

RESOLUTION R2018-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING A USE PERMIT, DESIGN REVIEW PERMIT AND TENTATIVE MAP FOR THE VISTA GROVE SUBDIVISION, A SUBDIVISION OF A 4.9-ACRE PROJECT SITE INTO 27 SINGLE FAMILY LOTS, LOCATED AT 4455 LINDA VISTA AVENUE AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, on March 6, 2018 Catherine Okimoto (“Applicant”) submitted an application for a use permit pursuant to Napa Municipal Code (“NMC”) Chapter 17.60 (“Use Permit”) to authorize the use of flag lot development standards; a design review permit pursuant to NMC Chapter 17.62 (“Design Review Permit”) for the proposed Tentative Map and single-family residences; and a tentative subdivision map pursuant to NMC Chapter 16.20 (“Tentative Map”) to divide 4455 Linda Vista Avenue (APNs: 007-040-045 & 042) (“Site”) into 27 single family residential lots (the “Project”); and

WHEREAS, on October 4, 2018 the Planning Commission considered the Use Permit, Design Review Permit and Tentative Map and all written and oral testimony submitted to it at a noticed public hearing on the Use Permit, Design Review Permit and Tentative Map, at which time the Planning Commission heard a presentation by staff and took public testimony, and thereafter closed the public hearing and where they subsequently recommended that the City Council approve the applications; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

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

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

2. The City Council hereby determines that the Project is exempt from the requirements of CEQA pursuant to Section 15332 of the CEQA Guidelines (Categorical Exemptions; Class 32), which exempts in-fill development projects that are consistent with the General Plan and Zoning Ordinance; that occur within City limits and are on sites no more than 5 acres in size; that are on sites with no value as habitat for endangered, rare or threatened species; that would not result in any significant effects relating to traffic, noise, air quality, or water quality; and that can be adequately served by existing utilities. The City Council also determines that the exceptions to categorical exemptions identified in Section 15300.2 of the CEQA Guidelines are inapplicable because the land is in an

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urbanized area with no environmentally sensitive habitats or species of concern on the Site, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment. Based on this analysis, no significant environmental effects would result from this Project and the exemption is appropriate.

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

The proposed use is in accord with the General Plan, applicable specific plans, the objectives of the Zoning Ordinance, and the purposes of the district and overlay district in which the site is located.

The Project is consistent with SFI-3, Single Family Infill General Plan designation which allows for single family development at a density from three to six units per acre, and with the RI-5: AH, Single Family Infill: Affordable Housing overlay regulations which allow for single family development on minimum lot sizes of 5,000 square feet. The proposed flag lots are consistent with the Zoning Ordinance and the Flag Lot Development standards.

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

The proposed flag lot design of Lots 22 and 23 are consistent with the flag lot development standards and approval of the Use Permit will not cause any health, safety and/or general welfare hardship to the community. As conditioned, the Project would not result in any significant impacts.

The proposed use complies with each of the applicable provisions of the Zoning Ordinance.

The Project has been found to be consistent with all applicable development standards of the RI-5: AH, Residential: Affordable Housing Overlay zoning of the Site. All lots comply with the minimum lot size, coverage and setbacks of the zoning district. The Project provides 11 homes that have either an Accessory Dwelling Unit (ADU) or a Junior Accessory Dwelling (JADU) unit which represents 40.7% of the total units. The development does not contain an age restriction and the 27 units represents approximately 94% of the density range. The Project will also comply with the appropriate affordable housing impact fee requirements in Chapter 15.94 of the Napa Municipal Code. Therefore, the Project meets or exceeds the AH requirements. The flag lot design has been reviewed for compliance with the standards of Section 17.08, Residential Districts and 17.52.190, and has been found to meet all applicable standards including lot size, access and parking.

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

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

The proposed Tentative Map improvements and single-family use of the Site are consistent with the Single-Family Infill General Plan designation, the prescribed General Plan density and the Affordable Housing overlay's requirements that the Project's density be no lower than 90% of the site's General Plan density range and that 40% of total units shall include second dwelling units. The General Plan allows for a density range of three to six units an acre, and this Project proposes a density of 5.5 units an acre. The Project is also consistent with General Plan policies regarding neighborhood compatibility as the proposed single-family use and lot sizes are similar to other subdivisions in the vicinity.

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

The proposed subdivision design, site layout and architecture are consistent with the goals, policies and recommendations outlined in the Residential Design Guidelines. The proposed Project maintains consistent lot orientation and lot sizes that are compatible with the existing neighborhood. The proposed architecture is consistent with the policies outlined in the Residential Design Guidelines. A mix of coherent forms, details, and materials are proposed to create a variety of homes which complement the neighborhood. The design of the homes includes one story and two-story homes consistent with the design principles of the Residential Design Guidelines.

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

The Design Review permit is consistent with Title 17 of the Municipal Code (Zoning Ordinance) as conditioned. As such, with implementation of the adopted conditions of approval, the proposed Project would not result in any significant impacts. The design of the proposed subdivision and single-family homes does not result in adverse impacts to adjacent properties or to the general health, safety, and welfare of the community.

