

“D”

Previous Project Conditions



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

June 7, 2007

Mr. Frank D'Ambrosio
D'Ambrosio Brothers Investment Company (DBIC)
100 Rapp Lane
Napa, CA 94558

Conditional Use Permit # P06-01095-UP
10 Chateau Lane, Napa, CA, APN 052-170-019

Dear Mr. D'Ambrosio,

Please be advised that your application for Use Permit # P06-01095-UP, to convert an existing barn into a 30,000 gallon per year winery, located at the above address, has been **APPROVED** with amended conditions by the Planning Commission on June 6, 2007 based on the information provided and applicable County regulations, subject to the attached conditions of approval. The use permit becomes effective ten business (10) days (June 20, 2007) from the approval date.

The amended use permit allows establishment of a new winery with: 1) 1,645 square feet of offices, 1,332 square feet of storage / warehouse and 7,571 square feet of production for a winery totaling 10,548 square feet; 2) two full-time and one part-time employee; 3) nine on-site parking spaces; 4) tours and tasting by appointment only for up to 21 visitors per day for a maximum of 147 visitors per week; and, 5) a marketing plan consisting of eight catered food and wine events per year with a maximum of 30 persons per event and one Wine Auction event per year with a maximum of 30 people. No cave, tasting room or general public access was proposed.

Please note that at the Planning Commission hearing, the following changes to recommended permit conditions of approval were made:

- 1) Nine on-site parking spaces shall be provided;
- 2) Winery operations are allowed from Monday-Sunday; and
- 3) Prior to issuance of Building Permits, the operator shall submit application to modify the applicable horse-boarding facility use permit to eliminate such operations from the project site, APN 052-170-019.

Good luck on your project. Should you have any questions, please contact Ronald Gee, the Project Planner, at 707-253-4417 or by e-mail: rgee@co.napa.ca.us.

Sincerely,

John McDowell
Deputy Planning Director

cc: Aaron DeBeers, Manager, Vineyard Operations, DBIC
Public Works Dept. Dept. of Environmental Management John Tuteur, County Assessor

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

**CONDITIONS OF APPROVAL
D'AMBROSIO WINERY
USE PERMIT # P06-01095-UP
APN # 052-170-019**

1. SCOPE: The permit shall be limited to:

- Wine production of no more than 30,000 gallons per year (consistent with the Napa County Winery Production Process);
- Conversion of an existing barn with 1,645 square feet of offices, 1,332 square feet of storage / warehouse and 7,571 square feet of production for a winery totaling 10,548 square feet;
- Hours of operation for the winery shall be limited to 9:00 AM to 5:00 PM, Monday-Sunday (except during crush);
- Two full-time and one part-time employees
- Removal of the existing domestic sewage disposal system on-site and replacement with an Orenco Advantex pre-treatment and surface drip irrigation system for disposal of process wastewater;
- Maximum Milliken-Sarco-Tulocay (MST) Groundwater Deficient Area annual fair share water use of 3.41 acre feet/year, superceding previous Groundwater Permit # 90-00069 water use limits;
- On-site improvement of an existing vineyard avenue from Rapp Lane to the converted winery building for on-site access to County standards;
- Five on-site parking spaces;
- Located on Assessor's Parcel Number 052-170-019:

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. 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 in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

2. MARKETING: Marketing events shall be limited as follows:

a. Catered Food and Wine

Frequency: Eight (8) times per year
Number of persons: 30 maximum
Time of Day: Between 11:00 AM to 10:00 PM

b. Wine Auction

Frequency: One (1) time per year
Number of persons: 30 maximum
Time of Day: Between 11:00 AM to 10:00 PM

"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). All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM.

3. TOURS AND TASTING:

Tours and tastings are limited to a maximum of 21 persons/day with a maximum of 147 persons/week by invitation only. No open public tours and tastings shall be allowed.

"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 § 12070). Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code Sec. 18.16.030(G)(5)(c). A log book (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.

4. GRAPE SOURCE:

At least 75% of the grapes used to make the winery's wine shall be grown within the County of Napa. The permittee shall keep records of annual production documenting the source of grapes to verify that 75% of the 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 Conservation, Development and Planning Department upon request, but shall be considered proprietary information not available to the public.

5. SIGNS:

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. 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 use permit approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the County Code. At

least one sign placed and sized in a manner to inform the public must legibly include wording stating "Tours and Tasting by Prior Appointment Only".

6. **GATES/ENTRY STRUCTURES:**

Any gate installed at the winery entrance shall be reviewed by the Conservation, Development and Planning Department, Public Works Department and the Napa County Fire Department to assure that it is designed to allow 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 according to the County Code. 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 use permit approval.

7. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. 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. Prior to issuance of any building permit for construction of the winery, 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 Department review and approval. All lighting shall comply with Uniform Building Code (UBC).

8. **LANDSCAPING/PARKING:**

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. **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.**

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view these areas. Parking shall be limited to approved parking spaces only and

shall not occur along access roads or in other locations except during harvest or approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

9. OUTDOOR STORAGE/SCREENING/UTILITIES:

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to 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. New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 7 of the General Plan and Chapter 18.106 of the Napa County Zoning Ordinance for designated roads) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

10. RENTAL/LEASING:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than persons producing and/or storing wine at the on-site winery, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Chapter 5.36).

11. 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 May 15, 2007;
Department of Public Works as stated in their letters of August 11, 2006 and May 18, 2007;

County Fire Department as stated in their letter of August 8, 2006; and
Building Division as stated in their letter of August 10, 2006.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of other County Departments and Agencies may result in the need to modify the approved use permit.

12. GRADING AND SPOILS:

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

13. WELLS:

The permittee may be required (at the permittee's expense) to provide well monitoring data if 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 gauge 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. That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the CountyCode section 13.15.070.G-K.

14. NOISE:

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling 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. If project terrain or access road condition 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 between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

15. 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 and the applicant shall obtain written approval by the Conservation, Development and Planning Department prior to painting the building. Highly reflective surfaces shall be prohibited.

16. 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 during windy periods.

17. 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 Conservation, Development and Planning 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 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.

18. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4:00 PM-6:00 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.

19. ADDRESSING

All project site addresses shall be determined by the Conservation, Development and Planning Director, and reviewed and approved by the U.S. Post Office, prior to issuance of any building permit. The Conservation, Development and Planning 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.

20. 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.

21. 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.

22. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring (\$125.00/hour as of July, 2006). 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.

27. TEMPORARY AND FINAL OCCUPANCY:

All project improvements, including compliance with all applicable codes, conditions and requirements from all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. Marketing, Tours and Tastings are not typically authorized until grant of Final Occupancy, but exceptions can be requested due to extenuating circumstances and are subject to review and approval by the County Building Official, County Fire Marshal, and the Director of Conservation, Development and Planning. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

28. CESSATION OF HORSE BOARDING USE:

Prior to issuance of Building Permits, the operator shall submit application to modify the applicable horse-boarding facility use permit to eliminate such operations from the project site, APN 052-170-019.



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

HILLARY GITELMAN
Director

PATRICK LYNCH, AICP
Assistant Director

DARRELL MAYES
Chief Building Official

✦
VACANT
Plans & Permits
Supervisor

RANDY SCHMELING
Plans Examiner

JOHN KAYLOR
Plans Examiner

STACIE VAZQUEZ
Plans Examiner

OLAF KLASCHIK
Plans Examiner

CHRISTINA BEYE
Permit Technician

✦
MAC MACCOLL
Supervisor

JOHN MORROW
Building Inspector

DAVID DELONG
Building Inspector

RICK BLAIR
Building Inspector

JOHN HAMMOND
Building Inspector

CARL BAKKEN
Building Inspector

GREG BAXTER
Building Inspector

✦
ED COLBY
Code Compliance/
Planner

August 2, 2006

John McDowell
Acting Deputy Planning Director

Re: P06-01095

If the current use of the building is being changed then it will be required that the building comply with the applicable codes for the new proposed use. If the project is approved the applicant shall apply for and procure all required building, electrical, plumbing and mechanical permits prior to commencing with the work.

Respectfully,

Darrell Mayes, C.B.O.
Napa County Chief Building Official

1195 THIRD STREET
SUITE 210

✦
NAPA, CALIFORNIA
94559

✦
TELEPHONE:
707-253-4417

✦
FAX:
707-253-4336

✦
WWW.CO.NAPA.CA.US

INTER-OFFICE MEMO

TO: Conservation, Development, and Planning Department

FROM: Mike Wilson, Fire Department

DATE: August 8, 2006

SUBJECT: D'Ambrosio Winery Use Permit Comments
Apn: 052-170-019 P06-01095

Site Address: 100 Rapp Lane, Napa

The Napa County Fire Marshal staff has reviewed the minor modification use permit application to convert an existing 9800 square foot barn into a 10354 square foot winery at the address above.

All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.

1. An approved automatic fire sprinkler system will be required for all proposed structures 3,600 square feet or greater. The fire sprinkler system shall be installed and maintained in accordance with the *National Fire Protection Association Standard (NFPA) #13 (Installation of Sprinkler System, 1999 edition)*. A minimum of 60 minutes of water storage for the sprinkler system will be required.
2. 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. The fire flow is based on the square footage of the building and the construction type and has been reduced by 50% since the building 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.
3. 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.

4. 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 1995 edition)*.
5. 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*.
6. All post indicator valves, control valves, waterflow devices and fire pumps shall be monitored by an approved remote station or central alarm monitoring company. The digital alarm communicator system panel shall be installed and maintained in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*. Alarm panel or key pad must be located at main entrance of the building.
7. 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.
8. 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 unless otherwise approved by the Napa County Department of Public Works.
9. Fire apparatus access roads shall be provided to within 150' of all portions of a structure.
10. Any proposed bridges shall be constructed to local ordinance and display the maximum weight limits.
11. A rapid emergency key entry system shall be installed at an approved location by the Napa County Fire Marshal's Office on any proposed gates accessing the property.
12. Fire apparatus access roads shall be cleared of flammable vegetation on 10 feet of each side of the roadway. Dry grass shall be cut to less than 4" in height, ladder fuel from trees shall be removed up to 8', brush shall be cut or removed and all dead fuel shall be removed.
13. A defensible space zone shall be created around all structures. This defensible space zone shall be 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.
14. The request for beneficial occupancy *will not be considered until all fire and life*

15. 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 placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal.
16. The address numbers shall be a minimum of 10" in height, contrasting in color with their background and shall be illuminated.
17. 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.
18. 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.
19. A Knox Cabinet shall be installed at an approved location by the Napa County Fire Marshal's Office.
20. The Knox rapid entry system shall have one or all of the following items placed in the Knox cabinet, dependant on requirements of this facility:
 1. A minimum of 2 master keys to the structure(s) for emergency access.
 2. 2 scaled site plans 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. 2 scaled floor plans of all structures showing doors, offices, etc.
 4. **A digital file of the site plans in a PDF format must be submitted at building final in addition to the hard copies listed above.**
 5. Napa County Hazardous Materials Business including all MSDS forms, etc.
21. A complete set of Building Plans shall be submitted to the Fire Department for review and approval.
22. 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.
23. 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

24. 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.
25. **A digital file of the site plans in a PDF format must be submitted at building final in addition to the hard copies listed in the condition describing the contents of the Knox Box.**

Mike Wilson

Mike Wilson
Assistant Fire Marshal



HILLARY GITELMAN
Director

JUL 20 2006

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Public Works

APPLICATION TITLE: D'Ambrosio Winery APN: 052-170-019

RESPONSE REQUEST DATE: 7-20-06 RESPONSE RETURN DATE: 8-4-06

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

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

OR DIRECT FAX TO: _____ (707)299-_____

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.

- Do you have jurisdiction by law over this project? Yes No
- Indicate areas of environmental concern and availability of appropriate technical data:
SEE MEMO DATED 8/11/2006
- Do you recommend: Negative Declaration Environmental Impact Report
- If the project is approved, recommend conditions of approval (use additional page if needed). SEE MEMO DATED 8/11/2006
- Have you previously reviewed an application on any portion of this project? Yes No
- Name of contact person: LARRY BROWN Telephone #: 253-4351

Prepared by: LARRY B
Title: CIVIL ENGINEER
Date: 8/11/06

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



AUG 11 2006

**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

DATE: August 11, 2006
TO: Conservation Development and Planning Department
FROM: Larry Bogner, Civil Engineer *LARRY BOGNER*
SUBJECT: D'Ambrosio Winery, APN# 052-170-019, P06-01095

The application will allow the applicant to establish a winery within an existing barn building, with a production capacity of 30,000 gal/yr; 2 full time and 1 part time employees; and construct a 4 space parking lot. Parcel is located at 100 Rapp Lane.

EXISTING CONDITIONS:

Second Avenue is a paved County-maintained road. Rapp Lane is a paved privately-maintained road. Parking surface is currently compacted dirt.

In 2003, the applicant received Groundwater Permit 90-00069 from the Napa County Department of Environmental Management for water storage tanks. The approved water usage for Groundwater Permit was 3.41 AF/Year.

As per conditions of the approved groundwater permit, the applicant has been submitting bi-annual reports on groundwater usage. Meter data suggests that the applicant has been using less water than the approved usage. (See attached meter data.)

RECOMMENDED CONDITIONS:

GROUNDWATER

We have reviewed the phase one, water availability analysis for the proposed project. The 11.37 acre parcel is located in the Miliken-Sarco-Tulocay groundwater deficient basin, with an extraction threshold of 0.3 AF/Acre, resulting in a total parcel threshold of 3.41 AF/Year. The estimated water demand for the project of 3.41 AF/Year is equal to the established threshold for the property and equal to the usage approved under Groundwater Permit 90-00069. It is assumed, therefore, that the projected water use for this project should not have a significant impact on static water levels of neighboring wells. No further analysis is necessary, however, the following conditions of approval from the approved Groundwater Permit shall continue to apply:

- The applicant shall utilize best available technology and best management water conservation practices throughout the parcel. These practices include the use of sprinkler timers, xeriscape landscaping techniques, bubblers and drip irrigation--avoiding broadcast sprinklers to the greatest extent possible in areas of landscaping. Best management practices

also require that the owners utilize water efficient appliances and fixtures throughout the residence(s).

- The applicant shall be limited to the parcel's fair-share and approved usage under Groundwater Permit 90-00069: 3.41 acre-fee per year, or 1,111,152 gallons per year.
- The applicant shall continue to monitor the meter(s) that have been installed on the well(s) serving the parcel.
- The applicant shall continue to read the meter(s) at the beginning of each month and provide the data to the Public Works Director during the first weeks of April and October.
- The applicant shall continue to convey to the Public Works Director, or his designated representative, the right to access and verify the operation and readings of the meters and well levels at any time. Winery and residence facilities shall be metered separately from vineyards.
- The applicant shall agree to utilize recycled water for vineyard irrigation should such water become available, provided that such water is of sufficient quality for the proposed use.

NEW DRIVEWAY:

Access drive shall be a minimum of 18 feet wide with 2 feet of shoulder from the nearest County maintained road to the project site. Structural section shall be a minimum 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 9, Par. 12).

PARKING:

Any parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 27, Section 19).

Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

SITE IMPROVEMENTS:

All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.

Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.

Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".

The applicant must obtain an encroachment permit for any work performed within the Napa County Right-of-Way.

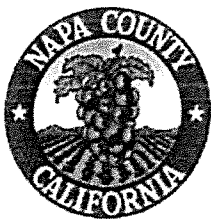
OTHER RECOMMENDATIONS:

If the construction activity 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, concrete, 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 and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into 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.

Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Larry Bogner or Drew Lander at 253-4351. For groundwater questions, please contact Anna Maria Martinez.



COUNTY of NAPA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

STEVEN LEDERER
Director

CHRISTINE M. SECHELI, R.E.H.S.
Assistant Director

TO: Napa County Planning Department
Hillary Gitelman, Planning Director

FROM: Napa County Environmental Management Department,
Christine Secheli, R.E.H.S., Assistant Director

SUBJECT: Application for D'Ambrosio Winery Conversion
Located at 100 Rapp Lane
Assessor Parcel 52-170-19
File # P06-01095

DATE: May 15, 2007

We have reviewed the above proposal including the revised site plan wherein the reference to Hold and Haul for winery process wastewater has been removed and revised number of peak visitors being changed to 21 (instead of 22 on the original application) and recommend approval of the application providing the following are included as conditions of approval:

1. Any hazardous waste produced on the site including any laboratory wastes, must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Code of Regulations.
2. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall file a Hazardous Waste Generator Application and/or Hazardous Materials Business Plan with the Department of Environmental Management within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Negative Declaration shall be filed.
3. A permit for the installation of the sanitary wastewater system must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit a scaled plot plan showing the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area as well as the proposed trench detail. If special design sewage disposal plans are required, such plans shall fulfill this requirement.

4. A permit for the installation of the winery process wastewater system must be secured from the Department of Environmental Management prior to issuance of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system. To secure this permit you will be required to submit for review and approval, engineered plans complete with design criteria based upon local conditions.
5. Plans for the proposed alternative sanitary sewage treatment and disposal system 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 will be granted until such plans are approved by the Department of Environmental Management.
6. Plans for the proposed process wastewater disposal system 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 will be granted until such plans are approved by the Department of Environmental Management.
7. The use of the disposal areas shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc., over the system.
8. The applicant shall maintain regular monitoring of the above ground winery process waste water system as required by the Department of Environmental Management and submit quarterly reports. An annual operating permit is required for the waste water system.
9. An annual sewage permit must be obtained for the sanitary wastewater disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
10. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
11. During the construction, demolition, or 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 or solid waste transfer station for the service area in which the project is located.

12. 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.
13. All diatomaceous earth and/or bentonite must be dried and disposed of as solid waste or in another appropriate manner. If the proposed septic system is either a special design sewage disposal system or a private sewage disposal system, the plan submitted for review and approval must address diatomaceous earth/ bentonite disposal.

cc: Ron Gee, CDPD

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



DATE: May 18, 2007
TO: Conservation Development and Planning Department
FROM: Annamaria Martinez, Assistant Engineer *AM*
SUBJECT: D'Ambrosio Winery, APN# 052-170-019, P06-01095

The application will allow the applicant to establish a winery within an existing barn building, with a production capacity of 30,000 gal/yr; 2 full time and 1 part time employees; and construct a 4 space parking lot. Parcel is located at 100 Rapp Lane.

EXISTING CONDITIONS:

In 2003, the applicant received Groundwater Permit 90-00069 from the Napa County Department of Environmental Management for water storage tanks. The approved water usage for Groundwater Permit 90-00069 is 5.9 AF/Year.

The existing groundwater use on the property is 3.41 AF/Year.

As per conditions of the approved groundwater permit, the applicant has been submitting bi-annual reports on groundwater usage. Meter data suggests that the applicant has been using less water than the approved usage. (See attached meter data.)

RECOMMENDED CONDITIONS:

GROUNDWATER

We have reviewed the phase one, water availability analysis for the proposed project. The 11.37 acre parcel is located in the Miliken-Sarco-Tulocay groundwater deficient basin, with an extraction threshold of 0.3 AF/Acre, resulting in a total parcel threshold of 3.41 AF/Year. The estimated water demand for the project of 3.41 AF/Year is equal to the established threshold for the property and less than the usage approved under Groundwater Permit 90-00069. It is assumed, therefore, that the projected water use for this project should not have a significant impact on static water levels of neighboring wells. No further analysis is necessary, however, the following conditions of approval from the approved Groundwater Permit shall continue to apply:

- The applicant shall utilize best available technology and best management water conservation practices throughout the parcel. These practices include the use of sprinkler timers, xeriscape landscaping techniques, bubblers and drip irrigation--avoiding broadcast sprinklers to the greatest extent possible in areas of landscaping. Best management practices

also require that the owners utilize water efficient appliances and fixtures throughout the residence(s).

- The applicant shall be limited to the parcel's fair-share, which is also the parcel's existing use: 3.41 acre-fee per year, or 1,111,152 gallons per year.
- The applicant shall continue to monitor the meter(s) that has(have) been installed on the well(s) serving the parcel.
- The applicant shall continue to read the meter(s) at the beginning of each month and provide the data to the Public Works Director during the first weeks of April and October.
- The applicant shall continue to convey to the Public Works Director, or his designated representative, the right to access and verify the operation and readings of the meters and well levels at any time. Winery and residence facilities shall be metered separately from vineyards.
- The applicant shall agree to utilize recycled water for vineyard irrigation should such water become available, provided that such water is of sufficient quality for the proposed use.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Anna Maria Martinez at 707-253-4351.

Permittee: Frank D'Ambrosio
Site Ad: 10 Chateau Lane
APN: 052-170-019
Fair Share: 3.41 AF
Approved Use: 3.41 AF
Approved: 9/26/2003

Back to

Contact: Linda Smiles
Phone Number: 707-224-0191

Date:	Reading:	Amnt Used (Gallons):	Amnt Used (AF):	Yearly Use (AF):
6/1/2004	0	0	0.00	0.00
7/1/2004	2400	2400	0.01	0.01
8/1/2004	12150	9750	0.03	0.04
9/1/2004	19960	7810	0.02	0.06
10/1/2004	27750	7790	0.02	0.09
11/1/2004	329010	301260	0.92	1.01
12/1/2004	355120	26110	0.08	1.09
1/4/2005	361760	6640	0.02	0.02
2/1/2005	362010	250	0.00	0.02
3/2/2005	365110	3100	0.01	0.03
4/5/2005	405800	40690	0.12	0.16
5/3/2005	457140	51340	0.16	0.31
6/1/2005	524900	67760	0.21	0.52
7/1/2005	622660	97760	0.30	0.82
8/1/2005	701340	78680	0.24	1.06
9/1/2005	836400	135060	0.41	1.48
10/1/2005	935400	99000	0.30	1.78
11/01/05	1120360	184960	0.57	2.35
12/02/05	1252870	132510	0.41	2.76
01/04/06	1255430	2560	0.01	0.01
02/03/06	1255430	0	0.00	0.01
03/01/06	1270190	14760	0.05	0.05
03/08/06	0	0	0.00	0.05
04/03/06	94310	94310	0.29	0.34
06/01/06	391820	297510	0.91	1.26
06/30/06	546400	154580	0.47	1.73
08/01/06	705010	158610	0.49	2.22
09/01/06	869160	164150	0.50	2.72
10/02/06	993640	124480	0.38	3.10

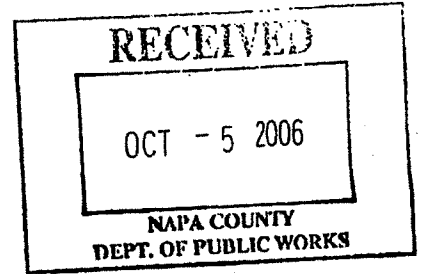
Notes:

Meter installed: Sensus model #61845196
 Will begin regular reporting October 2004

new meter installed

MILLIKEN-SARCO-TULOCAY GROUNDWATER
WELL READINGS

OWNER: Frank D'Ambrosio
 DATE: 04-03-06
 PROPERTY ADDRESS: APN 052-170-019
 GROUNDWATER PERMIT NO.: 90-00069



METER READINGS East Well

DATE	WELL (ex. Ag., Domestic)	METER READING	STATIC LEVEL
4-28-06	Ag and Domestic	199,710	n/a
6-1-06		391,820	
6-30-06		546,400	
8-1-06		705,010	
9-1-06		869,160	
10-2-06		993,640	

Return to: Annamaria Martinez
 Department of Public Works
 1195 Third Street, Room 201
 Napa, CA 94559-3092

**MILLIKEN-SARCO-TULOCAY GROUNDWATER
WELL READINGS**

OWNER: Frank D'Ambrosio

DATE: 04-03-06

PROPERTY ADDRESS: APN 052-170-019

GROUNDWATER PERMIT NO.: 90-00069

METER READINGS East Well

DATE	WELL (ex.Ag., Domestic)	METER READING	STATIC LEVEL
11-01-05	Ag and Domestic	112,036	n/a
12-2-05		125,287	
1-04-06		125,543	
2-3-06		125,543	
3-1-06		127,019	
3-8-06	Replaced broken meter	-0-	
4-3-06		9,431	

Return to: Annamaria Martinez
 Department of Public Works
 1195 Third Street, Room 201
 Napa, CA 94559-3092

**MILLIKEN-SARCO-TULOCAY GROUNDWATER
WELL READINGS**

OWNER: Frank D'Ambrosio

DATE: 10-01-04

PROPERTY ADDRESS: APN 052-170-019

GROUNDWATER PERMIT NO.: 90-00069

METER READINGS East Well

DATE	WELL (ex.Ag., Domestic)	METER READING	STATIC LEVEL
04-05-05	Ag and Domestic	40,580	n/a
5-03-05	" "	45,714	" "
6-01-05	" "	52,490	" "
7-01-05	" "	62,266	" "
8-01-05	" "	70,134	" "
9-01-05	" "	83,640	" "
10-01-05	" "	93,540	" "

Return to: Annamaria Martinez
 Department of Public Works
 1195 Third Street, Room 201
 Napa, CA 94559-3092

**MILLIKEN-SARCO-TULOCAY GROUNDWATER
WELL READINGS**

OWNER: Frank D'Ambrosio

DATE: 10-01-04

PROPERTY ADDRESS: APN 052-170-019

GROUNDWATER PERMIT NO.: 90-00069

METER READINGS East Well

DATE	WELL (ex. Ag., Domestic)	METER READING	STATIC LEVEL
11-1-04	Ag and Domestic	32,901	n/a
12-01-04	" "	35,512	" "
1-04-05	" "	36,176	" "
2-01-05	" "	36,201	" "
3-02-05	" "	36,511	" "
04-05-05	" "	40,580	" "

Return to: Annamaria Martinez
 Department of Public Works
 1195 Third Street, Room 201
 Novato, CA 94945-2002

CONSERVATION DEVELOPMENT AND PLANNING DEPARTMENT

INTER-OFFICE MEMO
PLANNING DIVISION



TO: Christine Secheli, Environmental Management
Annamaria Martinez, Public Works

FROM: Daniel Zador, Conservation, Development, Planning & Development

SUBJECT: Groundwater Permit Application #90-00051- D'Ambrosio
(APN 052-170-018)

DATE: July 22, 2003

On behalf of CDPD Department, I have reviewed the above referenced groundwater permit application associated with a new well located within the Milliken-Sarco-Tulocay groundwater basin. The project involves the construction of a new water storage tank and the associated erosion control measures for the project located on an 11.97-acre parcel. The existing groundwater use of 5.4-AF/yr will not be increased, so there is no anticipated increase in groundwater extraction. There are 5.09 acres of existing vineyard on the parcel. The projected total groundwater usage, 5.4 acre-feet per year, will be above the 3.59-AF fair share threshold for this parcel of 11.97 acres; however, the projected groundwater use will not exceed the existing use. According to the application description, a groundwater permit was triggered by the application for an erosion control plan (#02008-ECPS) for the installation of a new water storage tank.

Dept. of Public Works has concluded that this level of water use and the proposed project will not have a significant impact on groundwater levels or agriculture within the MST basin. Consequently, this project is Categorically Exempt from CEQA pursuant to Section 15301 of the State CEQA Guidelines (Class 3 – "construction of small facilities"). The projected water use does not exceed the standard set by the existing level of use on this parcel within the groundwater-deficient region.

The subject property is located in an AW land use district. The proposed use is allowable in that district without a use permit, provided all other permits (eg. building, erosion control, etc.) are obtained. I recommend the permit be approved with the condition that #02008-ECPS be modified to reflect the proposed change in placement of the new water storage tank, if the new location is within an "erosion hazard area."



A Tradition of Stewardship
A Commitment to Service

Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

July 17, 2009

Mr. Aaron DeBeers
c/o D'Ambrosio Brothers Investment Company (DBIC)
100 Rapp Lane
Napa, CA 94558

Re: Use Permit Very Minor Modification # P09-00310-VMM
D'Ambrosio Winery
10 Chateau Lane, Napa, CA 94558
Assessor's Parcel No. 052-170-019

Dear Mr. DeBeers:

Please be advised that your time extension request for the D'Ambrosio Winery Use Permit Very Minor Modification Application # P09-00310-VMM was **APPROVED** by the Zoning Administrator for one-year on July 17, 2009. A two-year time extension will require new use permit hearing before the Planning Commission.

In approving the above application, the Director of Conservation, Development and Planning found the project to be **Ministerially Exempt** pursuant to Section 15022 and 15268 of the California Environmental Quality Act and Appendix A, # 31 (Time extension) of Napa County's Local Procedures for Implementing the California Environmental Quality Act.

As required by Napa County Code Section 18.10.020(A).(13.), the Zoning Administrator, in approving Use Permit Very Minor Modification # P09-00310-VMM, has made the required findings that the project is a minor alteration to the previously approved winery project, Use Permit # P06-01095-UP, and is consistent with Napa County Code Section 18.124.030 (C.). The Conditions of Approval for # P06-01095-UP remain in full force and effect.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another.

Pursuant to Section 18.124.080 (A) of the Napa County Code, this very minor modification must be activated within one (1) year 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 minor modification permit.

D'Ambrosio Winery Time Extension
Use Permit Very Minor Modification # P09-00310-VMM
July 17, 2009
Page 2

EXPIRATION DATE: June 20, 2010

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 Ronald Gee, Project Planner at (707) 253-14417 or e-mail at rgee@co.napa.ca.us.

Sincerely,

John McDowell
Deputy Director

By: Ronald Gee
 Project Planner

cc: Napa County Building Inspection
 Napa County Public Works Department
 Napa County Department of Environmental Management
 Napa County Fire Marshal
 Napa County Assessor

Chron/File



A Tradition of Stewardship
A Commitment to Service

Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

July 22, 2011

Ms. Gloria Limon-Valentine,
Chief Operating Officer
D'Ambrosio Brothers Investment Company (DBIC)
100 Rapp Lane
Napa, CA 94558
glimon@dbicnapa.com

Hard Copy and E-mail Sent

**Re: Use Determination #P11-00242-DET for
D'Ambrosio Winery Use Permit #P06-01095-UP
10 Chateau Lane, Napa, CA 94558
Assessor's Parcel #052-170-019**

Dear Ms. Limon-Valentine,

On June 6, 2007, the Planning Commission approved Use Permit #P06-01095-UP to convert an existing barn to a 30,000 gallons per year winery (D'Ambrosio Winery) with: 1) 1,645 square feet of office, 1,332 square feet of storage/warehouse and 7,571 square feet of production area for a winery totaling 10,548 square feet; 2) two full-time and one part-time employees; 3) nine on-site parking spaces; 4) tours and tasting, by appointment-only, for up to 21 visitors per day for a maximum of 147 visitors per week; and, 5) a marketing plan consisting of eight catered food and wine events per year with a maximum of 30 persons per event and one Wine Auction event per year with a maximum of 30 people. No cave, tasting room or general public access was proposed. On July 17, 2009, the Zoning Administrator approved Use Permit Very Minor Modification #P09-00310-VMM, a one-year time extension for the permit to July 17, 2010.

Your current request is a Use Determination whether the above permit has been exercised consistent with County Code Section 18.124.080.A(1)(c). To activate the Use Permit, Planning Department policy requires that a minimum \$50,000.00 total amount be expended prior to the June 6, 2010 permit expiration date. Based upon the supporting information submitted with your application, the \$59,400.00 cost for replacing the site's non-producing well, an improvement required by the Use Permit as confirmed by the County Department of

D'Ambrosio Winery Use Determination
Use Permit # P06-01095-UP-VMM
July 22, 2011
Page 2

Environmental Management, qualifies as "sufficient funds . . . expended (or liabilities incurred) in preparing the site for construction that is the equivalent to the cost of constructing . . . a similar improvement required by the use permit."

Therefore, this Use Determination recognizes that Use Permit # P06-01095-UP has been activated and Building Permits can be issued for the winery project.

Should you have any questions, please contact Ronald Gee, Project Planner at (707) 253-14417 or e-mail at rgee@co.napa.ca.us.

Sincerely,



John McDowell
Deputy Director

cc: Building Inspection
Public Works Department
Department of Environmental Management
County Fire Marshal
County Assessor

Chron/File



A Tradition of Stewardship
A Commitment to Service

November 28, 2012

Mr. Frank D'Ambrosio,
Verismo Wines
100 Rapp Lane
Napa, CA 94574
FAX: 707.224.0742

E-mail, FAX and Hard Copy Sent

**Re: Verismo Winery
Use Permit Very Minor Modification # P12-00374-VMM
100 Rapp Lane, Napa, CA - APN 052-170-019**

Dear Mr. D'Ambrosio,

Please be advised that Use Permit Very Minor Modification # P12-00374-VMM, an amendment to Use Permits # P11-00242-DET, # P09-00310-VMM, and # P06-01095-UP has been **APPROVED** by the Planning Director on November 27, 2012, based on the attached revised conditions and applicable County regulations.

This modification allows: 1) Conversion of approximately 1,443 sq. ft. of approved internal bottling/wine making area to barrel storage; 2) Conversion of the designated internal equipment/maintenance area to an approximately 2,005 sq. ft. wine tasting/retail, prep kitchen/scullery and restroom area; and 3) replace the approved "Surface Drip Disposal System" for process wastewater to a "Hold & Haul System". No changes to the 30,000 gallons per year production limit, number of employees or marketing plan was requested or approved. The project site is located on an 11.37 acre parcel on the west side of Rapp Lane at its intersection with Chateau Lane, within the AW (Agricultural Watershed) zoning district. (Assessor's Parcel Number 052-170-019) 100 Rapp Lane, Napa.

The Planning Director has determined this application to be Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15304, Class 1, Interior, exterior, demolitions and additions to existing structures, and Appendix B, Class 1(3), modifications of existing use permit in conformance with Section 18.124.130 of the County Code (increase of less than 25% of winery size) of Napa County's Local Procedures for implementing CEQA.

Use Permit Very Modification # P12-00374-VMM
Verismo Winery
November 28, 2012
Page 2

This very minor modification becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another party.

EXPIRATION DATE: November 28, 2014

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

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 10-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. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Should you have any questions, please contact Ronald Gee, Project Planner, at (707) 253-4417 or e-mail at ronald.gee@countyofnapa.org.

Sincerely,



Hillary Gitelman,
Planning Director

By: Ronald Gee
Project Planner

cc: Ms. Gloria Limon-Valentine, DBIC, 100 Rapp Lane, Napa, CA 94558
glimon@dbicnapa.com

Mr. James Jeffrey, James Jeffrey Architects, AIA, 2107 Jefferson Street, Napa, CA 94558
james@jamesjeffreyarchitects.com

Napa County Department of Environmental Management
Napa County Conservation & Engineering Services
Napa County Assessor
Chron/File

CONDITIONS OF APPROVAL

Verismo Winery
Use Permit Very Minor Modification # P12-00374-VMM
100 Rapp Lane, Napa, CA 94558
Assessor's Parcel # 052-170-019

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

Amending the approved winery site and development plan of the Verismo Winery facility and accessory structures in Use Permits # P11-00242-DET, # P09-00310-VMM and # P06-01095-UP with:

- Conversion of approximately 1,443 sq. ft. of approved internal bottling/wine making area to barrel storage;
- Conversion of the designated internal equipment/maintenance area to an approximately 2,005 sq. ft. wine tasting/retail, prep kitchen/scullery and restroom area; and
- Replacement of the approved "Surface Drip Disposal System" for process wastewater to a "Hold & Haul System".

No other changes to existing Use Permits are requested or approved. There will be no increase in the production capacity (30,000 gallons per year), number of employees (2 full-time and one part-time), visitors (maximum 21 persons/day and 147 persons/week) or hours of operation.

The new winery wastewater treatment system shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials, **James Jeffrey Architects, Verismo Winery, Very Minor Mod Submittal, 10-8-12**, and shall comply with all requirements of the Napa County Code. 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 in accordance with Section 18.124.130 of the Napa County Code and may be subject to the 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. Without limiting the force of those other requirements which may be applicable, the following is incorporated by reference as if enumerated herein:

Department of Environmental Management, November 27, 2012 memo;
Fire Department, November 24, 2012 memo;
Public Works Department – Water, November 20, 2012 memo; and
Conservation & Engineering Services, November 1, 2012 memo.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of other County Departments and Agencies may result in the need to modify the approved use permit.

3. LIGHTING

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 and shall incorporate the use of motion detection sensors to the greatest extent practical. 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.

Prior to issuance of any building permit pursuant to this approval, two copies of a detailed lighting plan showing the including 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 California Building Code.

4. LANDSCAPING

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

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.

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage

(if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed not shown on the submitted site plan shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most drip line 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.

Evergreen screening shall be installed between the industrial portions of the operation (e.g., tanks, crushing area, parking area, etc.), Rapp Lane, Chateau Lane and off-site residences that can view these areas.

5. OUTDOOR STORAGE/SCREENING/UTILITIES

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to 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 Rapp Lane, other public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Chapter 18.106 of the Napa County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

6. 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 and the applicant shall obtain the written approval of the Conservation, Development, and Planning Department prior to painting the building. Highly reflective surfaces are prohibited.

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 permittee shall contact the Conservation, Development, and

Planning 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 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 Section 5097.98 of the Public Resources Code.

8. AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of Chapter 15.60 of the Napa County Code or as may be amended by the Board of Supervisors.

9. PREVIOUS CONDITIONS

As applicable, the permittee shall comply with any previous conditions of approval (Use Permits # P11-00242-DET, # P09-00310-VMM and # P06-01095-UP) for the winery use except as they may be explicitly modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control.

10. MONITORING COSTS

All staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring. 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 Conservation, Development, and Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance

deficiencies is found to exist by the Commission at some time in the future, the 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 hearings in accordance with Section 18.124.120 of the Napa County Code.

11. TEMPORARY AND 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 prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project, such as commencement of production activities, prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements. Consistent with Board of Supervisors Resolution No. 2010-48, "Temporary Certificates of Occupancy are generally not to be used to allow production of wine for more than one year."



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

Hillary Gitelman
Director

MEMORANDUM

To: Ron Gee, Project Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: November 27, 2012	Re: Verismo Winery, 100 Rapp Lane Assessor Parcel # 052-170-019 File # P12-00374

The application requesting approval to convert production space to tasting room and prep kitchen, convert wine making space to barrel storage, and install new hold and haul and domestic waste systems among other modifications described in application materials has been reviewed. This Division has no objection to approval of the application with the following conditions of approval:

1. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Division within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
2. Because the proposed winery will have a food facility that will be used for food preparation for distribution at retail, this kitchen must be regulated under the California Retail Food Code and permitted by this Division. Complete plans and specifications for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Division prior to approval of any building permit for said areas. Additionally, as a condition of approval and permitting of this food facility, the owner will have to comply with water system sampling and reporting as required. Owner shall apply for and obtain an annual food permit prior to issuance of a final on this project.
3. A permit for the construction of the hold and haul system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any improvement that generates wastewater to be disposed of by the existing waste treatment systems.

4. A permit for the construction of the domestic waste water treatment system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any improvement that generates wastewater to be disposed of by the existing waste treatment systems.
5. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc. Any damage caused to any existing waste water treatment system during construction or operation of the winery must be corrected by repairing or replacing the system under a permit issued by this Division. If the system is required to be relocated the replacement system must be constructed in accordance with Title 13 of the Napa County Code as it relates to septic systems.
6. Plans for the proposed hold and haul and domestic waste water treatment systems 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 these systems will be approved until such plans are approved by this Division.
7. Annual alternative sewage treatment system monitoring permit and an annual hold and haul permit must be obtained for the domestic waste water treatment system and hold and haul system prior to issuance of a final on the project. The monitoring, as required by these permits, must be fully complied with.
8. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
9. Adequate area must be provided for collection of recyclables. 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 access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.
10. 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.
11. During the construction, demolition, or 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 or solid waste transfer station for the service area in which the project is located.

4. A permit for the construction of the domestic waste water treatment system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any improvement that generates wastewater to be disposed of by the existing waste treatment systems.
5. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc. Any damage caused to any existing waste water treatment system during construction or operation of the winery must be corrected by repairing or replacing the system under a permit issued by this Division. If the system is required to be relocated the replacement system must be constructed in accordance with Title 13 of the Napa County Code as it relates to septic systems.
6. Plans for the proposed hold and haul and domestic waste water treatment systems 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 these systems will be approved until such plans are approved by this Division.
7. Annual alternative sewage treatment system monitoring permit and an annual hold and haul permit must be obtained for the domestic waste water treatment system and hold and haul system prior to issuance of a final on the project. The monitoring, as required by these permits, must be fully complied with.
8. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
9. Adequate area must be provided for collection of recyclables. 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 access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.
10. 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.
11. During the construction, demolition, or 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 or solid waste transfer station for the service area in which the project is located.



A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574
Office: (707) 967-1419
Fax: (707) 967-1474

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Ronald Gee
Planning, Building and Environmental Services

FROM: Pete Muñoa
Fire Department

DATE: November 24, 2012

Subject: Verismo Winery

UP: P12-00374 APN# 052-170-019

SITE ADDRESS: 100 Rapp Lane, Napa 94559

The Napa County Fire Marshal's Office has reviewed the Use Permit application to amend Use Permit #P06-01095, to change use of area for Equipment / maintenance to Wine Tasting / Retail, Prep Kitchen, Scullery and Restroom. We would like to recommend the following comments be incorporated as project conditions if the Planning Commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. All driveways and roads shall comply with the Napa County Public Works Road and Street Standards.
3. Fire Sprinkler System be installed or modified to provide proper suppression requirements identified in California Fire Code 2010 edition.
4. Fire Alarm System shall be modified to provide proper activation and notification devices appropriate for occupancy change.
5. Currently serviced and tagged 2A10BC fire extinguishers shall be mounted 3 1/2' to 5 feet from the top of the extinguisher to the finished floor and accessible within 75 feet of travel distance from any portion of the facility.
6. All exit doors shall open without the use of a key or any special knowledge or effort.

7. Install illuminated exit signs throughout the buildings per the California Building Code 2010 edition.

8. Beneficial occupancy will not be granted until all fire department issues have been inspected, tested and finalized.



A Tradition of Stewardship
A Commitment to Service

FILE #: PL2-00374-VMM

Conservation Development and Planning

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

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

TO: PUBLIC WORKS - WATER

APPLICATION TITLE: VERISMO WINERY APN: 052-170-019

DESCRIPTION OF PROJECT: TO CONVERT 1000 sqft OF PRODUCTION SPACE TO A TASTING ROOM WITH PREP KITCHEN; TO CONVERT 1443 sqft OF WINE MAKING SPACE TO BARREL STORAGE SPACE; REPLACE APPLIED PROCESS WASTEWATER SYSTEM WITH HOLD & HAIL SYSTEM; NO CHANGES TO PRODUCTION, VISITATIONS, TOURS & TASTING OR NUMBER OF EMPLOYEES

RESPONSE REQUEST DATE: 11 OCT 25 RESPONSE RETURN DATE: 5 NOV 12

PLEASE RESPOND VIA E-MAIL TO: ronald_greene @countyofofnapa.org
OR FAX TO (707) 299- 4489

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.

1. Do you have any comments on this project? Yes No
2. Do you have jurisdiction by law over this project? Yes No
3. Attach your agencies comments, or list below: Comments attached Comments below.

NO COMMENTS TO BE MADE. TO WATER USE & WASTEWATER TREATMENT. COMMENTS TO BE MADE TO THE PROJECT DESCRIPTION.

JOHN H. HARRIS, P.E.

Name of contact person: RONALD GREENE Telephone #: 707-253-4417

Email: RONALD.GREENE@COUNTYOFNAPA.CA.GOV

Title: CONSERVATION PLANNING

Date: 11/1/12



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

Hillary Gitelman
Director

MEMORANDUM

To: Ron Gee - Planning	From: Nate Galambos - Engineering <i>ng</i>
Date: November 1, 2012	Re: Verismo Winery P12-00374 VMM; APN 052-170-019

Project Description:

Use permit application to convert production space to a tasting room with a prep kitchen and convert wine making space to barrel storage.

Completeness Evaluation:

Engineering has reviewed the use permit referral, Verismo Winery, P12-00374 VMM on assessor's parcel number 052-170-019 and find the application **complete**. The following conditions shall apply to P12-00374:

Conditions of Approval:

1. All conditions of approval from the the original use permit P06-01095 shall remain in effect for P12-00347.
2. Any crush work that is conducted outside the building must be covered in accordance with the Napa County Post-Construction Runoff Management Requirements for processing areas.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Nate Galambos at 253-4351. For groundwater questions, please contact Anna Maria Martinez at 259-8600.