

OTHER PROJECT APPLICATIONS
PLANNING COMMISSION HEARING – (Date)
EXHIBIT B – CONDITIONS OF APPROVAL

(Project Name)
(Application Number(s) PXX-XXXX)
(Project Address)
(APN XXX-XXX-XXX)

1. SCOPE

The permit shall be limited to:

- A. (If applicable, insert Detailed Variance Request Description)**
- B. (Insert Detailed Use Permit Request Description - Commercial, Institutional, Industrial, Conservation Regulation Exceptions, Viewshed Projects)****
- C. (If applicable, insert Other Detailed Request Description - Road Modification/Tentative Parcel Map)*****

The _____ **(PROJECT TYPE)** 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. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion or changes in use shall be by the approved in accordance with Section 18.124.130 of the Napa County Code and may be subject to the Use Permit modification process.

**Alternative locations for grading spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

***The Final Parcel Map shall be in substantial compliance with the tentative parcel map consisting of a _____ subdivision on a _____ acre parcel. **(Add - held in common ownership if applicable.)**

2. PROJECT SPECIFIC CONDITIONS

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document, the Project Specific Conditions shall supersede and control.

(Two Types: Staff recommended prior to meeting or conditions added by Commission at hearing.

Examples:

- A. Planting X number of sized replacement trees located X for loss of y.
- B. One (1) year compliance review.
- C. Provision of contact information to neighbors.

- 50 D. Specific improvements necessary to comply with Title 24 accessibility
51 requirements.
- 52 E. The installation, operation and maintenance of the large water features (ponds,
53 reservoirs, etc.) shall be in conformance with the Napa County Mosquito
54 Abatement District's program for eliminating mosquito sources and managing
55 mosquito-breeding areas in order to reduce mosquitoes to a tolerable and
56 healthful level.
- 57
- 58 F. Historic Resources
59 All permitted work performed on any historic resources shall follow the latest
60 edition of, the Secretary of Interior's standard for Historic Preservation and
61 Guidelines for Treatment of Historic Properties, (The Standards). Written
62 verification that such work meets the Standards shall be submitted by a qualified
63 historic architect for review and approval by the Planning, Building and
64 Environmental Services Department prior to issuance of any grading or building
65 permit.
- 66
- 67 G. Mitigation Measures
68 The permittee shall comply with all mitigation measures identified in the adopted
69 Initial Study/Mitigated Negative Declaration and Project Revision
70 Statement/Mitigation Monitoring and Reporting Program prepared for the project,
71 inclusive of the following:
72
- 73 1.
74
- 75 Method of Monitoring:
76
- 77 RESPONSIBLE AGENCY(IES) –
78
- 79 H. Milliken Sarco Tulocay Ground Water Deficient Area
80 Require permittee to connect to recycled water line at such point it becomes
81 available to the property. ***(Staff to evaluate applicability on a case-by-case***
82 ***basis.)***

83
84 -Or-

85
86 No project specific conditions were adopted with this project. ***(Delete if project has***
87 ***specific conditions)***
88

89 3. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES**

90 Project conditions of approval include all of the following County, Divisions, Departments
91 and Agency(ies) requirements. The permittee shall comply with all applicable building
92 codes, zoning standards, and requirements of County Divisions, Departments and
93 Agencies at the time of submittal and may be subject to change. Without limiting the
94 force of those other requirements which may be applicable, the following are
95 incorporated by reference as enumerated herein:
96

- 97 A. Engineering Services Division as stated in their Memorandum dated
98 _____.
99

- B. Environmental Health Division as stated in their Memorandum dated _____.
- C. Building Division as stated in their Memorandum dated _____.
- D. Department of Public Works as stated in their Memorandum dated _____.
- E. Fire Department as stated in their Inter-Office Memo dated _____.
- F. **[NOTE OTHER AGENCY(IES)]** as stated in their letter dated _____.

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 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 approved use permit.

5. **SIGNS**

Prior to installation of any project identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning, Building and Environmental Services Department for administrative review and approval. 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 use permit approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the Napa County Code.

6. **LIGHTING**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

Prior to issuance of any building permit pursuant to this approval, two 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 California Building Code.

7. **LANDSCAPING**

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 approval. The plan shall be prepared pursuant to the County's Water Efficient Landscape Ordinance (WELO), as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. 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 project construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

Evergreen screening shall be installed between the industrial portions of the project (e.g. tanks, crushing area, parking area, etc.) and off-site residence that can view these areas.

Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the landscaping plan.

8. **OUTDOOR STORAGE/SCREENING/UTILITIES**

All outdoor storage and ground mounted equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

New utility lines required for this project that are visible from any designated scenic transportation route (see Community Character Element of the General Plan and Chapter 18.106 of the Napa County Code) shall be placed underground or in an equivalent manner be made virtually invisible from the subject roadway.

9. **MECHANICAL EQUIPMENT**

Roof mounted equipment shall be screened by a parapet wall of equal or greater height than the highest piece of roof mounted equipment or vent. Equipment may be screened by a separate roof screen that is architecturally integrated with the building, and when screening by a parapet wall is not feasible or is architecturally undesirable. When separate roof screens are used, roof equipment should be organized into major groups screening a smaller number of units rather than multiple areas. The Planning, Building and Environmental Services Department Director may approve exceptions for solar equipment. All screening is subject to review and approval by the Director. Any skylights will be subject to review and approval by the Director prior to the issuance of building permits.

The term "equipment" includes roof mounted equipment or vents, electrical equipment, gas meter, communication antennas, irrigation valves, storage tanks, or other mechanical equipment. The manner of screening shall be as follows: Communications equipment, including microwave equipment, may remain unscreened if visually integrated with the building design through color, location, and construction; all building mounted equipment, including but not limited to louvers, pipes, overhead doors or

service doors, access ladders, downspouts, conduit, and electrical/service boxes, shall be painted consistent with the color scheme of the building.

10. **COLORS**

The colors used for the roof, exterior walls and built landscaping features of buildings shall be limited to earth tones that will blend the project into the colors of the surrounding site specific vegetation and the applicant shall obtain the written approval of the Planning, Building & Environmental Services Department prior to painting the building. Highly reflective surfaces are prohibited.

11. **SITE IMPROVEMENTS AND ENGINEERING SERVICES-SPECIFIC CONDITIONS**

Please contact (707) 253-4417 with any questions regarding the following.

A. **GRADING AND SPOILS**

All grading and spoils generated by construction of the project facilities, including cave spoils, shall be managed per Engineering Services direction. All spoils piles shall be removed prior to final occupancy.

B. **TRAFFIC**

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

C. **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 during windy periods.

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 (SRWQCB).

E. **PARKING**

The location of employee and public 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. In no case shall parking impede emergency vehicle access or public roads.

F. **GATES/ENTRY STRUCTURES**

Any gate installed at the property's entrance shall be reviewed by the Planning, Building & Environmental Services Department, and the Napa County Fire Department to assure that it is designed to allow 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 according 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 use permit approval.

12. **ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS**

Please contact (707) 253-4471 with any questions regarding the following.

A. **WELLS**

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Planning, Building and Environmental Services determines that water usage at the winery is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. 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 proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the Director of Planning, Building and Environmental Services shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the Director has provided notice and the opportunity for hearing in compliance with the Napa County Code §13.15.070 (G-K).

B. **NOISE**

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with Napa County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road 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 between the hours of 8 AM to 5 PM. Exterior mechanical equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Napa County Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, buildings.

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295 13. **ARCHEOLOGICAL FINDING**

296 In the event that archeological artifacts or human remains are discovered during
297 construction, work shall cease in a 50-foot radius surrounding the area of discovery. The
298 permittee shall contact the Planning, Building and Environmental Services Department
299 for further guidance, which will likely include the requirement for the permittee to hire a
300 qualified professional to analyze the artifacts encountered and to determine if additional
301 measures are required.

302
303 If human remains are encountered during the development, all work in the vicinity must
304 be, by law, halted, and the Napa County Coroner informed, so that he can determine if
305 an investigation of the cause of death is required, and if the remains are of Native
306 American origin. If the remains are of Native American origin, the nearest tribal relatives
307 as determined by the State Native American Heritage Commission would be contacted
308 to obtain recommendations for treating or removal of such remains, including grave
309 goods, with appropriate dignity, as required under Public Resources Code Section
310 5097.98.

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312 14. **ADDRESSING**

313 All project site addresses shall be determined by the Planning, Building & Environmental
314 Services Director, and be reviewed and approved by the United States Post Office, prior
315 to issuance of any building permit. The Director reserves the right to issue or re-issue an
316 appropriate situs address at the time of issuance of any building permit to ensure proper
317 identification and sequencing of numbers. For multi-tenant or multiple structure projects,
318 this includes building permits for later building modifications or tenant improvements.

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320 15. **INDEMNIFICATION**

321 If an indemnification agreement has not already been signed and submitted, one shall
322 be signed and returned to the County within twenty (20) days of the granting of this
323 approval using the Planning, Building, and Environmental Services Department's
324 standard form.

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326 16. **AFFORDABLE HOUSING MITIGATION**

327 Prior to County issuance of a building permit, the applicant shall pay the Napa County
328 Affordable Housing Mitigation Fee in accordance with the requirements of Napa County
329 Code Chapter 18.107 or as may be amended by the Board of Supervisors.

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331 17. **PREVIOUS CONDITIONS**

332 As applicable, the permittee shall comply with any previous conditions of approval
333 _____ (**Note prior case approvals**) except as they may be explicitly
334 modified by this action. To the extent there is a conflict between previous conditions of
335 approval and these conditions of approval, these conditions shall control.

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337 18. **MONITORING COSTS**

338 All staff costs associated with monitoring compliance with these conditions, previous
339 permit conditions, and project revisions shall be borne by the permittee and/or property
340 owner. Costs associated with conditions and mitigation measures that require
341 monitoring, including investigation of complaints, other than those costs related to
342 investigation of complaints of non-compliance that are determined to be unfounded, shall

be charged. 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 grant of final 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 compliance deficiencies is found to exist by the Commission at some time in the future, the 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 hearings in accordance with §18.124.120 of the Napa County Code.

19. **TEMPORARY AND 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 prior to granting of a Certificate of Final Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. The County Building Official is authorized to grant a Temporary Certificate of Occupancy to allow specified limited use of the project prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

OTHER APPLICABLE STANDARD CONDITIONS – CONSERVATION REGULATIONS AND/OR VIEWSHEDS

20. **DEMOLITION ACTIVITIES**

Prior to the issuance of a building permit for the _____ (***Project description e.g., new residence, accessory structures, etc***) included in this application, final demolition plans shall be submitted for building permit issuance of the _____ (***Description of buildings/utilities to be required to be removed***). A site plan prepared by a qualified professional showing streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities have been proposed or approved within established stream setbacks as part of this application unless specifically enumerated in Section 1 (Scope), above. As determined by the Director of Planning, Building and Environmental Services or designee, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.

A landscape plan for the demolition area (existing residential and accessory structures) shall be submitted showing how the area will be restored back to its natural vegetation state to the extent feasible. Said landscape plan shall be approved by the Director or designee prior to installation.

Prior to occupancy of the _____ (***Description of structures***) included in this application, all demolition activities shall be completed, landscaping installed, and debris cleared from the subject parcel.

21. **VIEWSHED BUILDING AND VEGETATION MAINTENANCE AGREEMENT**

Prior to the issuance of a building permit, the property owner shall be required to execute and record in the county recorder's office a use restriction, in a form approved by County Counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successor so as to maintain conformance with Napa County Code Section 18.106.050.C.

OTHER APPLICABLE STANDARD CONDITIONS – TENTATIVE PARCEL MAP

22. **COUNTY SURVEYOR**

The subdivider shall submit a Final Parcel Map to the Department of Public Works for review and approval by the County Surveyor. The subdivider shall pay the map checking fee as established by resolution of the Napa County Board of Supervisors in effect at the time of submittal of the Final Parcel Map.

23. **CC&Rs**

Prior to recording the Final Map, the subdivider shall submit the final Conditions, Covenants and Restrictions (CC&Rs) to the Planning, Building and Environmental Services Department Director and County Counsel for review and approval. The CC&Rs shall indicate all improvements and features to be maintained by the owner's association, and the method of maintenance and financing of those commonly owned site and building improvements and features.