5. The City Council hereby approves the Tentative Map prepared by RSA+, dated May 4, 2018 ("Application Plans") submitted as part of the subject application and makes the following findings in support of the approval:

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

The proposed subdivision, improvements and single-family use of the Site are consistent with the Single-Family Infill General Plan designation which allows for single family development with a density of three to six units an acre. The Project has an overall density of 5.5 units per acre. The Project is also consistent with the following General Plan policies

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regarding neighborhood compatibility as the proposed single-family use and lot sizes are similar to existing uses and lot sizes in the vicinity:

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

The proposed 27-lot infill development project has been designed to achieve a density that is above the mid-point of the density range for this Site. The achieved density makes the most efficient use of the underutilized land, consistent with Policies H1.1 and H1.4.

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

The area has a variety of lot sizes ranging from 5,000 square feet to 10,000 square feet and greater but the predominant lot size appears to be between 5,000 and 8,000 square feet. The proposed lots are compatible in size with those in the neighborhood. The proposed single-family use and homes reflect a contemporary interpretation of traditional building styles that have similarities to the architecture of the existing neighborhood and are compatible with existing residences in the area consistent with this policy. The proposed single-family use, lot sizes, and density are consistent with the pattern of single family development in the area.

Transportation Element Goal T-1 seeks: "To provide for extension and improvement of the City's roadway system to ensure the safe and efficient movement of people and goods.

The Project connects two discontinuous streets (Wine Country Avenue and Winedale Lane) thereby extending and improving circulation for the residents in the Site's vicinity. Also, the new segment of Wine Country Avenue is designed to include a traffic calming measure identified as a "choker". This safety feature involves a narrowing of a roadway near the center of the Project which is intended to reduce traffic speeds.

Transportation Policy T-1.8 states, "The City shall connect (or require the connection of) discontinuous arterial or collector streets and improve circulation network continuity involving minor access streets and other high-volume streets...including Wine Country Avenue west of Linda Vista Avenue".

The Project accomplishes this policy by constructing the discontinuous portion of Wine Country Avenue. Similarly, this new connection is consistent with Figure 3-2 of the General Plan which identifies desired future roadway improvements, specifically calling for the completion of the missing segment of Wine Country Avenue west of Linda Vista Avenue.

The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision, as

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described in the State Subdivision Map Act and any guidelines promulgated by the Council.

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

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

COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

1. The plans submitted for building permits shall conform substantially to the plans and representations submitted with the application (date stamped, received August 16, 2018 as modified by the plans date stamped, received September 19, 2018) and as reviewed and approved by the City Council, and as amended by the conditions of approval. The plans indicate a subdivision of a 4.9-acre project site at 4455 Linda Vista Avenue into 27 single family lots. Consistent with the Affordable Housing Overlay District, at least eleven of the homes shall include either an Accessory Dwelling Unit or Junior Accessory Dwelling Unit. Access to the subdivision will be via new extensions of Wine Country Avenue, Winedale Lane and a cul-de-sac of Wine Press Way. The proposed streets and sidewalks will be public. Lot sizes range from 0.11 acres to 0.18 acres. The Design Review Permit approval includes six model house plans that range in size from 1,556 to 3,031 square feet.

2. The Applicant shall locate the single-story home models in the locations identified on the plans dated September 19, 2018.

3. The six distinct home models shall be arranged so that no two adjacent lots have the same elevation.

4. One of the two Napa NV home models on Lots 10 and 11 and one of the two models on Lots 25 and 26 shall have a varied elevation and different exterior surface treatments so that no two adjacent lots have the same elevation or exterior surface treatment. These elevation and surface treatment modifications shall be submitted with the building permit plans and approved by the Planning Manager. Alternatively, another approved home model may be substituted on Lots 10 or 11 and/or on Lots 25 or 26.

5. Building footprints are approved as shown on the approved Tentative Map (prepared by RSA+, dated August 15, 2018). The Applicant shall not alter building footprints from the approved locations. Plans submitted for building permits shall include dimensioned setback identification.

6. Except as permitted in Condition 4, any modifications to the approved home elevations shall require a subsequent Design Review Permit approval. These future home designs shall be subject to review pursuant to Napa Municipal Code Section 17.68.140.

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7. All Project conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of Building Permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.

8. Construction activities shall be limited to specific times pursuant to 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; no servicing of equipment past 6:45 p.m., Monday through Friday, and construction on weekends or legal holidays shall be limited to the hours of 8:00 a.m. to 4:00 p.m.

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

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

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

12. If window mullions are proposed for any exterior window within the subdivision the window mullion shall be placed on the exterior of the window. The windows identified as having a true "four light" pattern with surface mounted mullions and three light horizontal bar pattern shall be specified as such on the building permit plans.

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

14. Prior to approval of the final map, Applicant shall establish an incorporated homeowner's association with recorded Covenants, Conditions & Restrictions (CC&Rs) to own, operate and maintain the Private Improvements (defined herein). Alternatively, the Applicant may establish an incorporated maintenance association and their attendant

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satisfactory CC&Rs to provide for the operation and maintenance of the Private Improvements in lieu of a homeowner's association. In either case, the CC&Rs shall be submitted to the City Engineer for approval as to substance and to the City Attorney for approval as to form. The CC&Rs shall contain a statement indicating that the City is deemed to be an express third-party beneficiary of the CC&Rs and has the right, but not the obligation, to enforce any of the provisions of the CC&Rs. Subsequent to initial submittal and approval of CC&Rs, any proposed amendments to the CC&Rs shall be submitted for review to the Community Development Director or designee, and shall be subject to approval by the Community Development Director as to substance, and the City Attorney as to form, prior to the amendments being valid. In the event a proposed amendment materially alters any of the provisions required by the City to be included in the CC&Rs, the Community Development Director may require the proposed amendment to be subject to approval of the City Council.

