

“C”

Previous Project Conditions



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Director

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

September 19, 2002

Jeff & Valerie Gargiulo
575 Oakville Cross Road
Napa, CA 94559

RE: Use Permit Request #00527-UP
APN: 031-070-012

Dear Mr. & Mrs. Gargiulo:

Please be advised that the above-referenced **Use Permit** was **APPROVED** by the Conservation Development, and Planning Commission on September 18, 2002, based on the attached conditions. The permit will become effective on September 30, 2002, unless an appeal is filed. If an appeal is filed by others, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one year and 10 days from the approval date, or it shall automatically expire and become void on September 30, 2003. An extension of time in which to activate the permit may be granted for a maximum of 12 months, upon application no more than 45 days prior to expiration, and payment of fees in effect at the time of application.

This letter is your only notice regarding expiration and procedures for extension of this permission.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. Lederer".

Steven E. Lederer
Deputy Planning Director

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Larry Bogner
Christine Secheli

CONDITIONS OF APPROVAL

Page 1 of 3

CDPC Meeting Date: September 18, 2002
File #00527-UP Gargiulo Winery/Jeff & Valerie Gargiulo
APN: 031-070-012

1. Use Permit #00527-UP is limited to:
 - a. Approval to establish a 20,000 gallon/year winery consistent with the application forms and supplemental winery information sheet. Operations will include two full-time and one part-time employees and retail wine sales.
 - b. The construction of a two-story, 4,420 sq.ft. wood frame winery, consistent with the application forms, supplemental winery information sheet, graphics and as delineated on the approved site plan. The total enclosed floor area of the winery shall not exceed 4,420 sq. ft.
 - c. The use of a 10,000 sq.ft. cave for barrel storage as delineated on the approved site plan.
 - d. The construction of a 5-space parking lot as delineated on the approved site plan.
 - e. *Tours and Tastings* (maximum 10 persons/day) by prior appointment only pursuant to Section 18.080.620 (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 the 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). Tours and tasting shall complete by 4 PM to avoid peak traffic hours.

Any expansion or changes in use, or project changes that are necessitated by the requirements of other departments or agencies, are subject to further County approval.

2. Marketing activities are limited to:

Private promotional tastings and meals

Frequency:	1 per month
Maximum attendance:	40 persons

Marketing activities, as defined in Section 18.08.370, are 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 pre-arranged basis.

3. Submit three (3) copies of a detailed landscaping 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 is to be submitted prior to issuance of the building permit. Landscaping and parking to be completed prior to final occupancy. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
4. Provide 5 off-street parking spaces on a dust-free all-weather surface approved by the Public Works Department. All event parking shall be located so that access to the winery shall be maintained for emergency vehicles by monitoring parking during events. No winery parking on Oakville Cross Road is permitted.

CONDITIONS OF APPROVAL

Page 2 of 3

CDPC Meeting Date: September 18, 2002
File #00527-UP Gargiulo Winery/Jeff & Valerie Gargiulo
APN: 031-070-012

5. A sign permit shall be submitted and approved by the Department for any outdoor winery identification signs.
6. All outdoor storage of winery materials or equipment shall be screened from view of adjacent properties by a visual barrier consisting of fencing and/or dense landscaping. No open storage is to exceed the height of the screening.
7. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:
 - The Department of Environmental Management as stated in their letter of August 13, 2001.
 - The Department of Public Works as stated in their letter of August 21, 2001.
 - The County Fire Department as stated in their memo of July 18, 2001.
 - The Building Division as state in their memo of July 16, 2001.
8. The permittee 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. A separate report, for the public record, shall include a statement certifying compliance with the source requirement and indicating the percentage of Napa County grapes utilized.
9. All facilities of the winery, including offices, shall be for the exclusive use of the on-site winery. No portion of the structure shall be rented, leased and the winery facility shall not be used for events hosted by entities other than the winery itself, except those approved for temporary event license pursuant to Chapter 5.36 Napa County Code.
10. Any exterior winery machinery equipment shall be sufficiently enclosed or muffled and maintained so as not to create a noise disturbance in accordance with County Code Section 8.16.060(A) or 8.16.0705816(a). No outdoor amplified sound systems shall be used at the winery
11. The permittee shall comply with Mitigation Measures described in the Project Revision Statement signed by the applicant.
12. 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.
13. During construction of the winery, all construction equipment muffling and hours of operation shall be in compliance with the County Code section regarding noise, Chapter 8.16. Any exterior winery machinery equipment shall be sufficiently enclosed or muffled and maintained so as not to create a noise disturbance in accordance with County Code Section 8.16.060(A) or 8.16.0705816(a).

