

RESOLUTION R2020-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING A DESIGN REVIEW PERMIT AND A TENTATIVE SUBDIVISION MAP FOR 70 WHOLE OWNERSHIP DWELLING UNITS ON TEN LOTS AND A DESIGN REVIEW PERMIT AND TENTATIVE SUBDIVISION MAP FOR 40 FRACTIONAL GUEST UNITS ON ONE LOT FOR PHASE II OF THE STANLY RANCH RESORT LOCATED AT 1201 STANLY LANE AND 200 STANLY CROSS ROAD AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION WERE ADEQUATELY ANALYZED BY A PREVIOUS CEQA ACTION

WHEREAS, on September 27, 2019, Stanly Ranch Resort (SRGA LP) ("Applicant"), submitted an application (PL19-0123) for a design review permit pursuant to Napa Municipal Code ("NMC") Chapter 17.62 ("Design Review Permit") and a tentative subdivision map pursuant to NMC Title 16 ("Tentative Subdivision Map") for 70 whole ownership units on ten lots ("Vineyard Homes") and a Design Review Permit and Tentative Subdivision Map for 40 fractional guest units on one lot ("Villas") for Phase II of the Stanly Ranch Resort development at 1201 Stanly Lane and 200 Stanly Cross Road, APN's 047-230-059 and 060 ("Site") (all of the foregoing collectively, the "Project"); and

WHEREAS, the Vineyard Homes are proposed to be constructed on the portion of the Site known as Napa County Assessor's Parcel Number 047-230-059 ("Vineyard Homes Property") and the Villas are proposed to be constructed on the portion of the Site known as Napa County Assessor's Parcel Number 047-230-060 ("Villas Property")

WHEREAS, the Planning Commission of the City of Napa, State of California, held a noticed public hearing on February 20, 2020 and has recommended approval of the subject application; and

WHEREAS, the City Council has considered all information related to the Design Review Permits and Tentative Subdivision Maps, 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 actions authorized by this Resolution were adequately examined by the *St. Regis Napa Valley Project* Environmental Impact Report (EIR) certified by the City Council on April 20, 2010 pursuant to CEQA Guidelines Section 15162. The Project is consistent with the development pattern anticipated in the Stanly Ranch Resort, and none of the criteria in CEQA Guidelines Section 15162 apply to the Project. As such, no further environmental review is required for this Project.

Section 3. The City Council hereby makes the following findings in support of the approval of Design Review Permits for the Vineyard Homes and the Villas:

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

The designs of the proposed buildings are consistent with the Tourist Commercial General Plan designation where the intent is to provide uses oriented toward tourists and other visitors including destination-resort hotels. The well-designed project is consistent with General Plan Land Use Goal 5 “to encourage attractive, well-located commercial development to serve the needs of Napa residents, workers, and visitors.” The palate of materials and the resort’s agrarian theme are also consistent with the purpose and design guidelines of the Stanly Ranch Resort Master Plan District which seek to create a resort district with a low density, luxury experience.

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

The Vineyard Homes and Villas buildings have been designed consistent with the criteria outlined in the Stanly Ranch Resort Master Plan Design Guidelines. A mix of coherent forms, details, and materials are proposed to develop a low-density, destination resort, using the highest quality, sustainable development design features, compatible with the existing agricultural uses which support the economic needs of the community. The material palette for the Vineyard Homes and The Villas are comprised of highly textured, natural materials contrasted by clean, contemporary lines and forms.

*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.*

Whole ownership dwellings units and fractional units may be established within the Stanly Ranch Resort Master Plan district with Design Review approval. With Design Review approval, the Project will be in compliance with the provisions of the Zoning Ordinance and the Stanly Ranch Resort Master Plan district. The Project has been appropriately conditioned to ensure compliance with General Plan policies and property development standards and will not result in adverse impacts to adjacent properties or to the general health, safety, and welfare of the community.

Section 4. The City Council hereby makes the following findings in support of the approval of a Tentative Subdivision Map for the Vineyard Homes and Tentative Subdivision Map for the Villas:

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

The proposed subdivisions facilitate the development of transient occupancy facilities on the Site as prescribed by the General Plan Tourist Commercial Land Use designation. The proposed transient occupancy use is consistent with the Tourist Commercial General Plan designation and the prescribed General Plan floor area ratios. The Project is consistent with General Plan Goal LU-5 encourages attractive, well-located commercial development to serve the needs of Napa residents, workers and visitors.

