

**COUNTY of NAPA**  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

STEVEN LEDERER  
Director

CHRISTINE M. SECHELI, R.E.H.S.  
Assistant Director

**TO:** Napa County Planning Department  
Hillary Gitelman, Planning Director

**FROM:** Napa County Environmental Management Department  
Christine Secheli, R.E.H.S., Assistant Director

**SUBJECT:** Use Permit, Parcel Map Application for Busby Industrial Condo's  
Located at Sheehy Court  
Assessor Parcel #059-250-009  
File # P08-00221-UP and P08-00222-PM

**DATE:** May 5, 2008

**RECEIVED**

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DEVELOPMENT & PLANNING DEPT.

We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. Pursuant to Chapter 6.5 & 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall file a Hazardous Waste Generator Application and/or Hazardous Materials Business Plan with the Department of Environmental Management within 30 days of said activities. All businesses must submit the required Business Activities Form which can be obtained from the Department of Environmental Management
2. All waste water lines of the proposed development must be connected to the Napa Sanitation District.
3. The proposed parcel(s) must be connected to the City of American Canyon water system.
4. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site.
5. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

6. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

cc: Sean Trippi, CDPD  
Doug Calhoun, Environmental Health Supervisor  
David J. Busby, Busby Enterprises, Inc., 455 Technology Way, Napa, CA 94558

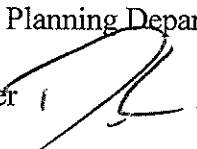
# PUBLIC WORKS DEPARTMENT INTER-OFFICE MEMO



A Tradition of Stewardship  
A Commitment to Service

**DATE:** June 30<sup>th</sup>, 2008  
Revision, Sept 19<sup>th</sup>, 2008

**TO:** Conservation Development and Planning Department

**FROM:** Drew Lander, Assistant Engineer 

**SUBJECT:** Busby Industrial Condos, APN# 057-250-037, File #P08-00221UP/P08-00222PM

The application will allow the applicant to construct 27,677 sqft of light industrial buildings that will be subdivided into industrial condo units. Application proposes 2 new driveway access points on Sheehy Ct. and 1 on Devlin Road with 62 new parking spaces.

## EXISTING CONDITIONS:

1. Proposed project site is within the Airport Industrial Specific Plan boundaries.
2. Site is currently an undeveloped grassy field that is less than 5% slope and bordered on the South by Sheehy Creek.
3. No encroachments, driveways or parking areas exist.
4. Both Devlin Road and Sheehy Court have been built to the Airport Specific plan roadway design widths and finished with curb and gutter.

## RECOMMENDED CONDITIONS:

### GROUNDWATER

1. The applicant has submitted a will serve letter from the City of American Canyon for water service dated April 24<sup>th</sup>, 2008. No on site wells will used to serve this parcel. No further analysis is necessary.
2. *The Applicant must comply with all associated requirements and exhibits relating to water conditions to be imposed on all parcels as described in Napa County Agreement No. 7070, between the County of Napa and the City of American Canyon. This agreement and all its parts shall be effective as of July 3<sup>rd</sup>, 2008. (See Attached Exhibits E,F,G,H)*

### **NEW DRIVEWAY:**

3. Access drive shall be a minimum of 18 feet wide with 2 feet of shoulder. Structural section shall be a minimum two inches of asphalt concrete surface over five inches of Class II Aggregate or equivalent. (County Road and Street Standards, Page 9, Par. 12)
4. The applicant must obtain an encroachment permit prior to beginning any work or improvements within the Napa County Right-of-Way.

### **PARKING:**

5. Any parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of two inches of asphalt concrete over 5 inches of Class II Aggregate or equivalent. (County Road and Street Standards, Page 27, Section 19).
6. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

### **SITE IMPROVEMENTS:**

7. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.
8. The site plans indicate that the construction activity will result in disturbance of greater than one acre of total land area. Therefore, the permittee will be required to obtain coverage in accordance with Napa County's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ) issued by the Regional Water Quality Control Board (SRWQCB). To achieve this, the permittee shall file a Notice of Intent with the SRWQCB prior to any grading or construction activity. Construction activity subject to this permit includes but is not limited to clearing, grading and disturbances to the ground such as stockpiling, or excavation
9. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters

is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

10. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP must list Best Management Practices (BMPs) the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Section A of the Construction General Permit describes the elements that must be contained in a SWPPP
11. Improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office. Improvement plans and the related SWPPP shall be submitted with the building permit. A plan check fee will apply.
12. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
13. Any necessary grading or storm drainage improvements shall conform to the latest "Napa County Road and Street Standards".
14. On site grading shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties.

#### **AIRPORT SPECIFIC CONDITIONS**

15. Applicant will pay the applicable Napa County Airport Road Improvement and Development Fees prior to receiving any building permits for this project. The applicant should contact this office to obtain information regarding the determination of this fee.
16. All Public Works related improvements shall conform to the latest Napa County Road and Street Standards and the latest Napa County Airport Area Specific Plan.
17. The driveway on Sheehy Court near the intersection of Devlin Road must meet the minimum distance of 200 feet from an intersection. The Napa County Airport Area Specific Plan on page 120, "b. Direct Access Limitations" states that "Private driveways along collectors should be separated by a minimum distance of 200 feet and should not be

permitted within 200 feet of an intersection". The proposed driveway should be moved so that the edge of driveway is not less than 200 feet from the curb return.

**OTHER RECOMMENDATIONS:**

18. A Final/Parcel Map is to be submitted to the Department of Public Works for review and approval by the County Surveyor. The applicant is to pay the map checking fee as established by resolution of the Napa County Board of Supervisors in effect at the time of submittal of the map.
19. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Drew Lander or Nathan Galambos at 253-4351. For groundwater questions, please contact Anna Maria Martinez.

## EXHIBIT E

### Water Conditions To Be Imposed On All Parcels (City Customers and Outside Customers) For Which New Water Service is Requested

The City of American Canyon ("City") may impose the conditions listed below on new water services for Outside Customers by including these conditions in the "will-serve" letters that the City provides to such Outside Customers, but only if the City also imposes the same conditions on all new water services for parcels with similar uses within the City's limits. The County shall include these same conditions in all new land use development permits for parcels within the Airport Industrial Area Specific Plan area.

1. **City Capacity Fees and Conditions of Approval for Water Service.** Capacity Fees charged for parcels within the City's Water Service Area shall be established by the City and will be periodically reviewed and updated. Capacity Fees (also known as Connection Fees) will be uniform throughout the Water Service Area, regardless of whether the parcel to which the fee applies is inside or outside the City's Limits. The Capacity Fee and any conditions on new water service will be determined based on the Water Supply Report, which shall contain the analysis described in Part II.C. of Exhibit "F" of this Agreement, and which will be consistent with the City's Zero Water Footprint Policy, adopted by the City on October 23, 2007.
2. **Cost of Water Service.** The cost of new water service shall be imposed through the capacity fees in the City's Ordinance 2007-09 or through new capacity fees approved by the County and enacted in a new City ordinance. However, if the Water Supply Report finds, consistent with the City's Zero Water Footprint Policy (see Exhibit F), that the City will have to obtain additional water supplies to meet "dry year" shortfalls, then the cost of water to meet such "dry year" shortfalls will be the sole responsibility of the Applicant. In determining whether or not such "dry year" shortfalls will occur, the City shall include in the base supplies available to the City during "dry years" the new water supplies that have been or will be included in the calculations used to set the City's Capacity Fees and water rates. The City will conclude that "dry year" shortfalls will occur only if such base supplies will not be adequate to meet anticipated "dry year" demands. The City may not impose any costs on the Applicant under this section to reimburse the City for any capital or operating costs that have been or will be included in the calculations used to set the City's Capacity Fees or water rates. The City may impose the additional costs described in the preceding sentence on Outside Customers only if the City also imposes such additional costs uniformly on City Customers.
3. **Maximum Allowable Water Use.** Water received from the City for use on parcels within the Airport Industrial Area Specific Plan area and on parcels with similar uses within the City's limits shall be limited to an average of 650 gallons of water per day per acre (measured monthly), and Applicants for new or increased City water service for all such parcels shall be required to demonstrate to the City while the City is preparing the Water Supply Report for the Applicant the maximum extent to which the Applicant can further reduce its water consumption by applying the following best management practices:

- **No Flow or Low Flow Fixtures.** These Applicants shall be required to install no flow or low flow water fixtures, and to implement other reasonable water conservation measures that are described in the City's Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.
- **Drought Tolerant Landscape & Irrigation with Recycled Water.** These Applicants shall be required to use only drought tolerant landscaping, and they may only irrigate landscaped areas with recycled water, when it is available.
- **Purple Pipe.** These Applicants shall be required to dual plumb their buildings and install "purple pipe" in all landscape areas in anticipation of the availability of recycled water and shall use the recycled water when available.
- These Applicants shall follow the water conservation methods that are described in the Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.

The City may apply the provisions of this Paragraph 3 to Applicants for new or increased City water service for parcels within the Airport Industrial Area Specific Plan area only if the City also uniformly applies these provisions to all Applicants for new or increased City water service for parcels with similar uses within the City's limits.

4. **Water Offsets.** Applicants for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits that wish to use more than an average of 650 gallons of water per day per acre (measured monthly) shall offset the proposed water use over 650 gallons per day per acre (measured monthly) through the use of one or more options that are made available by the City to the Applicants. These options include, but are not limited to, retrofitting of existing residences with low flow fixtures, purchase of otherwise developable land as permanent open space, or acquisition of other water supply resources as provided for by a water supply analysis that follows the Zero Water Footprint Methodology described in Exhibit F. The City shall make all such options available uniformly to Applicant for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits, and that seek such offsets.

5. **Drought Restrictions.** To the extent permitted by law, the City may curtail or ration the use of water provided by the City below the limit of 650 gallons per day per acre (measured monthly) in dry years through the imposition of drought restrictions that are uniformly applied throughout the City's Water Service Area.



## EXHIBIT F

### Zero Water Footprint and Water Supply Report Methodology

#### I. PURPOSE

To implement the Zero Water Footprint Policy adopted by the City Council on October 23, 2007. In this policy, "Zero Water Footprint" is defined as:

"No loss in reliability or increase in water rates for existing water service customers due to requested increased demand for water within the City's Water Service Area."

#### II. PROCEDURES

- A) **Initial Request.** Applicants for all projects requiring additional water supplies from the City of American Canyon, either inside City limits or in the City's Water Service Area but outside of City limits, shall complete a water supply worksheet estimating average and peak use for indoor and outdoor uses and provide the completed worksheet to the City's Engineering Division.
- B) **Evaluation of Water Footprint.** The Engineering Division shall evaluate the water footprint of the project, using the water supply worksheet provided by the Applicant, to determine whether a Water Supply Report is required. A Water Supply Report will not be required if the project meets the adopted Zero Water Footprint definition. This can be accomplished by projects with no additional water demand or by projects which offset increased water demand by off-site conservation measures.
- C) **Water Supply Report.** A Water Supply Report shall be prepared for all projects that do not meet the adopted Zero Water Footprint definition. The Water Supply Report shall be prepared by the City of American Canyon at the cost of the project applicant. The Water Supply Report shall be substantially in the form of the report approved in the City's Resolution No. 2008-02, or in a new form approved by the County and approved by the City in a new resolution and shall include the following analysis:
  - 1) Water service request
    - a) Description of project
    - b) Water service request
      - (i) Average Daily Demand
      - (ii) Peak Day Demand
    - c) Conservation Measures Included in Project
  - 2) Consistency
    - a) Urban Water Management Plan
    - b) Recycled Water Facilities Plan
    - c) Water Conservation Implementation Guidelines
  - 3) Water footprint
    - a) Zero Water Footprint Definition
    - b) Project's impact on reliability
    - c) Project's impact on rates

- d) Project's water footprint
- 4) Project's contribution
  - a) Capacity fee
  - b) Reimbursable improvements
- 5) Capital program status
  - a) Summary
  - b) System planning status
  - c) Water supply
    - (i) Water supply implementation status
    - (ii) Water supply alternatives
  - d) Water treatment
    - (i) Water treatment implementation status
    - (ii) Water treatment alternatives
  - e) Water storage, transmission, and distribution status
  - f) Water capital program financial status
- 6) Vineyards analysis
  - a) Vineyards decision
  - b) Facts with respect to solutions to water supply problems
  - c) Water supply over the life of the project
  - d) Impacts of likely future water sources
  - e) Possible replacement sources and their impacts
- 7) Recommended mitigations
  - a) Long term water mitigations
  - b) Short term water mitigations
- 8) Opportunities to reduce project's water footprint
  - a) On-site conservation opportunities
  - b) Off-site conservation opportunities

**D) Applicant Review of Water Supply Report.** The Water Supply Report, once approved by the City, will be furnished to the project applicant. If the applicant elects to revise the project to reduce the water footprint, the Water Supply Report may be revised at the applicant's cost.

**E) Water Will Serve Letter.** Water will-serve letters are required for projects outside of the Napa Valley Gateway project limits that are requesting increased water services from the City. The Napa Valley Gateway project is subject to the terms and conditions of a will-serve letter for the entire project agreed upon between the City of American Canyon and Charles Slutzkin of Napa Valley Gateway Limited in a will-serve letter agreement dated December 13, 2002. So long as the terms and conditions of that will-serve letter agreement are complied with, developments of parcels within the Napa Valley Gateway project limits will not require any Water Supply Report or additional will-serve letters.

## EXHIBIT G

### Appeal Procedure: Zero Water Footprint Methodology

1.     **Grounds for Appeal- Conditions of Approval.** If the water service application is for a parcel outside the City's limits, then the City shall, within 30 days of receipt of such application, provide to the Applicant and the County any conditions of approval that the City proposes to impose on the parcel at least 90 days before imposing the conditions of approval.

Conditions of approval that result from the Water Supply Report and that the City proposes to include in a water service will-serve letter that will be issued by the City for a parcel outside of the City's limits may be appealed by an Applicant under the process described in Section 3 below.

2.     **Exceptions:** An appeal may not challenge water rates imposed by the City that are consistent with *Hansen v. City of San Buenaventura* (1986) 42 Cal.3d 1172, and the City's Ordinance 2007-13. An appeal also may not challenge Capacity Fees that are set pursuant to the City's Ordinance 2007-09, or new capacity fees approved by the County and enacted in a new City ordinance.

3.     **Appeal Process and Appeal Panel.** An appeal of water service conditions of approval that the City proposes for a parcel outside the City's limits may be filed within ninety (90) days after the proposed conditions are forwarded to the Applicant and the County for inclusion in a development permit. The appeal will be heard by the panel described in the following paragraph, and this panel will determine whether any of the conditions under appeal is inconsistent with any provision of this Agreement.

The Appeal Panel will be made up of one member selected by the County Executive Officer, one member selected by the City Manager and one member selected by the two appointed members. If the two appointed members cannot agree on the third member, the name of each candidate shall be placed in a hat to be drawn for selection. The decision of the Appeal Panel will be final, but subject to judicial review pursuant to Code of Civil Procedure section 1094.5. The reasonable cost of the Appeal Panel shall be borne by the Applicant.





HILLARY GITELMAN  
Director

FILE #: P08-00221-UP  
P08-00222-FM

# COUNTY of NAPA

CONSERVATION, DEVELOPMENT AND PLANNING

## PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: BUILDING INSPECTION DIVISION

APPLICATION TITLE: Busby Industrial Condo's APN: 57-250-037

DESCRIPTION OF PROJECT: New 27,677 sq light industrial building  
that will be subdivided into 10 industrial condo units.  
Two new driveways on Sheehy Ct. 62 parking spaces  
Southwest corner of Devlin Rd and Sheehy Ct.

RESPONSE REQUEST DATE: 4/25/08 RESPONSE RETURN DATE: 5/9/08

PLEASE RESPOND VIA E-MAIL TO: strippi @co.napa.ca.us  
OR FAX TO (707) 299- 4235

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

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

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

See printout attached of comments in Access.

Name of contact person: Eric Banvard Telephone #: 299-1359

Email: ebanvard@co.napa.ca.us  
Title: Plans & Permit Supervisor  
Date: 9.15.08



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## Workflow

Application #:

Application Type: Planning / PL Permits / Use Permit / Use Permit General

Address: 999 TEMP ADDRESS, NAPA, CA 94558

- ✓ Application Acceptance
- Environmental Review
- Public Works Review
- ✓ Fire Review
- ✓ EM Review
- County Council Review
- Planning Review
- ✓ Building Review
  - Planning Approval
  - Closure

### Task Details - Building Review

**Assigned Date:** 03/26/2008      **Due Date:**  
**Assigned To:**      **Department:** Building Department  
**Current Status:** Approved      **Status Date:** 09/15/2008  
**Action By:** Eric Banvard      **Department:** Building Department  
**Status Comment:**  
 Prior to any construction work applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B; submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits.

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## Workflow

Application #:

P08-00222

Submit

Application Type:

Planning / PL Permits / Land Division And Mergers / Tentative Parcel Map

Address:

999 TEMP ADDRESS, NAPA, CA 94558

- ✓ Application Acceptance
- Environmental Review
- Public Works Review
- ✓ Fire Review
- ✓ EM Review
- County Council Review
- Planning Review
- ✓ Building Review
- Planning Approval
- Closure

Task Activation

### Task Details - Building Review

Assigned Date: 03/26/2008

Due Date:

Assigned To:

Department: Building Department

Current Status: Approved

Status Date: 09/15/2008

Action By: Eric Banvard

Department: Building Department

#### Status Comment:

Prior to any construction work applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B; submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits.

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# INTER-OFFICE MEMO

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TO: Conservation, Development, and Planning Department

FROM: Brian Hampton, Fire Department

DATE: May 16, 2008

SUBJECT: Busby Industrial Condo's- Use Permit Comments  
Apn: 057-250-037 P08-00221UP & PM-222

**Site Address: Sheey Ct/Devlin Rd, Napa**

The Napa County Fire Marshal staff has reviewed the Use Permit application to construct a new 27,000 industrial building. We recommend the following items be incorporated as project conditions or mitigation measures if the project is approved.

1. **All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at the time of building permit issuance.**
2. An approved automatic fire sprinkler system shall be provided for the proposed project where the total fire area is **3,600** square feet or greater, as required by the Napa County Fire Code. The fire sprinkler system shall be installed and maintained in accordance to the *National Fire Protection Standard #13 (Installation of Sprinkler System, 2002 edition)*.
3. The minimum required fire flow for the protection of the proposed project is 1,750 gallons per minute for 2 hour duration at 20 pounds residual water pressure.
4. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 2002 edition)*. Fire pumps are required to be either diesel driven or electric. Electric fire pumps will also require a generator as a secondary source of power.
5. The private fire service mains shall be installed and maintained in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 2002 edition)*. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2007 edition*.
6. All post indicator valves, control valves, waterflow devices shall be monitored by an approved remote station or central alarm monitoring company. Digital alarm communicator system panel shall be installed and maintained accordance with the *National Fire Protection*



*Standard #72 (Fire Alarm Code, 2002 edition).*

7. Fire apparatus access roads shall be provided to within 250 feet of all exterior portions of the structure.
8. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
9. The request for beneficial occupancy **will not** be considered until all fire and life safety issues have been installed, tested and finalized.
10. A defensible space zone shall be created around all structures. This defensible space zone shall be 100' from all portions of a structure. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
11. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code 2007 edition. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.
12. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
13. The approved address numbers shall be placed on each building by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 4" in height, contrasting in color with their background and shall be illuminated.
14. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
15. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red

with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.

16. A Knox box or a Knox Cabinet shall be installed at approved location by the Napa County Fire Marshal's Office. Since the building will require a fire alarm system the box/cabinet will require "tamper" monitoring.

The Knox rapid entry system shall have one or all of the following items placed in the Knox cabinet, dependent on requirements of this facility:

- a. A minimum of 2 master keys to the structure(s) for emergency access.
  - b. 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
  - c. 2 scaled floor plans of all structures showing doors, offices, etc.
  - d. **A digital file of the site plans in a PDF format must be submitted at building final in addition to the hard copies listed above.**
  - e. Napa County Hazardous Materials Business including all MSDS forms, etc.
17. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
  18. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
  19. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.
  20. Technical assistance in the form of a fire protection engineer or consultant acceptable and reporting directly to the Napa County Fire Marshal's Office shall be provided by the applicant at no charge to the county ( California Fire Code section 103.1.1 ) for the following circumstances:
    - A. Independent peer review of alternate methods proposals and/or plan review.

Brian Hampton  
Fire Prevention Specialist II

# CITY OF AMERICAN CANYON

## Public Works Department

April 24, 2008

*Gateway to the Napa Valley*



Hilary Gitelman  
Napa County Planning Department  
1195 Third Street, Room 210  
Napa, CA 94559

**RECEIVED**

**APR 28 2008**

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

SUBJECT: March 28, Request for Water Service "Will Serve" Letter  
Napa County APN 057-250-037  
Lot 1 NVG Unit 3 Phase 6

Dear Ms. Gitelman:

The City of American Canyon ("City") has received a request from Mr. David Busby ("the Applicant") for a "Will Serve" letter for improvements and use as described below related to the proposed improvement of real property located on Sheehy Court at Napa County Assessor's Parcel Number 057-250-037 ("the Property"). The request is subject to both City and State legal requirements as detailed below.

At the May 6, 2000, City Council meeting, the City of American Canyon adopted Ordinance No. 2000-04, which revised the City's "Will Serve" policy for development outside the City's Urban Limit Line but inside its Water Service Area. Under City Ordinance No. 2000-04, the City is required to impose certain conditions and exactions prior to receiving water service for the above parcel. On October 23, 2007, the City Council of the City of American Canyon adopted a Zero Water Footprint Policy, further defining its water policy. The City's understanding of the development of this property is based on the representations of the Applicant in a communication dated March 28, 2008 from Mr. David Busby which states that the proposed development and use of the Property is warehouse, office and light industrial space.

The Applicant is proposing to develop a project which consists of a 27,677 square foot industrial condominium project on approximately 2.40 acres. The following table outlines the anticipated water usage at the proposed development.

The use and water use are as follows:

Warehouse:	27,677 square feet
Total lot acreage:	2.40 acres

Maximum Daily Water Demand in gallons per day:

Irrigation:	0 gpd
Industrial:	1,560 gpd
Combined peak daily water usage:	1,560 gpd

Annual Average Daily Water Demand in gallons per day:

Irrigation:	0 gpd
Industrial:	1,560 gpd
Combined peak daily water usage:	1,560 gpd

City records as of the date of this letter indicate 146,254 gpd are being used by existing projects or have been allocated to permitted development projects within Napa Valley Gateway. Adding this request, results in 147,814 gpd being used by existing projects or allocated to permitted development projects within Napa Valley Gateway. The 147,814 is less than the cap of 191,100 gpd agreed upon between the City of American Canyon and Mr. Charles Slutzkin of Napa Valley Gateway Development on December 13, 2002.

#### City Review

The City review of the proposed development is required as described previously, as well as established by City procedures which are meant to ensure that Will Serve Letters are only issued based on assumed water and sewer demands for specified allowed densities of development, taking into account the overall demand for water and the overall demand for effluent discharge within the City's system.

The City will provide the level of water service requested by the Applicant, subject to the following conditions and/or the continued existence of the following described conditions:

1. Applicant shall be subject to the City's rules and regulations in force at the time application for service for the authorized and described development is made, including all fees and charges, unless otherwise agreed in writing.
2. Applicant shall construct all facilities required to serve the development property which shall be determined by the City based on the authorized and described development. Applicant shall bear 100% of the costs of the facilities required to serve the development property, subject to review and approval of the City's Public Works Department. Applicant shall also be responsible for paying its proportionate fair-share allocation of any additional regional facilities required to serve the development property, including, but not limited to, participation in a mutual beneficial assessment district to be initiated by others.
3. Applicant shall submit to the City cost estimates for the construction of all on- and off-site public water facilities required for the authorized and described development. If the City finds the costs reasonable, the Applicant shall pay to the City an amount equal to Applicant's proportionate fair share of 5% of the agreed-upon construction costs to cover plan check and inspection services by the City. This fee is fixed and non-refundable. This Will Serve Letter is conditional upon the City's agreeing in writing to the estimated costs.
4. The Applicant shall waive all present and future protest(s) to a 40% surcharge on water rates for outside-the-City users or such other surcharge on water rates for outside-the-City uses as may be formulated by the City.
5. Because the City faces a cutback of up to 96% in its allocation from the State Water Project during extremely dry years, as documented by the City's Urban Water Management Plan, it is seeking additional water supply in the form of transfers of rights. The cost of this water supply is not known, nor is it included in the current City rates. The City is considering a drought surcharge on all customers, existing and new, in order to finance a drought reserve. The Applicant agrees to waive any protest to such a drought surcharge during its formulation and implementation and review under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA").

6. The City of American Canyon has submitted an application to the Local Agency Formation Commission ("LAFCO") to expand the City's Sphere of Influence to be consistent with its approved and adopted General Plan. The Applicant, Owner and its agents agree to actively support in writing the City in its SOI application before LAFCO.
7. LAFCO is currently considering how the City may extend water service outside its City Limits and SOI in association with the provisions of Government Code section 56133. The City represents that the provision of water service set forth in this communication is subject to LAFCO review as may be provided consistent with the provisions of Government Code 56133.
8. As a result of *Vineyard Area Citizens for Responsible Growth v. Rancho Cordova* (2007) 40 Cal.4<sup>th</sup> 412, the lead agency as defined under CEQA, here the County, in its environmental review of a development project, including what is currently proposed by the Applicant, must at a minimum accomplish an environmental review under CEQA that: (a) presents sufficient facts to evaluate the pros and cons of supplying the water that the project will need; (b) presents an analysis that assumes that all phases of the project will be built and will need water, and includes an analysis to the extent reasonably possible of the consequences of the impacts of providing water to the entire project; and (c) where it is impossible to determine that anticipated future water sources will be available, some discussion of possible replacement sources or alternatives to use of anticipated water and of the environmental consequences of those impacts must be presented. *Vineyard, supra*, 40 Cal.4<sup>th</sup> 430-434.

This Will Serve Letter supersedes all prior purported Will Serve Letters and service commitments to the development of the Property with any use. This Will Serve Letter will remain valid for a period of two years from its date and is only valid for the authorized development. The City reserves the right to further condition extension of water service if development different from that presently proposed and authorized is pursued or if events out the City's control impact the City's ability to furnish water.

Except to the extent set forth, this letter does not create a liability or responsibility to the Applicant or to any third party on behalf of the City. The City does not make a determination as to land use entitlements required for the proposed project, and the issuance of this Will Serve Letter shall not be construed to be an expression of the City of a position regarding the use or intensity of use of the development property or that the County has complied with applicable law in assessing the proposed project under CEQA.

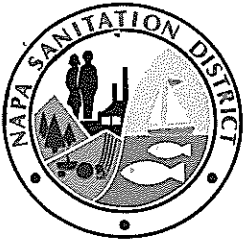
This Will Serve Letter only becomes effective upon acceptance of the conditions set forth in this letter by execution of the acceptance provision set forth below and the transmittal of the executed acceptance to the City Public Works Department.

Very truly yours,



Robert C. Weil  
Public Works Director

cc: Richard Ramirez, City Manager  
William D. Ross, City Attorney  
David Busby, Busby Enterprises, Inc..



Dedicated to Preserving the Napa River for Generations to Come

935 HARTLE COURT  
P.O. BOX 2480  
NAPA, CALIFORNIA 94558-0522  
TELEPHONE (707) 258-6000  
FAX (707) 258-6048

April 6, 2008

Conservation, Development and Planning Department  
County of Napa  
1195 Third Street, Room 210  
Napa, CA 94559

Re: APN 57-250-<sup>037</sup>~~009~~ Lot 1 in Napa Valley Gateway Unit 3 Phase 6

To Whom it May Concern:

The Napa Sanitation District has received a request to provide a "Will Serve" letter for a proposed 27,677 square foot industrial condominium building to be constructed on the aforementioned parcel. It is anticipated that the building will consist of a mix of office and warehouse type of uses. The District has been informed that proposed development will generate approximately 1,400 gallons of wastewater per day which is equivalent to approximately seven single-family dwellings.

This property is within the District's boundaries, and the downstream sanitary sewer facilities are adequate to serve this development. The District will allow the proposed development to connect to the public sanitary sewer system upon payment of the appropriate connection and inspection fees, and shall be subject to all applicable rules and regulations of the District. Additional conditions of approval may be established by the District at the time a formal application is submitted to the County of Napa Planning Department.

Additionally, it should be noted that this area is within the District's Reclaimed Water Benefit Zone. The development will be required to install the necessary facilities to utilize reclaimed water for landscape irrigation.

This "Will Serve" letter is valid for a period of five years from the date of this letter. If the proposed development has not obtained its required Connection Permits from the District at the end of this time, this "Will Serve" letter shall become void.

If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Timothy B. Healy, P.E.  
Assistant General Manager/District Engineer

  
by: Todd Herrick  
Senior Engineering Technician

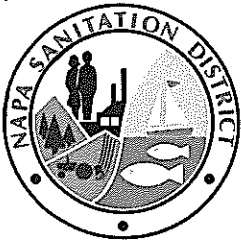
cc: David Busby

08-lot 1 nv gtwy 3-6

**RECEIVED**

**APR 08 2008**

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.



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Dedicated to Preserving the Napa River for Generations to Come

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935 HARTLE COURT  
P.O. BOX 2480  
NAPA, CALIFORNIA 94558-0522  
TELEPHONE (707) 258-6000  
FAX (707) 258-6048

May 9, 2008

Sean Trippi  
County of Napa Planning Department  
1195 Third Street, Room 210  
Napa, CA 94559

Re: Napa Sanitation District Conditions of Approval for Project P08-00221-UP & P08-00222-PM (Busby Industrial Condo's)

In conjunction with your agency's review of the above-named project, the Napa Sanitation District ("District") would like to provide some general information about the District's requirements, rules and regulations to the owner-developer.

In providing this information, please be so kind as to remind the owner-developer that the Napa Sanitation District is separate and distinct from both the City of Napa and the County of Napa and has its own separate review and approval authority. The nature of preliminary or general plans or textual project descriptions is such that detailed information, such as types of units or number of fixture units proposed for connection to the District's facilities, cannot be easily or reliably determined. Therefore, all District fees and conditions of approval are subject to change until a final decision or determination is made by the District.

Under no circumstances shall the information and statements made herein create any vested rights or grounds for detrimental reliance. In the event of any contradictions or inconsistencies between the preliminary statements made herein and any applicable District ordinances, resolutions or policies, the provisions of the latter shall control.

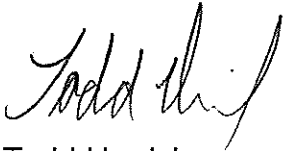
With those provisos in mind, please be informed that the proposed project may be subject to the following conditions of approval from the District:

1. The CC&R's shall include the District's standard language regarding maintenance responsibilities, indemnification, etc. The owner shall contact the District to obtain this language.
2. No floor drains will be allowed in the building except in the restroom areas.
3. Grease interceptors shall be required for all restaurants and/or food service areas.
4. The owner shall install a 3" private reclaimed water main across the frontage of the parcel in accordance with the N.V. Gateway Reclaimed Water Master Plan.

5. The proposed project falls within the District's Reclaimed Water Benefit Zone. The proposed project shall utilize reclaimed water for all landscape irrigation purposes. The owner/developer shall be responsible for installing the necessary onsite irrigation facilities per NSD's "Water Reuse Program" manual.
6. A plan showing the required sanitary sewer and reclaimed water improvements shall be prepared by a registered civil engineer conforming to NSD standards, and shall be submitted to the District for approval.
7. Additional conditions may be imposed on the project depending on the ultimate use of the buildings.
8. A connection fee shall be paid for each condominium unit based on the rates in effect at the time they are paid. At the present time, the connection fee for each unit is a minimum of \$5,660.00 or a fixture unit basis whichever is greater. This rate is found in Section 906.00 (C) 4 of District Ordinance, which states:
  9.           4.     *Commercial per Unit.. Minimum                                 \$5,660.00*  
                      *or Fixture unit Basis, whichever is greater*
10. Plan check and inspection fees shall be paid to the District based on the rates in effect at the time they are paid.

Sincerely,

Timothy B. Healy, P.E.  
Assistant General Manager/  
District Engineer



by: Todd Herrick  
Senior Engineering Technician