

RESOLUTION R2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING, PURSUANT TO AN ADOPTED MITIGATED NEGATIVE DECLARATION, A DESIGN REVIEW PERMIT AND A USE PERMIT AUTHORIZING CONSTRUCTION AND OPERATION OF A GLAMPING CAMPGROUND WITH FIVE (5) PERMANENT BUILDINGS, UP TO 100 GLAMPING UNITS, AND RECREATIONAL ACTIVITY SPACE ON THE WEST SIDE OF SILVERADO TRAIL BETWEEN HAGEN ROAD AND STONECREST DRIVE (APN 052-010-011)

WHEREAS, on May 17, 2018, the Planning Commission of the City of Napa (“City”) adopted Resolution R2018-17, approving a Tentative Parcel Map and Design Review Permit for that certain property located on the west side of Silverado Trail between Hagen Road and Stonecrest Drive bearing Assessor’s Parcel Number 052-010-011 (hereafter, the “Site”); and

WHEREAS, on February 20, 2020, the Planning Commission adopted Resolution PC2020-4 extending the expiration for the Original Approvals to May 27, 2022, on May 19, 2022, the Planning Commission adopted Resolution PC2022-6 extending the expiration for the Original Approvals to May 27, 2024, and on July 18, 2024, the Planning Commission adopted Resolution PC2024-07, extending the expiration for the Original Approvals to May 27, 2026. Collectively, Resolutions PC2018-17, PC2020-4, PC2022-6, and PC2024-07 are referred to herein as the “Original Approvals”; and

WHEREAS, on October 17, 2022, Parry Murray (the “Applicant”), submitted an application (File No. PL22-0120) for a new and different Design Review Permit pursuant to Napa Municipal Code (“NMC”) Chapter 17.62 and a Use Permit pursuant to NMC Chapter 17.60, to authorize construction and operation of a glamping campground with five permanent buildings, up to 100 glamping units, and recreational activity space on the Site (collectively, the “Project”), which new Design Review Permit and Use Permit the Applicant requested and intended to replace and supersede the Original Approvals for the Site; and

WHEREAS, an Initial Study/Mitigated Negative Declaration (“Draft IS/MND”) was prepared pursuant to California Environmental Quality Act (“CEQA”) Guidelines Section 15074, concluding that after implementation of the proposed mitigation measures the Project would not cause any significant environmental effects. The public comment period was noticed on September 5, 2024, in the Napa Valley Register for a CEQA-mandated 30-day public review and comment period, ending on October 5, 2024; and

WHEREAS, the Planning Commission held a duly noticed public hearing on October 17, 2024, on the Draft IS/MND and has recommended adoption; and

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WHEREAS, the Planning Commission held a duly noticed public hearing on October 17, 2024, on the Project and has recommended approval of the subject application; and

WHEREAS, in consultation with experts retained by the City, staff proposed a substitution of mitigation measures in compliance with CEQA Guidelines 15074.1, which are contained in the Final Initial Study/Mitigated Negative Declaration (“Final IS/MND”), and determined to be equally effective, or more effective in avoiding or reduce the potential impacts “to at least the same degree” as the original measures not creating any new adverse impacts than the original measures in mitigating the identified impact;

WHEREAS, at a duly noticed public hearing on February 18, 2025, the City Council adopted the Final IS/MND and the mitigation monitoring and reporting program; and

WHEREAS, the City Council has considered all information related to this matter, 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:

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.
2. The City Council hereby determines that, pursuant to CEQA Guidelines section 15162, the potential environmental effects of the Design Review Permit and a Use Permit were adequately examined by the adopted Final IS/MND such that no subsequent environmental review is required.
3. At the request of the Applicant, the City Council hereby rescinds and sets aside Planning Commission Resolutions PC2018-17, PC2020-4, PC2022-6, and PC2024-07, such that all of the Original Approvals are no longer valid and have no further force or effect.
4. The City Council hereby contingently approves the Design Review Permit for the Project as defined on the final application plans prepared by RSA+ and Kelly + Morgan Architects date stamped for publishing of the report on October 11, 2024, (collectively, “Application Plans”), and submitted as a part of the subject application, contingent on the date that Ordinance No. ____ becomes effective, and makes the following findings in support of the approval:
 - A. *The project design is in accord with the General Plan and any applicable specific plan design policies.*

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The Project design is consistent with the Napa 2040 General Plan and applicable design policies. The Project's low massing and clustering of permanent buildings ensures compatibility with the Very Low Density Residential land use designation, respecting the surrounding environment and preserving the area's character. By concentrating structures in specific areas, the Project minimizes its footprint, allowing for the preservation of open space and natural features, while aligning with the General Plan's goals of promoting context-sensitive and environmentally conscious development. The design also advances transportation goals (TE 1-2, TE-3) by incorporating a Class I multi-use path along SR-121, improving pedestrian and bicycle safety and connectivity. Additionally, the project demonstrates environmental stewardship (NRC 1-8) by preserving existing trees and riparian habitat, ensuring a balanced approach to development that integrates with the natural landscape.

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

Despite the absence of specific non-residential design policies, the Project's contemporary agrarian architecture draws from Napa's agricultural heritage, aligning with the region's natural and historical context. The use of vertical engineered wood siding and a standing seam metal roof reflects the simple, functional forms of traditional barns and outbuildings in Napa Valley, making the design harmonious with the local landscape. Additionally, the building orientation to the rear takes into account Napa's Mediterranean climate by directing gathering spaces towards the lounging areas, recreational activities, and Milliken Creek, promoting an indoor-outdoor lifestyle and efficient use of natural resources, consistent with the City's broader design principles for residential areas.

