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**Recommended Conditions of Approval
and Final Agency Approval Memos
Parable Winery Use Permit Minor
Modification
P23-00230-MM**

**ZONING ADMINISTRATOR HEARING – JANUARY 22, 2025
RECOMMENDED CONDITIONS OF APPROVAL**

**PARABLE WINERY MINOR MODIFICATION AND VARIANCE
P23-00230-MM & P23-00231-VAR
4300 SILVERADO TRAIL., CALISTOGA, CA 94515
APN 020-120-028-000**

This permit encompasses and shall be limited to the project commonly known as **Parable Winery**, located at **4300 Silverado Trail**. 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

This permit encompasses and replaces the terms of Use Permit (and/or Use Permit Modification) No. U-278384 and shall be limited to:

- 1.1 Approval of a Variance to allow the production building, two (2) tasting rooms, domestic, fire water and process wastewater tanks to encroach no more than 335 feet into the required 600-foot winery setback from Silverado Trail.
- 1.2 Approval of a Use Permit Minor Modification to a fire-destroyed 20,000 gallon per year Pre-WDO winery, to allow the following:
 - a. Construction of a new 12,051 sq. ft. winery facility replacing the previous facility lost to fire. The new facility will consist of 9,137 sq. ft. of production space and 2,914 sq. ft. of accessory space, a 50,000 gallon fire water storage tank, a 30,000 gallon treated pre-wastewater storage tank, a 5,000 gallon domestic water tank, bio-retention facilities, landscaping, driveways, an entry gate and other winery improvements;
 - b. Conversion of the existing cave to a Type III Cave (Tasting Room and Guided Tours);
 - c. Installation of a new winery recycled process wastewater system;
 - d. Installation of a new winery domestic wastewater system;
 - e. Increase onsite parking spaces from 13 to 15;

- f. Change the traffic direction of the existing looped driveway to flow west to east;
- g. Installation of a Left-Turn lane on Silverado Trail at the Project entrance;
- h. Increase in annual permitted wine production from 20,000 gallons to 30,000 gallons;
- i. Increase employment from three (3) full-time employees to four (4) full-time employees and two (2) part-time employees;
- j. Visitation and tours and tastings as set forth in Conditions of Approval (COAs) Nos. 4.1 through 4.2 below;
- k. Marketing as set forth in COAs Nos. 4.1 and 4.3 below;
- m. Addition of on-premise consumption activities in conformity with AB 2004 (Evans Bill) within the patio area directly adjacent to the south cave portal; and
- n. Phasing of the operational components of the project (employment, visitation and tours and tasting, marketing) as detailed in COA 4.2(e), 4.3(c) and 4.20(a).

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

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: 30
- c. Maximum number of persons per day (Harvest): 28
- c. Maximum number of persons per week: 210
- d. Hours of visitation: 10 a.m. to 6 p.m.
- e. Daily visitation may not exceed three (3) vehicles per day until the completion of the left turn lane, as described in COA 1.2.g

“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 4:00 pm to 6:00 pm

A log book (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:

- a. **Small Events**

1. Frequency: 10 times per year
2. Maximum number of persons: 30 guests not to exceed 12 vehicles
3. Time of Day: 10:00 am to 11:00 pm
4. Food service is limited to foods such as crackers, pretzels, or prepackaged foods, or catering. No on-site food preparation shall be conducted.

b. **Large Events**

1. Frequency: 1 time per year
2. Maximum number of persons: 50 guests not to exceed 20 vehicles
3. Time of Day: 10:00 am to 11:00 pm
4. Food service is limited to foods such as crackers, pretzels, or prepackaged foods, or catering. No on-site food preparation shall be conducted.

- c. Large marketing events (COA 4.3.b) may not occur until completion of the left-turn lane, as described in COA 1.2.g.

"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 11:00 pm. 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 outside and adjacent to the south cave portal. 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 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 provided that the winery's 20,000 gallons of production are not subject to the County's 75% grape source rule. However, if the winery expands beyond its winery development area, at least 75% of the grapes used to make the winery's still wine or sparkling wine that is produced as a result of the expansion 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 log books, 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 jointly by the Public Works and PBES Departments:

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 evidence¹ 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 Public Works 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 evidence¹ 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.

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 (4:00 pm to 6:00 pm). All road improvements on private property required per

¹ 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.

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 Services Division operational conditions as stated in their Memorandum dated January 16, 2025.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated January 16, 2025.
- c. Department of Public Works operational conditions as stated in their Memorandum dated November 19, 2024.
- d. Fire Department operational conditions as stated in their Memorandum dated January 26, 2024.

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 **[RESERVED]**

4.20 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. Until permittee has completed the left-turn lane described in COA 1.2.g, the maximum number of employees may not exceed two (2) full-time employees and one (1) part-time employee.
- b. The permittee shall construct a southbound left-turn lane on Silverado Trail at the project entrance (eastern driveway). Construction of the left-turn lane may be deferred, and its completion is not required for issuance of a Certificate of Occupancy. If the left-turn lane is deferred the permit shall operate under the modified operational conditions for employees, tours and tastings/visitation and marketing events, outlined in COAs 4.2(e), 4.3(c) and 4.20(a) until such time that the left-turn lane is complete. The design of the southbound left-turn lane shall be submitted to the Public Works Department for review and approval. The southbound left-turn lane shall be designed in

substantial conformance with the submitted site plan, and other submittal materials and shall comply with all requirements of the County Code and Napa County Road and Street Standards.

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 Services Division operational conditions as stated in their Memorandum dated January 16, 2025.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated January 16, 2025.
- c. Department of Public Works operational conditions as stated in their Memorandum dated November 19, 2024.
- d. Fire Department operational conditions as stated in their Memorandum dated January 26, 2024.

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 **[RESERVED]**

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; Pre-Project Special-Status Plant Surveys:** A qualified biologist shall conduct a habitat assessment for special-status plants on and adjacent to the Project site, and if habitat is present, shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur, prior to the start of Project construction. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>). The habitat assessment and survey results must be accepted by CDFW in writing prior to Project construction. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If impacts cannot be avoided, the Project shall mitigate impacts at a minimum 3:1 mitigation to impact ratio through compensatory habitat, restoration, monitoring, and maintenance, or a combination thereof, following a plan approved in writing by CDFW. The plan may include preparing, funding, and implementing a long-term management plan in perpetuity.

Method of Monitoring: Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services

Department confirmation of CDFW's approval of the habitat assessment and survey results.

Lead Agency: Napa County

Responsible Agency(ies): CDFW

- b. **MM BIO-2; Pre-Project Special-Status Animal Surveys:** A qualified biologist shall conduct a pre-construction survey within 48 hours prior to the start of Project activities, focusing on the presence of special-status animal species. The pre-construction survey methodology shall be cleared with CDFW before implementation. If any special-status species are discovered during the survey, Project activities shall not begin until CDFW has been consulted with regarding avoidance and minimization measures to avoid and minimize impacts to special-status species. Permittee shall implement the avoidance and minimization measures if required by CDFW.

Method of Monitoring: Prior to construction/earthmoving activity the project applicant will provide to the Planning, Building and Environmental Services Department the survey results.

Lead Agency: Napa County

Responsible Agency(ies): CDFW

- c. **MM BIO-3; Nesting Birds and Raptors:** The owner/permittee shall implement the following measures to minimize impacts associated with the potential loss and disturbance nesting birds and raptors consistent with and pursuant to California Fish and Game Code Sections 3503 and 3503.5:

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 a preconstruction surveys for nesting birds within all suitable habitat in 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 days prior to when vegetation removal and ground disturbing activities are to commence. Should ground disturbance commence later than seven 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.

After commencement of work if there is a period of no work activity of seven days or longer during the bird breeding season, surveys shall be repeated to ensure birds have not established nests during inactivity.

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 Conservation Division and the USFWS and/or CDFW.

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 should undergo consultation with the USFWS/CDFW prior to any activity that could disturb nesting birds.