CONDITIONS OF APPROVAL

Page 3 of 3

CDPC Meeting Date: September 18, 2002
File #00527-UP Gargiulo Winery/Jeff & Valerie Gargiulo
APN: 031-070-012

14. Prior to issuance of any building permit for construction of the winery, a detailed Lighting Plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for review and approval by the Department. The design of all exterior lighting fixtures shall be shielded and directed downward. No floodlighting of the building is permitted.
15. Except as permitted by County Ordinance and this permit, no outside social activities, including picnicking, outside dining, outside wine tasting, live music, outdoor festivals, or other activity of a similar nature shall occur.
16. A qualified professional archaeologist shall be employed by permittee during any ground-disturbing activity associated with the permitted project. The archaeologist shall be authorized to halt or redirect activity as necessary to avoid disturbance of cultural or historic resources. If such materials are encountered, work shall be halted until the archaeologist evaluates the find, recommends mitigation, and the mitigation procedure has been implemented as recommended. Within 60 days of completion of ground-disturbing activity, permittee shall submit a copy of the archeologist's final report of findings or lack thereof, and, if any, of activities that were pursued to protect or salvage the resource.
17. Temporary orange construction fencing shall be installed along the outboard dripline of the trees located within the proposed project area. The proposed location of fences and all construction staging and vehicle parking areas to be utilized will be flagged and approved in the field by Napa Co Conservation Division staff prior to fence installation. No ground-disturbing activities, parking of vehicles, placement of equipment, storage of spoils, slash or vineyard materials, burning of slash, placement of rock, etc. shall be permitted within fences once they have been erected. These fences shall not be moved, opened, or removed without written authorization from the Director of the Napa Co Conservation, Development & Planning Department, or until the proposed vineyard installation is complete. Finally all persons working on-site including, but not limited to, heavy equipment operators shall be instructed in the field and bound by contract to stay out of the exclusion areas created by these fences.
18. A surface drainage plan designed to provide adequate drainage and prevent excess water from encroaching in the dripline of the trees shall be submitted prior to any earthmoving activities associated with the proposed activities.
19. All spoils shall be disposed off-site prior to issuance of any certificate of occupancy. A grading permit shall be obtained from Public Works if the volume of spoils exceed thresholds as specified in the Napa County Code. All spoils generated by construction of the project facilities shall be disposed of in an approved off-site location outside of the appropriate setback of all floodways, riparian zones, marshes, wetlands, and other biologically sensitive areas.



CHARLES WILSON
Director

COUNTY *of* NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

March 3, 2004

Jeff & Valerie Gargiulo
575 Oakville Cross Road
Napa Ca 94558

Re: Request for Use Permit Modification #04112-MOD
APN 031-070-012-000

Please be advised that your request to modify **Use permit #00527-MOD** has been Administratively **APPROVED** by the Napa County Conservation, Development and Planning Department, subject to the previously approved conditions (#00527-UP), the other departments comments, and applicable County regulations. (The Fire Department comments dated February 25, 2004 will apply to this modified Use Permit.)

This approval is based on the consent from the closest neighbors, the approved modification preserving the large oak trees on site, and the agreement to add screening trees between the winery building and the property line.

This approval allows for the reduction in height of the roofline for the revised winery building, a minor adjustment to the location of the structure and the realignment of the access driveway.

The use permit becomes effective in ten days, unless an appeal is filed. You may appeal the conditions of approval in accordance with the procedures in Chapter 2.88 of the Napa County Code. If an appeal is filed by others, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit modified 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 modification.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Nelson", with a long, sweeping underline.

Bob Nelson
Supervising Planner
Napa County Conservation, Development and Planning Department

Cc: John Tuteur, County Assessor
Gabrielle Avina, Napa County Fire
Christine Secheli, Environmental Management
Larry Bogner, Public Works

GARGIULO WINERY

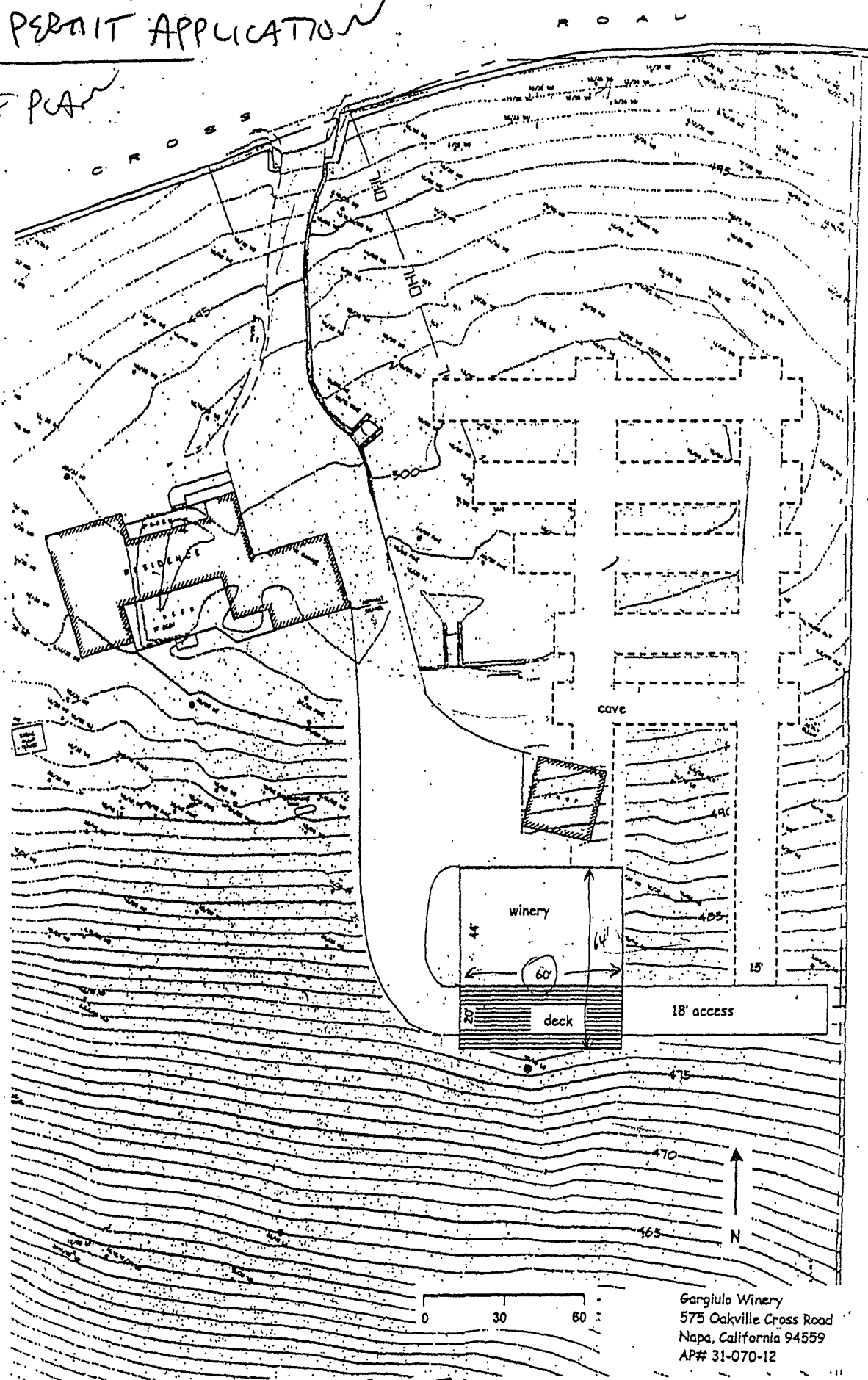
USE PERMIT APPLICATION

SITE PLAN

1/8

WEST

EAST

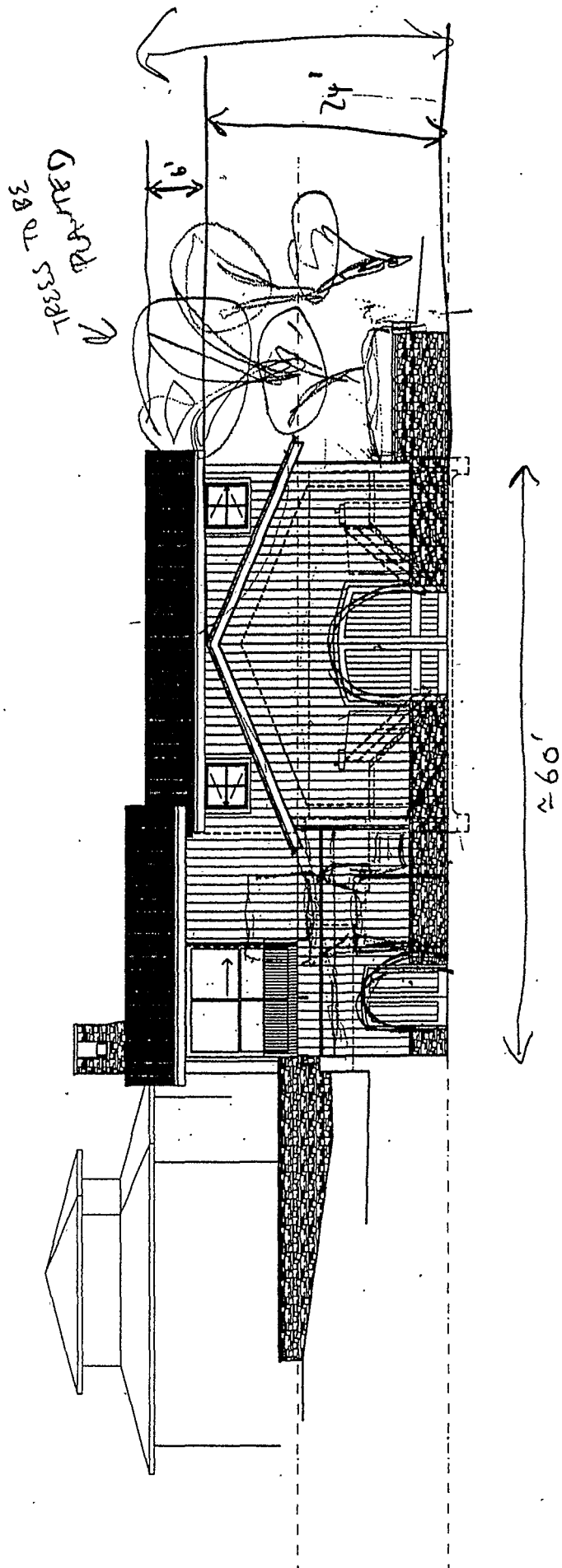


SOUTH

Gargiulo Winery
575 Oakville Cross Road
Napa, California 94559
AP# 31-070-12

8/9

REVISED DESIGN
VIEW FROM SOUTH





COUNTY of NAPA
OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING
PLANNING DIVISION

