

RESOLUTION R2024-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING, PURSUANT TO A PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, A DESIGN REVIEW PERMIT FOR A SUBDIVISION MAP AND HOUSE PLANS AND A TENTATIVE MAP TO SUBDIVIDE A 1.35 ACRE SITE INTO NINE SINGLE-FAMILY RESIDENTIAL LOTS AT 804 CAPITOLA DRIVE AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION.

WHEREAS, on December 7, 2023 Harvest Village LLC (the “Applicant”), submitted an application (File No. PL23-0161) for a Zoning Amendment pursuant to Napa Municipal Code (“NMC”) Chapter 17.66 (“Zoning Amendment”) to modify Planned Development Overlay District (PD-35) pursuant to NMC Chapter 17.42 (“Planned Development Overlay District”) modifying certain development standards within the PD-35 Overlay District; a Design Review Permit pursuant to NMC 17.62 (“Design Review Permits”) for a subdivision map and house plans; and a Tentative Map pursuant to NMC Chapter 16.20 (“Tentative Maps”) to subdivide a 1.35 acre site into nine single-family lots (the “Project”) at 804 Capitola Drive (APN 046-020-018); and

WHEREAS, the Planning Commission of the City of Napa, State of California, held a noticed public hearing on September 19, 2024, on the Zoning Amendment to modify PD-35, Design Review Permit and Tentative Subdivision Map and has recommended approval of the subject application; 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:

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

Section 2. Pursuant to the California Environmental Quality Act (“CEQA”), a Mitigated Negative Declaration (“MND”) and a Mitigation Monitoring and Reporting Program (“MMRP”) for the Harvest Village Project was prepared and was adopted by the City Council on March 1, 2016, in conjunction with the approval of the previous Harvest Village Subdivision Map by Resolution R2016-23. No development has occurred on the site since the March 1, 2016 approval. The revised Harvest Village II Project proposes the same number of units as the original Harvest Village with similar home sizes and

utilizes a reduced vehicular access street design. The road ending in a hammerhead configuration surrounded by the homes is by far, more environmentally sensitive than the previously approved loop road that would have surrounded the entire development site. Given the site's sloped topography, the loop road would have required significantly more site grading, paving and retaining walls than the hammerhead road will require. Based on CEQA, Public Resources Code 21166, and State CEQA Guidelines Section 15162, the City Council hereby determines that the previously adopted MND has adequately identified that there will be no impacts associated with the revised Project, and that there have been no substantial changes which would require major revisions, no changes have occurred with respect to the circumstances under which the project is undertaken, there is no new information of substantial importance, and no previously reviewed impact areas have substantially changed. Therefore, a subsequent environmental review document is not required and the Council directs staff to file a Notice of Determination.

Section 3. The City Council hereby approves the Design Review Permit for the design of the Tentative Subdivision Map and the Project house plans, as defined on the application plans prepared by Robertson Engineering Inc., G.R.I.D. Design Build, and Allen Landscape Design dated April 18, 2024, April 22, 2024, and March 6, 2023, respectively (collectively, "Application Plans"), and submitted as a part of the subject application 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.

The proposed subdivision, improvements, and single-family residential use are consistent with the Low Density Residential General Plan designation which allows for single family development with a density range of 3 to 8 units per acre, resulting in 4 units minimum to 10 units maximum for the Site. The Project proposes 9 units which is at the mid-range (6.7) of the permitted density range. Although each unit contains an attached Accessory Dwelling Unit (ADU), they do not count toward the density range. There are no applicable specific plan design guidelines.

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

The proposed subdivision design, site layout and architecture are consistent with the objective design standards in the Residential Design Guidelines. A mix of coherent forms, details and materials are proposed to create residential units which complement the existing neighborhood. These features are consistent with 3.12 "Massing, Transitions and Architectural Design" of the Guidelines which states; "Architecture within each new residential area should use a variety of forms, details and materials" and "Roof forms should be consistent on all parts of the house and garage" and "Larger wall and roof planes should include 3-dimensional design features such as chimneys, balconies, bay windows or dormers".

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

The Design Review permit is consistent with NMC Title 17 (Zoning Ordinance) as conditioned. With approval of the Amendment to Planned Development PD-35, the proposed Project has been found to be consistent with all applicable development standards of the RI 5 (Single-Family Infill) and PD-35 zoning of the Site. All lots comply with the minimum lot size, coverage and setbacks of the zoning district. As such, with implementation of the conditions of approval set forth herein, the proposed Project would not result in any significant impacts. The design of the proposed subdivision and single-family homes does not result in adverse impacts to adjacent properties or to the general health, safety, and welfare of the community.

