service without charge except to the extent of cost recovery when provided in association with such education and development but shall not include cultural and social events unrelated to such education and development. (Ord.1104 § 11, 1996: Ord. 947 § 9 (part), 1990: prior code § 12071). Evening, marketing events shall cease by 11:00 PM with personnel involved with the event off the premises by midnight. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.~~

SUPERSEDED BY USE PERMIT MODIFICATION P19-00097-MOD COA 4.3

3. ~~Tours and Tastings~~

   a. ~~Tours and tastings are limited to a maximum of 82 persons/day with an average of 576 persons/week, (48 private tours and tastings per week for a maximum of 12 guests at each appointment). "Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to members of the wine trade, persons invited by a winery who have pre-established business or personal relationships with the winery or its owners, and persons who have made unsolicited prior appointments for tours or tastings. (Ord. 947 § 9 (part), 1990: prior code § 1.2010). Tours and tastings shall complete by 4:00 PM. Retail sale of wines shall complete by 4:30 PM and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c). A logbook (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.~~

   b. ~~In addition to condition 3(a), above, public tours and tasting without an appointment, for an average of 50 persons per week (30 on the busiest day), remains in effect.~~

SUPERSEDED BY USE PERMIT MODIFICATION P19-00097-MOD COA 4.2

5. Grape Source

   At least 75% of the grapes used to make 110,000 gallons per year of the wine produced at the facility shall be grown within the County of Napa. This total represents the 50,000 gallon per year increase approved by this modification (file #P05-0199-MOD) plus the 60,000 gallon per year increase approved in 1997 (see 96346-MOD). The applicant shall report to the Department on an annual basis by

December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

9. Traffic
Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per the Department of Public Works shall be maintained in good working condition.

I. USE PERMIT No. #P11-00426-MOD
Conditions of Approval

1. Recognize newly installed landscaping and allowing for the existing events and tastings to occur within the newly planted area