



Local Agency Formation Commission of Napa County
Subdivision of the State of California

1030 Seminary Street, Suite B
Napa, California 94559
Phone: (707) 259-8645
Fax: (707) 251-1053
www.napa.lafco.ca.gov

We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 6a (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer
MEETING DATE: February 4, 2019
SUBJECT: Proposed Linda Vista Avenue/Wine Country Avenue No. 6
Annexation to the Napa Sanitation District and Associated CEQA
Findings

RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making
Determinations - Linda Vista Avenue/Wine Country Avenue No. 6 Annexation to the Napa
Sanitation District (Attachment One) making California Environmental Quality Act
(CEQA) findings and approving the proposed annexation. Standard conditions are also
recommended.

SUMMARY

Area: 4.2 acres Sphere of Influence (SOI): Napa
Sanitation District (NSD)
APN: 007-045-041 (one parcel) Proposed Action: Annexation to NSD
Location: Linda Vista Avenue & Wine Policy Consistency: Yes
Country Avenue (no situs address) Landowner Consent: 100%
Jurisdiction: City of Napa (incorporated)

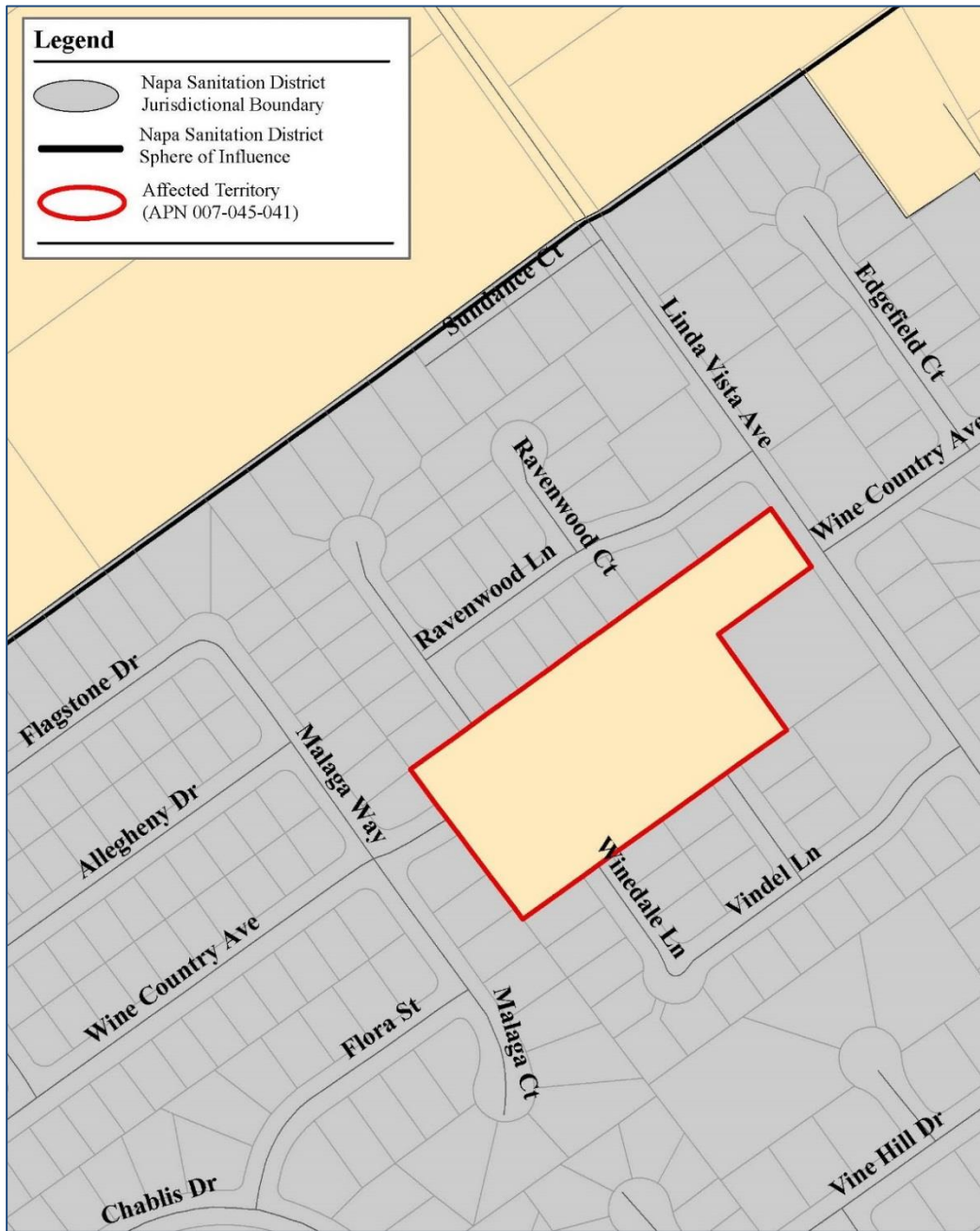
The purpose of the proposal is to facilitate the subdivision of the affected territory and an
adjacent 0.8-acre parcel to include 27 single-family residential lots consistent with the City
of Napa's planned Vista Grove Subdivision. A map of the affected territory is provided on
the following page. An aerial map of the affected territory is included as Attachment Two.

The application materials are included as Attachment Three. The City's resolution
approving a use permit, design review permit, and tentative map for the Vista Gove
Subdivision is included as Attachment Four.

