

NAPA COUNTY

JAMES H. HICKEY Director CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

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

Assessor's Parcel # 27-540-13

Mitch Cosentino
Crystal Valley Cellars
P.O. Box 2818
Yountville, CA 94599-2818

Dear Mr. Cosentino:

Please be advised that **Use Permit Application Number** #U-518687 has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: July 6, 1988

EXPIRATION DATE: July 16, 1989

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

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

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions.

Very truly yours,

JEFFREY R. REDDING
Deputy Planning Director

JHH:ml:1

cc: Bill L. Hall, Building Codes Administrator
Assessor

Rev. 1/88

CONDITIONS OF APPROVAL

Agenda Item: 13

MEETING DATE: June 3, 1987 USE PERMIT #U-518687

1. The permit shall be limited to: the construction of a 30,000 gal./yr. winery with tours and tasting and related wastewater pond and field disposal area as shown on the attached plot plan.

Any expansion or changes in use to be by separate Use Permit submitted to the Department for Commission consideration.

- 2. Submission of a detailed landscaping, fencing and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces. Said plan to be submitted prior to issuance of the Building Permit. Landscaping, fencing and parking to be completed prior to finalization of Building Permit. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
- 3. Provisions for a minimum of 27 off-street parking spaces on a dust free all weather surface approved by Public Works.
- 4. Plans for any outdoor signs be submitted to the Department for review and approval with regard to design, area, height and placement.
- 5. Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
- 6. Compliance with Mitigation Measures #1 through #15 contained in the attached Negative Declaration.
- 7. Except as permitted by County ordinance, no outside social activities including picnicking, outside dining, wine tasting, live music, outdoor festivals, or other activities of a similar nature.
- 8. Retail sales shall be limited to wine produced and bottled by the winery. Retail sales may commence following the construction of the winery.
- 9. Tours and tasting shall not commence until after the winery has been constructed and is in operation.



NAPA COUNTY

CONSERVATION — DEVELOPMEN AND PLANNING DEPARTMENT

JAMES H. HICKEY Director 1195 THIRD STREET, ROOM 210 ● NAPA, CALIFORNIA 94559-30 AREA CODE 707/253-4416

Kevin Cronin
MUSTARD'S WRILL
7399 St. 10 Maps. Hwy.
Naps. Ca

Assessor's Parcel # 27-540-13

Please be advised that Use Permit Application Number Application Number has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions:

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: March 22, 1989 EXP PATION DATE: About 5, 1990

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

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

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions.

Very truly yours,

JEFFREY R. REDDING Deputy Planning Director

JHH:m1:1

cc: Bill L. Hall, Building Codes Administrator
Assessor, John Tuteur
Trent Cave, Director of Environmental Management
Hargaret Woodbury, Chief Deputy County Counsel
Mitch Cosentino, P. O. Box 4751, Modesto, CA 95352
Rev. 1/88

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CONDITIONS OF APPROVAL

Mustards Grill/Crystal Valley Cellars #U-128889 CDPC Meeting of 3/22/89

1) The permit be limited to construction of a common wastewater disposal facility consisting of two (2) aerated wastewater ponds and a spray disposal area for the existing restaurant and the approved winery.

Any expansion or changes in use to be by separate use permit submitted for Commission consideration.

- 2) Submission of a detailed landscaping and fencing plan for the spray disposal area and wastewater ponds to the Department for review and approval indicating names and locations of plant materials and method of maintenance. Said plan to be submitted prior to issuance of any required permit or administrative approval. Landscaping and fencing to be completed prior to County clearance of wastewater ponds or appurtances. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
- 3) Compliance with project revisions as identified in the Department's March 7, 1989 letter to Kevin Cronin, incorporated herein by reference.
- 4) Compliance with all conditions of approval 1 thru 9 and mitigation measures 1 thru 15 (See Attachment 1) of use permit #U-518687 issued to Crystal Valley Cellars.
- 5) The seating capacity for Mustards Grill shall not exceed 60 indoor seats total as specified by use permit #U-418384 incorporated herein by reference.
- 6) Compliance with all applicable building codes, zoning standards and requirements of various County departments and agencies.
- 7) Agreement for long term operation and maintenance of the aeration ponds and spray fields shall be submitted to and approved by County Counsel prior to issuance of any administrative approvals or permits and shall be binding upon the present owners and successors-in-interest for Parcels 27-500-14 and 27-540-13.





