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## Recommended Conditions of Approval and Final Agency Approval Memos

**PLANNING COMMISSION HEARING – AUGUST 21, 2019  
RECOMMENDED CONDITIONS OF APPROVAL**

**NEW LIFE COMMUNITY ADVENTIST CHURCH  
USE PERMIT #P16-00210-UP  
1451 AMERICAN CANYON ROAD, AMERICAN CANYON, CALIFORNIA  
APN 059-100-002**

This Permit encompasses and shall be limited to the project commonly known as the New Life Community Adventist Church project, located at 1451 American Canyon Road. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public 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 shall be limited to:

- 1.1 Approval of a Use Permit for New Life Community Adventist Church project as follows:
  - a. Total Construction of approximately 11,026 square feet, including but not limited to:
    1. A two-story, approximately 4,000 sq ft sanctuary/chapel structure,
    2. 500 sq ft attached one-story conference room and bathrooms,
    3. 1,700 sq ft fellowship hall with a kitchen,
    4. 2,000 sq ft lobby, and
    5. 3,100 sq ft semi-circular shaped classroom and office structure.
  - b. Sanctuary Seating for up to 150 people;
  - c. Five (5) full-time employees during weekday use;
  - d. Weekday office hours 8:00 am to 5:00 pm;
  - e. Church services to be held once a week on Saturdays;
  - f. Church events limited to a maximum of 4 per year and 250 attendees;
  - g. Installation of 56 parking spaces;
  - h. Use of satellite parking lot at American Canyon High School for church events on weekends with shuttle service between the two locations;
  - i. Installation of Left-turn lane off eastbound American Canyon Road;
  - j. Installation of landscape improvements;
  - k. Installation of 20' tall 35,000-gallon water tank;

- I. Installation of a new on-site septic system; and
- m. Domestic and emergency fire suppression water needs would be served by the existing on-site water well

The New Life Community Adventist Church 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 (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 the general public to ensure compliance is achieved. Any expansion of or change in 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 permittee'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 project:

### **4.1 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 withdrawn no less than monthly). Such data will be provided to the County, if the Director of Planning, Building, and Environmental Services (PBES Director) determines that substantial evidence<sup>1</sup> indicates that water usage at the project 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 Public Works determines that the well could be useful in supporting the program.

In the event that changed circumstances or significant new information provide substantial evidence<sup>1</sup> that the groundwater system referenced in this 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.

**4.2 AMPLIFIED MUSIC**

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

**4.3 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 – 6:00pm). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

**4.4 PARKING**

All parking, driveways, and internal roadways shall comply with the Napa County Road and Street Standards. Parking shall be limited to approved parking space 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.

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

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

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

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

4.6 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 events allowed per COA No. 1.0 above.

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

4.8 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.
- b. All landscaping shall be permanently maintained in accordance with the landscaping approved by the County
- c. All outdoor screening, storage, mechanical equipment 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 equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
- d. The colors used for the roof, exterior walls and built landscaping features of the project 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 color that differs from the approved building permit. Highly reflective surfaces are prohibited.
- e. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.9 NO TEMPORARY SIGNS

Temporary off-site signage, such as “A-Frame” signs are prohibited.

4.10 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. Building Services Division operation conditions as stated in their Memorandum dated May 31, 2016.
- b. Engineering Services Division operational conditions as stated in their Memorandum dated November 30, 2018.
- c. Department of Public Works operational conditions as stated in their Memorandum dated August 8, 2019.
- d. Fire Department operational conditions as stated in their Memorandum dated July 20, 2016 and December 7, 2018.
- e. City of American Canyon Engineering Department operational conditions as stated in their comment letter dated June 22, 2016.
- f. Environmental Health Services Division operation conditions as stated in their Memorandum of June 21, 2019.

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.

#### 4.11 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

#### 4.12 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. Church events shall be limited to a maximum of 4 per year and 250 attendees. All events shall event activity, excluding quiet clean-up, shall cease by 8:00 pm.
- b. Use of overflow parking by the American Canyon High School's Parking lot for Church events and/or services shall be in compliance with the School's written guidelines.

#### 4.13 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. Building Services Division plan review/construction/preoccupancy conditions stated in their Memorandum dated May 31, 2016
- b. Engineering Services Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated November 30, 2018.
- c. Department of Public Works plan review/construction/preoccupancy conditions as stated in their Memorandum dated August 8, 2019.
- d. Fire Department plan review/construction/preoccupancy conditions as stated in their Memorandum dated July 20, 2016 and December 7, 2018.
- e. City of American Canyon Engineering Department plan review/construction/preoccupancy conditions as stated in their comment letter dated June 22, 2016.
- f. Environmental Health plan review/construction/preoccupancy conditions as stated in their Memorandum dated June 21, 2019.

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**

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

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the 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 or site improvements shall comply with the CBC accessibility requirements, as well as, American with Disabilities 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.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward; located as low to the ground as possible; 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.

#### 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 permit. The plan shall be prepared pursuant to the 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 project 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.
- e. All landscaped areas and sidewalks shall be separated from parking and drive aisle areas by a minimum 6-inch raised concrete curb.

#### 6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the project 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 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 be made virtually invisible from the subject roadway.

#### 6.7 MECHANICAL EQUIPMENT

- a. 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 if 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 PBES Director may approve exceptions for solar equipment. All screening is subject to review and approval by the PBES Director. Any skylights shall be subject to review and approval by the PBES Director prior to the issuance of building permits.
- b. 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.
- c. Ground mounted equipment shall be screened by walls or landscaping to the

satisfaction of the PBES Director.

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

6.8 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.

6.9 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 numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.10 HISTORIC RESOURCES **[RESERVED]**

6.11 DEMOLITION ACTIVITIES

- a. Final demolition plans of the single-family residence or agricultural out buildings shall be submitted for building permit issuance. A site plan prepared by a qualified professional shall denote streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities are allowed within established stream setbacks unless specifically approved as part of this permit in COA No.1.0 (Scope) above. As determined by the PBES Director or designee, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.
- b. A landscape or restoration plan for the demolition area (existing residential and accessory structures) shall be submitted showing how the area will be restored to its natural vegetation state to the extent feasible. The landscape plan shall be approved by the PBES Director or designee prior to installation.

6.12 VIEWSHED – EXECUTION OF USE RESTRICTION **[RESERVED]**

6.13 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. **BIO-1: Pre-Construction Rare Plant Survey.** Prior to issuing permits for construction activities, the project sponsor shall conduct special-status

plant surveys of the Project Area during the identifiable period for the species of concern. If no special-status plants are found within the Project Area during seasonal rare plant surveys, no further measures pertaining to special-status plants are required. If special-status plant species are found within the Project Area, the following mitigation measure will be implemented to reduce the impact to less than significant:

- Consult with CDFW to determine appropriate buffer between construction activities and rare plant populations identified during protocol-level surveys to ensure impact avoidance.
- If avoidance is not feasible, implement alternative mitigation measures in keeping with CDFW recommendations. These measures may include but not be limited to:
- Seed collection, plant relocation, reserving a portion of the property for suitable habitat relocation, and implementation of best management practices during construction to avoid any potential indirect impacts to rare plant populations

Method of Mitigation Monitoring: If construction activity is to occur during the blooming season from March 15 to August 31, the pre-construction survey prepared by a qualified wildlife biologist shall be submitted to Planning Division staff prior to issuance of the grading permit.

Responsible Agency: PBES

- b. BIO-2: Prior to working on the Project, the project sponsor shall conduct the following:
- a.) Conduct a take avoidance survey for burrowing owl between 14 and 30 days prior to commencement of construction activities.
  - b.) Conduct clearing and tree and shrub removal operations between September 1 and February 14 to minimize potential impacts to nesting birds
  - c.) Conduct pre-construction survey for active migratory bird and raptor nests within 14 days to 72 hours prior to commencement of constructions activities or tree removal, if anticipated to commence during the nesting season (February 15 – August 31).

Method of Mitigation Monitoring: Results of pre-construction surveys shall be submitted to the Planning Division prior to issuance of the grading permit.

Responsible Agency: PBES

#### 6.14 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

#### 6.15 FINAL MAPS **[RESERVED]**

6.16 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

- a. Prior to the issuance of a building permit, the proposed water tank and enclosed building located on the west side of the property shall be relocated a minimum of 20 feet from the side property line.

**7.0 PROJECT CONSTRUCTION**

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENT

Please contact Engineering Services with any questions regarding the following:

a. GRADING & 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 tracked 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 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/perpfaq\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

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

7.2 **ARCHEOLOGICAL FINDING**

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

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 **CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall 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 only shall occur daily between the hours of 8:00 AM to 5:00 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. BIO-1: Pre-Construction Rare Plant Survey. Prior to issuing permits for construction activities, the project sponsor shall conduct special-status plant surveys of the Project Area during the identifiable period for the species of concern. If no special-status plants are found within the Project Area during seasonal rare plant surveys, no further measures pertaining to special-status plants are required. If special-status plant species are found within the Project Area, the following mitigation measure will be implemented to reduce the impact to less than significant:
- Consult with CDFW to determine appropriate buffer between construction activities and rare plant populations identified during protocol-level surveys to ensure impact avoidance.
  - If avoidance is not feasible, implement alternative mitigation measures in keeping with CDFW recommendations. These measures may include but not be limited to:
  - Seed collection, plant relocation, reserving a portion of the property for suitable habitat relocation, and implementation of best management practices during construction to avoid any potential indirect impacts to rare plant populations

Method of Mitigation Monitoring: If construction activity is to occur during the blooming season from March 15 to August 31, the pre-construction survey prepared by a qualified wildlife biologist shall be submitted to Planning Division staff prior to issuance of the grading permit.

Responsible Agency: PBES

- b. BIO-2: Prior to working on the Project, the project sponsor shall conduct the following:
- a.) Conduct a take avoidance survey for burrowing owl between 14 and 30 days prior to commencement of construction activities.
  - b.) Conduct clearing and tree and shrub removal operations between September 1 and February 14 to minimize potential impacts to nesting birds
  - c.) Conduct pre-construction survey for active migratory bird and raptor nests within 14 days to 72 hours prior to commencement of constructions activities or tree removal, if anticipated to commence during the nesting season (February 15 – August 31).

Method of Mitigation Monitoring: Results of pre-construction surveys shall be submitted to the Planning Division prior to issuance of the grading permit.

Responsible Agency: PBES

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

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow specific limited use of the church sanctuary and other areas 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 general public occupancy of buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. In special circumstances, 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 project 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 the 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. Any off-site signs allowed shall be in conformance with the County Code.

### **9.3 GATE/ENTRY STRUCTURES**

Any gate installed at the project 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 landscape plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS

The permittee is required to construct a left-turn lane on American Canyon Road at the project's new primary access driveway prior to issuance of Final Certificate of Occupancy of any uses authorized by Use Permit P16-00210. Improvement plans shall be submitted for review and approval by the Director of Public Works, prior to issuance of any building permits associated with Use Permit P16-00210. The applicant shall obtain an encroachment permit from the Public Works Department prior to constructing any improvements in State right-of-way. Public Works Department clearance will not be granted for any final occupancy until required improvements have been installed and certified by the Director of Public Works as complete.

9.6 DEMOLITION ACTIVITIES

All demolition activities associated with the single family and agricultural out-buildings shall be completed, landscaping installed, and debris cleared from the subject parcel.

9.7 GRADING SPOILS

All spoils piles 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 **[RESERVED]**





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1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

David Morrison  
Director

## MEMORANDUM

To: Shaveta Sharma	From: Gary J. West, Chief Building Official
Date: May 31, 2016	Re: New Life Community Adventist Church P16-00210

### Building Inspection Division Planning Use Permit Review Comments

Address: 1451 American Canyon Rd., American Canyon CA 94503

APN: 059-100-002-000

Project: New Life Community Adventist Church P16-00210

Owner: New Life Community Adventist Church

Contact: George Kuria

Description: New 9,200 sq. ft. church on a 1.83 acre lot located at 1451 American Canyon Road. Church will seat 150 persons.

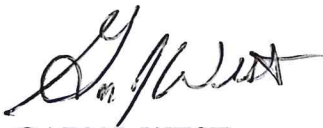
Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P16-00210; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for Use Permit application P16-00210 do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, “**only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit**”. The codes adopted at this time are 2013 California Building Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.
2. 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 will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a “J” number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.
3. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public.
4. **In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.**

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707)259-8230.

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



GARY J. WEST  
CHIEF BUILDING OFFICIAL  
NAPA COUNTY BUILDING DIVISION  
1195 THIRD STREET  
NAPA CA 94559  
(707)259-8230  
[gary.west@countyofnapa.org](mailto:gary.west@countyofnapa.org)



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Napa, CA 94559  
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David Morrison  
Director

## MEMORANDUM

To: Charlene Gallina, Planning	From: Daniel Basore, Engineering
Date: November 30, 2018	Re: P16-00210 New Life Church APN: 059-100-002

The Engineering division has reviewed the use permit application P16-00210 for the New Life Church located on assessor's parcel number 059-100-002. In general the project proposes the following:

*"New church for new life community seventh-day Adventist church"*

Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

### RECOMMENDED APPROVAL CONDITIONS:

#### PREREQUISITES FOR ISSUANCE OF PERMITS

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

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

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

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

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

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

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

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

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

If you have any questions regarding the above items, please contact Daniel Basore from Napa County Planning, Building, and Environmental Services Department, Engineering and Conservation Division, at (707)259-8328 or by email at [Daniel.Basore@countyofnapa.org](mailto:Daniel.Basore@countyofnapa.org)





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**Department of Public Works**

1195 Third Street, Suite 101  
Napa, CA 94559-3092  
[www.countyofnapa.org/publicworks](http://www.countyofnapa.org/publicworks)

Main: (707) 253-4351  
Fax: (707) 253-4627

**Steven Lederer**  
Director

## MEMORANDUM

To: PBES Staff	From: Ahsan Kazmi, P.E. Senior Traffic Engineer
Date: August 08, 2019	Re: New Life Community Adventist Church Conditions of Approval (P16-00210)

The Department of Public Works has reviewed the Use Permit application to establish a new 9,569 sq. ft. church for a maximum of 150 attendees located at 1451 American Canyon Road and the roadway widening plans for the above mentioned project and would like to offer the following comments as a conditions of approval:

**Left-Turn Lane Required:** The proposed project meets the warrants for the installation of a left-turn lane on the American Canyon Road at the project access driveway. The left turn lane pocket should be a minimum of 100' long and the deceleration lane plus storage should be a minimum of 165' long. Retain the existing old tree on the south side of American Canyon Road. Provide necessary cut and fill of earth work on the northern side of road.

**Other Requirements:** The entire road section within the project area +20' on both ends shall have a Caltrans spec type II micro surface applied prior to road striping. The site driveway should be designed per the Napa County Roads and Street Standards (current edition). The site driveway should be at 90 degree angle with American Canon Road and maintain a minimum stopping sight distance per Caltrans Highway Design Manual (current edition).

**Surveying Requirements:** Boundary Statement should be revised to read, "The property lines and Right of Way lines shown are based on best available data and existing monuments found in the field. The resolution of any possible discrepancies in the property lines or Right of Way lines may require the completion of a Record of Survey before being fully resolved."

**Encroachment Permit Process:** An encroachment permit will be required for any improvements in the County's right-of-way. Please contact Patt Throne-Hetzer in the Public Works office at (707) 259-6719 for application submittal information; or Craig Chapin in the Roads office at (707) 944-0196 for technical questions/information.

The improvements shall be constructed in compliance with the Napa County Road & Street Standards (current edition). The Registered Civil Engineer, upon completion of the Improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. Completion of improvements and certification shall be completed prior to occupancy or establishment of use.

More information is available at our website:  
<https://www.countyofnapa.org/2171/Encroachment-Permits>

Please contact me at [Ahsan.Kazmi@countyofnapa.org](mailto:Ahsan.Kazmi@countyofnapa.org) or call (707) 259-8370 if you have questions or need additional information.



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**Napa County Fire Department  
Fire Marshal's Office**  
2721 Napa Valley Corporate Drive  
Napa, CA 94558

Office: (707) 299-1464  
Direct: (707) 299-1461

**Joe Petersen  
Fire Marshal**

## MEMORANDUM

TO: Shaveta Sharma  
Planning Division

DATE: **July 20, 2016**

FROM: Joe Petersen  
Fire Department

SUBJECT: **P16-00210 New Life Church**

APN: **059-100-002**

The Napa County Fire Marshal's Office has reviewed the application package for Sleeping Giant Use Permit. The Fire Marshal requires the following conditions to be incorporated as part of permit issuance.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of Building Permit issuance.
2. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Should you have any questions of me, contact me at (707)299-1461 or email at [joe.petersen@fire.ca.gov](mailto:joe.petersen@fire.ca.gov).



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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) 299-1461

Garrett Veyna  
Fire Marshal

## MEMORANDUM

TO: Planning Division

DATE: 12/7/18

FROM: Chase Beckman  
Fire Department

SUBJECT: **New Life Adventist Church P16-00210**      APN: **059-100-002**

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

1. 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 2017 Napa County Road & Street Standards.

Please note that the comments noted above are based on a 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](http://www.countyofnapa.org/firemarshal). Should you have any questions of me, contact me at (707)299-1462 or email at [chase.beckman@fire.ca.gov](mailto:chase.beckman@fire.ca.gov)

Best regards,

Chase Beckman  
Deputy Fire Marshal



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FILE #: PI6-00210

Planning, Building, & Environmental Services  
1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

RECEIVED

JUN 06 2016

City of American Canyon  
Community Development

Main: (707) 253-4417  
Fax: (707) 253-4336

David Morrison  
Director

**PERMIT APPLICATION AND INITIAL STUDY**  
**REQUEST FOR COMMENTS**

DN16-0013

TO: Building, Counsel EH, Eng, Fire, NVUSD, American Canyon, John, Matt, Jeff, Charlene, Linda, Brian

APPLICATION TITLE: New Life Community Adventist Church APN: 059-100-002

DESCRIPTION OF PROJECT: New 9,200 sq. ft. church on a 1.83 acre lot located at 1451 American Canyon Road. Church will seat 150 persons.

RESPONSE REQUEST DATE: 5/52/16 RESPONSE RETURN DATE: 6/15/16

PLEASE RESPOND VIA E-MAIL TO Shaveta.sharma@countyofnapa.org  
OR VIA FAX TO (707) 299-4176 OR VIA TELEPHONE (707) 299-1358

This application (see enclosed project description and maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

1. Do you have any comments on this project? ☒ Yes ☐ No
2. Do you have jurisdiction by law over this project? ☐ Yes ☐ No
3. Attach your agency's comments, or list them below:  
☐ Comments attached  
☒ Comments below

Comments:

The City of American Canyon requests that Napa County  
make all efforts to implement and monitor storm water  
control measures given that this site's runoff enters  
American Canyon Creek, feeding through the City of  
American Canyon.

Name of contact person: Gray Baer,  
Development Services Engineer

Telephone #: 707-647-4583  
Email: gbaer@cityofamericancanyon.org  
Title: \_\_\_\_\_  
Date: 6/22/16





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David Morrison  
Director

## MEMORANDUM

To: Charlene Gallina, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: June 21, 2019	Re: New Life Community Church 1451 American Canyon Road Assessor Parcel #059-100-002 File # P16-00210

The application requesting approval to construct a new church and related improvements as described and depicted in application materials has been reviewed. Please include the following conditions if the project is approved:

Prior to building permit issuance:

1. Plans for the proposed wastewater treatment system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
2. A permit to construct the proposed wastewater treatment 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.
3. If any food or beverage facilities are included in the project, plan review and approval shall be obtained from this Division prior to issuance of any building permits. An annual food permit will be required.
4. The applicant has indicated that more than 25 persons will be served by the water system for only 52 days per year. Therefore, the proposed water system to serve this project is not currently required to be regulated as a small public water system by this Division under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to approval of a building permit, and may wish to

retain the services of a consultant in this matter. If more than 25 persons are served for more than 60 days per year, the owner is obligated to obtain a public water system permit and comply with laws and regulations.

5. 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.

During construction and/or prior to final occupancy being granted:

6. 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:

7. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities.
8. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.
9. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.