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## Recommended Conditions of Approval and Final Agency Approval Memos

Promise Winery Variance P25-00283-VAR, Use Permit P22-00384-UP  
Planning Commission Hearing – February 4, 2026

**PLANNING COMMISSION HEARING – FEBRUARY 4, 2026**  
**RECOMMENDED CONDITIONS OF APPROVAL**

**PROMISE WINERY VARIANCE (P25-00283-VAR), USE PERMIT (P22-00384),  
AND EXCEPTION TO THE ROAD AND STREET STANDARDS  
2004 SAGE CANYON ROAD, ST. HELENA, CA 94574  
APN 032-520-009-000**

This permit encompasses and shall be limited to the project commonly known as **Promise Winery**, located at **2004 Sage Canyon Road**. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring, and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee 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.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and therefore have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

**PART I**

**1.0 PROJECT SCOPE**

The permit encompasses and shall be limited to:

- 1.1 Approval of a Variance to Napa County Code Section 18.104.230(A) to allow conversion of an existing 1,300 square foot barn and a 1,268 square foot accessory dwelling unit to a winery and tasting room, and construction of new winery structures, located in the required winery setbacks as follows:
  - a. Winery Building 279+/- feet from the road centerline of a private road and 344+/- feet from the road centerline of Sage Canyon Rd (Hwy 128).
  - b. Tasting Room 488+/- feet from the road centerline of Hwy 128.
  - c. Covered Parking Structure 555+/- feet from the road centerline of Hwy 128.
  - d. Covered Crush Pad/Mechanical Enclosure 421+/- feet from the road centerline of Hwy 128.
- 1.3 An Exception to the Napa County Road and Street Standards (NCRSS) to allow for road widening and installation of intervisible turnouts (along STA 15+60 to STA 16+75, STA 16+75 to STA 17+50, STA 54+25 to STA 60+00, and STA 55+75 to STA 103+50), installation of signage, and vegetation management along the project driveway to achieve the same overall practical effect of the NCRSS for commercial roads pursuant to the plans prepared by Applied Civil Engineering, dated September 23, 2025. The NCRSS exception applies to

STA 10+00 to STA 15+60 and STA 16+75 to STA 17+50; all other sections will be compliant with the NCRSS.

1.4 Approval of a phased Use Permit to allow a 30,000 gallon per year winery with daily tours and tastings by appointment, and marketing events on a 62.56-acre parcel.

Phase I consists of the following:

- a. Conversion and expansion of an existing 1,300 square foot barn to a 2,794 square foot winery building (production use only) for barrel fermentation and aging of up to 5,000 gallons of wine per year with all other production steps occurring at an offsite custom crush facility; and conversion of an existing 1,268 square foot accessory dwelling unit to a tasting room (no change in size) with 845 square feet of accessory use and 423 square feet of production use.
- b. Construction of a new 2,465+/- outdoor patio next to the winery and a new 900 square foot enclosed covered parking structure with a 62 square foot accessible restroom (accessory use) and 62 square feet of storage space (production use).
- c. Visitation, tours and tasting, retail wine sales, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below.
- d. On-premises consumption of wine (Business and Professions Code Sections 23358, 23390 and 23396.5 ) as set forth in COA No. 4.4 below.
- e. Hours of operation include seven days a week from 8:00 a.m. to 5:00 p.m., except during harvest for production, and seven days a week from 9:00 a.m. to 6:00 p.m. for visitation.
- f. One employee in addition to the two owner-operators who live onsite for a total of three employees (two full-time, one part-time).
- g. Seven on-site parking spaces consisting of the following: two existing standard spaces, three new standard spaces, and two new accessible spaces. Three of the seven spaces (two standard, one accessible) will be housed in the new covered parking structure.
- h. Use of an existing domestic septic system to serve the tasting room and winery. No winery process wastewater to be generated from the Phase I winery facility; cleaning of equipment will occur offsite.
- i. Use of an existing groundwater well (Well #1) and 20,000-gallon water storage tank for winery domestic uses.
- j. Driveway improvements to meet requirements for an exception to the Napa County Road and Street Standards.
- k. Connection to a 110,499-gallon fire protection/vineyard irrigation water tank (permitted under BR25-00800) and construction of a new fire pump house.
- l. Limited catered and pre-prepared food pairings (no commercial food facility proposed).
- m. Removal of five oak trees.

Phase II consists of the following:

- a. Construction of a 5,000 square foot Type I wine cave for winery operations and storage (production use only), a 1,235 square foot covered crush pad and an adjacent 1,040 square foot mechanical enclosure to allow full wine production of up to 30,000 gallons per year.

- b. Conversion of a portion of the winery building interior to allow accessory uses, including an employee restroom, break room, and office.
- c. Visitation, tours and tasting, retail wine sales, and a marketing plan as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.3 below.
- d. No changes to Phase I on-premises consumption of wine.
- e. No changes to Phase I hours of operation.
- f. Increase number of employees to a total of five, consisting of two full-time and three part-time.
- g. Construction of two additional parking spaces located at the winery building for a total of nine onsite parking spaces.
- h. Installation of a water recycling, biological processed waste system package unit and associated tanks to recycle winery process water and reuse for vineyard irrigation.
- i. Excavation of approximately 7,000 cubic yards of spoils and final placement of spoils spread uniformly throughout vineyard blocks B and C.
- j. No changes to Phase I limited catered and pre-prepared food pairings.

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 (the County Code). It is the responsibility of the permittee 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 change in winery use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

## **2.0 STATUTORY AND CODE SECTION REFERENCES**

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

## **3.0 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 of approval 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 to the property owner or permittee. 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 and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. 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 Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency 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 so warranted, to commence revocation proceedings in accordance with the County Code.

## PART II

### 4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

#### 4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and “clearly incidental, related, and subordinate to the primary operation of the winery as a production facility.”

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

#### 4.2 TOURS AND TASTINGS/VISITATION

Winery Use Permit Phase I:

Tours and tastings shall be by appointment only and shall be limited to the following:

- a. Frequency: 7 days per week, Monday through Sunday
- b. Maximum number of persons per day: 8
- c. Maximum number of persons per week: 56
- d. Hours of visitation: 9:00 a.m. to 6:00 p.m.

Winery Use Permit Phase II:

Tours and tastings may commence in accordance with COA No. 9.9(c.) and shall be by appointment only and limited to the following:

- a. Frequency: 7 days per week, Monday through Sunday
- b. Maximum number of persons per day: 15
- c. Maximum number of persons per week: 105
- d. Hours of visitation: 9:00 a.m. to 6:00 p.m.

“Tours and tastings” means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times between 4:30 to 5:30 p.m. on weekdays.

A logbook (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building, and Environmental Services (PBES) Department upon request.

#### 4.3 MARKETING

Marketing events shall be limited to the following:

Winery Use Permit Phase I:

a. **Small Event**

1. Frequency: Two (2) times per year
2. Maximum number of persons: 25
3. Time of Day: 6:00 p.m. to 10:00 p.m. with clean-up by 11:00 p.m.
4. Shuttle services shall be provided for marketing events to accommodate parking demand.
5. Events shall occur at the tasting room and winery patio areas.

Winery Use Permit Phase II:

a. **Small Event**

1. Frequency: Six (6) times per year
2. Maximum number of persons: 25
3. Time of Day: 6:00 p.m. to 10:00 p.m. with clean-up by 11:00 p.m.
4. Shuttle services shall be provided for marketing events to accommodate parking demand.
5. Events shall occur at the tasting room and winery patio areas.

b. **Large Event**

1. Frequency: One (1) time per year
2. Maximum number of persons: 100
3. Time of Day: 6:00 p.m. to 10:00 p.m. with clean-up by 11:00 p.m.
4. Shuttle services shall be provided for marketing events to accommodate parking demand.
5. Events shall occur at the tasting room and winery patio areas.
6. Portable restroom facilities shall be used to avoid excessive loading on the domestic wastewater system.

“Marketing of wine” means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as “marketing of wine” if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery’s Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan (County Code).

All marketing event activity, excluding quiet clean-up, shall cease by 10:00 p.m. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery's marketing plan because they are covered by ANV's Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

#### 4.4 ON-PREMISES CONSUMPTION

In accordance with State law and the PBES Director's July 17, 2008, memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premises consumption of wine produced on-site and purchased from the winery may occur solely on the tasting room patio and winery patio as identified on plan sheets A3.1 and A3.3 of the architectural plan set submitted on October 31, 2025, prepared by Gould Architecture. Any and all visitation associated with on-premises consumption shall be subject to the maximum per person weekday and weekend daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan set forth in COA Nos. 4.2 and 4.3 above.

#### 4.5 RESIDENCE OR NON-WINERY STRUCTURES

Unless specifically authorized by this permit or a previously approved permit, the existing single-family residence (main residence), pool house, and detached garage shall not be used for commercial purposes or in conjunction with the operation and/or visitation/marketing program for the winery. If the residence is rented, it shall only be rented for periods of 30 days or more, pursuant to the County Code.

#### 4.6 GRAPE SOURCE

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

#### 4.7 COMPLIANCE REVIEW

Permittee shall obtain and maintain all permits (use permits and modifications) and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB), and California Department of Food and Agriculture (CDFA) Grape Crush Inquiry data, all of which are required to produce and sell wine. In the

event the required ABC and/or TTB permits and/or licenses are suspended or revoked, permittee shall cease marketing events and tours and tastings until such time as those ABC and/or TTB permits and licenses are reinstated.

Visitation logbooks, visitor reports, custom crush client records, and any additional documentation determined by Staff to be necessary to evaluate compliance may be requested by the County for any code compliance. The permittee (and their successors) shall be required to participate fully in the winery code compliance review process.

**4.8 RENTAL/LEASING**

No winery facilities, or portions thereof, including, without limitation, any kitchens, barrel storage areas, or warehousing space, shall be rented, leased, or used by entities other than persons producing and/or storing wine at the winery, such as alternating proprietors and custom producers, except as may be specifically authorized in this Permit or pursuant to the Temporary Events Ordinance (County Code Chapter 5.36).

**4.9 GROUND WATER MANAGEMENT – WELLS**

This condition is implemented by the Planning, Building and Environmental Services Department:

The permittee shall be required (at the permittee's expense) to record well monitoring data (specifically, static water level no less than quarterly, and the volume of water no less than monthly). Such data will be provided to the County, if the PBES Director determines that substantial evidence<sup>1</sup> indicates that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. If data indicates the need for additional monitoring, and if the 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. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In order to support the County's groundwater monitoring program, well monitoring data as discussed above will be provided to the County if the Director of PBES determines that such data could be useful in supporting the County's groundwater monitoring program. The project well will be made available for inclusion in the groundwater monitoring network if the Director of PBES determines that the well could be useful in supporting the program.

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 PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as

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<sup>1</sup> Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

**4.10 AMPLIFIED MUSIC**

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, winery buildings.

**4.11 TRAFFIC**

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (between 4:00 p.m. to 6:00 p.m. on weekdays). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

**4.12 PARKING**

The location of visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during harvest activities and approved marketing events. In no case shall parking impede emergency vehicle access or public roads.

**4.13 BUILDING DIVISION – USE OR OCCUPANCY CHANGES**

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use of occupancy of an existing building unless the building is made to comply with the requirements of the current CBC for a new building.

**4.14 FIRE DEPARTMENT – TEMPORARY STRUCTURES**

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized marketing events allowed per COA No. 4.3 above.

**4.15 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM [RESERVED]**

**4.16 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, AND TRASH ENCLOSURE AREAS**

a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County. Lighting utilized during harvest activities is exempt from this requirement.

- b. All landscaping and outdoor screening, storage, and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior winery equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
- c. 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. The permittee shall obtain the written approval of the Planning Division prior to any change in paint colors that differs from the approved building permit. Highly reflective surfaces are prohibited.
- d. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.17 NO TEMPORARY SIGNS  
Temporary off-site signage, such as "A-Frame" signs, is prohibited.

4.18 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – OPERATIONAL CONDITIONS  
The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Division operational conditions as stated in their Memorandum dated October 28, 2025.
- b. Engineering Division WAA Technical Adequacy Memo as stated in their Memorandum dated October 9, 2025.
- c. Engineering Division Road and Street Standards Exception Memo as stated in their Memorandum dated January 6, 2026.
- d. Environmental Health Division operational conditions as stated in their Memorandum dated June 5, 2025.
- e. Building Division operational conditions as stated in their Memorandum dated July 23, 2025.
- b. Department of Public Works operational conditions as stated in their Memorandum dated November 18, 2024.
- f. Fire Department operational conditions as stated in their Memorandum dated November 6, 2025.
- g. California Department of Transportation operational conditions as stated in their letter (email) dated June 18, 2025.

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

**4.19 OPERATIONAL MITIGATION MEASURES**

The permittee shall comply with the following operational mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

- a. The permittee shall comply with Mitigation Measures BIO-1 through BIO-3 and TCR-1 as listed in COA No. 6.12 below.

**4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT**

- a. Greenhouse Gas Best Management Practices – Operational items checked on the attached Voluntary Best Management Practices Checklist for Development Projects by the applicant, shall be implemented and evidence of implementation shall be provided to staff upon request.
- b. All Winery Use Permit Phase II site improvements shall be completed prior to commencement of Phase II operations. Specifically, the domestic water supply and wastewater processing systems, parking, winery remodel, cave and crush pad improvements proposed under Phase II shall be constructed and finalized prior to increasing the number of employees, visitation and marketing program, and production volume listed under Phase I in COA No. 1.4, 4.2 and 4.3 above.
- c. Groundwater Management – The project well (Well #1) shall be limited to 2.28-acre feet of groundwater per year for all winery and vineyard water consuming activities on the project parcel. A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA 6.15(e) below.

In the event that changed circumstances or significant new information provide substantial evidence<sup>2</sup> that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

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<sup>2</sup> Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

#### 4.21 PREVIOUS CONDITIONS [RESERVED]

### PART III

#### 5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

##### 5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

#### 6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition, environmental, building and/or other applicable permit applications.

##### 6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES – PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Division operational conditions as stated in their Memorandum dated October 28, 2025.
- b. Engineering Division WAA Technical Adequacy Memo as stated in their Memorandum dated October 9, 2025.
- c. Engineering Division Road and Street Standards Exception Memo as stated in their Memorandum dated January 6, 2026.
- d. Environmental Health Division operational conditions as stated in their Memorandum dated June 5, 2025.
- e. Building Division operational conditions as stated in their Memorandum dated July 23, 2025.
- b. Department of Public Works operational conditions as stated in their Memorandum dated November 18, 2024.
- f. Fire Department operational conditions as stated in their Memorandum dated November 6, 2025.

g. California Department of Transportation operational conditions as stated in their letter (email) dated June 18, 2025.

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

**6.2 BUILDING DIVISION – GENERAL CONDITIONS**

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the California Building Code (CBC) or any State or local amendment adopted thereto.
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and on-site improvements must comply with the CBC accessibility requirements, as well as, American with Disability Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

**6.3 LIGHTING – PLAN SUBMITTAL**

- a. 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 Planning Division review and approval. All lighting shall comply with the CBC.
- a. 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; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. 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. Lighting utilized during harvest activities is exempt from this requirement.

**6.4 LANDSCAPING – PLAN SUBMITTAL**

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the

Planning Division's review and approval prior to the issuance of any building permit associated with this Use Permit. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

- b. Plant materials shall be purchased locally when practical, and to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline 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.
- d. Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and any off-site residence from which these areas can be viewed.

#### 6.5 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. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

#### 6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

- a. Details of outdoor storage areas and structures shall be included on the building and landscape plans. All outdoor storage of winery equipment shall be screened from the view of residences of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No stored item shall 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.
- b. New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and the County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

c. Exterior winery equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.7 TRASH ENCLOSURES

Adequate area must be provided for collection and loading of garbage and recyclables generated by the project. 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 pedestrian and vehicle access needed for the collection site. The garbage and recycling enclosure shall meet the minimum enclosure requirements established by staff and the franchised hauler, which shall be included in the building permit submittal.

6.8 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES 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 I numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.9 HISTORIC RESOURCES [RESERVED]

6.10 DEMOLITION ACTIVITIES [RESERVED]

6.11 VIEWSHED – EXECUTION OF USE RESTRICTION

The property owner shall execute and record in the County Recorder's office a use restriction, in a form approved by County Counsel, requiring the winery buildings and tasting room building exteriors, water tanks, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation to be maintained by the owner or the owner's successor so as to maintain conformance with the County Code.

6.12 PERMIT PREREQUISITE MITIGATION MEASURES

The permittee shall comply with the following permit prerequisite mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

a. **MM BIO-1:** The owner/permittee shall implement the following measures to minimize potential impacts to special-status plant species (i.e., green jewelflower, Greene's narrow-leaved daisy, holly-leaved ceanothus, Jepson's leptosiphon, and Sonoma beardtongue):

Special Status Plants. Prior to the initiation of earth disturbing activities, the owner/permittee shall conduct botanical surveys for special-status plants at the project site, and adjacent to the project if indirect offsite impacts may occur, in conformance with CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (see: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) to determine if special-status plants are present or to substantiate absence of these

species. Surveys shall be conducted during appropriate conditions and more than one year of surveys may be necessary per the protocol. If non-CESA listed special-status plants, including but not limited to California Rare Plant Rank plants, are detected and may be impacted by project activities, the project proponent shall mitigate for impacts at a 2:1 mitigation to impact ratio. Any special-status plants/populations removed, including inadvertent removals, as part of development authorized under #P22-00384, shall be replaced on-site at a ratio of 2:1 at locations with similar habitat. For such removal a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director and CDFW prior to commencement of grading and construction activities. At a minimum, the replacement plan shall include i) a site plan showing the locations where replacement plants will be planted, ii) a plant pallet composed the special-status plants specie(s) being removed including sizes and/or application rates, iii) planting notes and details including any recommended plant protection measures, iv) invasive species removal and management specifications, v) an implementation and monitoring schedule, and vi) performance standards with a minimum success rate of 80% to ensure the success of re-vegetation efforts. Any replaced special-status plants shall be monitored for a period of at least three years to success criteria are met.

**Method of Monitoring:** Prior to issuance of any grading permit or building permit(s) and through completion of initial site disturbance, the County shall review the results of all pre-construction surveys and any proposed removal of special-status plants/populations, including inadvertent removals. For such removal, a replacement plan shall be prepared by a qualified botanist or ecologist for review and approval by the Director and CDFW prior to commencement of grading and construction activities. All measures shall be noted on the final project plans.

**Responsible Agency:** California Department of Fish and Wildlife

- b. **MM BIO-2:** The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance of special-status and nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:
  1. For earth-disturbing activities occurring between February 1 and August 31 (which coincides with the grading season of April 1 through October 15 – NCC Section 18.108.070.L, and bird breeding and nesting seasons), a qualified biologist (defined as knowledgeable and experienced in the biology and natural history of local avian resources with the potential to occur at the project site) shall conduct preconstruction surveys for nesting birds within all suitable habitat on the project site, and where there is potential for impacts adjacent to the project areas (typically within 500 feet of project activities). The preconstruction survey shall be conducted no earlier than seven (7) days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven (7) days from the survey date, surveys shall be

repeated. A copy of the survey shall be provided to the Napa County Conservation Division and the CDFW prior to commencement of work.

2. After commencement of work if there is a period of no work activity of seven (7) days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.
3. In the event that nesting birds are found, the owner/permittee shall identify appropriate avoidance methods and exclusion buffers in consultation with the County Conservation Division and the USFWS and/or CDFW prior to initiation of project activities. Exclusion buffers may vary in size, depending on habitat characteristics, project activities/disturbance levels, and species as determined by a qualified biologist in consultation with the County's Conservation Division and/or the USFWS or CDFW.
4. Exclusion buffers shall be fenced with temporary construction fencing (or the like), the installation of which shall be verified by Napa County prior to the commencement of any earthmoving and/or development activities. Exclusion buffers shall remain in effect until the young have fledged or nest(s) are otherwise determined inactive by a qualified biologist.

Alternative methods aimed at flushing out nesting birds prior to preconstruction surveys, whether physical (i.e., removing or disturbing nests by physically disturbing trees with construction equipment), audible (i.e., utilizing sirens or bird cannons), or chemical (i.e., spraying nesting birds or their habitats) would be considered an impact to nesting birds and is prohibited. Any act associated with flushing birds from project areas shall undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

**Method of Monitoring:** The above measure applies to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities. The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide copies required surveys and CDFW approval(s) and/or related CDFW correspondence to the Planning Division.

**Responsible Agency:** California Department of Fish and Wildlife

- c. **MM BIO-3: Bat Tree Habitat Assessment and Surveys.**  
Prior to any tree trimming or removal, a qualified biologist shall conduct a habitat assessment for bats, unless otherwise approved in writing by CDFW. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree trimming or removal and shall include a visual inspection of potential roosting features of trees to be removed (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked, CDFW shall be notified immediately, and tree trimming or removal shall not proceed without approval in writing from CDFW. If the presence of bats is presumed or documented, trees may be removed only: a) using the two-step removal process

detailed below during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist, under prior written approval of the proposed survey methods by CDFW, conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats. Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only. Limbs with cavities, crevices or deep bark fissures shall be avoided, and 2) the second day the entire tree shall be removed.

**Method of Monitoring:** The above measure applies to associated building and grading permits with survey recommendations to be implemented in conjunction with all construction activities. The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide copies required surveys and CDFW approval(s) and/or related CDFW correspondence to the Planning Division.

**Responsible Agency:** California Department of Fish and Wildlife

d. **MM TCR-1: Tribal Cultural Resources**

1. Prior to initial ground disturbance, the owner/permittee shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.
2. Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.
3. The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation

can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that requires multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor have indicated that the site has a low potential for tribal cultural resources.

4. All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.
5. The owner/permittee shall meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

**Method of Monitoring:** The above measure applies to ground disturbing activities and associated building and grading permits. Prior to the commencement of vegetation removal and earthmoving activities pursuant to #P22-00384, the Owner/Permittee shall provide documentation to Napa County that they have engaged with the Middletown Rancheria to provide cultural monitors (as necessary) and that cultural sensitivity training has been provided to site workers.

**Responsible Agency:** Planning, Building & Environmental Services

**6.13 PARCEL CHANGE REQUIREMENTS [RESERVED]**

**6.14 FINAL MAPS [RESERVED]**

**6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS**

- a. In conjunction with building permit application submittal, the permittee shall not include natural gas appliances or natural gas plumbing within new areas of winery building construction and/or renovation of existing winery buildings.
- b. In conjunction with building permit application submittal, the project shall comply with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
- c. In conjunction with building permit application submittal, the permittee shall provide documentation confirming to the Planning Division that all checked Voluntary Best Management Practices Measures submitted with the project Minor Modification application shall be addressed through project construction and/or implemented through winery operation.
- d. In conjunction with the building permit application submittal, the permittee shall submit plans for a winery sign as required by Condition of Approval 9.2. All signs shall meet the design standards as set forth in the County Code. At least one legible sign shall be placed at the property entrance with the words "Tours and Tasting by Prior Appointment Only" to inform the public of same.
- e. Groundwater Demand Management Program:
  1. The permittee shall install a meter on the project well (Well #1). The meter shall be placed in a location that will allow for the measurement of groundwater used from the project well. Prior to the issuance of building permits for the winery and associated structures, as approved under this permit, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on the project well.
  2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
  3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
  4. As groundwater consuming activities already exists on the property, meter installation and monitoring shall begin immediately, and the first monitoring

report is due to the County within 120 days of approval of this permit.

5. For the first twelve months of operation under this permit, the permittee shall read the meter at the beginning of each month and provide the data to the PBES Director monthly. If the water usage from Well #1 exceeds, or is on track to exceed, 2.28 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.
6. The permittee's well shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
7. At the completion of the reporting period per 6.15(e)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
  - i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meter during regular business hours.
  - ii. Upon continued increases in operations approved under this permit, the PBES Director, or the Director's designated representative, has the right to revise the data submittal schedule.
- f. Prior to wine cave grading and building permit final, the permittee shall obtain approval from the Department of Planning, Building, & Environmental Services for a revision to #P17-00348-ECP or a new Agricultural Erosion Control Plan, as applicable, to incorporate the proposed 7,000+/- cubic yards of cave spoils.
- g. **Canopy Retention:**  
Prior to issuance of building permits, the applicant shall submit a tree replanting plan, prepared by a certified arborist and subject to Planning Division approval, that includes replanting the equivalent amount (or more) of native carbon sequestering trees removed as a result of the project. The replanting plan shall also include a 5-year monitoring program. Alternatively, the applicant may identify and permanently preserve the equivalent amount (or more) of native carbon sequestering canopy through deed restriction or other means of permanent protection in a form approved by County Counsel. Areas proposed for replanting or preservation involving slopes exceeding 30% may only be considered if a report from a qualified professional (i.e. biologist) demonstrates the proposed area provides enhanced water quality and environmental benefits. Replacement trees shall be installed, or the deed restriction recorded, prior to final occupancy of building permits.
- h. All Winery Use Permit Phase II site improvements shall be completed prior to

commencement of Phase II operations. Specifically, the domestic water supply and wastewater processing systems, parking, winery interior remodel, cave and crush pad improvements proposed under Phase II shall be constructed and finalized prior to increasing the number of employees, visitation and marketing program, and production volume listed under Phase I in COA No. 1.4, 4.2 and 4.3 above.

## **7.0 PROJECT CONSTRUCTION**

Permittee shall comply with the following during project construction:

### **7.1 SITE IMPROVEMENTS**

Please contact Engineering Services with any questions regarding the following.

#### **a. GRADING AND SPOILS**

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

#### **b. 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 when average wind speeds exceed 20 mph.

#### **c. AIR QUALITY**

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt traced onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.

6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required by State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perfact\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perfact_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board.

**7.2 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 PBES 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 project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner 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 permittee shall comply with the requirements of Public Resources Code Section 5097.98.

**7.3 CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions 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 daily between the hours of 8 a.m. to 5 p.m.

#### 7.4 CONSTRUCTION MITIGATION MEASURES

The permittee shall comply with the following construction mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project,

- a. The permittee shall comply with Mitigation Measures BIO-1 through BIO-3 and TCR-1 as listed in COA No. 6.12 above.

#### 7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL

##### a. Vegetation Protection:

1. Prior to any earthmoving activities temporary construction fencing or other means of project demarcation acceptable to the County shall be placed at the limits of the project footprint. The precise locations of said fences shall be inspected and approved by the Planning Division prior to the commencement of any earthmoving activities. No disturbance, including grading, placement of fill material, storage of equipment, etc., shall occur within the designated protection areas for the duration of winery construction and operation.
2. Trees or any other vegetation inadvertently removed as a result of the project shall be replaced onsite at a 2:1 ratio: trees shall be replaced with fifteen-gallon container size trees. For such removal a replacement plan shall be prepared for county review and approval that includes at a minimum, the locations where replacement trees and vegetation will be planted, plant container sizes or seeding specifications, success criteria of at least 80%, and monitoring activities for the replacement trees. The replacement plan shall be implemented before vineyard planting activities. Any replaced trees shall be monitored for at least three years to ensure an 80% survival rate. Replacement trees shall be installed and documented that they are in good health prior to completion and finalization of the erosion control plan.
3. The owner/permittee shall refrain from severely trimming the trees (typically no more than 1/3<sup>rd</sup> of the canopy) and vegetation to be retained adjacent to the project area.

##### b. Stream Protection:

1. The location of stream setbacks shall be clearly demarcated in the field with temporary construction fencing, which shall be placed at the outermost edge of required setbacks shown on the project plans. Prior to any earthmoving activities, temporary fencing shall be installed: the

precise locations of said fences shall be inspected and approved by the Planning Division prior to any earthmoving and/or development activities. No disturbance, including grading, placement of fill material, storage of equipment, etc. shall occur within the designated areas for the duration of erosion control plan installation and vineyard installation. The protection fencing shall remain in place for the duration of project implementation.

2. All construction and related traffic will remain outside of the protective fencing to the maximum extent practicable to ensure that the stream, buffer zones, and associated woodland habitat remains undisturbed.

## **8.0 TEMPORARY CERTIFICATE OF OCCUPANCY - PREREQUISITES**

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow the commencement of production activities prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

### **8.1 TEMPORARY OCCUPANCY**

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. Departments and/or agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

## **9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES**

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence.

### **9.1 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.

### **9.2 SIGNS**

Detailed plans, including elevations, materials, color, and lighting for any winery identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. 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 permit approval. All signs shall meet the design standards as set forth in the County Code. At least one legible sign shall be placed at the property entrance with the words "Tours and Tasting by Prior Appointment Only" to inform the public of same. Any off-site signs allowed shall be in conformance with the County Code.

### **9.3 GATES/ENTRY STRUCTURES**

Any gate installed at the winery entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows 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 pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. 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 permit approval.

### **9.4 LANDSCAPING**

Landscape shall be installed in accordance with the approved landscaping plan.

### **9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS**

- a. Prior to obtaining final occupancy for any winery structure, the permittee shall improve access and sight distance at the project driveway entrance as required by the Napa County Department of Public Works and California Department of Transportation. These improvements include, but may not be limited to, trimming vegetation, restriping the project driveway apron, installing a stop sign at the driveway for outbound vehicles, installing new traffic safety signage and LED blinking warning signs along Sage Canyon Rd, and relocating existing mailboxes further back into the shoulder. The design of access and sight distance improvements shall be designed in substantial conformance with the submitted Promise Wine Vehicle Sight Distance & Mitigation Report prepared by GHD, dated January 22, 2025, and other submittal materials and shall comply with all requirements of the County Code and Napa County Road and Street Standards.
- b. Prior to obtaining final occupancy for any winery structure, the permittee shall construct driveway improvements on the project driveway. The design of the road improvements shall be designed in substantial conformance with the submitted site plan dated January 31, 2025, prepared by Applied Civil Engineering, and other submittal materials and shall comply with all requirements of the County Code and Napa County Road and Street Standards.

### **9.6 DEMOLITION ACTIVITIES [RESERVED]**

### **9.7 GRADING SPOILS**

All spoils shall be removed in accordance with the approved grading permit and/or building permit.

### **9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY**

The permittee shall comply with the following preoccupancy mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project,

- a. The permittee shall comply with Mitigation Measures BIO-1 through BIO-3 and TCR-1 as listed in COA No. 6.12 above.

**9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY**

- a. Provide evidence that the required well meter has been installed and groundwater usage monitoring has commenced as required in COA Nos.4.20(c) and 6.15(e).
- b. Prior to final, Building Permit #BR25-00080 (water storage tank) shall be revised to connect the tank to the project well.
- c. All Winery Use Permit Phase II site improvements shall be completed prior to commencement of Phase II operations. Specifically, the domestic water supply and wastewater processing systems, parking, winery interior remodel, cave and crush pad improvements proposed under Phase II shall be constructed and finalized prior to increasing the number of employees, visitation and marketing program and production volume listed under Phase I in COA No. 1.4, 4.2 and 4.3 above.
- d. Prior to final, all temporary construction fencing placed along ephemeral streams and protected oak woodland areas and other protected vegetation areas shall be removed from the project site.



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**Brian D Bordona**  
Director

## MEMORANDUM

To: Hannah Spencer, Planning	From: Raulton Haye, Engineering
Date: October 28, 2025	Re: P22-00384 Promise Winery APN: 032-520-009

The Engineering Division has reviewed the use permit application P22-00384 for the winery located on assessor's parcel number 032-520-009. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

### RECOMMENDED APPROVAL CONDITIONS:

### OPERATIONAL CHARACTERISTICS

1. The facility is designated as a discharger that discharges stormwater associated with industrial activity to waters of the United States. Therefore, the facility shall maintain or apply for coverage under the State Water Resources Control Board's Industrial General Permit (IGP), including meeting all applicable provision and protocols of the IGP. If the facility fails to meet the discharge prohibitions of the IGP, Napa County may require the facility to make the necessary improvements to eliminate all exposures to stormwater of the pollutant(s) for which the water body is impaired.

### PREREQUISITES FOR ISSUANCE OF PERMITS

2. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development at the time of use permit approval. The property owner shall obtain a grading permit for all proposed roadway improvements.
3. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement** of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.

4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
5. **Prior to issuance of a building permit** the owner shall submit the necessary documents for Erosion Control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
6. **Prior to issuance of a building permit** the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
7. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. **Before final occupancy** the property owner must legally record the “Operation and Maintenance Agreement”, approved by the Engineering Division in PBES.

#### **PREREQUISITES DURING PROJECT CONSTRUCTION**

8. Required on-site pre-construction meeting with the Napa County PBES Engineering Division **prior to start of construction**.

#### **PREREQUISITES FOR TEMPORARY CERTIFICATE OF OCCUPANCY**

9. All roadway improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit. **\*\* If no temporary occupancy is requested, then this becomes a requirement prior to final occupancy.**

#### **PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY**

10. Operations and Maintenance Agreement for post construction Stormwater facilities must be legally recorded.
11. Site shall be completely stabilized to the satisfaction of the County Engineer prior to Final Occupancy.

**Any changes in use may necessitate additional conditions for approval.**

If you have any questions regarding the above items, please contact Raulton Haye from Napa County Planning, Building, and Environmental Services Department, Engineering Division, at (707)253-4621 or by email at [Rauton.Haye@countyofnapa.org](mailto:Rauton.Haye@countyofnapa.org)



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**Brian D. Bordona**  
Director

## MEMORANDUM

To: Hannah Spencer Planning	From: Raulton Haye Engineering
Date: October 9, 2025	Re: <b>Permit No. P22-00384</b> <b>Promise Winery</b> <b>WAA Technical Adequacy</b>

The Engineering Division has reviewed the Water Availability Analysis (WAA) dated 10/6/2025, by CMP Civil Engineering for the Promise Winery – Use Permit, P22-00384, located on Assessor parcel number 032-520-009 at 2004 Sage Canyon Road, St Helena. The proposed plan requests the construction of a winery with an annual wine production of 30,000 gallons.

The Engineering Division has evaluated the project based on information provided by the applicant, its location, and available geologic and hydrologic information and has determined the WAA to be complete and reasonable. Engineering concludes the WAA technically adequate as it relates to Napa County's water use criteria, well and spring interference, groundwater/surface water interaction pursuant to Napa County's WAA Guidelines, Governor's Executive Order N-7-22/N-3-23, Napa Valley Subbasin Groundwater Sustainability Plan, and the Public Trust Doctrine.

Any changes in use or design may necessitate additional review and approval. If you have any questions regarding the above items please contact Raulton Haye from the Napa County PBES Department Engineering Division at (707) 253-4621 or via e-mail at [raulton.haye@countyofnapa.org](mailto:raulton.haye@countyofnapa.org).



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**Brian D Bordona**  
Director

## MEMORANDUM

To: Hannah Spencer, Planning	From: Raulton Haye, Engineering
Date: January 6, 2026	Re: P22-00384 Promise Winery. <b>Road Exception Evaluation</b> APN: 032-520-008

### ROAD EXCEPTION REQUEST:

The Engineering Services Division received a request for an exception to the Napa County Road and Street Standards (NCRSS) for the access road serving the proposed winery located at 2000 Sage Canyon Road, St Helena CA. The Napa County Road and Street Standards (NCRSS) may allow for an exception if at least one of the following provisions are met:

- i. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of least six inches in diameter at breast height and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like;
- ii. The exception is necessary to accommodate physical site limitations such as grade differentials; and/or
- iii. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

The subject parcel is served by an existing road that starts at the intersection of Sage Canyon Road. From Sage Canyon Road, the road, via a bridge, crosses over Sage creek and has a width of approximately 19 feet. From the end of the bridge the road is paved and runs west, directly adjacent to Sage creek for about 425 feet. The road continues approximately 250 ft to an intersection where it then bears northwest and traverses up a hillside for 3225 ft to the subject site. The road ranges in width from 14 to 19ft. The Napa County Road and Street Standards (NCRSS) requires a 22ft minimum width, and 20% maximum slope for roads serving commercial uses such as this proposed micro winery. The Promise Winery project is seeking exception to the NCRSS to accommodate environmental and physical constraints that forbid compliance with the standards. The Engineering and Fire Divisions have visited the site to evaluate the exception request.

## **Driveway Exception Request**

### **STA 10+00 to 15+60**

The Napa County Road and Street Standards (NCRSS) requires a 22ft minimum width for commercial access roads. This segment of the road is constrained by steep slopes and an adjacent blueline stream which forbids road expansion to the compliant width. There is also an existing bridge within this segment of road that would need to be replaced to meet the compliant width.

There is a driveway apron that connects to Sage Canyon Rd that provides more than sufficient space for access and egress. This area is immediately followed by the bridge that is wide enough to accommodate emergency and passenger vehicular traffic. An existing standard turnout at STA 14+50 would also serve as a refuge area to allow the passage of emergency vehicles. Furthermore, signage will be installed to inform motorists of the road conditions and the refuge area available within this segment of the road. Engineering has determined that these measures would provide the same overall practical effect towards providing defensible space.

### **STA 16+75 to STA 17+50**

The Napa County Road and Street Standards (NCRSS) requires a 22ft minimum width for commercial access roads. The existing driveway throughout this segment is 16ft. There are a few mature oak trees with this area that would have to be removed to allow widening to the compliant width. The existing road, through this segment, will allow the passage of fire equipment. Before and after this short 75ft run, a standard, full-width pavement is proposed. Furthermore, signage will be installed to inform motorists of the road conditions and the turnout available within this segment of the road. Engineering has determined that these measures would provide the same overall practical effect towards providing defensible space.

### **STA 50+55 to STA 54+25**

The Napa County Road and Street Standards (NCRSS) requires a 22ft minimum width for commercial access roads. The existing driveway is 14 ft wide in this area. The project proposed to widen the road to the maximum extent possible, which will result in drivable widths of 17 to 19ft. Within this area there are mature oak trees and slopes exceeding 30% on both sides of the driveway, that prohibits widening to the standard 22ft width. There is an existing ditch along the inboard edge of the road at the base of the up slope. There is concern that widening along this ditch may compromise the stability of the slope, therefore no disturbance is proposed for this area. The existing road, through this segment, will allow the passage of fire equipment. Before and after this 370ft stretch, a standard, full width pavement is proposed and there is an unobstructed line of sight along this corridor, between the compliant areas at the beginning and end of this segment. Furthermore, signage will be installed to inform motorists of the road conditions and direct them to available turnouts. Engineering has determined that these measures would provide the same overall practical effect towards providing defensible space.

## **ENGINEERING DIVISION EVALUATION AND RECOMMENDATION:**

Engineering Division staff has reviewed the Request noted above with the applicant's authorized agents, Engineering staff and the Fire Marshal's office. With respect to Section (3) of the NCRSS as adopted by Resolution No. 2023-59 by the Board of Supervisors on April 18, 2023, this division has determined that the applicant has met the provisions for an exception to the NCRSS. The proposed improvement achieves the same overall practical effect by installing intervisible turnouts along sub-standard segments of the road and implementing signage and vegetation management measures to maintain line of sight.

Any changes in use or design may necessitate additional review and approval. If you have any questions regarding the above items, please contact Raulton Haye from Napa County PBES Department Engineering Division at (707) 253-4621 or via e-mail at [raulton.haye@countyofnapa.org](mailto:raulton.haye@countyofnapa.org)



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**Brian Bordona**  
Director

**MEMORANDUM**

To: Hannah Spencer, Project Planner	From: Maureen S. Bown, Senior Environmental Health Specialist
Date: June 5, 2025	Re: Promise Wine 2004 Sage Canyon Rd. St. Helena, CA APN 032-520-009-000 Use Permit P22-00384

This Division has reviewed an application requesting approval to establish a winery, with a 2 phased approach, as depicted in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to issuance of building permits:

1. Sewer line permit(s) must be secured from this Division, prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater, to connect to the existing onsite wastewater system.
2. In Phase 2, plans for the proposed process wastewater pretreatment and reuse system, as described in the Onsite Wastewater Disposal Feasibility Report, dated 10/22/2024, 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 approved until such plans are approved by this Division. According to the project narrative, dated October 28, 2024, all production will occur at a co-production facility and therefore, no process wastewater will be generated on site in Phase 1.
3. In Phase 2, permits to construct the process wastewater treatment and reuse system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
4. The applicant shall enroll for coverage under the State Water Resources Control Board General Waste Discharge Requirements for Winery Process Water by submitting the Notice of Intent, Technical Report and Application to the San Francisco Regional Water Quality Control Board or Napa County, if applicable, for the proposed winery process water treatment system.

5. Proposed food service will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
6. A commercial food facility is not included in this project. The architectural plans submitted with the use permit application show an employee break room located within the proposed facility. This break room is approved for employee use only and must be designed considering this use. If the proposed break room includes components typical of a commercial kitchen facility the applicant will be required to redesign the break room or apply for a use permit modification for approval of a commercial kitchen meeting all applicable requirements.
7. 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. The designated area shall remain available and be properly maintained for its intended use.

Prior to granting final occupancy and thereafter:

8. 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.
9. The use of the existing onsite wastewater system (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.

Upon final occupancy and thereafter:

10. The applicant shall maintain the annual operating permit and regular monitoring of the Alternative Sewage Treatment System (wastewater system), as required by this Division, which includes submitting monitoring reports.
11. 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, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities.

12. The applicant shall file a Notice of Intent (NOI) and complete a Storm Water Pollution Prevention Plan with the State of California Water Resources Control Board's (SWRCB) Industrial Permitting program, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Additional information, including a list of regulated SIC codes, may be found at: \ [http://www.swrcb.ca.gov/water\\_issues/programs/stormwater/industrial.shtml](http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml)  
Additionally, the applicant shall file for a storm water permit from this Division, if applicable, within 30 days of receiving a temporary or final certificate of occupancy. Certain facilities may be exempt from storm water permitting. A verification inspection will be conducted to determine if exemption applies.
13. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business shall be submitted to <http://cers.calepa.ca.gov/> and approved by this Division.
14. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors, and odors.
15. 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.
16. The proposed use shall not exceed the approved design flow of the existing septic system.



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Brian D. Bordona | Director

## MEMORANDUM

To:	Hannah Spencer, Planner III	From:	David Giudice, CBO
Date:	07/23/2025	Re:	P22-00384, Promise Winery

The Building Division is not currently reviewing this project for compliance with the California Building Standards Code. At this stage, our review is limited to the Planning entitlements associated with the proposed project.

