

**RESOLUTION R2020-\_\_**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING A USE PERMIT AND DESIGN REVIEW PERMIT TO REMODEL AN EXISTING BUILDING TO CREATE 66 SINGLE ROOM OCCUPANCY (SROS) UNITS, INCLUDING 33 UNITS OF PERMANENT SUPPORTIVE HOUSING, (HERITAGE HOUSE), AND A DESIGN REVIEW PERMIT FOR THE CONSTRUCTION OF A 24-UNIT AFFORDABLE APARTMENT COMPLEX (VALLE VERDE) AND THREE DENSITY BONUS CONCESSIONS (TWO FOR HERITAGE HOUSE AND ONE FOR VALLE VERDE) ON A 2.88 ACRE PROPERTY LOCATED AT 3700, 3710 & 3720 VALLE VERDE DRIVE (APNS 038-170-042, 043 & 046), AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION WERE ADEQUATELY ANALYZED BY A PREVIOUS CEQA ACTION

WHEREAS, on July 25, 2017 the Gasser Foundation ("Applicant") submitted an application for a use permit pursuant to Napa Municipal Code ("NMC") Chapter 17.60 ("Use Permit") to authorize redevelopment of the vacant Sunrise Senior Living Facility into 66 single room occupancy units (SROs), including 33 permanent supportive housing units; a design review permit pursuant to NMC Chapter 17.62 ("Design Review Permit") for the remodel of the Sunrise Senior Living Facility to accommodate the SROs ("Heritage House") and a Design Review Permit to construct a new three-story multi-family apartment building with 24-affordable units ("Valle Verde"); a request to abandon a portion of the terminus of Valle Verde Drive, three development concessions pursuant to State density bonus law ("Density Bonus Concessions") and a Lot Line Adjustment/Lot Merger to combine three parcels owned by the Applicant and the portion of Valle Verde Drive requested to be abandoned into two parcels, located at 3700, 3710 & 3720 Valle Verde Drive ("Site") (038-170-042, 043 & 046) (collectively, the "Valle Verde and Heritage House Continuum of Housing Project" or the "Project"); and

WHEREAS, the City of Napa determined that the Project application required the preparation of an Environmental Impact Report/Environmental Assessment (EIR/EA) to comply with the California Environmental Quality Act and the National Environmental Policy Act (NEPA). NEPA compliance is required, because the Project is a 100 percent affordable Project and may be eligible for federal funds and therefore, the City prepared a joint EIR/EA/Finding of No Significant Impact (FONSI) (collectively, "Environmental Review"), for the "Project" (State Clearinghouse No. 2018082019; the "EIR/EA"); and

WHEREAS, on December 5, 2019 the Planning Commission considered the EIR/EA and the application for the Use Permit, Design Review Permits and three Density Bonus Concessions, all written and oral testimony submitted to them at a noticed public hearing, at which time the Planning Commission heard a presentation by staff and took

public testimony, and thereafter closed the public hearing and subsequently recommended that the City Council certify the EIR/EA and approve the application for the Use Permit, Design Review Permits, and three requested Density Bonus Concessions; and

WHEREAS, the City Council has considered all information related to the Use Permit, Design Review Permits, and Density Bonus Concessions, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

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

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

Section 2. The City Council hereby determines that the potential environmental effects of the Project were adequately examined by the Final EIR/EA for the Project which was certified by a resolution of the City Council adopted on February 4, 2020 in conformance with the applicable provisions of the California Environmental Quality Act ("CEQA") and its implementing regulations.

Section 3. The City Council hereby approves the Use Permit for Heritage House 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 Site is designated *Multi-Family Residential* (MFR-33H) in the City of Napa General Plan (Envision Napa 2020, adopted in 1998), which is intended to develop or redevelop into a high intensity predominantly attached residential development pattern. Allowable uses include multi-family units, attached and detached single family, SRO facilities, live-work housing, and similar compatible uses such as day care and larger group quarters (e.g., residential facilities and nursing homes).

The Site is also located within the Vintage Planning Area. The MFR-33H designation allows for a minimum of 18.5 dwelling units per acre and up to 25 dwelling units per acre. However, for SROs, the City's Zoning Ordinance provides that a factor of two shall be applied to the permitted General Plan density range. Therefore, the MFR-33H designation allows for a density range of 37 to 50 SRO units per acre. On the 1.6-acre Heritage House Site, between 59 to 80 SRO units are allowed within this density range. The Project proposes 66 SRO units on the Heritage House Site, including eight one-bedroom units. Therefore, the proposed Heritage House is consistent with the permitted density range for SRO projects.

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The Project site is designated in the City's Housing Element as a site to provide 57 100%-low income residential units to meet the City's Regional Housing Needs Allocation (RHNA) obligation (Figure 6.5, page 118 of the Housing Element). The Association of Bay Area Governments (ABAG/MTC) is responsible for developing the RHNA and assigning the region's share of the statewide housing need to the cities and counties within the region. It designates overall need and, within the overall need, housing needs for various income levels in the city.

Recent state planning laws require the City to show how it is meeting its production targets for its share of the RHNA. This Project will allow the City to meet or exceed its targets by providing ninety (90) 100% affordable residential units on the site.

The Project Site is within the boundaries of the Big Ranch Specific Plan (BRSP). The Project is consistent with the applicable policies of the BRSP as discussed in detail in Attachment 6 to the Staff Report.

Consistent with City Council Resolution No. 1995-2 which requires a Management Plan for SRO use, a Management Plan has been prepared that addresses management, occupancy and maintenance and site security.

*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 Project's EIR/EA documents that the Project would result in potentially significant impacts associated with the Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise and Transportation and Circulation, which would be significant without the implementation of mitigation measures, but would be reduced to a less than significant level with the implementation of the recommended mitigation measures. The EIR/EA documents that the Project would not result in any other significant or potentially significant impacts. As such, with implementation of the adopted mitigation measures, the proposed Project would not result in any significant impacts.

The Heritage House SROs meet the City's development standards and approval of the Use Permit will not cause any health, safety and/or general welfare hardship to the community.

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

The Project is located in the RM Multi-family Residential zoning designation and the Floodplain Management Overlay District. Group residential, including SROs are permitted in the RM District with a use permit pursuant to NMC Section 17.08.050. All lots comply with the minimum lot size, coverage height, and setbacks of their respective zoning district. Both structures meet the minimum required setback 20-feet or greater from the banks of water courses (NMC Section 17.52.110 b.1).

The existing Sunrise building (Heritage House) is legal non-conforming for the 50-foot riparian setback and because a small portion of the corner of the building is within the floodplain. With removal of the Zerba Bridge as a condition of approval, the building will be above the floodplain. Valle Verde meets the riparian setback requirement.

The Project meets the parking requirements. Parking for SRO units is allowed to be reduced to .50 space per unit when it meets the following:

- a. Development is within ¼ mile of a food market and regularly schedule public transit stop; and
- b. Some or all units are available long term to low income households; or
- c. Tenant vehicles are limited to the number of non-guest parking spaces provided; and
- d. Development agreement is provided regarding items b and c. above.

The Heritage House portion of the Project generally meets all of the four requirements (a-d). Development is close to ¼ mile from services, all units will be available to low income households, tenant vehicles will be restricted/managed, and an agreement is being provided.

While the Project is slightly over the ¼ mile requirement, the site is within 1,560 feet of services and is requesting a concession to allow a slightly greater distance. A management plan is being provided for the supportive services component of Heritage House which meets the requirement for a development agreement. With the management plan (implemented by Abode),, onsite managers will ensure that parking is managed by parking permit and vehicles onsite are operational.

The Project provides a total of 79 uncovered parking spaces which exceeds the minimum requirement by two spaces. Normally 24 covered spaces would be required for the Valle Verde Apartments but posts for carports would not be allowed because of existing underground utilities and easements. Therefore, consistent with density bonus law, the elimination of the requirement for carports is the second of the three concessions the Applicant is requesting.

Section 4. The City Council hereby approves the Design Review Permits for Heritage House and Valle Verde and makes the following findings in support of the approval:

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

The Valle Verde site is 1.3 acres, which allows for a permitted density of 23 to 33 units. The Project proposes 24 multifamily units on the Valle Verde site, which is within the allowed density range. Therefore, both the Valle Verde Apartments and the Heritage House would be consistent with the General Plan density allowance.

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The Project which would provide 90 very low income residential units is consistent with the General Plan Housing Element which identifies the site as a housing opportunity site for 57 low income residential units needed by the City of Napa to meet its Regional Housing Needs Allocation, and the prescribed General Plan density. The Project is also consistent with General Plan policies regarding neighborhood compatibility as the multi-family use and lot sizes are similar to other existing uses in the vicinity on Valle Verde Drive. The Project is also consistent with the BRSP.

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

The proposed design, site layout and architecture as revised by the conditions of approval set forth herein are consistent with the goals, policies and recommendations outlined in within the Residential Design Guidelines. The Project's lot orientation and building sizes are compatible with the existing neighborhood. The proposed architecture is consistent with the policies outlined in the Residential Design Guidelines. A mix of details, and materials are proposed on both buildings, consistent with the design principles for multifamily homes.

*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 permits for both the redevelopment of the former Sunrise Senior Living facility to accommodate the Heritage House, and the new construction of a 24-unit Valle Verde apartment complex are consistent with NMC Title 17 (Zoning Ordinance), and the Project's EIR/EA documents that all potentially significant impacts would be reduced to a less than significant level with the implementation of recommended mitigation measures, so approval of the Project would not result in any significant impacts. The design of the proposed Project does not result in adverse impacts to adjacent properties or to the general health, safety, and welfare of the community.

Section 5. The City Council hereby approves the following three development concessions under State Density Bonus Law:

- 1) An increase in the maximum size of eight-SRO units in Heritage House from 450 square feet to 650 square feet to provide Americans with Disabilities Act (ADA) accessible units.
- 2) An increase in the maximum distance of an SRO project to public transit under Napa Municipal Code Section 17.52.460(B)(2)(d) from 1,200 feet to 1,560 feet for Heritage House.
- 3) An exemption from the covered parking requirement for the Valle Verde Project due to underground utility and easement constraints. Normally 24 covered parking spaces would be required.

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The City Council's approval of the development concessions are subject to the Applicant's compliance with State Density Bonus Law and NMC Chapter 17.52.130.

Section 6. The City Council's approval of the Use Permit and Design Review Permits, and each of them, is subject to the following conditions:

### COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION

1. This Design Review and Use Permit for Heritage House authorizes redevelopment of Sunrise Napa Assisted Living Facility building at 3700 Valle Verde to accommodate 66-single room occupancy units (SROs) including 33 permanent supportive housing units and eight Americans with Disabilities Act (ADA) accessible one-bedroom units (Heritage House) and associated driveways, parking areas, and landscaping in accordance with the plans prepared by RSA Civil (received December 17, 2018, submitted with the application and as approved by the City Council, and as amended by these conditions of approval). This Design Review Permit for Valle Verde approves the construction of a three-story multi-family apartment building with 24 affordable units at 3710 and 3720 Valle Verde Drive, and associated driveways, parking areas, and landscaping in accordance with the plans prepared by RSA Civil (received December 17, 2018, submitted with the application and as approved by the City Council, and as amended by these conditions of approval). Parking for Heritage House and Valle Verde is provided for 79 vehicles in the parking area surrounding both buildings. This Resolution also approves the following Density Bonus Concessions in accordance with state Density Bonus Law: An increase in the maximum size of eight SRO units in Heritage House from 450 square feet to 650 square feet to provide Americans with Disabilities Act (ADA) accessible units; an increase in the distance of SRO projects to public transit required by NMC Section 17.52.460(B)(2)(d) from 1,200 feet to 1,560 feet; and an exemption from the covered parking requirement for Valle Verde due to underground utility and easement constraints.

2. The plans submitted for building permits shall conform substantially to the plans and representations submitted with the application and as reviewed and approved by the City Council, and as amended by these conditions of approval.

3. The Applicant shall develop and implement a Management Plan for Heritage House as required by City Council Resolution No. 1995-2 that addresses general operations, onsite staffing, case management follow through, and security for the operation and maintenance of Heritage House. The plan shall include, among other things, the following components:

- a. Operational Security. Operational security measures shall be sufficient to provide a safe environment.
- b. Parking Management. Resident vehicles shall be registered and operational as provided for in the Property Management Plan.

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4. The Management Plan is subject to the approval of the Community Development Director and the Police Chief. The Plan shall be reviewed with City staff six months after the use commences operation, one year after the use commences operation, and then annually every year thereafter as determined to be necessary by the Community Development Director.

5. Representatives of Burbank Housing shall meet with City staff and neighbors of the Project monthly beginning in the first month that Heritage House is operational and every month thereafter for the first 6 months and then quarterly for two additional years for the purpose of: (1) maintaining a clear channel of communication between neighbors of the Project and the management of the Project; (2) discussing issues of concern from the neighbors or the Project Manager; (3) informing the City of these issues; and (4) discussing ideas for adjustments to the operations of the Project that are consistent with the purpose of the Project and these conditions of approval .

6. Colors and materials selection shall be carried out in substantial conformity with the colors and materials submitted and retained in the file, or as amended by the conditions of approval. Any changes to the selection of colors and materials shall require prior approval by the Planning Manager.

7. All Project signage shall be subject to a separate review and approval. Consistent with the City's Sign Ordinance, no portable (e.g. A-frame, portable rotating, flashing, animated, moving or having the appearance of moving, inflatable) signs are permitted. Temporary signs may be permitted in accordance with NMC 17.55.120.

8. Final landscape plans shall identify outdoor furniture and/or play equipment for the two open space areas.

9. The Applicant shall comply with all mitigation measures identified in the Valle Verde and Heritage House Continuum of Housing Project Final Environmental Impact Report/Environmental Assessment certified by the City Council on February 4, 2020, and the Mitigation Monitoring and Reporting Program attached thereto and incorporated therein, which is incorporated herein by reference.

10. All exterior lighting on the Site shall be properly shielded and directed downward to preclude glare conditions that might impact nearby residential uses or Salvador Creek.

11. The plans submitted for the building permit shall include a final landscape and irrigation plan designed and signed by a licensed landscape architect or landscape contractor. The final landscape plans shall specify that: (1) all plant materials be certified by the Napa County Agricultural Commissioner inspection program for freedom from the glassy winged sharpshooter or other pests identified by the Agricultural Commissioner, and (2) the Agricultural Commissioner's Office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County so that inspection can be arranged.

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12. No building permit shall be issued until the Planning Manager approves the landscape and irrigation plan. Prior to occupancy, the licensed professional who signed the final landscape and irrigation plan shall certify in writing to the Planning Manager that he/she has inspected and approved the installation of landscaping and irrigation and has found them to be consistent with the approved plans including, but not limited to, the certifications and inspections by the Agricultural Commissioner as well as that the systems are in working order. A substitution of an alternate licensed professional may be allowed by the Planning Manager upon a showing of good cause.