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

The proposed lot sizes and configuration of buildings for the Vineyard Homes Tentative Subdivision Map and the Villas Tentative Subdivision Map allow for passive heating and cooling opportunities with building orientation and landscaping.

Section 4. The City Council hereby approves the Design Review Permit and Tentative Subdivision Map for the Vineyard Homes and the Design Review Permit and Tentative Subdivision Map for the Villas subject to the following conditions:

### Community Development Department – Planning Division

1. The Design Review Permit and Tentative Subdivision Map for the Vineyard Homes authorizes the subdivision of the Vineyard Homes Property into ten lots and the subdivision of the ten lots into 70 whole ownership dwelling units (condominiums) with 7 units on Lot 1, 10 units on Lot 2, 7 units on Lot 3, 13 units on Lot 4, 7 units on Lot 5, 9 units on Lot 8, 4 units on Lot 9 and 2 units on Lot 10 in accordance with the plans submitted with the application for the Vineyard Homes, and as approved by the City Council (prepared by CBG Civil Engineering, date stamped, received (November 22, 2019), and as amended by these conditions of approval.

2. The Design Review Permit and Tentative Subdivision Map for the Villas authorizes the subdivision of the Villas Property into 40 fractional interest units (condominiums) on one lot in accordance with the plans submitted with the application for the Villas, and as approved by the City Council (prepared by CBG Civil Engineering, date stamped, received (November 22, 2019), and as amended by these conditions of approval.

3. The Project is subject to the mitigation monitoring and reporting program and conditions contained in Resolutions R2010-48, R2010-50, R2010-51 for the Stanly Ranch Resort and the Stanly Ranch Resort Master Plan regulations (Ordinance O2010-7).

4. The plans submitted for building permits shall conform substantially to the plans and representations submitted with the application (date stamped, received September 27, 2019 with revisions received November 22, 2019) and as reviewed and approved by the City Council.

5. The Planning Manager is authorized to determine whether the Applicant is in compliance with the requirements of the Design Review Permits and Tentative Subdivision Maps.

6. Grading and building permit issuance shall be subject to review and approval by the Community Development Director for conformance with the Stanly Ranch Resort Master Use Permit conditions of approval.

7. To the extent that any of these conditions of approval are in conflict with the conditions of approval in the Master Use Permit, Resolution R2010-50 or the Mitigation Monitoring and Reporting Plan, Resolution R2010-48, the terms of the Master Use Permit and MMRP shall prevail unless the condition implements a State law requirement, in which case the condition set forth herein shall prevail.

8. Prior to issuance of a building permit, the Applicant shall provide written clearance from the Engineering Division of the Napa Sanitation District and Napa County Environmental Health confirming that the Applicant has complied with all Napa Sanitation District and Napa County Environmental Health requirements applicable to the Project. The Napa Sanitation District has described the applicable requirements in a letter to the Planning Division dated December 19, 2019, attached hereto and incorporated herein as "Exhibit A". The Napa County Environmental Health Department has described the applicable requirements in a letter to the Planning Division dated October 16, 2019, attached hereto and incorporated herein as "Exhibit B".

### Public Works Department

5. Approval of this Project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the NMC, the City of Napa Standard Specifications and Standard Plans (dated October 2018), including any supplemental updates thereto, and the City's "Post-Construction Storm Water Pollution Prevention Design Standards".

6. The Applicant shall construct all on and offsite improvements in accordance with improvement plans and supporting calculations that are prepared by a registered civil engineer and reviewed and approved by the City of Napa Public Works Department (PW) Development Engineering Division. The improvement plans shall be prepared in conformance with the Tentative Subdivision Map plans for the Vineyard Homes and Villas prepared by CBG Civil Engineers dated November 12, 2019 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 the building permit.

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

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

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

- a. All required improvements shall be designed and built in accordance with the General Plan, with the applicable Master Plan, the NMC, City of Napa ordinances, and the City of Napa Standard Specifications and Standard Plans. Improvements shall include curbs, gutter, street paving, streetlights, street type driveway approaches, drainage facilities, and street trees. Final design and location of improvements shall be subject to the approval of the Public Works Director.
- b. The Bioretention 2 shown on the Vineyard Homes plans is located within the 50-foot wetlands setback buffer. The Applicant shall provide evidence of permission from the California Department of Fish and Wildlife to locate Bioretention 2 in such buffer or the Applicant shall move the Bioretention 2 outside of the wetland's setback buffer.
- c. On Civil Plan sheet C3.3 of the Vineyard Homes:
  - 1) The elevations shown on Section D-D do not match the elevations shown on the Bioretention Areas 2. Please review and show the correct elevations on both Section D-D and Bioretention Area 2 on the first improvement plan submittal.
  - 2) The INV OUT of the 2-way 18-inch Outfall appears to be 18-inches lower than the adjacent graded ground. The outfall of the 18-inch pipe shall be flush or above the adjacent ground elevation.
- d. On Civil Plan sheet C2.0 of the Vineyard Homes the EX 12" SD picking up stormwater runoff from APN 047-230-007 is called out to be removed. Stormwater run-on onto the Site shall be picked up and conveyed to an approved Storm Drain system that needs to be shown on the first improvement plan submittal.
- e. 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. Please note that sign location shall be in accordance with the Visibility and Fencing Standards.
- f. The improvement plans shall include an Erosion Control Plan.

