

## RESOLUTION R2020-011

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING A DESIGN REVIEW PERMIT AND VESTING TENTATIVE SUBDIVISION MAP FOR THE SARATOGA VINEYARD SUBDIVISION, A SUBDIVISION OF AN 3.48-ACRE PROJECT SITE INTO 20 SINGLE-FAMILY LOTS, LOCATED ON THE NORTH SIDE OF SARATOGA DRIVE BETWEEN CAPITOLA DRIVE AND SILVERADO TRAIL; AND, DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, on August 20, 2019, Edenbridge Homes ("Applicant") submitted an application for a vesting tentative subdivision map pursuant to Napa Municipal Code ("NMC") Chapter 16.20 ("Vesting Tentative Map") to divide the property into 20 single family residential lots and a design review permit pursuant to NMC Chapter 17.62 ("Design Review Permit") for the proposed Vesting Tentative Map, single-family residences, "side on" fence treatment, and "back on" fence treatment on the north side of Saratoga Drive between Capitola Drive and Silverado Trail (APNs: 046-061-033 & -039) (the "Site") (the foregoing collectively, the "Project"); and

WHEREAS, on December 19, 2019, the Planning Commission considered the Design Review Permit and Vesting Tentative Map and all written and oral testimony submitted to them at a noticed public hearing on the Design Review Permit and Vesting Tentative Map, at which time the Planning Commission heard a presentation by Staff and took public testimony, and thereafter closed the public hearing and where they subsequently recommended that the City Council approve the applications; and

WHEREAS, the City Council has considered all information related to the Design Review Permit and Vesting Tentative Map Application, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Napa as follows:

Section 1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

Section 2. The City Council hereby determines that the Project is exempt from the requirements of CEQA pursuant to Section 15332 of the CEQA Guidelines (Categorical Exemptions; Class 32), which exempts in-fill development projects that are consistent with the General Plan and Zoning Ordinance; that occur within City limits and are on sites no more than 5 acres in size; that are on sites with no value as habitat for endangered, rare or threatened species; that would not result in any significant effects

relating to traffic, noise, air quality, or water quality; and that can be adequately served by existing utilities. The City Council also determines that the exceptions to categorical exemptions identified in Section 15300.2 of the CEQA Guidelines are inapplicable because the land is in an urbanized area with no environmentally sensitive habitats or species of concern on the property, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment. Based on this analysis, no significant environmental effects would result from this project and the exemption is appropriate.

Section 3. The City Council hereby approves the Design Review Permit and makes the following findings in support of the approval:

*The project design is in accord with the General Plan and any applicable Specific Plan design policies.*

The proposed subdivision, improvements and single-family use of the Site are consistent with the SFI-173 Single-Family Infill General Plan designation which allows for single family development with a density of 4 to 8 units to an acre. The Project has an overall density of 5.7 units per acre. The Project is also consistent with General Plan policies regarding the efficient use of land, neighborhood compatibility, and street network connectivity.

*The project design is consistent with applicable Design Review guidelines adopted by the City Council.*

The proposed subdivision design, site layout and architecture are consistent with the goals, policies and recommendations outlined in within the Residential Design Guidelines. The proposed Project maintains consistent lot orientation and lot sizes that are compatible with the existing neighborhood. The proposed architecture is consistent with the policies outlined in the Residential Design Guidelines. A mix of coherent forms, details, and materials are proposed to create a variety of homes which complement the neighborhood. The streets are proposed to be lined with unifying and defining vegetation, satisfying the Design Guidelines and the requirements for “side on” and “back on” fence treatments. The designs of the homes are consistent with the design principles of the Residential Design Guidelines.

*The Design Review Permit is in accord with provisions of this Title and will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.*

The Design Review permit is consistent with NMC Title 17 (Zoning Ordinance) as conditioned. The proposed Project has been found to be consistent with all applicable development standards of the RI-5 (Single-Family Infill, 5,000 Square Feet Minimum Parcel Size) zoning of the Site. All lots comply with the minimum lot size, coverage and setbacks of the zoning district. The “side on” and “back on” fence treatments have been

reviewed for compliance with the standards of NMC Section 17.52.170 (Fences, Walls and Hedges), and has been found to meet all applicable standards including for additional setbacks and landscaping. As such, with implementation of the adopted conditions of approval, the proposed Project would not result in any significant impacts. The design of the proposed subdivision and single-family homes does not result in adverse impacts to adjacent properties or to the general health, safety, and welfare of the community.

Section 4. The City Council hereby approves the Vesting Tentative Map prepared by RSA+, dated October 11, 2019 ("Application Plans"), submitted as part of the subject application and makes the following findings in support of the approval:

*The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan.*

The proposed subdivision, improvements and single-family use of the Site are consistent with the SFI-173 Single-Family Infill General Plan designation which allows for single family development with a density of 4 to 8 units to an acre. The Project has an overall density of 5.7 units per acre. The Project is also consistent with the following General Plan policies:

Housing Element Policy H1.1 encourages the efficient use of land, and Housing Element Policy H1.4 encourages approval of well-designed projects in the mid- to high-range of the General Plan density.

The proposed 20-lot infill development project has been designed to achieve a density that is above the mid-point of the density range for the Site. The achieved density makes the most efficient use of the island of agricultural land within the Rural/Urban Limit, consistent with Policies H1.1 and H1.4.

Land Use Element Policy LU-4.5 encourages projects to be compatible with the surrounding neighborhood.

The surroundings consist of similar 5,000+-square-foot lots developed with two-story houses, a vacant lot with an expired tentative subdivision map, and a three-story apartment complex. The proposed lots are compatible in size with those in the neighborhood. The proposed single-family use and homes reflect a contemporary interpretation of traditional building styles that have similarities to the architecture of the existing neighborhood and are compatible with existing residences in the area consistent with this policy. The proposed single-family use, lot sizes, and density are consistent with the pattern of single-family development in the area.

Transportation Element Goal T-1 seeks: "To provide for extension and improvement of the City's roadway system to ensure the safe and efficient movement of people and goods. Transportation Policy T-1.8 states, "The City shall connect (or require the connection of) discontinuous arterial or collector streets and improve circulation network continuity involving minor access streets..."

The proposed subdivision involves connecting the middle segment of Capitola Drive to its southern segment. The connection between the two segments of Capitola Drive would allow the neighbors to the north of the site more convenient access and would create a second way into their area where there is currently only one access point. The Project also completes the sidewalk on the north side of Saratoga Drive.

*The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as described in the State Subdivision Map Act and any guidelines promulgated by the Council.*

The proposed lot sizes and configuration allow for passive heating and cooling opportunities with building orientation, retention of existing vegetation, and landscaping.

Section 5. The City Council's approval of the Design Review Permit and Vesting Tentative Map, is subject to the following conditions:

#### COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

1. This Vesting Tentative Map authorizes subdivision of the Site into 20 single-family lots. Access to the subdivision will be via a new public street connecting to an extension of Capitola Drive. The proposed streets and sidewalks will be public. Lot sizes range from 0.11 acres to 0.13 acres. There will be a drainage feature on a 0.10-acre lot. This Design Review Permit authorizes three two-story house plans that are 2,393 square feet, 2,549 square feet, and 2,777 square feet in size. Each house plan has three different elevations, for a total of nine combinations of house plan and elevation.

2. The plans submitted for building permits shall conform substantially to the plans prepared by RSA + dated October 11, 2019 and representations submitted with the application (date stamped received October 16, 2019) and as reviewed and approved by the City Council, and as amended by the conditions of approval.

3. The Applicant shall not change the locations of the home models from those indicated on the plans dated October 11, 2019 .

4. Building footprints are approved as shown on the approved Vesting Tentative Map (prepared by RSA+, dated October 11, 2019 and date stamped received October 16, 2019). Applicant shall not alter building footprints from the approved locations. Plans submitted for building permit shall include dimensioned setback identification.

5. Any proposed modifications to the approved home elevations shall require an amendment to the Design Review Permit in accordance with NMC Section 17.68.140.

6. All Project conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of Building Permits

(architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

7. All mechanical and utility equipment, including transformers and backflow devices, shall be screened and/or integrated into a building structure. Screens shall not be used where they would disproportionately increase the mass of the building or introduce elements that are inconsistent with the high level of design quality reviewed as part of this approval. Landscaping and screening of devices must be installed prior to issuance of a Certificate of Occupancy for the Project.

8. Prior to issuance of a demolition or grading permit for the existing structures, the Applicant shall submit a rodent and pest control plan for review and approval by the Chief Building Official that includes measures that reduce the potential for rodents and pests displaced by the grading and construction at the Site from relocating to homes in the adjacent neighborhood.

9. Prior to approval of the final vesting subdivision map ("Final Map"), Applicant shall establish an incorporated homeowner's association with recorded Covenants, Conditions & Restrictions (CC&Rs) to own, operate and maintain the Private Improvements (defined herein). Alternatively, the Applicant may establish an incorporated maintenance association and their attendant satisfactory CC&Rs to provide for the operation and maintenance of the Private Improvements in lieu of a homeowner's association. In either case, the CC&Rs shall be submitted to the City Engineer for approval as to substance and to the City Attorney for approval as to form. No subsequent changes to the CC&Rs shall be made without the approval of the Planning Manager.

10. All Landscaping shall be installed in compliance with approved landscape plans prior to the issuance of a Certificate of Occupancy.

11. A Final Fencing Plan for the Project shall be reviewed and approved by the Planning Manager prior to recordation of the Final Map. This plan shall include fencing between the Site and adjacent neighbor properties. Fences between the Site and adjacent neighbors' properties shall be installed prior to acceptance of the improvements. At the discretion of the neighboring property owners, the Applicant shall construct a new fence between the Site and the neighboring property. Should the neighboring property owner choose not to allow the Applicant to reconstruct the fence at their property line, the Applicant may construct a new fence beyond the existing neighbors fence on the Project side.

12. All proposed and required fencing shall be installed in compliance with the approved landscape and fencing plan prior to the issuance of a Certificate of Occupancy for the corresponding unit.

13. Side on treatments have been approved for Lots 1 and 20. Back on treatments have been approved for Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20. Details

of landscaping within these side on treatments shall be included in the final landscape plan that shall be submitted for approval with the improvement plans.

14. The plans submitted for Building Permits for the single-family residences within the Project shall include side and rear building elevations that provide the same level of architectural detail found on the front elevation. The exterior treatment of each building elevation shall be consistent in form and materials and provide an overall coherent design for the entire building, subject to review and approval of the Planning Manager.

15. The plans submitted for Building Permits for the "Prairie" elevation models shall include architectural enhancements on all four elevations. These enhancements shall be subject to the review and approval of the Planning Manager.

16. The plans submitted for building permits shall include at a minimum, six (6) units that contain one room that is plumbed for easy conversion to a Junior Accessory Dwelling Unit. This infrastructure shall include electrical, plumbing and the potential for an exterior entrance.

17. Fences along the north and west boundaries of the Site shall be at least seven feet tall and conform to the Zoning Ordinance.

18. The final fencing plan for the "back on" treatment fence adjacent to Saratoga Drive shall include a minimum of eight (8) split-face, stone columns, each a minimum of three (3) feet wide. The final fencing plan shall be subject to the review and approval of the Planning Manager.

19. The Homeowners Association shall be responsible for maintaining the appearance of sides of the fences facing Saratoga Drive.

20. The Homeowners Association's Covenants, Conditions and Restrictions shall require replacement fences to be built to the same standards as the fences approved by the City Council.

21. The fences on the northern and western Site boundaries shall be built before construction of the houses begins.

22. The side-yard setback on the west side of Lot 11 shall be increased to 10 feet or the maximum distance feasible. The final dimension is subject to review and approval of the Planning Manager.

**PUBLIC WORKS DEPARTMENT:**

23. Approval of this Project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the NMC, the City of Napa Standard Specifications and Standard Plans (dated October 2018), and the City's "Post-Construction Storm Water Pollution Prevention Design Standards".

24. The Applicant shall construct all on and offsite improvements in accordance with improvement plans and supporting calculations that are prepared by a registered civil engineer and reviewed and approved by the City of Napa Public Works Department (PW) Development Engineering Division. The improvement plans shall be prepared in conformance with the Vesting Tentative Map plans prepared by RSA+ dated October 11, 2019 as modified herein by these Conditions of Approval. The improvement plans and supporting calculations shall include detailed designs for all utilities, water, grading, drainage, erosion control, stormwater, and paving. The plans and calculations must be approved by the City Engineer prior to the issuance of the building permit.

25. The improvement plans shall be prepared in accordance with (and submittals shall be accompanied by) the "Initial Submittal Checklist", the "Improvement Plan Checklist", and the "Subdivision Map Checklist". The checklists are available on the City of Napa Website ([www.cityofnapa.org](http://www.cityofnapa.org)) under the Public Works Department Development Engineering Division Forms and Handouts menu.

26. The Applicant shall pay a \$5,000 initial cash deposit for city plan check services.

27. IMPROVEMENT PLANS – The following items shall be shown on the improvement plans prior to their approval:

a. The Applicant shall install multi-way stop control on all approaches of the Saratoga Drive and Capitola Drive intersection. Stop control shall include Stop Signs (R1-1), Stop legend markings, and Stop bar markings per CA MUTCD.

b. Street A:

(1) The Applicant shall construct 'Street A' with a 56-foot right-of-way per City of Napa Public Works Standard Drawing S-6D for "Standard Local Street (Type A)." These improvements shall include, but are not limited to, curb, gutter, 4-foot wide sidewalk, 6-foot wide planter strip, 8-foot wide parking area, 20-foot wide travel-way, typical residential cul-de-sac, appurtenant drainage facilities, street lighting, street trees, ADA curb ramps, and safety related signing and striping improvements.

c. Capitola Drive:

(1) Consistent with a future roadway right-of-way of 60-feet, the Applicant shall construct a 32-foot width of roadway pavement (two (2) 12-foot travel and one (1) 8-foot parking lane), curb, gutter, 6-foot wide planter strip, and 4-foot wide sidewalk (sidewalk

and planter strip on the western side only) for the extension of Capitola Drive from its existing terminus to the north, to connect with Capitola Drive at Saratoga Drive to the south. An AC berm, or other means of drainage control, shall be constructed along the eastern side of the Capitola Drive extension. These improvements shall include, but are not limited to, appurtenant drainage facilities, street lighting, street trees, ADA curb ramps, and safety related signage and striping improvements. Final alignment of street improvements and conforms to Saratoga Drive shall be subject to review and approval by the Public Works Director.

- (2) The Applicant shall acquire from the owners of APN 046-111-001 and APN 046-111-009 (if needed) and convey to the City by irrevocable offer of dedication the off-site right-of-way needed for the construction of the extension of Capitola Drive and associated roadway transition taper; provided however, if the Applicant does not obtain and convey all off-site property required by this condition ("Off-site Property") prior to City's approval of the Final Map, the Applicant shall enter into an agreement with the City pursuant to which the City will acquire the Off-site Property at the Applicant's cost and after the City acquires the Off-site Property, the Applicant will construct the required off-site improvements in accordance with Government Code Section 66462.5(c). Final alignment of said extension shall be subject to review and approval by the Public Works Director.

d. Saratoga Drive:

- (1) The Applicant shall construct a 6-foot wide planter strip and 4-foot wide sidewalk along the Project's Saratoga Drive frontage. These improvements shall include but are not limited to appurtenant drainage facilities, street lighting, street trees, ADA curb ramps, and safety related signing and striping improvements.
- e. Any additional right-of-way necessary to accommodate these improvements shall be dedicated to the City prior to improvement plan approval.
- f. The functional classification for public streets that are proposed to receive improvements are:
- (1) Street A – Local
  - (2) Capitola Drive – Local
  - (3) Saratoga Drive – Collector



Refer to Table 3.1, "Street Design Criteria," of the City of Napa Standard Specifications and Standard Plans for minimal structural sections and the Project's geotechnical reports recommendations, whichever is larger.

- g. The Applicant shall maintain adequate sight visibility at public street access points and street corners in accordance with City of Napa Public Works Standard Specification Drawing S-25. The sight distance and visibility triangle lines shall be shown on the grading and drainage plans. The visibility height limits are measured from the top of curb of the fronting street to the top elevation of the obstruction.
- h. The Applicant shall incorporate the group mailbox concept into the Project design. Proposed locations shall be reviewed and approved by the Post Office and Public Works.
- i. The improvement plans shall include a demolition plan showing all existing structures and utilities to be removed.
- j. The improvement plans shall include an Erosion Control Plan.
- k. The improvement plans shall include a Joint Trench Plan.
- l. The improvement plans shall include a Construction Traffic Control Plan.
- m. The improvement plans shall include a Grading and Drainage Plan.
- n. The improvement plans shall include a Utility Plan showing all the existing and proposed utilities including overhead and underground utilities.
- o. The improvement plans shall include a Public Street Repair Plan (showing the repair details and limits of repair) for all improvement installations that will result in the cutting, demolition, destruction, etc. of any existing improvements within the public right of way including, but not limited to, the installation of curb, gutter, sidewalk, and utilities (water, sewer, storm drain, electrical, cable TV, telephone, etc.). This plan shall be updated during the construction process as necessary to reflect any unanticipated street repairs. Associated with said plan are the following requirements:
  - (1) Attention is directed to Section 1.05, "General Construction Notes," Sub-section, "Street Section and Sidewalk Construction Notes," item 10., of the City of Napa Standard Specifications and Standard Plans and these Conditions of Approval.

The Applicant shall provide a curb to curb resurfacing of the existing street pavement whenever a street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations, and based on the condition of the existing pavement, regardless of limits of overlay shown on the plans and as determined by the City Engineer. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of a full 2-inch deep grind for the entire area and a 2-inch asphalt concrete overlay placed. Street resurfacing will be required for all cuts resulting from improvements that include, but are not limited to, pavement widening, curb and gutter, storm drain, water, sewer, signal, lighting, and other utilities for the Project. The limits of the overlay may be extended beyond the Project frontage of the parcel and/or 10-feet on either side of the trench to cover all the utility trench cuts at the discretion of the City after all underground infrastructure has been installed. The Applicant shall also provide digouts and reconstruction of any potholed and/or alligatored areas. Installation of street paving by the Applicant shall include reconstruction of the existing pavement section as required to provide adequate conforms. The limits of such reconstruction shall be reviewed by the Public Works Department Development Engineering Division and approved by the City Engineer as part of the construction plan review.

- (2) The Applicant shall repair all pavement, curb, gutter and sidewalk that are damaged by the construction process in accordance with the Public Works Department Standard Specifications and Standard Plans.
  - (3) Any unanticipated street cuts or other street repair items that become evident following improvement plan approval shall be included by way of revisions to the Street Repair Plan.
- p. For trenching within existing roadway areas, the Applicant's engineer shall pothole or otherwise physically determine the actual horizontal location and vertical depth of all underground utility systems throughout the proposed area of work and at all utility connection points. The Applicant shall provide all the pothole information and the design of all new utility installations required to serve the Project including a schedule for implementation of such work as to prevent disrupting of utility service to adjacent properties with the first improvement plan submittal.
  - q. The Applicant shall underground all new utilities to serve the Project from the existing point of connection to the Project. The Applicant is

responsible for all coordination with utility companies and the design of all utility service installations that are required to serve the Project, including utility layout, design and costs associated with any necessary facilities upgrades, revisions, relocations and/or extensions. The Applicant shall relocate or underground any overhead utilities that conflict with the new improvements.

28. DRAINAGE AND GRADING - The following items related to grading and drainage shall be shown on the improvement plans prior to approval of the plans:

- a. All existing storm drains, drainage inlets, storm drain manholes, etc., shall be shown in the plans along with all the relevant information describing each item such as inverts, sizes, slopes, etc.
- b. If applicable, the Applicant shall replace any existing non-standard drainage inlets, such as Type S-110, with a City Standard drainage inlet, such as Type D-2.
- c. Lot grading and drainage system improvements shall be installed by the Applicant as part of the subdivision improvements. Constructed lot pad elevations shall not deviate more than 0.5 feet from the pad elevations shown on the Vesting Tentative Map.
- d. The grading plans provided by the Applicant for review shall include the existing topography shown with contour lines labeled at one-foot intervals and extending a minimum of 100-feet beyond the limits of the site, or a sufficient distance to indicate impacts on adjacent properties.
- e. Detention improvements shall be incorporated into the Project storm drain system design as determined by the requirements in the chart titled, "Detention Requirements," within Section 2.10, "Detention," of the City of Napa Standard Specifications and Standard Plans.
- f. The grading and drainage plan shall include a design that allows for a 100-year overland release with all finish floor and garage slab elevations a minimum of one foot above the 100-year overland release elevation.
- g. On-site storm drains, outside of City right-of-way, shall be made of SDR-35 plastic or reinforced concrete pipe.
- h. Any retaining walls which are greater than one foot in height, which are adjacent to a property line, shall be masonry or concrete. Wood retaining walls shall not be installed adjacent to property lines.
- i. It is the City's policy to require all new parcels to be graded to drain independently from adjoining parcels. If surface drainage is currently

passing from adjoining properties onto the Site, the grading plan for the Project shall be designed to continue to accept such drainage and easements shall be established to allow such drainage patterns to continue. All surface drainage must be collected and conveyed to a public street, storm drain or approved outfall.

- j. Applicant shall follow and comply with NMC Chapter 8.36 Stormwater Quality Ordinance.
- k. Applicant shall provide an Erosion and Sediment Control Plan (ESCP) and a schedule for implementation of approved measures to the Public Works Department Development Engineering Division for review and approval with the first improvement plans submitted for review. A grading permit shall not be issued until the erosion and sediment control plan is approved.
- l. The roof drainage and downspouts from each property shall not be allowed to discharge onto the adjacent properties.
- m. CONSTRUCTION WATER QUALITY MEASURES – In accordance with the NPDES Construction General Permit, the property owner shall insure that the Applicant and the contractor incorporate storm water quality Best Management Practices (BMP's) into the project construction process.
  - (1) Project > 1 acre of disturbance: Provide an Erosion and Sediment Control Plan (ESCP) and/or a State Stormwater Pollution Prevention Plan (project disturbance >1 acre), as required per the States Construction General Permit. A copy of the Stormwater Pollution Prevention Plans (SWPPP) along with waste discharge identification number (WDID) will need to be provided to the Public Works – Stormwater Program prior to grading permits. [http://www.swrcb.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml)  
  
PLEASE NOTE: Item above does not require a separate Erosion and Sediment Control Plan (ESCP). The ESCP is a part or element of these plans; however, the SWPPP must address all elements of the required ESCP. See ESCP template at: <http://www.cityofnapa.org/574/Stormwater-Quality>
  - (2) The construction BMP's shall be shown on the project Erosion and Sediment Control Plan (ESCP).
  - (3) The project property owner shall insure that the contractor manages all construction activities; and handles, stores and disposes of all hazardous and non-hazardous waste in a manner

that eliminates or minimizes (to the maximum extent practicable) the discharge of pollutants (e.g. motor oil, fuels, paints/stains and solvents, asphalt products, concrete, herbicides and pesticides, etc.) to the storm drains, ground water, and/or waterways.

(4) The project property owner shall insure that the contractor incorporates spill prevention and cleanup measures into the construction operation. All discarded materials shall be removed from the site and disposed of at an approved disposal facility.

(5) The project property owner shall pay all cleanup, testing, disposal and City administrative costs associated with the discharge of pollutants into the storm drains and/or waterways as a result of the project construction activity.

n. POST CONSTRUCTION WATER QUALITY MEASURES - In accordance with the City of Napa, "BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated (BASMAA) Phase II Committee, dated July 14, 2014" the Applicant shall incorporate post Development measures (BEST MANAGEMENT PRACTICES (BMP'S)) into the project design to mitigate project impacts to water quality. <http://www.cityofnapa.org/574/Stormwater-Quality> Under "Documents"

(1) The post-construction BMP's shall be shown on the project improvement plans and in the required Storm Water Control Plan (SCP).

(2) All designated projects – The Applicant shall prepare and submit a SCP per "BASMAA Post-Construction Manual, dated July 14, 2014," standards and an Erosion and Sediment Control Plan.

(3) The Landscape plans shall be submitted to the Development Engineering Division with the submittal of the Improvement Plans. Landscape Plans shall illustrate all LID post construction measures and include the required plant species as specified in the BASMAA Post-Construction Manual.

(4) The post construction BMP measures shall be installed by the Applicant and designed and sized by a registered civil engineer in accordance with the City's adopted BASMAA Post-Construction Manual and an accepted design method such as that which is outlined in the "California Storm Water Quality Association BMP (CASQA-BMP) Handbook". The design and calculations are to be reviewed and approved by the Development Engineering Division.

- (5) The Project post-construction BMP's shall include but not be limited to the applicable items listed in the City Council adopted Stormwater Quality Control Standards, BASMAA Post-Construction Manual and accepted design review Stormwater Control Plan prepared by RSA+ dated October 10, 2019.
- o. The Applicant shall submit storm drain system design calculations that are prepared by a registered civil engineer for review and approval by the Development Engineering Division. Storm drain system design flows shall be calculated based on the requirements listed in the City of Napa Public Works Department Standard Specifications and Standard Plans. The calculations shall include a drainage basin map showing basin limits and area in acres, hydrology, and system hydraulic calculations, pipe size calculations, inlet capacity calculations, stormwater quality treatment and other information necessary to support the proposed design. Storm drains will be sized to carry the flows generated by the design storm per City of Napa Standards. The storm drain system design calculations shall show that the pipes have a self-cleaning minimum velocity of three feet (3') per second when flowing half full.
  - p. Install drainage facilities, including detention pipe(s), metering boxes, and other appurtenances to collect and convey all surface drainage to an approved outfall.
  - q. Easements (or deed restrictions requiring the reservation of easements upon property transfer) shall be established for piped, V-ditched and overland (sheet and channeled) drainage between the parcels. Drainage easements shall be provided for the drainage facilities shown on the plans in accordance with the City of Napa Public Works Department Standard Specifications and Standard Plans. Easements shall have a minimum width of 10-feet. Pipes exceeding 24-inches in diameter or deeper than 5-feet will require wider easements as required by the Public Works Director. All drainage easements must be shown on the improvement plans. Easement documents shall be reviewed and approved by the Public Works Department Engineering Division and City Attorney and recorded prior to occupancy.
  - r. Low Impact Development (LID), Bio-retention areas, underground treatment systems, and all other treatment based BMP systems are to be sized in accordance with calculations that conform to the City's BASMAA Post-Construction Manual dated July 14, 2014 and the State MS4 General Permit E.12 provisions and are to be reviewed and approved by the Development Engineering Division.

- s. The property owner shall enter into a long term maintenance agreement with the City of Napa approved both as to form and substance by the City Attorney and City Engineer for long term maintenance, financing and monitoring for the post construction storm water best management practices that are incorporated as part of the project and as called out in the Approved Stormwater Control Plan.
- (1) The agreement shall include a detailed outline of responsible parties, inspections, maintenance procedures, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
  - (2) The agreement shall be recorded prior to approval of the Improvement Plans. The agreement must provide for the perpetual maintenance and replacement of the improvement as well as appropriate provisions relating to enforcement options, the right of the City to access the property to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The City of Napa shall either be a signatory to the agreement or a third party beneficiary to the agreement with the right but not the obligation to enforce the obligation and secure attorney's fees for legal counsel to enforce such obligations.
  - (3) Updated information, including contact information, must be provided to the municipality whenever a property is sold and whenever designated individuals or contractors change.
  - (4) Appropriate easements or other arrangements satisfactory to the City Engineer and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to improvement plan approval.
  - (5) All development projects must be planned, designed and constructed consistent with the post construction standards in the city's NPDES permit and in accordance with the post construction storm water management requirements established by the city, including but not limited to, the current version of the Bay Area Stormwater Management Agencies Association Post-Construction Manual or an updated version of that manual or other post-construction storm water management standards as adopted by Council resolution..

- (6) The owner of the real property shall provide a written document, deed, agreement or similar writing acceptable to the Director, obligating the project proponent, their successors in control of the project and successors in fee title to the underlying real property (or premises), to assume responsibility for the operation and maintenance of all installed treatment systems and hydromodification controls, if any, for the project.
- (7) The owner or operator of any installed treatment system or hydromodification control shall provide the Director with information and physical access necessary to assess compliance with this chapter, with the city's NPDES permit, and with any writing establishing operation and maintenance responsibilities and shall pay the city an annual fee for inspection and maintenance services in accordance with the latest Master Fee Schedule adopted by the City Council. (O2014-15, 11/18/14)

29. NOTES - The following notes shall be shown on the improvement plans prior to approval of the plans. The Applicant and the construction contractor shall satisfy the requirements stated in the following notes. The Applicant's engineer shall include the following notes on the improvement plans prior to approval of the plans by the Public Works Department Development Engineering Division:

- a. No grading and/or excavation shall be performed except in accordance with the approved erosion control plan and schedule. The contractor shall have all erosion control measures on site during the course of the work and installed in accordance with the approved erosion control plan schedule.
- b. During the course of the Project construction (including non-working hours), the contractor is to provide appropriate signage, flashers, and barricades for open trenches that are approved by the Public Works Department Construction Division Inspector to warn oncoming motorists, bicyclists, and pedestrians of potential safety hazards.
- c. Any existing pedestrian access through and/or adjacent to the Project Site shall remain unobstructed during the Project construction or an alternate route shall be established as approved by the Police Chief and City Engineer.
- d. During the course of the Project construction, all project-related grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Napa Standard Specifications and Standard Plans.



- e. All construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.).
- f. Grading and construction equipment shall be shut down when not in use.
- g. For all construction activity, the contractor shall control dust in accordance with the requirements of the City of Napa Standard Specifications and Standard Plans (Section 1.10.08 - Dust Control); the National Pollution Discharge Elimination System requirements; and the California Department of Transportation Construction Manual (Chapter 4 – Construction Details – Section 4-1003C Dust Control). Use of any City of Napa water for this purpose shall be from a metered source that is approved by the City of Napa Water Division and shall be requested in writing by the Contractor.
- h. During the construction/demolition/renovation period of the Project, the contractor shall use the franchised garbage hauler for the service area in which the Project is located to remove all wastes generated during Project development, unless contractor transports Project waste. If the contractor transports the Project's waste, the contractor must use the appropriate landfill for the service area in which the Project is located.
- i. The contractor shall provide for the source separation of wood waste for recycling. The contractor shall use the franchised garbage hauler for the service area in which located for collection of such wood waste, unless the contractor transports such wood waste to a location where wood waste is recycled.

30. **WATER FACILITIES** - The following items related to water facilities shall be shown on the improvement plans or completed prior to approval of the plans. The Water Division shall review and approve these items:

- a. The size of all the existing water service(s) to the Site and adjacent parcel(s).
- b. The existing water main(s) and applicable tie-in locations, details, etc.
- c. The abandonment of any existing unused water service(s).
- d. Installation of a single water service for each lot with approved backflow devices.
- e. Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations.

- f. Installation of a sufficient number of water main valves at City-approved locations.
- g. Installation of a sufficient number of water quality monitoring/sampling stations at City-approved locations.
- h. Installation of appropriately sized water main(s) in the proposed public street and applicable tie-in locations, details, etc., including installation of 8" water main in Capitola Drive and 6" water main in the new public street.
- i. Approved backflow prevention devices shall be installed on all new and existing domestic, irrigation, and fire water services.
- j. The size and location of appropriately sized water services with backflow devices, surrounding utilities, etc.
- k. Record all private water easement(s) necessary to extend private service(s) behind the public water meter to the property served. \*\*Water service for 330 Silverado Trail.
- l. Install a minimum 4-inch diameter pipeline casing from meter box for 330 Silverado trail to northern property line of Lot 11.
- m. All existing service laterals to the Site shall be used prior to the installation of new services from the City water main.
- n. Any unused service shall be abandoned at the City water main.
- o. Identify and record all private water easement(s) necessary to extend private service(s) behind the public water meter to the property served.
- p. If existing services (including public hydrants) conflict with the proposed Project design, the conflicting services shall be abandoned at the main. If a public hydrant is removed due to a conflict with the Project plans, a new hydrant shall be installed at a location approved by both the City of Napa Water Division and Fire Prevention Division. Extending existing hydrant laterals to avoid conflicts shall not be permitted.
- q. Contact the City of Napa Fire Department to determine fire sprinkler requirements.

31. MISCELLANEOUS - The following items shall be shown on the improvement plans prior to approval of the improvement plans:

- a. The Applicant shall connect the Project to the Napa Sanitation District for sanitary sewer service. Sewer services shall be shown on the

improvement plans and shall be installed in accordance with Napa Sanitation District standards and reviewed and approved by the Napa Sanitation District.

- b. The proposed sewer line shall maintain vertical clearance from the bottom of the bioretention/detention facility and cased so that any repairs to the sewer facility can be made without disrupting the function of the bioretention/detention facility.
- c. Sanitary sewer easements (or deed restrictions requiring the reservation of easements upon property transfer) shall be established as determined by the Napa Sanitation District within "Parcel A" as shown on the plans. All sanitary sewer easements must be shown on the improvement plans.
- d. All curb frontage intended for no parking shall be painted red and posted with signs (R26F - No Stopping Fire Lane).
- e. Landscape fence details (i.e. connection to existing and or new retaining walls, etc.) shall be shown on the improvement plans and shall be submitted in the first improvement plan submittal. Fences shall be at a minimum 6-feet tall or match existing height.
- f. As designed and shown on the RSA+ plans, grading of the Site and/or construction of the landscape fence may impact improvements located on several adjacent properties. For each affected property, the Applicant shall provide details describing how grading and/or construction of the landscape fence will impact the existing improvements (fences, retaining walls, concrete curb, concrete gutter, DIs, etc.) on the affected property and how the Applicant will mitigate those impacts (e.g., remove the existing improvements with affected property owner's consent or construct around the improvements). If the Applicant is not successful obtaining rights of entry and/or easements from the neighboring property owner(s), the Applicant may construct the fences on the Applicant's property. Details showing fencing shall be incorporated in the improvement plans.
- g. In order to facilitate the access by and the turning movement of the trash/recycling/yard waste collection trucks in the cul-de-sac, the curbing in the cul-de-sac shall be painted red around the bulb. No parking will be allowed along the street in the bulb.
- h. This Project is subject to the requirements in NMC Chapter 5.6 Garbage Collection and Disposal regarding use of containers, sanitation of enclosure(s), etc.

- i. This Project is subject to City Ordinance O2010 18 which requires projects that; (a) exceed \$100,000 in building valuation; or (b) exceed 5,000 sq.ft. of new, improved, or remodeled areas; (c) exceed 5,000 sq.ft. of floor area to be demolished; to file a Waste Reduction and Recycling Plan (WRRP) with the building permit application. No building permit shall be issued for any project until the Compliance Official has approved the WRRP. The plan shall document that recyclable materials shall be site separated for recycling in order to meet the requirement of the City's construction and demolition debris ordinance - recycling mandatory recyclables and exceeding overall 50% diversion. Official weight receipts for each load shall be obtained. Within sixty (60) days of the final inspection, the Applicant shall submit documentation (weight tags for the project debris), signed and certified under penalty of perjury, to the Compliance Official that the diversion requirement for the project per the approved WRRP has been met. Sign-off from Materials Diversion for a certificate of occupancy shall not occur until the weight tag documentation is approved. Non-compliance with the plan and City requirements may result in a fine.
- j. The Applicant shall install all new utilities required to serve the Project underground including but not limited to water, sewer, electricity, gas, telecommunications, etc.
- k. The Applicant is responsible for all coordination with utility companies and the design of all utility service installations that are required to serve the Project, including utility layout, design and costs associated with any necessary facilities upgrades, revisions, relocations and/or extensions. The Applicant shall relocate and underground any overhead utilities that conflict with the new improvements.

32. PRIOR TO APPROVAL OF IMPROVEMENT PLANS - The Applicant shall submit documentation to the Public Works Development Engineering Division for review and approval that indicates that the following items have been addressed:

- a. Complete dedication of the Off-Site Property needed for the construction of the extension of Capitola Drive or enter into an agreement with the City for the City's acquisition of the Off-Site Property in accordance with Condition 27(c) above.
- b. The Applicant shall submit all required water capacity fees to the City's Development Engineering Division at 1600 First Street, Napa CA. 94559. No inspections or water service from the Water Division will be initiated until all connection fees for the Project have been paid.

- c. The Applicant shall pay off all current account balances based on the rate in effect at the time of the permit issuance.
- d. The Applicant shall pay a deposit for inspection fees for Public Improvements.
- e. Any work performed on neighboring properties shall be done in accordance with temporary construction easements from the impacted neighbor(s). The easements shall be obtained with copies submitted to the Public Works Development Engineering Division for review prior to the approval of the improvement plans.
- f. The Applicant shall furnish proof satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions prior to occupancy.
- g. The Applicant shall submit to the Public Works Department Development Engineering Division a Soils Investigation/Geotechnical Report in accordance with NMC Section 16.36.200 with the first improvement plan submittal. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to improvement plan approval. The geotechnical engineer shall also assume responsibility for inspection of the work and prior to acceptance of the work shall certify to the City that the work performed is adequate and complies with their recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of building plans in accordance with NMC Title 15.
- h. Establish an incorporated homeowner's association with recorded Codes, Covenants, & Restrictions (CC&R) that are satisfactory to the City Engineer to provide long-term maintenance of the Private Improvements identified above. Alternatively, the Applicant may establish an incorporated maintenance association and their attendant satisfactory CC&Rs to provide said long-term maintenance of the Private Improvements in lieu of a homeowner's association.
- i. Provide acknowledgement by the District Engineer that the design of the sanitary sewer system design is approved by the Napa Sanitation District.

33. SUBDIVISION MAP (FINAL MAP) - The Applicant shall submit the Final Map for review by the Public Works Department Development Engineering

Division and approval by the City Engineer. The form and approval of the Final Map shall meet the following requirements.

- a. Any right-of-way necessary to accommodate the Project public street improvements shall be dedicated to the City by the Applicant on the Final Map.
- b. The Final Map shall show easements for the public street, drainage facilities and/or utilities as required by the Public Works Director.
- c. The Applicant shall grant 10-foot wide public utility easements adjacent to the public street right-of-way. The easement shall be dedicated and shown on the Final Map and shown on the improvement plans.
- d. The Applicant shall create a minimum 20-feet wide public sanitary sewer easement across Parcel A as intended on the tentative map and subject to the review and approval of the Public Works Department.
- e. Private drainage easements shall be established for the drainage facilities shown on the improvement plans in accordance with Section 2.12, Drainage Easement," of the City of Napa Standard Specifications and Standard Plans. For pipes outside of the City right-of-way and less than 12 inches in diameter, a 10' wide minimum easement shall be provided. All private drainage easements must be shown on the improvement plans and shall be created by a separate instrument.
- f. The Applicant shall record CC&Rs and establish an incorporated homeowner's association or a maintenance association to provide long term maintenance, financing and monitoring for all shared private street improvements, private storm drains and the post construction storm water best management practices that are incorporated as part of the Project.
  - (1) The City Engineer and City Attorney must approve the substance and form of the CC&Rs and associated documents prior to the approval of the Final Map.
  - (2) The CC&Rs shall be recorded contemporaneously with the Final Map.
  - (3) The CC&R's and homeowners association must provide a detailed outline of responsible parties, inspections, maintenance procedures, the perpetual maintenance and replacement of the improvements, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.

(4) In addition, the CC&Rs and homeowners association must provide for appropriate provisions relating to enforcement options, the right of the City to access the Site to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The City of Napa shall either be a signatory to the CC&Rs or a third party beneficiary to the CC&Rs with the right but not the obligation to enforce the obligations and secure attorney's fees for legal counsel to enforce such obligations.

- g. Prior to approval of the Final Map, the Applicant shall either install all onsite and offsite improvements or work with the Public Works Department Development Engineering Division to execute the City's Standard Improvement Agreement, provide bonds and provide proof of workers compensation insurance and general liability insurance in the forms and amounts as required by the Risk Manager and City Attorney. Typically, \$1,000,000 general liability insurance is required.
- h. Prior to approval of the Final Map, the Applicant shall furnish the Public Works Department Development Engineering Division with proof of the payment of the mapping service fee as required by Napa County Board of Supervisors Resolution No. 92-119.
- i. The Applicant shall obtain approval from all parties owning an interest in any existing rights-of-way or easements within the subdivision, which are proposed to be changed, modified, or deleted. Deeds shall be recorded concurrently with the Final Map to reflect the proposed revision, modification or removal of any existing rights-of-way or easements. The deeds shall be submitted to the Public Works Department Development Engineering Division and shall be in forms approved by the City Attorney.

34. PRIOR TO COMMENCING ANY ACTIVITIES ON-SITE – Prior to commencing any ground disturbing activities on-site, the Applicant shall:

- a. Submit a copy of the Notice of Intent (NOI) for coverage under the State Water Resources Control Board's General Construction Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ).
- b. Conduct a pre-construction meeting with representatives of the City whereby the Applicant and their Contractor provides the following:

(1) (6) full-size bond copies of the approved Improvement Plans for the City's use.

(2) (1) job-site copy of the latest edition of the City of Napa Standard Specifications and Standard Plans for their use.

(3) (1) job-site copy of the approved SWPPP for their use.

35. **PRIOR TO ISSUANCE OF A BUILDING PERMIT** - Prior to issuance of the building permit for the Project the Applicant shall submit documentation to the Building Division for review and approval that indicates that the following items have been addressed:

a. The Applicant shall furnish proof satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions prior to issuance of a building permit. Submit any remaining water fees to the Water Division at 1700 Second Street, Suite 100, Napa, 94559.

b. **STREET IMPROVEMENT FEE** - In accordance with NMC Chapter 15.84 and implementing resolutions, the Applicant shall pay the Street Improvement Fee prior to issuance of any building permit for the Project. The fee is required to mitigate the cumulative impact of the traffic generated by the Project on the City's arterial and collector street system. Such fee shall be payable at the rate in effect at the time of payment. The findings set forth in the ordinance and implementing resolutions are incorporated herein. The City further finds that the calculation of the fees in accordance with the trip generation capacity of the Project demonstrates there is a reasonable relationship between the amount of the fees imposed and the cost of the street improvements attributable to this Project.

c. The Applicant shall pay Street Improvement Fees in accordance with the Master Schedule of City Fees, Fines and Charges.

