

**RESOLUTION R2025-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE ZINFANDEL SUBDIVISION AT 1583 & 1657 EL CENTRO AVENUE**

WHEREAS, on February 12, 2019, Randy Gularte (the "Applicant") submitted an application (File No.PL19-0016) for a Design Review Permit pursuant to NMC Chapter 17.62 ("Design Review Permit") for the design of a Tentative Map and house plans, a Use Permit pursuant to NMC Chapter 17.60 ("Use Permit") for the application of small lot development and flag lot standards and a Tentative Map pursuant to NMC Chapter 16.20 ("Tentative Map") to subdivide an 9.56-acre property located at 1583 & 1657 El Centro Avenue ("Site"), into 51 single-family lots (APNs: 038-361-009 and 038-361-010) (the "Project"); and

WHEREAS, the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. ("CEQA"), requires that the City consider the potential environmental impacts of the Project prior to approving any entitlements for the Project; and

WHEREAS, in accordance with CEQA and the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq, the City of Napa Community Development Department prepared a Consistency Checklist Analysis pursuant to CEQA Guidelines section 15183, which found that the Project is consistent with the development density and zoning established by the City's 2020 General Plan, which was adopted pursuant to a certified Program EIR (SCH No. 95033060) and found that the Project's potential impacts on all environmental factors, except biological resources, have been previously analyzed and mitigated as needed, consistent with the 2020 General Plan EIR and other regulatory frameworks; therefore, a Mitigated Negative Declaration has been prepared for adoption; and

WHEREAS, the City of Napa prepared a Mitigated Negative Declaration, pursuant to CEQA and the CEQA Guidelines, which is attached hereto as Exhibit A and incorporated herein by reference ("Mitigated Negative Declaration") and a Mitigation Monitoring and Reporting Program ("MMRP") which is attached hereto as Exhibit B and incorporated by reference; and

WHEREAS, on July 30, 2025, the City of Napa posted a Notice of Intent to Adopt a Mitigated Negative Declaration which identified the review period from August 7, 2025 to September 5, 2025, for review and comment by the public and public agencies having jurisdiction by law with respect to the Project; and

## ATTACHMENT 1

WHEREAS, on December 18, 2025, the Planning Commission considered the Mitigated Negative Declaration and MMRP and all written and oral testimony submitted to it at a noticed public hearing on the Zinfandel Subdivision's, Design Review Permit, Use Permit, and Tentative Map, at which time the Planning Commission heard a presentation by Staff and took public testimony, closed the public hearing, considered the adequacy of the Mitigated Negative Declaration and recommended that the City Council adopt resolutions adopting the Mitigated Negative Declaration and MMRP, and approve the Design Review Permit, Use Permit and Tentative Map; and

WHEREAS, on February XX, 2026, the City Council considered the Mitigated Negative Declaration and MMRP, and all written and oral testimony submitted to it at a noticed public hearing on the Zinfandel Subdivision's Design Review Permit, Use Permit, and Tentative Map, at which time the City Council heard a presentation by Staff and took public testimony, and thereafter closed the public hearing and considered the adequacy of the Mitigated Negative Declaration and MMRP.

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

Section 1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution. The record of Project's environmental review shall be kept at the Napa City Community Development Department, 1600 First Street, Napa, CA 94559.

Section 2. The City Council has reviewed and considered Mitigated Negative Declaration, and MMRP, any oral or written comments received, and the administrative record prior to making any decision on the Project and finds that Mitigated Negative Declaration and MMRP, in addition to the CEQA Guideline Section 15183 Consistency Checklist prepared for the Project, contain a complete and accurate reporting of all the environmental impacts associated with the Project.

a. The City Council further finds that (i) the Mitigation Negative Declaration was prepared in compliance with CEQA; and (ii) based on the imposition of mitigation measures, and the CEQA Guideline Section 15183 Consistency Checklist prepared for the Project, there is no substantial evidence in the administrative record that the Project may have a significant effect on the environment, and no new significant environmental impacts have been identified in the Final Mitigated Negative Declaration and any changes to the Final Mitigated Negative Declaration in response to comments or otherwise do not constitute substantial revisions requiring recirculation under State CEQA Guidelines section 15073.5.

b. The City Council has reviewed and considered the MMRP for the Project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 finds that such MMRP is designed to ensure compliance with the mitigation measures during Project implementation.

**ATTACHMENT 1**

c. Pursuant to Public Resources Code section 21080, subdivision (c)(2), the City Council adopts the Final Mitigated Negative Declaration attached hereto as Exhibit A, and, pursuant to Public Resources Code section 21081.6, the City Council approves the MMRP, attached hereto as Exhibit B.

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 XX<sup>th</sup> day of February, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Approved as to form:

\_\_\_\_\_  
Chris Diaz  
Interim City Attorney

## EXHIBIT A

### ZINFANDEL SUBDIVISION PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

# EXHIBIT A

## Zinfandel Subdivision Project Mitigation Monitoring and Reporting Program

Table 1: Zinfandel Subdivision Project Mitigation Monitoring and Reporting Program (Mitigation Measures)

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion
				Date Initial
<b>2.1 Biological Resources</b>				
<b>MM BIO-1a: Northwestern Pond Turtle Pre-construction Surveys and Protection Measures</b>	Qualified Biologist's pre-construction survey and submittal of survey documents (including wildlife exclusion fencing plan)	Prior to ground-disturbing activities and within 72 hours of the start of project activities in the vicinity of Salvador Channel	City of Napa Community Development Department; Qualified Biologist	
A qualified Biologist (i.e., a Biologist with at least 2 years of experience conducting surveys for western pond turtle detections) shall submit a wildlife exclusion fencing plan to the California Department of Fish and Wildlife (CDFW) for review and approval prior to the start of construction. Exclusion fencing shall be installed along the Salvador Channel, above the ordinary high water mark (OHWM) to prevent the species from traveling from the channel into the upland areas during project construction. Because of the existing placement of cement and other debris along the channel banks, installation of the fencing is not likely to be feasible until this debris is removed. Therefore, a Biologist shall be present during the removal of the debris prior to the installation of the exclusion fence. If necessary, steel plates held in place along the OHWM by equipment or other methods may be used in order to ensure that the debris does not fall back into the channel during the debris removal process. After the removal of debris, the exclusion fence shall be installed with a qualified Biologist present during the fence installation. Personnel involved with the removal of debris and the installation of exclusion fencing and on-site supervision of the	On-site monitoring by qualified Biologist	During debris removal and exclusion fence installation	Prior to ground-disturbing activities in the vicinity of Salvador Channel	
	Completion of qualified Biologist's environmental awareness training and submittal of training			

[Type here]

## EXHIBIT A

[Type here]

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion
				Date Initial
same shall receive environmental awareness training regarding the ecology of the pond turtle, its status, habitat, approved avoidance and minimization measures determined through consultation with the CDFW, and penalties for violations.	documentation (i.e. attendance logs)			
The fencing shall be standard silt fencing, approximately 42 inches in height that shall be trenched 6 inches into the soil under the supervision of a qualified Biologist. The soil shall then be compacted against both sides of the fence to prevent wildlife from gaining access underneath. The stakes shall be placed on the inside of the fence facing the development. No gaps or holes are permitted in the fencing system, except for pedestrian and vehicle entry points. The entry/exit points may be constructed in the fencing system for equipment and personnel, but the qualified Biologist shall ensure no wildlife is capable of entering the fenced-off site via the gate. The gate structure shall be flush to the ground with no holes or gaps (i.e., plywood gates with silt fencing flaps). The fence shall be inspected by a qualified Biologist for holes, gaps, or access points, which shall be repaired upon discovery.				
A qualified Biologist shall conduct a pre-construction survey of the project site and adjacent habitat within 72 hours of the start of project activities to determine whether northwestern pond turtle or their nests are present and guide the installation of the exclusion fence. If northwestern pond turtles are discovered, a qualified Biologist with experience handling and relocating the species shall move the species to the nearest suitable habitat outside of the project area and exclusion fencing. The nest site plus a 50-foot buffer around the nest site shall be fenced with orange construction fence until eggs hatch and young turtles disperse to the upstream or downstream of the channel. In addition, if nest(s) are located during the surveys, moth balls				

[Type here]

# EXHIBIT A

[Type here]

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
(naphthalene) shall be sprinkled around the vicinity of the nest (no closer than 5 feet) to mask human scent and discourage predators. Grading within the nest site's 50-foot buffer area shall be delayed until the young have left the nest as determined by the qualified Biologist. If the CDFW allows translocation of any nesting northwestern pond turtles this shall be completed by a qualified Biologist under the direction of the CDFW.					
<b>MM BIO-1b: Pre-construction Nesting Bird Survey</b>					
If construction would commence anytime during the nesting/breeding season of the raptors or bird species listed in the Migratory Bird Treaty Act (MBTA) (typically February through August), a pre-construction survey of the project vicinity for nesting birds shall be conducted. This survey shall be conducted by a qualified Biologist (experienced with the nesting behavior of bird species of the region) within 7 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey is to determine whether active nests are present within or adjacent to the construction zone within approximately 250 feet.	Qualified Biologist's pre-construction survey and submission of survey documents	Within 7 days prior to construction during nesting/breeding season	City of Napa Community Development Department; qualified Biologist		
The surveys shall be timed such that the last survey is concluded no more than one week prior to initiation of construction. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey shall be conducted such that no more than two weeks shall have elapsed between the last survey and the commencement of ground disturbance activities.	On-site monitoring by the qualified Biologist if survey finds active nests that could be impacted	During construction			
If active nests are found in areas that could be directly or indirectly affected by the project, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified Biologist determines that all young have	If survey finds active nests, completion of qualified Biologist's environmental awareness training and submission of training documentation (i.e. attendance logs)	Prior to construction			
	If survey finds active nests, on-site inspection of buffer zone fencing	During construction			

[Type here]

# EXHIBIT A

[Type here]

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date Initial
<p>fledged. The size of the buffer zones and types of construction activities restricted within them shall be determined through consultation with the CDFW, prior to ground-disturbing activities, depending on the species, and taking into account factors such as the following:</p> <p>Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity;</p> <p>Distance and amount of vegetation or other screening between the construction site and the nest; and</p> <p>Sensitivity of individual nesting species and behaviors of the nesting birds.</p>				
<p>The buffer zone around an active nest shall be established in the field with orange construction fencing, or another appropriate barrier, and construction personnel shall be instructed on the sensitivity of nest areas. The Biologist shall serve as a construction monitor during those periods when construction activities would occur near active nest areas of special-status bird species to ensure that no impacts on these nests occur.</p>				
<p><b>MM BIO-1c: Pre-construction Bat Survey</b></p> <p>For construction activities between October 16 and August 14: Prior to the commencement of construction activities, a qualified Biologist shall conduct a focused survey to determine the presence/absence of any special-status bat species. If bats are found, then a plan for the removal or exclusion of any tree between October 16 and August 14 shall be developed by a qualified Biologist in conjunction with the California Department of Fish and Wildlife (CDFW).</p>	<p>Qualified Biologist's pre-construction survey and submittal of survey documents</p> <p>If survey finds special-status bats, submittal of qualified Biologist's tree exclusion or removal plan</p>	<p>Prior to construction between October 16 and August 14</p> <p>Prior to construction between October 16 and August 14</p>	<p>City of Napa Community Development Department; qualified Biologist</p>	

[Type here]

# EXHIBIT A

[Type here]

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date	Initial
For construction activities between August 15 and October 15: If trees are to be removed between August 15 and October 15, they shall be trimmed and removed in a two-phased system conducted over two consecutive days under the supervision of a qualified Biologist. The first day (afternoon), limbs, branches, and trunks without cavities, crevices, and deep bark fissures shall be removed by chainsaw only. Limbs and trunks with cavities, crevices and bark fissures would be avoided. On the second day, the remainder of the tree may be removed.	Inclusion in project construction documents and on-site inspection	During construction between August 15 and October 15			
<b>MM BIO-2: CDFW and RWQCB Permitting</b>	Incorporation into California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB) permits	Prior to construction	City of Napa Community Development Department; California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board		
All riparian habitat temporarily impacted by project restoration shall be restored to a baseline condition, outlined in the project-specific biological report, similar to or better than (i.e., with increased habitat values) the pre-construction conditions. All riparian habitat permanently impacted by project implementation shall be mitigated on-site through the creation of new riparian habitat. Mitigation for permanent impacts shall be completed at a 1:1 ratio of created to impacted habitat at minimum, at no net loss, or a ratio agreed upon by the permitting agency during consultation. A riparian habitat mitigation plan shall be prepared and approved as part of the project's California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB) permits.	Annual approval by the California Department of Fish and Wildlife (CDFW) and Regional Water Quality Control Board (RWQCB)	Annually for a minimum of five years	Regional Water Quality Control Board (RWQCB);		
An annual report shall be prepared each year for a minimum of five years and submitted to CDFW and the RWQCB, describing the revegetation effort, survival of the plantings, and any recommendations for maintenance and work needed to ensure a successful restoration effort.	Incorporation into construction documents.	Prior to construction	City of Napa Community		
<b>MM BIO-5a: Tree Removal</b>					

[Type here]

# EXHIBIT A

[Type here]

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date	Initial
The removal of any native trees that are protected by the City of Napa's protected native tree designation shall be mitigated per the City of Napa's mitigation requirements, including tree removal permits, replacement trees, and/or in lieu fees, and City approval prior to removal. The removal of any native riparian tree shall be mitigated at a replacement ratio determined per the regulatory agencies (California Department of Fish and Wildlife [CDFW] and the Regional Water Quality Control Board [RWQCB]). Each native riparian tree removed shall be replaced by planting one native riparian tree within the riparian corridor or an equally effective ratio based on consultation with regulatory agencies during permit deliberation. Replacement trees shall be monitored for a period of 5 years after planting to ensure their success establishment within the riparian corridor.	Submit summary of compliance to the City, including: Identification of protected native trees proposed for removal; Where applicable, proposed replacement tree species, quantities, and locations; Payment of in-lieu fees, if applicable.	Prior to construction	Development Department; CDFW; RWQCB		
<b>MM BIO-5b: Tree Protection Zone</b> Tree Protection Zones (TPZ) shall be established and identified in the field to protect trees that shall be preserved by the proposed project. The TPZ shall be a radii around the preserved tree equal to 1 foot per 1 inch of trunk diameter. The TPZ shall be marked in the field using orange construction fencing and no equipment shall enter, nor may any work be performed within the TPZ.	On-site monitoring by qualified Biologist  Incorporation into construction documents  On-site monitoring	Post-construction for a period of five years  Prior to construction  During construction	City of Napa Community Development Department		

[Type here]

# EXHIBIT A

[Type here]

Table 2: Zinfandel Subdivision Project Mitigation Monitoring and Reporting Program (Implementation Measures)

Implementation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<b>4.5 Cultural and Tribal Cultural Resources</b>					
<b>IM CUL-1: Archaeological and Tribal Cultural Resources Training for Construction Staff</b>	Completion of qualified Archaeologist's WEAP training and submittal of training documentation (i.e., attendance logs)	Prior to ground disturbance or construction	City of Napa Community Development Department; Qualified Archaeologist		
<p>An Archaeologist who meets the Secretary of the Interior's qualification standards for archaeology shall attend the pre-construction meeting with the contractors to provide Worker Environmental Awareness Program (WEAP) training for all construction personnel who will be engaging in ground-disturbing activities. The training shall include a brief review of the cultural sensitivity of the proposed project and the surrounding area; what resources could potentially be identified during earthmoving activities, along with visual aids/appropriate examples of those resources; applicable federal, State, and local statutes governing the protection of archaeological resources; and the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly assessed. A sign-in sheet shall be circulated and returned to the Lead Agency as confirmation the training has taken place.</p>					
<b>IM CUL-2: Archaeological Monitoring</b>	On-site monitoring and submittal of documentation	During clearing, grubbing, trenching, and grading phases of ground-disturbance	City of Napa Community Development Department; Qualified Archaeologist		
<p>An Archaeological Monitor reporting to the qualified Archaeologist shall be present to monitor during the clearing, grubbing, trenching, and grading phases of project-related ground disturbance to check for inadvertent exposure of archaeological resources or human remains. Over the course</p>					

# EXHIBIT A

Implementation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>of the proposed project, should the Archaeologist determine that the probability of inadvertent discovery is low, they may make a recommendation to the Lead Agency that monitoring be reduced to regular periodic or "spot-check" monitoring, or that monitoring may cease altogether.</p>					
<p><b>IM CUL-3: Inadvertent Discovery of Cultural Resources</b>                      In the event that buried cultural resources are discovered during construction, operations shall stop within a 100-foot radius of the find and a qualified Archaeologist shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of, but are not limited to, stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project site shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA Guidelines.</p>	<p>Inclusion of discovery clause in all construction contracts</p>	<p>Prior to ground-disturbing activities</p>	<p>City of Napa Community Development Department, Qualified Archaeologist</p>		
	<p>Qualified Archaeologist's data recovery plan if any cultural or historical resources are found</p>	<p>In the event that buried cultural resources are discovered during construction prior to excavation</p>			
	<p>County notification if historical or archaeological materials encountered</p>	<p>During ground-disturbing activities</p>			
<p>If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the lead agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p>	<p>Provision of Section 15064.5 permit(s) and copy of DPR 523 forms; Qualified Archaeologist's submittal of findings and documentation</p>	<p>During ground-disturbing activities</p>			

[Type here]

# EXHIBIT A

[Type here]

Implementation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date Initial
No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.	Inclusion of discovery clause in all construction contracts	Prior to ground-disturbing activities	City of Napa Community Development Department; Napa County Coroner	
<b>IM CUL-4: Inadvertent Discovery of Human Remains</b> In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Section 5097.94 and Section 5097.98 must be followed. If during project development there is accidental discovery or recognition of any human remains, the following steps shall be taken:	County notification if human remains encountered	In the event of an accidental discovery or recognition of any human remains during ground-disturbing activities		
1. There shall be no further excavation or disturbance of the site where human remains are discovered and/or any nearby area reasonably suspected to overlie adjacent human remains until the Napa County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.	County Coroner contacts NAHC and submits NAHC correspondence to County	During ground-disturbing activities		

[Type here]

# EXHIBIT A

[Type here]

Implementation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project area in a location not subject to further subsurface disturbance. The NAHC is unable to identify MLD or the MLD failed to make a recommendation within 48 hours after being notified by the Commission;</p> <p>The descendant identified fails to make a recommendation;</p> <p>or</p> <p>The landowner or his or her authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.</p> <p>Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American remains.</p> <p>When an initial study identifies the existence of, or the probable likelihood of, Native American remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the NAHC.</p>					
<p><b>4.7 Geology and Soils</b></p> <p><b>IM GEO-1: Design-level Geotechnical Report</b></p>					
	Incorporation into construction documents	Prior to construction	City of Napa Community		

[Type here]

## EXHIBIT A

[Type here]

Implementation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion Date Initial
Prior to construction activities, an updated design-level geotechnical study shall be prepared by a qualified Geotechnical Engineer. The recommendations included in the design-level geotechnical study shall be implemented during construction activities, including grading and excavation. Monitoring and testing by a geotechnical engineer during construction shall be conducted to ensure all design recommendations are implemented properly.	On-site monitoring	During construction	Development Department; Qualified Geotechnical Engineer	



## ATTACHMENT 2

### RESOLUTION NO. R2026-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING, PURSUANT TO AN ADOPTED MITIGATED NEGATIVE DECLARATION AND A CONSISTENCY ANALYSIS REGARDING THE CERTIFIED 2020 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT (SCH NO. 95033060), A TENTATIVE SUBDIVISION MAP AND DESIGN REVIEW PERMIT TO SUBDIVIDE AN APPROXIMATELY 9.56-ACRE PROPERTY INTO 51 SINGLE-FAMILY RESIDENTIAL LOTS WITH FOUR (4) OPEN SPACE PARCELS, A DESIGN REVIEW PERMIT FOR THE TENTATIVE MAP AND HOUSE PLANS, AND A USE PERMIT TO AUTHORIZE THE USE OF SMALL LOT DEVELOPMENT AND FLAG LOT STANDARDS AT 1583 & 1657 EL CENTRO AVENUE .

WHEREAS, on February 12, 2019, Randy Gularte (the "Applicant"), submitted an application (File No. PL19-0016) for a Design Review Permit pursuant to Napa Municipal Code ("NMC") Chapter 17.62 ("Design Review Permit") for the design of a Tentative Map, the design of the house plans, and a Tentative Subdivision Map pursuant to NMC Chapter 16.20 ("Tentative Subdivision Map") to subdivide an approximately 9.56-acre property into 51 single-family residential lots with three (3) open space parcels, and a Use Permit for application of small lot and flag lot standards pursuant to NMC Chapter 17.60 ("Use Permit") at 1583 and 1657 El Centro Avenue (APNs: 038-361-009 and 038-361-009) ("Site") (collectively, the "Project"); and

WHEREAS, in accordance with CEQA and the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq, the City of Napa Community Development Department prepared a Consistency Checklist Analysis pursuant to CEQA Guidelines section 15183, which found that the Project is consistent with the development density and zoning established by the City's 2020 General Plan, which was adopted pursuant to a certified Program EIR (SCH No. 95033060), and found that the Project's potential impacts on all environmental factors, except biological resources, have been previously analyzed and mitigated as needed, consistent with the 2020 General Plan EIR and other regulatory frameworks; therefore, a Mitigated Negative Declaration was been prepared; and

WHEREAS, the City of Napa prepared a Mitigated Negative Declaration, pursuant to CEQA and the CEQA Guidelines ("Mitigated Negative Declaration") and a Mitigation Monitoring and Reporting Program ("MMRP"); and

WHEREAS, on December 18, 2025, the Planning Commission considered the Mitigated Negative Declaration and MMRP and recommended that the City Council adopt

## ATTACHMENT 2

the Mitigated Negative Declaration, as well as approve the MMRP, the Design Review Permit, Tentative Subdivision Map, and the Use Permit; and

WHEREAS, on February XX, 2026, the City Council considered the Mitigated Negative Declaration and found that there is no substantial evidence, in light of the whole record before the City Council, that the Project, as analyzed in the Mitigated Negative Declaration, the MMRP, and in the Section 15183 Consistency Checklist, will have a significant effect on the environment; and that this determination reflects the City Council's independent judgment; and

WHEREAS, on February XX, 2026 the City Council adopted the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Project; and

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

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

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

Section 2. The City Council hereby determines that the potential environmental effects of the "Project" described in the Staff Report presented to the City Council were adequately examined by adopted Mitigated Negative Declaration and the Section 15183 Consistency Checklist attached thereto as Appendix A.

Section 3. The City Council hereby approves the Design Review Permit for the design of the Tentative Subdivision Map and the Project house plans, as defined on the application plans prepared by Derek Dittman, RSA+, Kirk Geyer Design/Build, and GSM Landscape Architecture dated September 15, 2023, December 15, 2020, and September 15, 2023, respectively (collectively, "Application Plans"), and submitted as a part of the subject application and makes the following findings in support of the approval:

- A. *The proposed use is in accord with the General Plan and any applicable Specific Plan design policies.*

Because the project application was deemed complete on July 1, 2021, prior to adoption of the General Plan 2040, the previous General Plan, "General Plan 2020" applies to this project. The proposed subdivision, improvements, and single-family residential use are consistent with the General Plan 2020's Single Family Residential (SFR-20) General Plan designation which allowed for single family development with a density range of 4 to 8 units per acre,

## ATTACHMENT 2

resulting in 38 units minimum to 76 units maximum for the Site. The Project proposes 51 units which are at the mid-range of the permitted density range.

- B. *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 objective design standards in the Residential Design Guidelines. A mix of coherent forms, details and materials are proposed to create residential units which complement the existing neighborhood.

- C. *The Design Review Permit is in accord with the applicable provisions of Title 17 of the NMC and will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.*

The Design Review permit is consistent with NMC Title 17 (Zoning Ordinance) as conditioned. The proposed Project has been found to be consistent with all applicable development standards of the RS-4 (Single-Family Residential) zoning of the Site. With approval of a Use Permit for application of the small lot development standards, all lots comply with the minimum lot size, coverage and setbacks of the zoning district. Flag lots comply with flag lot development standards for parking, setbacks, and access. 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.

Section 4. The City Council hereby approves the Tentative Subdivision Map prepared by Derek Dittman, RSA+, dated September 15, 2023, and submitted as a part of the subject application and makes the following findings in support of the approval:

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

The proposed subdivision, improvements and single-family use of the Site are consistent with the General Plan 2020's Single Family Residential (SFR-20) General Plan designation which allowed for single family development with a density range of 4 to 8 units per acre, resulting in 38 units minimum to 76 units maximum for the Site. The Project proposes 51 units which are at the mid-range of the permitted density range.

The Project site has been within the City's Rural Urban Limit Line and has been designated for residential uses for more than forty years. The properties had been a County pocket until their annexation in 2006 and 2007. As proposed,

## ATTACHMENT 2

this project is consistent with this Land Use Goal and the City's regulatory documents.

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 51-unit infill development project has been designed to achieve a density that is at the mid-range for the General Plan 2020 density of this property. Although, the higher range would be more desirable, the necessary dedication of approximately 2.26 acres for the Salvador Channel flood improvements render achieving the high range impossible. However, the achieved density makes the most efficient use of land within the Rural/Urban Limit, 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 development's approximately 4,000 to 9,000 square foot lots would be built with a density between that of the 4,000 square-foot lots adjacent to the site on the east along Moss Lane; the 5,000 square-foot lots to the south along Valencia and Lassen Streets; and the primarily 4,000 square foot lots located to the north of the site. The proposed lots are compatible in size with those in the neighborhood. The proposed single-family houses would be a mix of one-story and two stories tall, like the surrounding neighborhood. They would 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 proposed subdivision takes access from El Centro Avenue in the form of a new "horseshoe" shaped street that connects to El Centro Avenue in two locations. Currently, the frontage for this parcel is un-improved. As proposed, this project will add an additional 720 feet of pavement and gutter pan to create a parking/bike lane across the entire frontage. Additionally, the frontage improvements will include a 6-foot landscape strip with detached sidewalk. The new street will include curbs, gutters, sidewalk and street parking on both sides.

- B. *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.*

## ATTACHMENT 2

Passive heating and cooling opportunities have been provided to the maximum extent practical as the buildings incorporate operable doors and windows on the east and west elevations and the buildings, the lot sizes and configuration allow for passive heating and cooling opportunities by providing very generous setbacks to allow tree planting and are designed in an east-west alignment to allow for southern exposure.

Section 5. The City Council hereby approves the Use Permit for the application of flag lot standards and small lot development standards as defined on the plans submitted as a part of the subject application and makes the following findings in support of the approval:

- A. *The proposed use 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 proposed flag lots in conjunction with the subdivision, improvements, and single-family residential use, are consistent with the Single Family Residential General Plan designation, which allows for single family development with a density range of 4 to 8 units per acre, resulting in 38 units minimum to 76 units maximum for the Site. The Project proposes 51 units which are at the mid-range of the permitted density range.

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

The proposed flag lots and small lot development lots will not cause any health, safety, and/or general welfare hardship to the community. The Project has been appropriately designed and conditioned to ensure compliance with General Plan policies and property development standards and will not result in adverse impacts to adjacent properties or to the general health, safety, and welfare of the community.

- C. *The proposed use complies with each of the applicable provisions of the zoning ordinance.*

Flag lots and small lot development standards may be established with Use Permit approval. With City Council approval of the Use Permit as conditioned, the proposed use will be in compliance with the provisions of NMC Sections 17.08.030, 17.52.190 and 17.52.470.

- D. *The proposed use complies with any other applicable findings required under other chapters of this title for the specific use.*

## ATTACHMENT 2

There are no other applicable findings required under other chapters of this title for the proposed use.

Section 6. The City Council hereby approves the removal of two (2) Coast Live Oak trees that are each classified as a Protected Native Tree pursuant to NMC Chapter 12.45 and makes the following finding in NMC Section 12.45.090(B)(2)(d) in support thereof:

- A. *The project has minimized tree loss to the extent possible when balanced with General Plan land uses and policies and applicable design guidelines. The project has been conditioned to either provide replacement trees or pay the in lieu fee per NMC Chapter 12.45.*

Section 7. Pursuant to Government Code Section 66474, the Tentative Parcel Map shall be denied if any of the following findings are made:

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

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

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

The project is consistent with all general and specific plans.

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

The project site is suitable for the proposed development because the site is generally flat and meets all applicable development standards. As conditioned, the Project would not result in any significant impacts.

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

The Project is consistent with the Single Family Residential General Plan designation which allows for single family development at a density from 4 to 8 units per acre, and with the RS-4 Single Family Residential Designations which allows for single family development on minimum lot sizes of 4,000 square feet (3,984 square feet for lots with application of small lot development standards). At approximately 9.56-acres, the Project site could yield between 38 and 76 residential units. As noted above, the proposed Project meets all applicable development standards with approval of a use permit authorizing small lot development standards and flag lot standards.

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

## ATTACHMENT 2

As conditioned, the project would not cause any significant impacts to fish or wildlife habitats. The site is generally flat, surrounded by existing residential development but does have a waterway (Salvador Channel), however the Project has been designed to set aside approximately 2.26 acres along Salvador Channel for streambank stabilization and flood water detention which will require appropriate creekbank restoration per Napa County Flood District and Fish and Wildlife standards which ensure avoidance of damage to fish or wildlife habitat.

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

The project will not cause any health, safety and/or general welfare hardship to the community. The proposed Project meets all applicable development standards.

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

The Project does not conflict with easements acquired by the public at large, as it will dedicate of a strip of land for a future bike path that would be created as part of a future City project as well as providing easements for the Salvador Channel to Napa County Flood District.

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

### COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION

1. This Design Review Permit and Tentative Subdivision Map, authorizes an approximately 9.56-acre property to be subdivided into 51 single-family residential lots with four (4) open space parcels, and approve the house plans proposed for construction on the single-family lots, the Use Permit authorizes the creation of seven (7) flag lots and application of Small Lot Development Standards for eight (8) of the lots; and said approvals the Application also authorize the removal of one (1) Coast Live Oak tree that is classified as a Protected Native Tree under NMC Chapter 12.45; all as defined on the application plans prepared by Derek Dittman, RSA+, Kirk Geyer Design/Build, and GSM Landscape Architecture dated September 15, 2023, December 15, 2020, and September 15, 2023, respectively (collectively, "Application Plans"), and submitted as a part of the subject

## ATTACHMENT 2

application, and representations submitted with the application and as reviewed and approved by the City Council, and as amended by these conditions of approval.

2. The Planning Manager is authorized to determine whether the Applicant is in compliance with the requirements and conditions of the Design Review Permit, Tentative Subdivision Map, and Use Permit.
3. All work shall conform substantially to the Application Plans, and these conditions of approval.
4. Any modifications to the approved home elevations or Tentative Subdivision Map shall require approval of a subsequent Design Review Permit by the Planning Commission and City Council.
5. 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.
6. Prior to issuance of a building permit, the Applicant shall provide written clearance from the Engineering Division of the Napa Sanitation District confirming that the Applicant has complied with all Napa Sanitation District requirements applicable to the Project in their letter dated December 6, 2023, and attached as Exhibit A.
7. Prior to approval of the improvement plans or issuance of a building permit for development, whichever occurs first, the Applicant shall provide written clearance from Napa County Flood Control District confirming that the Applicant has complied with all Flood Control District requirements applicable to the Project. The Flood District has described the applicable requirements in a letter to the Planning Division dated November 24, 2025, attached hereto and incorporated herein as Exhibit B.
8. All mechanical and utility equipment, including transformers and backflow devices, shall be screened and/or integrated into 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.
9. Prior to issuance of a demolition or grading permit for the existing structures on the Site, the Applicant shall submit a rodent and pest control plan for review and written approval by the Planning Manager 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.

## ATTACHMENT 2

10. All exterior lighting on the Site shall be properly shielded and directed downward to preclude glare conditions that might impact nearby residential uses.
11. The Applicant shall obtain a Building Permit from the Building Division prior to construction of any improvements requiring a Building Permit under NMC Chapter 15.04.
12. Prior to issuance of a Building Permit, the Applicant shall pay all applicable fees for the Project at the rates in effect at the time of payment, including but not limited to the Affordable Housing Impact Fee.
13. If any archeological materials or objects are unearthed during Project construction, all work in the vicinity shall be immediately halted until a qualified archeologist is retained by the City to evaluate the finds. Applicant shall comply with all mitigation recommendations of the archeologist prior to commencing work in the vicinity of the archeological finds.
14. Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained.
15. The plans submitted for improvement plan review shall include a final landscape plan.
16. The plans submitted for the building permit shall include a final landscape and irrigation plan designed and signed by a licensed landscape architect or landscape contractor. The final landscape plans shall specify that: (1) all plant materials be certified by the Napa County Agricultural Commissioner inspection program for freedom from the glassy winged sharpshooter or other pests identified by the Agricultural Commissioner, and (2) the Agricultural Commissioner's Office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County so that inspection can be arranged. No improvement plans shall be approved nor building permit issued until the Planning Manager approves the landscape and irrigation plan. Prior to occupancy, the licensed professional who signed the final landscape and irrigation plan shall certify in writing to the Planning Manager that he/she has inspected and approved the installation of landscaping and irrigation and has found them to be consistent with the approved plans including, but not limited to, the certifications and inspections by the Agricultural Commissioner as well as that the systems are in working order. A substitution of an alternate licensed professional may be allowed by the Planning Manager upon a showing of good cause.
17. All Landscaping shall be installed in compliance with approved landscape plans prior to the issuance of a Certificate of Occupancy.
18. A Final Fencing Plan for the Project shall be reviewed and approved by the Planning Manager prior to recordation of the Final Map or issuance of a building permit, whichever comes first. This plan shall include fencing between the Site and

## ATTACHMENT 2

adjacent neighbor properties as depicted in the landscape plans designed by GSM Landscape Architecture dated September 15, 2023 and consistent with NMC Section 17.52.170.

19. The Applicant shall construct a new fence between the Site and the neighboring properties in accordance with the approved Fencing Plan. Should the Applicant be unable to obtain permission from the adjacent property owner to reconstruct the fence at their property line, the Applicant may construct a new fence on the Project Site.
20. 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.
21. 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 4:00 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 past 5:00 p.m., Monday through Friday; and no servicing of equipment past 6:45 p.m., Monday through Friday.
22. The Project includes the removal of one (1) tree that is classified as a Protected Native Tree (NMC Section 12.45.020) being a Coast Live Oak with a trunk measuring 14 inches. Per NMC Chapter 12.45, the Applicant shall plant 4 replacement trees on the Site or pay an in-lieu fee of \$1,200.00. The Applicant shall include the replacement trees on the final landscape plan or pay the \$1,200.00 in-lieu fee prior to the issuance of grading permits.
23. Prior to issuance of a grading permit, the Applicant shall submit a Tree Protection Plan per the arborist recommendations within the Bill Pramuk, Consulting Arborist's report, dated January 11, 2019 to the Planning Manager for review and written approval.
24. If construction related work would commence anytime during the nesting/breeding season of raptors or other bird species listed in the Migratory Bird Treaty Act (typically February through September 15), a pre-construction survey of the Property for nesting birds should be conducted. This survey should be conducted by a qualified biologist (experienced with the nesting behavior of bird species of the region) within 7 days prior to the commencement of construction activities that would occur during the nesting/breeding season. The intent of the survey should be to determine if active nests are present within or adjacent to the construction zone, that is within approximately 250 feet of the work areas. If ground disturbance activities are delayed following a survey, then an additional pre-construction survey should be conducted such that no more than one week will have elapsed between the last survey and the commencement of ground disturbance activities.

## ATTACHMENT 2

If active nests are found in areas that could be directly or indirectly affected by the project, a no-disturbance buffer zone should be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them should be determined through consultation with the CDFW depending on the species, taking into account factors such as the following:

- a. Noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity.
- b. Distance and amount of vegetation or other screening between the construction site and the nest.
- c. Sensitivity of individual nesting species and behaviors of the nesting birds.

The buffer zone around an active nest should be established in the field with orange construction fencing or another appropriate barrier and construction personnel should be instructed on the sensitivity of nest areas. The qualified biologist should serve as a construction monitor during those periods when construction activities would occur near active nest areas of special status bird species to ensure that no impacts on these nests occur.

25. For construction activities between October 16 and August 14: Prior to the commencement of construction activities, a qualified biologist shall conduct a focused survey to determine the presence/absence of any special status bat species. If bats are found then a plan for removal or exclusion between October 16 and August 14 will be developed by a qualified biologist and in consultation with CDFW.

For construction activities between August 15 and October 15: If trees are to be removed between August 15 and October 15, they will be trimmed and removed in a two-phased system conducted over two consecutive days under the supervision of a qualified biologist. The first day (afternoon), limbs, branches and trunks without cavities, crevices, and deep bark fissures are removed by chainsaw. Limbs and trunks with cavities, crevices, and bark fissures would be avoided. On the second day, the remainder of the tree may be removed.

26. The Applicant shall inform its contractor(s) of the sensitivity of the project site for archaeological deposits, and include the following directive on the project grading plans:

"The subsurface of the construction site is sensitive for archaeological deposits. If archaeological deposits are encountered during project subsurface construction, all ground disturbing activities within 25 feet shall be redirected and a qualified archaeologist shall assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Project personnel shall not collect or move any archaeological materials. Archaeological deposits can include, but are not limited to, shellfish remains; bones, including human remains;

## ATTACHMENT 2

flakes of, and tools made from, obsidian, chert, and basalt; mortars and pestles; historical trash deposits containing glass, ceramics, and metal artifacts; and structural remains, including foundations and wells.”

The City shall verify that the language has been included in the grading plans prior to issuance of a grading permit or other permitted project action that includes ground-disturbing activities on the project site.

If a concentration of artifacts over fifty years in age is encountered during earth disturbing activities, work should cease in that area and a qualified archaeologist should be notified and an evaluation performed. If the deposits are uncovered on the site and found to be significant (i.e., eligible for listing in the California Register of Historical Resources), the Applicant shall be responsible for funding and implementing appropriate mitigation measures. Mitigation measures may include recordation of the archaeological deposit, data recovery and analysis, and public outreach regarding the scientific and cultural importance of the discovery. Upon completion of the selected mitigations, a report documenting methods and findings shall be prepared, and the final report shall be submitted to the Northwest Information Center at Sonoma State University. Significant archaeological materials shall be submitted to an appropriate curation facility and used for public interpretive displays, as appropriate and in coordination with a local Native American tribal representative.

27. Provide Worker Awareness Training, Stop Work in Case of Unanticipated Discovery of Paleontological Resources During Construction, and As Appropriate, Prepare a Paleontological Monitoring and Mitigation Plan (PMMP). For any proposed development in the City that would disturb previously undisturbed surficial or subsurface geologic units with high paleontological sensitivity, the following procedures must be undertaken. High sensitivity geologic units in the City are Sonoma Volcanics and Great Valley Sequence.

Prior to commencing ground disturbance of previously undisturbed native sediments in areas where geologic units at the surface or subsurface have high paleontological sensitivity, the project applicant shall engage a Qualified Paleontologist, as defined by the Society of Vertebrate Paleontology (SVP) 2010, to provide worker awareness training to ensure that all project construction workers are trained on recognition of paleontological resources. In addition, the project applicant shall inform the contractor and construction personnel of the immediate stop work procedures to be followed.

In case of discovery of a paleontological resource during construction, ground-disturbing activities shall temporarily be halted within 25 feet of the find until the discovery is examined by a Qualified Paleontologist. Work within the sensitive area shall resume only when deemed appropriate by the Qualified Paleontologist. The Qualified Paleontologist shall determine whether the discovery is scientifically significant, how to involve other responsible or resource agencies and stakeholders, and what methods to follow for resource recovery.

## ATTACHMENT 2

If the Qualified Paleontologist determines that the resource is not scientifically important, the conclusion shall be documented in a letter to the City of Napa to demonstrate compliance with applicable statutory requirements. If the Qualified Paleontologist determines that the paleontological resource is of scientific importance and there are no feasible measures to avoid disturbing this paleontological resource, the Qualified Paleontologist shall prepare a PMMP. The PMMP shall include measures to fully document and recover the resource of scientific importance. The Qualified Paleontologist shall submit the PMMP to the City for review and approval within 10 business days of the discovery.

Upon approval by the City, ground-disturbing activities in the project area shall resume and be monitored as determined by the Qualified Paleontologist for the duration of such activities. The PMMP shall include measures for a preconstruction survey, a training program for construction personnel, paleontological monitoring, fossil salvage, curation, and final reporting, as applicable.

28. The Applicant shall implement mitigation measures recommended in Public Resources Code Section 21084.3 to avoid damaging effects on tribal cultural resources:
  - a. Avoidance and preservation of the resources in place, including planning and construction to avoid the resources and protect the cultural and natural context, or planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b. Treating the resource with culturally appropriate dignity, considering the tribal cultural values and meaning of the resource, including the following.
    - (i) Protecting the cultural character and integrity of the resource.
    - (ii) Protecting the traditional use of the resource.
    - (iii) Protecting the confidentiality of the resource.
  - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d. Protecting the resource.
29. The Project shall comply with all applicable mitigation measures described within the Napa 2020 General Plan Final Environmental Impact Report and the Mitigated Negative Declaration that was adopted by the City Council on February XX, 2026.

### FIRE DEPARTMENT – FIRE PREVENTION DIVISION

30. The Applicant shall comply with all applicable provisions in NMC Chapter 15.04.

## ATTACHMENT 2

### PUBLIC WORKS DEPARTMENT

31. Approval of this Project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the Napa Municipal Code (NMC), the City of Napa Standard Specifications and Standard Plans (dated January 2022) (CON Standards), including any supplemental updates thereto, the City's "Post-Construction Storm Water Pollution Prevention Design Standards" and the "BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated Phase II Committee, dated July 14, 2019" (BASMAA Manual).
32. The Applicant shall pay a \$7,000 initial cash deposit and shall maintain a minimum monthly balance of \$1,500 for Final Map (FM) and Improvement Plan (IP) plan check services.
33. The Applicant shall prepare the Final Map (FM) and Improvement Plans (IP) in accordance (and submittals shall be accompanied by) the "Initial Submittal Checklist", the "Improvement Plan Checklist", and the "Subdivision Map Checklist". The checklists are available at <http://www.cityofnapa.org/483/Forms-Handouts>. Completed checklists shall accompany the first submittal.
34. The Applicant shall design and construct all on and offsite improvements in accordance with the Improvement Plans and supporting calculations prepared by a registered civil engineer and reviewed and approved by the City of Napa Public Works Department (PW) Development Engineering Division. The plans shall be prepared in substantial conformance with the Tentative Subdivision Map plans prepared by RSA+ dated September 15, 2023, as modified herein by these Conditions of Approval. The improvement plans and supporting calculations shall include detailed designs for all utilities, grading, drainage, erosion control, stormwater, and paving. The plans and calculations must be approved by the City Engineer prior to the issuance of the building permit.
35. IMPROVEMENT PLANS (PUBLIC) – The following items shall be shown on the Improvement Plans prior to the approval of the plans:
  - a. The Applicant shall design and construct frontage improvements along the Project's public street frontages consistent with CON Standards. All existing pedestrian ramps that do not meet current ADA and CON Standards shall be removed and replaced with pedestrian ramps conforming with ADA and CON Standards. In addition, any right of way necessary to accommodate these public improvements shall be dedicated to the City of Napa on the Final Map. The Applicant shall design and construct the following public improvements:
    - (i) El Centro Avenue:
      - (a) The El Centro Avenue Improvements shall be consistent with Street Standards – Major Collector (CON Standard Detail S-6C, Type A and CON Specification Table 3.1) consistent with the City of Napa 2040

## ATTACHMENT 2

General Plan. Frontage improvements shall be consistent with CON Standards that include Gutters (CON Standard S-1A, Standard Curb and 12" Gutter), Standard Sidewalks (CON Standard S-4), Streetlights (CON Standard E-1), and any other improvements required by the CON Standards and Specifications.

- (b) Roadway widening and frontage improvements (curb, gutter, sidewalk, streetlights, street trees, signage, striping, etc.) along the entire Project frontage of El Centro Avenue. The roadway widening shall provide a minimum of 40' of pavement width measured from face of curb to face of curb and minimum overall Right-of-Way of 60' (10' sidewalk, 8' parking, 12' travel lane, 12' travel lane, 8' parking, 10' sidewalk) Final alignment of improvements shall be subject to review and approval by the City Engineer.
  - (c) The project driveways shall be consistent with City of Napa Standard Drawing S-5. Existing driveways that will no longer be used to serve the project site shall be removed and replaced with standard curb, gutter and sidewalk. New curb, gutter, and sidewalk finishes shall match those of the surrounding street and shall conform to the adjacent street improvements.
  - (d) Provide traffic calming bulbouts at the intersection of El Centro Avenue/Via La Paz/Clementina Circle.
  - (e) All existing pedestrian ramps at the intersection of El Centro Avenue/Via La Paz/Clementina Circle that do not meet current ADA and City of Napa Standards shall be removed and replaced with ramps conforming to the current ADA and City of Napa Standards.
  - (f) Provide Class III bicycle route signage and markings along El Centro Avenue from Byway East to Jefferson Street.
- (ii)Clementina Circle (As shown on the Tentative Map):
- (a) The Clementina Circle Improvements shall be consistent with Street Standards – Local Street Type A (CON Standard Detail S-6D and CON Specification Table 3.1) Frontage Improvements include alternative Residential Sidewalk (CON Standard S-4, Alternative Residential Sidewalk Section) consistent with the Design Exception Request Letter dated October 31, 2019, Gutters (CON Standard S-1), Streetlights (CON Standard E-1), and any other improvements required by the CON Standards and Specifications.
  - (b) The project driveways shall be consistent with City of Napa Standard Drawing S-5A. Existing driveways that will no longer be used to serve the project site shall be removed and replaced with standard curb, gutter and sidewalk. New curb, gutter, and sidewalk finishes shall match those of the surrounding street and shall conform to the adjacent street improvements.
  - (c) Provide stop control (signage and markings) on the Clementina Circle approaches to El Centro Avenue.

## ATTACHMENT 2

- (iii) Lassen Street (As shown on the Tentative Map):
  - (a) The Lassen Street Improvements shall be consistent with Street Standards – Local Street Type A (CON Standard Detail S-6D and CON Specification Table 3.1). Frontage improvements shall be consistent with CON Standards that include Gutters (CON Standard S-1A, Standard Curb and 12" Gutter), Standard Sidewalks (CON Standard S-4), Streetlights (CON Standard E-1), and any other improvements required by the CON Standards and Specifications
  - (b) The project driveways shall be consistent with City of Napa Standard Drawing S-5. Existing driveways that will no longer be used to serve the project site shall be removed and replaced with standard curb, gutter and sidewalk. New curb, gutter, and sidewalk finishes shall match those of the surrounding street and shall conform to the adjacent street improvements.
- b. The Applicant shall provide the City of Napa an irrevocable offer of dedication across Parcel C and Parcel D for a minimum 15' wide public access easement for a future publicly accessible Class I shared-use path along the south side of the Salvador Channel. The location of the easement shall be shown on the Improvement Plans.
- c. In lieu of construction of the Class I shared-use path adjacent to the project, the Applicant shall prepare 35% Preliminary Design Plans for the Class I path along the south side of the Salvador Channel from Byway East to Jefferson Street. The Plans shall demonstrate the alignment of the Class I path with a minimum width of 12' (8' paved with 2' shoulders on either side), and connections to Jefferson Street, Lassen Street, and Byway East. The 35% Preliminary Design Plans shall be submitted to the Public Works Department concurrent with the Improvement Plans for the project.
- d. The Applicant shall design and construct standard residential driveway approaches (CON Standards S-5). Meter boxes and water services shall be located a minimum of 3-ft outside any vehicular travel ways, this includes the driveway.
- e. The Improvement Plans shall include a Utility Plan showing all the existing and proposed utilities, including overhead and underground utilities, Demolition Plan, Joint Trench Plan, Erosion and Sediment Control Plan (ESCP) and a Stormwater Control Plan (SCP).
- f. The Improvement Plans shall include a Public Street Repair Plan (showing the repair details and limits of repair) for all improvement installations that will result in the cutting, demolition, destruction, etc. of any existing improvements within the public right-of-way, including but not limited to, the installation of curb, gutter, sidewalk, and utilities (water, sewer, storm drain, electrical, cable TV, telephone, etc.). The Public Street Repair Plan shall comply with the following:

## ATTACHMENT 2

(i) The street restoration plan shall be consistent with CON Standards tables 3.1 Street Design Criteria and Table 3.3 Pavement Restoration Limits. The City Engineer or designee shall determine the extent of restoration.

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

- g. For trenching within existing roadway areas, the Applicant's engineer shall pothole or otherwise physically determine the actual horizontal location and vertical depth of all existing underground utility systems throughout the proposed area of work and at all utility connection points. The Applicant shall provide all the pothole information and the design of all new utility installations required to serve the Project including a schedule for implementation of such work as to prevent disrupting of utility service to adjacent properties with the first Improvement Plan submittal.
- h. The Applicant shall remove the joint utility poles along the El Centro frontage and the utilities on those poles including existing services shall be placed underground. All new utilities (public and private) to serve the Project from the existing point of connection to the Project. The Applicant is responsible for all coordination with utility companies and the design of all utility service installations that are required to serve the Project, including utility layout, design and costs associated with any necessary facilities upgrades, revisions, relocations and/or extensions. The Applicant shall relocate or underground any overhead utilities that conflict with the new improvements.

36. IMPROVEMENT PLANS (PRIVATE) – The Applicant shall design and construct all improvements that will not be dedicated to and/or maintained by the City of Napa (i.e. the “Private Improvements”) as generally shown on the Tentative Subdivision Map and more specifically described below:
- a. All service laterals (domestic, irrigation, and fire water).
  - b. Install drainage facilities, including detention pipe(s), metering boxes, and other appurtenances in accordance with CON Standards
  - c. Install all post-construction stormwater treatment facilities consistent with the standards in the city’s NPDES permit and in accordance with the post construction storm water management requirements established by the city, including but not limited to, the BASMAA Manual.
  - d. The developer shall construct and maintain a 15 Ft wide pedestrian path with retaining walls separating the path from adjacent lots 15 and 16. The path shall be sloped to facilitate drainage from Clementia Circle to Parcel B and constructed in accordance with the Tentative Subdivision Map. The design and construction of the retaining walls and path shall comply with all applicable engineering standards and City of Napa standard and specifications. Construction of the path shall commence concurrent with the development of the adjacent lots. The developer shall be responsible for ongoing maintenance and repair of the path and retaining walls for the duration of the project. Ongoing maintenance to be addressed in HOA agreements and/or CC&Rs as applicable.

## ATTACHMENT 2

- e. The developer shall construct and maintain a private drive aisle on Parcel C to serve bioretention field #2 and lots 50 and 51. The transition from Lassen Street to the private drive aisle shall be in accordance with CON Standards (Detail S-5, Commercial). Where the drive aisle turns from the East/West direction to the North/South direction shall serve as a hammerhead turnaround and shall be in accordance with CON Standards (Detail S-29A, Side Hammerhead). The developer shall be responsible for ongoing maintenance and repair of the drive aisle for the duration of the project. Ongoing maintenance to be addressed in HOA agreements and/or CC&Rs as applicable and as approved by the City Engineer, as to substance, and by the City Attorney, as to form.
- f. The developer shall construct all residential driveways and parking area pavement structural sections in accordance with Site-specific Geotechnical Engineer recommendations or CON Standards (Detail S-5, Residential), whichever is greater.
- g. The developer shall create Joint Access and Maintenance Agreements be reviewed and approved by the city, recorded with the County Recorder's Office and referenced on the improvement plans. These Agreements shall include, but are not limited to, provisions for:
  - i. Shared use and access rights for all parties involved.
  - ii. Maintenance responsibilities for the shared driveways and structures, detailing the scope of work, frequency of maintenance, and cost-sharing arrangements
  - iii. Procedures for resolving disputes between parties regarding the use and maintenance of shared driveways and structures
  - iv. A mechanism for updating the agreement as necessary, to accommodate changes in ownership or use

The following areas subject to the Joint Access and Maintenance Agreement which shall include, but not be limited to:

- (i) The private driveway on lot 18 that also serves as the access for lot 19.
- (ii) The private driveway on lot 39 that also serves as the access for lots 38 and 40.
- (iii) The private driveway on lot 48 that also serves as the access for lot 49.
- (iv) The zero-lot-line structures built along the property line between the off-site properties on the western boundary of the development and lots 20 through 27.

37. Drainage and Grading – The following items related to drainage and grading shall be submitted and shown on the IP prior to plan approval:
- a. The Applicant shall submit storm drain system design report with calculations that are prepared by a registered Civil Engineer for review and approval by the DED. Storm drain system design flows shall be calculated based on the requirements listed in the CON Standards. The calculations shall include a drainage basin map showing basin limits and area in acres, hydrology, and

## ATTACHMENT 2

system hydraulic calculations, pipe size calculations, inlet capacity calculations, stormwater quality treatment and other information necessary to support the proposed design. Storm drains will be sized to carry the flows generated by the design storm per CON Standards. The storm drain system design calculations shall show that the pipes have a self-cleaning minimum velocity of three feet ( 3') per second when flowing half full.