- g. The improvement plans shall include a Joint Trench Plan.
  - h. The improvement plans shall include a Construction Traffic Control Plan.
  - i. The improvement plans shall include a Grading and Drainage Plan.
  - j. The improvement plans shall include a Utility Plan showing all the existing and proposed utilities including overhead and underground utilities.
  - k. The improvement plans and Final Map shall show all the stormwater treatment facilities.
  - l. 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, with the first improvement plan submittal, all the pothole information and the design of all new utility installations required to serve the Project including a schedule for implementation of such work as to prevent disrupting of utility service to adjacent properties.
  - m. 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.
  - n. The Applicant shall construct a private access road to serve the Parcels that are part of the Vineyard Homes Subdivision Map and the Villas Tentative Subdivision Map. The private access road shall be designed and constructed in compliance with the Design Review Guidelines adopted with the Stanly Ranch Resort Master Plan (Section 17.30.070).
10. 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. All frontage intended for no parking shall be painted red and posted with signs (R26F - No Stopping Fire Lane).
  - b. 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.
  - c. Pedestrian access to the Vineyard Homes shall be shown on the plans. The plans show a 20-foot Resort Drive for vehicular and shared Class III bicycle usage, but pedestrian facilities are not clearly shown.
  - d. As currently designed, the perpendicular parking areas adjacent to the Vineyard Homes Resort Drive do not have the minimum 25' backup distance required behind 90-degree parking stalls. Parking spaces shall be designed in accordance with NMC Section 17.54.160 (Parking Space Dimensions) and City of Napa Public Works Standard Specification 3.02.02 bullet 6. Adjusting the