13. A Final Fencing Plan for the Project shall be reviewed and approved by the Planning Manager prior to issuance of a building permit. 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 occupancy. The Applicant shall construct a new fence between the Site and the neighboring property to the south. Should the neighboring property owner choose not to allow the Applicant to reconstruct the fence at their property line, the Applicant shall construct a new fence beyond the existing neighbor's fence on the Project side.

14. 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.

15. A permit shall be obtained from the Parks and Recreation Department prior to removal of any street trees from the City right of way. Trees shall be replaced consistent with the mitigation identified in the Valle Verde and Heritage House Continuum of Housing Project Environmental Impact Report.

16. Prior to issuance of a building permit the Applicant shall provide evidence to the Planning and Code Enforcement Manager that it has paid the Notice of Determination and California Department of Fish and Wildlife fees to the Clerk of the County Board of Supervisors. The California Environmental Quality Act (CEQA) requires that an environmental determination be prepared for this project. City staff completed an Environmental Impact Report/Environmental Assessment (EIR/EA) for this project and properly circulated it for review. The EIR/EA represents the independent judgment of the City acting as lead agency for the Project. The Project will not have a significant adverse impact on the environment with the implementation of all the required conditions of approval and mitigation measures. The EIR/EA has been issued indicating that all identified impacts were found to be mitigated below a level of significance. A Notice of Determination (NOD) of this finding is required to be filed with a fee (currently \$50). The California Department of Fish and Wildlife (CDFW) requires that an additional fee (currently \$3271.00) be paid with the NOD filing. The combined fees are required to be paid to the Clerk of the Board with the NOD filing.

17. Prior to the issuance of a grading permit, the Applicant shall retain a qualified consultant to conduct soil sampling to test shallow soils on the site for organochlorine pesticides and pesticide-based metals (e.g. lead and arsenic). The qualified consultant shall prepare documentation to outline the soil sample data and



testing. If the residual contaminants are not detected and/or are found to be below the residential environmental screening levels (ESLs) for public health and the environment in accordance with the California Department of Toxic Substances Control (DTSC) requirements, no further mitigation is required. If residual contaminants are found and are above residential ESLs, the Applicant shall implement appropriate management procedures under regulatory oversight from the DTSC, such as removal of the contaminated soil and/or capping the contaminated soil under clean soil or hardscape. Copies of all environmental investigations shall be submitted to the City's Community Development Department Planning Division prior to issuance of any grading permits.

18. Any past water wells shall be removed and/or closed subject to the requirements of County Environmental Health.

19. The Community Development Director or designee is authorized to determine whether the Applicant is in substantial compliance with the conditions and requirements of these approvals.

20. Prior to issuance of a building permit, the Applicant shall provide written clearance from the Engineering Division of the Napa Sanitation District confirming that the Applicant has complied with all Napa Sanitation District requirements applicable to the Project. The Napa Sanitation District has described the applicable requirements in a letter to the Planning Division dated August 29, 2019, attached hereto and incorporated herein as Exhibit A.

21. Erosion control measures shall be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter aquatic natural communities. At no time shall silt laden runoff be allowed to enter Salvador Creek or its riparian corridor or directed to where it may enter any of these areas. Erosion control structures shall be monitored for effectiveness and required or replaced as needed. Appropriate erosion control measures shall be installed around any stockpile of soil or other materials which could be mobilized by rainfall or runoff.

22. No fueling, cleaning or maintenance of vehicles or equipment shall take place within any areas where an accidental discharge to Salvador Creek may occur.

23. All equipment including excavator, truck, hand tools, etc. that may have come into contact with invasive plants or the seeds of these plants, shall be carefully cleaned before arriving on the Site and also carefully cleaned before removal from the Site to prevent spread of these plants.

24. Construction disturbance or removal of riparian vegetation shall be restricted to the minimum footprint necessary to complete the work. The work area shall be delineated where necessary with construction fencing to minimize impacts to habitat beyond the work area limit.

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25. Staging and storage areas for equipment, materials, fuels, lubricants and solvents, shall be located outside of the stream channel banks.

26. Stationary equipment such as motors, pumps and generators, located adjacent to aquatic features shall be positioned over drip pans. Stationary heavy equipment shall have suitable containment to handle a spill or leak. All activities performed near aquatic features shall have absorbent materials designated for spill containment and cleanup activities onsite for use in an accidental spill.

27. Any equipment or vehicles operated adjacent to aquatic features shall be checked and maintained daily to prevent leaks of materials that could be deleterious to wildlife or habitat.

28. Stockpiles of soil or other materials that can be blown by wind shall be covered when not in active use. All trucks hauling soil, sand, and other loose materials shall be covered.

29. No other debris, rubbish, creosote-treated wood, soil, silt, sand, cement, concrete or washings thereof, or other construction-related materials or wastes shall be allowed to enter into or be placed where they may be washed by rainfall or runoff into the aquatic features. All such waste shall be picked-up daily and properly disposed of at an appropriate facility.

30. An environmental awareness training program shall be conducted for all crews working on the Site to include education on sensitive resources such as protected wildlife with the potential to occur within the study area, water quality and environmental protection measures.

31. All temporary flagging, fencing and/or barriers shall be removed upon completion of Project construction.

32. The conditions of approval and mitigation measures outlined in the Mitigation Monitoring and Reporting Plan shall be shown on all civil drawings at the time of building permit.

33. Residents of the Project shall be provided a notice that that runs with the land, notifying residents they may be subject to occasional helicopter flights associated with the operations of the Queen of the Valley Medical Center.

34. Prior to issuance of a building permit for Heritage House or the Valle Verde Apartments, the Applicant shall execute an affordable housing agreement with the City in accordance with NMC Section 15.94.080, which shall ensure the continued affordability of all units in the Project, except for one manager's unit in the Heritage House and one manager's unit in the Valle Verde Apartments, for a minimum of 55 years, with rents set at an affordable rent as defined in California Health and Safety Code Section 50053. The Applicant shall provide the City with two executed affordable housing agreements (one

for Heritage House and one for the Valle Verde Apartments) that are acceptable to the Community Development Director and the City Attorney, which shall be recorded against the Heritage House property and the Valle Verde Apartments property, as applicable.

### POLICE DEPARTMENT

35. Plant material under windows and around doorways, entrances and pathways should be no higher than two feet. Foliage on trees should be maintained a minimum of six feet in height to allow for natural surveillance at the pedestrian level.

36. The Applicant shall utilize hostile vegetation in areas that are off limits to the public.

37. The Applicant shall utilize anti-rest style benches with anti-laying arm rests incorporated into the design, in those areas where outdoor benches may be utilized.

38. The Applicant shall utilize anti-climb fencing in areas where fencing may be used.

39. Adequate off-street lighting shall be provided to provide adequate visibility in parking areas and the Project Site by residents, law enforcement, and those passing by during nighttime hours. Light shall be white light full cutoff design, constructed of damage resistant material. Light shall be positioned in a manner which does not create dark shadow areas and does not spill light onto neighboring properties.

40. Pedestrian walkways shall have adequate pedestrian lighting illuminating the pathway.

### PUBLIC WORKS DEPARTMENT

41. The Project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the Napa Municipal Code, the Public Works Department Standard Specifications and Standard Plans, and the City's "Post-Construction Storm Water Pollution Prevention Design Standards".