Section 4. The City Council hereby approves the Tentative Map as defined on the plans prepared by Robertson Engineering Inc., dated April 18, 2024 and submitted as a part of the subject application and makes the following findings in support of the approval:

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

The proposed subdivision, improvements and single-family use of the Site is consistent with the Low Density Residential General Plan designation, which allows for single family development with a density range of 3 to 8 units per acre, resulting in 4 units minimum to 10 units maximum for the Site. The Project proposes 9 units which is at the high-range of the permitted density range. The Project could be found consistent with Napa 2040 General Plan Policy LUCD 6-2, which promotes a diversity of compatible land uses throughout the City to enable people to live close to job locations, have adequate and convenient commercial services, and enjoy public amenities and services such as transit, parks, trails, and schools.

The Project could also be found consistent with Goal LUCD 10, to enhance the City's character and image as a desirable residential, active, and sustainable community, and celebrate the diversity of residents, and Policy LUCD 10-1, to preserve the character of existing residential neighborhoods while promoting "complete neighborhoods" with safe and convenient access to the goods and services needed for daily life.

The proposed single-family houses would be two-story, similar to the properties in the surrounding neighborhoods. They would reflect a contemporary interpretation of traditional building styles that have similarities to the architecture of the existing neighborhood and are compatible with existing residences in the area consistent with this policy. The proposed single-family use, lot sizes, and density are consistent with the pattern of single-family development in the area.

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

Passive heating and cooling opportunities have been provided to the maximum extent practical as the buildings incorporate operable doors and windows on the east and west elevations and the buildings, the lot sizes and configuration allow for passive heating and cooling opportunities and most of the lots are designed in an east-west alignment to allow for southern exposure.

Section 6. The City Council approval of the Design Review Permit and Tentative Subdivision Map is subject to the following conditions:

Community Development Department – Planning Division:

1. This Design Review Permit and Tentative Subdivision Map, authorizes an approximately 1.35-acre property to be subdivided into 9 single-family residential lots and a Design Review Permit for the house plans, each including an attached accessory dwelling unit as defined on the application plans prepared by Robertson Engineering Inc. for the Tentative Subdivision Map, G.R.I.D. Design Build for the house plans, and Allen Landscape Design for the landscape plans, dated April 18, 2024, April 22, 2024, and March 6, 2023, respectively, and representations submitted with the application and as reviewed and approved by the City Council, and as amended by these conditions of approval.
2. The Planning Manager is authorized to determine whether the Applicant is in compliance with the requirements of the Design Review Permit, Administrative Permit, and Tentative Map.
3. Prior to issuance of a Building Permit, the Applicant shall pay all applicable fees for the Project at the rates in effect at the time of building permit issuance including but not limited to the Affordable Housing Impact Fee.
4. The Applicant shall comply with mitigation measures identified in the following documents:
 - a. Mitigated Negative Declaration (R2016-23) and Initial Study for Harvest Village (File PL15-0110), adopted February 16, 2015.
5. The approval of the Design Review Permit and Tentative Map is contingent on the adoption of the Zoning Amendment modifying Planned Development Overlay PD-35 Overlay District. Subsequent City approvals, such as a building permit, shall not be issued prior to the effective date of the ordinance adopting amendments to the PD-35 Overlay District.

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6. The parking and storage of recreational vehicles on the new private street is prohibited.

7. All utilities serving the units shall be installed underground.

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

9. All 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.

10. The plans submitted for Building Permit for the future single-family residences within the development 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.

11. Any modifications to the approved home elevations shall require approval of a subsequent Design Review Permit by the Planning Commission and City Council.

12. The plans submitted for Building Permit for exterior divided-light windows shall be one of the following choices or a combination of the following choices:

- a. True divided-light window with individual panes of glass separated by muntins; and/or
- b. Simulated divided-light window with the grilles resembling muntins applied to the exterior of the window.

13. All exterior lighting on the site shall be properly shielded and directed downward to preclude glare conditions that might impact adjacent properties or public streets.

14. If any archeological materials or objects are unearthed during Project construction, all work in the vicinity shall be immediately halted until a qualified archeologist is retained by the City to evaluate the finds. Applicant shall comply with all mitigation recommendations of the archeologist prior to commencing work in the vicinity of the archeological finds.

15. Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained.

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16. The plans submitted for the building permit shall include a final landscape and irrigation plan designed and signed by a licensed landscape architect or landscape contractor. The final landscape plans shall specify that: (1) all plant materials be certified by the Napa County Agricultural Commissioner inspection program for freedom from the glassy winged sharpshooter or other pests identified by the Agricultural Commissioner, and (2) the Agricultural Commissioner's Office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County so that inspection can be arranged. No improvement plans shall be approved nor building permit issued until the Planning Manager approves the landscape and irrigation plan. Prior to occupancy for the corresponding unit, the licensed professional who signed the final landscape and irrigation plan shall certify in writing to the Planning Manager that he/she has inspected and approved the installation of landscaping and irrigation and has found them to be consistent with the approved plans including, but not limited to, the certifications and inspections by the Agricultural Commissioner as well as that the systems are in working order. A substitution of an alternate licensed professional may be allowed by the Planning Manager upon a showing of good cause.

17. All Landscaping shall be installed in compliance with approved landscape plans prior to the issuance of a Certificate of Occupancy for the corresponding unit or the timeline identified in the approved landscape plans.

18. The Applicant shall construct a new fence between the Site and the neighboring property in accordance with the approved Fencing Plan. Should the Applicant be unable to obtain permission from the adjacent property owner to reconstruct the fence at their property line, the Applicant may construct a new fence on the Project Site.

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

20. The plans submitted for Building Permit shall include final landscape plans for the proposed development that shall be reviewed and approved by the Planning Manager prior to issuance of a Building Permit. All landscaping and fencing shall be installed in compliance with approved landscape plans prior to the issuance of a Certificate of Occupancy.

21. All mechanical and utility equipment, including transformers and backflow devices must 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. Because transformers and backflow prevention devices are regularly maintained and tested, screening is required to meet certain criteria for the accessibility and visibility. Landscaping and screening of devices must be installed prior to issuance of a Certificate of Occupancy on the project.

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22. Construction activities shall comply, in all respects, with NMC 8.08.025, which limits construction activities to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. on weekends or legal holidays, unless a permit is first secured from the City Manager (or his/her designee) for additional hours. The Ordinance further states that there will be: no start-up of machines nor equipment prior to 8:00 a.m., Monday through Friday; no delivery of materials nor equipment prior to 7:30 a.m. nor equipment past 6:00 p.m., Monday through Friday; and no servicing of equipment past 6:45 p.m., Monday through Friday.

23. 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 June 5, 2024, and attached as Exhibit A.

FIRE PREVENTION DIVISION:

24. The Applicant shall comply with all applicable provisions in NMC Chapter 15.04.

PUBLIC WORKS – DEVELOPMENT ENGINEERING DIVISION:

25. 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).

26. The Applicant shall pay an initial cash deposit of \$3500 for subdivision maps AND/OR \$3500 for improvement plans and shall maintain a minimum monthly balance of \$1,500 for city plan check services.

27. The Applicant shall prepare the Final Map (FM) and Improvement Plans (IP) in accordance (and submittals shall be accompanied by) the "Initial Submittal Checklist", the "Improvement Plan Checklist", and the "Subdivision Map Checklist". The checklists are available at <http://www.cityofnapa.org/483/Forms-Handouts>. Completed checklists shall accompany the first submittal.

28. The Applicant shall design and construct all on and offsite improvements in accordance with the Improvement Plans and supporting calculations prepared by a registered civil engineer and reviewed and approved by the City of Napa Public Works Department (PW) Development Engineering Division. The plans shall be prepared in substantial conformance with the Tentative Map plans prepared by Robertson Engineering Inc dated April 18, 2024, as modified herein by these Conditions of Approval. The improvement plans and supporting calculations shall include detailed designs for all utilities,

grading, drainage, erosion control, stormwater, and paving. The plans and calculations must be approved by the City Engineer prior to the issuance of the building permit.

29. The Applicant to shall submit signed Letters of Intent from the Projects adjacent property owners that indicate the impacted adjacent property owner's understanding of the extent of various improvements to be performed and the willingness to provide all necessary easements, etc. and to allow the construction to occur and improvements to remain.

30. IMPROVEMENT PLANS (PUBLIC) – The following items shall be shown on the Improvement Plans prior to the approval of the plans:

- a. The Applicant shall design and construct frontage improvements along the Project's public street frontages consistent with CON Standards. All existing pedestrian ramps that do not meet current ADA and CON Standards shall be removed and replaced with pedestrian ramps conforming with ADA and CON Standards. In addition, any right of way necessary to accommodate these public improvements shall be dedicated to the City of Napa on the Final Map. The Applicant shall design and construct the following public improvements:
 - i. Capitola Drive:
 - (a) The Capitola Drive Improvements shall be consistent with Street Standards –Local Street (CON Standard Detail S-6D and CON Specification Table 3.1) consistent with the City of Napa 2040 General Plan. Frontage improvements shall be consistent with CON Standards that include Gutters (CON Standard S-1A), Standard Residential Sidewalks (CON Standard S-4), Streetlights (CON Standard E-1), and any other improvements required by the CON Standards and Specifications.
 - (b) Roadway development and frontage improvements (curb, gutter, sidewalk, streetlights, street trees, signage, striping, etc.) along the entire Project frontage of Capitola Drive. The roadway development shall provide a minimum of 20' of pavement width measured from street centerline to face of curb and minimum overall Right-of-Way of 30' from back of sidewalk to street centerline (10' sidewalk, 8' parking, 12' travel lane) Final alignment of improvements shall be subject to review and approval by the City Engineer.
 - (c) The private street connection to Capitola Drive shall include ADA curb ramps and valley gutter consistent with City of Napa Standard S-5B.
 - (d) The project driveways shall be consistent with City of Napa Standard Drawing S-5. Existing driveways that will no longer be used to serve the project site shall be removed and replaced with standard curb, gutter and sidewalk. New curb, gutter, and sidewalk finishes shall match those of the surrounding street and shall conform to the adjacent street improvements.
 - b. The Improvement Plans shall include a Utility Plan showing all the existing and proposed utilities, including overhead and underground utilities, Demolition Plan,

Grading Plan, Joint Trench Plan, Erosion and Sediment Control Plan (ESCP) and a Stormwater Control Plan (SCP).

- c. 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.
 - 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.
- d. 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.
- e. 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.
- f. The applicant shall construct all residential driveways and parking area pavement structural sections in accordance with Site-specific Geotechnical Engineer recommendations or CON Standards (Detail S-5, Residential), whichever is greater.

31. IMPROVEMENT PLANS (PRIVATE) – The Applicant shall design and construct all improvements that will not be dedicated to and/or maintained by the City of Napa (i.e. the “Private Improvements”) as generally shown on the Tentative Subdivision Map and more specifically described below:

- a. Private Street 1 (East/West section as shown on the Tentative Map):
 - (a) Private Street Improvements shall be consistent with Street Standards – Local Street Type B (CON Standard Detail S-6D and CON Specification Table 3.1) Frontage Improvements include Residential Sidewalk (CON Standard S-4, Modified per Planned Development PD-35), Gutters (CON Standard S-1A), Streetlights (CON Standard E-1), and any other improvements required by the CON Standards and Specifications.

- (b) Sidewalks modified per Planned Development PD-35 shall not be less than 4'-0" wide (excluding curb and/or driveway ramps) and shall provide ADA curb ramps at street access points.
- (c) Vertical alignment shall not exceed 7% within 25 feet of the intersection and the maximum overall grade shall not exceed 15%. Vertical curves a minimum of 50 feet long will be allowed as a modification to city standards (100 feet minimum). This has been deemed acceptable to minimize the cut/fill earth work per request dated 10/12/23.
- (d) The project driveways along the private street shall be consistent with City of Napa Standard Drawing S-5A for standard driveway approach with short ramps.
- (e) The applicant shall be responsible for ongoing maintenance and repair of Private Street 1 for the duration of the project. Ongoing maintenance to be addressed in Homeowner's Association (HOA) agreements and/or CC&Rs as applicable.
- b. Private Street 2 (North/South section shown on the Tentative Map):
 - (a) Private Street Improvements shall be consistent with Street Standards – Local Street Type C (CON Standard Detail S-6D and CON Specification Table 3.1) modified to accommodate a Hammerhead Turnaround (No Parking) for a Fire Ladder Truck (CON Standard Detail S-29B) Frontage Improvements include Residential Sidewalk (CON Standard S-4, Modified per Planned Development PD-35), Gutters (CON Standard S-1A), Streetlights (CON Standard E-1), and any other improvements required by the CON Standards and Specifications.
 - (b) Sidewalks modified per Planned Development PD-35 shall not be less than 4'-0" wide (excluding curb and/or driveway ramps) and shall provide ADA curb ramps at street access points.
 - (c) The project driveways along the private street shall be consistent with City of Napa Standard Drawing S-5A for standard driveway approach with short ramps.
 - (d) The applicant shall be responsible for ongoing maintenance and repair of Private Street 2 for the duration of the project. Ongoing maintenance to be addressed in HOA agreements and/or CC&Rs as applicable.
- c. All service laterals (domestic, irrigation, and fire water).
- d. Install drainage facilities, including detention pipe(s), metering boxes, and other appurtenances in accordance with CON Standards
- e. Install all post-construction stormwater treatment facilities consistent with the 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 BASMAA Manual.
- f. The applicant shall construct and maintain a retaining wall separating adjacent Lots 1 and 2 and a second retaining wall separating adjacent Lots 7 and 8. The design and construction of the retaining walls shall comply with all applicable engineering standards and City of Napa standard and specifications.

