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**Draft Other Project Non-
Residential/Residential Standard
Conditions of Approval, Dated 12-6-16**

(OTHER PROJECT NON-RESIDENTIAL/RESIDENTIAL APPLICATIONS)

**PLANNING COMMISSION HEARING – (DATE)
CONDITIONS OF APPROVAL**

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

This Permit encompasses and shall be limited to the project commonly known as **Project Name**, located at **(Project Address)**. 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.

PART I

1.0 PROJECT SCOPE

This Permit encompasses and shall be limited to: **OR**
[If applicable, insert the following for Modifications: This Permit encompasses and replaces the terms of Use Permit (and/or Use Permit Modification) _____ and shall be limited to:]

- 1.1 **(If applicable, insert Other Detailed Request Description – Variance)**
- 1.2 **(If applicable, insert Other Detailed Request Description - Road Modification/ Tentative Parcel Map)**
- 1.3 **(If applicable, insert Other Detailed Request Description - Viewshed)**
- 1.4 **(If applicable, insert Other Detailed Request Description – Conservation Regulation Exception)**
- 1.5 **(Insert Detailed Use Permit Request Description - Commercial, Institutional, or Residential)**

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 (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or changes in use or alternative locations for fire suppression tanks shall be approved in accordance with the County Code ~~Section 18.124.130~~ and may be subject to the permit modification process.

~~Alternative locations for spoils and fire suppression tanks are permitted, subject to review and approval by the Director of Planning, Building, and Environmental Services (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.~~

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 hearings proceedings in accordance with the County Code Section 18.124.120.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the project:

4.1 (INSERT IF APPLICABLE) GROUND WATER MANAGEMENT – WELLS

Please contact the ~~Planning Division~~ Public Works Department with any questions regarding the following:

- ~~a. The permittee shall (at the permittee's expense) maintain data regarding monthly well monitoring and the total annual groundwater pumped. Such data shall include water extraction volumes and static well levels of the well. All monitoring shall commence within six months of the issuance of this Permit, or immediately upon commencement of the expansion authorized by this Permit, whichever occurs first, and shall be submitted~~

~~not later than January 31st every calendar year thereafter and available upon the County's request at any other time.~~

~~Water usage shall be minimized by use of best available control technology and best water management conservation practices.~~

- ~~b. No new on-site or off-site water sources (other than those evaluated or approved as part of this Permit) proposed to be used for the _____ (Specify project), including but not limited to wells, imported water, new or existing ponds/reservoir(s) or other surface water impoundments, to serve the project, shall be allowed without additional environmental review, if necessary, and may be subject to a modification to this permit. A new Water Availability Analysis shall be required prior to approval of any new water source(s) on the property.~~
- ~~c. Permittee shall limit groundwater use for the _____ (Specify project) to _____ acre-ft. per year. Any exceedance of this amount in a calendar year is a material breach of this permit.~~
- ~~d. If water use for the _____ (Specify project) from the well exceeds _____ acre-ft. per year in a calendar year by 10% or more (a significant exceedance), the permittee shall both immediately notify the County and cease any activity causing the exceedance, shall begin daily well monitoring, and shall promptly prepare a report to be submitted to the PBES Director regarding the reasons for the significant exceedance and the measures immediately taken and to be taken to bring the significant exceedance into compliance with this condition.~~

~~The PBES Director may set this Permit for a revocation or modification hearing before the Planning Commission within 60 calendar days of discovery of the significant exceedance for possible modification, revocation, or suspension.~~

- ~~e. If the water use for the project from the well exceeds _____ acre-ft. in a calendar year by less than 10%, the permittee shall notify the County, and promptly provide a report of the following:~~
- ~~1. _____ water volume used;~~
 - ~~2. _____ the reason for exceedance;~~
 - ~~3. _____ the plan the project has for reducing water use so as not to exceed the allocation the following year; and~~
 - ~~4. _____ other information that may be affecting water use.~~

~~If after two calendar years of reporting the monitoring shows that the annual water allocation identified above continues to be exceeded by less than 10%, the PBES Director shall schedule the Permit for review by this Planning Commission and possible modification, revocation or suspension.~~

- ~~f. The permittee shall be required to include the well in the County's Groundwater Monitoring program upon the County's request.~~

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 evidence¹ 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 the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the this use permit would significantly affect the groundwater basin, the PBES Director ~~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 PBES Director has provided notice and the opportunity for hearing in compliance with the Napa County Code §13.15.070 (G-K).

4.2 **[Applicable to Non-Residential Projects Only] AMPLIFIED MUSIC**
There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, buildings. ~~Please contact Environmental Health with any questions.~~

4.3 **[Applicable to Non-Residential Projects Only] 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 (_____ weekdays; _____ Saturdays; and _____ Sundays). 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 **[Applicable to Non-Residential Projects Only] PARKING**
The location of and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any).

Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations except during authorized events. For authorized events, overflow parking may occur in the areas allowed

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

per COA No. 1.0 above. In no case shall parking impede emergency vehicle access or public roads.