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

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

17. 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.

18. Side on treatments have been approved for Lot's 1, 2, 11, 12, 17, 18, 24, 27, and 23. Details of landscaping within these side on treatments shall be included in the final landscape plan that shall be submitted for approval with the improvement plans.

19. All retaining walls that are visible from the public right-of-way shall be designed with a decorative finish. Detailed retaining wall finishes shall be submitted with improvement plans and shall be approved by the Planning Manager.

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

PUBLIC WORKS DEPARTMENT:

21. Approval of this Project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the Napa Municipal Code, the

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Public Works Department Standard Specifications and Standard Plans, and the City's "Post-Construction Storm Water Pollution Prevention Design Standards".

22. The Applicant shall construct all on and offsite improvements in accordance with improvement plans and supporting calculations that are prepared by a registered civil engineer and reviewed and approved by the City of Napa Public Works Department (PW) Development Engineering Division. The improvement plans shall be prepared in conformance with the plans prepared by RSA+ dated August 15, 2018 as modified herein by these Conditions of Approval. The improvement plans and supporting calculations shall include detailed designs for all utilities, water, grading, drainage, erosion control, stormwater, and paving. The plans and calculations must be approved by the City Engineer prior to the issuance of any building permit.

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

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

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

a. Linda Vista Avenue:

- (1) Applicant shall replace all the existing street signs along the Project frontage.
- (2) Applicant shall replace the existing curb ramp located on the southeast corner of the Linda Vista/Wine Country Avenue intersection.
- (3) Applicant shall replace all public street frontage improvements along Linda Vista Avenue including curbs, curb and gutter, sidewalk, landscape strip, etc.
- (4) The Applicant shall install multi-way stop control on all approaches of the Linda Vista Avenue and Wine Country Avenue Intersection. Stop control shall include Stop Signs (R1-1), Stop legend markings, and stop bar markings per CA MUTCD.
- (5) Applicant shall resurface the entire Project frontage along Linda Vista Avenue from lip of gutter to lip of gutter and extend to the east curb returns of the Wine Country Avenue intersection. The resurface shall be a 2-inch grind and overlay.

b. Wine Country Avenue:

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(1) The alignment/conform on the west side of the Project between the existing Wine Country Avenue and new Wine Country Avenue extension shall be softened and shall include tangents between curbs if feasible. As currently designed and shown on the plans the curbs meet at a sharp point.

(2) Applicant shall install concrete curb and gutter along the north side of Wine Country Avenue between Winedale Avenue and Linda Vista Avenue.

(3) The Right-of-Way width between Winedale Lane and Linda Vista Avenue is 56-feet.

c. Winedale Lane:

(1) The Right-of-Way widths on both sides of Wine Country Road (south and north) shall match the existing street widths.

(2) Applicant shall install stop control on the Winedale Lane approaches of the Winedale Lane and Wine County Avenue intersection. Stop control shall include Stop Signs (R1-1), stop legend markings, and stop bar markings per CA MUTCD.

d. All required public frontage and street improvements shall be designed and built in accordance with City of Napa ordinances and the Public Works Department Standard Specifications. Street improvements shall include curbs, gutter, standard 4' sidewalk, 6' planter strip, street paving, street lights, street type driveway approaches, drainage facilities, and street trees. Final design and location of public frontage improvements shall be subject to the approval of the Public Works Director.

e. Any additional right-of-way necessary to accommodate these improvements shall be dedicated to the City prior to improvement plan approval.

f. The Applicant shall provide red curb within 20 feet of the curb return at street intersections.

g. All existing curb return pedestrian ramps and driveway approaches that do not meet current ADA and City Public Works Standards shall be removed and replaced with ramps conforming to the current ADA and City Public Works Standards.

h. Curb return pedestrian ramps meeting current ADA and City Public Works Standards shall be installed at the Project intersections along Linda Vista Avenue, Wine Country Avenue, and Winedale Lane.

i. The existing driveway approaches, which will no longer be used to access the Site, shall be removed and replaced with standard curb, gutter, and sidewalk.

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j. All public street pavements structural section installations shall include a minimum of three inches of Asphalt Concrete over 15 inches of Class 2 Aggregate Base material. Refer to Table 3.1 Street Design Criteria for minimal structural sections.

k. Public street access points and street corners shall be designed to satisfy the City of Napa Visibility and Fencing Standard (Std. Detail 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.

l. The Applicant shall incorporate the group mailbox concept into the Project design. Proposed locations shall be reviewed and approved by the Post Office and Public Works.

m. The improvement plans shall include an Erosion Control Plan.

n. The improvement plans shall include a Utility Joint Trench Plan.

o. The improvement plans shall include a Construction Traffic Control Plan.

p. The improvement plans shall include all the existing utilities including overhead and underground utilities.

q. 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, utilities (water, sewer, storm drain, electrical, cable TV, telephone, etc.). This plan shall be updated during the construction process as necessary to reflect any unanticipated street repairs. Associated with said plan are the following requirements:

(1) The Applicant shall resurface the existing street pavement whenever a street is cut, either by a longitudinal or transverse cut, for utility or other improvement installations. The resurfacing shall extend a sufficient distance beyond any cut to ensure a smooth transition and shall consist of either a two-inch asphalt concrete overlay, or geotextile material with a minimum two-inch asphalt concrete overlay, depending upon the extent of the proposed pavement cuts and the condition of the existing pavement section, as determined by the City Engineer. The Applicant shall also provide ditches and reconstruction of any potholed and/or alligatored areas. Installation of street paving by the Applicant shall include reconstruction of the existing pavement section as required to provide adequate conforms. The limits of such reconstruction shall be reviewed by the Public Works Department Development Engineering Division and approved by the City Engineer as part of the construction plan review.

