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Recommended Conditions of Approval

PLANNING COMMISSION HEARING - SEPTEMBER 21, 2016
RECOMMENDED CONDITIONS OF APPROVAL

VERIZON WIRELESS/RAGATZ LANE SITE
USE PERMIT # P16-00193-UP
1181 RAGATZ LANE, NAPA 94562
APN: 036-120-001

1.0 SCOPE

The permit shall be limited to:

- 1.1 Construction of a 65' tall telecommunication facility designed as a faux water tower;
- 1.2 Installation of up to twelve panel antennas inside the proposed water tower;
- 1.3 Installation of two (2) small GPS antennas at the ground mounted equipment level; and one 24" solid microwave dish on the tower at approximately 45' above final grade;
- 1.4 Placement of the tower and associated ground-mounted equipment within a 22' by 22' lease area (approximately 484 square feet) on the southwestern portion of the property;
- 1.5 Installation of approximately 200' of overhead line between the proposed facility and the closest existing power pole to the south;
- 1.6 Construction of an 8' tall wooden fence to screen the ground-mounted equipment;
- 1.7 Installation of a 24-hour emergency diesel-powered back-up generator within the fenced lease area;
- 1.8 Installation of emergency notification signs on the site; and
- 1.9 Use of an existing roadways and parking areas to support the proposed facility.

The facility shall be designed in substantial conformance with the submitted site plan, elevation drawings, written project description and all other submitted materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the applicant to communicate these requirements and the conditions of approval to all designers, architects, contractors, employees and others to ensure that compliance is achieved. Any modifications or changes in use shall be approved in accordance with County Code Section 18.124.130, and may be subject to the Use Permit modification.

2.0 PROJECT SPECIFIC CONDITIONS

Should any of the Project Specific Conditions below conflict with any of the other, standard conditions included in this document (beginning in Section 3.0 and following), the Project Specific Conditions shall supersede and control.

2.1 Exterior Maintenance Program

Prior to issuance of a building permit, the permittee shall submit an Exterior Maintenance Program to the Planning, Building and Environmental Services Department. At a minimum, the Program shall require submittal of yearly reports to the Department summarizing the exterior condition of painted surfaces on the facility as well as other portions of the facility approved as part of this Use Permit. If required, the permittee or assigns shall repaint surfaces that have faded, chipped or have otherwise become degraded. Other portions of the facility may also be required to be repaired or replaced

to ensure that the facility remains as approved by the Napa County Planning Commission.

2.2 Constructability

Prior to building permit issuance, the permittee shall submit written evidence that both PG&E and Verizon have found the power/telecom provision details specified on the plans and/or proposed by the applicants to be acceptable and that no new power or telephone poles or aerial lines, other than those specified on the plans and identified herein, will be required.

3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the County, Divisions, departments and Agency requirements. The permittee shall comply with all applicable building codes, zoning standards and requirements of County Divisions, Department 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:

- 3.1 Environmental Health Division: A permit shall be obtained from the PBES Department to store potentially hazardous materials (more than 55 gallons of liquids, 200 cubic feet of compressed gas or 500 pounds of solids). A Hazardous Materials Business Plan must also be filed and approved by the Department within 30 days of commencement of storage activities. If the business does not store hazardous materials above these thresholds, a Business Activities Page shall be filed.
- 3.2 Building Division: The applicant shall obtain all necessary building, electrical, grading and other permits, as necessary, from the County of Napa.
- 3.3 Fire Department: All requirements of the Napa County Fire Department shall be met prior to the issuance of a building permit.

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.

4.0 SIGNS

Prior to issuance of a Certificate of Occupancy, the permittee shall install facility identification signs near the property entrance at Dwyer Road and on the front gate of the facility fence. Each sign shall be consistent with Napa County Code section 18.119.130.

5.0 LIGHTING

Lighting shall be limited to TWO 60-watt exterior lights within or adjacent to the ground mounted equipment. Light fixtures shall be directed downward and fully shielded so that no light or glare is visible from outside the site lease area.

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

6.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

6.1 Dust Control

Water and/or other palliative shall be applied in sufficient quantities during grading and other ground-disturbing activities to minimize release of fugitive dust. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

6.2 Grading and Spoils

All graded material and spoils generated by construction of project facilities shall be disposed of in accordance with Napa County Public Works standards. If import or export of graded material is required. A haul route plan shall be approved by the Public Works Department.

6.3 Air Quality

The permittee shall comply during all construction activities with the Bay Area Air Quality Management District Basic Construction Practices (Table 8-1, May 2011) as provided below:

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g. parking areas, staging areas, soil piles, grading areas, and unpaved access (road) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.
- f. 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.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- h. 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.

6.4 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 (SRWQCB).

6.5 Water Quality and Creek Protection

Prior to issuance of a grading permit, the applicant shall submit an Erosion Control Plan prepared by a California-registered civil engineer and approved by the Napa County Planning, Building & Engineering Department prior to commencement of grading. The Erosion Control Plan shall include Best Management Practices (BMPs) to ensure that adjacent creeks are protected from erosion, pollutants and other substances caused by project construction. At minimum, the Plan shall include desilting basins, placement of hay bales or similar and covering of stockpiled material.

7.0 NOISE

Construction noise shall be minimized to the greatest extent practicable and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with Napa County Code Chapter 8.36. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded and unloaded on the project site or immediately adjacent.

8.0 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 the development, all work in the vicinity must be, by law, 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 nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

9.0 AS-BUILT PLANS

Prior to commencement of facility use, the permittee shall submit 2 folded sets of plans reflecting the "as-built" condition of the facility. These plans shall be clearly marked as as-built drawings.

10.0 AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.

11.0 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 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 owner. 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 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 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 County Code Section 18.124.120.

12.0 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 Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow commencement of operations 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.

13.0 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.