



A Tradition of Stewardship
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Conservation, Development and Planning

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Hillary Gitelman
Director

April 5, 2010

Mr. Ryan Waugh
P.O. Box 3746
Napa, CA 94558

Re: WAUGH WINERY
Use Permit Modification (#P08-00527-MOD)
2275 Soda Canyon Road (APN: 039-640-012 (S.F.A.P.))

Dear Ryan:

Your request for a Very Minor Modification (P08-00527-MOD) to the previously approved Use Permit (#P05-0391-UP) and Use Permit Exception to Conservation Regulations (#P06-01008-UP) for the Waugh Winery has been considered by the Conservation, Development and Planning Director. The request consists of modifying the previous project approvals to address minor revisions to the driveway alignment, special event parking area, cave portals, building elevations, wastewater disposal field and increases to the floor area of the winery and the cave. Please be advised that your request has been **APPROVED** by the Conservation, Development and Planning Director subject to the conditions of approval attached as Exhibit A, and as follows:

The Director found that the proposed modification is within the scope of the potential environmental affects assessed by the Waugh winery Subsequent Mitigated Negative Declaration, there are no substantial changes to the project or circumstances under which the project is being undertaken, there is no new substantial information, and no further environmental review is required.

This approval becomes effective immediately unless an appeal is filed 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 another, you will be notified.

EXPIRATION DATE: April 5, 2012

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

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

BUILDING PERMITS ARE REQUIRED PRIOR TO COMMENCING ANY CONSTRUCTION. Should you have any questions, please contact Sean Trippi at (707) 253-4417 or by e-mail: sean.trippi@countyofnapa.org.

Sincerely,

Hillary Gitelman
Director

A handwritten signature in black ink, appearing to read "Sean Trippi", written over the printed name.

By: Sean Trippi, Principal Planner

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

**CONDITIONS OF APPROVAL
WAUGH WINERY ALTERATIONS
USE PERMIT MODIFICATION (#P08-00527-MOD)
APN: #039-640-012 (S.F.A.P.)**

1. SCOPE:

a) This approval is limited to the following:

- modifying site grading in front of the cave portals to provide an area for cave spoils and to provided drainage benches in the fill slope.
- Replacing the approved waste treatment/reclaimed irrigation system with a hold and haul system including four (4) 5,000-gallon wastewater storage tanks
- Relocating water storage tanks and wastewater treatment tanks
- A new mechanical equipment pad
- Minor adjustments to the cave and storm drainage layout
- Reconfiguration of the parking area.
- Other minor improvements as depicted on the site plan approved with this action.

No changes to the previously approved operational characteristics, production capacity, tours and tasting or marketing activities of the winery have been proposed or approved as part of this application.

- b) The site improvements shall be designed in substantial conformance with the submitted site plan and other submittal materials, 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.
- c) The activities/improvements permitted on the site are limited to those shown on the plans and information submitted with the Modification application. Any substantial change in use is subject to review and approval as determined by the CDPD Director in accordance with the Zoning Ordinance.
- d) Plans submitted for building permits shall be in substantial compliance with the plans approved with this action, except as modified by these conditions of approval.

2. PREVIOUS CONDITIONS:

The permittee shall comply with all applicable conditions of approval and mitigation measures which were included in the previously approved use permits (File numbers #P05-0391 and #P06-01008-UP) and Mitigation Monitoring and Reporting Program, respectively. To the extent there is a conflict between this modification and the prior use permit, this modification and these conditions of approval shall control.

3. 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. The required landscape and irrigation plans shall be consistent with Napa County Water Efficient Landscape Ordinance (WELO) **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. All 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. All disturbed slopes shall be planted with groundcover.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. mechanical equipment, parking area, etc.) and off-site residences that can view the structures. . Additional evergreen trees shall be planted in naturalized groupings on the benches to screen views from the existing residence to the east of the project site.

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.

4. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The applicant shall comply with applicable 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 June 23, 2009 and October 1, 2008.
- b) Department of Public Works memo dated March 3, 2010.
- c) Napa County Fire Department memo dated October 9, 2008..
- d) Building Division memo dated April 5, 2010.

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.

5. GRADING AND SPOILS:

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

6. 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 County Code Chapter 15.60 or as may be amended by the Board of Supervisors.

7. 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 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.