

RESOLUTION R2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE WESTERN MEADOWS SUBDIVISION

WHEREAS, on April 5, 2019, Borrette Lane Estates LLC (the “Applicant”) submitted an application (File No. PL1-90048) for a design review permit pursuant to Napa Municipal Code (NMC) Chapter 17.62 (“Design Review Permit”) for a tentative subdivision map, a use permit pursuant to NMC Chapter 17.60 (“Use Permit”) for the application of flag lot standards and a tentative subdivision map pursuant to NMC Chapter 16.20 (“Tentative Map”) to subdivide an 7.56-acre property located on the north side of an existing private driveway extending east from the north end of Borrette Lane (“Site”), into twelve single-family lots (APN 041-700-016) (the “Project”); and

WHEREAS, the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. (“CEQA”), requires that the City consider the potential environmental impacts of the Project prior to approving any entitlements for the Project; and

WHEREAS, in accordance with CEQA, the City of Napa Community Development Department prepared an Initial Study for the Western Meadows Subdivision Project which concludes that the Project, with incorporation of certain mitigation measures, will not have a significant effect on the environment; therefore, a Mitigated Negative Declaration has been prepared for adoption; and

WHEREAS, the City of Napa prepared a Mitigated Negative Declaration for the Project, pursuant to CEQA and the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Napa CEQA Guidelines, which is attached hereto as Exhibit A and incorporated herein by reference (“Mitigated Negative Declaration”); and

WHEREAS, on May 27, 2021, the City of Napa posted a Notice of Intent to Adopt a Mitigated Negative Declaration which identified the review period from May 28, 2021 to June 28, 2021, for review and comment by the public and public agencies having jurisdiction by law with respect to the Project; and

WHEREAS, on August 5, 2021, the Planning Commission considered the Mitigated Negative Declaration and all written and oral testimony submitted to it at a noticed public hearing on the Western Meadows Subdivision’s Design Review Permit, Use Permit, and Tentative Map, at which time the Planning Commission heard a presentation by Staff and took public testimony, closed the public hearing, considered the adequacy of the Mitigated Negative Declaration and recommended that the City Council

ATTACHMENT 1

adopt the Mitigated Negative Declaration and approve the Design Review Permit, Use Permit and Tentative Map; and

WHEREAS, on September 7, 2021, the City Council considered the Mitigated Negative Declaration and all written and oral testimony submitted to it at a noticed public hearing on the Western Meadows Subdivision's Design Review Permit, Use Permit, and Tentative Map, at which time the City Council heard a presentation by Staff and took public testimony, and thereafter closed the public hearing and considered the adequacy of the Mitigated Negative Declaration.

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. The record of Project's environmental review shall be kept at the Napa City Community Development Department, 1600 First Street, Napa, CA 94559.

Section 2. After reviewing the Initial Study/Mitigated Negative Declaration, all written and oral comments received on the Mitigated Negative Declaration and all responses to such comments, the City Council hereby finds that there is no substantial evidence, in light of the whole record before the City Council, that the Project, as analyzed in the Initial Study/Mitigated Negative Declaration prepared for the Western Meadows Subdivision Project (PL19-0048) dated May 26, 2021, as mitigated, will have a significant effect on the environment; and that this determination reflects the City Council's independent judgment.

Section 3. The City Council hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project attached hereto as Exhibit A.

ATTACHMENT 1

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 7th day of September 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney

EXHIBIT A

WESTERN MEADOWS SUBDIVISION PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Timing	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date/Initials
<p>Air Quality</p> <p>Mitigation Measure III-1: Grading and construction equipment shall be shut down when not in use.</p> <p>Mitigation Measure III-2: Construction activities shall not occur during windy periods.</p> <p>Mitigation Measure III-3: Exposed soil surfaces shall be periodically sprinkled to retard dust; no City water shall be used for this purpose.</p> <p>Mitigation Measure III-4: BAAQMD Basic Construction Air Pollution Prevention Measures for All Projects:</p> <ol style="list-style-type: none"> All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. All vehicle speeds on unpaved roads shall be limited to 15 mph. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. 	<p>Prior to commencing construction activities and for duration of construction</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p> <p>Verify requirements are</p>	<p>City of Napa Community Development Department/ Building Division</p> <p>City of Napa Public Works and Building Departments</p>	

