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## Previous Project Conditions and Notice of Violation

Regusci Winery, Major Modification to Use Permit P16-00307  
& Request for Exception to Road and Street Standards  
Planning Commission Hearing Date, November 15, 2017



# NAPA COUNTY

## CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092  
TELEPHONE 707/253-4416 FAX 707/253-4176

**JEFFREY REDDING**  
Secretary

May 22, 1996

Assessor's Parcel #39-030-21,22, & 23

James Regusci  
5584 Silverado Trail  
Napa, California 94558

Dear Mr. Regusci:

Please be advised that Use Permit Application # 95550-UP 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: May 15, 1996      EXPIRATION DATE: May 26, 1997**

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 Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Pursuant to Section 18.124.080 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 and provided that any modification of the permit has become final. A request for an extension of time is subject to payment of the filing fee in effect at the time the request for extension is filed.

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Very truly yours,

  
Jeffrey R. Redding  
Director

cc: John Tuteur, County Assessor.  
Gary Brewen, Building Codes Administrator

c:/da/regusci.ltr

**REGUSCI RANCH WINERY**  
**Use Permit #95550-UP**

CONDITIONS OF APPROVAL (Page 1)

CDPC Meeting Date: May 15, 1996

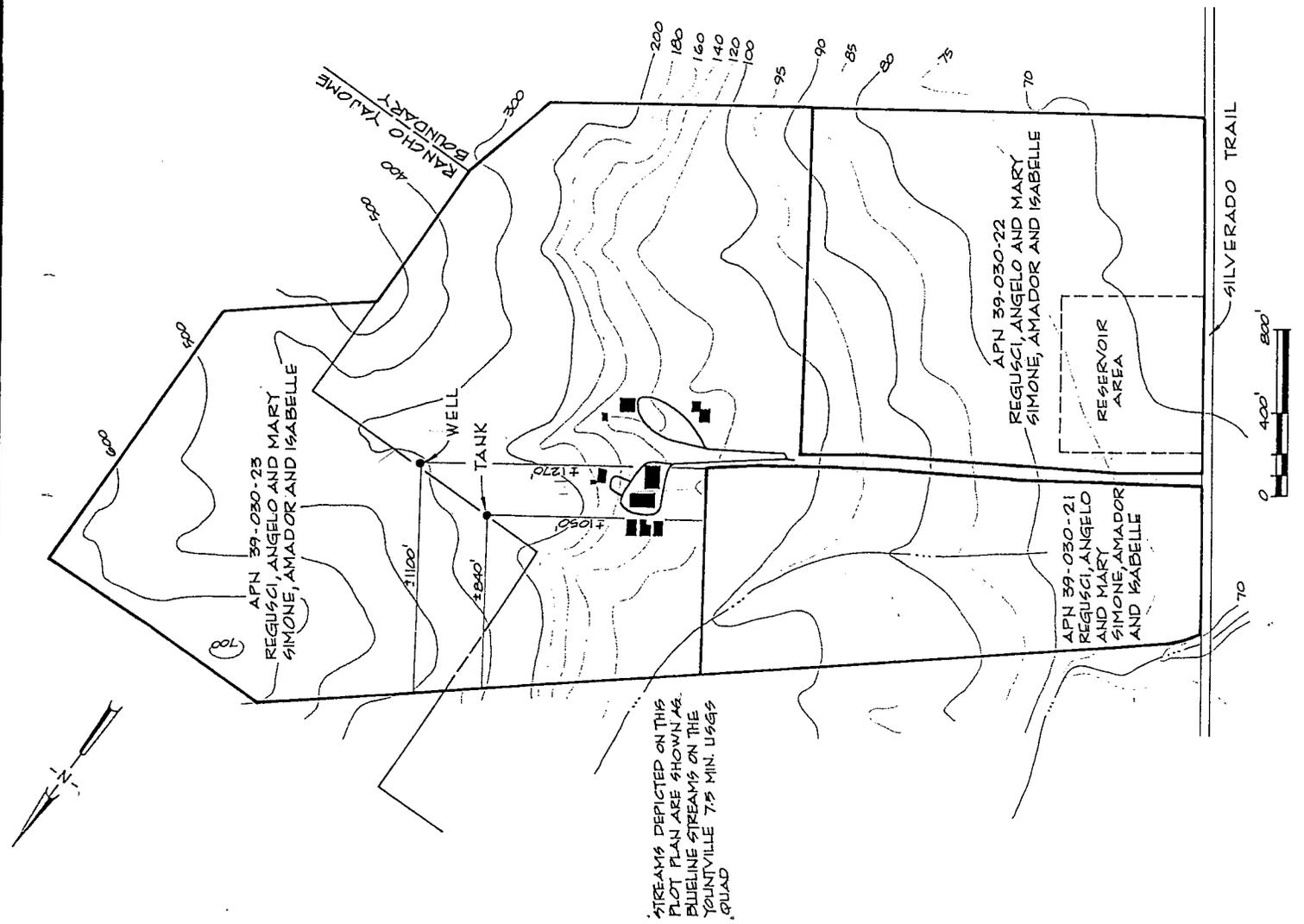
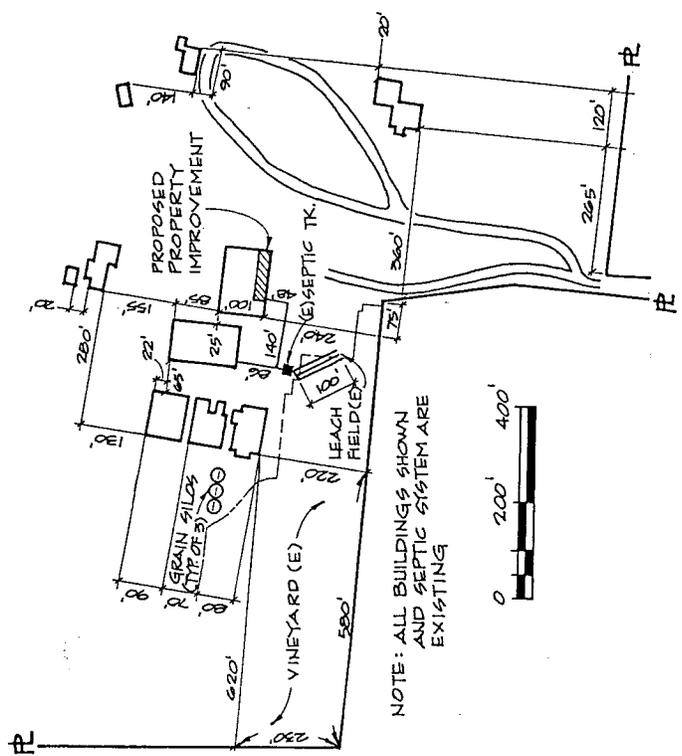
1. The permit is limited to the establishment of a 25,000 gallon per year winery, utilizing a 2980 sq. ft. existing structure as indicated on the attached site plan, including one custom production operation utilizing 5,000 gallons of the production capacity, and no more than 20% of the winery's storage area.  
  