- parking layout to provide parallel parking, would eliminate the 25' back-up requirement. If deviation from a City of Napa Public Works Standard is proposed, a formal design exception request letter shall be submitted with the first improvement plan submittal for review and approval by the Public Works Director.
- e. The Applicant shall install bicycle/pedestrian crossing enhancements at the proposed Project driveways that take access from Stanly Lane, where the driveways intersect the existing Class I Bike Path located parallel to Stanly Lane. Enhancements such as striping, signing, bollards, etc. may be considered. Enhancements shall be reviewed and approved by the Public Works Director.
  - f. Emergency vehicle access roadways with shared use for pedestrians and bicycles that prohibit vehicular access shall be signed for "Emergency and Authorized Vehicles Only" (sign facing the roadway) where they connect to roadways where vehicular access is allowed.
11. 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. Lot grading and drainage system improvements shall be installed by the Applicant as part of the subdivision improvements. Constructed lot pad elevations shall not deviate more than 0.5 feet from the pad elevations shown on the Tentative Subdivision Maps.
  - c. The grading plans provided by the Applicant for review shall include the existing topography shown with contour lines labeled at one-foot intervals and extending a minimum of 100-feet beyond the limits of the Site, or a sufficient distance to indicate impacts on adjacent properties.
  - d. Detention improvements shall be incorporated into the Project storm drain system design as determined by the requirements in the chart titled, "Detention Requirements," within Section 2.10, "Detention," of the City of Napa Standard Specifications and Standard Plans (October 2018).
  - e. 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.
  - f. Grading away from the building pads shall be shown on the cross sections of the Civil Plan sheets. Cross sections on Civil Plan sheet C3.2 of the Vineyard Homes show grading onto the drainage pads.
  - g. On-site storm drains, outside of City right-of-way, shall be made of SDR-35 plastic or reinforced concrete pipe.
  - h. 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.
- i. Applicant shall comply with NMC Chapter 8.36 Stormwater Quality Ordinance.
  - j. Applicant shall provide a Stormwater Pollution Prevention Plan (SWPPP) and a schedule for implementation of approved measures to the Development Engineering Division for review and approval with the first improvement plans submitted for review. A grading permit shall not be issued until the SWPPP is approved.
  - k. **CONSTRUCTION WATER QUALITY MEASURES** – In accordance with the NPDES Construction General Permit, the property owner shall insure that the Applicant and the contractor incorporate storm water quality Best Management Practices (BMP's) into the Project construction process.
    - 1) Project > 1 acre of disturbance: Provide an Erosion and Sediment Control Plan (ESCP) and/or a State Stormwater Pollution Prevention Plan (project disturbance >1 acre), as required per the States Construction General Permit. A copy of the Stormwater Pollution Prevention Plans (SWPPP) along with waste discharge identification number (WDID) will need to be provided to the Public Works – Stormwater Program prior to grading permits.  
[http://www.swrcb.ca.gov/water\\_issues/programs/stormwater/constructionpermits.shtml](http://www.swrcb.ca.gov/water_issues/programs/stormwater/constructionpermits.shtml)
    - 2) The construction BMP's shall be shown on the project SWPPP Site Plan.
    - 3) The Project property owner shall insure that the contractor manages all construction activities; and handles, stores and disposes of all hazardous and non-hazardous waste in a manner that eliminates or minimizes (to the maximum extent practicable) the discharge of pollutants (e.g. motor oil, fuels, paints/stains and solvents, asphalt products, concrete, herbicides and pesticides, etc.) to the storm drains, ground water, and/or waterways
    - 4) The Project property owner shall insure that the contractor incorporates spill prevention and cleanup measures into the construction operation. All discarded materials shall be removed from the site and disposed of at an approved disposal facility.
    - 5) The Project property owner shall pay all cleanup, testing, disposal and City administrative costs associated with the discharge of pollutants into the storm drains and/or waterways as a result of the project construction activity.
  - l. **POST CONSTRUCTION WATER QUALITY MEASURES** - In accordance with the City of Napa, "BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated (BASMAA) Phase II Committee, dated July 14, 2014" the Applicant shall incorporate post Development measures (BEST MANAGEMENT PRACTICES (BMP'S)) into the project design to mitigate project impacts to water quality.  
<http://www.cityofnapa.org/574/Stormwater-Quality> Under "Documents"
    - 1) The post-construction BMP's shall be shown on the project improvement plans and in the required Storm Water Control Plan (SCP).



- 2) All designated projects – The Applicant shall prepare and submit a SCP per “BASMAA Post-Construction Manual, dated July 14, 2014,” standards and an Erosion and Sediment Control Plan.
  - 3) The Landscape plans shall be submitted to the Development Engineering Division with the submittal of the Improvement Plans. Landscape Plans shall illustrate all LID post construction measures and include the required plant species as specified in the BASMAA Post-Construction Manual.
  - 4) The post construction BMP measures shall be installed by the Applicant and designed and sized by a registered civil engineer in accordance with the City’s adopted BASMAA Post-Construction Manual and an accepted design method such as that which is outlined in the “California Storm Water Quality Association BMP (CASQA-BMP) Handbook”. The design and calculations are to be reviewed and approved by the Development Engineering Division.
  - 5) The Project post-construction BMP’s shall include but not be limited to the applicable items listed in the City Council adopted Stormwater Quality Control Standards, BASMAA Post-Construction Manual and accepted design review Stormwater Control Plan prepared by cbg, Inc. dated for both the Villas at Stanly Ranch and the Vineyard Homes at Stanly Ranch.
- m. 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-feet) per second when flowing half full.
- n. The Applicant shall revise the drainage and stormwater documents to reflect the correct EVA width. The Civil Plans show an EVA width of 14’ or 15’.
- o. The Applicant shall revise the preliminary hydrology report(s) for the Villas at Stanly Ranch to address the following comments:
- 1) The time of concentration calculations in Appendix D are incorrect. The calculations assume sheet flow occurs for the full length of overland flow. In accordance with guidance provided by the USDA TR-55 Manual, sheet flow calculations shall be limited to 100-feet. The remaining time of concentration is comprised of concentrated flow, gutter flow, pipe flow, etc. Please note the minimum time of concentration per City Standards is 10 minutes.
  - 2) The 10-year rainfall intensity used for the post Project site runoff is the average NOAA Point Precipitation Frequency Estimate and not the highest probable value per City Standards (1.81 in/hr. vs. 2.12 in/hr.).
  - 3) Section V, Results/Analysis of the report narrative indicates there is a net decrease in runoff post construction, this is incorrect as the calculations

show an increase. Per City Standards the project is required to limit the post construction runoff to existing for the 10-year design storm.