Method of Monitoring: If construction/earthmoving activity is to occur between February 1 and August 31 the survey prepared by a qualified biologist shall be submitted to Planning Division staff and CDFW prior to beginning construction/earthmoving activity.

Lead Agency: Napa County

Responsible Agency(ies): CDFW, USFWS

- d. **MM BIO-4; Oak Woodland Habitat Evaluation:** A qualified biologist shall evaluate if Oak Woodland habitat will be impacted by the Project and the evaluation must be approved in writing by CDFW prior to Project construction. Any permanently impacted Oak Woodland shall be mitigated through restoration of this habitat type at a minimum 2:1 mitigation to impact ratio for acreage impacted. Restoration shall occur on-site to the extent feasible. If off-site restoration is necessary, it shall be as close to the Project site as possible and within the same watershed, unless otherwise approved in writing by CDFW. Restoration shall occur in the same year as the impacts. The restoration area shall be monitored for a minimum of five years until success criteria are met.

Method of Monitoring: Prior to the issuance of grading permits the applicant will provide to the Planning, Building and Environmental Services Department confirmation of CDFW's review of the Oak Woodland impact evaluation and if impacts were identified the associated restoration plan review and approved by CDFW. Prior to issuance of a certificate of occupancy for the new winery facility evidence of any restored acreage will be provided to the Planning, Building & Environmental Services Department.

Lead Agency: Napa County

Responsible Agency(ies): CDFW

- e. **MM BIO-5; Water and Tree Preservation Ordinance:** The permittee shall submit to the Director of Planning, Building and Environmental Services a plan detailing the project's compliance with the Water and Tree Preservation Ordinance (Ordinance #1438) in regards to the removal of vegetation canopy cover. The plan will demonstrate how much vegetation canopy cover, as it was configured on the parcel on June 19, 2018, would be removed by the proposed project and provides a plan for replacing or preserving the vegetation canopy cover as required under NCC 18.108.020.D.

Method of Monitoring: The permittee will submit the plan to the Director of Planning, Building & Environmental Services prior to the issuance of any grading or building permits associated with this project. If the plan calls for replacement of removed vegetation canopy cover the new vegetation will be planted prior to final occupancy. If the plans calls for preservation of comparable vegetation canopy cover any deed restrictions or protective easements will be recorded prior to final occupancy.

Responsible Agency(ies): Napa County

- f. **MM TCR-1:** Prior to ground disturbance activities, the applicant shall retain a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.

Method of Monitoring: Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with communication between the permittee and the Middletown Rancheria Tribal Historic Preservation Department demonstrating that a Tribal Cultural Advisor has been identified and retained for monitoring activities during ground disturbance.

Lead Agency: Napa County

Responsible Agency: Middletown Rancheria Tribal Historic Preservation Department

- g. **MM TCR-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.

Method of Monitoring: Prior to the issuance of any grading or building permits pursuant to this approval the permittee shall provide the PBES Department, Planning Division, with acknowledgement that on-site personnel of the project have received cultural resource training approved by the project Tribal Cultural Advisor or his or her authorized designee.

Lead Agency: Napa County

Responsible Agency: Middletown Rancheria Tribal Historic Preservation Department

- h. **MM TCR-5:** The Project applicant must 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: This mitigation measure will continue during grading or ground disturbance activities.

Lead Agency: Napa County

Responsible Agency: Middletown Rancheria Tribal Historic Preservation Department

6.13 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

The permittee shall comply with the following requirements:

6.14 FINAL MAPS **[RESERVED]**

6.15 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. Groundwater Demand Management Program

1. The permittee shall install a meter on each well serving the parcel. Each meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of a grading or building permit for the winery or expanding any operations as approved under this modification, 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 all wells serving the parcel.
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. For the first twelve months of operation under this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on the property exceeds, or is on track to exceed, 1.78 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.
5. The permittee's wells shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
6. At the completion of the reporting period per 6.15(a)(4) 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 meters during regular business hours.

7. After completion of the Left-Turn Lane in COA 1.2.g, the permittee shall begin the reporting regimen per 6.15(a)(5) above for another 12-month period.

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/perpfact_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 California 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 am to 5 pm.

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. **MM TCR-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.

Method of Monitoring: This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.

Lead Agency: Napa County

Responsible Agency: Middletown Rancheria Tribal Historic Preservation Department

- b. **MM TCR-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.

Method of Monitoring: This mitigation measure will continue during grading or ground disturbance activities, or until the project Tribal Cultural Advisor determines that monitoring is no longer warranted. The permittee will inform the PBES Department, Planning Division, of a change in monitoring status.

Lead Agency: Napa County

Responsible Agency: Middletown Rancheria Tribal Historic Preservation Department

- c. **MM TCR-5:** The Project applicant must 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: This mitigation measure will continue during grading or ground disturbance activities.

Lead Agency: Napa County

Responsible Agency: Middletown Rancheria Tribal Historic Preservation Department

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

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

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

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**

- 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 **[RESERVED]**
- 9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY
 - a. All required meters shall be installed and all groundwater usage monitoring required in COA 4.20(b) and 6.15(a) above shall commence prior to issuance of a final certificate of occupancy.




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Planning, Building & Environmental Services

1195 Third Street, Suite 210
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Brian D. Bordona
Director

MEMORANDUM

To: Trevor Hawkes, Planning	From: Jeannette Doss, Engineering 
Date: January 16, 2025	Re: Parable Winery Use Permit Mod – Engineering CoA 4300 Silverado Trail, Calistoga, CA P23-00230 APN 020-120-028-000

The Engineering Division received a referral for comment on a modification to an existing use permit. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

EXISTING CONDITIONS:

1. Existing access taken from Silverado Trail via an existing paved driveway.
2. The existing parcel is approximately 10.29 acres.
3. Site is currently developed with a residence, and winery caves. The previously existing winery, and associated winery accessory structures were destroyed in the 2020 Napa Fires.

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.
2. The Engineering Division has reviewed the Water Availability Analysis (WAA) titled Water Availability Analysis dated August 7, 2024, by RSA+, for Parable Winery – Minor Mod, P23-00230, located on Assessor parcel number 020-120-028-000 at 4300 Silverado Trail. 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 is 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.

3. Any proposed or required modifications to the existing project wells shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification.
4. The Permittee shall (at the Permittee's expense) record and maintain well monitoring data for the project well (specifically, static water level no less than quarterly, and the volume of water no less than monthly) and that groundwater extraction shall not exceed 1.88 AF/yr. All monitoring required by these conditions shall verify that the water use assumptions and the actual water use are consistent with the usage and assumptions analyzed in the Water Availability Analysis prepared by RSA+ (August 2024) for the Parable Winery project.
5. All roadway, access drive, and parking area improvements shall be completed **prior to execution** of any new entitlements approved under this Use Permit Modification.

PREREQUISITES FOR ISSUANCE OF PERMITS

6. 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.
7. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, and Chapter 16.28 of the Napa County Code, and Appendix J of the California Building Code.
8. **Prior to issuance of a building or grading 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.
9. **Prior to issuance of a building or grading permit** the owner shall demonstrate on the plans that all roadways, access driveways, and parking areas serving the project either currently meet the requirements and/or how they will be improved to meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for Commercial development.
10. **Prior to issuance of a building or grading permit** the owner shall prepare a 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. The Stormwater Control Plan shall

include the water balance analysis for the use of the existing wastewater pond to handle the additional stormwater flows.

11. **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 FOR TEMPORARY CERTIFICATE OF OCCUPANCY

12. All roadway, access drive, and parking area improvements shall be completed **prior to** issuance of temporary occupancy of any new and/or remodeled structures.