Any expansion or changes in use shall be by separate Use Permit submitted for Commission or Zoning Administrator consideration.
2. Provide 10 off-street parking spaces on a dust-free all-weather surface approved by the Public Works Department.
3. Plans for any outdoor signs shall be submitted to the Department for review and approval with regard to design, area, height, and placement.
4. Any outdoor wine storage shall not be visible from view of Silverado Trail and adjacent properties. Any required screening shall be made by a visual barrier consisting of fencing and/or dense landscaping, and no open storage is to exceed the height of the screening.
5. The applicant/developer shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies.
6. The applicant/developer shall comply with the requirements of the Department of Public Works as stated in their letter of April 18, 1996.
7. Pursuant to condition #6 above, the applicant shall enter into a deferred agreement to construct a left turn storage lane on Silverado Trail, prior to commencement of winery operations, or clearance of any discretionary licenses regarding the commencement of winery operations.
8. The applicant/developer shall comply with the requirements of the Department of Fire as stated in their letter of May 2, 1996.
9. The applicant/developer shall comply with the requirements of the Department of Environmental Management as stated in their letter of April 8, 1996.

**REGUSCI RANCH WINERY**  
**Use Permit #95550-UP**

CONDITIONS OF APPROVAL (Page 2)

CDPC Meeting Date: May 15, 1996

10. Marketing activities are limited to: 1) direct sales by appointment only; 2) sales by wholesale; 3) tours and tasting by appointment by 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 such tours and tasting; and 4) an average of 10 visitors to the winery per week with no more than 3 on the busiest day.
11. The applicant/developer shall report to the Department on an annual basis by December 31, the source of his grapes, verifying that 75% of the annual production is from Napa County grapes. The report shall include the grape tonnage and the Assessor's Parcel Number(s) where grown. Such report shall be proprietary and not available to the public.
12. For the public record, the applicant/developer shall annually submit to the Department a statement certifying compliance with the source requirement and indicating the percentage of Napa County grapes utilized.
13. The production capacity of the winery shall not exceed 25,000 gallons/year as averaged over any consecutive three (3) year period. In any given year production shall not exceed 30,000 gallons. The applicant/developer shall report to the Planning Department in December of each year the number of gallons produced during the year.
14. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased and the winery facility shall not be used for events hosted by entities other than the winery itself.
15. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.





# NAPA COUNTY

## DEPARTMENT OF PUBLIC WORKS

1195 THIRD STREET • ROOM 201 • NAPA, CALIFORNIA 94559-3092  
PHONE 707-253-4351 • FAX 707-253-4627

KENNETH H. JOHANSON  
Director of Public Works  
County Surveyor-County Engineer  
Road Commissioner

April 18, 1996

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

RE: James Regusci, 95550-UP, APN: 39-030-21, 22 & 23

Commissioners:

This use permit will allow the applicant to construct a 25,000 gal/yr winery facility off of Silverado Trail. The following conditions have been provided by the Napa County Public Works Department in order to help the applicant meet applicable County ordinances and standards.

### EXISTING:

1. The existing paved access road is on average 12' wide.
2. Silverado Trail near the winery site is on the average 40 feet wide.
3. The current traffic counts for Silverado Trail, near the winery site, show that the Average Daily Traffic is 5200.

### RECOMMENDED CONDITIONS:

1. We recommend that the applicant enter into a deferred agreement to construct a left turn storage lane on Silverado Trail so as to facilitate south bound traffic turning onto the access road. The applicant has stated that he would like to defer the improvements for 29 months, due to the fact that he will not be ready to release wine for sale until that time. The construction of the left turn lane shall be completed within 29 months after the approval of the application. We will prepare a deferred agreement for the applicant's signature.
2. The access road from Silverado Trail to the winery site shall be improved to the standards of an "Agricultural Special Purpose Road" as shown on the latest edition of the "Napa County Road and Street Standards". The existing access road meets the requirements except for the intervisable turnouts. Intervisable turnouts shall be constructed at approximately 500 foot intervals (Max.). The turnouts shall have a minimum structural section of five inch Class II Aggregate Base plus a double seal coat.

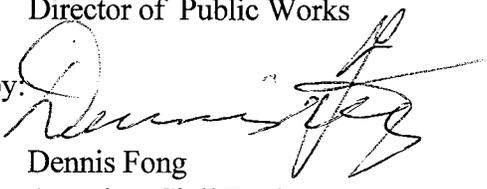
3. Any necessary storm drainage improvements shall be constructed according to the latest "Napa County Road and Street Standards".
4. On site grading shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties.
5. Parking areas shown and required by the Planning Commission as a condition of this Use Permit shall have a minimum structural section equivalent to five inches of Class II Aggregate Base plus a double seal coat.
6. Improvements shall be constructed according to plans prepared by a registered civil engineer which will be reviewed and be approved by this office. A plan check fee in the amount of 3% of the estimated cost of the proposed construction will be paid to Napa County Public Works prior to approval of these plans.

If you have any questions regarding the above items at this time, please do not hesitate to contact our office.

Very Truly Yours,

KENNETH H. JOHANSON  
Director of Public Works

by:

  
Dennis Fong  
Associate Civil Engineer

RECEIVED

MAY 7 1996

# INTER-OFFICE MEMO



NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

2 May 1996

**TO:** Jeffrey Redding  
Conservation - Development and Planning Department

**FROM:** Barbara Easter, Fire Department

**SUBJECT:** Initial Study Comments **REVISED**  
Requsci, James Use Permit # 95550

7660 Recommended Fire Safety Standards  
9200 Fire Prevention Engineering  
**5584 Silverado Trail APN # 039-030-021**

The Napa County Fire Department has reviewed your use permit application to establish a 25,000 gallon per year winery within a 3,024 square foot existing building. We recommend approval with the following conditions-of-approval:

### Conditions-of-Approval

- I. Water supplies for fire protection shall be provided by compliance with Fire Department standards for water systems, required fire flow, and hydrants (Napa County Resolution 88-98§IV)
- II. Facility construction and use shall comply with all applicable provision of the California Building Code (CBC) and California Fire Code (CFC), which are the "Uniform" model codes with California state and local amendments.
- III. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established deposit basis, plus project consultation time at the hourly rate of \$59 per hour (Napa County Resolution 92-65).