42. 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 Public Works Department (PW) Development Engineering Division. The improvement plans shall be prepared in conformance with the Valle Verde – Heritage House Design Review plans prepared by RSA+ dated 12/07/2018 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.

43. The improvement plans shall be prepared in accordance with (and submittals shall be accompanied by) the “Initial Submittal Checklist”, and the “Improvement Plan Checklist”. The checklists are available on the City of Napa Website ([www.cityofnapa.org](http://www.cityofnapa.org)) under the Public Works Department Development Engineering Division Forms and Handouts menu.

44. The Applicant shall pay a \$5,000 initial cash deposit and shall maintain a minimum monthly balance of \$1,500 for city plan check services.

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

**a. Valle Verde Dr./Firefly Lane Intersection:**

- i. Applicant shall modify the existing intersection at Valle Verde Dr. and Firefly Lane to accommodate the construction of a new “L” intersection knuckle as shown on the Valle Verde – Heritage House Design Review plans.
- ii. Applicant shall remove the necessary curb and gutter, landscape strip, and sidewalk along both streets to accommodate the construction of the new “L” intersection knuckle.
- iii. Applicant shall install a new commercial driveway approach along the newly created “L” intersection knuckle. The commercial driveway approach shall have a minimum 20-foot wide curb opening and shall meet Fire and Materials Diversion equipment truck turning templates.
- iv. The entire street curb frontage of the new “L” intersection knuckle shall be painted red and posted with “No Parking” and “No Stopping Fire Lane” (R26F - No Stopping Fire Lane).
- v. Applicant shall replace all the existing street signs along the Project frontage.
- vi. Applicant shall replace the existing curb ramp located on the southwest corner of the existing intersection.
- vii. Applicant shall resurface the entire Project frontage along the intersection from lip of gutter to lip of gutter and extend the sufficient length to the west and south of the intersection to provide smooth conforms. The resurface shall be a 2-inch grind and overlay. The resurface limits shall extend at a minimum to the limits of sidewalk saw cutting and shall be determined and approved by the Development Engineering Division.
- viii. Applicant shall remove the existing City streetlights along existing Valle Verde Dr in the segment to be abandoned and return them to the City and install new streetlights at locations approved by the Public Works Director.

- ix. Applicant shall construct a Class I multi-use path that extends from the northwest corner of the Firefly Lane/Valle Verde Dr intersection to the existing Salvador Creek Trail north of the Site. This path shall replace the existing 4-foot wide sidewalk located west of the Site. This path shall be constructed as shown on the plans with a paved width of 10-feet and 1-foot wide shoulders on either side.

**b. Trancas Street/Valle Verde intersection:**

Concurrently with the issuance of the first building permit for the Project, the Applicant shall contribute \$50,000 towards the design and construction of pedestrian crossing improvements at the intersection of Trancas Street and Valle Verde Drive. These improvements will include installation of a Rectangular Rapid Flashing Beacon System (RRFB) on the eastern leg of the intersection; installation of ADA curb ramps and crosswalk striping at the north and east legs of the intersection; yield markings on Trancas Street; and removal of existing crosswalk striping on the eastern leg of the intersection ("Intersection Improvements"). The City will deposit the funds into a separate account for the sole and exclusive purpose of designing and constructing the Intersection Improvements. The City shall return the contribution to the Applicant if construction of the Intersection Improvements has not commenced within five (5) years of the date the contribution is received by the City.

- c. The Applicant shall partially remove, or cause the partial removal of, the existing Zerba bridge over Salvador Creek in order to comply with Policy PF/S-5d of the Big Ranch Road Specific Plan. The Applicant is responsible for coordinating the work of partial removal, and any creek bank restoration that might be required, with each of the regulatory agencies, Napa County Flood Control and Water Conservation District (NCFCWCD), and any utility companies with utilities on the bridge. A partial bridge removal plan shall be prepared by a licensed engineer and submitted for review by the Public Works Director prior to submittal to the regulatory agencies for approval. The extent of the partial removal shall be consistent with the extent analyzed in the Final EIR. Partial removal shall include removal of the bridge deck, tops of piers and the western abutment. The partial bridge removal shall be performed in compliance with all applicable regulatory requirements, including but not limited to requirements of the U.S. Army Corps of Engineers, the U.S. Fish & Wildlife Service, the California Department of Fish & Wildlife, the Regional Water Quality Control Board, and the NCFCWCD, and in such a manner as to ensure that there are no significant adverse impacts on Salvador Creek channel, as determined by the applicable regulatory agencies. If it is determined by the applicable regulatory agencies that the bridge removal plan will have adverse impacts outside of the environmental review limits of the Project EIR certified by the City Council on February 4, 2020 further environmental review by the lead regulatory agency to address the potential impacts will be required. The Applicant shall have the right to enter into an agreement with the

NCFCWCD that provides for completion of the required work consistent with this condition of approval.

The Applicant shall complete removal of the bridge prior to the issuance of a building permit for the construction of Valle Verde unless the deadline is extended by the Public Works Director to no later than issuance of a certificate of occupancy for the first unit in the Valle Verde project upon a determination of all of the following:

- (1) the completion of the removal is delayed by the work schedule of the NCFCWCD, or the actions of the regulatory agencies, and such delay is not caused by the acts or omissions of the Applicant;
  - (2) a delay in the issuance of a building permit will jeopardize the state-approved financing for the Valle Verde project;
  - (3) the Applicant has provided the City with adequate security to ensure completion of the removal; and
  - (4) the Applicant has provided evidence satisfactory to the Public Works Director that construction, including any construction operational phasing, of Valle Verde will cause no more than a 0.3 foot rise in the water surface elevation at the location of finished structures located in the geographic area upstream and downstream of the Site.
- d. The Applicant shall show on the improvement plans the datum and benchmark used for the topographic survey.
  - e. The Applicant shall prepare an exhibit showing all the easements that are going to be abandoned and reserved as part of the abandonment of the existing Valle Verde Dr. The Applicant shall show on the improvement plans the reserved easements and any new easements required to construct the Project.
  - f. 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, streetlights, 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.
  - g. Any additional right-of-way necessary to accommodate these improvements shall be dedicated to the City prior to improvement plan approval. Please note that a 10-foot P.U.E. might be required along the new "L" intersection knuckle to accommodate the construction of all the utilities.
  - h. The Applicant shall provide red curb within 20 feet of the curb return at the street intersection.
  - i. Curb return pedestrian ramps meeting current ADA and City Public Works Standards shall be installed at the Project driveways along the new "L" intersection knuckle.

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- j. All public street pavements structural section installations shall include a minimum of 3 inches of Asphalt Concrete over 10 inches of Class 2 Aggregate Base material. Refer to Table 3.1 Street Design Criteria for minimal structural sections. (Revised 8/23/2018).
- 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 provide an accessible (ADA compliant) route of travel from the fronting sidewalk to the buildings. The Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits, and access to normal paths of travel, and where necessary to provide access, shall incorporate pedestrian ramps, curb ramps, etc. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible Site facilities and the accessible entrance to the Site per UBC 1127B. All proposed accessible routes of travel shall be identified on the improvement plans.
- m. The improvement plans shall include an Erosion Control Plan.
- n. The improvement plans shall include a 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:
  - i. 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 2-inch asphalt concrete overlay, or geotextile material with a minimum 2-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 digouts 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

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reconstruction shall be reviewed by the Public Works Department Development Engineering Division and approved by the Public Works Director as part of the construction plan review.

- ii. 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.
- iii. 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 area of work and at all utility connection points. The Applicant shall provide at 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 new improvements.

46. ON-SITE ACCESS AND CIRCULATION - The following items related to on-site access and circulation shall be shown on the improvement plans prior to approval of the plans:

- a. Curb, gutter, planter strip, 4-foot sidewalk, street paving, driveway approaches modified to meet ADA standards, and drainage facilities shall be installed on the Project's private street frontage/parking lot as shown on the development plans.
- b. All curb frontage intended for no parking shall be painted red and posted with signs (R26F - No Stopping Fire Lane).
- c. The Applicant shall pave all required onsite parking areas and drive aisles thereto in conformance with the minimum City of Napa standard structural section standard (equivalent to a minimum 3 inches of Asphalt Concrete over 10 inches of Class II aggregate Base material) and the Project's geotechnical reports recommendations, whichever is larger.
- d. Per City of Napa Public Works Standard Specification 3.02.02 bullet 6, when forward entry and exit is required a minimum 25-foot backup turn-



around street or drive aisle width shall be provided behind all required parking spaces, including tandem spaces.

- e. Per City of Napa Public Works Standard Specification 3.02.02 bullet 8, to avoid congestion at the entrance from the street to parking lots, no on-site parking space shall be allowed within the initial 20-feet of the driveway, where it connects to the public street measured from the back of sidewalk of the fronting street or from the ultimate right-of-way line in areas without sidewalks.
- f. Wheel stops shall be provided for all on-site parking spaces that are adjacent to pedestrian walkways.
- g. If the 1.5 foot parking overhang proposed for the 26 vehicle spaces along the drive aisle north of the existing Valle Verde Drive cannot be accommodated due to the slope west of the parking spaces leading to the raised walkway, then the Applicant shall construct a retaining wall (concrete) to accommodate the new 10-foot wide bike trail. The maximum slope allowed is 2:1.

47. 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. If applicable the Applicant shall replace any existing non-standard drainage inlets, such as Type S-110, with a City Standard drainage inlet, such as Type D-2.
- 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 Project Plans.
- d. The grading plans provided by the Applicant for review shall include the existing topography shown with contour line 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 inlets with enough capacity to ensure 100-year storm water flow enters the detention system. Supporting calculations shall be submitted to the Public Works Department 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. The plans show proposed storm drain lines connecting to existing City of Napa storm drain lines using "Inserta Tee" connections. Blind connections are not allowed by the City of Napa. Proposed storm drain lines shall connect to existing storm drain lines using storm drain manholes as per City of Napa Standard Plans and Specifications.
- i. The plans indicate on plan sheet C5.0 on the southeast corner of the Heritage House parcel that the catch basin and outfall might be replaced as part of the driveway repair. If the outfall needs to be replaced, the Applicant shall obtain all the required regulatory agency permits (Regional Water Quality Control Board etc.), needed to complete the work.
- j. Per City of Napa Standard Plans and Specifications, any storm drainpipes within the City of Napa right-of-way shall be a minimum of 18-inches in diameter.
- k. 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.
- l. 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 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.
- m. Applicant to follow and comply with City of Napa Municipal Code Chapter 8.36 Stormwater Quality Ordinance.
- n. 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.
- o. 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) outlined in the Draft Environmental Impact Report/Environment Assessment (page 132) into the project construction process.
  - i. **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](http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

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

- ii. The construction BMP's shall be shown on the project Erosion and Sediment Control Plan (ESCP).
  - iii. 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
  - iv. 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.
  - v. 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.
- p. 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"
- i. The post-construction BMP's shall be shown on the project improvement plans and in the required Storm Water Control Plan (SCP).
  - ii. 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.
  - iii. The Landscape plans shall be submitted to the Development Engineering Division with the submittal of the first (1<sup>st</sup>) Improvement Plans submittal. Landscape Plans shall illustrate all LID post

construction measures and include the required plant species as specified in the BASMAA Post-Construction Manual.

- iv. The post construction BMP measures shall be installed by the Applicant and designed and sized by a registered civil engineer in accordance with the City's adopted BASMAA Post-Construction Manual and an accepted design method such as that which is outlined in the "California Storm Water Quality Association BMP (CASQA-BMP) Handbook". The design and calculations are to be reviewed and approved by the Development Engineering Division.
- v. 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 December 7, 2018.
- q. 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.
- r. Install drainage facilities, including detention pipe(s), metering boxes, and other appurtenances to collect and convey all surface drainage to an approved outfall.
- s. 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 by the City Attorney as to form and recorded prior to occupancy.
- t. Low Impact Development (LID), Bio-retention areas, underground treatment systems, and all other treatment based BMP systems are to be

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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.

- u. The Applicant shall install full trash capture device(s) on the Valle Verde building in accordance with the State Water Boards Trash Provisions Water Code section 13383. Full trash capture systems shall be designed to:
  - i. Trap all particles 5mm or greater
  - ii. Be sized to treat the 1-year, 1-hour storm event
  - iii. Device(s) shall be chosen from State Water Board list of certified devices.
  - iv. Device(s) shall be maintained at a frequency that ensures captured trash does not reduce device efficiency or create flooding, a minimum of once annually.
- v. The property owner shall enter into a long term maintenance agreement with the City of Napa approved by the City Attorney and approved 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.
  - i. The agreement shall include a detailed outline of responsible parties, inspections, maintenance procedures, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
  - ii. The agreement shall be recorded prior to approval of the Improvement Plans. The agreement must provide for the perpetual maintenance and replacement of the improvement as well as appropriate provisions relating to enforcement options, the right of the City to access the property to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives.
  - iii. Updated information, including contact information, must be provided to the municipality whenever a property is sold and whenever designated individuals or contractors change.
  - iv. Appropriate easements or other arrangements satisfactory in substance to the City Engineer and in form to the City Attorney and 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.
  - v. All development projects must be planned, designed and constructed consistent with the post construction standards in the city's NPDES

permit and in accordance with the post construction storm water management requirements established by the city, including but not limited to, the current version of the 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..

- vi. The owner of the real property shall provide a written document, deed, agreement or similar writing acceptable to the Director, obligating the project proponent, their successors in control of the project and successors in fee title to the underlying real property (or premises), to assume responsibility for the operation and maintenance of all installed treatment systems and hydromodification controls, if any, for the project.
- vii. The owner or operator of any installed treatment system or hydromodification control shall provide the Director with information and physical access necessary to assess compliance with 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)

48. 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 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.

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- 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.
- 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.

49. 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 all proposed water services (residential, fire, irrigation, etc.) and tie-in locations, details, surrounding utilities, etc. Domestic water shall be supplied by a master meter placed in the public right-of-way with private service laterals thereafter.
- f. The size and location of appropriately sized water services with backflow devices (commercial, fire, irrigation, etc.) with tie-in locations, surrounding utilities, etc.