- PATRICK LYNCH, AICP
Acting 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
- NAOMI BEATTIE
Planner
- NANCY JOHNSON
Planner
- ◆
- SUZIE GAMBILL
Planning Technician
- ◆
- C. RENEE LEDERER
Planning Administrative Specialist

October 6, 2004

Jeff and Valerie Gargiulo
575 Oakville Cross Road
Napa, CA 94558

Re: Request for Use Permit Modification #P04-0425-MOD, APN:31-070-012

Dear Mr. and Mrs. Gargiulo:

Please be advised that your request to modify Use Permit #00527-UP for Gargiulo Winery has been administratively **APPROVED** (see attached comments/conditions).

The permit becomes effective unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If others file an appeal, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within two years from the approval date, or it shall automatically expire and become void. No extensions are possible. This letter is your only notice regarding expiration.

This approval applies only to the modifications proposed in application submitted on September 7, 2004. All applicable building permits must be applied for and obtained prior to construction. Additionally, approval from the Fire Department, Public Works, and Environmental Management must be obtained and all conditions must be complied with as part of the Building Permit process. All conditions required by the original Use Permit, except as modified herein, remain in full effect.

Should you have any questions, please contact Naomi Beattie at nbeattie@co.napa.ca.us or a (707) 253-4416

Sincerely,

Patrick Lynch
Acting Director

- Cc: file
- Gabrielle Avina, County Fire Department
- Christine Secheli, Environmental Management Department
- Larry Boegner, Public Works

1195 THIRD STREET
SUITE 210
◆
NAPA, CALIFORNIA
94559
◆
TELEPHONE:
707-253-4417
◆
FAX:
707-253-4336
◆
WWW.CO.NAPA.CA.US

**CONDITIONS OF APPROVAL
GARGIULO WINERY
P04-0425
APN: 31-070-012**

1. **SCOPE:** The permit shall be limited to:
 - Relocation of a previously approved winery (00527-UP and 04112-MOD);
 - Elimination of the previously approved 10,000 square feet of caves;
 - Utilization of an existing 800 square foot barn/office building and construction of a 3,600 square foot addition for a winery totaling 4,420 square feet.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, constructors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

2. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

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

Department of Environmental Management as stated in their letter of October 7, 2004

Department of Public Works as stated in their letter of September 30, 2004

County Fire Department as stated in their letter of October 5, 2004

3. **WELLS:**

The permittee may be required (at the permittee's expense) to provide well monitoring data if it the Director of Environmental Management determines that water usage at the winery is affecting, or would potentially affect groundwater supplies or nearby wells. Data requested could include, but may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gage potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices. 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 director of environmental management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare.

**CONDITIONS OF APPROVAL
GARGIULO WINERY
P04-0425
APN: 31-070-012**

That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the county code section 13.15.070.G-K.

4. 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. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, 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 Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$88.00/hour as of December, 2002). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

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

5. PREVIOUS CONDITIONS:

The permittee shall comply with all applicable conditions and mitigation measures which were included in the previously approved Use Permits #00527-UP and #04112-MOD. (Any conditions that are in conflict with the requirements of this permit shall be null and void).

INTER-OFFICE MEMO

TO: Patrick Lynch, Director
Conservation, Development, and Planning Department

FROM: Gabrielle Maurino Avina, Fire Department

DATE: October 5, 2004

SUBJECT: Gargiulo Winery Use Permit Modification Comments
Apr: 031-070-012 P04-0425

Site Address: 575 Oakville Cross Rd., Oakville

The Napa County Fire Marshal staff has reviewed the Use Permit modification application to reduce the size of an approved winery by removing 10,000 square feet of wine caves and relocating the above ground structure. The comments below reflect the conditions if the modification is approved.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.**
2. An approved automatic fire sprinkler system will be required for all structures 3,600 square feet or greater. The proposed winery building will require an automatic fire sprinkler system. The fire sprinkler system shall be installed and maintained in accordance to the *National Fire Protection Standard #13 (Installation of Sprinkler System, 1999 edition)*. Water storage to operate the sprinkler system design area for 60 minutes is required.
3. The **minimum** required fire flow for the protection of the **proposed** project is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 6,000 gallons. This fire flow is based on the square footage of the above ground structure and the type of building construction and has been reduced by 50% because the aboveground structure will require automatic fire sprinkler protection. The fire flow and storage volume in a sprinklered building is in **addition** to the water demand for the sprinkler system.
4. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard*