- C. *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 complies with the provisions of this title and will not adversely affect surrounding properties, improvements, or the public health, safety, or general welfare. The project's low massing and clustered design for the permanent buildings are appropriate for the zoning and land use designation, minimizing its impact on the surrounding area. Additionally, the development meets stringent flood safety requirements, ensuring the project is safe for future occupants and neighboring properties. Compliance with all applicable building codes further safeguards public health and safety, making the Project an appropriate addition to the site.

5. The City Council hereby contingently approves the Use Permit for the Project as defined on the plans submitted as a part of the subject application,

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contingent on the date that Ordinance No. ____ becomes effective, and makes the following findings in support of the approval:

- A. *The proposed use in accord with the General Plan, applicable specific plans, the objectives of the zoning ordinance and the purposes of the district and overlay district in which the site is located.*

The proposed use is in accord with the General Plan, the objectives of the zoning ordinance, and the purposes of the district and overlay district in which the site is located. The Project aligns with multiple Napa 2040 General Plan goals and policies by introducing a new, economically beneficial use to a historically underutilized site while maintaining compliance with the Very Low Density Residential (VLDR) designation. It supports economic diversity and tourism (LUCD 7-1) by generating transient occupancy tax revenue and contributing to affordable housing funds, much like traditional lodging uses. The project also advances transportation goals (TE 1-2, TE-3) by including a Class I multi-use path along SR-121, enhancing pedestrian and bicycle safety and promoting active transportation. Additionally, it demonstrates a commitment to environmental stewardship (NRC 1-8) by preserving existing trees and riparian habitat, ensuring a balance between development and conservation. Further, the project supports workforce training and educational partnerships (ED-6), reinforcing Napa's economic and cultural identity while benefiting both residents and visitors.

This Project meets multiple General Plan goals and policies, ensuring that the zoning amendment is not an arbitrary exception but a logical, community-benefiting expansion of land use flexibility. The proposal enhances economic growth, preserves environmental resources, improves infrastructure, and strengthens local workforce development, making it a strategic and responsible land use decision that serves both Napa residents and visitors alike.

Furthermore, the Project would be in accord with the objectives of the zoning ordinance by ensuring that transient uses are appropriately regulated to limit potential impacts on surrounding residential uses. The Project design and operational parameters will maintain compatibility with adjacent properties, addressing key zoning concerns such as noise, traffic, and flood protections. Additionally, the Project would be fully consistent with the zoning code upon the adoption of the ordinance allowing for glamping use, ensuring that it adheres to all necessary zoning requirements and regulatory standards.

- B. *The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, or to the general welfare of the city.*

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The proposed use, along with the applicable conditions, will not be detrimental to public health, safety, or welfare, nor materially injurious to nearby properties or improvements, or to the general welfare of the city. The campground operation will adhere to stringent flood safety requirements and comply with the City's noise ordinance and lighting standards. Furthermore, the campground operator will implement specific standard operating procedures to address safety concerns, ensuring a respectful integration with the surrounding community and enhancing the overall safety and well-being of the area.

- C. *The proposed use complies with each of the applicable provisions of the zoning ordinance.*

The proposed ordinance amendment establishes the use and specific standards for the glamping campground, ensuring that it aligns with the site's zoning district. The proposed use complies with all applicable provisions of the Title 17 Zoning Ordinance, as amended by the proposed zoning amendment, and meets the requirements for land use, building placement, and flood safety standards. It adheres to district regulations regarding scale, intensity, and environmental considerations, ensuring compatibility with the surrounding area while following all relevant development and operational guidelines set forth in the zoning ordinance.

- D. *The proposed use complies with any other applicable findings required under other chapters of this title for the specific use.*

There are no other applicable findings required under other chapters of this title for the proposed use.

6. The City Council hereby approves the removal of up to eight (8) trees that are each classified as protected native trees pursuant to NMC Chapter 12.45 and makes the following finding in NMC Section 12.45.090(B)(2)(d) in support thereof:

- A. *The project has minimized tree loss to the extent possible when balanced with General Plan land uses and policies and applicable design guidelines.*

The Applicant has designed the Project to minimize tree loss to the extent possible by clustering permanent structures toward the northeast of the site, strategically routing the new Class I multi-use path around existing trees and carefully placing the glamping sites to preserve natural canopy while considering tree drippings. The Applicant will work in consultation with the City of Napa Parks and Recreation Services Department. Consistent with the City of Napa Protected Native Tree Program, the Project has been conditioned to either provide replacement trees or pay the in-lieu fee pursuant to NMC Chapter 12.45.

7. The City Council's contingent approval of the Design Review Permit and Use Permit is subject to the following conditions:

COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

1. This Design Review Permit and Use Permit authorize construction and operation of a glamping campground with five permanent buildings, up to 100 glamping units, and recreational activity space. The plans submitted for building permits shall conform substantially to the plans and representations submitted with the application plans prepared by RSA+ and Kelly + Morgan Architects date stamped for publishing of the report on October 11, 2024, and as reviewed and approved by the City Council, and subject to compliance with these conditions of approval.
2. The Planning Manager is authorized to determine whether the Applicant is in compliance with the requirements and conditions of the Design Review Permit and Use Permit.
3. Any work that necessitates plans to be submitted for building permits or improvement plans shall conform substantially to the Application Plans, and these conditions of approval.
4. Any modifications determined by the Planning Manager to not be within substantial conformance to the approved building elevations shall require approval of a subsequent Design Review Permit by the Planning Commission and City Council.
5. Prior to the issuance of a building permit, the Applicant shall provide specifications for each glamping unit type to be utilized on-site and submit a site plan for review and approval by the Planning Manager and City Engineer, showing the number and the location of the unit type, which shall be consistent with the approved for-construction plans to be issued by the Chief Building Official.
 - a. Should the Applicant request to modify the glamping unit type(s) after receiving a certificate of occupancy, the Applicant shall provide specifications for each new glamping unit type proposed to be utilized on-site and submit a new site plan for review and approval by the Planning Manager and City Engineer showing the number and location of each new unit type. The modification shall not conflict with other requirements outlined within this Resolution.
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. The Applicant shall be required to submit to the Community Development Director, for the Director's review and approval, standard operating procedures that are site

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specific, prior to Project occupancy. The standard operating procedures shall include, without limitation, rules for renters and guests of the site, general maintenance, lighting, noise, and safety standards, and general standards for the operation to ensure compatibility with the neighboring uses.

8. The Applicant or glamping campground operator shall prohibit fires on days where wood burning is banned as determined by the Bay Area Air Quality Management District.
9. The Applicant shall replace or pay for the removal of on-site protected native tree(s). For each six inches or fraction thereof of the protected native tree, two trees of the same species as the protected tree shall be planted on site. Per NMC Section 12.45.100, the Applicant shall plant replacement trees on the Site or pay an in-lieu fee.
 - a. Prior to the issuance of a certificate of occupancy, the Applicant shall replace the protected native trees on-site; or
 - b. Prior to the issuance of a building permit, the Applicant shall pay the in-lieu fee; or
 - c. The Applicant may satisfy the requirements of NMC Chapter 12.45 through a combination of replacement and the in-lieu fee.
10. 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.
11. The plans submitted for Building Permit shall include building elevations that provide the same level of architectural detail found on the front elevation for all elevations. The exterior treatment of each building elevation shall be consistent in form and materials and provide an overall coherent design for the entire building.
12. A detailed landscaping and irrigation plan shall be reviewed and approved by the Community Development Director prior to issuance of a Building Permit. All landscaping shall be installed in compliance with approved landscape plans prior to the issuance of a Certificate of Occupancy.
 - a. The Applicant shall ensure that all landscaping shall be maintained in a healthy, weed-free condition. Removal or alteration of the landscaping, outside of normal maintenance and replacement of planting materials, without the written clearance from the Planning Manager, shall be a violation of this condition.
13. The Applicant shall provide fencing between the Project and Silverado Trail. 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.

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14. Prior to issuance of a building permit for construction of the Project, the Applicant shall comply with the requirements of NMC Chapter 15.108.
 - a. Any installation of the public art undertaken to comply with NMC Chapter 15.108 shall be completed prior to the issuance of a certificate of occupancy.
15. Construction activities shall comply with NMC 8.08.025.
16. The Applicant shall obtain a sign permit for all Project signage in accordance with NMC 17.55.120.
17. Prior to issuance of a building permit, the Applicant shall provide written clearance from the Engineering Division of the Napa Sanitation District, Napa County Environmental Health, and Napa County Flood Control and Water Conservation District (NCFCWCD) confirming that the Applicant has complied with all Napa Sanitation District, Napa County Environmental Health, and NCFCWCD requirements applicable to the Project.
18. The Applicant shall incorporate the following voluntary measures as outlined below, prior to and during the operation of the Project, as conditioned within this resolution:
 - a. Modify the entry to allow only a right-turn in and right-turn out only (no left turns out or into the site) using an island and signage directing customers into the site safely and with minimal disruption to the flow of traffic. The Applicant shall contact navigation application creators (i.e. google maps, apple maps, etc.) and ask to have all trips inbound routed from the north to minimize the potential for u-turn movement at Hagen Road from customers arriving from the south.
 - b. Add an eight-foot paved shoulder along Project frontage north of the driveway to provide space for right-turning traffic to decelerate outside of the travel lane.
 - c. Set the gate back from the entry a sufficient distance to allow up to three (3) vehicles to queue if the gate is closed to prevent vehicle stacking on Silverado Trail.
 - d. The gate shall be opened during peak times to allow free movement of customers onto the site, should the Project have any issues with backup at peak times.
 - e. Widen the five-foot sidewalk to a minimum of eight feet of paved width along the Project frontage to create a Class I multi-use trail primarily separated from the vehicular travel lane to allow for a buffer between vehicular traffic, and pedestrians or bicyclists.
 - f. Extend the trail to the south beyond the Project frontage to connect to the existing sidewalk at Milliken Creek, to the extent that there is right-of-way to accommodate these improvements, to expand the bicycle and pedestrian facilities along Silverado Trail further improving connectivity.

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- g. Add a secondary Emergency Vehicle Access (EVA) at the southern end of the parking lot for emergency ingress/egress purposes only to provide an additional point off access for first responders.
 - h. The Project shall only allow low ember, low smoke products, similar to Goodwood or Envirolog for the individual campfires.
 - i. In conjunction with the alternative wood product, the Applicants shall have low smoke fire grills such as Solo Stoves or similar raised platform products instead of traditional fire pit rings, allowing the Applicant to use the portable outdoor fireplaces in accordance with the manufacturer's instructions and conforming to NMC Chapter 15.04 and National Fire Protection Association Standards.
 - j. The Project shall follow all applicable City of Napa noise ordinances to operate consistent with the Safety and Noise Element of the Napa 2040 General Plan.
 - k. The Applicants shall allow the site to act as an emergency responder station, should this be needed, allowing dual use of the site in the event of an emergency.
19. The Applicant shall comply with all mitigation measures from the Mitigation Monitoring and Reporting Program attached as Exhibit "A," of City Council Resolution R2024-XX adopting the Mitigated Negative Declaration and incorporated herein by reference that are applicable to this Project as determined by the Planning Manager or their designee.

FIRE DEPARTMENT – FIRE PREVENTION DIVISION

20. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Prior to the issuance of a building permit or approval of improvement plans, the Applicant shall provide a Fire circulation plan using Autoturn or similar software based on the City's largest apparatus, subject to the review and approval of the Fire Marshal. Label front wheel, rear wheel and bumper swing paths on plan in differing colors. Provide detail demonstrating how the apparatus will navigate to ALL areas of the project. Detail widths of all access roads.
21. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus (75,000 pounds) and shall be surfaced so as to provide all-weather driving capabilities.
22. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders. (See California Fire Code for diagram). Show widths on plans where hydrants are located.

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23. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.
24. Recreational fires shall be prohibited pursuant to NMC Section 15.04.020.
25. Use of portable outdoor fireplaces shall be constantly attended until the fire is extinguished. Not fewer than one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.
26. New buildings and additions to existing buildings, utilities, and access shall comply with all applicable provisions of NMC Chapter 15.04 & NFPA 1194. If you have questions or concerns or would like to set up a meeting to discuss your project, please contact (707) 257-9590.

PUBLIC WORKS DEPARTMENT

27. Approval of this Project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the Napa Municipal Code (NMC), the City of Napa Standard Specifications and Standard Plans (dated January 2022) (CON Standards), including any supplemental updates thereto, the City's "Post-Construction Storm Water Pollution Prevention Design Standards" and the "BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated Phase II Committee, dated July 14, 2019" (BASMAA Manual).
28. The Applicant shall pay an initial cash deposit of \$3500 for improvement plans and shall maintain a minimum monthly balance of \$1,500 for city plan check services.
29. The Applicant shall prepare Improvement Plans (IP) with the "Initial Submittal Checklist" and the "Improvement Plan Checklist" available at <http://www.cityofnapa.org/483/Forms-Handouts>. Completed checklists shall accompany the first submittal.
30. The Applicant shall design and construct all improvements in accordance with the Improvement Plans and supporting calculations prepared by a registered civil engineer. The plans shall be in substantial conformance with the Application Plans.
31. Improvement Plans (Public) – The following items shall be shown on the Improvement Plans:
 - a. The Applicant shall design and construct frontage improvements along the Project's public street frontages consistent with CON Standards and Caltrans Standards.
 - b. The Applicant shall design and construct the following public improvements along Silverado Trail (State Route 121):

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- (i) The Applicant shall design and construct a Class I multi-use path with a hardscape all-weather surface along the western side of Silverado Trail connecting the north and south ends of the project site. The path may be located on site and shall be located a minimum of 8' west of the western edge of the southbound State Route 121 travel lane. An access easement shall be provided for any portion of the walkway located on site. Final alignment of improvements shall be subject to review and approval by the City of Napa Public Works Director and Caltrans.
- (ii) The Applicant shall design and construct Project driveway compliant with Caltrans Design Guidelines for Typical Rural Driveways in State ROW and Caltrans Standard Plan Sheet A87A.
 - (a) The Project driveway shall be constructed of asphalt concrete and shall extend from the eastern edge of paving of Silverado Trail to minimum distance of the 30-foot setback shown on the RSA+ site plan for phase 1 dated October 16, 2023.
 - (iii) The Applicant shall provide "No Parking" signage along the project's Silverado Trail frontage consistent with CA MUTCD.
- c. The drive aisle and parking area pavement structural sections shall be installed in accordance with Site-specific Geotechnical Engineer recommendations or CON Standards, whichever is greater.
- d. The Improvement Plans shall include a Demolition Plan, Joint Trench Plan, Erosion and Sediment Control Plan (ESCP) and a Stormwater Control Plan (SCP).
- e. The Improvement Plans shall include a Utility Plan showing all the existing and proposed utilities, including overhead and underground utilities.
- f. Public street access points and street corners shall be designed to satisfy the City of Napa Visibility and Fencing Standard (CON Standards 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.
- g. 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.). The Public Street Repair Plan shall comply with the following:
 - (i) The street restoration plan shall be consistent with CON Standards tables 3.1 Street Design Criteria and Table 3.3 Pavement Restoration Limits. The City Engineer or designee shall determine the extent of restoration.

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- (ii) 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.
 - h. 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 existing 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.
 - i. The Applicant shall underground all new utilities (public and private) 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.
32. All improvements along Silverado Trail are in Caltrans jurisdiction. The Applicant shall obtain an Encroachment Permit from Caltrans and coordinate with the City of Napa Public Works Department prior to commencing work.
33. If the Project work requires movement of oversized or excessive load vehicles on Silverado Trail or other State roadways, a transportation permit issued by Caltrans is required.
34. Drainage and Grading – The following items related to drainage and grading shall be submitted and shown on the IP prior to plan approval:
- a. All existing storm drains, drainage inlets, storm drain manholes, etc. shall be shown along with information on inverts, size, material and slope.
 - b. New public storm drain system conveying water from the project site.
 - c. Existing topography shown with contour lines labeled at one-foot intervals and extending 100 feet beyond the project site, or sufficient information to determine drainage impacts on adjacent properties.
 - d. The Applicant shall submit storm drain system calculations prepared by a registered civil engineer based on the requirements in CON Standards.
 - e. Detention improvements shall be incorporated into the Project storm drain system design consistent CON Standards, Section 2.10 “Detention”.

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- f. 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. All storm drainage pipes installed within public streets or easements shall be a minimum of 18 inches in diameter and shall be a minimum of class III reinforced concrete pipe with rubber gasketed joints, unless otherwise approved by the Public Works Director or their designee. Applicant shall refer to CON Standards, Section 2.13.05.
 - h. Any retaining walls which are greater than one foot in height, which are adjacent to a property line, shall be masonry or concrete.
35. The Applicant shall provide a Stormwater Pollution Prevention Plan (SWPPP) and a schedule for implementation of approved measures to the Development Engineering Division for review and approval with the first improvement plans submitted for review. A grading permit shall not be issued until the SWPPP is approved.
36. Construction Water Quality Measures – In accordance with the NPDES Construction General Permit, the Applicant shall ensure that the Developer and the contractor incorporate storm water quality Best Management Practices (BMPs) into the Project construction process.
- a. Project > 1 acre of disturbance: Provide 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 issuance of grading permits. http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml.
 - b. The construction BMPs shall be shown on the Project Erosion and Sediment Control Plan.
 - c. The Applicant shall ensure 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.
 - d. The Applicant shall ensure 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.
 - e. The Applicant 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.

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37. Post Construction Water Quality Measures – In accordance with the City of Napa (CON), “BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated (BASMAA) Phase II Committee, dated January 2019” the Applicant shall incorporate post Development measures (BEST MANAGEMENT PRACTICES (BMP’S)) into the project design to mitigate project impacts to water quality. [http://ca-napa.civicplus.com/574/Stormwater-Quality Under “Documents”](http://ca-napa.civicplus.com/574/Stormwater-Quality-Under-“Documents”):
- a. The post-construction BMPs shall be shown on the Project improvement plans and in the required Stormwater Control Plan (SCP).
 - b. All designated Projects – The Applicant shall prepare and submit a SCP per “BASMAA Post-Construction Manual, dated January 2019,” standards and an ESCP.
 - c. The Landscape plans shall be submitted to the Development Engineering Division (DED) with the submittal of the Improvement Plans. Landscape Plans shall illustrate all Low Impact Development (LID) post construction measures and include the required plant species as specified in the BASMAA Post-Construction Manual.
 - d. 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 DED.
 - e. The project post-construction BMPs 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 SCP prepared by RSA+ dated November 22, 2023.
 - f. The Applicant shall submit storm drain system design calculations that are prepared by a registered civil engineer for review and approval by the DED. Storm drain system design flows shall be calculated based on the requirements listed in the CON 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 CON 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.
 - g. 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

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dated January 2019, and the State MS4 General Permit E.12 provisions and are to be reviewed and approved by the Development Engineering Division.

- h. The Applicant shall install full trash capture device(s) in accordance with the State Water Boards Trash Provisions Water Code section 13383. Full trash capture systems shall be designed to:
 - (i) Trap all particles 5mm or greater
 - (ii) Be sized to treat the 1-year, 1-hour storm event
 - (iii) Device(s) shall be chosen from State Water Board list of certified devices.
 - (iv) Device(s) shall be maintained at a frequency that ensures captured trash does not reduce device efficiency or create flooding, a minimum of once annually.

- i. The Applicant shall execute a long-term maintenance agreement with the CON 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 SCP. The agreement shall comply with the following requirements:
 - (i) 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.
 - (ii) 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 CON 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.
 - (iii) Updated information, including contact information, must be provided to the municipality whenever a property is sold and whenever designated individuals or contractors change.
 - (iv) 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.

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- (v) 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 BASMAA Post-Construction Manual or an updated version of that manual or other post-construction storm water management standards as adopted by Council resolution.
 - (vi) 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.
 - (vii) 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 NMC chapter 8.36, 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.
38. Applicant to follow attached "Pollution Prevention for Restaurants & Food Handling Facilities," best management practices.
- a. Applicant to follow Best Management Practices (BMPs) to ensure trash, debris, organic materials, oil and grease, Toxic chemicals in cleaning products, disinfectants, and pesticides do not enter the City's storm drain system.
 - b. Applicant to follow City of Napa Stormwater Pollution Ordinance Chapter 8.36 of the Muni Code to avoid or eliminate "Illicit Discharges" into the City's storm drain system
 - c. Applicant shall be responsible for maintaining the cleanliness of the outdoor dining area including disposal of litter, garbage and pavement cleaning.
 - d. Applicant shall clean up any spills promptly.
39. Floodplain: This Project is located in a Special Flood Hazard Area "Zone AE" and the floodway as designated on the Flood Insurance Rate Map (FIRM), 06055C0517F dated September 29, 2010 and revised per LOMR 16-09-1316P effective date 1/22/2019. The requirements of the City of Napa Municipal Code Chapter 17.38 Floodplain Management apply to all new construction or substantial improvements within the Special Flood Hazard Area. The Applicant shall apply the following development requirements to all permanent structures proposed within the floodplain limits:

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- a. All new construction of structures shall be designed and constructed:
 - (i) With materials and utility equipment resistant to flood damage.
 - (ii) Using methods and practices that minimize flood damage.
 - (iii) With water supply, gas, electrical and sanitary sewage systems, as well as electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities that are designed and/or located as to prevent water from entering or accumulating within the components during conditions of flooding and avoid impairment or contamination during flooding in the case of on-site waste disposal systems.
 - (iv) With adequate drainage paths around structures on slopes to guide floodwaters around and away from structures.
 - (v) In compliance with FEMA Technical Bulletins 2-08, 3-21, and 7-22.
- b. All new construction of nonresidential buildings shall either be elevated to conform with the Napa Municipal Code Section 17.38 or together with attendant utilities:
 - (i) Be flood proofed below an elevation one-foot above the base flood elevation so that the structure is watertight with walls substantially impermeable to the passage of water (See FEMA Technical Bulletins 3-21 and 7-22 for additional requirements)
 - (ii) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyance; and
 - (iii) Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Floodplain Administrator (Public Works Director). Provide floodproofing certificate for the design and for the construction.
- c. In all cases where a development project is proposed in the floodway, a floodway development analysis, as described in detail NMC 17.38.090, shall be prepared by a registered professional engineer or architect. The analysis shall supplement the existing data on the floodway by adding one or more cross sections across the entire floodway, prepared from field measurements. The number of cross sections required to complete these analyses shall be determined by the Floodplain Administrator. The minimum requirement shall be one cross section at the site of the proposed development.
- d. In lieu of a detailed floodway analysis Applicant may submit a “no rise certificate” that has been prepared by a registered Civil Engineer which demonstrates a zero-rise in the floodway through hydraulic and hydrologic analysis. Submission of a no-rise certificate will be subject to review and approval by the City’s Floodplain Administrator.

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- e. All recreational vehicles (including but not limited to airstream trailer units) and non-permanent dwelling units (including but not limited to yurts) and associated ADA ramps, decks, and raised utilities placed within the floodway limits shall be removed yearly for the months of November through April and stored at pre-determined location outside the floodplain limits. Procedures for removal of recreational vehicles and non-permanent dwelling units shall be detailed in the Flood Emergency Operations Plan which shall be approved by the Floodplain Administrator prior first Building TCO or CO.
- f. The Applicant shall be required to have an approved Flood Evacuation and Operations and Maintenance Plan on-site which details removal of recreation vehicles (i.e. glamping units) from the floodplain limits in event that a flood warning is issued.
 - (i) This condition will be applied to any non-permanent dwelling units (including but not limited to yurts and airstream trailers).
- g. A Flood Evacuation and Operations and Maintenance Plan (EOP) shall be prepared per FEMA Technical Bulletin 3-21 for all non-permanent structures, utilities, and features. An EOP will be reviewed and approved by the City's Floodplain Administrator prior to first building TCO or C O.
 - (i) EOP shall include detailed procedures for removal of all recreational vehicles (including but not limited to airstream trailer units) and non-permanent dwelling units (including but not limited to yurts) and all associated accessories within the floodway from the months of November through April and provide location and resources required for where recreational vehicles and non-permanent dwelling units will be stored.
 - (ii) EOP shall include detailed procedures for evacuation of all recreational vehicles (including but not limited to airstream trailer units) and non-permanent dwelling units (including but not limited to yurts) and associated accessories, and resources required for the removal to a predetermined location outside the floodplain limits in the event of a predicted flood event.
 - (iii) Applicant will be required to perform a yearly training drill on site to demonstrate readiness for breakdown and removal of units off site prior to November 1st.
- h. Upon completion of any permanent structures the elevation of the lowest floor including the basement shall be certified by a registered professional engineer or surveyor. An elevation certificate shall be submitted prior to the issuance of a certificate of occupancy for the building.
- i. If the commercial buildings are to be floodproofed a Floodproofing Certificate must be submitted for the design. A floodproofing certificate can be obtained from the FEMA website at <https://www.fema.gov/media-library/assets/documents/2748>

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- j. The applicant shall include the following on the plans:
 - (i) A note stating that “This project is located in a Special Flood Hazard Area “Zone AE” and the floodway as designated on the Flood Insurance Rate Map (FIRM), 06055C0509F dated September 29, 2010 and revised per LOMR 16-09-1316P effective date 1/22/2019.
 - (ii) Please note on the plans “The Base Flood Elevation (BFE) for this property is ____ft, NAVD 1988
 - (iii) Show the floodplain and floodway limits as depicted on the FIRM map.
 - (iv) Call out finished floor elevations of structures and utilities
- 40. Prior to approval of the Improvement Plans, the Applicant shall submit documentation to PW-DED that the following have been addressed:
 - a. The Applicant shall pay off all current account balances based on the rate in effect at the time of permit issuance.
 - b. The Applicant shall pay a deposit for inspection fees estimated by the Public Works’ Construction Division and maintain a project balance of at least \$1,500.
 - c. The Applicant shall furnish proof of 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.
 - d. The Applicant shall submit to PW-DED a Soils Investigation/Geotechnical Report that complies with NMC Section 16.36.200 or obtain a waiver of the requirement from the City Engineer. Improvement Plans shall incorporate design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans verifying conformance with their recommendations.
 - e. The Applicant shall provide acknowledgement by the District Engineer that the design of the sanitary sewer is approved by Napa Sanitation District (NapaSan). NapaSan may sign the Improvement Plans if their conditions require them to do so.
 - f. Applicant shall provide to the City Engineer for approval as to substance and to the City Attorney for approval as to form any private easements via a separate instrument for access, utilities, and drainage. The private easements shall be recorded with the Napa County Recorder.
 - g. Establish an incorporated maintenance association and their attendant satisfactory CC&Rs to provide said long-term access and maintenance of the Private Improvements.
- 41. Prior to Commencing any activities on Site and any ground disturbing activities, the Applicant shall:

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- a. Conduct a pre-construction meeting with representatives of the City whereby the Applicant and the Contractor provides the following:
 - (i) Six (6) full size bond copies of the approved Improvement Plans for City's use.
 - (ii) One (1) job Site copy of the CON-Standard Specs for their use.

42. Prior to issuance of a Building Permit:

- a. The Applicant shall pay Street Improvement Fees in accordance with the Master Schedule of City Fees and Charges effective at the time of issuance of Building Permit (Policy Resolution 16). The current rates for the Street Improvement Fee (effective July 2023) for this Project are as follows:

	Land Use	Unit (Acre)	Street Component Rate	Utility Underground Rate	Street Component Fee	Utility Underground Fee
New Use	Recreation	12.5	\$2,132/acre	\$143/acre	\$26,650	\$1,788
					\$26,650	\$1,788

43. Prior to issuing a certificate of occupancy for the Project or Building Permit Final (whichever occurs first): The Applicant shall submit documentation to the Building Division for review and approval that indicates the following items have been completed as reviewed and approved by the PW-DED.
- a. All onsite and offsite improvements shall be installed to the satisfaction of the City Engineer prior to occupancy. This will be demonstrated by completing the PW inspector's punch list.
 - b. The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the SCP 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.
 - c. Submit a certification by the Geotechnical Engineer of Record that all work has been completed in conformant with the recommendations in the Soils Investigation/Geotechnical Report.

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- d. 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.
- e. 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.
- f. Prior to Final PW-DED & Final SW sign off, all disturbed areas shall be installed with final, permanent stabilization measures to ensure no sediment laden water discharged from the Site.

UTILITIES DEPARTMENT – WATER DIVISION

44. Prior to approval of the Improvement Plans, the Applicant shall:
 - a. Pothole the existing water facilities (including but not limited to a 24-inch transmission main, 6-inch distribution pipeline, 12-inch distribution pipelines, two fire hydrants, valves, and a water service for 1860 Silverado Trail) located on the property to determine the alignment/location of the facilities in order for site design and other utilities to be designed such that Water Division standards are met.
 - b. The Project shall enter into an Easement Grant Deed and Agreement for the construction of any improvements within a public water utility easement.
 - c. Provide a deed restriction, if required, for a private utility easement(s) across the Project in favor of 1860 Silverado Trail for the installation of all infrastructure required for private water service to 1860 Silverado Trail.
 - d. Submit a site plan showing the temporary relocations of camping trailers or other onsite infrastructure as a result of Floodway requirements or other requirements (maintenance etc.) and show the trailers or other permanent or semi-permanent infrastructure is kept a minimum of 10-ft of clearance from public water facilities and equipment access is maintained along the entire easement.
 - e. Submit a utility plan for review and approval by the Utilities Department identifying the following information:
 - (i) Size of existing water service(s) to property;
 - (ii) Existing water main(s) and applicable tie-in locations, details, etc.;
 - (iii) Abandonment of any existing unused water service(s);
 - (iv) Installation an appropriately sized water service(s) with approved backflow prevention device(s). If there is no existing backflow prevention device, one

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must be installed. The type of backflow device(s) required to be installed shall be determined by the Utilities Department Cross-Connection Specialist.

- (v) Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations;
- (vi) Installation of a sufficient number of water main valves at City-approved locations;
- (vii) Relocation of any affected water facilities and/or appurtenances;
- (viii) Installation of a sufficient number of water quality monitoring/sampling stations at City-approved locations;
- (ix) Size and location of all proposed water services (residential, fire, irrigation, etc.);
- (x) Show the minimum required clearance of 10-ft is provided between water facilities and camping trailers and other permanent and semi-permanent structures.
- (xi) Connections to the City's water system shall be limited to connections of size-on-size or smaller service diameter (i.e. an 8-inch water service shall not be connected to a 6-inch distribution pipeline). The Project shall upsize existing water distribution pipelines as required to accommodate the water service sizes requested.
- (xii) New connections to a transmission main or single feed off a transmission main are generally not approved. Installation of transmission main valve(s) may be required for improved service reliability. Other reliability or redundancy measures may be required as determined by the Water Division Engineer.
- (xiii) Private fire hydrants shall be metered through a City metered service connection per City standards.
- (xiv) Water services and meters shall be installed per City Standards within public right-of-way or dedicated public utility easement.
- (xv) All water work within Caltrans ROW will be required to be performed by a contractor with a Class A license, with the exception of valve operation and hot-taps which will be performed by the City of Napa Water Division.
- (xvi) Meter boxes if not located within a sidewalk shall be placed within a concrete pad.

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- (xvii) Replacement or relocation of existing fire hydrants may be required depending on the condition of the hydrants and location on the site plan with proposed improvements.
 - (xviii) The 1-inch water service for 1860 Silverado Trail shall be reconnected to the City's Water Distribution system in the event the 12-inch distribution pipeline is replaced or relocated due to proposed improvements. The water service shall be replaced up to the Project's property line.
 - (xix) Include the following notes regarding standby requirements: Project shall notify and coordinate with the City's Water Division to ensure the presence of standby service worker(s) during any excavation operation(s) in the vicinity (within 10 feet) of the city's transmission main. Notification and coordination shall occur at least two business days in advance of proposed excavation operation(s).
 - (xx) Meter boxes and water services shall be located a minimum of 3-ft outside any vehicular travel ways.
 - (xxi) Water services and meters shall be installed per City Standards within public right-of-way or dedicated public utility easement.
 - (xxii) Construction of improvements (permanent structures, other utilities etc.) shall meet the minimum required clearances from all public water infrastructure per City Std W-18, W-22A and W-22B.
 - (xxiii) Manifolded water services will not be allowed.
 - (xxiv) All public water facilities (both existing and proposed as part of this Project) shall be provided a minimum 20-ft wide public water utility easement if one does not already exist.
45. Prior to Building Permit Approval, the Applicant shall:
- a. Submit fire sprinkler plans (if applicable) to the Fire Prevention Division for review and approval, the water service size required to meet fire sprinkler demands shall be consistent with the water service size on the Civil plan set.
 - b. Comply with the Napa County Department of Weights & Measures submetering requirements if the Project will include water service submetering. Design of the submeter shall comply with California Civil Code Section 1954.203. All multi-family development Projects are required to submeter individual units.
 - c. Show compliance with Napa High Performance Building Standards on the building permit plan set. This requirement can be met by listing the make and model of each plumbing fixture, or by labeling each fixture with the maximum flow rate. (see table for fixture requirements).

Plumbing Fixture	High Performance Building Standard
Toilet	Shall not exceed 1.28 gallons per flush(gpf). Must be certified U.S. EPA WaterSense
Showerhead	Shall not exceed 1.8 gallons per minute (gpm) at 80 psi. Must be certified U.S. EPA WaterSense
Bathroom Faucet	Shall not exceed 1.2 gpm at 60 psi
Kitchen Faucet	Shall not exceed 1.5 gpm at 60 psi
Dishwasher	Shall be "Energy Star"
Clothes washer	Shall be "Energy Star"

- d. Submit all required water service capacity/connection fees to the City's Development Engineering Division at 1600 First Street, Napa, 94559.
46. Prior to issuance of a Certificate of Occupancy, the Applicant shall:
- a. Submit remaining fees (hot-taps, meter sets, etc.) to the Water Division at 1700 Second Street, Suite 100, Napa, CA;
 - b. Construct all water improvements as shown on the approved plans, the City of Napa Public Works Department Standard Specifications and the special conditions listed above;
 - c. Designate applicable on-site private fire hydrants as private per City Std W-8;
 - d. Obtain a backflow device inspection from City of Napa Water Division. Call (707)257-9544 at least 48 Hours in advance of requested inspection time;
 - e. 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;
47. Prior to Building Permit Final, the Applicant shall:
- a. Submit a record drawing outlining as-built conditions of the completed water system improvements in both electronic and print copy formats.
 - b. Applicant shall physically mark water meter boxes with the appropriate street address (Note: applies to water meters installed in groups of two or more - addresses to be provided by City).

UTILITIES DEPARTMENT – SOLID WASTE AND RECYCLING DIVISION

- 48. Prior to approval of the Improvement Plans, the Applicant shall:
 - a. Submit a civil/site plan for review and approval by the Solid Waste & Recycling Division identifying solid waste, recyclable materials, and compostable materials enclosure(s) in accordance with NMC Section 17.52.390 and the City’s “Solid Waste, Recyclable Materials & Compostables Enclosure Standards”. The location, layout and dimensions of this facility shall be shown on the improvement plans. Include generation rates and adequate enclosure and bin sizes for both Phase 1 and Phase 2 of the proposed project.
 - b. Provide a site circulation plan for the collection vehicle to enter the site, access the enclosure and exit the site.

- 49. Prior to approval of the Building Permit, the Applicant shall:
 - a. Comply with the requirements of NMC Chapter 15.32 which requires projects that; (a) exceed \$100,000 in building valuation; or (b) exceed 5,000 sq.ft. of new, improved, or remodeled areas. If the Project is subject to the requirements above, the Applicant shall file a Waste Reduction and Recycling Plan (WRRP) for review and approval with the Solid Waste & Recycling Division 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 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.

- 50. Prior to issuance of a Certificate of Occupancy, the Applicant shall:
 - a. Submit official weight receipts/tags for review and approval by the Compliance Official.

NAPA SANITATION DISTRICT

- 51. 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 in their letter dated July 31, 2024, and attached as Exhibit “A”.

CITY GENERAL CONDITIONS

- 52. 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.

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53. 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.
54. No use authorized by this permit may commence until after the Applicant executes any required permit agreement required by these conditions of approval.
55. Applicant shall pay all applicable fees and charges at the required time and at the rate in effect at time of payment (in accordance with the City's Master Fee Schedule; see individual departments regarding the timing of fee payment requirements).
56. Applicant shall design and construct all improvements and facilities shown on any approved tentative map, site plan, plans and specifications, or other approved documents, to comply with the General Plan, any applicable Specific Plan, the NMC, City ordinances and resolutions, the "Standard Specifications" of the Public Works and Fire Departments, and the approved tentative map, site plan, plans and specifications, and other approved documents.
57. The time limit within which to commence any lawsuit or legal challenge to any quasi-judicative 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-judicative 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.
58. 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 relating to 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.

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59. 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.
60. 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 required in connection with the instant approvals has 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.
61. Violation of any term, condition, mitigation measure or Project description relating to this approval is unlawful, prohibited and a violation of the Napa Municipal Code and can result in revocation or modification of this approval and/or the institution of civil and/or criminal enforcement and/or abatement proceedings.
62. 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.
63. This resolution shall become effective on the day the City Council Ordinance _____ for the zoning amendment is effective, which is 30 days following second reading of the Ordinance by the City Council. The Resolution is subject to expiration and revocation, and may be extended, all in accordance with the provisions in NMC Chapter 17.68.

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 18th day of February 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza

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City Clerk

Approved as to form:

Christopher Diaz
Interim City Attorney