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- g. All existing service laterals to the Site shall be used prior to the installation of new services from the City water main.
  - h. Any unused service shall be abandoned at the City water main.
  - i. Installation of a sufficient number of water main valves as directed by City of Napa Water Division at City-approved locations.
  - j. Approved backflow prevention devices shall be installed on all new and existing domestic, irrigation, and fire water services.
  - k. Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations.
  - l. Designate applicable on-Site fire hydrants as private.
  - m. Relocation of any affected water facilities and/or appurtenances (e.g. private fire hydrants, backflow devices, meters, etc.).
  - n. Water services may not be shared across property boundaries per NMC Section 13.04.230. Each parcel shall be served by a separate water meter with approved backflow devices.
  - o. Installation of a sufficient number of water quality monitoring/sampling stations at City-approved locations.
  - p. If existing services (including public hydrants) conflict with the proposed project design, the conflicting services shall be abandoned at the main. If a public hydrant is removed due to a conflict with the Project plans, a new hydrant shall be installed at a location approved by both the City of Napa Water Division and Fire Prevention Division. Extending existing hydrant laterals to avoid conflicts shall not be permitted.
  - q. Contact the City of Napa Fire Department to determine fire sprinkler requirements.
50. 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. The Site (both parcels) is located in a Special Flood Hazard Area "Zone AE" as designated on the Flood Insurance Rate Map (FIRM), 06055C0508F effective September 29, 2010 and revised per LOMR 11-09-3313P effective 2/20/2012. As such the requirements of NMC Chapter 17.38 Floodplain Management apply to all new construction and substantial improvement within the Special Flood Hazard Area. These include but are not limited to:
    - i. The Project Site plan shall indicate the floodplain limits and Base Flood Elevation (BFE) of the Floodplain for each parcel (building) as



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delineated in the current FEMA FIS and FIRM prepared for the County of Napa. All elevations should be based on NAD88 datum and so noted on the site plan.

- ii. The Valle Verde building shall be elevated to at least one foot above the base flood elevation. No floodproofing is allowed for residential building.
  - iii. If applicable, indicate on plans water resistant materials for all construction below BFE plus one foot per FEMA Technical Bulletin 2-93.
  - iv. If applicable, indicate on plans that electrical, heating, ventilation, plumbing, air conditioning equipment (including ductwork) and other services are located a minimum of one foot above BFE or flood proofed to one foot above the BFE.
  - v. Provide a letter prepared by a Licensed Surveyor (or Civil Engineer authorized to perform surveying by the State) verifying the correct elevation of the lowest floor relative to the FEMA identified Base Flood Elevation. All referenced elevations shall be based on NAD88 datum and the current FEMA FIS and FIRM prepared for the County of Napa.
  - vi. All new and existing sanitary sewer manholes that are within the floodplain limits shall be floodproof.
  - vii. The proposed bioretention/detention facility as shown on the plans is entirely within the Special Flood Hazard Area Zone AE, the Applicant shall provide details on the improvement plans showing how the bioretention facility will be protected during flood events.
- c. The Applicant shall install fence along the north property line. Fence type shall be determined by the Planning Division.
  - d. Landscape fence details (i.e. connection to existing and or new retaining walls, etc.) shall be prepared by a design professional and shall be submitted to Public Works in the first improvement plan submittal as part of the improvement plans or landscape plans. Fences shall be constructed of redwood material and shall be at a minimum 6-feet tall, unless otherwise specified.
  - e. This Project is subject to the requirements in NMC Chapter 5.6 Garbage Collection and Disposal regarding use of containers, sanitation of enclosure(s), etc.
  - f. For the proposed Valle Verde building, a turnaround dimensioned to accommodate the trash/recycling trucks which have a curb to curb turning radius of 36-feet 0-inches shall be provided at the north end of the private drive (which is currently Valle Verde Drive City public right-of-way). This area shall be striped with "No Parking" stenciled on the pavement, and a "No Parking" sign shall be erected adjacent to the right-of-way. The drive aisle from Valle Verde up to and including the turnaround area (both city

property and onsite private parking area to be used for turnaround) shall be constructed such that it is able to withstand trucks weighing up to 56,000 lbs. Gross Vehicle Weight (GVW).

- g. For the existing 38,770 sq. ft. Heritage House building, an 8-foot by 17-foot [minimum] enclosure is required that complies with the city's approved Solid Waste, Recyclable Materials & Compostable Enclosures Standards. The drive aisle to be used by the solid waste/recycling collection contractor to access this enclosure shall be constructed such that it is able to withstand trucks weighing up to 56,000 lbs. Gross Vehicle Weight (GVW).
- h. For the new 29,600 sq. ft. Valle Verde building, an 8-foot by 17-foot [minimum] area/room inside the building is required that complies with the city's approved Solid Waste, Recyclable Materials & Compostable Enclosures Standards. This area/room shall service the entire building with chutes from the upper floors connected to the solid waste/recycling receptacles (which shall be limited to carts only) on the main floor. The walkway in front of the doors shall be paved equal to the width of the room and shall be kept clear at all times from the door to the street. The curbing in front of the walkway shall be painted red in order to facilitate unimpeded access for solid waste/recycling collection by the City's contractor.
- i. Only solid waste, recyclable material, and compostable carts shall be stored in the enclosures. The enclosures are strictly for the storage of containers and cannot be used for general storage of any kind.
- j. 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; 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 any 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.
- k. The Valle Verde apartment complex shall be required to comply with the State Mandated (AB 1826) Organics Recycling program with participation in the City of Napa greenwaste program which requires source separation of greenwaste from solid waste and recycling in multifamily dwellings of 5 units or more beginning April 1, 2016. The complex shall source separate green waste from other waste and subscribe to a service that includes collection and recycling of green waste.
- l. Install all new underground utilities required to serve the Project underground including but not limited to water, sewer, electricity, gas, telecommunications, etc.

- m. 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 new improvements.

51. 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.
- c. The Applicant shall complete the lot merger and lot line adjustment process between the four parcels (3700, 3710 & 3720 Valle Verde Drive and the abandoned portion of Valle Verde Drive) in accordance with NMC Section 16.12.040.
  - i. Furnish proof of the payment of the mapping service fee as required by Napa County Board of Supervisors Resolution No. 92-119.
- d. The Applicant shall comply with the conditions of the abandonment of Valle Verde Drive set forth in the City Council resolution adopted on February 18, 2020 approving the abandonment of a portion of Valle Verde Drive.
- e. The Applicant shall pay a \$5,000 deposit and a minimum monthly balance of \$1,500 for inspection fees for Public Improvements.
- f. Any entry onto neighboring properties to perform work for the Project shall be done in accordance with temporary construction easements from the 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.
- g. 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 the issuance of a building permit.
- h. The Applicant shall execute a reciprocal access and maintenance agreement for all parcels, which share use of private access, drives, etc. The agreement shall be approved 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.

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- i. The Applicant shall submit to the Public Works Department Development Engineering Division a Soils Investigation/Geotechnical Report in accordance with NMC Section 16.36.200 with the first improvement plan submittal. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to improvement plan approval. The geotechnical engineer shall also assume responsibility for inspection of the work and prior to acceptance of the work shall certify to the City that the work performed is adequate and complies with their recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of building plans in accordance with NMC Title 15.
  - j. Provide acknowledgement by the District Engineer that the design of the sanitary sewer system design is approved by the Napa Sanitation District.
  - k. A State Department Fish and Game 1601 Streambed Alteration Agreement, a Regional Water Quality Control Board 401 permit, and/or a Corps of Engineer 404 permit may be required for work done on rivers, creeks, and other waterways. The Applicant shall provide copies of these agreements or permits to the Public Works Department Development Engineering Division prior to approval of the improvement plans.
  - l. The Applicant shall furnish proof satisfactory to the Development Engineering Division that all regulatory agency permits (including without limitation California Department of Fish and Wildlife, U.S. Army Corps of Engineers, Regional Water Quality Control Board) have been acquired to remove the existing bridge (deck, piers, and western abutment) and any Salvador Creek bank restoration that might be required. If the Applicant reaches an agreement with the Napa County Flood Control and Water Conservation District (NCFCWCD) for the District to remove the bridge (deck, piers, and western abutment) and perform any Salvador Creek Riparian corridor repairs then that agreement shall be submitted to the Development Engineering Division.
  - m. The Applicant shall submit a design exception for review and approval to lessen the 2-foot wide shoulder of the Class 1 multi-use path requirement to 1-foot wide shoulders.
52. 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).
  - b. Conduct a pre-construction meeting with representatives of the City whereby the Applicant and their Contractor provides the following:

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- i. (6) full-size bond copies of the approved Improvement Plans for the City's use.
- ii. (1) job-site copy of the latest edition of the City of Napa Public Works Department Standard Specifications and Standard Plans for their use.
- iii. (1) job-site copy of the approved SWPPP for their use.
- c. The Applicant shall have obtained approval of the Improvement Plans from Public Works Development Engineering Division.
- d. The Applicant shall have obtained the City Council's approval of the requested abandonment of a portion of Valle Verde Drive.