We have no issues or concerns with the approval of the **Use Permit**, as it is a Planning entitlement only and does not authorize any construction activity.

The plans provided for the application do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, "only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit". The codes adopted at this time are 2019 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.

A geotechnical report is required for all new building construction and any changes in occupancy, including the proposed changes to the guest cottage and barn. Additionally, the new concrete retaining walls around the existing barn will require geotechnical analysis and appropriate structural design considerations.

The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public. At the time of Permit Submittal your design professional shall submit plans for egress and accessibility for review

The increase in occupant load will require a revised egress plan demonstrating compliance with Chapter 10 of the California Building Code.

Outdoor assembly use areas are required to be accessible per scoping requirements found in Chapter 11B of the California Building Code. Increase in parking spaces will trigger additional accessible parking spaces.

If your marketing plan is proposing events please be aware that no events will be allowed in portions of the building that are not permitted under the Assembly occupancy requirements, this includes fermentation and barrel rooms. Please keep this in mind when you are planning your footprint and applying for the building permits

In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.

Review was completed of work that was shown on the proposed plans, if there are plans to utilize existing residential wine cave for the winery purpose review will need to be done and there may be additional requirements.

If you have any questions regarding the building permit process, feel free to contact us.



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**Steven Lederer**  
Director

## MEMORANDUM

To: PBES Staff

From: Anna Vickroy, P.E., T.E.  
Traffic Engineering Staff Consultant

Date: November 18, 2024

Re: Promise Winery (P22-00384)  
**Conditions of Approval**

This memorandum is prepared at the request of Planning, Building, and Environmental Services (PBES) staff to provide conditions of approval regarding the Use Permit and Variance Application #P22-00384 (APN 032-520-009), for the proposed Promise Winery, located at 2000 & 2004 Sage Canyon Road, St. Helena in the County of Napa.

In preparation of this memorandum, we have reviewed the following documents:

- Vehicle Sight Distance & Mitigation Report dated October 11, 2024 by GHD
- Request for Exception to NCRSS dated October 11, 2024 by GHD
- Response to County Comment Letters, second application dated October 28, 2024 by DP&F Law
- Promise Winery Use Permit and Variance Project Narrative dated October 28, 2024

**The Department of Public Works has established the following conditions of approval related to the Use Permit Application Number P22-00384. All listed conditions of approval shall be fully completed accordingly prior to the issuance of Occupancy permit:**

### **1. Project Driveway**

Driveway access to the public right-of-way must conform to the latest edition of the Napa County Road and Street Standards. Additionally, the driveway apron shall be improved with restriping to provide clear inbound and outbound paths to include a driveway centerline and stop bar. In addition, a stop sign shall be installed for outbound vehicles. The improvement plans shall be submitted to the County for review and approval prior to installation.

### **2. Improvements along Sage Canyon Road (SR-128)**

Based on the Vehicle Sight Distance & Mitigation Report, the project is required to implement the following measures to improve vehicle sight distance from the project driveway looking east and west on Sage Canyon Road:

- a) The existing vegetation on the south side of Sage Canyon Road both east and west of the project driveway shall be trimmed and maintained to the maximum extent possible to provide a line of sight to vehicles in the driveway and vehicles approaching the driveway. Lower

shrubs and bushes shall be cleared and maintained, tree canopies shall be trimmed and maintained upwards to provide a viewing window through the trees.

- b) The existing mailboxes on the west side of the project driveway shall be relocated further back in the shoulder to provide additional vehicle sight distance to the west. In considering the exact location, the presence of parked vehicles to pick up mail and mail delivery vehicles shall also be considered. Additionally, the exact location shall be determined after trimming the vegetation to improve sight distance.
- c) Intersection warning signs (W2-7L) along with Cross Traffic Ahead (W70) shall be installed in both directions on Sage Canyon Road. Additionally, LED blinking warning lights shall be installed on the W70 sign that shall be activated when a vehicle is outbound in the driveway. These lights can be solar powered if tree-cover allows access to the panel. The exact location of the signs as well as the design of the lights shall be included on an improvement plan and approved by Caltrans.
- d) If Caltrans does not approve the blinking warning lights on the W70 sign, another option is to install a radar speed sign with an advisory speed of 40 mph in the westbound direction.

These improvements shall be reviewed and approved by Caltrans and shall require an encroachment permit from Caltrans.

### **3. Landscaping Maintenance**

Landscaping adjacent to the project driveway shall be designed and maintained to not interfere with sight lines required for safe stopping distance on the public right-of-way. No items wider than 18 inches can be taller than 30 inches other than street trees and traffic control devices. Street trees should be deciduous and have branches lower than 6 feet in height removed once the tree is established.

### **4. Encroachment Permit Requirement**

An encroachment permit along with the required fee and a proposed traffic control plan will be required for the construction of any improvements within the public right-of-way. Please contact the Roads office at (707) 944-0196 to initiate the encroachment permit process. More information on these is available at our website: <http://www.countyofnapa.org/publicworks/roads/>

### **5. Transportation Demand Management Plan**

It is recommended that the applicant/permittee voluntarily explore and implement a Transportation Demand Management (TDM) Plan, which should include measures to reduce daily vehicle trips, particularly during marketing and special events. These measures may include, but are not limited to, subsidized transit passes, carpool/vanpool, and bicycle trip-end facilities.

### **6. On Street Parking**

Parking within the public right-of-way will be prohibited at all times, including marketing and/or temporary events.

The applicant is required to make the following corrections to the project documents before the Planning Commission meeting for permit approval, with the understanding that these corrections will not affect the results of the traffic analysis:

- A. There continues to be inconsistencies in the number of employees. The Project Narrative identifies 3 part-time and 2 full-time employees in Phase 2. The Request for Exception letter identified 3 full-time and 2 part-time employees. The Winery Trip Generation Worksheet in Appendix C in the Vehicle Sight Distance & Mitigation Report identifies 2 full-time employees and 3 part-time employees. Please provide an update with the correct information on all documents.
- B. The Left-Turn Lane Warrant analysis provided in Appendix C is based on the number of net new trips generated by the winery based on the Winery Trip Generation Worksheet. However, this analysis is required to be based on the total number of daily trips utilizing the driveway, which includes the existing residence (10 daily trips). Although it is acknowledged this adjustment will not change the outcome indicating that a left-turn lane is not warranted, this analysis should be corrected.

If you have any questions or concerns on this matter, please contact Ahsan Kazmi, P. E. at [ahsan.kazmi@countyofnapa.org](mailto:ahsan.kazmi@countyofnapa.org) or call (707) 259-8370 if you have any questions.



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Jason W. Downs  
Fire Marshal

## Napa County Fire Department Conditions of Approval

<b>TO:</b>	Planning Department	<b>DATE:</b>	11/6/2025
<b>FROM:</b>	Jason Downs, Fire Marshal	<b>PERMIT #</b>	P22-00384
<b>SUBJECT:</b>	Promise Winery (Revised)	<b>APN:</b>	032-520-009-000

The Napa County Fire Marshal's Office has reviewed the submittal package for the above-proposed project. The Fire Marshal approves the project as submitted with the following conditions of approval:

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes, and ordinances at the time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested, and finalized.
3. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.
4. Where conditions listed in 2022 California Fire Code Section 105 are proposed, separate permits will be required before Building Permit issuance for:
  1. Automatic fire-extinguishing systems
  2. Fire alarm and detection systems and related equipment
  3. Fire pumps and related equipment
  4. Private Fire service mains and their appurtenances
  5. Standpipe systems
  6. High-piled combustible storage
  7. Gates and barricades across fire apparatus access roads
  8. Emergency responder radio coverage systems
5. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards



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Jason W. Downs  
Fire Marshal

## Napa County Fire Department Conditions of Approval

6. The Napa County Fire Marshal's Office has reviewed and acknowledges the road exception attached to P22-00384. Before issuance of a building or grading permit, the owner shall demonstrate on the plans that all roadway construction associated with this application shall conform to the Road Exception Evaluation composed by the Napa County Engineering Division. Any proposed new or reconstructed roadway, not included in the above-mentioned Road Exception Evaluation shall meet the requirements for a Commercial Driveway as outlined in the latest Napa County Road and Street Standards (RSS).
7. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.
8. Provide fire department access roads to within 150 feet of any exterior portion of the buildings as measured by an approved route around the exterior of the building or facility.
9. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5, the Napa County Road & Street Standards, and CA Fire Safe Regulations for projects within SRA. All residential properties with an electric gate are required to install a Knox Key Switch (Model 3501 or 3502). Manual gates shall be secured with a Knox Padlock.
10. Turnarounds are required on driveways and dead-end roadways.
11. Commercial - Water storage (for buildings not served by a public water system) and fire flow calculations shall be provided by a Certified State Licensed Civil Engineer, C-16 licensed contractor, or registered engineer indicating compliance with California Fire Code Appendix B and the Napa County Municipal Code.
12. Commercial - Approved pressurized hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested, and maintained per NFPA 24.



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Jason W. Downs  
Fire Marshal

## Napa County Fire Department Conditions of Approval

13. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
14. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24 for the installation of Underground Fire Protection Mains
15. Commercial - Developments more than 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals.
16. An automatic fire sprinkler system shall be installed by provisions outlined in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
17. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware, and exit illumination.
18. Emergency Responder Radio Coverage in New Buildings: All new buildings may be required to provide approved emergency responder radio coverage within the building. This requirement will be determined by the Fire Code Official based on the existing coverage levels of the jurisdiction's public safety communication systems at the exterior of the building. The purpose of this provision is to ensure that emergency responders have adequate radio signal strength throughout the building during emergency operations.
19. Provide and maintain a minimum 100-foot defensible space around all structures, in compliance with the Napa County Defensible Space Ordinance, the Napa County Fire Marshal's Defensible Space Guidelines, and California Public Resources Code Section 4291, as applicable. Defensible space shall be established prior to final project approval



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**Jason W. Downs**  
Fire Marshal

## Napa County Fire Department Conditions of Approval

or occupancy and maintained in a fire-safe condition for the life of the project, subject to inspection by the Napa County Fire Marshal's Office.

20. Provide and maintain a minimum 10-foot defensible space on both sides of all roadways, driveways, and access routes leading to the facility, measured from the edge of the roadway surface. This defensible space shall comply with the Napa County Defensible Space Ordinance and the Fire Marshal's Defensible Space Guidelines and shall be always maintained in a fire-safe condition, subject to inspection and verification by the Napa County Fire Marshal's Office.

*Please note the conditions of approval noted above are based on the Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application package. Napa County Fire Marshal's Office Development Guidelines can be found @ [www.countyofnapa.org/firemarshal](http://www.countyofnapa.org/firemarshal). Should you have any further questions please contact the Napa County Fire Marshal's Office by email at [Fire.Marshal@countyofnapa.org](mailto:Fire.Marshal@countyofnapa.org).*

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**From:** Chen, Luana@DOT <Luana.Chen@dot.ca.gov> **On Behalf Of** LDR D4@DOT  
**Sent:** Wednesday, June 18, 2025 8:26 PM  
**To:** Spencer, Hannah <hannah.spencer@countyofnapa.org>  
**Subject:** RE: Napa County Planning request for Caltrans comments on Promise Winery, 2000 & 2004 Sage Canyon Rd, St. Helena

**[External Email - Use Caution]**

Hi Hannah,

Thanks for your patience as we finalized comments for the Promise Wine Sight Distance & Mitigation Report. We appreciate the opportunity to have reviewed the report. Please find our comments below.

#### **Traffic Safety**

Please be advised that any improvements within Caltrans right-of-way, including any directional signs placed by wineries, will need to follow the [California Manual on Uniform Traffic Control Devices](#) and [Caltrans Standard Plans and Specifications](#), rather than the City of Calistoga or County of Napa standards. As these linked documents are periodically updated, please check the Caltrans website to ensure you are using the latest versions/editions. Caltrans also has the [Tourist-Oriented Directional Signs \(TODS\) program](#) for wineries, which describes the qualifications and costs as well as provides typical examples of what the signs would look like.

Please note that the proposed new warning sign panels facing the traffic in each direction of travel should use fluorescent yellow backgrounds made of high-performance retroreflective sheeting of American Society for Testing and Materials (ASTM) D4956-13 Type XI. Letters and borders of warning signs should be in black, non-reflective sheeting.

Please be also advised that the proposed W2-7L and W70(CA) signs installed within State ROW shall be maintained by the permit applicant.

#### **Highway Operations/Construction-Related Impacts**

In the encroachment permit application, please include a traffic handling plan and Transportation Management Plan (TMP) information for proposed mitigation work activities such as trimming existing vegetation, improving the Promise Wine driveway apron, and installation of warning signs. Please note that construction/work activities within 6 feet of

travel way may require closure of the adjacent travel way.

### **Encroachment Permit**

Please be advised that any temporary or permanent work including traffic control that encroaches in, under, or over any portion of the State highway Rights-of-Way (ROW) requires a Caltrans-issued encroachment permit.

The Office of Encroachment Permits requires 100% complete design plans and supporting documents to review and circulate the permit application package. The review and approval of encroachment projects is managed through the Encroachment Permits Office Process (EPOP) or the Project Delivery Quality Management Assessment Process (QMAP), depending on project scope, complexity, and completeness of the application. Please use the following resources to determine the appropriate review process:

- TR-0416 Applicant's Checklist ([link](#))
- Caltrans Encroachment Projects Processes – Information Video ([link](#))
- Flowchart, Figure 1.2 in Section 108, Overview of the Encroachment Review Process, of Chapter 100 – The Permit Function, Caltrans Encroachment Permit Manual ([link](#))

The permit approval typically takes less than 60 days, but may take longer depending on the project scope, size, complexity, completeness, compliance with applicable laws, standards, policies, and quality of the permit package submitted. Projects requiring exceptions to design standards, exceptions to encroachment policies, or external agency approvals may need more time to process.

To obtain more information and download the permit application, please visit Caltrans Encroachment Permits ([link](#)).

If you have any questions regarding our comments, please let me know. Otherwise, Caltrans looks forward to reviewing the proposed work within State ROW when more details are available as part of the encroachment permit application process.

Kind regards,  
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