Legend:

Community Development Department = CDD Public Works = PW

Mitigation Measures	Timing	Implementation Responsibility	Verification		
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<p>f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</p> <p>g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <p>h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</p>	<p>Prior to commencing construction activities and for duration of construction</p>	<p>Applicant / Developer</p>	<p>included in plans and construction contracts and are met during construction</p>	<p>City of Napa Public Works and Building Departments</p>	
<p>Biological Resources</p> <p>Mitigation Measure IV-1: The Applicant shall implement the following measures to minimize and avoid take of individual CRF, measures that would additionally benefit western pond turtle, if present. Prior to issuance of any permits, the Applicant shall provide the Planning Division proof that a qualified professional has been engaged to perform the tasks that comprise this mitigation measure. Prior to Certificate of Occupancy, the Applicant shall provide proof that the qualified professional performed these tasks.</p> <ul style="list-style-type: none"> Immediately prior to the start of work, a pre-construction survey will be conducted in the construction area for CRF by a USFWS –approved biologist. If CRF are found the USFWS shall be notified, the project work shall stop and the relocation of the individual shall be completed with approval by the USFWS. A USFWS-approved biologist shall conduct an Employee Education Program for all construction personnel. At a minimum, the training will include a description of the CRF and their habitat, the importance of the species and their habitats, and the general measures that are being implemented to protect the CRF as they relate to the 	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify that a qualified professional has been engaged to perform the tasks in the mitigation measure</p>	<p>City of Napa Community Development Department</p>	
	<p>Prior to recordation of final map</p>	<p>Applicant / Developer</p>	<p>Verify proof that the qualified professional performed the tasks in the mitigation measure</p>	<p>City of Napa Community Development Department</p>	

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<p>project. Instruction shall include the appropriate protocol to follow in the event CRF are found onsite.</p> <ul style="list-style-type: none"> The number of access routes, number and size of staging areas and the total area of activity shall be limited to the minimum necessary to achieve the project goal. The Service-approved biological monitor will identify the boundaries of the work and staging area and ensure that that contractor does not disturb any ground outside the designated construction area. The contractor shall obtain approval from the monitor to go outside designated areas. A USFWS-approved biologist shall be present during initial grading activities. Thereafter, an onsite person shall be designated to monitor onsite compliance with all minimization measures. The USFWS-approved biologist shall ensure that this individual receives training consistent with that outlined in the Biological Opinion. Best Management Practices shall be implemented during construction to prevent any construction debris or sediment from impacting adjacent habitat. During all phases of project operations, all trash that may attract CRF predators shall be properly contained and removed from the site. The fueling and maintenance of vehicles and other equipment shall occur at least 20 meters from any riparian habitat or water body. <p>Mitigation Measure IV-2: Prior to issuance of any permits, the Applicant shall provide the Planning Division proof that a qualified professional has been engaged to perform the tasks that comprise this mitigation measure. Prior to Certificate of Occupancy, the Applicant shall provide proof that the qualified professional performed these tasks. The following measures should be followed in order to avoid or minimize impacts to passerines and raptors that may potentially nest in the trees:</p> <ul style="list-style-type: none"> Grading or removal of nesting trees should be conducted outside the nesting season, which occurs between approximately February 1 and August 31. 	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify that a qualified professional has been engaged to perform the tasks in the mitigation measure</p>	<p>City of Napa Community Development Department</p>	

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<ul style="list-style-type: none"> If grading between August 31 and February 1 is infeasible and groundbreaking must occur within the nesting season, a pre-construction nesting bird (both passerine and raptor) survey of the grasslands and adjacent trees shall be performed by a qualified biologist within 7 days of groundbreaking. If no nesting birds are observed, no further action is required and grading shall occur within one week of the survey to prevent “take” of individual birds that could begin nesting after the survey. During pre-construction nesting bird surveys, the qualified biologist should thoroughly search for ground, cavity, and canopy nesting species to ensure nesting birds do not go undetected during surveys. If active bird nests (either passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, (i.e., 75-100 feet for passerines and 200-300 feet for raptors), with the dimensions of any required buffer zones to be determined by a qualified biologist in consultation with CDFW. To delineate the buffer zone around a nesting tree, orange construction fencing shall be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude. After the fencing is in place there will be no restrictions on grading or construction activities outside the prescribed buffer zones. If active bird nests are observed, a qualified biologist shall monitor all active nests during construction each day for one week, and weekly thereafter until the nests are no longer active (i.e., to ensure that the buffer zones are adequate in avoiding nest disturbance). If the qualified biologist observes any bird behavior indicative of nest disturbance, the qualified biologist shall cease all work and CDFW shall be consulted with regarding appropriate avoidance and minimization 	Prior to recordation of final map	Applicant / Developer	Verify proof that the qualified professional performed the tasks in the mitigation measure	City of Napa Community Development Department	
	Prior to issuance of demolition, building or grading permits				

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<p>measures to implement on site prior to resuming project activities.</p> <ul style="list-style-type: none"> If a delay in Project construction of greater than 7 days occurs during the nesting season (i.e., February 1 to August 31), another pre-construction survey, and implementation of other minimization measures outlined in Mitigation Measure IV-2 (if applicable), shall be conducted prior to resuming Project construction. <p>Mitigation Measure IV-3: Prior to issuance of any permits, the Applicant shall provide the Planning Division proof that a qualified professional has been engaged to perform the tasks that comprise this mitigation measure. Prior to Certificate of Occupancy, the Applicant shall provide proof that the qualified professional performed these tasks. Applicant shall conduct an updated bat habitat assessment. Trees identified as potential bat habitat, providing canopy, cavity, crevice, or exfoliating bark roosting habitat, shall be field-located and marked prior to tree removal. Trees tagged during this assessment shall only be removed following these procedures:</p> <ol style="list-style-type: none"> Conduct tree removal only: <ul style="list-style-type: none"> Under instruction and initial direct supervision of a qualified bat biologist experienced with two-step tree removal procedures; During seasonal periods of bat activity: either between March 1 (or after evening temperatures rise above 45°F and/or no more than 0.5" rainfall within 24 hours occurs) and April 15 (when females begin to give birth to young); or prior to winter torpor from September 1 to October 15 (before night temperatures fall below 45°F and when rains begin); and Within 24 hours after the removal of non-bat habitat trees. Habitat trees are to be removed over two consecutive days by first cutting non-habitat branches and limbs from habitat trees on Day 1 using chainsaws only (no excavators or other heavy machinery). The remainder of 	<p>Prior to recordation of final map</p> <p>Fencing to be shown on improvement plans Letter prior to recordation of final map</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction Verify biologist's letter</p>	<p>City of Napa Community Development Department</p>	

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<p>the habitat tree is to be removed the following day (Day 2). Both days of work shall be supervised by the qualified bat biologist.</p> <p>Mitigation Measure IV-4: Other trees shall only be removed during seasonal periods of bat activity. Trees outside the project boundary and trees that will remain shall not be trimmed, removed, or damaged. The biologist's letter, submitted prior to Certificate of Occupancy, shall attest that all trees were removed within this period. All trees not being removed shall be protected with temporary fencing at the dripline.</p> <p>Mitigation Measure IV-5: Prior to issuance of any permit and any site disturbance, a Section 404 nationwide permit will need to be obtained from the USACE along with a 401 water quality certification from the RWQCB for placement of fill for the 0.008 wetland area in Lot 3 and for the new culvert at D-1 and fill of 20 linear feet at the southern portion of D-2. For the loss of 0.008 acres of wetlands, the Applicant shall do on-site mitigation by expanding the existing wetland W-1 and creating 813 square feet or 0.018 acres for a 2:1 mitigation to loss ratio. The non-native and invasive blackberry and other weeds will be removed and native wetland plants will be seeded and/or planted in the newly created wetland area. The area will be excavated slightly to match the elevation of the existing wetland and water will be allowed to pond creating the necessary hydrology to sustain the wetland plants.</p> <p>Approximately 6 linear feet of ephemeral drainage labeled as D-1 and the approximately +/- 20 linear feet of the D-2 ditch that will be developed, will be mitigated by expanding the northern portion of D-1 and adding 30 linear feet for a total of 60 square feet which is a greater than 1:1 mitigation to loss ratio.</p> <p>The Applicant shall prepare a formal mitigation plan as part of the permit applications for the USACE and RWQCB. Mitigation will be at a 2:1 ratio so that 0.018 acres of wetland will be created on site</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant/ Developer</p>	<p>Review and verify approved mitigation plan and permit(s) from CDFW and RWQCB</p>	<p>City of Napa Community Development Department</p>	
	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant/ Developer</p>	<p>Review and verify approved mitigation plan and permit(s) from CDFW and RWQCB</p>	<p>City of Napa CDD</p>	

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<p>to compensate for the loss of 0.008 acres of wetlands in Lot 3. There will a minimum of a ratio of 1:1 mitigation to loss for linear feet of drainage equaling approximately 60 square feet or 0.0014 acres as compensation for the loss of 6 linear feet at D-1 and 20 linear feet of D-2. All mitigation will be on site. If mitigation cannot be completed on site then other options for mitigation include the purchase of credits in an approved wetland mitigation bank, in-lieu fees, or off-site creation. The Applicant shall provide a copy of the approved mitigation plan and permit(s) from USACE and RWQCB to the City prior to issuance of a grading permit.</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant/ Developer</p>	<p>Verify requirements are included in plans or payment submitted prior to construction</p>	<p>City of Napa CDD</p>	
<p>Mitigation Measure IV-6: Prior to issuance of any permit and any site disturbance, the Applicant shall enter into a Streambed Alteration Agreement with CDFW for the new outfall for Llama Creek in the southeastern corner of the site and obtain a 401 water quality certification from the RWQCB. A riparian habitat mitigation plan for impacts to any riparian vegetation along the creek may be required to compensate for the loss of any riparian habitat as a result of the construction of the new outfall. Permanent impacts to Llama Creek and the ephemeral drainage shall be mitigated by either on-site or offsite restoration within the same stream or watershed at a minimum 3:1 mitigation to impact ratio for the linear distance and acres permanently impacted. Temporary impacts shall be restored onsite at a 1:1 ratio. A restoration plan shall be prepared and implemented within the same year that Project construction is completed. The plan shall be prepared by a qualified biologist and shall include a minimum 80 percent survival and cover for success criteria, maintenance, and monitoring of plantings for five years. If success criteria are not met, replacement planting, maintenance, and monitoring shall be required for an additional five years. The Applicant shall provide a copy of the approved mitigation plan and permit(s) from CDFW and RWQCB to the City prior to issuance of a grading permit.</p>	<p>Fencing to be shown on improvement plans</p>	<p>Applicant/ Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p> <p>Verify fencing installed</p>	<p>City of Napa CDD</p>	
<p>Mitigation Measure IV-7: The removal of Tree #7 and Tree #10 shown on the November 2018 tree survey shall be mitigated pursuant to NMC Section 12.45.070. Prior to the issuance of a</p>					

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<p>grading permit, the Applicant shall provide Planning Staff with a landscape plan showing where eight coast live oaks, each at least 15-gallons in size, will be planted. The trees shall be planted in accordance with best arboriculture practices prior to recordation of the final map. If the site cannot accommodate the replacement trees, the Applicant shall submit an in-lieu fee for eight replacement trees at the rate on the current City Master Fee Schedule to the Director.</p> <p>Mitigation Measure IV-8: Prior to the commencement of site disturbance and/or grading activities, Tree #5 shall be protected with a temporary barrier erected at a distance of 13 feet from its trunk. Trees #18, #19, and #21 shall be protected with temporary barriers erected at the dripline, except that the barrier around Tree #21 need not extend into the adjacent creek.</p>					
<p>Cultural Resources</p> <p>Mitigation Measure V-1: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 ft. of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the assessment is complete. Implementation of this mitigation measure would reduce potential impacts to archaeological resources to a less than significant level.</p> <p>Mitigation Measure V-2: Prior to issuance of site improvement permits, the Applicant shall provide evidence to the Planning Division that it has engaged an archaeologist for worker education. Prior to the start of any subsurface excavations that would extend beyond previously disturbed soils, all construction forepersons and field supervisors shall receive training by a qualified archaeologist</p>	<p>Prior to and during construction and ongoing</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p>	<p>City of Napa Community Development Department/ Public Works</p>	

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<p>who is experienced in teaching non-specialists to ensure they can recognize cultural resources and will follow proper notification procedures in the event any are uncovered during construction. Procedures to be conveyed to workers include halting construction within 50 feet of any cultural resource find and notifying a qualified archaeologist, who will evaluate its significance.</p> <p>Mitigation Measure V-3: Native American coordination shall follow the protocols established under Assembly Bill 52, State of California Code, and applicable City of Napa procedures. In addition, the following measures shall be implemented with regard to human remains:</p> <ul style="list-style-type: none"> The treatment of any human remains and associated, or unassociated funerary objects discovered during soil disturbing activities shall comply with applicable state laws. Such treatment would include immediate notification of the Napa County Coroner. In the event of the coroner's determination that the human remains are Native American, the coroner shall notify the Native American Heritage Commission, which would appoint a Most Likely Descendant (MLD) (PRC § 5097.98). The archaeological consultant, the City of Napa, and MLD shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects (CEQA Guidelines § 15064.5[d]). The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. The PRC allows 48 hours to reach agreement on these matters. If the MLD and the other parties could not agree on the reburial method, the Event Authority shall follow Section 5097.98(b) of the PRC, which states that "the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with 	<p>Prior to and during construction and ongoing</p>	<p>Applicant/ Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p>	<p>City of Napa Community Development Department/ Public Works</p>	

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appropriate dignity on the property in a location not subject to further subsurface disturbance.”					
<p>Geology</p> <p>Mitigation Measure VII-1: For all subdivision and parcel maps, the Applicant shall prepare a Soils Investigation/Geotechnical Report in accordance with Section 16.36.200 of the NMC. 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 parcel/final map approval. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, 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 individual house plans in accordance with Title 15 of the NMC.</p> <p>Mitigation Measure VII-2: If paleontological resources are encountered during ground-disturbing project activities, work shall be halted immediately at the location of the resources. The on-site construction foreman shall notify the City’s Community Development Department to contact a qualified paleontologist to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Construction workers shall not collect or move any paleontological resources. If found to be significant, and project activities cannot avoid the paleontological resources, adverse effects to paleontological resources shall be mitigated. Mitigation may include on-site monitoring, recording the fossil locality, data recovery and analysis, a final report, and accessioning the fossil material and technical report to a paleontological repository. Upon completion of the assessment, a report documenting methods, findings, and recommendations shall be prepared and submitted to the City of Napa Community Development Department and, if</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p>	<p>City of Napa CDD/PW</p>	
	<p>Prior to and during construction</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts prior to construction</p>	<p>City of Napa CDD/PW</p>	

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paleontological materials are identified, a paleontological repository, such as the University of California Museum of Paleontology.					
<p>Hydrology and Water Quality</p> <p>Mitigation Measure X-1: The Applicant shall ensure that no construction materials (e.g., cleaning fresh concrete from equipment) are conveyed into the storm drain system. The Applicant shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the storm water drainage system.</p> <p>Mitigation Measure X-2: All materials that could cause water pollution (i.e., motor oil, fuels, paints, etc.) shall be stored and used in a manner that will not cause any pollution. All discarded material and any accidental spills shall be removed and disposed of at an approved disposal site.</p> <p>Mitigation Measure X-3: All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the storm water system or ground water. The Applicant shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the storm water drainage system.</p> <p>Mitigation Measure X-4: Applicant shall mark all new storm drain inlets with permanent markings, which state “No Dumping—Flows to River.” This work shall be shown on improvement plans.</p>	Prior to issuance of grading and building permits and ongoing	Applicant / Developer	Verify requirements are included in plans and construction contracts and are met during construction	City of Napa Community Development Department City of Napa Public Works Department	
<p>Noise</p> <p>Mitigation Measure XIII-1: Construction activities shall be limited to specific times pursuant to NMC 8.08.025 which limits construction</p>					

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<p>activities to 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 4:00 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 past 5:00 p.m., Monday through Friday; no cleaning of machines nor equipment past 6:00 p.m., Monday through Friday; no servicing of equipment past 6:45 p.m., Monday through Friday.</p> <p>Mitigation Measure XIII-2: Construction equipment shall have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained.</p> <p>Mitigation Measure XIII-3: Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.</p> <p>Mitigation Measure XIII-4-X: Grading and construction equipment shall be shut down when not in use.</p>	<p>Developer shall post on-site notice of times for construction.</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in plans and construction contracts and are met during construction</p>	<p>City of Napa Building Division</p>	
<p>Public Services</p> <p>Mitigation Measure XV-1: Applicant shall comply with all applicable requirements of the Uniform Fire Code the Fire Department and PWD Standard Specifications and the Fire Department "Standard Requirements for Commercial/Residential Projects," including, without limitation, the requirements for access, new construction, smoke detectors, fire extinguishers, fire hydrants, etc. Existing fire hydrants may be used to meet hydrant location requirements only if they meet or are changed to meet current hydrant specifications.</p> <p>Mitigation Measure XV-2: Properties having common ownership shall provide the Fire Department with a notarized copy of the</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>City of Napa Fire Prevention Division / Building Division</p>	

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			Monitoring Action	Monitoring Responsibility	Date/Initials
<p>recorded conditions, covenants, and restrictions agreement in a form satisfactory to the City Attorney ensuring that all components of fire protection system(s), and fire access roads will be maintained by a maintenance district, owner's association, or similar legally responsible entity.</p> <p>Mitigation Measure XV-3: All newly constructed buildings must have automatic sprinkler systems conforming to NFPA and City Standard Specifications, for which an installation permit must be obtained from Fire Prevention. In multi-building complexes, or in buildings with three (3) or more stories, special monitoring conditions will be required. Existing habitable buildings, which are retained, shall be retrofitted.</p> <p>Mitigation Measure XV-4: Applicant shall pay the required fire and paramedic fees for new development in accordance with Napa Municipal Code Chapter 15.78. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 94-106 are incorporated herein. The City further finds that calculation of the fee pursuant to the formula set forth therein demonstrates that there is a reasonable relationship between the fees imposed and the cost of improvements attributable to this project.</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>City of Napa Fire Prevention Division / Building Division</p>	
<p>Recreation</p> <p>Mitigation Measure XVI-1: Applicant shall pay the required fees for each new dwelling unit in accordance with the Napa Municipal Code Chapter 15.68. Such fee shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 92-084 are incorporated herein. The City further finds that calculation of the fee due pursuant to the formula set forth in Section 15.68.040 of the Napa Municipal Code demonstrates that there is a reasonable relationship between the fees imposed and the cost of the improvements attributable to this project.</p>			<p>Verify requirements have been met prior to</p>	<p>City of Napa Building Division / Community Development</p>	

Legend:
 Community Development Department = CDD Public Works = PW

Mitigation Measures	Timing	Implementation Responsibility	Verification		
			Monitoring Action	Monitoring Responsibility	Date/Initials
<p>Mitigation Measure XVI-2: Unless project approval requires only land dedication, the Applicant shall pay In-lieu Park dedication fee(s) in accordance with and for the purposes of NMC Sections 16.32.040, 15.68.010 and 15.68.090 for each residential unit authorized or allowed by project approval. Such fee(s) shall be payable at the rate in effect at time of payment. The findings set forth in the ordinances and in Resolution 92-084 are incorporated herein. The City further finds that the calculation of fees in accordance with the formula set forth in NMC Section 16.32.040D demonstrates that there is a reasonable relationship between the amount of fees imposed and the costs of acquisition attributable to this project.</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>issuance of building permits</p>	<p>Department/ Parks and Recreation</p>	
<p>Transportation/Traffic</p> <p>Mitigation Measure XVII-1: In order to mitigate the cumulative impact of the traffic generated by the subject project on the City's arterial and collective street system, the Applicant shall pay a Street Improvement Fee in accordance with Napa Municipal Code Chapter 15.84 and implementing resolutions to pay for the traffic improvements identified therein. Such fee shall be payable at the rate in effect at the time of payment. The findings set forth in the ordinance and implementing resolutions are incorporated herein. The City further finds that the calculation of the fees in accordance with the trip generation capacity of development demonstrates there is a reasonable relationship between the amount of the fees imposed and the cost of the street improvements attributable to this project.</p> <p>Mitigation Measure XVII-2: The Applicant shall construct a Class III bicycle facility along Patrick Road from Borrette Lane to Browns Valley Road.</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements have been met prior to issuance of site improvement/ building permits</p>	<p>City of Napa Public Works Department</p>	
	<p>Acceptance of improvements prior to recordation of final map</p>	<p>Applicant / Developer</p>	<p>Inspect construction of right-of-way improvements through Acceptance process</p>	<p>City of Napa Public Works Department</p>	

Legend:
 Community Development Department = CDD Public Works = PW