53. **PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR REMODEL OF HERITAGE HOUSE BUILDING** - Prior to issuance of the building permit for the remodel of the Heritage House building 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 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 fees to the City of Napa Utilities Department, Water Division.
- c. **STREET IMPROVEMENT FEE** - In accordance with NMC 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 the Project demonstrates there is a reasonable relationship between the amount of the fees imposed and the cost of the street improvements attributable to this Project.

Per the Master Schedule of City Fees, Fines and Charges effective January 1, 2020 (Policy Resolution 16), the current rates for the Street Improvement Fee for this Project are as follows:

	<b>Land Use</b>	<b>Dwelling Unit (DU)</b>	<b>Street Component Rate</b>	<b>Utility Underground Rate</b>	<b>Street Component Fee</b>	<b>Utility Underground Fee</b>
New Use	Apartment	66	\$1,042/DU	\$1,529/DU	\$68,772	\$100,914

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Existing Use (credit)	Congregate Care Facility	74	\$352/DU	\$518/DU	\$26,048	\$38,332
					<b>\$42,724</b>	<b>\$62,582</b>

- d. The Applicant shall pay Big Ranch Specific Plan Area Development Impact Fees in accordance with Policy Resolution 16.

Fee Type	Dwelling Unit (DU)	Fee Rate	Fee
Multi-Family Residential	66	\$6,136/DU	<b>\$404,976</b>

- e. The above fee amounts are provided based on the current rates. See Condition 52.f. below.
- f. City fee amounts are updated periodically. The Applicant shall pay the fees based on the rate in effect at the time of payment.
- g. 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; 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 any 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.
- h. The Heritage House apartment complex shall be required to comply with the State Mandated (AB 1826) Organics Recycling program with participation in the City of Napa greenwaste program which requires source separation of greenwaste from solid waste and recycling in multifamily dwellings of 5 units or more beginning April 1, 2016. The complex shall source separate green waste from other waste and subscribe to a service that includes collection and recycling of green waste.

54. PRIOR TO ISSUANCE OF A BUILDING PERMIT FOR THE VALLE VERDE BUILDING - Prior to issuance of the building permit for the Valle Verde project the Applicant shall submit documentation to the Building Division for review and approval that indicates that the following items have been addressed:

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- a. The existing bridge over Salvador Creek shall be removed consistent with Condition of Approval No. 45 (c) and any creek bank restoration that might be required to Salvador Creek riparian corridor shall be completed
- b. 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.
- c. Submit any remaining water fees to the City of Napa Utilities Department, Water Division.
- d. **STREET IMPROVEMENT FEE** - In accordance with NMC 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 the Project demonstrates there is a reasonable relationship between the amount of the fees imposed and the cost of the street improvements attributable to this Project.

Per the Master Fee Schedule effective November 1, 2019 (Policy Resolution 16), the current rates for the Street Improvement Fee for this project are as follow:

	<b>Land Use</b>	<b>Dwelling Unit (DU)</b>	<b>Street Component Rate</b>	<b>Utility Underground Rate</b>	<b>Street Component Fee</b>	<b>Utility Underground Fee</b>
New Use	Apartment	24	\$1,042/DU	\$1,529/DU	\$25,008	\$36,696
					<b>\$25,008</b>	<b>\$36,696</b>

- e. The Developer shall pay Big Ranch Specific Plan Area Development Impact Fees in accordance with Policy Resolution 16.

<b>Fee Type</b>	<b>Dwelling Unit (DU)</b>	<b>Fee Rate</b>	<b>Fee</b>
Multi-Family Residential	24	\$6,136/DU	<b>\$147,264</b>

- f. The above fee amounts are provided based on the current rates. See Condition 54.g. below.
- g. City fee amounts are updated periodically. The Applicant shall pay the fees based on the rate in effect at the time of payment.
- h. 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; 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 any 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.
- i. The Valle Verde apartment complex shall be required to comply with the State Mandated (AB 1826) Organics Recycling program with participation in the City of Napa greenwaste program which requires source separation of greenwaste from solid waste and recycling in multifamily dwellings of 5 units or more beginning April 1, 2016. The complex shall source separate green waste from other waste and subscribe to a service that includes collection and recycling of green waste.

55. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OF THE FIRST UNIT FOR THE HERITAGE HOUSE BUILDING - Prior to issuance of a certificate of occupancy for the first unit of the Heritage House building, 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 the improvements (public and private) as shown in Phase 1 of the Valle Verde – Heritage House Phasing Plan.
- b. Construct a Class 1 multi-use path that extends from the northwest corner of the Firefly Lane/Valle Verde Dr. intersection to the existing Salvador Creek Trail north of the project site. This path shall replace the existing 4-foot wide sidewalk located west of the project site. This path shall have a minimum paved width of 10-feet with 1-foot wide shoulders on either side.
- c. 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.
- d. 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)



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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.

- e. Submit a record drawing outlining as-built conditions of the completed water system improvements in both electronic and print copy formats.
- f. 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 proposed project.
- g. Submit any remaining meter set and/or hot-tap fees to the Utilities Department, Water Division.
- h. The improvements identified on the Public Street Repair Plan shall be completed.
- i. All road surfaces shall be restored to pre-Project conditions after completion of any Project-related pipeline installation activities.
- j. The Applicant shall replace any damaged curb and gutter along street frontages in accordance with Public Works Department Standard Specifications prior to occupancy.
- k. All onsite and offsite improvements shall be installed to the satisfaction of the City Engineer prior to occupancy.
- l. Submit an inspector's punch list indicating that all of the "Public & Private Improvements" are constructed to the satisfaction of the City Engineer.
- m. 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.
- n. 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.
- o. The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the Stormwater Control Plan and include the contractor's and engineer of record's 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.
- p. 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.
- q. 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.

- r. 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.
- s. For the existing 38,770 sq. ft. Heritage House building, an 8-foot by 17-foot [minimum] enclosure is required that complies with the city's approved Solid Waste, Recyclable Materials & Compostable Enclosures Standards. The drive aisle to be used by the solid waste/recycling collection contractor to access this enclosure shall be constructed such that it is able to withstand trucks weighing up to 56,000 lbs. Gross Vehicle Weight (GVW).
- t. 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.
- u. 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.

56. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR THE FIRST VALLE VERDE BUILDING UNIT - Prior to issuance of a certificate of occupancy for the first unit of the Valle Verde building, 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.