4.5 **[Applicable to Non-Residential Projects Only]** BUILDING DIVISION – USE OR OCCUPANCY CHANGES

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

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

4.6 **[Applicable to Non-Residential Projects Only]** 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 ~~set forth~~ [allowed per](#) ~~in~~ COA 1.0 above.

4.7 **(INSERT IF APPLICABLE)** NAPA COUNTY MOSQUITO ABATEMENT PROGRAM

The installation, operation and maintenance of the _____ **[Identify applicable large water feature such as ponds, reservoirs, and fountains, etc.]** shall be in conformance with the Napa County Mosquito Abatement District's program for eliminating mosquito sources and managing mosquito-breeding areas in order to reduce mosquitoes to a tolerable and healthful level.

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. [\[Applicable to Non-Residential Projects Only\] 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. [Applicable to Non-Residential Projects Only] 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 Pproject conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. ~~The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change.~~ Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated _____.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated _____.
- c. Building Division operational conditions as stated in their Memorandum dated _____.
- d. Department of Public Works operational conditions as stated in their Memorandum dated _____.
- e. Fire Department operational conditions as stated in their Inter-Office Memo dated _____.
- f. [NOTE OTHER AGENCY(IES)] operational conditions 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 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~~this permit.

4.11 **(INSERT IF APPLICABLE) OPERATIONAL MITIGATION MEASURES**

The permittee shall comply with the following operational 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. [Insert measure]
Method of Monitoring:
Responsible Agency(ies):

b. [insert measure]
Method of Monitoring:
Responsible Agency(ies):

4.12 **(INSERT IF APPLICABLE) OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT**

4.13 **[OPTIONAL TO BE USED ONLY IF A MAJOR MODIFICATION] PREVIOUS CONDITIONS**

~~The permittee shall comply with the following previous conditions of approval, including revisions where so indicated, for the project. Original language to remain is shown unchanged, original language to be removed is shown in strikethrough, and proposed language is underlined:~~

~~a. **[Carry over previous applicable non-construction and/or operational conditions. Reference Use Permit and/or Modification number, as well as, applicable condition number, and provide a brief explanation of any proposed changes to the condition.]**~~

The permittee shall comply with the following previous conditions of approval for the project as consolidated into the attached document.

[List all previous conditions into a separate document. Reference Use Permit and/or Major, Minor, Very Minor Modification number, as well as, condition number. No changes should be proposed to the previous condition.]

PART III

5.0 PAYMENT OF FEES - PREREQUISITE FOR ISSUANCE OF PERMITS

~~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.~~

~~AFFORDABLE HOUSING FEE~~

~~The permittee shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.~~

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 ~~P~~project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division [plan review/construction/preoccupancy conditions](#) as stated in their Memorandum dated _____.
- b. Environmental Health Division [plan review/construction/preoccupancy conditions](#) as stated in their Memorandum dated _____.
- c. Building Division [plan review/construction/preoccupancy conditions](#) as stated in their Memorandum dated _____.
- d. Department of Public Works [plan review/construction/preoccupancy conditions](#) as stated in their Memorandum dated _____.
- e. Fire Department [plan review/construction/preoccupancy conditions](#) as stated in their Inter-Office Memo dated _____.
- f. [NOTE OTHER AGENCY(IES)] [plan review/construction/preoccupancy conditions](#) 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 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 California Building Code or any State or local amendment adopted thereto, ~~and all fees associated with plan check and building inspections, and associated development impact fees~~

~~established by County Ordinance or Resolution shall be paid prior to issuance of a building permit.~~

- 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. **[Applicable to Non-Residential Projects Only]** ~~The site and associated buildings shall be accessible to persons with disabilities. This shall include, but not limited be 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.~~ All areas of newly designed and newly constructed buildings, facilities and or site improvements must comply with the CBC accessibility requirements, as well as, American with Disabilities Act (ADA) requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- a.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.
- b. ~~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.~~

6.4 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 P~~e~~ permit. The plan shall be prepared pursuant to the Water Efficient Landscape

Ordinance (WELO) 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 on the project site 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. **[Applicable to Non-Residential Projects Only]** 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 **[Applicable to Non-Residential Projects Only]** 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 ~~Chapter 18.106~~) shall

be placed underground or be made virtually invisible from the subject roadway.

6.7 **[Applicable to Non-Residential Projects Only] 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 designed to be located, enclosed or muffled ~~and maintained~~ so as not to create a noise disturbance or exceed noise thresholds in ~~accordance with~~ the County Code.

6.8 **[Applicable to Non-Residential Projects Only] 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 enclosure requirements provided during permit process and shall be included in the building permit submittal. ~~The designated area shall remain available and be properly maintained for its intended use.~~

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 **(INSERT IF APPLICABLE) HISTORIC RESOURCES**

All permitted work performed on any historic resources shall follow the latest edition of the Secretary of Interior's ~~s~~Standards for Historic Preservation and Guidelines for Treatment of Historic Properties (Standards). Written verification that such work meets the Standards shall be submitted by a qualified historic architect for review and approval by the PBES Department prior to issuance of any grading or building permit.

6.11 **(INSERT IF APPLICABLE) DEMOLITION ACTIVITIES**

a. Final demolition plans of the _____ **(Description of buildings/utilities to be removed)** 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 ~~that have not been proposed or approved~~ are allowed within established stream setbacks unless specifically approved as part of this permit ~~unless specifically enumerated in in~~ COA 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. ~~If applicable, a "J" number from the BAAQMD shall also be provided at the time the permittee applies for a demolition permit.~~

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 ~~back~~ to its natural vegetation state to the extent feasible. ~~Said~~ The landscape plan shall be approved by the PBES Director or designee prior to installation.

6.12 **(INSERT IF APPLICABLE) VIEWSHED – EXECUTION OF USE RESTRICTION**

The property owner shall execute and record in the county recorder's office a use restriction, in a form approved by County Counsel, requiring _____ **[SPECIFY APPLICABLE DESCRIPTION - building exteriors, water tanks, 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 the County Code ~~Section 18.106.050(C).~~

6.13 **(INSERT IF APPLICABLE) PERMIT PREREQUISITE MITIGATION MEASURES**

The permittee shall comply with the following ~~all~~ 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, ~~inclusive of the following:~~

- a. [Insert measure]
Method of Monitoring:
Responsible Agency(ies):

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, as provided in Table 8-1, May 2011 Updated CEQA Guidelines: 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) ~~shall be watered~~ two times per day.
3. Cover All haul trucks transporting soil, sand, or other loose material off-site ~~shall be covered~~.
4. Remove All visible mud or dirt tracked ~~out~~ onto adjacent public roads ~~shall be removed 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 ~~off~~ when not in use or reducing the maximum idling time to five (5) minutes (as required ~~by the California airborne toxics control measure Title 13, Section 2485 of California Code of 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 ~~needs~~ 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 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, ~~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 [shall comply with the requirements of 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.](#)

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and ~~allowable- 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 ~~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 at all practicable.](#) If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities ~~shall only~~ [shall](#) occur daily between the hours of 8:00 AM to 5:00 PM.

7.4 **(INSERT IF APPLICABLE)** CONSTRUCTION MITIGATION MEASURES

The permittee shall comply with [the following all-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, ~~inclusive of the following:~~

a. [Insert measure]
Method of Monitoring:
Responsible Agency(ies):

b. [insert measure]
Method of Monitoring:
Responsible Agency(ies):

7.5 **(INSERT IF APPLICABLE) OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL**

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 project (_____) (Specify which limited use of the project may be allowed) prior to completion of all project improvements. Permittee shall comply with the following before a ~~Temporary Certificate of Occupancy (TCO)~~ is granted:

8.1 TEMPORARY OCCUPANCY

~~A TCO may be granted pursuant to County Code Section 15.08.070(B) to allow specific limited use of the project (_____) (Specify which limited use of the project may be allowed) prior to completion of all project improvements.~~ All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for the occupancy of hospitality buildings and shall not exceed the maximum time allowed by the ~~Napa~~ County Code ~~Section 15.08.070(B)~~ 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 ~~prior to issuance of a Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence.~~

9.2 SIGNS

~~Prior to installation of a~~ Detailed plans, including elevations, materials, color, and lighting for any project identification or directional signs, ~~detailed plans, including elevations, materials, color, and lighting,~~ shall be submitted to the PBES 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 ~~P~~ permit approval. All signs shall meet the design standards as set forth in [the County Code Chapter 18.116](#). ~~Any~~The only off-site signs allowed shall be in conformance with the County Code ~~Chapter 18.116~~. ~~Temporary off-site signage, such as "A-Frame" signs are prohibited under County Code Section 18.116.065(E).~~

9.3 GATE/ENTRY STRUCTURES

Any gate installed at the project entrance shall be reviewed by the PBES 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~~ 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 ~~P~~ permit approval.

9.4 LANDSCAPING

Landscaping shall be ~~completed~~ installed in accordance with the approved landscape plan. ~~prior to issuance of a Final Certificate of Occupancy, and shall be permanently maintained in accordance with the landscaping plan.~~

9.5 **(INSERT IF APPLICABLE) ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS**

The permittee shall construct _____ ~~prior to the issuance of a Final Certificate of Occupancy by the Building Division~~. The design of the _____ shall be submitted to the Public Works Department for review and approval. The _____ shall be designed in substantial conformance with the submitted site plan, and other submittal materials and shall comply with all requirements of the County Code and Napa County Road and Street Standards.

9.6 **(INSERT IF APPLICABLE) DEMOLITION ACTIVITIES**

~~Prior to the issuance of a Final Certificate of Occupancy for the project, all~~ All demolition activities associated with the _____ **(Description of structures)** 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 **(INSERT IF APPLICABLE) MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY**

The permittee shall comply with ~~all~~ the following preoccupancy mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project, ~~inclusive of the following:~~

a. [Insert measure]
Method of Monitoring:
Responsible Agency(ies):

b. [insert measure]
Method of Monitoring:
Responsible Agency(ies):

9.9 **(INSERT IF APPLICABLE) OTHER CONDITIONS APPLICABLE PRIOR TO
ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY**

DRAFT