Construction of the retaining walls shall commence concurrent with the development of the adjacent lots. The applicant shall be responsible for ongoing maintenance and repair of the retaining walls for the duration of the project. Ongoing maintenance to be addressed in HOA agreements and/or CC&Rs as applicable.

- g. The applicant shall construct all residential driveways and parking area pavement structural sections in accordance with Site-specific Geotechnical Engineer recommendations or CON Standards (Detail S-5a, Residential), whichever is greater.

32. Drainage and Grading – The following items related to drainage and grading shall be submitted and shown on the IP prior to plan approval:

- a. The Applicant shall submit storm drain system design report with 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 Standards. 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.
- b. All existing storm drains, drainage inlets, storm drain manholes, etc. shall be shown in the plans along with all relevant information describing each improvement such as inverts, sizes, materials and slopes.
- c. Lot grading and drainage system improvements shall be installed by the Applicant as part of the subdivision improvements. Constructed lot pad elevations shall not deviate more than 0.5 feet from the pad elevations shown on the Tentative Subdivision Map.
- d. 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.
- e. Detention improvements shall be incorporated into the Project storm drain system design consistent CON Standards, Section 2.10 "Detention".
- 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.

- i. Each parcel shall be graded to drain independently from adjoining parcels. If surface drainage is currently passing from adjoining properties onto the Site, the grading plan for the Project shall be designed to continue to accept such drainage and easements shall be established to allow such drainage patterns to continue. All surface drainage must be collected and conveyed to a public street, storm drain or approved outfall.
- j. The roof drainage and downspouts from each home shall not be allowed to discharge onto the adjacent properties.

33. The Applicant shall provide an Erosion and Sediment Control Plan (ESCP) 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 ESCP is approved.

34. Construction Water Quality Measures – In accordance with the NPDES Construction General Permit, the Applicant shall ensure that the Applicant and the contractor incorporate storm water quality Best Management Practices (BMPs) into the Project construction process.

- a. Project > 1 acre of disturbance: Provide an Erosion and Sediment Control Plan (ESCP) and/or a State Stormwater Pollution Prevention Plan (project disturbance >1 acre), as required per the States Construction General Permit. A copy of the Stormwater Pollution Prevention Plans (SWPPP) along with waste discharge identification number (WDID) will need to be provided to the Public Works – Stormwater Program prior to issuance of grading permits.
http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml
PLEASE NOTE: Item above does not require a separate Erosion and Sediment Control Plan (ESCP). The ESCP is a part or element of these plans; however, the SWPPP must address all elements of the required ESCP. See ESCP template at: <http://ca-napa.civicplus.com/574/Stormwater-Quality>.
- b. 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.
- c. 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.
- d. 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.

35. 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"

- a. The post-construction BMP's shall be shown on the project improvement plans and in the required Storm Water 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 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 BMP's shall include but not be limited to the applicable items listed in the City Council adopted Stormwater Quality Control Standards, BASMAA Post-Construction Manual and accepted design review SCP prepared by Roberston Engineering Inc dated 4-19-2024.
- f. Low Impact Development (LID), Bio-retention areas, underground treatment systems, and all other treatment based BMP systems are to be sized in accordance with calculations that conform to the City's BASMAA Post-Construction Manual dated January 2019 and the State MS4 General Permit E.12 provisions and are to be reviewed and approved by the Development Engineering Division.
- g. 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.
- h. 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.
- j. 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.
- k. The agreement shall require that updated information, including contact information, be provided to the City whenever a property is sold and whenever designated individuals or contractors change.
- l. 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.
- m. 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.
- n. 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.
- o. The agreement shall require the owner(s) or operator(s) of any installed treatment system or hydromodification control to provide the Public Works Director with information and physical access necessary to assess compliance with NMC chapter 8.36 and the city's NPDES permit; to provide the City with any writing establishing operation and maintenance responsibilities, and to pay the city an annual fee for inspection and

maintenance services in accordance with the latest Master Fee Schedule adopted by the City Council.

36. MISCELLANEOUS – The following items shall be shown on the improvement plans submitted for approval:

- a. The Applicant shall incorporate the group mailbox concept into the Project design. Proposed locations shall be reviewed and approved by the Post Office and the City of Napa Public Works Department.
- b. 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.
- c. The Applicant shall connect the project to the Napa Sanitation District for sanitary sewer service. Sewer services shall be shown on the improvement plans and shall be installed in accordance with Napa Sanitation District standards and reviewed and approved by the Napa Sanitation District.
- d. As designed and shown on the Robertson Engineering Inc. plans, the project interfaces several adjacent properties. The Applicant shall provide details for each property describing how each property's improvements (fences, retaining walls, concrete curb, concrete gutter, drain inlets, etc.) interface with the new subdivision. If the Applicant is not successful obtaining rights of entry and/or easements from the neighboring property owner(s), the Applicant may construct the fences on the Applicant's property. Details showing fencing shall be incorporated in the Improvement Plans.