	Land Use	Dwelling Unit (DU)	Street Component Rate	Utility Underground Rate	Street Component Fee	Utility Underground Fee
New Use	Single Family	20	\$2,465/DU	\$2,258/DU	\$49,300	\$45,160



	Detached Housing					
					\$49,300	\$45,160

- d. The above fee amounts are provided based on the current rates. City fee amounts are updated periodically. The Applicant shall pay the fees based on the rate in effect at the time of payment.
- e. City fee amounts are updated periodically. The Applicant shall pay the fees based on the rate in effect at the time of payment.

36. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OF THE FIRST UNIT - Prior to issuance of a certificate of occupancy for the first unit the Applicant shall submit documentation to the Building Division for review and approval that indicates that the following items have been completed as reviewed and approved by the Public Works Department Development Engineering Division:

- a. Construct all water improvements as shown on the approved improvement plans, the City of Napa Standard Specifications and Standard Plans and the special conditions listed above.
- b. Submit certification that all backflow devices have been installed and tested by an AWWA certified tester (a list of testers is provided by the City of Napa) to the City of Napa Water Division. The test results shall be submitted by the Applicant to the City of Napa Public Works Department Water Division.
- c. Submit a record drawing outlining as-built conditions of the completed water system improvements in both electronic and print copy formats.
- d. The Applicant shall complete the water demand mitigation requirements of this Project as specified by the City of Napa Water Division. The Applicant will be contacted by the City of Napa Water Division after obtaining a building permit specifying the requirements for the Project.
- e. Submit any remaining meter set and/or hot-tap fees to the Public Works Department Water Division at 1700 Second Street, Suite 100, Napa, 94559.
- f. The improvements identified on the Public Street Repair Plan shall be completed.
- g. All road surfaces shall be restored to pre-Project conditions after completion of any Project-related pipeline installation activities.

- h. The Applicant shall replace any damaged curb and gutter along street frontages in accordance with Public Works Department Standard Specifications prior to occupancy.
- i. All onsite and offsite improvements shall be installed to the satisfaction of the City Engineer prior to occupancy.
- j. Submit an inspector's punch list indicating that all of the "Public & Private Improvements" are constructed to the satisfaction of the City Engineer.
- k. Submit a certification by the Geotechnical Engineer of Record that all the work has been completed in substantial conformance with the recommendations in Soils Investigation/Geotechnical Report.
- l. Submit a certification by the Engineer of Record that all work has been completed in substantial conformance with the approved Improvement Plans and Stormwater Control Plan.
- m. The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the Stormwater Control Plan and include the contractors and engineer of records signature verifying all post-construction BMPs have been installed and inspected as designed per the approved plans. A copy of the form may be requested from the Public Works Development Engineering Division – Stormwater Program.
- n. Identify all on-site post-construction stormwater quality BMPs and along the project frontage with the appropriate street address (addresses to be provided by City) and GIS coordinates.
- o. Prior to Final Stormwater Sign off, all disturbed areas shall be installed with final permanent stabilization measures to insure no sediment laden water discharges from the Site.
- p. Installation of street paving by the Applicant shall be completed and shall include reconstruction of the existing pavement section as required to provide adequate conforms. The limits of such reconstruction shall be reviewed by the Public Works Development Engineering Division and approved by the City Engineer as part of the construction plan review. Any necessary pavement conforms shall be installed prior to occupancy.
- q. The Applicant shall replace any damaged curb and gutter along street frontages in accordance with Public Works Department Standard Specifications prior to occupancy.

- r. Within sixty (60) days of the final inspection, the Applicant shall submit documentation (weight tags for the project debris), signed and certified under penalty of perjury, to the Compliance Official that the diversion requirement for the Project per the approved WRRP has been met. Sign-off from Materials Diversion for a certificate of occupancy shall not occur until the weight tag documentation is approved. Non-compliance with the plan and City requirements may result in a fine.
- s. The Applicant shall submit to the Public Works Department Development Engineering Division all improvement plans in digital auto-cad format, compatible with the City's current version, and tied to the City's coordinate system for all storm drain facilities, water lines, lot lines, sanitary sewer lines, sidewalks and streets. Auto-cad files shall be updated for as-built information and submitted to and approved as complete by the Public Works Department Development Engineering Division prior to occupancy.

#### FIRE PREVENTION DIVISION:

37. In accordance with the standard mitigation measures and conditions of approval set forth by the City of Napa, the Applicant shall pay the Fire Impact Fees (see current Standard Fees and Charges adopted by resolution), prior to the issuance of any building permits.

38. New buildings and additions to existing buildings shall conform to requirements set forth in NMC Chapter 15.04 and Nationally Recognized Standards.

39. There shall be no deferred submittals for fire protection equipment and related utilities. Fire protection plans shall not be attached to or bound with the building plan submittal package. This includes but is not limited to Automatic Fire Sprinkler, Fire Alarm, Fixed Fire Protection and Civil plans.

40. All Fire related underground piping and fire appurtenances shall be shown on the Civil plan submittal. In addition to the Civil plan submittal, (3) plan sets under separate cover shall be submitted detailing all underground piping and related fire appurtenances including but not limited to underground piping, underground sweep detail, underground trench details showing depth of burial, type of backfill, manufacturer's specifications of piping, valves joints, fittings and calculated size and locations of thrust blocks, hydrants locations (designate public or private), gate shut-off valves, PIV's, FDC's, fire pumps, fire pump and/or riser rooms.

41. Underground utility contractor, architect and fire sprinkler contractor shall coordinate the location of risers and control valves prior to the issuance of a building permit.

42. Fire Department plan review shall be based on the information submitted at the time of permit application. Any changes to the approved/permitted scope of work including additions, alterations, demolition, repair or a change in occupancy/use may impact the Project requirements, including but not limited to the installation of additional fire protection systems or components.

43. An approved water supply capable of supplying the required fire flow for fire protection systems shall be provided to all premises upon which facilities or buildings are hereby constructed or moved into or within the City. Required fire flow and hydrant distribution shall be in accordance with Appendix B and C of the California Fire Code.

44. Fire Protection systems shall be installed in accordance with provisions set forth in NMC Chapter 15.04 and the applicable National Fire Protection Association Standard.

45. The fire protection equipment shall be located within an interior room having an approved exterior access door or in an exterior enclosure attached to the building, specifically, for the purpose of housing such equipment. Residential fire protection equipment (risers) shall be located within an interior wall (typically in the garage) having an interior access door attached to the building, specifically for the purpose of housing such equipment.

46. Prior to building permit issuance, provide a fire department circulation plan using the City's ladder truck and demonstrate clear turning movements into and out of the project. The final design of fire department access components shall be reviewed and approved by the Fire Marshal prior to installation.

47. Fire Apparatus Access Roads shall be designed in accordance with provisions set forth in the California Fire Code Chapter 5 and Appendix D, NMC Chapter 15.04 and the applicable Public Works Standard.

48. Fire apparatus access roads shall have an unobstructed minimum width of 20 feet (curb to curb) and a minimum unobstructed vertical clearance of 13' 6". They shall have an all-weather paved surface capable of supporting a GVW of 71,000 pounds.

49. Access roads shall be completed with all-weather surfaces prior to the stockpiling of combustible materials or beginning combustible construction. Fire apparatus access shall be provided to within 150 feet of the most remote portions of all building from an approved exterior route. If this cannot be achieved fire apparatus turn arounds will be needed.

50. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Vertical traffic calming in the form of speed bumps, humps or dips are prohibited along fire access roads without prior approval of the fire Code Official. The minimum width and clearances established in California Fire Code Section 503.2.1 shall be maintained at all times.

51. When required by the Fire Chief, fire apparatus access roads shall be designated as Fire Lanes and appropriate signs and/or markings installed in accordance with the California Vehicle Code and approved City standards.

52. Where applicable, improvement plan submittals for permits shall include locations of fire lane red curbing and fire lane signage. Please refer to and include City Public Works Standard FP-2A & 2B with plan submittals for permitting.

53. When fire sprinkler systems are required in buildings of undetermined use, they shall be designed and installed to have a sprinkler density of not less than that required for an Extra Hazard Group II use with a minimum design area of 2,500 square feet.

54. The City of Napa requires that a fire hydrant be in service within 250 feet of the furthest point of construction prior to the stockpiling of combustible materials for the beginning of construction.

55. Fire Department Connections (FDC) shall be located not more than 100 ft. from the nearest fire hydrant.

56. Improvement Plans submitted for permit shall include City of Napa Fire Department "Underground" standards, detail drawings and the applicable City of Napa Public Works Standard detail (W-7A, B, C or D) for Fire Service double detector check installations.

#### BUILDING DIVISION:

57. As a condition of this Planning approval and prior to Building permit issuance, the Applicant shall provide to the Building Division the following at time of Building Permit application: Note: The list below may not be a complete list.

- a) A completed Building Permit application.
- b) 7 complete sets of plans for construction for review and approval.
- c) Building, Planning and Fire Prevention plan review fees are due at time of building permit application, all other building permit, Public Works plan review, and all impact fees are due at time of building permit issuance.
- d) Energy Compliance documentation for review and approval.
- e) Waste Reduction and Recycling Program form for review and approval.
- f) A Geotechnical Soils investigation report may be required for this Project.
- g) Fire sprinklers may be required for this Project. Note: When fire sprinklers and/or fire alarm systems are required, plans shall be submitted under separate cover.

Verification of the following shall be required prior to Building permit issuance if applicable:

- 1) City of Napa Water Connection fee, (707) 257-9521.

- 2) Napa Sanitation District approval, (707) 258-6000.
- 3) Napa Valley Unified School District (must show proof of payment from NVUSD), (707) 253-3549.
- 4) Public Works Encroachment and/or Grading permit may be required, (707) 257-9520.
- 5) Napa County Environmental Health Department approval may be required for this Project, (707) 253-6052.
- 6) Bay Area Air Quality Management District approval may be required for this project if any buildings are required to be demolished. Note: An approval letter from BAAQMD would be required prior to permit issuance, (707) 749-4762.

## NAPA SANITATION DISTRICT

58. Prior to issuance of a building permit, the Applicant shall provide written clearance from the Engineering Division of the Napa Sanitation District confirming that the Applicant has complied with all Napa Sanitation District requirements applicable to the Project. The Napa Sanitation District has described the applicable requirements in a letter to the Planning Division dated November 14, 2019, attached hereto and incorporated herein as Exhibit A.

## CITY GENERAL CONDITIONS

59. The plans submitted for improvement plan review and Building Permit review shall include a written analysis specifying how each of the conditions of approval have been addressed or incorporated into either the improvement plan set or building plan set.

60. Unless otherwise specifically provided in this resolution, each condition of this approval shall be satisfied prior to the first to occur of: (a) approval of a final map (if this resolution includes the approval of a tentative subdivision map or tentative parcel map), (b) issuance of a building permit, or (c) commencement of any use of land that is authorized by this resolution. An improvement agreement between the City and the Applicant (and landowner, if different) that obligates the Applicant to complete specified conditions of approval will be deemed to be a satisfaction of those specified conditions if: (i) the agreement is accompanied by required security for faithful performance and labor and materials, and (ii) the agreement is approved as to substance by the City Engineer, and approved as to form by the City Attorney.

61. No use authorized by this permit may commence until after the Applicant executes any and all required permit agreements.

62. Applicant shall pay all applicable fees and charges at the required time and at the rate in effect at time of payment (amounts of payments shall be in accordance with the City's Master Fee Schedule; see individual departments regarding the timing of fee payment requirements; it is the Applicant's responsibility to confirm the amounts of and timing for all required fee payments).

63. Applicant shall design and construct all improvements and facilities shown on any approved tentative map, site plan, plans and specifications, and other documents submitted to and approved by City, to comply with the General Plan, any applicable Specific Plan, the NMC, City Ordinances and resolutions, and the "Standard Specifications" of the Public Works and Fire Departments, as well as any approved tentative Map, site plan, plans and specifications, and other documents approved by City.

64. The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred.

65. To the full extent permitted by law, the Applicant shall indemnify, defend, release and hold City, its agents, officers, and employees harmless from and against any claims, suits, liabilities, actions, damages, penalties or causes of action by any person, including Applicant, for any injury (including death) or damage to person or property or to set aside, attack, void or annul any actions of City, its agents, officers and employees, from any cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the applications for the subject property; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation or operation of project improvements and regardless whether the actions or omissions are alleged to be caused by City or Applicant so long as City promptly notifies Applicant of any such claim, etc., and the City cooperates in the defense of same.

66. If the Applicant is not the owner of the subject property, all agreements required to be executed by the City must be executed by the Owner(s) as well as the Applicant.

67. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions (and mitigations) constitute written notice of the statement of the amount of such fees and a description of the dedications, reservations, and other exactions. You are hereby notified that the 90-day period in which you may protest those fees, the amount of which has been identified herein, dedications, reservations and other exactions have begun. If you fail to file a protest complying with all the requirements of Section 66020, you will be legally barred from later challenging such exaction.

68. Violation of any term, condition, mitigation measure or project description relating to these approvals is unlawful, prohibited and a violation of the Napa Municipal Code and can result in revocation or modification of any one or all of these approvals and/or the institution of civil and/or criminal enforcement and/or abatement proceedings.

The requirements and revocation procedures for these approvals are set forth in Titles 16 and 17 of the Napa Municipal Code.

69. Project approval would not have been granted but for the applicability and validity of each and every one of the specified mitigations and conditions, and if any one or more of such conditions and mitigations is found to be invalid by a court of law, this project approval would not have been granted without requiring other valid conditions and/or mitigations consistent with achieving the purpose and intent of such approval.

70. The Planning Manager is authorized to determine whether the Applicant is in compliance with the conditions and requirements of these approvals.

71. All construction and construction-related activities shall comply with the requirements of NMC Section 8.08.025.

Section 6. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 21st day of January 2020, by the following vote:

AYES: Alessio, Gentry, Sedgley, Techel

NOES: None

ABSENT: None

RECUSED: Lueros

ABSTAIN: None

ATTEST:



Tiffany Carranza  
City Clerk

Approved as to form:



Michael W. Barrett  
City Attorney