### **Discussion**

This project is located on the valley floor, on the side of the Silverado Trail and on the northside of Chimney Rock Golf Course. The response time for the first due Engine is approximately five minutes to ten minutes with the balance of the six engine and truck first alarm assignment arriving within twenty minutes.

If there are any questions, interested parties should feel free to contact Barbara Easter at Napa County Fire Department Headquarters (707) 963-3601.

GARY L. BUZZINI  
Fire Chief

BY: *Barbara A. Easter*

Barbara Easter  
County Fire Inspector



# NAPA COUNTY

DIVISION OF  
ENVIRONMENTAL HEALTH

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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

RECEIVED

APR 9 - 1996

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT

## MEMORANDUM

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

**FROM:** Department of Environmental Management - Peggy P. Britz, R.E.H.S. 

**SUBJECT:** Use Permit Application for James Regusci

**DATE:** April 8, 1996

**APN 39-030-21, 22 and 23      FILE # 95550-UP**

**Located at 5584 Silverado Trail**

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

1. A Hazardous Materials Business Plan or Negative Declaration Response Form must be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management. This must be submitted within 60 days of receiving the use permit unless the applicant submits a letter stating the hazardous materials will not be brought on site until a specified future date. In this case, the Business Plan or Negative Declaration must be submitted within 30 days of bringing the Hazardous Materials on site.
2. That a permit for any additions or repairs to the sewage disposal system be secured from the Department of Environmental Management.
3. That the use of the drain field area be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. This includes equipment storage, traffic, livestock, etc., over the system.
4. That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

5. During the construction/demolition/renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development; unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill for the service area in which the project is located.
6. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site.
7. All diatomaceous earth/bentonite must be disposed of in an approved manner.
8. The proposed water system to serve this project is not currently required to be regulated by this Department under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy. The applicant may wish to retain the services of a consultant in this matter.

cc: James Regusci, 5584 Silverado Trail, Napa, CA 94558



A Tradition of Stewardship  
A Commitment to Service

David Morrison  
Director

**NOTICE OF VIOLATION**

July 29, 2015

Regusci Simone Ranch Limited Partnership  
Regusci Vineyard Management, Inc.  
5584 Silverado Trail  
Napa, CA 94558-9411

First Republic Bank  
999 Adams St., Suite 401  
St. Helena, CA 94574

VIA CERTIFIED AND REGULAR U.S. MAIL

Location: 5584 Silverado Trail, Napa County, California, APN: 039-030-023

Dear Sir or Madam,

The County of Napa has received information that a violation exists on the property described above in violation to Napa County Code and your winery use permit. Official records indicate that you own, have a lien or encumbrance on, or have a possessory interest in the property listed above. The following violations may exist:

1. Use Permit #95550-UP (Condition of Approval - COA#10) – Marketing, tours, and visitation activities are limited to an average of 10 visitors per week with no more than 3 on the busiest day. Your website ([www.regusciwinery.com/visit/make-reservation](http://www.regusciwinery.com/visit/make-reservation)) indicates that you are taking reservations for parties of 1-6 people, large parties of seven (7) or more people, and wine club reservations of 4-6 people per visit.
  - o ACTION REQUIRED: Discontinue visitation which are not a part of the winery’s use permit visitation allowances. Until the use permit has been modified through the modification process all visitation must return to the allowed limitations as indicated in this letter and the Use Permit Conditions of Approval (see attached).
2. Section 18.144.040. (Nuisance) Any use of property contrary to the provisions of Title 18 of the County Code shall be declared to be unlawful and a public nuisance.

Please respond within seven days of the date of this letter (by August 7, 2015) to inform this office of your plans to address this County Code violation. Your cooperation is requested, however, failure to promptly comply, by first responding, this matter, may be referred to the District Attorney or County Counsel for appropriate legal action.

If you have any questions regarding this Notice, please feel free to contact Linda St. Claire, Code Enforcement Officer, at (707) 299-1348 during normal business hours.

Sincerely,

Linda St. Claire  
Code Enforcement Officer

cc: file, chron