#20 (Installation of Stationary Pumps for Fire Protection 1999 edition). Fire pumps are required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.

5. The private fire service mains shall be installed and maintained in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 1999 edition)*. Fire service mains shall be a minimum of 6" in diameter and shall be listed for fire protection use and comply with AWWA standards.
6. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2001 edition, Appendix III B*.
7. All post indicator valves, control valves, waterflow devices and fire pumps will require monitoring by an approved remote station or central alarm monitoring company. The fire alarm system shall be designed and installed in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*.
8. The applicant shall be responsible for maintaining 10 feet of defensible space along each side of the roadway. This defensible space zone shall include the removal of all dead fuel, dry grass mowed to less than four inches in height, the removal or cutting of all brush, the removal of small trees less than 8 inches in diameter and the removal of all ladder fuel on existing trees up to 8 feet in height, within 10 vertical feet of each side of the roadway.
9. A defensible space zone shall be created around all structures. This defensible space zone shall be a minimum of 100' from all portions of a structure. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
10. The request for beneficial occupancy ***will not*** be considered until all fire and life safety issues have been installed, tested and finalized.
11. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
12. Fire apparatus access roads shall be provided to within 150' to all structures. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet.

13. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
14. The approved address numbers shall be placed by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be visible from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 10" in height, contrasting in color with their background and shall be illuminated.
15. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
16. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.
17. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.
18. A Knox box or a Knox Cabinet shall be installed at an approved location by the Napa County Fire Marshal's Office. Since the winery will require an alarm system the box will require "tamper" monitoring.
19. The Knox rapid entry system shall have one or all of the following items placed in the Knox box or Knox cabinet, dependant on requirements of this facility:
 1. A minimum of 2 master keys to the buildings for emergency access.
 2. Scaled site plan of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 3. Scaled floor plans of all structures showing doors, offices, etc.
 4. Napa County Hazardous Materials Business including all MSDS forms, etc.
20. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.

21. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage.
Approved signs may be required to identify the location of fire protection devices.
22. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at **no** charge to the County (California Fire Code section 103.1.1) for the following circumstances:
 - a. Independent peer review of alternate methods proposals.
23. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.

BYRON J. CARNIGLIA
Fire Chief

By: *Gabrielle Maurino Avina*

Gabrielle Maurino Avina
Assistant Fire Marshal

cc: CFM Files, and Chron

RECEIVED

COUNTY of NAPA

SEP 29 2004

CONSERVATION, DEVELOPMENT AND PLANNING



CHARLES WILSON Director

NAPA COUNTY DEPT. OF PUBLIC WORKS

PATRICK LYNCH Assistant Director

RECEIVED

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

SEP 30 2004

NAPA CO. CONSERVATION, DEVELOPMENT & PLANNING DEPT.

TO:

Public Works

APPLICATION TITLE: Garajulo Winery APN: 31-070-034 012

RESPONSE REQUEST DATE: 9-29-04 RESPONSE RETURN DATE: 10-13-04

FINAL REQUEST DATE: FINAL RESPONSE DATE:

PLEASE RESPOND VIA E-MAIL TO: nboastie@co.napa.ca.us

OR DIRECT FAX TO: N. Boastie (707)299-11083

FOR QUESTIONS ON THIS REQUEST, PLEASE CONTACT:

This application (see enclosed project description and maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you have jurisdiction by law over this project? [X] Yes [] No

2. Indicate areas of environmental concern and availability of appropriate technical data: ORIGINAL CONDITIONS OF APPROVAL (AUGUST 21, 2001) ARE STILL APPROPRIATE AND APPLICABLE.

3. Do you recommend: [] Negative Declaration [] Environmental Impact Report

4. If the project is approved, recommend conditions of approval (use additional page if needed). SEE #2 ABOVE.

5. Have you previously reviewed an application on any portion of this project? [] Yes [X] No

6. Name of contact person: LARRY BOGNER Telephone #: 253-4351

Prepared by: Larry B Title: CEVA ENVOYER Date: 9/30/2004



TRENT CAVE, R.E.H.S.
Director

COUNTY of NAPA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RECEIVED

OCT 11 2004

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Napa County Planning Department
Patrick Lynch, Acting Director

FROM: Napa County Environmental Management Department *CMS*
Christine Secheli, R.E.H.S., Environmental Health Manager

SUBJECT: Use Permit Application for Gargiulo Winery
Located at 575 Oakville Cross Road
Assessor Parcel 31-070-12
File # P04-0425

DATE: October 7, 2004

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

1. Previous recommendations and conditions of approval of August 13, 2001 still apply and shall be included in the project.

cc: Mr. Jeff Gargiulo, Gargiulo Winery, 575 Oakville Cross Rd., Napa, CA 94558

1195 Third Street, Suite 101 • Napa, California 94559
Telephone: (707) 253-4471 • Fax: (707) 253-4545 • www.co.napa.ca.us



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

August 23, 2005

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

NAOMI BEATTIE
Planner

NANCY JOHNSON
Planner

SUZIE GAMBILL
Planning Technician

C. RENEE' LEDERER
Planning Administrative
Specialist

Jeff and Valerie Gargiulo
575 Oakville Cross Road
Napa, CA 94559

RE: Request for Use Permit Modification #P05-0272

Dear Mr. & Mrs. Gargiulo:

Pleased be advised that your request to modify Use Permit #0527-UP for Gargiulo Winery has been administratively **APPROVED** (see attached comments/conditions).

The permit becomes effective unless appealed to the Napa County Board of Supervisors, pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If others file and appeal, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within two years from the approval date, or it shall automatically expire and become void. No extensions are possible. This letter is your only notice regarding expiration.

This approval applies only to the modifications proposed in the application submitted on August 1, 2005. All applicable building permits must be applied for and obtained prior to construction. Additionally, approval from the Fire Department, Public Works, and Environmental Management must be obtained and all conditions must be complied with as par of the Building Permit Process. All conditions required by the Original Use Permit, except as modified herein, remain in full effect.

If you should have any questions, please contact Robert Nelson at (707) 253-4416.

Sincerely,

Steven E. Lederer
Deputy Planning Director

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Larry Bogner
Christine Secheli

1195 THIRD STREET
SUITE 210

NAPA, CALIFORNIA
94559

TELEPHONE:
707-253-4417

FAX:
707-253-4336

WWW.CO.NAPA.CA.US

**CONDITIONS OF APPROVAL
GARGIULO WINERY MODIFICATION
P05-0272
APN: 031-070-012**

1. **SCOPE:** The permit shall be limited to:

- The construction of an 1146± sq. ft. concrete slab at the lower level of the winery (as delineated on the building site and floor plans), to serve as a barrel washing area and forklift hard surface. The space shall not be used for equipment storage.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant 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 changes in use shall be by the approved Use Permit modification process.

2. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

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

Department of Environmental Management as stated in their letter of August 15, 2005.
Department of Public Works as stated in their letter of August 15, 2005.
County Fire Department as stated in their letter of August 10, 2005.
Building Division as stated in their letter of August 4, 2005.

3. **ADDRESSING**

All project site addresses shall be determined by the Director, and reviewed and approved by the U.S. Post Office, prior to issuance of any building permit. The 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 numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

4. **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.

5. **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.

6. **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. 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 an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the permittee'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