Margie Mohler, Chair
Councilmember, Town of Yountville
Scott Sedgley, Commissioner
Councilmember, City of Napa
Kenneth Leary, Alternate Commissioner
Councilmember, City of American Canyon

Brad Wagenknecht, Vice Chair
County of Napa Supervisor, 1st District
Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District
Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner
Representative of the General Public
Erik Lawrence, Alternate Commissioner
Representative of the General Public
Brendon Freeman
Executive Officer



ANALYSIS

Factors for Commission Determinations

California Government Code (G.C.) Sections 56668 and 56668.3 require the Commission to consider the following specific factors for a change of organization involving annexation to a special district. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs with respect to considering boundary changes in context with locally adopted policies and practices.

(1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.

The affected territory is incorporated within the City's jurisdictional boundary and lies within a residential area designated under the City of Napa General Plan as *Linda Vista*. The affected territory is currently undeveloped and legally uninhabited given there are currently no registered voters. The current assessment value of the affected territory totals \$229,687.¹

The affected territory is located within the *Salvador Channel* drainage basin. Soils within the affected territory are classified as Cole silt loam and Haire loam, all with zero to two percent slopes.

The affected territory has been planned by the City for a 27-lot residential subdivision.² Adjacent lands on all sides of the affected territory are within the City's jurisdictional boundary and already fully developed with residential uses consistent with the City's General Plan.

(2) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

The present need for municipal services within the affected territory is limited to public sewer for the planned 27-lot subdivision. Core municipal services already provided by the City or available to the affected territory include water, fire, emergency medical, law enforcement, roads, and garbage collection; all at levels deemed adequate given current and planned uses.

Proposal approval and the planned development of the affected territory to include 27 residential units would result in new sewer flows totaling approximately 5,670 gallons per day. This amount is based on NSD's design standard of 210 gallons per day per residential unit. NSD has established sufficient capacities and controls to reasonably accommodate projected sewer service demands throughout the District's existing SOI, including projected demands at buildout within the affected territory. This statement is predicated on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014.³ No service deficiencies for the area were identified in the Municipal Service Review.

¹ The assessed value of the affected territory is entirely tied to the land given there are no structural improvements.

² At buildout, the affected territory would include a projected resident population of 74 based on the California Department of Finance's population per household estimate of 2.76 for the City of Napa.

³ The *Central County Municipal Service Review* is available online at:
http://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf

(3) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on local governmental structure.

The proposal would recognize and strengthen existing social and economic ties between NSD and the affected territory. These ties were initially established in 1975 when the Commission included the affected territory in NSD's SOI, marking an expectation the site would eventually develop for urban type uses and require public sewer from the District as the region's sole service provider.

(4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

The proposal is consistent with the Commission's adopted policies based on the affected territory's urban land use designation and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377.⁴ Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

(5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.

The affected territory does not qualify as "agricultural land" under LAFCO law. Specifically, the affected territory is not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

(6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The affected territory includes all of the property identified by the County of Napa Assessor's Office as 007-045-041. The applicant has submitted a draft map and geographic description of the affected territory that is undergoing review by the County Surveyor to ensure conformance with the requirements of the California Department of Tax and Fee Administration.

⁴ The affected territory is currently unimproved but not devoted to an open-space use under the County General Plan.

(7) Consistency with a regional transportation plan adopted pursuant to G.C. Section 65080.

The Metropolitan Transportation Commission's regional transportation plan (RTP), *Plan Bay Area 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.⁵ No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

(8) Consistency with the city or county general and specific plans.

Approval of the proposal would allow for a full range of municipal services to be provided to the affected territory to serve the planned 27-lot residential subdivision. The availability and provision of these municipal services are consistent with the City's General Plan land use designation and zoning assignment for the affected territory, both of which contemplate single-family residential development.

(9) The sphere of influence of any local agency affected by the proposal.

The affected territory is located entirely within NSD's SOI, which was comprehensively updated by the Commission in October 2015.

(10) The comments of any affected local agency or other public agency.

Staff provided notice of the proposal and recommended modification to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

(11) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and analyzed in the Commission's *Central County Region Municipal Service Review* concluded NSD has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,624 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual service charge for a single-family unit is currently \$676.38 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses.

⁵ *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

(12) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.

The planned development of the affected territory is expected to generate new annual water demands for the City totaling approximately 7.4 acre-feet or 2,400,678 gallons. This amount is based on current average water demands within the City of approximately 243.6 gallons per day per residence. Information collected and analyzed in the Commission's *Central County Region Municipal Service Review* concluded the City has established adequate water supplies to serve projected needs.

(13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

Approval of the proposal would result in a benefit to the City with respect to achieving its fair share of the regional housing needs based on the planned development of 27 new single-family residential units.⁶

(14) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The landowner of the affected territory is the petitioner seeking annexation. There are no registered voters nor residents within the affected territory.

(15) Any information relating to existing land use designations.

City General Plan: *Single-Family Infill (SFI-3)*

City Zoning Ordinance: *Single-Family Infill: Affordable Housing Overlay (RI-5: AH)*

The City General Plan land use designation for the affected territory prescribes a range of residential development from three to six units per acre. The City's zoning assignment for the affected territory allows for residential uses with minimum lot sizes of 5,000 square feet or 0.1 acres. In addition, the affordable housing overlay requires 40 percent of total units to include second dwelling units, no development shall be age-restricted, development densities shall be no lower than 90 percent of the site's General Plan density range, and the development shall comply with the City's Municipal Code relating to Affordable Housing Impact Fees. The proposed annexation to NSD and underlying development project are consistent with these existing land use designations.

⁶ A recent report with information on local regional housing needs allocations is available online at: http://www.napa.lafco.ca.gov/uploads/documents/6-4-18_5d_HousingUpdate.pdf

(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

Proposal approval would facilitate a residential development project that will be consistent with the City's affordable housing overlay zoning by providing 11 homes with accessory dwelling units. Approval of the proposal will promote environmental justice given that the 11 accessory dwelling units will be more affordable to the City's lower income population relative to the available housing stock.

(17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

The affected territory is not subject to a local hazard mitigation plan or a safety element of a general plan. The affected territory is not located in a very high fire hazard zone or a state responsibility area.

(18) For annexations involving special districts, whether the proposed action will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.

Proposal approval would benefit the future landowners and residents within the affected territory by providing permanent access to public sewer service. Public sewer service eliminates the need for septic systems in an area in which any failings could pose a public health and safety threat for immediate and adjacent residents.

Property Tax Agreement

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a change of organization. This statute states jurisdictional changes affecting the service areas or service responsibilities of districts must be accompanied by a property tax exchange agreement, which shall be negotiated by the affected county on behalf of the districts. In 1980, the County adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall result from annexations involving the District. This resolution has been applied to all subsequent annexations involving NSD. In processing this proposal, staff provided notice to the affected agencies that the Commission would again apply this resolution unless otherwise informed. No affected agency responded with any concerns to the approach outlined by staff.

Protest Proceedings

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited, all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

ENVIRONMENTAL REVIEW

The Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The City, as Lead Agency, has determined the underlying development project is exempt from CEQA in accordance with CEQA Guidelines Section 15332, which exempts infill development projects. Staff recommends the Commission as Responsible Agency concur with the City's determination. Further, staff has identified a statutory exemption for the proposed annexation is appropriate pursuant to CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length.

ALTERNATIVES FOR COMMISSION ACTION

Staff has identified three alternatives for Commission consideration with respect to the proposal. These options are summarized below.

Alternative Action One (Recommended):

Adopt the draft resolution identified as Attachment One approving the proposal with standard terms and conditions.

Alternative Action Two:

Continue consideration of the proposal to a specified future meeting.

Alternative Action Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Aerial Map of Affected Territory
- 3) Application Materials
- 4) City of Napa Resolution No. R2018-142 Approving a Use Permit, Design Review Permit, and Tentative Map for the Vista Grove Subdivision

RESOLUTION NO. ____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
MAKING DETERMINATIONS**

**LINDA VISTA AVENUE/WINE COUNTRY AVENUE NO. 6
ANNEXATION TO THE NAPA SANITATION DISTRICT**

WHEREAS, an application for a proposed reorganization has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposal seeks Commission approval to annex approximately 4.2 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located along Linda Vista Avenue near its intersection with Wine Country Avenue and identified by the County of Napa Assessor’s Office as 007-045-041; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on February 4, 2019; and

WHEREAS, the Commission considered all the factors required by law under Government Code Sections 56668 and 56668.3 as well as adopted local policies and procedures; and

WHEREAS, the Commission finds the proposal consistent with the sphere of influence established for the Napa Sanitation District; and

WHEREAS, the Commission finds that all owners of land included in said proposal consent to the subject annexation; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The City of Napa, as Lead Agency, has determined the annexation is exempt from CEQA pursuant to CEQA Guidelines Section 15332; and

NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER as follows:

1. The Factors for Commission Determinations provided in the Executive Officer's written report are hereby incorporated herein by this reference and are adequate.
2. The Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The City of Napa, as Lead Agency, has determined the underlying development project is exempt from CEQA in accordance with CEQA Guidelines Section 15332, which exempts infill development projects. The Commission concurs with the lead agency's determination and finds that the annexation is exempt pursuant to CEQA Guidelines Section 15332, and also finds the annexation is exempt pursuant to CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**LINDA VISTA AVENUE/WINE COUNTRY AVENUE NO. 6
ANNEXATION TO THE NAPA SANITATION DISTRICT**
5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit "A".
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the California Department of Tax and Fee Administration.
 - (b) Written confirmation by the Napa Sanitation District that its terms and conditions have been satisfied.

- 12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
- 13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

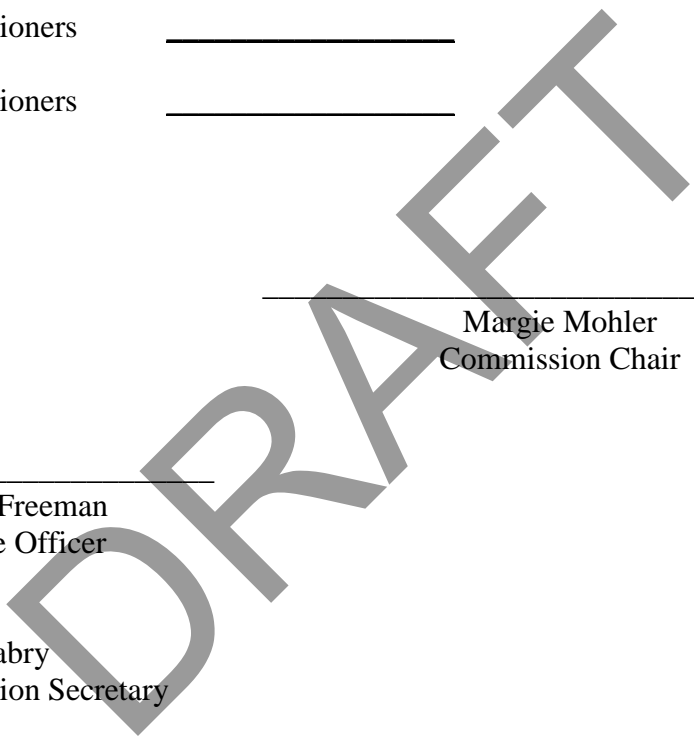
The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on February 4, 2019, by the following vote:

AYES: Commissioners _____
NOES: Commissioners _____
ABSENT: Commissioners _____
ABSTAIN: Commissioners _____

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary



C

GEOGRAPHIC DESCRIPTION
EXHIBIT "A"

LINDA VISTA AVENUE/WINE COUNTRY AVENUE NO. 5 ANNEXATION TO
THE NAPA SANITATION DISTRICT
LYING WITHIN NAPA RANCHO

A portion of that real property situate in the City of Napa, County of Napa, State of California described as follows:

Commencing at the northeast corner of the Linda Vista Avenue No. 11 District Annexation to the Napa Sanitation District recorded July 18, 1991 in Book 1836 at page 298, Napa County Records; said point being on the southwestern right of way line of Linda Vista Avenue;

thence along said existing district boundary (1) South $54^{\circ} 06' 30''$ West 709.47 feet;

thence along the northeast line of The Vineyard Unit No. 4 District boundary and the northeast line of Dry Creek Road Grape Vine Drive No. 3 District (2) North $37^{\circ} 11' 44''$ West 305.07 feet;

thence along the southeast line of Linda Vista Avenue Wine Country Avenue No. 3 District (3) North $54^{\circ} 06' 30''$ East 718.50 feet;

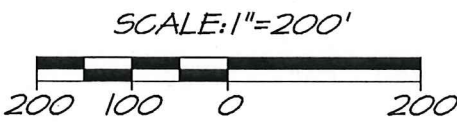
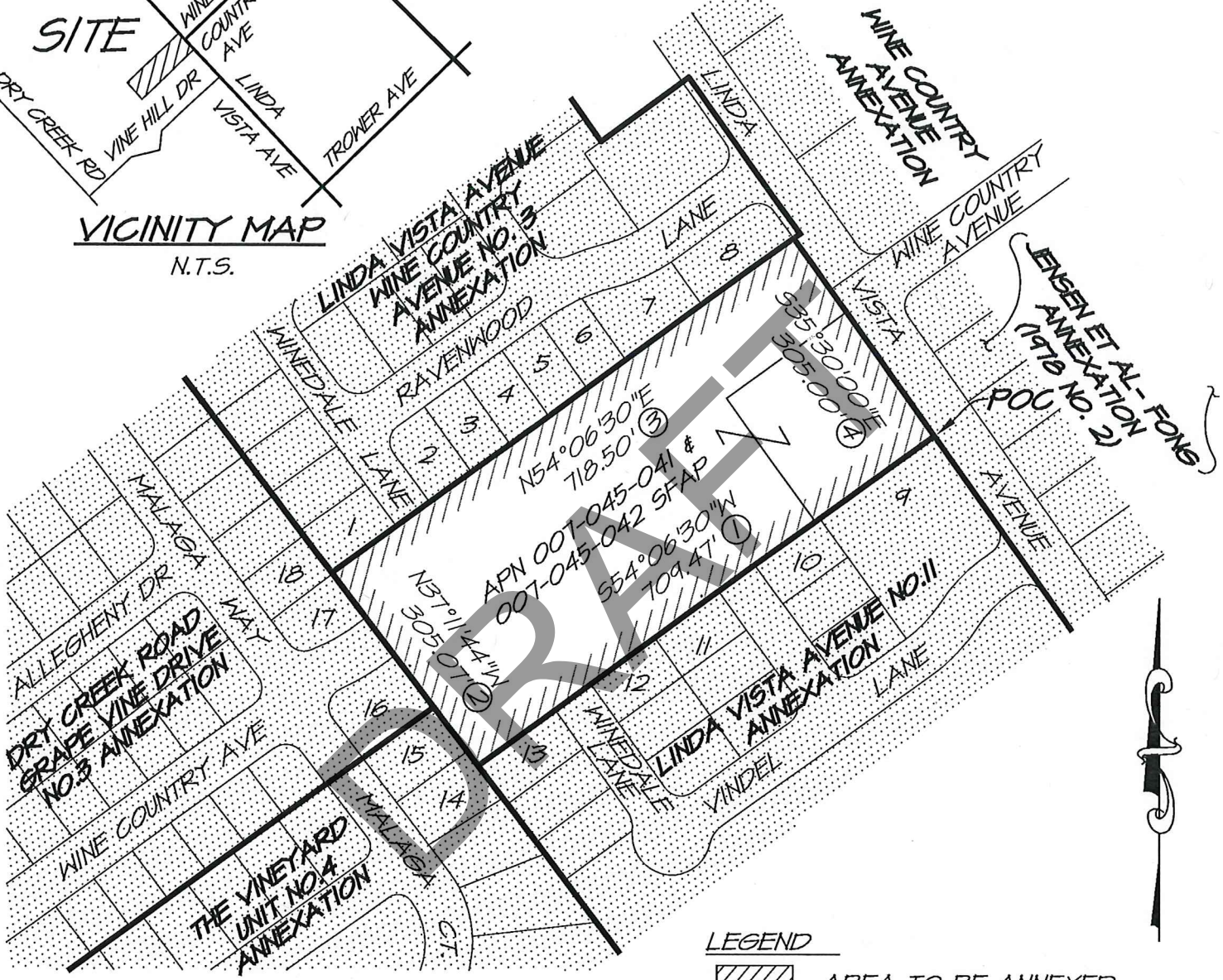
thence along the southwest line of Wine Country Avenue Annexation and the southwestern line of the Jensen et al-Fong Annexation (1978 No. 2) recorded October 24, 1978 in Book 1101 of Official Records at page 341, said Napa County Records; (4) South $35^{\circ} 30' 00''$ East 305.00 feet to the Point of Commencement.

Containing 4.19 +/- acres of land




For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

EXHIBIT A PLAT


A MAP DELINEATING THE BOUNDARY OF
LINDA VISTA AVENUE / WINE COUNTRY AVENUE
NO. 5 DISTRICT ANNEXATION
 TO NAPA SANITATION DISTRICT
 THE PROPERTY LIES WITHIN THE NAPA RANCHO



LEGEND

-  AREA TO BE ANNEXED
-  EXISTING NAPA SANITATION DISTRICT
-  EXISTING NAPA SANITATION DISTRICT BOUNDARY
- POC POINT OF COMMENCEMENT
- APN ASSESSOR'S PARCEL NUMBER

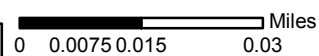
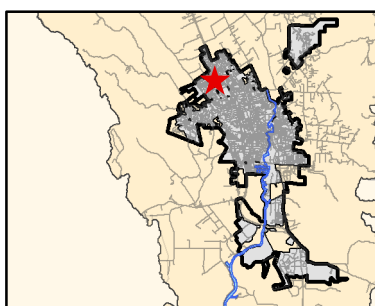
NO.	AP NUMBER		AP NUMBER
1	007-045-006	10	007-066-001
2	007-045-035	11	007-065-002
3	007-045-034	12	007-065-001
4	007-045-033	13	007-062-066
5	007-045-032	14	007-061-003
6	007-045-031	15	007-061-002
7	007-045-030	16	007-351-001
8	007-045-029	17	007-351-020
9	007-066-004	18	007-351-019



1515 FOURTH STREET
 NAPA, CALIF. 94559
 OFFICE | 707 | 252.3301
 + www.RSAcivil.com +

RSA+ CONSULTING CIVIL ENGINEERS + SURVEYORS + est. 1980

Linda Vista Avenue/Wine Country Avenue No. 6 Annexation to the Napa Sanitation District



February 4, 2019
Prepared by BF



LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
www.napa.lafco.ca.gov

FORM B

Date Filed:	12/7/18
Received By:	BF

PETITION FOR PROPOSAL

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a landowner or registered voter shall be initiated by petition. The petition shall state the nature of the proposal and all associated proposed changes of organization. It shall also state the reason for the proposal and enumerate and include supporting information as required under Government Code Section 56700. The petition must be submitted to the Executive Officer for filing within 60 days after the last signature is affixed. Applicants are encouraged to use this form.

Nature of Proposal and All Associated Changes of Organization:

To allow 27 homes, 6 second units, 5 JADUs
to hook up to NSD - new project approved
by City of Napa 12/4/18

Description of Boundaries of Affected Territory Accompanied by Map:

4.9 acres - East side Linda Vista / Wine
Country Ave. - West side Malaga / Wine Country
North side Raven Wood / Wine Dale South side Vinell /
Wine Dale

Reason for Proposal and Any Proposed Conditions:

To allow sewer to new homes

Type of Petition:

Landowner

Registered Voter

Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

1) Name: Randy Aulante For Catherine Okimoto
 Mailing Address: 780 TRANCAS ST. / 4455 LINDA VISTA AVE
 Assessor Parcel: 007-045-041 + ~~007-045-042~~
 Signature: Randy A Aulante 12/6/18 Date: Catherine Okimoto Trustee 12/7/18
 Signature Catherine Okimoto Trustee

2) Name: _____
 Mailing Address: _____
 Assessor Parcel: _____
 Signature: _____ Date: _____

3) Name: _____
 Mailing Address: _____
 Assessor Parcel: _____
 Signature: _____ Date: _____

If Registered Voter Petition, Complete the Following:

1) Name: _____
 Mailing Address: _____
 Resident Address: _____
 Signature: _____ Date: _____

2) Name: _____
 Mailing Address: _____
 Resident Address: _____
 Signature: _____ Date: _____

3) Name: _____
 Mailing Address: _____
 Resident Address: _____
 Signature: _____ Date: _____

FORM D

Date Filed: 12/7/18
Received By: BF

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: RANDY A. Gulanate
Contact Person Agency/Business (If Applicable)
Address: 780 TRANCAS ST. NAPA 94558
Street Number Street Name City Zip Code
Contact: 707-256-2145 707-224-4545 R.Gulanate@GGSPR.COM
Phone Number Facsimile Number E-Mail Address
B. Applicant Type: Local Agency Registered Voter Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies: NAPA Sanitation District
Name Address
Name Address
Name Address

Use Additional Sheets as Needed

B. Proposal Type: Annexation Detachment City Incorporation District Formation
City/District Dissolution City/District Merger Service Activation (District Only) Service Divestiture (District Only)

C. Purpose Statement: Facilitate Vista Grove Subdivision - hook up 27 new homes to public sewer

III. GENERAL INFORMATION

A. Location:

4455 LINDA VISTA	007-045-041	0.5
Street Address	Assessor Parcel Number	Acres
NO ADDRESS	007-045- 041 ⁰⁴¹	4.9
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres

Total Location Size
(Including Right-of-Ways) _____

B. Landowners:

- (1) Assessor Parcel Number : 007-045-041 Name: CATHERINE OKIMOTO, trustee
Mailing Address: 4455 LINDA VISTA
Phone Number: 808-333-2299 E-mail: Phoenixr3@yahoo.com
- (2) Assessor Parcel Number : ~~007-045-042~~ Name: ~~CATHERINE OKIMOTO, trustee~~
Mailing Address: ~~4455 LINDA VISTA~~
Phone Number: ~~808-333-2299~~ E-mail: ~~Phoenixr3@yahoo.com~~
- (3) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____
- (4) Assessor Parcel Number : _____ Name: _____
Mailing Address: _____
Phone Number: _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

- (1) Total Number of Residents: 0
- (2) Total Number of Registered Voters: 0

D. Land Use Factors:

- (1a) County General Plan Designation: N/A
- (1b) County Zoning Standard: N/A
- (2a) Applicable City General Plan Designation: SFI-3
- (2b) Applicable City Rezoning Standard: RI-5:AH

E. Existing Land Uses:
(Specific)

Residential

F. Development Plans:

- (1a) Territory Subject to a Development Project? Yes No
- (1b) If Yes, Describe Project: 27 SIER approved tentative map 12/4/18
- (1c) If No, When Is Development Anticipated? _____

G. Physical Characteristics:

- (1) Describe Topography: Level 4.9 acre parcel
- (2) Describe Any Natural Boundaries: streets + homes
- (3) Describe Soil Composition and Any Drainage Basins: unknown
- (4) Describe Vegetation: Eucalypts Trees have been cut down but stumps remain

H. Williamson Act Contracts
(Check One)

- Yes
- No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

(1) Enumerate and Describe Services to Be Provided to the Affected Territory:

NSD - Sanitation Services

(2) Level and Range of Services to Be Provided to the Affected Territory:

NSD

(3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:

Upon completion of construction of homes

(4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:

Per City of Napa Conditions of Approval City Streets will be put in

(5) Information On How Services to the Affected Territory Will Be Financed:

developer during construction of development

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal: City of Napa
Name

(2) Type of Environmental Document Previously Prepared for Proposal:

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

Categorical/Statutory Exemption: Class 32 infill development projects
Type

None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

Allow the ~~two~~ ~~3~~ parcels to be annexed to
NSD

Use Additional Sheets As Needed

B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:

(Does not include affected landowners or residents)

(1) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

(2) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

(3) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

VII. CERTIFICATION

I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

Signature: Randy A. Glantz Catherine Okimoto Trustee

Printed Name: RANDY A. GLANTZ CATHERINE OKIMOTO, Trustee

Title: agent representing owner

Date: 12/6/18 12/7/18

Indemnification Agreement

Name of Proposal: Linda Vista Avenue/Wine Country Avenue No. 6 Annexation to OSD

Should the Local Agency Formation Commission of Napa County ("Napa LAFCO") be named as a party in any litigation (including a "validation" action under California Civil Code of Procedure 860 et seq.) or administrative proceeding in connection with a proposal, the applicant _____ and/or

Catherine Okimoto (real party in interest: the landowner) agree to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

1. Any damages, penalties, fines or other costs imposed upon or incurred by Napa LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. The Napa LAFCO Executive Officer may require a deposit of funds to cover estimated expenses of the litigation. Applicant and/or real party in interest agree that Napa LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's and/or real party in interest's obligations to indemnify and reimburse defense cost; and
2. All reasonable expenses and attorney's fees in connection with the defense of Napa LAFCO.

This indemnification obligation shall include, but is not limited to, expert witness fees or attorney fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with, the approval of this application. This indemnification is intended to be as broad as permitted by law.

Agency Representative Signature

Print Name

Date

Rady A. Glat
Catherine Okimoto, Trustee
Principal Landowner Signature

Catherine Okimoto, Trustee
Print Name

12/7/18
Date

C

GEOGRAPHIC DESCRIPTION
EXHIBIT "A"LINDA VISTA AVENUE/WINE COUNTRY AVENUE NO. 5 ANNEXATION TO
THE NAPA SANITATION DISTRICT
LYING WITHIN NAPA RANCHO

A portion of that real property situate in the City of Napa, County of Napa, State of California described as follows:

Commencing at the northeast corner of the Linda Vista Avenue No. 11 District Annexation to the Napa Sanitation District recorded July 18, 1991 in Book 1836 at page 298, Napa County Records; said point being on the southwestern right of way line of Linda Vista Avenue;

thence along said existing district boundary (1) South $54^{\circ} 06' 30''$ West 709.47 feet;

thence along the northeast line of The Vineyard Unit No. 4 District boundary and the northeast line of Dry Creek Road Grape Vine Drive No. 3 District (2) North $37^{\circ} 11' 44''$ West 305.07 feet;

thence along the southeast line of Linda Vista Avenue Wine Country Avenue No. 3 District (3) North $54^{\circ} 06' 30''$ East 718.50 feet;

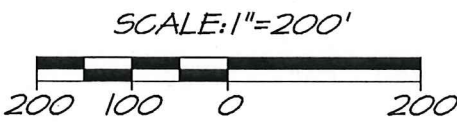
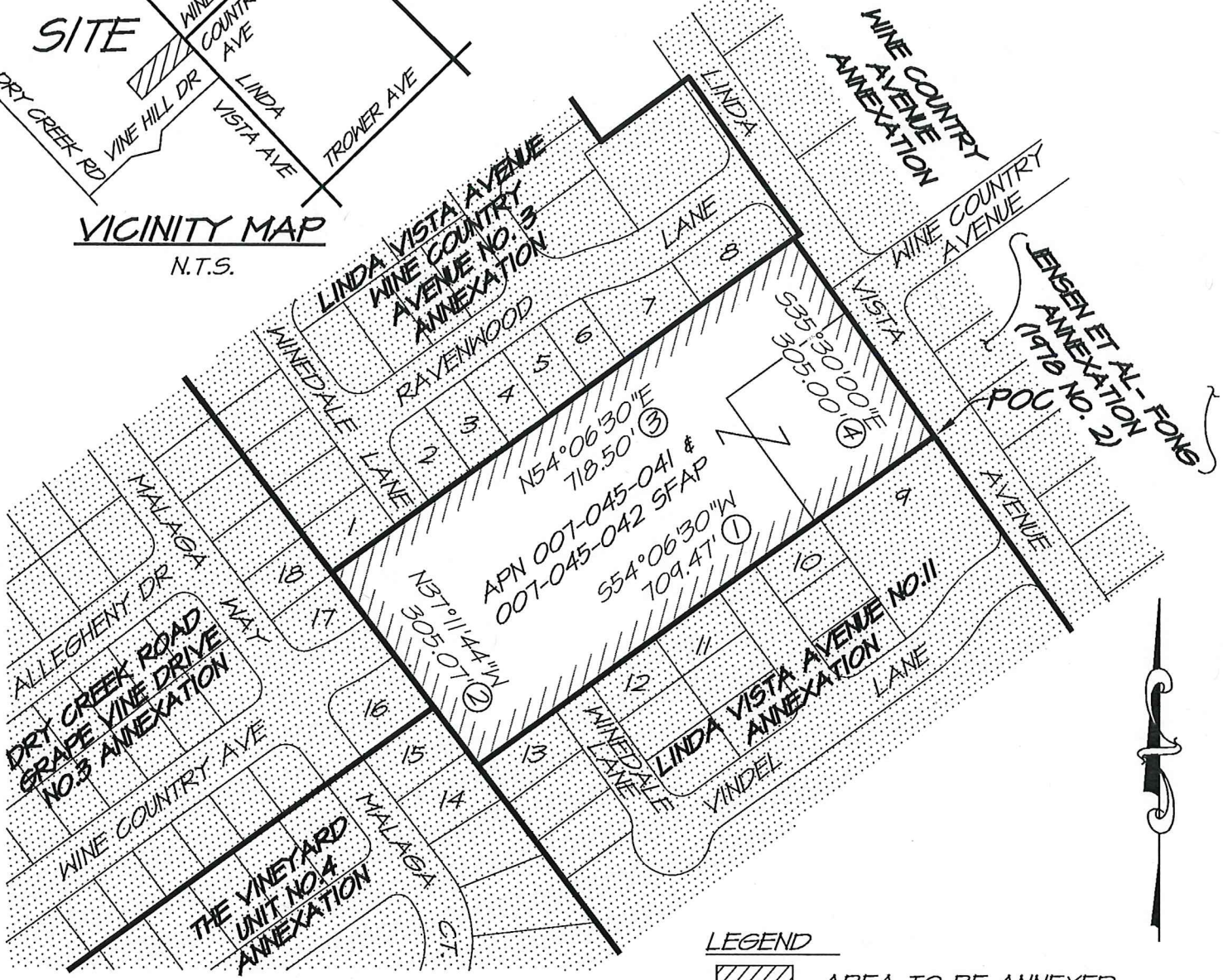
thence along the southwest line of Wine Country Avenue Annexation and the southwestern line of the Jensen et al-Fong Annexation (1978 No. 2) recorded October 24, 1978 in Book 1101 of Official Records at page 341, said Napa County Records; (4) South $35^{\circ} 30' 00''$ East 305.00 feet to the Point of Commencement.

Containing 4.19 +/- acres of land

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

EXHIBIT A PLAT

A MAP DELINEATING THE BOUNDARY OF
LINDA VISTA AVENUE / WINE COUNTRY AVENUE
NO. 5 DISTRICT ANNEXATION
 TO NAPA SANITATION DISTRICT
 THE PROPERTY LIES WITHIN THE NAPA RANCHO



- LEGEND**
- AREA TO BE ANNEXED
 - EXISTING NAPA SANITATION DISTRICT
 - EXISTING NAPA SANITATION DISTRICT BOUNDARY
 - POC POINT OF COMMENCEMENT
 - APN ASSESSOR'S PARCEL NUMBER

NO.	AP NUMBER	10	007-066-001
1	007-045-006	11	007-065-002
2	007-045-035	12	007-065-001
3	007-045-034	13	007-062-066
4	007-045-033	14	007-061-003
5	007-045-032	15	007-061-002
6	007-045-031	16	007-351-001
7	007-045-030	17	007-351-020
8	007-045-029	18	007-351-019
9	007-066-004		

1515 FOURTH STREET
 NAPA, CALIF. 94559
 OFFICE | 707 | 252.3301
 + www.RSAcivil.com +

RESOLUTION R2018-142

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

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

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

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

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

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

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

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

8. Construction activities shall be limited to specific times pursuant to NMC 8.08.025 which limits construction activities to 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 7:00 p.m. on weekends or legal holidays, unless a permit is first secured from the City Manager (or his/her designee) for additional hours. The ordinance further states that there will be: no start-up of machines nor equipment prior to 8:00 a.m., Monday through Friday; no delivery of materials nor equipment prior to 7:30 a.m. nor equipment past 6:00 p.m., Monday through Friday; no servicing of equipment past 6:45 p.m., Monday through Friday, and construction on weekends or legal holidays shall be limited to the hours of 8:00 a.m. to 4:00 p.m.

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

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

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

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

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

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

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

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

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

17. All proposed and required fencing shall be installed in compliance with the approved landscape and fencing plan prior to the issuance of a Certificate of Occupancy for the corresponding unit.

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

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

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

PUBLIC WORKS DEPARTMENT:

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

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

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

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

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

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

a. Linda Vista Avenue:

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

b. Wine Country Avenue:

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

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

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

c. Winedale Lane:

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

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

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

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

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

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

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

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

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

k. Public street access points and street corners shall be designed to satisfy the City of Napa Visibility and Fencing Standard (Std. Detail S-25). The sight distance and visibility triangle lines shall be shown on the grading and drainage plans. The visibility height limits are measured from the top of curb of the fronting street to the top elevation of the obstruction.

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

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

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

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

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

q. The improvement plans shall include a Public Street Repair Plan (showing the repair details and limits of repair) for all improvement installations that will result in the cutting, demolition, destruction, etc. of any existing improvements within the public right of way including but not limited to the installation of curb, gutter, sidewalk, utilities (water, sewer, storm drain, electrical, cable TV, telephone, etc.). This plan shall be updated during the construction process as necessary to reflect any unanticipated street repairs. Associated with said plan are the following requirements:

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

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

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

r. For trenching within existing roadway areas, the Applicant's engineer shall pothole or otherwise physically determine the actual horizontal location and vertical depth of all underground utility systems throughout the proposed areas of work and at all utility connection and crossing points. The Applicant shall provide with the first improvement plan submittal all the pothole information and the design of all new utility installations required to serve the Project including a schedule for implementation of such work as to prevent disrupting of utility service to adjacent properties.

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

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

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

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

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

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

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

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

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

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

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

i) It is the City's policy to require all new parcels to be graded to drain independently from adjoining parcels. If surface drainage is currently passing from adjoining properties onto the Site, the grading plan for the Project shall be designed to continue to accept such drainage and easements (or deed restrictions requiring the reservation of easements upon property transfer) shall be established to allow such drainage patterns to continue. All surface drainage must be collected and conveyed to a public street, storm drain or approved outfall.

j) The Applicant shall provide an Erosion and Sediment Control Plan (ESCP) and a schedule for implementation of approved measures to the Public Works Department Development Engineering Division for review and approval with the first improvement plans submitted for review. A grading permit shall not be issued until the erosion and sediment control plan is approved.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The agreement shall be recorded prior to approval of the Improvement Plans. The agreement must provide for the perpetual maintenance and replacement of the improvement as well as appropriate provisions relating to enforcement options, the right of the City to access the Site to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The City of Napa shall either be a signatory to the agreement or a third-party beneficiary to the agreement with the right but not the obligation to enforce the obligation and secure attorney's fees for legal counsel to enforce such obligations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

c) As designed and shown on the RSA+ plans, the Project impacts eighteen (18) adjacent properties. The Applicant shall provide details for each property describing how their existing improvements (fences, retaining walls, concrete curb, concrete gutter, DIs, etc.) are going to be impacted and how those impacts are mitigated. Existing private improvements (retaining walls, concrete curbs, concrete gutter, etc.) shall be removed unless proof is submitted with the improvement plan submittals showing the improvements need to remain for structural reasons. If the Applicant is not successful obtaining rights of entry and/or easements from the neighboring property owner(s), the Applicant may construct the fences on the Site. Details showing fencing shall be incorporated in the improvement plans. (Rev 20180806).

d) Civil plan sheet TM3 shows parcels APN 007-062-003, 007-062-002, and 007-355-001 have an existing wood retaining wall. Any existing wood retaining walls that are adjacent to property lines shall be replaced with masonry or concrete retaining walls. If the Applicant is not successful obtaining rights of entry and/or easements from the neighboring property owner(s), the Applicant may construct the fences on the Site. Details showing fencing shall be incorporated in the improvement plans.

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

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

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

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

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

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

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

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

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

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

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

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

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

h) The Applicant shall submit to the Public Works Department Development Engineering Division a Soils Investigation/Geotechnical Report in accordance with Section 16.36.200 of the City of Napa Municipal Code with the first improvement plan submittal. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to improvement plan approval. The geotechnical engineer shall also assume responsibility for inspection of the work and prior to acceptance of the work shall certify to the City that the work performed is adequate and complies with their recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of building plans in accordance with Title 15 of the City of Napa Municipal Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

i) All onsite and offsite improvements shall be installed to the satisfaction of the City Engineer prior to occupancy.

j) Submit an inspector's punch list indicating that all of the "Public & Private Improvements" are constructed to the satisfaction of the City Engineer.

k) Submit a certification by the Geotechnical Engineer of Record that all the work has been completed in substantial conformance with the recommendations in Soils Investigation/Geotechnical Report.

l) Submit a certification by the Engineer of Record that all work has been completed in substantial conformance with the approved Improvement Plans and Stormwater Control Plan.

m) The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the Stormwater Control Plan and include the contractors and engineer of records signature verifying all post-construction bmp's have been installed and inspected as designed per the approved plans. A copy of the form may be requested from the Public Works Development Engineering Division – Stormwater Program.

n) Identify all on-site post-construction stormwater quality bmp's and along the Project frontage with the appropriate street address (addresses to be provided by City) and GIS coordinates.

o) Prior to Final SW Sign off, all disturbed areas shall be installed with final permanent stabilization measures to insure no sediment laden water discharges from the Site.

p) Installation of street paving by the Applicant shall be completed and shall include reconstruction of the existing pavement section as required to provide adequate conforms. The limits of such reconstruction shall be reviewed by the Public Works Development Engineering Division and approved by the City Engineer as part of the construction plan review. Any necessary pavement conforms shall be installed prior to occupancy.

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

r) Within sixty (60) days of the final inspection, the Applicant shall submit documentation (weight tags for the Project debris), signed and certified under penalty of perjury, to the Compliance Official that the diversion requirement for the Project per the approved WRRP has been met. Sign-off from Materials Diversion for a certificate of occupancy shall not occur until the weight tag documentation is approved. Non-compliance with the plan and City requirements may result in a fine.

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

FIRE PREVENTION DIVISION:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BUILDING DIVISION:

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

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

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

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

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

NAPA SANITATION DISTRICT

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

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

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

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

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

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

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

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

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

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

CITY GENERAL CONDITIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

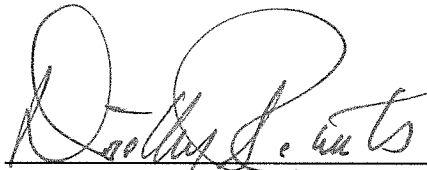
I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 4th day of December, 2018, by the following vote:

AYES: Gentry, Sedgley, Techel


NOES: Alessio, Luros

ABSENT: None

ABSTAIN: None

ATTEST: 
Dorothy Roberts
City Clerk

Approved as to form:



Michael W. Barrett
City Attorney