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(2) The Applicant shall repair all pavement, curb, gutter and sidewalk that are damaged by the construction process in accordance with The Public Works Department Standard Specifications and Standard Plans.

(3) Any unanticipated street cuts or other street repair items that become evident following improvement plan approval shall be included by way of revisions to the Street Repair Plan.

r. For trenching within existing roadway areas, the Applicant's engineer shall pothole or otherwise physically determine the actual horizontal location and vertical depth of all underground utility systems throughout the proposed areas of work and at all utility connection and crossing points. The Applicant shall provide with the first improvement plan submittal 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.

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

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

a) All existing storm drains, drainage inlets, storm drain manholes, etc. shall be shown in the plans along with all the relevant information describing each item such as inverts, sizes, slopes, etc.

b) Applicant shall replace the existing Drainage Catch Basin located near the south property line along Linda Vista Avenue.

c) Lot grading and drainage system improvements shall be installed by the Applicant as part of the Project improvements. Constructed lot pad elevations shall not deviate more than 0.5 feet from the pad elevations shown on the Tentative Map.

d) The grading plans provided by the Applicant for review shall include the existing topography shown with contour lines labeled at one-foot intervals and extending a minimum of 100-feet beyond the limits of the Site, or a sufficient distance to indicate impacts on adjacent properties.

e) Detention improvements shall be incorporated into the Project storm drain system design as necessary to maintain post development 10 year, 25 year and 100 year runoff from the Site at pre-development levels. The Applicant shall provide storm drain

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inlets with enough capacity to ensure 100-year storm water flow enters the detention system. Supporting calculations shall be submitted for review and approval.

f) The grading and drainage plan shall include a design that allows for a 100-year overland release with all finish floor and garage slab elevations a minimum of one foot above the 100-year overland release elevation.

g) On-site storm drains, outside of City right-of-way, shall be made of SDR-35 plastic or reinforced concrete pipe.

h) Any retaining walls which are greater than one foot in height, which are adjacent to a property line, shall be masonry or concrete. Wood retaining walls shall not be installed adjacent to property lines.

i) It is the City's policy to require all new parcels to be graded to drain independently from adjoining parcels. If surface drainage is currently passing from adjoining properties onto the Site, the grading plan for the Project shall be designed to continue to accept such drainage and easements (or deed restrictions requiring the reservation of easements upon property transfer) 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 Applicant shall provide an Erosion and Sediment Control Plan (ESCP) and a schedule for implementation of approved measures to the Public Works Department Development Engineering Division for review and approval with the first improvement plans submitted for review. A grading permit shall not be issued until the erosion and sediment control plan is approved.

k) The roof drainage and downspouts from the buildings shall not be allowed to discharge into any adjacent properties and the gutter downspouts and drainage need to be directed away from adjacent property lines.

l) **CONSTRUCTION WATER QUALITY MEASURES** – In accordance with the NPDES Construction General Permit, the property owner shall insure that the Applicant and the contractor incorporate storm water quality Best Management Practices (BMP's) into the Project construction process.

(1) Project > 1 acre of disturbance: Provide an Erosion and Sediment Control Plan (ESCP) and/or a State Stormwater Pollution Prevention Plan (project disturbance >1 acre), as required per the States Construction General Permit. A copy of the Stormwater Pollution Prevention Plans (SWPPP) along with waste discharge identification number (WDID) will need to be provided to the Public Works – Stormwater Program prior to grading permits. http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml

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PLEASE NOTE: Item above does not require a separate Erosion and Sediment Control Plan (ESCP). The ESCP is a part or element of these plans; however, the SWPPP must address all elements of the required ESCP. See ESCP template at: <http://www.cityofnapa.org/574/Stormwater-Quality>

(2) The construction BMP's shall be shown on the Project Erosion and Sediment Control Plan (ESCP).

(3) The Project property owner shall insure that the contractor manages all construction activities; and handles, stores and disposes of all hazardous and non-hazardous waste in a manner that eliminates or minimizes (to the maximum extent practicable) the discharge of pollutants (e.g. motor oil, fuels, paints/stains and solvents, asphalt products, concrete, herbicides and pesticides, etc.) to the storm drains, ground water, and/or waterways

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

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

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

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

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

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

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

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Handbook". The design and calculations are to be reviewed and approved by the Development Engineering Division.

(5) The Project post-construction BMP's shall include but not be limited to the applicable items listed in the City Council adopted Stormwater Quality Control Standards, BASMAA Post-Construction Manual and accepted design review Stormwater Control Plan prepared by RSA+ dated February 14, 2018.

n. The Applicant shall submit storm drain system design calculations that are prepared by a registered civil engineer for review and approval by the Development Engineering Division. Storm drain system design flows shall be calculated based on the requirements listed in the City of Napa Public Works Department Standard Specifications and Standard Plans. The calculations shall include a drainage basin map showing basin limits and area in acres, hydrology, and system hydraulic calculations, pipe size calculations, inlet capacity calculations, stormwater quality treatment and other information necessary to support the proposed design. Storm drains will be sized to carry the flows generated by the design storm per City of Napa Standards. The storm drain system design calculations shall show that the pipes have a self-cleaning minimum velocity of three feet (3') per second when flowing half full.

o. Install drainage facilities, including detention pipe(s), metering boxes, and other appurtenances to collect and convey all surface drainage to an approved outfall.

p. Easements (or deed restrictions requiring the reservation of easements upon property transfer) shall be established for piped, V-ditched and overland (sheet and channeled) drainage between the parcels. Drainage easements shall be provided for the drainage facilities shown on the plans in accordance with the City of Napa Public Works Department Standard Specifications and Standard Plans. Easements shall have a minimum width of 10-feet. Pipes exceeding 24-inches in diameter or deeper than 5-feet will require wider easements as required by the Public Works Director. All drainage easements must be shown on the improvement plans. Easement documents shall be reviewed and approved by the Public Works Department Engineering Division as to substance and approved by the City Attorney as to form and recorded prior to occupancy.

q. Low Impact Development (LID), Bio-retention areas, underground treatment systems, and all other treatment based BMP systems are to be sized in accordance with calculations that conform to the City's BASMAA Post-Construction Manual dated July 14, 2014 and the State MS4 General Permit E.12 provisions and are to be reviewed and approved by the Development Engineering Division.

r. The property owner shall enter into a long term maintenance agreement with the City of Napa approved as to form by the City Attorney and as to substance by the City Engineer for long term maintenance, financing and monitoring for the post construction storm water best management practices that are incorporated as part of the Project and as called out in the Approved Stormwater Control Plan.

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(1) The agreement shall include a detailed outline of responsible parties, inspections, maintenance procedures, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.

(2) The agreement shall be recorded prior to approval of the Improvement Plans. The agreement must provide for the perpetual maintenance and replacement of the improvement as well as appropriate provisions relating to enforcement options, the right of the City to access the 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 agreement or a third-party beneficiary to the agreement with the right but not the obligation to enforce the obligation and secure attorney's fees for legal counsel to enforce such obligations.

(3) Updated information, including contact information, must be provided to the municipality whenever a property is sold and whenever designated individuals or contractors change.

(4) Appropriate easements or other arrangements satisfactory to the City Engineer as to substance and the City Attorney as to form necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to improvement plan approval.

(5) All development projects must be planned, designed and constructed consistent with the post construction standards in the city's NPDES permit and in accordance with the post construction storm water management requirements established by the City, including but not limited to, the current version of the Bay Area Stormwater Management Agencies Association Post-Construction Manual or an updated version of that manual or other post-construction storm water management standards as adopted by Council resolution.

(6) The owner of the Site shall provide a written document, deed, agreement or similar writing acceptable to the Director, obligating the Project proponent, their successors in control of the Project and successors in fee title to the underlying real property (or premises), to assume responsibility for the operation and maintenance of all installed treatment systems and hydromodification controls, if any, for the Project.

(7) The owner or operator of any installed treatment system or hydromodification control (if applicable) shall provide the Director with information and physical access necessary to assess compliance with this chapter, with the City's NPDES permit, and with any writing establishing operation and maintenance responsibilities and shall pay the City an annual fee for inspection and maintenance services in accordance with the latest Master Fee Schedule adopted by the City Council. (O2014-15, 11/18/14)

27. NOTES - The following notes shall be shown on the improvement plans prior to approval of the plans. The Applicant and the construction contractor shall satisfy the

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requirements stated in the following notes. The Applicant's engineer shall include the following notes on the improvement plans prior to approval of the plans by the Public Works Department Development Engineering Division:

a) No grading and/or excavation shall be performed except in accordance with the approved erosion control plan and schedule. The contractor shall have all erosion control measures on Site during the course of the work and installed in accordance with the approved erosion control plan schedule.

b) During the course of the Project construction (including non-working hours), the contractor is to provide appropriate signage, flashers, and barricades for open trenches that are approved by the Public Works Department Construction Division Inspector to warn oncoming motorists, bicyclists, and pedestrians of potential safety hazards.

c) Any existing pedestrian access through and/or adjacent to the Site shall remain unobstructed during the Project construction or an alternate route shall be established as approved by the Police Chief and City Engineer.

d) During the course of the Project construction, all Project-related grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Napa Public Works Department Standard Specifications.

e) All construction activities shall meet the Uniform Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.).

f) Grading and construction equipment shall be shut down when not in use.

g) For all construction activity, the contractor shall control dust in accordance with the requirements of the City of Napa Public Works Department Standard Specifications and Standard Plans (Part II – General Provisions – Dust Control); the National Pollution Discharge Elimination System requirements; and the California Department of Transportation Construction Manual (Chapter 4 – Construction Details – Section 10 Dust Control). Use of any City of Napa water for this purpose shall be from a metered source that is approved by the City of Napa Water Division and shall be requested in writing by the Contractor.

h) During the construction/demolition/renovation period of the Project, the contractor shall use the franchised garbage hauler for the service area in which the Project is located to remove all wastes generated during Project development, unless contractor transports Project waste. If the contractor transports the Project's waste, the contractor must use the appropriate landfill for the service area in which the Project is located.

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i) The contractor shall provide for the source separation of wood waste for recycling. The contractor shall use the franchised garbage hauler for the service area in which located for collection of such wood waste, unless the contractor transports such wood waste to a location where wood waste is recycled.

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

- a) The size of all the existing water service(s) to the Site and adjacent parcel(s).
- b) The existing water main(s) and applicable tie-in locations, details, etc.
- c) The abandonment of any existing unused water service(s).
- d) Installation of a single water service for each lot with approved backflow devices.
- e) The size and location of appropriately-sized water services with backflow devices (commercial, fire, irrigation, etc.) with tie-in locations, surrounding utilities, etc.
- f) All existing service laterals to the Site shall be used prior to the installation of new services from the City water main.
- g) Any unused service shall be abandoned at the City water main.
- h) Installation of a sufficient number of water main valves as directed by City of Napa Water Division at City-approved locations.
- i) Approved backflow prevention devices shall be installed on all new and existing domestic, irrigation, and fire water services.
- j) Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations.
- k) Relocation of any affected water facilities and/or appurtenances (e.g. private fire hydrants, backflow devices, meters, etc.).
- l) Water services may not be shared across property boundaries per Section 13.04.230 of the Municipal Code. Each parcel shall be served by a separate water meter with approved backflow devices.
- m) Installation of a sufficient number of water quality monitoring/sampling stations at City-approved locations.

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n) Installation of appropriately sized water main(s) in the proposed public street and applicable tie-in locations, details, etc.

o) Relocation of the existing thirty-inch (30-inch) water transmission main in the proposed public street and applicable tie-in locations, details, etc. along a City approved alignment.

p) Identify and record all private water easement(s) necessary to extend private service(s) behind the public water meter to the property served.

q) Contact the City of Napa Fire Department to determine fire sprinkler requirements.

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

a) The Applicant shall connect the Project to the Napa Sanitation District for sanitary sewer service. Sewer services shall be shown on the improvement plans and shall be installed in accordance with Napa Sanitation District standards and reviewed and approved by the Napa Sanitation District.

b) Landscape fence details (i.e. connection to existing and or new retaining walls, etc.) shall be shown on the improvement plans and shall be submitted in the first improvement plan submittal. Fences shall be constructed of redwood material and shall be at a minimum 6-foot tall, or match existing height, with a 2-foot screening/privacy lattice on top.

c) As designed and shown on the RSA+ plans, the Project impacts eighteen (18) adjacent properties. The Applicant shall provide details for each property describing how their existing improvements (fences, retaining walls, concrete curb, concrete gutter, DIs, etc.) are going to be impacted and how those impacts are mitigated. Existing private improvements (retaining walls, concrete curbs, concrete gutter, etc.) shall be removed unless proof is submitted with the improvement plan submittals showing the improvements need to remain for structural reasons. 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 Site. Details showing fencing shall be incorporated in the improvement plans. (Rev 20180806).

d) Civil plan sheet TM3 shows parcels APN 007-062-003, 007-062-002, and 007-355-001 have an existing wood retaining wall. Any existing wood retaining walls that are adjacent to property lines shall be replaced with masonry or concrete retaining walls. 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 Site. Details showing fencing shall be incorporated in the improvement plans.

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e) This Project is subject to the requirements in Napa Municipal Code Chapter 5.6 Garbage Collection and Disposal regarding use of containers, sanitation of enclosure(s), etc.

f) This Project is subject to City Ordinance O2010 18 which requires projects that exceed \$100,000 in building valuation; or (b) exceed 5,000 sq.ft. of new, improved, or remodeled areas; or (c) exceed 5,000 sq.ft. of floor area to be demolished; to file a Waste Reduction and Recycling Plan (WRRP) with the building permit application (which will be forwarded by Building Division Staff to the C&DD Compliance Official/Materials Diversions Staff). The WRRP form is provided by the City. No building permit shall be issued for the Project until the Compliance Official has approved the WRRP. The plan shall document that recyclable materials shall be site separated for recycling in order to meet the requirement of the City's construction and demolition debris ordinance—recycling mandatory recyclables and exceeding overall 50% diversion. Official weight receipts for each load shall be obtained. Within sixty (60) days of the final inspection, the Applicant shall submit documentation (weight tags for the Project debris), signed and certified under penalty of perjury, to the Compliance Official that the diversion requirement for the Project per the approved WRRP has been met. Sign-off from Materials Diversion for a certificate of occupancy shall not occur until the weight tag documentation is approved. Non-compliance with the plan and City requirements may result in a fine.

g) In order to facilitate the turning radius of the trash/recycling/compostables contractor's service vehicles on Wine Press Way, the curb located between the driveways of lots 18 and 24 shall be designated as "No Parking".

h) Install all new underground utilities required to serve the Project underground.

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

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

a) The Applicant shall submit all required water connection fees to the Public Works Department Development Engineering Division at 1600 First Street, Napa CA. 94559. No inspections or water service from the Water Division will be initiated until all connection fees for the Project have been paid.

b) The Applicant shall pay off all current account balances based on the rate in effect at the time of the permit issuance.

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c) Abandon existing easements on the map pursuant to Subdivision Map Act section 66434 (g). The Applicant shall provide proof that all entities have acknowledged the abandonment of the easements.

d) The Applicant shall pay an inspection fee for Public Improvements.

e) Any work performed on neighboring properties shall be done in accordance with temporary construction easements from the eighteen (18) impacted neighbor(s). The easements shall be obtained with copies submitted to the Public Works Development Engineering Division for review prior to the approval of the improvement plans.

f) The Applicant shall furnish proof satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions prior to occupancy.

g) The Applicant shall execute a reciprocal access and maintenance agreement for all parcels (lots 22, 23, and 27), which share use of private access, drives, etc. The agreement shall be subject to review and approval as to substance by the Public Works Director, and approved as to form by the City Attorney and shall be recorded prior to the approval of the improvement plans.

h) The Applicant shall submit to the Public Works Department Development Engineering Division a Soils Investigation/Geotechnical Report in accordance with Section 16.36.200 of the City of Napa Municipal Code 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 Title 15 of the City of Napa Municipal Code.

i) Provide acknowledgement by the District Engineer that the design of the sanitary sewer system design is approved by the Napa Sanitation District.

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

a) Submit a copy of the Notice of Intent (NOI) for coverage under the State Water Resources Control Board's General Construction Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ).

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b) Conduct a pre-construction meeting with representatives of the City whereby the Applicant and their Contractor provides the following:

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

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

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

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

a) The Applicant shall furnish proof satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions prior to issuance of a building permit.

b) Submit any remaining water connection fees to the City of Napa Public Works Department Water Division at 1340 Clay Street, Napa, 94559.

c) STREET IMPROVEMENT FEE - In accordance with Napa Municipal Code Chapter 15.84 and implementing resolutions to pay for the traffic improvements identified therein the Applicant shall pay the Street Improvement Fee prior to issuance of any building permit for the Project. The fee is required to mitigate the cumulative impact of the traffic generated by the Project on the City's arterial and collector street system. Such fee shall be payable at the rate in effect at the time of payment. The findings set forth in the ordinance and implementing resolutions are incorporated herein. The City further finds that the calculation of the fees in accordance with the trip generation capacity of 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.

d) Per the Master Fee Schedule effective November 1, 2015 (Policy Resolution 16):

	Land Use	Dwelling Unit (DU)	Street Component Rate	Utility Underground Rate	Street Component Fee	Utility Underground Fee
New Use	Single Family Detached Housing	27	\$1,538/DU	\$2,258/DU	\$41,526	\$60,966
	Accessory Dwelling Unit (Second Unit)	15	\$769/ADU	\$1,127/ADU	\$11,535	\$16,905
					\$53,061	\$77,871

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e) The Applicant shall pay Linda Vista Improvement Fees in accordance with Policy Resolution 16:

Fee Type	Fee Rate	Fee
Residential Development Fee	\$17,132.43/Acre (converted to DU)	\$24,851

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

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

a) Construct all water improvements as shown on the approved improvement plans, the City of Napa Public Works Department Standard Specifications and the special conditions listed above.

b) Submit certification that all backflow devices have been installed and tested by an AWWA certified tester (a list of testers is provided by the City of Napa) to the City of Napa Water Division. The test results shall be submitted by the Applicant to the City of Napa Public Works Department Water Division.

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

d) The Applicant shall complete the water demand mitigation requirements of this Project as specified by the City of Napa Water Division. The Applicant will be contacted by the City of Napa Water Division after obtaining a building permit specifying the requirements for the Project.

e) Submit any remaining meter set and/or hot-tap fees to the Public Works Department Water Division at 1340 Clay Street, Napa, 94559.

f) The improvements identified on the Public Street Repair Plan shall be completed.

g) All road surfaces shall be restored to pre-Project conditions after completion of any Project-related pipeline installation activities.

h) The Applicant shall replace any damaged curb and gutter along street frontages in accordance with Public Works Department Standard Specifications prior to occupancy.

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- i) All onsite and offsite improvements shall be installed to the satisfaction of the City Engineer prior to occupancy.
- j) Submit an inspector's punch list indicating that all of the "Public & Private Improvements" are constructed to the satisfaction of the City Engineer.
- k) Submit a certification by the Geotechnical Engineer of Record that all the work has been completed in substantial conformance with the recommendations in Soils Investigation/Geotechnical Report.
- l) Submit a certification by the Engineer of Record that all work has been completed in substantial conformance with the approved Improvement Plans and Stormwater Control Plan.
- m) The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the Stormwater Control Plan and include the contractors and engineer of records signature verifying all post-construction bmp's have been installed and inspected as designed per the approved plans. A copy of the form may be requested from the Public Works Development Engineering Division – Stormwater Program.
- n) Identify all on-site post-construction stormwater quality bmp's and along the Project frontage with the appropriate street address (addresses to be provided by City) and GIS coordinates.
- o) Prior to Final SW Sign off, all disturbed areas shall be installed with final permanent stabilization measures to insure no sediment laden water discharges from the Site.
- p) Installation of street paving by the Applicant shall be completed and shall include reconstruction of the existing pavement section as required to provide adequate conforms. The limits of such reconstruction shall be reviewed by the Public Works Development Engineering Division and approved by the City Engineer as part of the construction plan review. Any necessary pavement conforms shall be installed prior to occupancy.
- q) The Applicant shall replace any damaged curb and gutter along street frontages in accordance with Public Works Department Standard Specifications prior to occupancy.
- r) Within sixty (60) days of the final inspection, the Applicant shall submit documentation (weight tags for the Project debris), signed and certified under penalty of perjury, to the Compliance Official that the diversion requirement for the Project per the approved WRRP has been met. Sign-off from Materials Diversion for a certificate of occupancy shall not occur until the weight tag documentation is approved. Non-compliance with the plan and City requirements may result in a fine.

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s) The Applicant shall submit to the Public Works Department Development Engineering Division all improvement plans in digital auto-cad format, compatible with the City's current version, and tied to the City's coordinate system for all storm drain facilities, water lines, lot lines, sanitary sewer lines, sidewalks and streets. Auto-cad files shall be updated for as-built information and submitted to and approved as complete by the Public Works Department Development Engineering Division prior to occupancy.

FIRE PREVENTION DIVISION:

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

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

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

37. Fire Apparatus Access Roads shall be designed in accordance with provisions set forth in the California Fire Code Chapter 5 and Appendix D as amended by the City of Napa and the applicable Public Works Standard.

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

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

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

41. Fire Protection systems shall be installed in accordance with provisions set forth in the California Fire Code as amended by the City of Napa and the applicable National Fire Protection Association Standard.

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42. There shall be no deferred submittals for fire protection equipment. Plans and calculations for all fire protection systems and features shall be submitted and approved prior to the issuance of a building permit.

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

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

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

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

47. New buildings and additions to existing buildings shall conform to requirements set forth in the currently adopted editions of the California Building Code, California Fire Code, City of Napa standards and Nationally Recognized Standards.

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

BUILDING DIVISION:

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

- a) A completed Building Permit application.
- b) 6 complete sets of plans for construction for review and approval.
- c) Energy Compliance documentation for review and approval.

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- d) Waste Reduction and Recycling Program form for review and approval, if applicable.
- e) Fire sprinklers are required for each residence.
- f) A geotechnical soils investigation and report.

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

- 1) City of Napa Water Connection fee, (707) 257-9521.
- 2) Napa Sanitation District approval, (707) 258-6000.
- 3) Napa Valley Unified School District (must show proof of payment from NVUSD), (707) 253-3549.
- 4) Public Works Encroachment and/or Grading permit, (707) 257-9520.
- 5) Napa County Environmental Health Department approval, (707) 253-6052.
- 6) Bay Area Air Quality Management District "Job" number for projects that require demolition of existing buildings on site, (707) 749-4762. A separate demolition permit shall be required for the existing single-family dwelling.

NAPA SANITATION DISTRICT

50. A plan showing the required sanitary sewer improvements conforming to NapaSan standards shall be prepared by a registered civil engineer and shall be submitted to NapaSan for written approval, which written approval shall be provided to the City's Public Works Director.

51. The Site is currently outside the boundaries of the Napa Sanitation District. Annexation of the Site will be required.

52. The owner shall obtain a demolition permit from NapaSan prior to removal of the existing buildings. The existing lateral shall be permanently abandoned and capped at the main. Demolition credits shall be valid for a period of two years from the date the demolition permit is issued.

53. There is an existing 20-foot wide sanitary sewer easement extending through the Site. The Applicant shall submit a plat and legal description of the easement to NapaSan, and the easement will be quitclaimed after the Final Map is recorded.

54. The Applicant shall enter into an improvement agreement with NapaSan, and post the appropriate bonds covering all proposed public sanitary sewer work. All sanitary

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sewer work that occurs within the public right of way shall be performed by a Class A licensed contractor.

55. The proposed sanitary sewer main shall be installed a minimum of 8 feet from the face of curb and a minimum of 10 feet from the proposed water main.

56. Each parcel shall be served by a separate sanitary sewer lateral at 2% minimum slope.

57. Sanitary sewer laterals shall be installed a minimum of 5 feet away from bioswales and property lines. Laterals shall not be located within driveways.

58. Sanitary sewer facilities are required to have a minimum of 24" of cover at all points within the public right of way. The proposed sanitary sewer facilities shall be designed to meet this requirement.

CITY GENERAL CONDITIONS

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

60. Unless otherwise specifically provided, each condition of this approval shall be satisfied prior to issuance of a Building Permit, or if a Building Permit is not required, prior to the commencement of use; however, in the event the subject approval is for a tentative subdivision map or parcel map, each condition shall be satisfied prior to final map approval. Applicant's (and landowner's, if different) execution of a City improvement agreement with required security may be accepted in lieu of condition completion.

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

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

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

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

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

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

68. Violation of any term, condition, mitigation measure or Project description relating to these approvals is unlawful, prohibited and a violation of the Napa Municipal Code and can result in revocation or modification of any one or all of these approvals and/or the institution of civil and/or criminal enforcement and/or abatement proceedings. The requirements and revocation procedures for these approvals are set forth in Titles 16 and 17 of the Napa Municipal Code.

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

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70. These conditions of approval refer to and rely on various provisions of the City of Napa Municipal Code (NMC). It is the responsibility of the Applicant to review and understand all applicable requirements and provisions of the NMC. A copy of the NMC is available for review at the office of the City Clerk, and the entire NMC is available for review on and printing from the City of Napa website (cityofnapa.org).

71. These approvals will become effective on the day following Council's approval of this Resolution. These approvals shall expire or be subject to immediate revocation pursuant to the applicable provisions of the Napa Municipal Code two years after the effective date, unless a Building Permit has been issued or an extension has been granted in compliance with all applicable requirements and provisions of the Napa Municipal Code.

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 4th day of December, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Dorothy Roberts
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney