

RESOLUTION NO. R2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING A USE PERMIT, DESIGN REVIEW PERMIT, AND TENTATIVE SUBDIVISION MAP FOR CONDOMINIUM PURPOSES TO SUBDIVIDE AN EXISTING, APPROXIMATELY 0.6-ACRE PARCEL INTO TEN (10) PARCELS AND A COMMON LOT, LOT A, FOR AN 11-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED AT 2005-2069 WILKINS AVENUE, AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, on April 29, 2024, Wilkins Development, LLC (the “Applicant”), submitted an application (PL24-0059) for a use permit pursuant to Napa Municipal Code (“NMC”) Chapter 17.60 (“Use Permit”) to authorize a modification to the guest parking standards; a design review permit pursuant to NMC Chapter 17.62 (“Design Review Permit”) for the proposed 11 townhomes and the Tentative Subdivision Map for condominium purposes; and a tentative subdivision map pursuant to NMC Chapter 16.20 (“Tentative Subdivision Map”) to divide 2005-2069 Wilkins Avenue (APN: 046-211-011) (“Site”) into 10 condominium lots with a common area (the “Project”); and

WHEREAS, the application was subsequently deemed complete and accepted by the City as being consistent with the applicable submittal requirements on May 28, 2024; and

WHEREAS, on September 4, 2025 the Planning Commission considered the Use Permit, Design Review Permit and Tentative Subdivision Map and all written and oral testimony submitted to it at a noticed public hearing on the Use Permit, Design Review Permit and Tentative Subdivision Map, at which time the Planning Commission heard a presentation by staff and took public testimony, and thereafter closed the public hearing and where they subsequently recommended that the City Council approve the applications; and

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

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

ATTACHMENT 1

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 Project is exempt from the requirements of CEQA pursuant to Section 15332 (Categorical Exemptions; Class 32) which exempts in-fill development projects that are consistent with the General Plan and Zoning Ordinance; that occur within City limits and are on sites no more than 5 acres in size; that are on sites with no value as habitat for endangered, rare or threatened species; that would not result in any significant effects relating to traffic, noise, air quality, or water quality; and that can be adequately served by existing utilities. The City Council also determines that the exceptions to categorical exemptions identified in Section 15300.2 of the CEQA Guidelines are inapplicable because the land is in an urbanized area with no environmentally sensitive habitats or species of concern on the Site, there has been no successive effort to intensify land uses in the area, and no unusual circumstances exist that would pose a reasonable possibility of having a significant effect on the environment. Based on this analysis, no significant environmental effects would result from this Project and the exemption is appropriate.

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

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

The Project is consistent with the High Density Residential General Plan designation which allows for multi-family development at a density from 18 to 40 units per acre, and with the RM Multi-Family Zoning Designations which allows for multi-family development on minimum lot sizes of 5,000 square feet. At approximately 0.66-acres, the Project site could yield between 11 and 26 residential units. As noted, the proposed Project is seeking approval for 11 residential units.

The proposed modification to the Parking Standards to allow one required parking space for Unit 10A and 3 guest parking spaces to be located on Wilkins Avenue in front of the Project Site is fair, equitable, logical, and consistent with the intent of Section 17.54.040(B). Given that only one additional required space for Unit 10A and three guest parking spaces are required, which can be accommodated along the project frontage, the proposal appears reasonable. The project is also located within one-quarter mile of a transit stop located at Kansas Avenue and Wilkins Avenue.

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

The proposed use of on street parking for one additional parking space for unit 10A and guest parking will not cause any health, safety and/or general welfare hardship to the

ATTACHMENT 1

community. Unit 10A is accessed from the front of the building and the on-street parking space would be located directly in front of the unit. As conditioned, the Project would not result in any significant impacts.

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

The Project has been found to be consistent with all applicable RM development standards as detailed in the chart below. The use of guest parking on Wilkins Avenue is compatible with the City's street design standards. With approval of a Use Permit for modified parking standards, the project would be compliant with applicable provisions of the Zoning Ordinance.

Development Standard	RM Standard	Project
Minimum Lot Size	5,000 square feet	29,039 square feet
Lot Coverage (excluding street)	50% maximum; 14,520 square feet	36%; 10,559 square feet
Front Setback	20 feet minimum	20 feet
Side Setback (south side)	15 feet minimum	15 feet
Side Yards (north side)	5 feet; 1 st story 10 feet; 2 nd story 15 feet; 3 rd story (n/a)	15 feet (exceeds minimum requirement)
Rear Yard	15 feet; 1 st & 2 nd story 20 feet; 3 rd story (n/a)	25 feet (exceeds minimum requirement)
Building Height	35 feet maximum	24 feet
Usable Outdoor area per unit	200 square feet per unit minimum	200 square feet per unit

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

A. The proposed use is in accord with the General Plan and any applicable specific plan design policies.

The Project proposes a 10-lot infill subdivision within the High-Density Residential District of the *Napa 2040 General Plan*. Development of the parcel would allow the property to come into conformance with the *General Plan*, including the residential density ascribed to the parcel. The ten lots and 11 units proposed are within the required density range and provide for efficient use of the parcel while remaining consistent with neighborhood context and design. The Project would advance several Goals and Policies of the *General Plan*, including goals to promote development within the existing urbanized

ATTACHMENT 1

area of the City, use land efficiently, and promote compatible neighborhood design.

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

The project is subject to the City's adopted Residential Design Guidelines and conforms with the guidance found in the document. The architecture uses a variety of forms and materials including wood trim, cement fiberboard siding, board and batten siding, and stucco. All facades are unified in style, and each contains visual interest. Roof forms are consistent on all parts of the building. The building has a coherent architectural composition with massing broken up with gables, porches, and stepping wall planes.

- C. *The Design Review Permit is in accord with the applicable provisions of Title 17 of the NMC 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 Project would be consistent with the development standards for the RM, Multifamily Residential, zone district. The Project Site is surrounded by other residential uses, including proposed multifamily development to the west, and the project would not be detrimental or injurious to property and improvements in the vicinity, or to the public health, safety, and general welfare.

Section 5. The City Council hereby approves the Tentative Subdivision Map for Condominium purposes prepared by Lea & Braze Engineering, Inc. dated March 17, 2025, and submitted as a part of the subject application and makes the following findings in support of the approval:

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

As mentioned in the Design Review Permit Findings, the Project would be consistent with the High-Density Residential designation of the *General Plan*, providing an infill project with a similar design and density as other residential uses in the vicinity, including proposed multifamily development to the west. The Project would advance Goals and Policies of the *General Plan*, providing efficient use of an infill parcel within the required density range and would be compatible with neighborhood context. The project is subject to the City's adopted Residential Design Guidelines and conforms with the guidance found in the document.

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

ATTACHMENT 1

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

With homes facing east in the front and west in the rear, morning sunlight from the east will provide natural warmth and light, while the evening sun from the west may offer additional illumination. Additionally, the building's orientation and window placement on the east and west facades aligns well with Napa Valley's prevailing wind patterns, including cooler evening breezes from the south and afternoon winds from the north-northwest, supporting cross ventilation for natural cooling.

Section 6. Pursuant to Government Code Section 66474, the Tentative Subdivision Map for Condominium purposes shall be denied if any of the following findings are made:

- A. The proposed map is not consistent with applicable general and specific plans as specified in Section 65451.*

The project is consistent with all general and specific plans specified in Section 65451.

- B. The design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.*

The project is consistent with all general and specific plans.

- C. The site is not physically suitable for the type of development.*

The project site is suitable for the proposed development because the site is generally flat and meets all applicable development standards except for on-site parking. The proposed use of on-street parking for one additional parking space for unit 10A and guest parking will not cause any health, safety and/or general welfare hardship to the community. Unit 10A is accessed from the front of the building and the on-street parking space would be located directly in front of the unit. As conditioned, the Project would not result in any significant impacts.

- D. The site is not physically suitable for the proposed density of development.*

The Project is consistent with the High Density Residential General Plan designation which allows for multi-family development at a density from 18 to 40 units per acre, and with the RM Multi-Family Zoning Designations which allows for multi-family development on minimum lot sizes of 5,000 square feet. At approximately 0.66-acres, the Project site could yield between 11 and 26 residential units. As noted above, the proposed Project meets all applicable development standards, except for on-site parking, which is adequately addressed with on-street parking along Wilkins Avenue.

- E. The design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

As conditioned, the project would not cause any significant impacts to fish or wildlife habitats. The site is generally flat, surrounded by existing residential development, and does not contain any identified sensitive habitats or waterways.

- F. The design of the subdivision or type of improvements is likely to cause serious public health problems.*

The project will not cause any health, safety and/or general welfare hardship to the community. The proposed Project meets all applicable development standards, except for on-site parking, which is adequately addressed with on-street parking along Wilkins Avenue.

- G. The design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

The property does not contain any existing access or public use easements.

Section 7. The City Council's approval of the Use Permit, Design Review Permit, and Tentative Subdivision Map for condominium purposes, is subject to the following conditions:

COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

1. This Tentative Use Permit, Design Review Permit, and Subdivision Map for Condominium purposes is approved to subdivide an existing, approximately 0.6-acre parcel into ten (10) parcels and a common lot, Lot A, for an 11-unit residential condominium development on property located at 2005-2069 Wilkins Avenue (APN 046-211-011), in accordance with the application plans prepared by Fillon Solis dated January 23, 2023 and Lea & Braze Engineering, Inc. dated March 17, 2025, and included as **Attachment 3, Design Review Plans and Attachment 4, Tentative Subdivision Map**, respectively, of the September 4, 2025, Planning Commission Staff Report, as amended by these Conditions of Approval.

ATTACHMENT 1

2. This Use Permit to modify parking standards authorizes one required parking space for Unit 10A and three guest parking spaces to be located on Wilkins Avenue, along the Project's frontage.
3. As shown in **Attachment 3, Design Review Plans**, Lot 10 is proposed to be developed with two units. Unit 10A is a ground-floor studio unit and Unit 10B is a two-bedroom unit upstairs. Unit 10A shall be a deed-restricted Low-Income affordable unit (up to 80% AMI). The Tentative Parcel Map proposes the creation of ten parcels. Units 10A and 10B are within proposed Lot 10 and will be under common ownership.
4. The Applicant shall create deed restrictions for Units 10A and 10B regarding common ownership via a separate instrument recorded with the Napa County Recorder. Recording information shall be prominently displayed on the FM.
5. Unit 10A is a deed-restricted Low-Income Unit (up to 80% AMI). The Applicant shall create a deed restriction via a separate instrument recorded with the Napa County Recorder. Recording information shall be prominently displayed on the FM.
6. The Planning Manager is authorized to determine whether the Applicant is in compliance with the requirements and conditions of the Tentative Parcel Map, Use Permit, and Design Review Permit.
7. All new, above ground mechanical utility equipment, including transformers and backflow prevention devices, installed on the Site shall be screened from view with landscaping or low fencing. This requirement does not apply to equipment installed below grade.
8. If any archeological materials or projects are unearthed during Project construction, all work in the vicinity shall be immediately halted until a qualified archeologist is retained by the City to evaluate the finds. The Applicant shall comply with all mitigation recommendations of the archeologist prior to commencing work in the vicinity of the archeological finds.
9. Construction equipment shall have state of the art muffler systems required by current law. Muffler systems shall be properly maintained.
10. All Project conditions of approval shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of Building Permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
11. Construction activities shall comply with NMC 8.08.025.

FIRE DEPARTMENT – FIRE PREVENTION DIVISION

12. Be advised that all new buildings and additions to existing buildings, utilities, and access shall comply with all applicable provisions of NMC Chapter 15.04. Please take the time to review the requirements outlined in NMC Chapter 15.04 as they may have significant impacts on your Project such as the need for fire hydrant installation, fire sprinkler installation, aerial access and other fire access related requirements. If you need assistance after reviewing the requirements outlined in NMC Chapter 15.04, please contact (707) 257-9590 to arrange a meeting.
13. Below are some items (not all inclusive) that will need to be considered/addressed during the permitting phase.
 - a. Aerial access shall be provided for buildings that exceed 30' in height.
 - b. Installation of onsite fire hydrant(s) may be required.
 - c. A fire apparatus circulation plan using the City of Napa Fire Department's largest apparatus (ladder truck) will need to be submitted for review.

PUBLIC WORKS DEPARTMENT – DEVELOPMENT ENGINEERING

14. Approval of this Project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the Napa Municipal Code (NMC), the City of Napa Standard Specifications and Standard Plans (dated January 2022) (CON Standards), including any supplemental updates thereto, the City's "Post-Construction Storm Water Pollution Prevention Design Standards" and the "BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated Phase II Committee, dated July 14, 2019" (BASMAA Manual).
15. The Applicant shall pay a \$7,000 initial cash deposit for Final Map (FM) and Improvement Plan (IP) plan check services.
16. The Applicant shall prepare IP and the FM in accordance with the "Initial Submittal Checklist", the "Improvement Plan Checklist" and the "Subdivision Map Checklist" available at <http://www.cityofnapa.org/483/Forms-Handouts>. Completed checklists shall accompany the first submittal.
17. The Applicant shall have the FM prepared in accordance with the California Subdivision Map Act (CA Government Code §§ 66410-66499). The FM shall show the location of all new and existing easements required to service all Parcels. This includes but is not limited to:
 - a. Utility easements for services crossing the new and existing dividing property lines.
 - b. Access easements for proposed driveways, including but not limited to the five-foot access easement on the east side of the property, which shall be provided for the portion of the driveway located on parcel 046-211-003.

ATTACHMENT 1

- c. A statement on the FM noticing the improvements required for the development of the parcels pursuant to CA Government Code §66411.1.(a).
18. The Applicant shall design and construct all improvements in accordance with the Improvement Plans and supporting calculations prepared by a registered civil engineer. The plans shall be in substantial conformance with the plans prepared by Lea & Braze Engineering, Inc. dated March 25, 2025, as modified herein by these Conditions of Approval. Construction may be deferred up to two years with an Improvement Agreement or concurrent with the issuance of the first Building Permit for any of the parcels, whichever comes first.
19. IMPROVEMENT PLANS (PUBLIC) – The following items shall be shown on the Improvement Plans prior to the approval of the plans:
- a. The Applicant shall design and construct frontage improvements along the Project's public street frontages consistent with CON Standards. Any existing frontage that does not meet current ADA and CON Standards shall be removed and replaced with frontage conforming with ADA and CON Standards. In addition, any right of way necessary to accommodate these public improvements shall be dedicated to the City of Napa on the Final Map.
 - b. The Shetler Ave and Wilkins Ave Improvements shall be consistent with Street Standards – Major Collector (CON Standard Detail S-6C and CON Specification Table 3.1) consistent with the City of Napa 2040 General Plan. Frontage improvements shall be consistent with CON Standards that include Gutters (CON Standard S-1), Standard Residential Sidewalks (CON Standard S-4), and any other improvements required by the CON Standards and Specifications. The final layout of new curb, gutter and sidewalk shall be approved by CON City Engineer.
 - c. The Applicant shall underground all new utilities (public and private) to serve the Project from the existing point of connection to the Project. The Applicant is responsible for all coordination with utility companies and the design of all utility service installations that are required to serve the Project, including utility layout, design and costs associated with any necessary facilities upgrades, revisions, relocations and/or extensions. The Applicant shall relocate or underground any overhead utilities that conflict with the new improvements.
 - d. The Applicant shall remove all utility poles along the project frontage and underground all associated utilities. This includes, but is not limited to, the two poles at the corner of Shetler Avenue and Wilkins Avenue, the pole near the northern property line along Wilkins Avenue, and the pole near the western property line along Shetler Avenue. The Applicant shall contact and coordinate with PG&E to determine the cost and feasibility of undergrounding

- the utilities. All costs associated with the undergrounding shall be the responsibility of the Applicant.
- e. The project driveways shall be consistent with City of Napa Standard Drawing S-5. Existing driveways that will no longer be used to serve the project site shall be removed and replaced with standard curb, gutter and sidewalk. New curb, gutter, and sidewalk finishes shall match those of the surrounding street and shall conform to the adjacent street improvements.
 - i. This includes the driveway on the northern property line along Wilkins Avenue which will be required to have standard flares on each side of the approach.
 - f. The Improvement Plans shall include a Utility Plan showing all the existing and proposed utilities, including overhead and underground utilities.
 - g. The Improvement Plans shall include a Public Street Repair Plan (showing the repair details and limits of repair) for all improvement installations that will result in the cutting, demolition, destruction, etc. of any existing improvements within the public right-of-way, including but not limited to, the installation of curb, gutter, sidewalk, and utilities (water, sewer, storm drain, electrical, cable TV, telephone, etc.). The Public Street Repair Plan shall comply with the following:
 - i. The street restoration plan shall be consistent with CON Standards tables 3.1 Street Design Criteria and Table 3.3 Pavement Restoration Limits. The City Engineer or designee shall determine the extent of restoration.
 - ii. Any unanticipated street cuts or other street repair items that become evident following improvement plan approval shall be included by way of revisions to the Street Repair Plan.
 - h. For trenching within existing roadway areas, the Applicant's engineer shall pothole or otherwise physically determine the actual horizontal location and vertical depth of all existing underground utility systems throughout the proposed area of work and at all utility connection points. The Applicant shall provide all the pothole information, and the design of all new utility installations required to serve the Project including a schedule for implementation of such work as to prevent disrupting of utility service to adjacent properties with the first Improvement Plan submittal.
 - i. The applicant shall construct all driveways and parking area pavement structural sections in accordance with Site-specific Geotechnical Engineer recommendations or CON Standards (Detail S-5, Commercial), whichever is greater.
 - j. Public street access points and street corners shall be designed to satisfy the City of Napa Visibility and Fencing Standard (CON Standards S-25). The sight distance and visibility triangle lines shall be shown on the Grading and

ATTACHMENT 1

Drainage plans. The visibility height limits are measured from the top of curb of the fronting street to the top elevation of the obstruction.

20. IMPROVEMENT PLANS (PRIVATE) – The Applicant shall design and construct all improvements that will not be dedicated to and/or maintained by the City of Napa (i.e. the “Private Improvements”) as generally shown on the Site Plan as modified and/or more specifically described below:
- a. The applicant shall obtain a separate City of Napa building permit for any required retaining walls prior to installation.
 - i. Retaining walls and associated foundations shall be located entirely on the project parcel and shall not cross property lines.
 - b. Install all service laterals (domestic, irrigation, and fire water)
 - c. Install drainage facilities, including detention pipe(s), metering boxes, and other appurtenances in accordance with CON Standards
 - d. Install all post-construction stormwater treatment facilities consistent with the standards in the city’s NPDES permit and in accordance with the post construction storm water management requirements established by the city, including but not limited to, the BASMAA Manual.
 - e. The Applicant shall incorporate the group mailbox concept into the project design. Proposed locations shall be reviewed and approved by the Post Office and the City of Napa Public Works Department.
 - f. 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.
21. The Applicant shall provide an Erosion and Sediment Control Plan (ESCP) and a schedule for the implementation of approved measures to the Development Engineering Division for review and approval with the first improvement plans submitted for review. A grading permit shall not be issued until the ESCP is approved.
22. Construction Water Quality Measures – In accordance with the NPDES Construction General Permit, the Applicant shall incorporate storm water quality Best Management Practices (BMP’s) into the project construction process.
- a. Projects < 1 acre: Provide an Erosion and Sediment Control Plan (ESCP) See ESCP template at: <http://ca-napa.civicplus.com/574/Stormwater-Quality> .
 - b. The construction BMP’s shall be shown on the Project ESCP site plan.
 - c. The Applicant shall ensure that the contractor manages all construction activities; and handles, stores and disposes of all hazardous and non-hazardous waste in a manner that eliminates or minimizes (to the maximum extent practicable) the discharge of pollutants (e.g. motor oil, fuels,

ATTACHMENT 1

paints/stains and solvents, asphalt products, concrete, herbicides and pesticides, etc.) to the storm drains, ground water, and/or waterways.

- d. The Applicant shall ensure that the contractor incorporates spill prevention and cleanup measures into the construction operation. All discarded materials shall be removed from the site and disposed of at an approved disposal facility.
- e. The Applicant shall pay all cleanup, testing, disposal and City administrative costs associated with the discharge of pollutants into the storm drains and/or waterways as a result of the Project construction activity.

23. Post Construction Water Quality Measures - In accordance with the City of Napa (CON), "BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated (BASMAA) Phase II Committee, dated January 2019" the Applicant shall incorporate post Development measures (BEST MANAGEMENT PRACTICES (BMP'S)) into the Project design to mitigate project impacts to water quality. <http://ca-napa.civicplus.com/574/Stormwater-Quality> Under "Documents"

- a. The post-construction BMP's shall be shown on the Project improvement plans and in the required Storm Water Control Plan (SCP).
- b. The Applicant shall prepare and submit a SCP per "BASMAA Post-Construction Manual, dated January 2019," standards.
- c. The Landscape plans shall be submitted to the Development Engineering Division (DED) with the submittal of the Improvement Plans. Landscape Plans shall illustrate all LID post construction measures and include the required plant species as specified in the BASMAA Post-Construction Manual.
- d. The post construction BMP measures shall be installed by the Applicant and designed and sized by a registered civil engineer in accordance with the City's adopted BASMAA Post-Construction Manual and an accepted design method such as that which is outlined in the "California Storm Water Quality Association BMP (CASQA-BMP) Handbook". The design and calculations are to be reviewed and approved by the DED.
- e. The project post-construction BMP's shall include but not be limited to the applicable items listed in the City Council adopted Stormwater Quality Control Standards, BASMAA Post-Construction Manual and accepted design review SCP prepared by Lea & Braze Engineering dated 11-02-2022.

24. Prior to approval of the Improvement Plans, the Applicant shall submit documentation to PW-DED that the following have been addressed:

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

ATTACHMENT 1

- b. The Applicant shall pay a deposit for inspection fees for public improvements.
- c. The Applicant shall furnish proof of satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions.
- d. Applicant shall submit to PW-DED a Soils Investigation/Geotechnical Report per NMC Section 16.36.200 or obtain a Soils Waiver. Improvement Plans shall incorporate design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans verifying conformance with their recommendations.
- e. Provide acknowledgement by the District Engineer that the design of the sanitary sewer is approved by Napa Sanitation District (NapaSan). NapaSan may sign the Improvement Plans if their conditions require them to do so.
- f. The Applicant shall submit storm drain system design calculations that are prepared by a registered civil engineer for review and approval by the DED. Storm drain system design flows shall be calculated based on the requirements listed in the CON 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 CON Standards. The storm drain system design calculations shall show that the pipes have a self-cleaning minimum velocity of three feet (3') per second when flowing half full.
 - i. Demonstrate how the 100-year storm will not cause flooding of public or private property. Include an overland release map.
 - ii. Storm drain calculations in accordance with Section 2.03.02 of the City Standard Specifications which include a backwater analysis of all existing and proposed storm drains. HGL calculations shall incorporate downstream tailwater conditions at all storm drain outfalls and connection to the City's storm drain system.
 - iii. Spread calculations demonstrating flow in gutters along Shelter and Wilkins Avenues comply with City Standards.
 - iv. Inlet capacity calculations demonstrating inlets are capable of capturing the 10-year design storm.
 - v. There shall be no blind connections to the City' storm drain in Shelter Avenue, a storm drain manhole is required. All storm drain pipe in City ROW shall be a least 18 inches RCP.