- p. Install drainage facilities, including detention pipe(s), metering boxes, and other appurtenances to collect and convey all surface drainage to an approved outfall.
- q. 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 and City Attorney and recorded prior to occupancy.
- r. Low Impact Development (LID), Bio-retention areas, underground treatment systems, and all other treatment based BMP systems are to be sized in accordance with calculations that conform to the City's BASMAA Post-Construction Manual dated July 14, 2014 and the State MS4 General Permit E.12 provisions and are to be reviewed and approved by the Development Engineering Division.
- s. The property owner shall enter into a long term maintenance agreement with the City of Napa approved both as to form and substance by the City Attorney and City Engineer for long term maintenance, financing and monitoring for the post construction storm water best management practices that are incorporated as part of the project and as called out in the Approved Stormwater Control Plan.
  - 1) The agreement shall include a detailed outline of responsible parties, inspections, maintenance procedures, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
  - 2) The agreement shall be recorded prior to approval of the Improvement Plans. The agreement must provide for the perpetual maintenance and replacement of the improvement as well as appropriate provisions relating to enforcement options, the right of the City to access the property to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The City of Napa shall either be a signatory to the agreement or a third party beneficiary to the agreement with the right but not the obligation to enforce the obligation and secure attorney's fees for legal counsel to enforce such obligations.
  - 3) Updated information, including contact information, must be provided to the municipality whenever a property is sold and whenever designated individuals or contractors change.

- 4) Appropriate easements or other arrangements satisfactory to the City Engineer and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to improvement plan approval.
  - 5) All development projects must be planned, designed and constructed consistent with the post construction standards in the city's NPDES permit and in accordance with the post construction storm water management requirements established by the city, including but not limited to, the current version of the Bay Area Stormwater Management Agencies Association Post-Construction Manual or an updated version of that manual or other post-construction storm water management standards as adopted by Council resolution..
  - 6) The owner of the 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.
  - 7) 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)
12. 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 Project 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 Standard Specifications and Standard Plans.

- 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 Standard Specifications and Standard Plans (Section 1.10.08 - Dust Control); the National Pollution Discharge Elimination System requirements; and the California Department of Transportation Construction Manual (Chapter 4 – Construction Details – Section 4-1003C 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.

13. 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 single-family unit within Phase II (APN 047-230-059) and installation of a master meter for units within Phase II (APN 047-230-060).
- e. Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations. Hydrants on private property will be designated as "private hydrants" and they must be installed on a dedicated fire line with meter per city Standard W-4C.
- f. Installation of a sufficient number of water main valves as directed by City of Napa Water Division at City-approved locations.
- g. Installation of a sufficient number of water quality monitoring/sampling stations at City-approved locations.

- h. Installation of eight-inch (8-inch) or six-inch (6-inch) mains along City-approved alignments within proposed public utility easements, and applicable tie-in locations, details, etc.
- i. The size and location of all proposed water services (residential, fire, irrigation, etc.) and tie-in locations, details, surrounding utilities, etc.
- j. The size and location of appropriately sized water services with backflow devices with tie-in locations, surrounding utilities, etc.
- k. Relocation of any affected water facilities and/or appurtenances (e.g. private fire hydrants, backflow devices, meters, etc.).
- l. Designate applicable on-site fire hydrants as private on APN 047-230-060.
- m. Approved backflow prevention devices shall be installed on all new and existing domestic, irrigation, and fire water services.
- n. Recordation of all public utility easement(s) and appurtenant rights to access pipelines, services, meters, et al., as approved by the City.
- o. Contact the City of Napa Fire Department to determine fire sprinkler requirements.

14. 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. All sanitary sewer utilities shall be located outside the limits of the bioretention. On Civil Plan sheet C4.3 of the Vineyard Homes sanitary sewer utilities are shown within the bioretention.
- c. Sanitary sewer easements (or deed restrictions requiring the reservation of easements upon property transfer) shall be established as determined by the Napa Sanitation District within all the parcels as shown on the plans. All sanitary sewer easements must be shown on the improvement plans.
- d. The Site is located in a parcel that is within the Special Flood Hazard Area "Zone AE" as designated on the Flood Insurance Rate Map (FIRM), 06055C0606F effective 8/03/2016. As such the requirements of the NMC Chapter 17.38 Floodplain Management apply to all new construction within the Special Flood Hazard Area. These include but are not limited to:
  - 1) The Project site plan shall indicate the limits and Base Flood Elevation (BFE) of the Floodplain as 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.
  - 2) The plans as submitted show all buildings to be located outside of the Special Flood Hazard Area "Zone AE" and at least one foot above the BFE; therefore, the buildings do not have to meet the requirements of NMC Chapter 17.38.
  - 3) If applicable, indicate on plans that electrical, heating, ventilation, plumbing, air conditioning equipment (including ductwork), sanitary sewer facilities,

and other services are located a minimum of one foot above BFE or flood proofed to one foot above the BFE.

- e. Landscape fence details (i.e. connection to existing and or new retaining walls, etc.) shall be shown on the improvement plans and shall be submitted in the first improvement plan submittal.
- f. The Applicant shall submit a Waste Management Operations Plan for review and approval by the City, which shall include but not be limited to disposal for multiple waste streams, serviceable pick up location(s) for solid waste, recycling and compostables. All designated pick up areas must meet access requirements as prescribed in the City of Napa Solid Waste, Recyclable Materials & Compostables Enclosure Standards.
- g. The Project is subject to NMC Chapter 15.32 which requires projects that exceed \$100,000 in building permit 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 and at the conclusion of construction shall be submitted for review by the Compliance Official prior to the approval of a Certificate of Occupancy.
- h. The Applicant shall implement the following procedures in any outdoor dining areas:
  - 1) Follow Best Management Practices (BMPs) to ensure trash, debris, organic materials, oil and grease, Toxic chemicals in cleaning products, disinfectants, and pesticides do not enter the City's Stormdrain system.
  - 2) Follow City of Napa Stormwater Pollution Ordinance NMC Chapter 8.36 to avoid or eliminate "Illicit Discharges" into the City's stormdrain system.
  - 3) The Applicant shall be responsible for maintaining the cleanliness of the outdoor dining area including disposal of litter, garbage and pavement cleaning.
  - 4) The Applicant shall clean up any spills promptly.
  - 5) The Applicant shall steam clean or pressure wash concrete in the outdoor dining area at least once a month or more often as needed to remove stains. Storm Drains and curb and gutter drain directly to the Napa River, a water of the State of California. It is unlawful to pollute water flowing to the Napa River with any substance or materials deleterious to fish, plant life or bird life. The Applicant shall conduct their outdoor dining operations in such a manner as to avoid water pollution. The Applicant shall take particular care when conducting outside cleaning. Note that coordination with the Napa Sanitation District is required prior to disposing surface cleaning discharge into sanitary sewers.

- i. The Applicant shall install all new utilities required to serve the Project underground including but not limited to water, sewer, electricity, gas, telecommunications, etc.
- j. 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.

15. 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 pay a deposit for inspection fees for Improvements.
- d. Any work performed on neighboring properties 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.
- e. The Applicant shall furnish proof satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions prior to occupancy.
- f. 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 in a form subject to review and approval of 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.
- g. 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.

- h. Establish an incorporated homeowner's association with recorded Covenants, Conditions & Restrictions (CC&Rs) that are satisfactory to the City Engineer to provide long-term maintenance of the Private Improvements identified above. Alternatively, the Applicant may establish an incorporated maintenance association and their attendant satisfactory CC&R's to provide said long-term maintenance of the Private Improvement in lieu of a homeowner's association.
- i. If the location of solid waste, recycling, and waste stream pickup for the Project is proposed to be off-Site, the Applicant shall execute and record an agreement with the owner of the Stanly Ranch Resort (APN 047-230-031) granting (in perpetuity) the Applicant access and use of the Stanly Ranch Resort (APN 047-230-031) trash/recycling/food scrap/compost facilities for the Project.
- 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. Engineering Division shall review applicability prior to approval of the improvement plans.

16. SUBDIVISION MAP (FINAL MAP) - The Applicant shall submit the final subdivision map ("Final Map") for the Vineyard Homes and the Villas for review by the Public Works Department Development Engineering Division and approval by the City Engineer. The form and approval of the Final Maps shall meet the following requirements.

- a. The Final Maps shall show private easements for the private street, drainage facilities and all utilities as required by the Public Works Director.
- b. The Applicant shall include an abandonment of any applicable existing water utilities easement(s). "Private Water Easement" on the Final Map to extend the water service from behind the public water meter to each of the properties, as approved by the Water Division.
- c. The Applicant shall create a reciprocal ingress/egress (width to be determined at improvement plan phase), private water, public utility, private drainage, private sanitary sewer, and emergency vehicle access easement across all parcels as shown on both Tentative Subdivision Maps by separate instrument(s), which shall be subject to the review and approval of the Public Works Department.
- d. Private drainage easements shall be established for the drainage facilities shown on the improvement plans in accordance with Section 2.12, "Drainage Easement," of the City of Napa Standard Specifications and Standard Plans. For pipes outside of the City right-of-way and less than 12-inches in diameter, a 10-foot wide minimum easement shall be provided. All drainage easements (private and public) must be shown on the improvement plans and the Final Map and offered for dedication on the Final Map or by separate instrument.
- e. The Applicant shall record CC&R's and establish an incorporated homeowner's association to provide long term maintenance, financing and monitoring for all shared private street improvements, private storm drains and the post construction storm water best management practices that are incorporated as part of the Project.



- 1) The City Engineer and City Attorney must approve the substance and form of the CC&R's and associated documents prior to the approval of the Final Map.
  - 2) The documents (CC&Rs) shall be recorded contemporaneously with the Final Map.
  - 3) The CC&Rs and homeowners association must provide a detailed outline of responsible parties, inspections, maintenance procedures, the perpetual maintenance and replacement of the improvements, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
  - 4) In addition, the CC&Rs and homeowners association must provide for appropriate provisions relating to enforcement options, the right of the City to access the Site to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The City of Napa shall be a third party beneficiary to the CC&Rs with the right but not the obligation to enforce the obligations and secure attorney's fees for legal counsel to enforce such obligations.
  - 5) The CC&Rs shall include language detailing that the homeowner's association shall be responsible for the removal of all solid waste, recycling and compostables from the Site on a weekly basis by contracting with the City of Napa's designated collector.
  - f. Prior to approval of the Final Map, the Applicant shall either install all onsite and offsite improvements or work with the Public Works Department Development Engineering Division to execute the City's Standard Improvement Agreement, provide bonds and provide proof of workers compensation insurance and general liability insurance in the forms and amounts as required by the Risk Manager and City Attorney. Typically, one million dollar (\$1,000,000) general liability insurance is required.
  - g. Prior to approval of the Final Map, the Applicant shall furnish the Public Works Department Development Engineering Division with proof of the payment of the mapping service fee as required by Napa County Board of Supervisors Resolution No. 92-119.
  - h. The Applicant shall obtain approval from all parties owning an interest in any existing rights-of-way or easements within the subdivision, which are proposed to be changed, modified, or deleted. Deeds shall be recorded concurrently with the Final Map to reflect the proposed revision, modification or removal of any existing rights-of-way or easements. The deeds shall be submitted to the Public Works Department Development Engineering Division and shall be in forms approved by the City Attorney.
17. 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:
  - 1) Six full-size bond copies of the approved Improvement Plans for the City's use.
  - 2) One job-site copy of the latest edition of the City of Napa Public Works Department Standard Specifications and Standard Plans for their use.
  - 3) One job-site copy of the approved SWPPP for their use.

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

- a. The Applicant shall furnish proof satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions prior to issuance of a building permit.
- b. Submit any remaining water connection fees to the City of Napa Utilities Department Water Division at 1700 Second Street, Suite 100, Napa, 94559.
- c. STREET IMPROVEMENT FEE - In accordance with NMC Chapter 15.84 and implementing resolutions, 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.
- d. The Applicant shall pay Street Improvement Fees in accordance with the Master Schedule of City Fees, Fines and Charges.

	Land Use	Unit	Street Component Rate	Utility Underground Rate	Street Component Fee	Utility Underground Fee
New Use	Residential Condominium	70	\$1,516/DU	\$1,388/DU	\$106,120	\$97,160
	Resort Hotel	40	\$3,780	\$253	\$151,200	\$10,120
					<b>\$257,320</b>	<b>\$107,280</b>

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

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

- a. Construct all water improvements as shown on the approved improvement plans, the City of Napa Public Works Department Standard Specifications and the special conditions listed above.
- b. Submit certification that all backflow devices have been installed and tested by an AWWA certified tester (a list of testers is provided by the City of Napa) to the City of Napa Water Division. The test results shall be submitted by the Applicant to the City of Napa Public Utilities Department Water Division.
- c. Submit a record drawing outlining as-built conditions of the completed water system improvements in both electronic and print copy formats.
- d. The Applicant shall complete the water demand mitigation requirements of this Project as specified by the City of Napa Water Division. The Applicant will be contacted by the City of Napa Water Division after obtaining a building permit specifying the requirements for the Project.
- e. Submit any remaining meter set and/or hot-tap fees to the Utilities Department Water Division at 1700 Second Street, Suite 100, Napa, 94559.
- f. The Applicant shall provide the Water Division with written documentation identifying all water meter boxes with the appropriate street address (Note: applies to water meters installed in groups of two or more – addresses to be provided by the City of Napa), APN of the parcel, building connections, points of service, and the new water service account numbers specific to the addresses and/or parcels being served.
- g. Identify all water meter boxes with the appropriate street address (Note applies to water meters installed in groups of two or more – addresses to be provided by City).
- 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 the City of Napa Standard Specifications and Standard Plans 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 contractors and engineer of records signature verifying all post-construction BMPs have been installed and inspected as designed per the approved plans. A copy of the form may be requested from the Public Works Development Engineering Division – Stormwater Program.
- p. Identify all on-site post-construction stormwater quality BMPs and along the Project frontage with the appropriate street address (addresses to be provided by City) and GIS coordinates.
- q. Prior to Final Stormwater 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. 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.
- t. The Applicant shall submit to the Public Works Department Development Engineering Division all improvement plans in digital auto-cad format, compatible with the City's current version, and tied to the City's coordinate system for all storm drain facilities, water lines, lot lines, sanitary sewer lines, sidewalks and streets. Auto-cad files shall be updated for as-built information and submitted to and approved as complete by the Public Works Department Development Engineering Division prior to occupancy.

#### Fire Prevention:

20. 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.

21. New buildings and additions to existing buildings shall conform to requirements set forth in the NMC Chapter 15.04, City of Napa standards and Nationally Recognized Standards.

22. 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.

23. All Fire related underground piping and fire appurtenances shall be shown on the Civil plan submittal. In addition to the Civil plan submittal, (3) plan sets under separate cover shall be submitted 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, manufacturer'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.

24. 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.

25. 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.

26. An approved water supply capable of supplying the required fire flow for fire protection systems shall be provided to the Site. Required fire flow and hydrant distribution shall be in accordance with Appendix B and C of the California Fire Code.

27. Fire Protection systems shall be installed in accordance with provisions set forth in NMC Chapter 15.04 and the applicable National Fire Protection Association Standard.

28. 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.

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

30. Fire Apparatus Access Roads shall be designed in accordance with provisions set forth in the NMC Chapter 15.04 and the applicable Public Works Standard.

31. 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.

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

33. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Vertical traffic calming in the form of speed pumps, humps or dips are prohibited along fire access roads without prior approval of the fire Code Official. The minimum width and clearances required by NMC Chapter 15.04 shall be maintained at all times.

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

35. Where applicable improvement plan submittals for permits 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.

36. 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.

37. A fire hydrant shall be in service within 250 feet of the furthest point of construction prior to the stockpiling of combustible materials for the beginning of construction.

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

39. Improvement Plans submitted for permits 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.

### City General Conditions

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

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

42. Except as otherwise provided in the Development Agreement, 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).

43. Except as otherwise provided in the Development Agreement, Development Plan, Design Guidelines, and approve Master Map, Applicant shall design and construct all improvements and facilities shown on any approved tentative map, site plan, or other documents submitted for permit approval, and with the plans and specifications submitted to and approved by City, to comply with the General Plan, any applicable Specific Plan, the Napa Municipal Code (NMC), City ordinances and resolutions, the "Standard Specifications" of the Public Works and Fire Departments, as well as any approved tentative map, site plan or other documents submitted for permit approval and with the plans and specifications submitted to and approved by City.

44. 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.

45. To the full extent permitted by law, the Applicant shall indemnify, defend, release and hold City, its agents, officers, and employees from and against any claims, suits, liabilities, actions, damages, penalties or causes of action by any person, including Applicant, for any injury (including death) or damage to person or property or to set aside, attack, void or annul any actions of City, its agents, officers and employees, from any cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the subject property; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation or operation of Project improvements and regardless whether the actions or omissions are alleged to be caused by City or Applicant so long as City promptly notifies Applicant of any such claim, etc., and the City cooperates in the defense of same. In the event of any differences between this indemnity

provision and that in the Development Agreement, the Development Agreement shall control.

46. 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.

47. 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.

48. 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.

49. The Tentative Subdivision Maps shall expire 2 years from the date of approval unless an extension is approved by the City Council in accordance with NMC Title 16. The Design Review Permits shall be subject to the expiration and extension provisions in NMC Chapter 17.68.

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

Section 6. This Resolution shall take effect immediately upon its adoption.



## ATTACHMENT 1

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 7<sup>th</sup> day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Approved as to form:

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