37. Prior to approval of the Final Map Improvement Plans, the Applicant shall submit documentation to Public Works-Development Engineering Department (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 for public improvements.
- 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 the PWD- DED a Soils Investigation/ Geotechnical Report in accordance with NMC Section 16. 36. 200 with the first Improvement Plan submittal. The Improvement Plans shall incorporate all design and construction criteria specified in the report. The Geotechnical Engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to Improvement Plan approval. The Geotechnical Engineer shall also assume responsibility for inspection of the work and prior to acceptance of the work shall certify to the City that the work performed is

adequate and complies with their recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of Building Plans in accordance with NMC Title 15.

- 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.

38. Prior to Commencing any activities on Site and any ground disturbing activities, the Applicant shall:

- 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.

39. Subdivision Map (FINAL MAP) - The Applicant shall submit the Final Map for review by the Public Works Department Development Engineering Division, utilizing the Final Map checklist, and approval by the City Engineer. The form and approval of the Final Map shall meet the following requirements.

- a. The Applicant shall prepare a map in compliance with the Subdivision Map Act. Government Code Section: 66410-66499
- b. The Final Map shall show easements for the public road, public utility, private street, and private utilities as required by the Public Works Director. The Final Map shall offer for dedication any public right of way dedications and/or public utility easements. . Specific conveyances include:
 - i. A minimum 5-foot public utility easement adjacent to all public street rights-of-way within the limits of the subdivision.
 - ii. A minimum 30-foot public right of way dedication shall be designated for Capitola Drive as shown on the Tentative Map.
 - iii. Any other public easements determined to be necessary by the Public Works Director for the Project

- c. Any private easements for private street and utility purposes shall be dedicated via separate recorded easement and an annotation of the recording information shall be placed on the final map. Specific conveyances include:
 - i. A variable width access and utility easement shall be designated for the entire Private Street from back of sidewalk to back of sidewalk as shown on the Tentative Map.
 - ii. Required width of private drainage easements shall be designated for the required parcels as shown on the Tentative Map.
- d. The Applicant shall include abandonment of any applicable existing utility easements.
- e. The Owner of the property shall record CC&Rs and establish an incorporated homeowner's association or a maintenance association to provide long term maintenance, financing and monitoring for all shared private street improvements, private storm drains and the post construction storm water best management practices that are incorporated as part of the project.
 - i. The City Engineer and City Attorney must approve the substance and form of the CC&Rs and associated documents prior to the approval of the Final Map.
 - ii. The documents (CC&Rs) shall be recorded contemporaneously with the Final Map.
 - iii. The CC&Rs and homeowners association must provide a detailed outline of responsible parties, inspections, maintenance procedures, the perpetual maintenance and replacement of the improvements, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
 - iv. In addition, the CC&Rs and homeowners association must provide for appropriate provisions relating to enforcement options, the right of the City to access the Site to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The City of Napa shall either be a signatory to the CC&Rs or a third-party beneficiary to the CC&Rs with the right but not the obligation to enforce the obligations and secure attorney's fees for legal counsel to enforce such obligations.
- f. Prior to recording the Final Map, the Applicant shall either install all onsite and offsite improvements or work with the Public Works Department Development Engineering Division to execute the City's Standard Improvement Agreement, provide bonds and provide proof of workers compensation insurance and general liability insurance in the forms and amounts as required by the Risk Manager and City Attorney.

ATTACHMENT 2

- g. The Applicant shall furnish the Public Works Department Development Engineering Division with proof of the payment of the mapping service fee as required by Napa County Board of Supervisors Resolution No. 92-119.
- h. The Applicant shall obtain approval from all parties owning an interest in any existing rights-of-way or easements within the subdivision, which are proposed to be changed, modified, or deleted. Deeds shall be recorded concurrently with the Final Map to reflect the proposed revision, modification or removal of any existing rights-of-way or easements. The deeds shall be submitted to the Public Works Department Development Engineering Division and shall be in forms approved by the City Attorney.

40. Prior to issuance of a Building Permit:

- a. The Applicant shall pay Street Improvement Fees (SIF) 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 (DU)	Street Component Rate	Utility Underground Rate	Street Component Fee	Utility Underground Fee
New Use	Single Family Detached Housing	9	\$2,465/DU	\$2,258/DU	\$22,185	\$20,322
Existing Use (credit)	Single Family Detached Housing	1	\$2,465/DU	\$2,258/DU	\$2,465	\$2,258
					\$19,720	\$18,064

41. Prior to issuing a certificate of occupancy of the first unit 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 constructed to the satisfaction of the City Engineer prior to occupancy.
- b. The improvements identified on the Public Street Repair Plan shall be completed
- c. The Applicant shall replace any damaged curb and gutter along street frontages in accordance with the City of Napa Standard Specifications and Standard Plans.
- d. The applicant shall submit an inspector's punch list indicating that all the "Public & Private Improvements" are constructed to the satisfaction of the City Engineer.
- e. 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.

- f. Submit a certification by the Geotechnical Engineer of Record that all work has been completed in conformance with the recommendations in the Soils Investigation/Geotechnical Report.
- g. 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.
- h. 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.
- i. 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.
- j. The Applicant shall submit to the PW-DED all improvement plans in digital AutoCAD format, compatible with the City's current version, and tied to the City's coordination system for all storm drain facilities, water lines, lot lines, sanitary sewer lines, sidewalks, and streets. AutoCAD files shall be updated for as-built information and submitted to and approved as complete by the PW-DED.

NAPA COUNTY – ENVIRONMENTAL HEALTH DIVISION:

42. The existing well must be properly protected from potential contamination. If the existing well(s) is to be destroyed, a well destruction permit must be obtained from this Division by a licensed well driller. If this well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water System's specifications.

UTILITIES DIVISION - SOLID WASTE:

43. The Project's CC&Rs (if necessary) shall include the following language:
- a. Each lot shall contract separately for solid waste/recycling/organic material collection with the City's authorized contractor.
 - b. Residents shall place carts on their designated collection day on either the Private Street or Capitola Drive per the Napa Municipal Code Section 5.60.060 for service by the City's authorized contractor.
 - c. If carts are to be serviced on the Private Drive all lot homeowners shall sign a Private Drive Agreement to waive the liability of the City's authorized contractor for any damage to the Private Drive. If all homeowners do not sign the Private Drive Agreement all carts shall be brought out to Capitola Drive for servicing by the City's authorized contractor.

44. Prior to approval of the Building Permit, the Applicant shall: If the proposed project exceeds (a) \$100,000 in building valuation; or (b) exceed 5,000 sq.ft. of new, improved, or remodeled areas, the Applicant shall meet the requirements of City Ordinance O2010 18 and file a Waste Reduction and Recycling Plan (WRRP) for review and approval by 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. The form is linked below:

<https://www.cityofnapa.org/DocumentCenter/View/7556/Waste-Reduction-and-Recycling-Plan-WRRP-Form-PDF->

45. Prior to Occupancy, the Applicant shall:
Submit official weight receipts/tags for each load shall be obtained, and at the conclusion of construction shall be submitted for review by the Compliance Official prior to the approval of a Certificate of Occupancy.

UTILITIES – WATER DIVISION:

The submitted Project Plans do not meet City Water Division Standards. Please see the following design comments:

46. Water services shall be metered at the public right-of-way.

47. The proposed hydrant on the property will be required to be a private hydrant and metered per City Standards W-4C.

Prior to approval of the Improvement Plans, the Applicant shall:

48. Submit a utility plan for review and approval by the Utilities Department identifying the following information:

- a) Size of existing water service(s) to property;
- b) Existing water main(s) and applicable tie-in locations, details, etc.;
- c) Abandonment of any existing unused water service(s);
- d) Installation of a single water service for each lot with approved backflow prevention device. Water services may not be shared across property boundaries per NMC Section 13.04.230. The type of backflow device(s) required to be installed shall be determined by the Utilities Department Cross-Connection Specialist. Properties with wells will require installation of an above grade reduced pressure backflow prevention device.
- e) Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations;

ATTACHMENT 2

- f) Installation of a sufficient number of water main valves at City-approved locations;
- g) Relocation of any affected water facilities and/or appurtenances;
- h) Installation of a water quality monitoring/sampling stations at a City-approved location;
- i) Size and location of all proposed water services (residential, fire, irrigation, etc.);
- j) Meter boxes and water services shall be located a minimum of 3-ft outside any vehicular travel ways.
- k) Water services and meters shall be installed per City Standards within public right-of-way or dedicated public utility easement.
- l) Private fire hydrants shall be metered at the public right-of-way per City Std W-4C.
- m) 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.

Prior to Building Permit Approval, the Applicant shall:

49. 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.

50. 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.

51. 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"

52. Submit all required water service capacity/connection fees to the City's Development Engineering Division at 1600 First Street, Napa, 94559.

Prior to Occupancy, the Applicant shall:

53. Submit remaining fees (hot-taps, meter sets, etc.) to the Water Division at 1700 Second Street, Suite 100, Napa, CA;

54. 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;

55. Designate applicable on-site private fire hydrants as private per City Std W-8;

56. Request backflow device inspection from City of Napa Water Division. Call (707)257-9544 at least 48 Hours in advance of requested inspection time;

57. 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;

Prior to Final Building Inspection, the Applicant shall:

58. Submit a record drawing outlining as-built conditions of the completed water system improvements in both electronic and print copy formats;

59. 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).

CITY GENERAL CONDITIONS:

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

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61. No use authorized by this permit may commence until after the Applicant executes any required permit agreement required by previously stated conditions of approval.

62. 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).

63. 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.

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

65. To the full extent permitted by law, the Applicant shall indemnify, defend, release and hold City, its agents, officers, and employees harmless from and against any claims, suits, liabilities, actions, damages, penalties or causes of action by any person, including Applicant, for any injury (including death) or damage to person or property or to set aside, attack, void or annul any actions of City, its agents, officers and employees, from any cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the applications 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.

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

67. The conditions of Project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions (and mitigations) constitute written notice of the statement of the amount of such fees and a description of the dedications, reservations, and other exactions. You are hereby notified that the 90-day period in which you may protest those fees, the amount of which has been identified herein, dedications, reservations and other exactions required in connection with the instant

ATTACHMENT 2

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.

68. 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.

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

70. The Design Review Permit and Tentative Subdivision Map shall become effective on the day following Council's approval of this Resolution, is subject to expiration and revocation, and may be extended, all in accordance with the provisions in NMC Chapters 16.20 and 17.68, as applicable.

Section 7. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 19th day of November 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Christopher Diaz
Interim City Attorney



EXHIBIT "A"

June 5, 2024

Planning Director
City of Napa
P.O. Box 660
Napa, CA 94559

SUBJECT: Harvest Village II, REFRL-001511, GRID Design Build, 804 Capitola Drive (Allen)

NapaSan has reviewed the above-named application, which will be reviewed at an Interdepartmental Staff Meeting.

The owner shall pay to NapaSan the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a City Building Permit, and shall adhere to the rules and regulations as they apply to the application.

NapaSan has identified the following comments based on the current application. NapaSan reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan.

The proposed project shall be subject to the following conditions of approval:

1. A plan showing the required sanitary sewer improvements, conforming to NapaSan standards, shall be prepared by a registered civil engineer and submitted to NapaSan for approval prior to issuance of permits.
2. The owner shall obtain a demolition permit from NapaSan prior to removal of the existing building. Demolition credits shall be valid for a period of two years from the date the demolition permit is issued. The owner will be required to abandon the existing lateral per NapaSan standards at the owner's expense and hire a Class A licensed contractor to install a new street lateral at the owner's expense.
3. Lots 1 through 8 shall be served by private sanitary sewer main(s) designed per NapaSan standards (1% minimum slope). Each lot shall be served by a separate sanitary sewer lateral. The owner shall enter into a Private Main Agreement with NapaSan that outlines the maintenance responsibilities of the owner regarding the private sanitary sewer main(s). Contact NapaSan for additional information.

June 5, 2024
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EXHIBIT "A"

4. For private sanitary sewer facilities, the appropriate language shall be included in the CC&R's regarding maintenance of the private sanitary sewer facilities. A draft set shall be submitted to NapaSan for review.
5. The owner/developer shall enter into an improvement agreement with NapaSan and post the appropriate bonds covering the sanitary sewer work.
6. The sanitary sewer work shall be performed by a Class A contractor.
7. Sanitary sewer mains shall have a minimum clearance of 10 feet from proposed trees, 10 feet from water mains, 5 feet from other utilities, and 5 feet from bioretention areas.
8. Sanitary sewer facilities are required to have a minimum of 36" of cover at all points within the public right of way. The proposed sanitary sewer facilities shall be designed to meet this requirement.
9. The developer shall replace the existing sanitary sewer manhole at the intersection of Capitola Drive and Capitola Court per NapaSan standards.
10. The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:
 - a. Agreement Fees
 - b. Demolition Permit Fees
 - c. Plan Check Fees
 - d. Inspection Fees
 - e. Capacity Charges
11. NapaSan has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at NapaSan's website (www.NapaSan.com). NapaSan may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

The capacity charge for an equivalent dwelling unit currently is \$11,519 and will increase by the Consumer Price Index (CPI) annually in July. Commercial capacity charges are determined per NapaSan Code Section 5.02.030.B. Contact NapaSan Staff at (707) 258-6030 or mfitch@napasan.com for additional information.

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