ATTACHMENT 1

- g. The Applicant shall install full trash capture device(s) in accordance with the State Water Boards Trash Provisions Water Code section 13383. Full trash capture systems shall be designed to:
 - i. Trap all particles 5mm or greater
 - ii. Be sized to treat the 1-year, 1-hour storm event
 - iii. Device(s) shall be chosen from State Water Board list of certified devices.
 - iv. Device(s) shall be maintained at a frequency that ensures captured trash does not reduce device efficiency or create flooding, a minimum of once annually.
- 25. The Applicant shall execute a long term maintenance agreement with the CON approved both as to form and substance by the City Attorney and City Engineer for long term maintenance, financing and monitoring for the post construction storm water best management practices that are incorporated as part of the Project and as called out in the Approved SCP. The agreement shall comply with the following requirements:
 - a. 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.
 - b. The agreement shall be recorded prior to approval of the Improvement Plans. The agreement must provide for the perpetual maintenance and replacement of the improvements as well as appropriate provisions relating to enforcement options, the right of the City to access the property to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The CON shall either be a signatory to the agreement or a third party beneficiary to the agreement with the right but not the obligation to enforce the obligation and secure attorney's fees for legal counsel to enforce such obligations.
 - c. Updated information, including contact information, must be provided to the municipality whenever a property is sold and whenever designated individuals or contractors change.
 - d. 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.
 - e. 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

ATTACHMENT 1

version of the BSAMAA Post-Construction Manual or an updated version of that manual or other post-construction storm water management standards as adopted by Council resolution.

- f. 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.
- g. 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 NMC chapter 8.36, 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.

24. Prior to recordation of the FM:

- a. The Applicant shall ensure that there are no existing structures transversing into any easements or property lines.
- b. The Applicant shall create deed restrictions for private easements for access, utilities, and drainage via a separate instrument recorded with the Napa County Recorder. Recording information shall be prominently displayed on the FM.
- c. The owner of the property shall record CC&R's and establish an incorporated homeowner's association to provide long term maintenance, financing and monitoring for all shared improvements which includes but is not limited to driveways, landscaping, and bio retention areas that are incorporated as part of the Project.
 - (i) The City Engineer and City Attorney must approve the substance and form of the CC&Rs and associated documents prior to the approval of the Final Map.
 - (ii) The documents shall be recorded contemporaneously with the Final Map.
 - (iii) The CC&R's and homeowners association must provide a detailed outline of responsible parties, inspections, maintenance procedures, the perpetual maintenance and replacement of the improvements, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
 - (iv) The CC&Rs shall include language detailing that the homeowners 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.

ATTACHMENT 1

- (v) 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.
- d. Obtain an Encroachment Permit to install separate utility services for the existing residence that include but are not limited to water, gas (if applicable) and electric.
- e. Furnish proof of payment of the mapping service fee as required by the Napa County Board of Supervisors Resolution No. 92-119.
- f. Pay any account balances and current fees based on the rate in effect at the time of the permit issuance.
25. Prior to Commencing any activities on Site and any ground disturbing activities, the Applicant shall:
- a. Conduct a pre-construction meeting with representatives of the City whereby the Applicant and the Contractor provides the following:
- (i) Six (6) full size bond copies of the approved Improvement Plans for City's use.
- (ii) One (1) job Site copy of the CON-Standard Specs for their use.
26. Prior to issuance of a Building Permit:
- a. The Applicant shall construct all public improvements or enter into a project improvement agreement consistent with NMC 15.48.010.B Construction of Public Improvements
- b. The Applicant shall pay Street Improvement Fees in accordance with the Master Schedule of City Fees and Charges effective at the time of issuance of Building Permit (Policy Resolution 16). The current rates for the Street Improvement Fee (effective February 2025) for this Project are as follows:

	Land Use	Unit (DU)	Street Component Rate	Utility Underground Rate	Street Component Fee	Utility Underground Fee
New Use	Residential Condominium	11	\$1,516/DU	\$1,388/DU	\$16,676	\$15,268
					\$16,676	\$15,268

27. Prior to commencing any work in the public right-of-way (ROW), the Applicant shall contact the Public Works Department and obtain an Encroachment Permit (EP). This

includes utility connections in the right-of-way and any sidewalk/driveway impacts to the pedestrian path of travel or ROW.

28. Prior to issuing a certificate of occupancy or Building Permit Final (whichever occurs first), the Applicant shall submit documentation to the Building Division for review and approval establishing that the following items have been completed as reviewed and approved by the PW-DED.
- a. All onsite and offsite improvements shall be installed to the satisfaction of the City Engineer prior to occupancy.
 - b. The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the SCP and include the contractors and engineer of records signature verifying all post-construction 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.
 - c. 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.
 - d. Identify all post-construction stormwater quality BMP's, both on-site and along the project frontage, with the appropriate street address (addresses to be provided by City) and GIS coordinates.
 - e. Prior to Final SW and Final PW-DED sign off, all disturbed areas shall be installed with final, permanent stabilization measures to ensure no sediment laden water discharges from the Site.

UTILITIES DEPARTMENT – WATER DIVISION

26. Prior to approval of the Final Map, the Applicant shall:
- a. Identify on the Final Map the newly created parcel does not have City water service by adding the following note:
 - i. APN 046-211-011 does not have a City water service. Construction of a water service per City Standards will be required. Water capacity fees, water meter set payment and hot-tap fees to be paid to the City of Napa Water Division will be due prior to installation of a water service to 046-211-011 I.
 - b. 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.
 - c. Meter boxes and water services shall be located a minimum of 3-ft outside all vehicular travel ways.
 - d. A new water service shall be installed along the frontage of 2005 Wilkins Avenue APN 046-211-003 per City Standards.
 - e. 2005 Wilkins Avenue APN 046-211-003 shall abandon any existing unused water service(s). If Applicant owns the existing water service on Wilkins Avenue (Account Number 30304325), the service shall be abandoned per City Std. W-17 and capacity fee credit applied to a new service installation.

27. Prior to approval of the Improvement Plans, the Applicant shall submit a utility plan for review and approval by the Utilities Department identifying the following information:

- a. Size of existing water service(s) to property;
- b. Existing water main(s) and applicable tie-in locations, details, etc.;
- c. Abandonment of any existing unused water service(s);
- d. Installation of a single water service for each lot with approved backflow prevention device. Water services may not be shared across property boundaries per NMC Section 13.04.230. The type of backflow device(s) required to be installed shall be determined by the Utilities Department Cross-Connection Specialist. Properties with wells will require installation of an above grade reduced pressure backflow prevention device.
- e. Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations;
- f. Installation of a sufficient number of water main valves at City-approved locations;
- g. Relocation of any affected water facilities and/or appurtenances;
- h. Installation of a water quality monitoring/sampling stations at a City-approved location;
- i. Size and location of all proposed water services (residential, fire, irrigation, etc.);
- j. Meter boxes and water services shall be located a minimum of 3-ft outside any vehicular travel ways.
- k. Water services and meters shall be installed per City Standards within public right-of-way or dedicated public utility easement.
- l. Private fire hydrants shall be metered at the public right-of-way per City Std W-4C.
- m. Construction of improvements (permanent structures, other utilities etc.) shall meet the minimum required clearances from all public water infrastructure per City Std W-18, W-22A and W-22B.

28. Prior to Building Permit Approval, the Applicant shall:

- a. Submit fire sprinkler plans (if applicable) to the Fire Prevention Division for review and approval, the water service size required to meet fire sprinkler demands shall be consistent with the water service size on the Civil plan set.
- b. Comply with the Napa County Department of Weights & Measures submetering requirements if the Project will include water service submetering. Design of the submeter shall comply with California Civil Code Section 1954.203. All multi-family development Projects are required to meter individual units.
- c. Show compliance with Napa High Performance Building Standards on the building permit plan set. This requirement can be met by listing the make and model of each plumbing fixture, or by labeling each fixture with the maximum flow rate. (see table for fixture requirements)

Plumbing Fixture	High Performance Building Standard
Toilet	Shall not exceed 1.28 gallons per flush(gpf). Must be certified U.S. EPA WaterSense
Showerhead	Shall not exceed 1.8 gallons per minute (gpm) at 80 psi. Must be certified U.S. EPA WaterSense
Bathroom Faucet	Shall not exceed 1.2 gpm at 60 psi
Kitchen Faucet	Shall not exceed 1.5 gpm at 60 psi
Dishwasher	Shall be "Energy Star"
Clothes washer	Shall be "Energy Star"

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

29. Prior to Occupancy, the Applicant shall:

- a. Submit remaining fees (hot-taps, meter sets, etc.) to the Water Division at 1700 Second Street, Suite 100, Napa, CA;
- b. Construct all water improvements as shown on the approved plans, the City of Napa Public Works Department Standard Specifications and the special conditions listed above;
- c. Designate applicable on-site private fire hydrants as private per City Std W-8;
- d. Request backflow device inspection from City of Napa Water Division. Call (707)257-9544 at least 48 Hours in advance of requested inspection time;
- e. 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

30. Prior to Final Building Inspection, Applicant shall:

- a. Submit a record drawing outlining as-built conditions of the completed water system improvements in both electronic and print copy formats;
- b. Applicant shall physically mark water meter boxes with the appropriate street address (Note: applies to water meters installed in groups of two or more - addresses to be provided by City).

UTILITIES DEPARTMENT – SOLID WASTE AND RECYCLING

31. Prior to approval of the Improvement Plans, the Applicant shall include Project CC&Rs with the following language:

ATTACHMENT 1

- a. Each lot shall contract separately for solid waste/recycling/organic material collection with the City's authorized contractor.
 - b. Residents shall place carts on their designated collection day on either the east side of the Private Rear Driveway or Wilkins Avenue per the Napa Municipal Code Section 5.60.060 for service by the City's authorized contractor.
 - c. If carts are to be serviced on the east side of the Private Rear Driveway all lot homeowners shall sign a Private Drive Agreement to waive the liability of the City's authorized contractor for any damage to the Private Driveway. If all homeowners do not sign the Private Drive Agreement all carts shall be brought out to Wilkins Avenue for servicing by the City's authorized contractor.
32. If the proposed project exceeds (a) \$100,000 in building valuation; or (b) exceed 5,000 sq.ft. of new, improved, or remodeled areas, the Applicant shall meet the requirements of City Ordinance O2010 18 and file a Waste Reduction and Recycling Plan (WRRP) for review and approval by the Solid Waste & Recycling Division with the building permit application. No building permit shall be issued for any project until the Compliance Official has approved the WRRP. The plan shall document that recyclable materials shall be separated for recycling in order to meet the requirement of the City's construction and demolition debris ordinance - recycling mandatory recyclables and exceeding overall 50% diversion. The form is linked below:
<https://www.cityofnapa.org/DocumentCenter/View/7556/Waste-Reduction-and-Recycling-Plan-WRRP-Form-PDF->
33. Prior to Occupancy, the Applicant shall submit official weight receipts/tags for each load shall be obtained, and at the conclusion of construction shall be submitted for review by the Compliance Official prior to the approval of a Certificate of Occupancy.

NAPA SANITATION DISTRICT

34. The Napa Sanitation District has described the applicable requirements in a letter to the Planning Division dated May 7, 2025, attached hereto and incorporated herein as **Exhibit A, Correspondence**.

CITY GENERAL CONDITIONS

35. All 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.
36. 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

ATTACHMENT 1

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.

37. No use authorized by this Resolution may commence until after the Applicant executes any agreement required by these conditions of approval.
38. 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).
39. Applicant shall design and construct all improvements and facilities shown on any approved tentative subdivision map, site plan, plans and specifications, or other approved documents, to comply with the General Plan, any applicable Specific Plan, the NMC, City ordinances and resolutions, the "Standard Specifications" of the Public Works and Fire Departments, and the approved tentative subdivision map, site plan, plans and specifications, and other approved documents.
40. 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.
41. To the full extent permitted by law, the Applicant shall indemnify, defend, release and hold City, its agents, officers, and employees harmless from and against any claims, suits, liabilities, actions, damages, penalties or causes of action by any person, including Applicant, for any injury (including death) or damage to person or property or to set aside, attack, void or annul any actions of City, its agents, officers and employees, from any cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the applications relating to the subject property; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation or operation of Project improvements and regardless whether the actions or omissions are alleged to be caused by City or Applicant so long as City promptly notifies Applicant of any such claim, etc., and the City cooperates in the defense of same.
42. If the Applicant is not the owner of the Site, all agreements required to be executed by this Resolution must be executed by the Owner(s) as well as the Applicant.
43. 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

ATTACHMENT 1

of the statement of the amount of such fees and a description of the dedications, reservations, and other exactions. You are hereby notified that the 90-day period in which you may protest those fees, the amount of which has been identified herein, dedications, reservations and other exactions required in connection with the instant approvals has begun. If you fail to file a protest complying with all the requirements of Section 66020, you will be legally barred from later challenging such exaction.

44. Violation of any term, condition, mitigation measure or Project description relating to this Resolution is unlawful, prohibited and a violation of the Napa Municipal Code and can result in revocation or modification of this approval and/or the institution of civil and/or criminal enforcement and/or abatement proceedings.

45. This resolution shall become effective immediately upon adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 7th day of October, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to form:

Christopher Diaz
Interim City Attorney