Director

NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

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

February 28, 1990

Assessor's Parcel #27-540-13

CRYSTAL VALLEY CELLARS, INC. P.O. Box 2818
Yountville, CA 94599

Gentlemen:

Please be advised that Use Permit Application Number U-518687 - Modification #1, has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions.

(SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: February 21, 1990 EXPIRATION DATE: See conditions of approval

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

This letter serves as the only notice you will receive regarding the expiration date of your permit and required conditions of approval

Very truly yours,

JEFFREY R. REDDING

Director

cc:

Bill L. Hall, Building Codes Administrator

John Tuteur, County Assessor

Tim Snellings, Environmental Management Department

Gaylon Patterson, Property Owner

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CONDITIONS OF APPROVAL (Crystal Valley Cellars Use Permit #U-518687 Modification #1)

Agenda Item #17

1. This use permit modification shall allow only the following activities to be conducted at the winery until the approved wastewater system has been installed and approved by the Director of Environmental Management:

Administrative Offices
Barrel Aging
Retail Sales
Storage
Wine Tastings (on a fee basis only)

The number of persons permitted on-site, daily or monthly wastewater flows and pumping requirements shall be set by the Director of Environmental Management. Pumping of on-site septic tanks shall be coordinated with Mustards Restaurant to the greatest extent feasible.

These activities shall terminate on June 15, 1990 unless the approved wastewater system has been installed and approved by the Director of Environmental Management.

- 2. All conditions and mitigation measures required by Use Permit #U-518687 shall remain in force and effect.
- 3. Compliance with all applicable building codes, zoning standards and requirements of various County departments and other agencies.
- 4. The applicant shall provide one of the forms of security described in section 11691.2 of the Napa County code to guarantee landscaping and wastewater improvements are implemented by 6/15/90.

No occupancy shall occur until the required security has been approved by the County Counsel and filed with the Director.

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NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

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

JEFFREY REDDING

Director

April 22, 1994

USE PERMIT MODIFICATION

Mitch Cosentino
Cosentino Winery
7415 St. Helena Hwy
Yountville, CA 94599

Re:

Modification of Use Permit #U-518687 (#93362-MOD)

Assessor's Parcel No. 27-540-13

Dear Mr. Cosentino:

Please be advised that on April 15, 1994, the Napa County Zoning Administrator approved your request to modify use permit #U-518687 to enclose a portion of the existing receiving area 10 center at the Cosentino Winery 7415 St. Helena Highway, Yountville, within an AP (Agricultural Preserve) zoning district. The modification was approved subject to compliance with the attached conditions. All other conditions of approval and mitigation measures remain as specified by use permit #U-518687.

The action of the Zoning Administrator is final unless appealed pursuant to Title XIII of the Napa County Code.

Please contact Robert Nelson, Planner III, if you have any questions on this matter.

Sincerely,

Jeffrey R. Redding

Zoning Administrator

cc: John Tuteur, County Assessor

Gary Brewen, Building Codes Administrator

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CONDITIONS OF APPROVAL Use Permit Modification #93362-MOD (Cosentino)

- 1. This modification is only to enclose the west side of the existing receiving area with a third wall 33.5 feet long. There will be no increase in annual production, or any other aspect of the winery's approved operation. All conditions of Use Permit U-518687, not in conflict with these conditions, shall remain in effect.
- 2. The changes shall be consistent with the attached application materials and conform to the comments and requirements from the various departments and agencies including but not limited to the Department of Environmental Management dated Feb. 22, 1994.
- 3. <u>All</u> lighting, especially outside lighting, shall be shielded and directed downward and away from off-site uses. Low-level safety lighting shall be the only outside lighting utilized when winery operations, such as crush, are not occurring. Normal winery hours of operation, excluding crush, continue to be 7:00 a.m. to 6:00 p.m.
- 4. The shipping and receiving activity, including during crush, shall occur within the receiving area, to be enclosed on three sides by the approval of this modification.
- 5. All equipment and vehicles used shall be adequately mufflered.
- 6. All vehicles shall be turned off and not be allowed to idle while parked.
- 7. Any new or existing stationary compressors or other noisy equipment located outside the winery shall be located within an acoustical enclosure designed and constructed to conform with the applicable requirements of the Napa County Code.
- 8. The applicant shall comply with all applicable building and zoning codes and requirements of various County departments and agencies.



CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding Director

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

FAX 707/253-4336

May 17, 2001

SHANE SOLDINGER **COSENTINO WINERY** P.O. BOX 2818 YOUNTVILLE, CA 94599

RE:

Request for Minor Use Permit Modification #00304-MOD Additional Equipment Storage at Cosentino Winery

APN 027-540-013

Dear Mr. Soldinger:

The above request came before the Zoning Administrator for action on May 11, 2001. The modification would add approximately 1095 sq.ft. of equipment storage space attached to the existing 11,755 sq.ft. winery on a 4.29-acre parcel located at 7415 St.Helena Highway. The modification permit was APPROVED with the attached conditions.

The approval may be appealed to the Board of Supervisors by 5 PM on May 25 in accordance with the procedures in Chapter 2.88 of the Napa County Code. The appeal fee in this matter is \$125.00.

Because the permit being modified has been "used" by establishment of the winery, this Permit carries its own expiration date, and must be used in compliance with the permit conditions in conformance with Section 18.124.080 of the Napa County Code by May 21, 2002. A maximum twelve month extension may be granted upn application and payment of applicable fees not before April 21, 2002.

Please contact Leo Getsfried, Project Planner, if you have any further questions.

Michael Miller

Deputy Zoning Administrator

John Tuteur, Assessor CC.

Gary Brewen, Building Codes Administrator

Josephine Taddei, 7391 St. Helena Hwy, Napa 94558

CONDITIONS OF APPROVAL

COSENTINO WINERY #00304-MOD

- 1. This modification is to construct an attached 30' x 36.5' x 16' high (1,095 sq. ft.) metal storage building along the south side of the winery consistent with the application materials and plans on file.
- 2. This accessory structure is to be used solely for the storage of equipment pertaining to the production of wine. No other uses, including office space, shall be permitted. It shall be attached to the existing winery in accordance with the definition in Section 18.08.070 for "attached structure".
- The exterior of the proposed structure shall be finished so as to match that of the existing winery building.
- 4. <u>All</u> lighting, especially outside lighting, shall be shielded and directed downward and away from off-site uses. Low-level safety lighting shall be the only outside lighting utilized when winery operations are not occurring. Normal winery hours of operation, excluding crush, continue to be 7:00a.m. to 6:00p.m.
- 5. All stormwater runoff shall be diverted into the existing sediment catch basin.
- 6. Applicant shall plant and maintain a minimum of three 15-gallon size evergreen shrubs or trees within the area of lawn located between the highway and the expansion site to provide additional visual screening.
- 7. The proposed construction shall conform to the conditions and requirement of the following Napa County Departments and agencies:
 Building Division comments of January 23, 2001;
 Environmental Management Department comments of February 2, 2001;
- 8. All conditions of the original Use Permit U-518687 and subsequent approved modifications not in conflict with these conditions shall remain in effect.
- 9. All staff costs associated with monitoring compliance with these conditions, previous use permit conditions, and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-conformance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

HILLARY GITELMAN Director

PATRICK LYNCH, AICP Assistant Director

> STEVE LEDERER Deputy Director

JOHN MCDOWELL Project Manager

ROBERT NELSON Supervisor

HEATHER MCCOLLISTER Principal Planner

SEAN TRIPPI Principal Planner

BARBARA ABATE Planner

TRISH HORNISHER Planner

NANCY JOHNSON Planner

SUZIE GAMBILL Planning Technician

C. RENEE' LEDERER Planning Administrative Specialist July 29, 2005

Ms. Julie Weinstock Cosentino Winery 7415 St. Helena Highway Yountville, CA 94559

Re: APN 027-540-013; Use Permit # 03474-UP, Cosentino Winery Wastewater Treatment and Disposal System

Dear Julie:

Please be advised that Use Permit # 03474-UP has been **APPROVED** by the Napa County Planning Commission on July 6, 2005, based on the attached conditions, comments, and applicable County regulations.

The permit became effective ten (10) working days after the approval date since no appeal was filed pursuant to Chapter 2.88 of the Napa County Code.

EXPIRATION DATE: July 6, 2007

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

You are hereby further notified, pursuant to Government Code Sec. 66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Should you have any questions, please contact me at (707) 259-8228 or by e-mail at slederer@co.napa.ca.us.

Sincerely.

Steven Lederer

Deputy Director, Napa County Conservation, Development and Planning Department

cc: John Tuteur, Assessor

1195 THIRD STREET SUITE 210

NAPA, CALIFORNIA 94559

TELEPHONE: 707-253-4417

Fax: 707-253-4336

WWW.CO.NAPA.CA.US

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT CONSERVATION & DEVELOPMENT PLANNING COMMISSION

CONDITIONS OF APPROVAL USE PERMIT – Cosentino Winery, FILE #03474-UP APN: #-027-540-013

1. SCOPE:

Approval of a Use Permit Modification to:

- (1) disestablish and dismantle parts of the current joint wastewater system used by Cosentino Winery and the neighboring Mustards Grill;
- (2) establish a new independent wastewater system for Cosentino Winery in substantial conformance with the 2/15/05 ROWD submitted to the RWQCB consisting of a separate sanitary and winery wastewater process and disposal systems; and,
- (3) refurbish pond one located on the Cosentino property.
- (4) upon establishment of the new independent wastewater systems for both Cosentino and Mustards, the Use permit for the previous combined wastewater system shall be considered abandoned.

2. COLORS:

Above ground structures (if any) shall be screened from view of the roadway and neighboring residences. Highly reflective surfaces and materials will not be permitted.

3. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The applicant shall comply with the following requirements of various County departments and other agencies including the following:

- a) Department of Environmental Management memo 5/25/05
- b) Regional Water Quality Control Board Letter dated 3/24/05
- c) County Fire Department memo dated 12/16/03
- d) California Department of Transportation Letter dated 2/4/04
- e) Napa County Mosquito Abatement District Letter dated 12/16/03
- f) Department of Fish and Game Letter dated 6/9/05

4. LANDSCAPING:

a) Two (2) copies of a detailed landscaping plan shall be submitted for review and approval prior to issuance of building permits. The required landscape plan shall indicate plant location, species, size at planting, quantity of each, method of planting, underground automatic sprinkler system, and similar landscape design information. Mature landscaping shall be used to maximum extent practical. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County. Landscaping shall be completed prior to system certification, and shall be permanently maintained in accordance with the approved landscaping plan.

5. NOISE:

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment mufflering and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site during normal working hours.

6. 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. Construction activities shall not occur during windy periods.

7. 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 Department will be contacted for further guidance, which will likely include the requirement for the applicant to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he 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 nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

8. LIGHTING:

No lighting has been requested or is authorized as a result of the permit.

9. STORM WATER CONTROL

For any construction activity that results in disturbance of greater than one acre of total land area, permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

10. INDEMNIFICATION

An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

11. 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. A fund of \$2,000.00 shall be submitted by the permittee to the County to cover staff's ongoing monitoring costs. Funds shall be deposited prior to issue of building and environmental management permits for the new system. The fund shall be replenished when the available balance reaches \$500.00. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$116.00/hour as of January, 2004). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

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

12. MONITORING REPORTS:

Monitoring reports and reports of illegal discharges, and monthly wine production reports, shall be submitted by the permittee to the County. Monitoring reports and reports of illegal discharges shall be made available to neighbors (via e-mail) upon request of a neighbor. Additionally, the permittee shall provide the County with the name of the certified operator who will be operating the system, and update the County prior to making any changes to this operator.

13. MITIGATION MONITORING:

Applicant agrees to comply with the following mitigation measure:

Mitigation Measure XI.d Noise shall be controlled in accordance with the provisions of the County's Noise Control Regulations, set forth in Chapter 8.16 of the County Code. In addition, to ensure that noise will be reduced to a minimum level during reasonable hours, construction activities will be limited to the hours of 7 AM to 7 PM (or less if other regulations are more restrictive), properly muffled vehicles and temporary equipment will be used, vehicle back-up alarms shall be adjusted to the lowest allowable levels, and unnecessary related noises (including, but not limited to radios) shall be kept to a minimum.

Baseline noise studies shall be conducted by a qualified professional, at the applicant's expense, prior to project commencement. Noise surveys of treatment and associated equipment shall be conducted following construction, but before the system is put into full operation, to confirm that operational noise requirements have been met. Additional sound insulation will be added as needed if the noise study finds sounds from any portion of the system exceed baseline or those set in the Napa County Code.

Method of Mitigation Monitoring: (1) The applicant shall include construction noise requirements in plans or contracts for work performed on the site, and shall provide copies of same to the Planning Department. The Planning Department shall confirm receipt of these plans prior to providing clearance on any building permit. (2) The applicant shall contract for,

and provides copies of, baseline noise studies prior to project commencement. The Planning Department will verify receipt of such studies prior to providing clearance on any building permit. The applicant shall contract for, and provide copies of operational noise studies once the system is ready to be placed in service. Neither the Planning Department nor the Department of Environmental Management shall provide clearance for certification of occupancy or use until all sound studies confirm compliance the Napa County Noise Code.