**** If no temporary occupancy is requested, then the above conditions become requirements prior to final occupancy.**

PREREQUISITES FOR FINAL CERTIFICATION OF OCCUPANCY

13. Operations and Maintenance Agreement for any required post-construction Stormwater facilities must be legally recorded.
14. 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 Jeannette Doss from Napa County Planning, Building, and Environmental Services Department, Engineering and Conservation Division, at (707) 259-8179 or by email at Jeannette.Doss@countyofnapa.org



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MEMORANDUM

To: Trevor Hawkes, Project Planner	From: Maureen S. Bown, Senior Environmental Health Specialist
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Date: January 16, 2025	Re: Parable Wines 4300 Silverado Trail, Calistoga, CA APN 020-120-028-000 Use Permit P23-00230 Minor Modification
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This Division has reviewed an application requesting approval of a two-phase modification to increase wine production, add visitation and marketing events, construct a new winery building and tasting room building, as described and 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:

- Plans for the proposed sanitary waste subsurface drip sewage treatment systems and separate process wastewater treatment system(s), as described in the Onsite Wastewater Disposal Feasibility Report, dated October 11, 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. All components of the domestic wastewater, onsite wastewater system, must meet Napa County Code clearances per section 13.28.040 and Alternative Sewage Treatment System design criteria. All treatment, storage and irrigation components of the process wastewater system must meet State Water Resource Control Board General Waste Discharge Requirements and clearances, per Napa County Code section 13.28.040, at the time plans are submitted for review. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by these systems will be approved until such plans are approved by this Division.
- Permits to construct the sanitary wastewater treatment system and 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.
- 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.
- The total number of users (combined employees, visitors and residents) proposed exceeds 25 on a peak day, therefore, the water supply and related components serving this facility will have to comply with the California Safe Drinking Water Act and Related Laws. If the existing water sources will not meet the construction requirements for a regulated water system, a new well (source) may have to be developed under permit.

5. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. The technical report must be completed by a licensed engineer with experience in designing water systems. The preliminary technical report must be submitted to the Regional Water Quality Control Board staff a minimum of six (6) months prior to beginning any water-related improvement in accordance with the California Health and Safety Code, Section 116527. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The applicant must comply with all required monitoring and reporting.
6. The existing well must be properly protected from potential contamination or damage and an approved backflow prevention device installed according to the Public Water System requirements.
7. If any well(s) is to be destroyed, including the identified abandoned and well not in use, then a well destruction permit must be obtained by a licensed well driller, from this Division.
8. 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.

During construction and prior to granting final occupancy:

1. If portable toilet facilities are provided during construction, then they must be pumped by a Napa County permitted pumping company.
2. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
3. 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.

Upon final occupancy and thereafter:

1. 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.
2. 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.
3. 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.



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Steven Lederer
Director

*Line outs by Steven Lederer
1/17/25 SL*

MEMORANDUM

To: PBES Staff	From: Anna Vickroy, PE, TE Traffic Engineering Staff Consultant
Date: November 19, 2024	Re: Parable Winery, P23-00230 Conditions of Approval

This memorandum is prepared at the request of Planning, Building, and Environmental Services (PBES) staff regarding the Parable Winery project – Minor Modification Use Permit Application # P23-00230 (APN 020-120-028-000), located at 4300 Silverado Trail, Calistoga, CA 94515.

To prepare this memorandum, the following documents were reviewed:

- Project Narrative, Revised October 21, 2024.
- Response to Application Status Letter dated August 14, 2024.
- Letter to Kazmi by Elena Neigher, DP&F Law dated August 19, 2024.
- Civil Use Permit Plans by RSA dated October 11, 2024.
- Winery Trip Generation Worksheets for Phase 1 & 2 dated October 15, 2024.
- Left-Turn Lane Warrant Graphs for Phase 1 dated October 2024.

After careful evaluation of the above mentioned submitted documents, we offer no additional comments at this time. The proposed project consists of two phases from a transportation perspective:

Phase 1:

In the first phase of the project, the total number of daily trips will be limited to **28 trips**. This includes a maximum of six daily vehicle trips (or three visitor vehicles) per day. ~~These vehicle trips may accommodate up to 20 guests, provided no more than three vehicles arrive on-site in a single day.~~ SL

Phase 2:

In the second phase, the total number of daily trips will be limited to **40 trips**, with a maximum of 20 daily vehicle trips (or 10 visitor vehicles) per day. These trips may accommodate up to 30 guests.

The Department of Public Works has established the following conditions of approval related to the Use Permit Application Number P23-00230. All listed conditions of approval shall be fully completed accordingly prior to the issuance of Occupancy permit for both Phase 1 and Phase 2, with the exception of the Left-Turn Lane Requirement which is required only in Phase 2:

1. Project Driveway

Driveway access to the public right-of-way must comply with the latest edition of the Napa County Road and Street Standards. The egress driveway shall be signed and striped to clearly indicate no ingress for vehicles along Silverado Trail.

2. 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.

3. 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/>

4. Transportation Demand Management and Monitoring Plan

A Transportation Demand Management (TDM) Plan shall be prepared to ensure that the vehicle trips generated by the project do not exceed the maximum allowed for each phase. These measures may include, but are not limited to, providing a shuttle service, marketing efforts to encourage carpools and vanpools, subsidized transit passes, and bicycle trip-end facilities, such as bicycle racks.

For Phase 1, the project is required to monitor the number of trips generated to ensure that the 28 daily trips limit is not exceeded. As part of the Transportation Demand Management Plan, a monitoring component must be proposed for approval by Napa County. This monitoring plan shall be ~~conducted by an independent third party contractor and~~ submitted semi-annually, in July and December, for a two-week period each. The reports shall be sent to Napa County (DPW and PBES) for review to ensure compliance.

5. On Street Parking

Parking within the public right-of-way will be prohibited at all times, including for employees, daily visitors, and during marketing or special events.

6. Left-Turn Lane Requirement (Phase 2)

The project shall be required to implement a left-turn lane on Silverado Trail to facilitate vehicles entering the project driveway, prior to the issuance of an Occupancy Permit for Phase 2. The design and construction of the left-turn lane shall comply with the Napa County Roads and Streets Standards (NCRSS). Detailed plans for the left-turn lane shall be submitted to Napa County for review and approval, and the lane shall be constructed prior to the commencement of Phase 2 operations.

If you have any questions or concerns regarding this matter, please contact Ahsan Kazmi, P.E., County Traffic Engineer, at ahsan.kazmi@countyofnapa.org or call (707) 259-8370.



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Napa County Fire Department
Fire Marshal's Office
Hall of Justice, 2nd Floor
1125 3rd Street
Napa, CA 94559

Office: (707) 299-1464

Jason Downs
Fire Marshal

Napa County Fire Department Conditions of Approval

TO:	Planning Department	DATE:	1/26/2024
FROM:	Jason Downs, Fire Marshal	PERMIT #	P23-00230 P23-00231
SUBJECT:	Parable Winery	APN:	020-120-028-000

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. 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. Emergency responder radio coverage systems
 3. Fire alarm and detection systems and related equipment
 4. Fire pumps and related equipment
 5. Gates and barricades across fire apparatus access roads
 6. Private fire hydrants
4. 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
5. 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.



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6. 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.
7. ONE-WAY ROADS: All one-way roads shall be constructed with a minimum of one twelve (12) foot Traffic Lane, not including Shoulders, and have a minimum of 14 feet of horizontal clearance. Shoulder requirements shall apply per Detail C-6. All one-way roads shall connect to a two-lane roadway at both ends and shall provide access to an area zoned for no more than ten (10) Residential Units. In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road. Turnouts shall be a minimum of 12 feet in width, 30 feet in length, and 25-foot taper on each end.
8. Grades for all roadways and driveways shall not exceed 16 percent. The roadway grade may exceed 16 percent, not to exceed 20 percent, provided the provisions outlined in the NCRSS are met.
9. Roadway radius shall not have an inside radius of less than 50 feet. An additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
10. Gates for driveways and/or roadways shall comply with the California Fire Code, section 503.5 and the Napa County Road & Street Standards, and CA Fire Safe Regulations for projects within SRA.
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 - 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.



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13. Commercial - Approved steamer 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.
14. 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.
15. 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
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. Provide 100 feet of defensible space around all structures.
19. Provide 10 feet of defensible space for fire hazard reduction on both sides of all roadways of the facility.
20. Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.



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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 submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any further questions please contact me at (707)299-1467 or email me at jason.downs@countyofnapa.org