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- 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 proposed project.
- e. Submit any remaining meter set and/or hot-tap fees to the Utilities Department Water Division.
- f. The Applicant shall replace any damaged curb and gutter along street frontages in accordance with Public Works Department Standard Specifications prior to occupancy.
- g. All onsite improvements shall be installed to the satisfaction of the City Engineer prior to occupancy.
- h. Submit an inspector's punch list indicating that all of the "Public & Private Improvements" are constructed to the satisfaction of the City Engineer.
- i. 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.
- j. 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.
- k. The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the Stormwater Control Plan and include the contractor's and engineer of record's 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.
- l. 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.
- m. 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.
- n. The Applicant shall install full trash capture device(s) on the Valle Verde building in accordance with the State Water Boards Trash Provisions Water Code section 13383.
- o. The Applicant shall submit a FEMA Elevation Certificate based on Finished Construction.
- p. For the new 29,600 sq. ft. Valle Verde building, an 8-foot by 17-foot [minimum] area/room inside the building is required that complies with the city's approved Solid Waste, Recyclable Materials & Compostable Enclosures Standards. This area/room shall service the entire building with chutes from the upper floors connected to the solid waste/recycling

receptacles (which shall be limited to carts only) on the main floor. The walkway in front of the doors shall be paved equal to the width of the room and shall be kept clear at all times from the door to the street. The curbing in front of the walkway shall be painted red in order to facilitate unimpeded access for solid waste/recycling collection by the City's contractor.

- q. For the proposed Valle Verde building, a turnaround dimensioned to accommodate the trash/recycling trucks which have a curb to curb turning radius of 36-feet 0-inches shall be provided at the north end of the private drive (which is currently Valle Verde Drive City public right-of-way). This area shall be striped with "No Parking" stenciled on the pavement, and a "No Parking" sign erected adjacent to the right-of-way. The drive aisle from Valle Verde up to and including the turnaround area (both city property and onsite private parking area to be used for turnaround) shall be constructed such that it is able to withstand trucks weighing up to 56,000 lbs. Gross Vehicle Weight (GVW).
- 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.
- 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.

### BUILDING DIVISION

57. Prior to Building permit issuance, the Applicant shall provide to the Building Division the following at time of Building Permit application: Note: Building Division may require additional information or materials at the time of Building Permit application.

- a) A completed Building Permit application.
- b) 7 complete sets of plans for construction for review and approval.
- c) Energy Compliance documentation for review and approval.
- d) Waste Reduction and Recycling Program form for review and approval, if applicable.
- e) A Geotechnical Soils investigation report shall be required for this project.
- f) Fire sprinklers are required for this project. Note: When fire sprinklers and/or fire alarm systems are required, plans shall be submitted under separate cover.

58. 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.

### FIRE DEPARTMENT

59. 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.

60. 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.

61. There shall be no deferred submittals for fire protection equipment and related utilities. Fire protection plans shall not be attached to or bound with the building plan submittal package. This includes but is not limited to Automatic Fire Sprinkler, Fire Alarm, Fixed Fire Protection and Civil plans.

62. All Fire related underground piping and fire appurtenances shall be shown on the Civil plan submittal. One (1) plan set under separate cover shall be submitted and routed to the Fire Prevention Division detailing all underground piping and related fire appurtenances including but not limited to underground piping, underground sweep detail, underground trench details showing depth of burial, type of backfill manufacture's specifications of piping, valves joints, fittings and calculated size and locations of thrust blocks, hydrants locations (designate public or private), gate shut-off valves, PIV's, FDC's, fire pumps, fire pump and/or riser rooms.

63. 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.

64. 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.

65. 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 and shall be clearly detailed on the Civil Plan submittal. *See sample example below showing how the fire flow information should be detailed on the plan.*

BUILDING FIRE FLOW REQUIREMENTS EXAMPLE:- CFC Tables B105.2 & B105.1 (2)

Table B105.1(2) – Building size = 129,600 square feet  
Fire Flow = 5,250 gpm at 20 psi  
Duration = 4 hours

Table B105.2- Fire sprinkler allowance = -50%  
5,250-2,625 = 2,625 gpm  
Fire Flow = = 2,626 gpm @ 20 psi  
Duration = =2 hours

66. 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.

67. 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.***

68. Prior to building permit issuance, the use of AutoTurn or comparable software shall be used to provide a fire department circulation plan using the City's largest apparatus (ladder truck) and demonstrate clear turning movements into and out of the Project. The plan shall include a legend that demonstrates the apparatus specifications used. The final design of fire department access components shall be reviewed and approved by the Fire Marshal prior to installation.

69. 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.

70. 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.

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71. 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 buildings from an approved exterior route. If this cannot be achieved fire apparatus turn arounds will be needed.

72. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Vertical traffic calming in the form of speed bumps, humps or dips are prohibited along fire access roads without prior approval of the fire Code Official. The minimum width and clearances established in Section 503.2.1 shall be maintained at all times.

73. 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.

74. Where applicable improvement plan submittals for a permit shall include locations of fire lane red curbing and fire lane signage. Please refer to and include City Public Works Standard FP-2A & 2B with plan submittals for permitting.

75. 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. 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.

76. Fire Department Connections (FDC) shall be located not more than 100 ft. from the nearest fire hydrant.

77. Improvement Plans submitted for a permit shall include City of Napa Fire Department "Underground" standards, detail drawings and the applicable City of Napa Public Works Standard detail (W-7A, B, C or D) for Fire Service double detector check installations. *Also, a separate set of plans shall be submitted detailing all related underground Fire utilities and appurtenances including but not limited to; All underground piping, type, sizes, depth of burial, fittings, thrust blocks, risers, pumps, hydrants, FDC's, etc.*

### GENERAL CONDITIONS

78. Unless otherwise specifically provided in this resolution, each condition of this approval shall be satisfied prior to the first to occur of: (a) approval of a final map (if this resolution includes the approval of a tentative subdivision map or tentative parcel map), (b) issuance of a building permit, or (c) commencement of any use of land that is authorized by this resolution. An improvement agreement between the City and the Applicant (and landowner, if different) that obligates the Applicant to complete specified conditions of

## ATTACHMENT 1

approval will be deemed to be a satisfaction of those specified conditions if: (i) the agreement is accompanied by required security for faithful performance and labor and materials, and (ii) the agreement is approved as to substance by the City Engineer, and approved as to form by the City Attorney.

79. Applicant shall pay all applicable fees and charges at the required time and at the rate in effect at time of payment (in accordance with the City's Master Fee Schedule; see individual departments regarding the timing of fee payment requirements).

80. Applicant shall design and construct all improvements and facilities shown on any approved tentative map, site plan, or other documents submitted for permit approval, including the plans and specifications submitted to and approved by City, in compliance with the General Plan, any applicable Specific Plan, the Napa Municipal Code (NMC), City ordinances and resolutions, the "Standard Specifications" of the Public Works and Fire Departments, and any approved tentative map, site plan or other documents approved by City.

81. 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.

82. 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, or from any other cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the subject property; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation or operation of project improvements 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.

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

84. 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



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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.

85. Applicant must comply with all conditions of approval set forth in this Resolution. Violation of any term, condition, mitigation measure or Project description relating to this Resolution is unlawful, prohibited and a violation of the NMC and is grounds for revocation or modification of this approval and/or the institution of civil and/or criminal enforcement and/or abatement proceedings.

86. 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.

87. Approval of the Use Permit and Design Review Permits shall not become effective unless and until the City Council approves the requested abandonment of a portion of Valle Verde Drive.

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

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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 18<sup>th</sup> day of February, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney