



NAPA COUNTY CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson

1195 Third Street, Room 210 • Napa, CA 94559-
3092

Director

Telephone 707/253-4416

FAX 707/253-4336

November 29, 2001

Robert Yeakey
SHADOW LACE WINERY
2600 Spring Mt. Road
St Helena CA 94574

RE: Use Permit # 00236-UP
APN 22-250-008

Dear Mr. Yeakey:

Please be advised that the above-referenced **Use Permit** was **APPROVED** by the Napa County Conservation, Development & Planning Commission on October 31, 2001 with the attached conditions. The permit became effective on November 16, 2001 pursuant to Napa County Code Chapter 2.88.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one year and ten calendar days from the approval date, or it shall automatically expire and become void on **November 11, 2002.**

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,

 for
Patrick Lynch
Assistant Planning Director

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Larry Bogner, Public Works
Christine Secheli, Environmental Management
Barbara Easter, County Fire Department
Niel Sorensen, Attorney

CONDITIONS OF APPROVAL

Page 1 of 2

CDPC Meeting Date: October 31, 2001
Use Permit #00236-UP Shadow Lace Winery/Yeakey Family Trust

1. The permit is limited to:
 - a. The establishment of a 20,000 gallon/year winery consistent with the application forms and project statement. Operations will include two full-time and one part-time employees; retail sales by appointment only.
 - b. The construction of a 4,700 sq. ft. winery structure with a 1,188 sq. ft. uncovered tank pad as delineated on the attached site plan, and consistent with the application forms, supplemental winery information sheet and graphics. The structure shall be light brown in color and shall be constructed by rammed-earth process or be constructed of stone and wood materials.
 - c. The use of 6,900 sq. ft. of existing caves for winery barrel storage and marketing activities outlined in the marketing plan. crushing, fermentation, barrel ageing and bottling
 - d. The total enclosed floor area of the winery shall not exceed 11,600 sq. ft.
 - e. Custom production (crushing, fermentation, barrel ageing and bottling) for a maximum 3 entities up to a maximum of 67% (13,400 gallons/year) of the production capacity of the winery until Harvest 2004. Effective Harvest 2005, custom production (crushing, fermentation, barrel ageing and bottling) for a maximum 3 entities up to a maximum 50% (10,000 gallons/year)
 - e. *No Tours and Tastings or retail wine sales are permitted. No signage will be displayed for the winery except the address.*

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

2. Marketing activities will take place between the hours of 12:00–4:00 PM or 6:00–10:00 PM weekdays and between the hours of 12:00 to 3:00 PM or 4:30 – 10:00 PM weekends, within the winery and caves and are limited to:

Private wine and food tastings for trade:

Frequency:	2 per year
Maximum attendance:	15 persons

Private wine and food events:

Frequency:	1 per year
Maximum attendance:	80 persons

Private harvest event

Frequency:	1 per year
Maximum attendance:	50 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. Provide 6 off-street parking spaces on a dust-free all-weather surface approved by the Public Works Department. All event parking shall be located on-site (access to the winery shall be maintained for emergency vehicles by monitoring parking during events).

CONDITIONS OF APPROVAL

Page 2 of 2

CDPC Meeting Date: October 31, 2001

Use Permit #00236-UP Shadow Lace Winery/ Yeakey Family Trust

4. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:
 - a. The Department of Environmental Management as stated in their letter of February 6, 2001.
 - b. The Department of Public Works as stated in their letter of December 29, 2000
 - c. The County Fire Department as stated in their memo of January 7, 2001.
 - d. The Building Division as stated in their memo of December 12, 2000.
5. 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.
6. 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.
7. The permittee shall comply with the 4 Mitigation Measures described in the Project Revision Statement signed by the applicant dated October 15, 2001.
8. 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.
9. 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.
10. If a gated entrance is used during business hours, it shall include a turn around area to allow a large vehicle (such as a motor home) to turn around without backing on to Spring Mountain Road if the gate is closed. Both the Department of Public Works and the Planning Department shall review and approve any plans prior to construction.
11. 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. No flood-lighting of the building is permitted.
12. Except as permitted by County Ordinance and this permit, no outside social activities, including picnicking, outside dining, outside wine tastings, live music, outdoor festivals, or other activity of a similar nature shall occur.

PROJECT REVISION STATEMENT
Yeakey Family Trust/Shadow Lace Winery
File #00236-UP

I hereby revise my proposal to establish a 30,000 gallon/year winery with custom crush activities, retail sales and tours/tasting by appointment only and marketing activities on Assessor's Parcel #022-250-008 (Use Permit Request #00236-UP) to include the measures specified below:

AESTHETICS (nighttime light)

1. All exterior 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, incorporating the use of motion detection lighting to the greatest extent possible.

NOISE (construction)

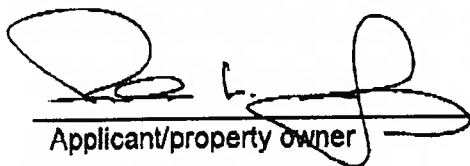
2. All outdoor noise producing construction activities in areas within 1300 feet of any off-site residence shall be limited to weekdays between 7:00 AM and 5:00 PM., or a written waiver of this requirement by the inhabitants of every residence involved shall be submitted to the Department prior to the commencement of any work.
3. All construction equipment shall be properly and adequately muffled or acoustically shielded at all times. All noisy stationary construction equipment shall be placed as distant as possible from nearby residences

TRAFFIC (congestion)

4. Employee work hours, all routine pick-up and delivery of supplies and products, and the scheduling of marketing activities shall be scheduled to the greatest extent feasible to avoid travel to or from the subject winery during peak travel periods (i.e., between 4:00 and 6:00 PM on weekdays and between 3:00 and 4:30 PM on Saturdays and Sundays)

I further commit myself, and by recording this statement, my successors-in-interest, to communicate the above specified requirements to any future purchasers or successors to interest in the property prior to transfer of title.

I understand and explicitly agree that with respect to all deadlines of the Permit Streamlining Act, Government Code Sections 63920 - 63962, and applicable deadlines of CEQA, that the date of receipt of an executed copy of these revisions constitutes a new date on which the application herein modified is considered "complete."



Applicant/property owner

10-15-01
date

11(B) Continued.

THE COMMISSION APPROVED USE PERMIT REQUEST #P06-0031-UP BASED ON FINDINGS #11 THROUGH #15 AND SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #18.

JK-HP-TS-BF-RJ

N

12. FANTESCA ESTATE AND WINERY / FANTESCA, LLC. – USE PERMIT REQUEST #P06-0078-MOD

CEQA Status: Previous Mitigated Negative Declaration Adopted. Pursuant to Section 15162 of the California Environmental Quality Act State Guidelines, the previously adopted Mitigated Negative Declaration for the project does not need to be substantially revised and no further environmental review is necessary for this project.

Request: Approval to modify Use Permit # 00236-UP by: (1) increasing annual wine production capacity from 20,000 gallons per year to 30 000 gallons per year; (2) eliminating custom crush permit conditions; (3) increasing the number of employees from 2 full-time and one part-time to 2 full-time and 5 part-time employees; and (4) increasing the number of on-site parking spaces from 6 to 13 spaces. The project is located off a private driveway on a 52.56 acre parcel on the north side of Spring Mountain Road approximately 1.5 miles northwest of its intersection with Madrone Avenue within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 022-250-008). 2600 Spring Mountain Road, St. Helena.

THE COMMISSION FOUND THE PROJECT WITHIN THE SCOPE OF THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION AND THAT NO FURTHER ENVIRONMENTAL REVIEW WAS NECESSARY PURSUANT TO STATE CEQA GUIDELINES SECTION 15162.

BF-TS-JK-HP-RJ

THE COMMISSION APPROVED USE PERMIT #P06-0078-MOD SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #12.

BF-TS-JK-HP-RJ

13. BECKSTOFFER VINEYARDS II / ANDY BECKSTOFFER – TENTATIVE PARCEL MAP REQUEST #P06-01246-PM

CEQA Status: Categorically Exempt pursuant to Section 15317 of the California Environmental Quality Act State Guidelines (Class 17 - Open Space Contracts or Easements.) This project is listed (as a closed site) on the hazardous waste sites list enumerated under Government Code Section 65962.5.

Request: Approval to subdivide an 89.09 acre parcel into two (2) parcels of 44.54 and 44.55 acres each located on the north side of Walnut Drive at the northwest corner of the intersection of Walnut Drive and St. Helena Highway (State Highway 29) within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel #: 027-280-008)

SEE ITEM #9.

Other Business

**14. City Referrals:
NONE**



HILLARY GITELMAN
Director

COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

PATRICK LYNCH
Assistant Director

November 16, 2006

Mr. Duane and Mrs. Susan Hoff
Fantesca Estate & Winery
2920 Spring Mountain Road
St. Helena, CA 94574
FAX: 707-968-9548

FAX and Hard Copy Sent

Conditional Use Permit # P06-0078-MOD
2920 Spring Mountain Road, St. Helena, CA, APN 022-250-008

Dear Mr. and Mrs. Hoff,

Please be advised that Conditional Use Permit # P06-0078-UP to modify Use Permit # 00236-UP by 1) increasing annual wine production capacity from 20,000 gallons per year to 30,000 gallons per year; 2) eliminating custom crush permit conditions; 3) increasing the number of employees from 2 full-time and one part-time to 2 full-time and 5 part-time; and 4) increasing the number of on-site parking spaces from 6 to 13 spaces has been **APPROVED** with amended conditions by the Planning Commission on November 15, 2006 based on the information provided and applicable County regulations, subject to the attached conditions of approval.

The amended use permit allows establishment of the Fantasca Estate & Winery including: 1) Wine production of no more than 30,000 gallons per year; 2) An approximately 4,700 square foot production building with 1,536 square feet of offices, approximately 308 square feet of tasting rooms, 120 square feet of laboratory and 6,882 square feet of caves for a winery totaling 8,722 square feet; 3) Thirteen (13) parking spaces and one (1) loading space.

The permit becomes effective ten (10) working days (December 3, 2006) from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by anyone, you will be notified.

Good luck on your project. Should you have any questions, please contact Ronald Gee at 707.253.4417 or by e-mail: rgee@co.napa.ca.us.

Sincerely,

John McDowell
Deputy Planning Director

cc: Mr. Cary Gott, Gott Group, 945 Main Street, St. Helena, CA 94574, Fax: 707-963-6186
John Tuteur, County Assessor

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

**CONDITIONS OF APPROVAL
FANTESCA ESTATE & WINERY
USE PERMIT # P06-0078-UP
APN # 022-250-008**

1. SCOPE: The permit shall be limited to:

- A. Wine production of no more than 30,000 gallons per year;
- B. An approximately 4,700 square foot production building with 1,536 square feet of offices, approximately 308 square feet of tasting rooms, 120 square feet of laboratory and 6,882 square feet of caves for a winery totaling 8,722 square feet;
- C. Thirteen (13) parking spaces and one (1) loading space
- D. Two (2) full-time and five (5) part-time employees;

Each phase of winery construction shall be designed in substantial conformance with the submitted site plans, elevations 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. TOURS AND TASTING:

No public tours and tastings by appointment or retail sales shall be allowed. 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.

3. GRAPE SOURCE:

At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

4. 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. All signs shall meet the design standards as set forth on Chapter 18.116 of the County Code.

5. GATES/ENTRY STRUCTURES:

Any gate installed at the winery entrance shall be reviewed by the Planning and Public Works Departments and the Napa County Fire Department to assure that it is designed to allow a large vehicles such as motor homes 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.

6. 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 separate 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.

7. LANDSCAPING/PARKING:

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of any building permits that address landscaping for each of the proposed phases. The landscape plan(s) shall indicate plant location, species, size at planting, quantity of each, method of planting, underground automatic sprinkler system, and similar landscape design information. The plan(s) 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 of each phase and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" diameter at breast height 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.

In order to provide vegetative screening on a year-round basis, trees and/or 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 the structures.

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.

8. 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 Section 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.

9. 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 the on-site winery itself, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010)

10. 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 26, 2006;
Department of Public Works as stated in their comment form dated March 23, 2006; and
County Fire Department as stated in their letter of March 30, 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.

11. SPOILS:

All spoils generated by construction of the project facilities, if applicable, shall be disposed of per Public Works Department direction. All spoils piles shall be removed prior to occupancy.

12. 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. 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.

13. 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 8:00 AM to 5:00 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 unless authorized -with a Temporary Events Permit.

14. 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 vegetation and shall be reviewed and approved by the Department prior to the issuance of any building permits. Highly reflective surfaces shall be prohibited.

15. DUST CONTROL:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Construction activities shall not occur during windy periods.

16. ARCHEOLOGICAL FINDING:

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The Department will be contacted for further guidance, which will likely include the requirement for the applicant to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. All previous conditions of approval of Use Permit #00236-UP shall remain in full force and effect and shall be binding unless in conflict with or superseded by these conditions of approval.
23. All mitigation measures referenced in the Use Permit #00236-UP Mitigated Negative Declaration shall be complied with and are incorporated as conditions of approval.



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

December 17, 2009

Fantesca Winery
826 St Helena Avenue
Santa Rosa Ca 95404

Re: Fantesca Winery; APN 022-250-008; Use Permit Application No P09-00422

Your application for a Very Minor Modification No P09-00422 to the previous use permits, has been considered by the Conservation, Development, and Planning Director on December 11, 2009. The request includes: to convert the existing wine lab to winery storage and relocate the wine lab within the existing tasting area. Please be advised that your request has been **APPROVED** by the Director subject to the conditions of approval attached as Exhibit A, and as follows.

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA). Pursuant to CEQA Section 15301, Class 1, Existing Facilities, and Appendix B, Class 1 Existing Facilities, of the Napa County's Local Procedures for Implementing the California Environmental Quality Act, the project consists of converting the existing 96 sq. ft. wine lab to storage and relocating the wine lab to and share the existing 308 sq. ft. tasting area, on a parcel located in the AW (Agricultural Watershed) District.

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 Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

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

If you have any questions about this letter please feel free to contact me at 707.299.1334 or via email at suzie.gambill@countyofnapa.org

Sincerely,

Hillary Gitelman, Director

By: Suzanne Gardner-Gambill, Planner

Attached: adopted conditions of approval and Departmental requirements
Cc: Chron, file, Napa County Assessor

**CONDITIONS OF APPROVAL
FANTESCA WINERY
USE PERMIT VERY MINOR MODIFICATION –FILE #P09-00422-VMOD
(APN 022-250-008)**

1. SCOPE:

- This permit shall be limited to convert the existing 96 sq. ft. wine lab to winery storage;
- Relocate the wine lab and share the existing 308 sq. ft. tasting area;
- The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.
- NO PART of the residential deck is to be used as accessory use to the winery operations.

2. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The applicant shall comply with applicable development standards, the zoning regulations and all other applicable building codes, zoning standards and requirements of various County departments and other agencies including the following:

- a) Department of Environmental Management memo dated December 2, 2009.
- b) Department of Public Works memo dated December 9, 2009.
- c) Napa County Fire Department's memo dated December 9, 2009.
- d) Napa County Building Department's memo dated December 15, 2009.

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. 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.

4. PREVIOUS CONDITIONS/MITIGATION MEASURES:

The permittee shall comply with all applicable conditions of approval and mitigation measures which were included in the previously approved use permits and use permit modifications. To the extent there is a conflict between this modification and any prior use permit or modification, this modification and these conditions of approval shall control.

5. 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. 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.



A Tradition of Stewardship
A Commitment to Service

Conservation, Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
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Main: (707) 253-4417
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Hillary Gitelman
Director

February 29, 2012

Fantesca Winery
Susan and Duane Hoff
5600 Spring Mountain Road
St Helena Ca 94574

Re: Fantesca Winery; APN 022-250-008; Very Minor Modification Permit Application № P12-00043

Your application for a Very Minor Modification № P12-00043 to the previous use permits, has been considered by the Conservation, Development, and Planning Director on February 16, 2012. The request includes: conversion of the existing attic space to cold storage, recognize two office spaces on the ground level of the winery building and 308 square foot retail area in the tasting area, no other changes are approved as part of this permit. Please be advised that your request has been **APPROVED** by the Director subject to the conditions of approval attached as Exhibit A, and as follows.

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), which exempts minor expansions to existing structures. Pursuant to CEQA Section 15301, Class 1, Existing Facilities/minor expansions, and Appendix B, Class 1 Existing Facilities, of the Napa County's Local Procedures for Implementing the California Environmental Quality Act, on a parcel located in the AW (Agricultural Watershed) District.

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 Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

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

If you have any questions about this letter please feel free to contact me at 707.299.1334 or via email at suzie.gambill@countyofnapa.org or john.mcdowell@countyofnapa.org

Sincerely,

Hillary Gitelman, Director

A handwritten signature in cursive script, reading "Suzanne Gardner-Gambill".

By: Suzanne Gardner-Gambill, Planner

**CONDITIONS OF APPROVAL
FANTESCA WINERY
VERY MINOR MODIFICATION –FILE #P12-00043-VMOD
(APN 022-250-008-000)**

1. SCOPE:

This permit shall be limited to:

- Conversion of an existing 714 square feet attic space, to cold storage space;
- Recognize the conversion of the 94 square foot lab to 2 office spaces;
- Allow retail sales of wine related items within the tasting area;
- NO other changes are approved as part of this permit.
- The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

2. 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.

3. PREVIOUS CONDITIONS/MITIGATION MEASURES:

The permittee shall comply with all applicable conditions of approval and mitigation measures which were included in the previously approved use permits and use permit modifications. To the extent there is a conflict between this modification and any prior use permit or modification, this modification and these conditions of approval shall control.

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. 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. 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.