

## EXHIBIT F

### Plan Review and Approval Procedure

#### 1. **Applicability**

All development within the Napa Pipe Zoning District shall be in accordance with the Project Approvals, including the Development Plan and Design Guidelines,

Private building improvements shall be approved ministerially by the County's Director of Planning, Building and Environmental Services (hereinafter "Director", and for the purposes of this Plan Review and Approval Procedure, the term Director shall also mean, after City annexation of the applicable property subject to the plan review, the City's Community Development Director) or the Director's designee, upon review of the proposed plans for construction and the determination that the proposal is consistent with the intent and regulations of the Development Plan and the Design Guidelines, as applicable. In case of conflicts, the provisions of the Development Agreement shall take precedence over the Development Plan and Design Guidelines, and the provisions of the Development Plan shall take precedence over the Design Guidelines. Compliance with the California Building Code, when in conflict, shall take precedence over the provisions of the Development Plan and/or Design Guidelines, subject to Section 8.5 of the Development Agreement.

Private development covered by this Plan Review and Approval Process includes, but is not limited to: any new building, addition to an existing building, alteration of the exterior appearance of an existing building or any on-site improvements, exterior signage, interior signage visible from the street, repainting of exterior surfaces, replastering of existing stucco surfaces, addition or replacement of windows or doors, on-site exterior lighting, on-site landscaping, on-site sidewalks, and on-site parking areas. Private development covered by this Plan Review Process does not include Project Infrastructure that is constructed pursuant to an improvement agreement or permit, including under a subdivision improvement agreement under the Local Agency's Subdivision Code as modified by the Subdivision Procedures attached as **Exhibit I** to this Agreement.

#### 2. **Applications/Review**

2.1 **Scope of Review.** Project applications, including any preliminary concept, schematic and design development submittals, if any, and construction permit documents, shall be reviewed for conformity with the Project Approvals, including in particular the Development Plan and Design Guidelines, and conformity with any prior (or concurrent) Subsequent Approvals. The Local Agency shall not disapprove, require changes from or impose conditions

inconsistent with the Project Approvals, or Subsequent Approvals it has previously approved, provided that the current submittal is consistent with any matter previously approved.

**2.2 Applications/Review.** Applications for review hereunder shall be submitted to the Director. The Director will review the application as expeditiously as practicable and advise the applicant in writing that the application is complete or that additional materials or information are required within 30 days of submittal. In the event the Director does not advise the applicant of any deficiencies within said period, the application shall be deemed complete. Upon determination that the application is complete, the Director will complete the review and take an action on the application within fourteen (14) days. The Director's action may be to approve, approve with conditions ~~consistent~~not inconsistent with the Agreement, Project Approvals and all prior Subsequent Approvals, deny, or continue the application for redesign, if necessary ~~for purposes of making the plan consistent therewith~~. If the Local Agency disapproves an application in whole or in part, the reasons for such disapproval shall be provided to the applicant. Any revisions or resubmittals shall be reviewed expeditiously within the time-frames provided above.

**2.3 Appeal.** The decision of the Director may be appealed to the Local Agency's Planning Commission by applicant within ten (10) days of the Director's decision ~~to the Local Agency's Planning Commission~~. The appeal shall be on a form prescribed by the Director and shall be accompanied by the applicable filing fee and evidence substantiating the claim of error. ~~The~~An action by the County's Planning Commission's ~~action~~ shall be final, and not appealable to the ~~Local Agency's legislative body~~Board of Supervisors. An action by the City's Planning Commission's may be appealed to the City Council.

**2.4 Referral.** The Director may refer any project to the Planning Commission which the Director determines may involve a significant policy issue independent of any consistency determination. The Planning Commission shall then assume authority to approve, approve with modifications or conditions, or deny the project, ~~and its decision shall be final.~~ An action by the County's Planning Commission shall be final, and not appealable to the Board of Supervisors. An action by the City's Planning Commission's may be appealed to the City Council.

### 3. Cooperation

The Director may obtain the advice of persons trained in the fields of architecture, landscape architecture, and urban planning to aid in its decision. The Director shall keep the applicant informed of its review and comments, as well as comments from other Local Agency departments and other government or public service agencies, and shall provide opportunities to consult with Local Agency staff before any referral or appeal hearing.

### 4. Pre-Submission Conference

Prior to filing an application, an applicant may submit to the Director preliminary or proposed maps, plans, design drawings and other data or information concerning the proposed

subdivision map, sub-phase or project for a pre-submission conference. Within fourteen (14) days after the receipt of such request and materials, the Director shall ~~hold a conference~~offer to meet with the applicant at a mutually-agreeable time to discuss the proposed project and plans.

## 5. Approval

5.1 **Effective.** Approval by or on behalf of the Director or Local Agency Planning Commission shall absent an appeal, become effective immediately. Approval by the ~~Local Agency's~~County Planning Commission is final, and is not subject to appeal to the legislative body. An action by the City's Planning Commission's may be appealed to the City Council.

5.2 **Term.** The subject approval is granted for 24 months. If construction of the improvement(s) is not commenced within 24 months after the effective date, approvals will automatically expire. An extension of 12 months may be granted by the Director upon written application by a responsible party prior to the expiration. No more than two 12 month extensions may be granted by the Director. Additional extensions of 12-month increments may be granted by the Local Agency's Planning Commission (or legislative body) upon the written request of Landowner or its Parties prior to the expiration of the previous extension. ~~In the case of all extensions~~Before any extension may be granted, it must be found that there has been no substantial change of circumstances.

## 6. Submittal Requirements

Applicants shall submit for review by the Director ~~threesix~~ (36) copies of plans drawn to scale and fully dimensioned (minimum scale 1" = 10'). An alternate scale may be approved depending on plan legibility and area of the site. One paper form reduction at 11" x 17" in size is required for each sheet of plans submitted. Plans shall ~~delineate~~include, at a minimum, the following:

6.1 **Project Summary.** A project summary, including zoning, square footage, lot size, and parking requirements.

6.2 **Site Plan.** A site plan showing all property boundary lines with dimensions; locations of all existing or proposed structures, with dimensions of all wall lines and distances to nearest property lines noted; existing or proposed adjacent streets and frontage improvements (curbs, sidewalks, edge of paving, sewer and water mains and laterals, etc.), including driveway locations at adjoining properties; driveways; pedestrian walks; off-street parking and loading areas and proposed materials; landscaped planters, fences and walls, trash enclosures; locations, dimensions, and use of any outdoor activity areas. The site plan shall indicate the location of entrances and exits and the direction of traffic flow into and out of parking areas, the location, number and dimensions of parking spaces and loading areas and all vehicular turning and maneuvering areas.

**6.3 Landscape Plan.** A landscape plan showing existing and proposed trees including species, trunk size, location, and grade and whether they are to be retained or removed; any large trees on adjacent properties which are within 50 feet of the project site must also be shown; the location and design of landscaped areas and the varieties of plant material to be planted therein; all proposed parking lot trees demonstrating compliance with shading requirements; relationship of proposed landscaping to any building signage, whether existing or proposed; parking lot and street lighting plans showing coordination with proposed landscaping; and other landscaped features. The landscape plans shall demonstrate compliance with the Water Efficient Landscape Regulations in effect at the time the application is submitted.

**6.4 Architectural Drawings.** Architectural drawings showing floor plans; all elevations of each proposed structure or structures, as they will appear upon completion of construction, noting materials, exterior surface treatment, colors, and details, including signage. Cross sections through proposed construction areas and elevations of adjacent structures may be required by the Director. Composite sketches from public vantage points may be required.

**6.5 Detailed Drawings.** Detailed drawings depicting the design of site features and elements, such as fences, benches, light fixtures, retaining walls, special paving features and similar elements.

**6.6 Grading.** Conceptual grading plans, if re-grading is required, including existing and proposed contours.

**6.7 Signs.** Scale drawings of all signs showing size, location, material, color and method of illumination (if proposed).

**6.8 Exterior Colors and Materials.** A sample board with samples exterior siding materials; roof materials (not required for flat roof); paint chips for all exterior painted surfaces; and glazing (if other than clear). Catalog cuts, paint swatches, and small tile samples are sufficient.

**6.9 Fees.** Applicable permit processing fees as may be required. ~~+[?]~~

Submittal requirements may be supplemented, waived or modified by the Director based on the nature of the proposal and the type of review necessary to ensure compliance with the Development Plan and/or Design Guidelines.

## **7. Modifications and Amendments**

The Director may, by written decision, approve with or without conditions, project applications which deviate from the previously approved Project Approvals or Subsequent Approvals, provided that the following determinations are made by the Director: (i) the project approval requested involves a deviation that does not constitute a Substantive Amendment; (ii) the requested project approval will not be detrimental to the public welfare or injurious to the

property or improvements in the vicinity of the project; and (iii) the grant of the project approval will be consistent with the general purposes and intent of the Project Approvals.

**8. Project Infrastructure/Subdivision Maps**

The processing, review and approval of subdivision maps under Local Agency's Subdivision Code and the Subdivision Procedures (**Exhibit I** to the Agreement) may occur concurrently with or independently of a building development project design or building permit review; provided, however, that no approval under these Plan Review Procedures shall occur until Local Agency has final approval of a building project's building development plans under the Design Guidelines and commencement of construction of such building project shall not occur until Local Agency has first approved a Phased Final Map that includes the parcels on which the private building improvements are located.