- b. All existing storm drains, drainage inlets, storm drain manholes, etc. shall be shown in the plans along with all relevant information describing each improvement such as inverts, sizes, materials and slopes.
  - c. Lot grading and drainage system improvements shall be installed by the Applicant as part of the subdivision improvements. Constructed lot pad elevations shall not deviate more than 0.5 feet from the pad elevations shown on the Tentative Subdivision Map.
  - d. Existing topography shown with contour lines labeled at one-foot intervals and extending 100 feet beyond the project site, or sufficient information to determine drainage impacts on adjacent properties.
  - e. Detention improvements shall be incorporated into the Project storm drain system design consistent CON Standards, Section 2.10 "Detention", Salvador Basin.
  - f. 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. All storm drainage pipes installed within public streets or easements shall be a minimum of 18 inches in diameter and shall be a minimum of class III reinforced concrete pipe with rubber gasketed joints, unless otherwise approved by the Public Works Director or their designee. Applicant shall refer to CON Standards, Section 2.13.05.
  - h. Any retaining walls which are greater than one foot in height, which are adjacent to a property line, shall be masonry or concrete.
  - i. Each parcel shall be graded to drain independently from adjoining parcels. If surface drainage is currently passing from adjoining properties onto the Site, the grading plan for the Project shall be designed to continue to accept such drainage and easements shall be established to allow such drainage patterns to continue. All surface drainage must be collected and conveyed to a public street, storm drain or approved outfall.
  - j. The roof drainage and downspouts from each home shall not be allowed to discharge onto the adjacent properties.
38. Flood Plain Mapping Condition:
- a. Prior to approval of the Improvement Plans, the Applicant shall obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) to revise the floodplain boundaries, prior to approval of the Improvement Plans. Applicant shall submit the CLOMR to the City for review and incorporate the revised floodplain boundaries into all applicable plans and documents. (See Condition 12 regarding floodplain).

## ATTACHMENT 2

39. Construction Water Quality Measures – In accordance with the NPDES Construction General Permit, the Applicant shall ensure that the Developer and the contractor incorporate storm water quality Best Management Practices (BMPs) into the Project construction process.
- a. Project > 1 acre of disturbance: Provide 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 issuance of grading permits.  
[http://www.swrcb.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.swrcb.ca.gov/water_issues/programs/stormwater/constpermits.shtml).
  - b. The Applicant shall ensure that the contractor manages all construction activities; and handles, stores and disposes of all hazardous and non-hazardous waste in a manner that eliminates or minimizes (to the maximum extent practicable) the discharge of pollutants (e.g. motor oil, fuels, paints/stains and solvents, asphalt products, concrete, herbicides and pesticides, etc.) to the storm drains, ground water, and/or waterways.
  - c. The Applicant shall ensure that the contractor incorporates spill prevention and cleanup measures into the construction operation. All discarded materials shall be removed from the Site and disposed of at an approved disposal facility.
  - d. The Applicant shall pay all cleanup, testing, disposal and City administrative costs associated with the discharge of pollutants into the storm drains and/or waterways as a result of the Project construction activity.
40. Post Construction Water Quality Measures - In accordance with the City of Napa (CON), "BASMAA Post-Construction Manual prepared by the Bay Area Stormwater Management Agencies Associated (BASMAA Manual) Phase II Committee, dated January 2019" the Applicant shall incorporate post Development measures (BEST MANAGEMENT PRACTICES (BMP'S)) into the project design to mitigate project impacts to water quality. <http://ca-napa.civicplus.com/574/Stormwater-Quality> Under "Documents"
- a. The Applicant shall prepare and submit a SCP per BASMAA Standards
  - b. The post-construction BMPs shall be shown on the Project improvement plans and in the required Stormwater Control Plan (SCP).
  - c. The Landscape plans shall be submitted to the Development Engineering Division (DED) with the submittal of the Improvement Plans. Landscape Plans shall illustrate all Low Impact Development (LID) post construction measures and include the required plant species as specified in the BASMAA Post-Construction Manual.
  - d. The post construction BMP measures shall be installed by the Applicant and designed and sized by a registered civil engineer in accordance with the City's adopted BASMAA Manual and an accepted design method such as that which is outlined in the "California Storm Water Quality Association BMP (CASQA-BMP)

## ATTACHMENT 2

Handbook". The design and calculations are to be reviewed and approved by the DED.

- e. The Project post-construction BMPs shall include but not be limited to the applicable items listed in the City Council adopted Stormwater Quality Control Standards, BASMAA Manual and accepted design review SCP prepared by RSA+ dated September 15, 2023.
- f. 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 January 2019, and the State MS4 General Permit E.12 provisions and are to be reviewed and approved by the Development Engineering Division.
- g. The Applicant shall install full trash capture device(s) in accordance with the State Water Boards Trash Provisions Water Code section 13383. Full trash capture systems shall be designed to:
  - (i) Trap all particles 5mm or greater.
  - (ii) Be sized to treat the 1-year, 1-hour storm event.
  - (iii) Device(s) shall be chosen from State Water Board list of certified devices.
  - (iv) Device(s) shall be maintained at a frequency that ensures captured trash does not reduce device efficiency or create flooding, a minimum of once annually.
- h. The Applicant shall execute a long-term maintenance agreement with the CON approved both as to form and substance by the City Attorney and City Engineer for long term maintenance, financing and monitoring for the post construction storm water best management practices that are incorporated as part of the project and as called out in the Approved SCP. The agreement shall comply with the following requirements:
  - (i) The agreement shall include a detailed outline of responsible parties, inspections, maintenance procedures, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
  - (ii) The agreement shall be recorded prior to approval of the Improvement Plans. The agreement must provide for the perpetual maintenance and replacement of the improvement as well as appropriate provisions relating to enforcement options, the right of the City to access the property to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The CON shall either be a signatory to the agreement or a third party beneficiary to the agreement with the right but not the obligation to enforce the obligation and secure attorney's fees for legal counsel to enforce such obligations.

## ATTACHMENT 2

(iii) The agreement shall require that updated information, including contact information, be provided to the City whenever a property is sold and whenever designated individuals or contractors change.

(iv) Appropriate easements or other arrangements satisfactory to the City Engineer and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to Improvement Plan approval.

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

(vi) The agreement shall require the owner(s) or operator(s) of any installed treatment system or hydromodification control shall provide the Public Works Director with information and physical access necessary to assess compliance with NMC chapter 8.36, with the city's NPDES permit, and with any writing establishing operation and maintenance responsibilities and shall pay the city an annual fee for inspection and maintenance services in accordance with the latest Master Fee Schedule adopted by the City Council.

41. Floodplain: This Project is located in a Special Flood Hazard Area "Zone AE" and the floodway as designated on the Flood Insurance Rate Map (FIRM), 06055C0504F and Salvador Creek profile 27P and revised per LOMR 11-09-3313P effective date 2/20/2012. The requirements of the City of Napa Municipal Code Chapter 17.38 Floodplain Management apply to all new construction or substantial improvements within the Special Flood Hazard Area. The Applicant shall apply the following development requirements to all permanent structures proposed within the floodplain limits:

a. All new construction of structures shall be designed and constructed:

(i) With materials and utility equipment resistant to flood damage.

(ii) Using methods and practices that minimize flood damage.

(iii) With electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located as to prevent water from entering or accumulating within the components during conditions of flooding.

(iv) With adequate drainage paths around structures on slopes to guide floodwaters around and away from structures.

In compliance with FEMA Technical Bulletins 2-08, 3-21, and 7-22.

(v) All new construction residential buildings, shall have the lowest floor, including basement elevated to at least one foot above the base flood elevation as determined by this community and be designed so that fully

## ATTACHMENT 2

enclosed areas below the lowest floor automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. The minimum criteria for equalizing hydrostatic forces include a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding with the bottom of such opening no higher than one foot above grade and equipped with screens, louvers, valves or other coverings or devices which permit the automatic entry and exit of floodwaters.

- b. All new and replacement water supply, gas, electrical and sanitary sewage systems shall be designed:
    - (i) To minimize or eliminate infiltration of floodwaters into the system and discharge from the system into floodwater; and
    - (ii) To avoid impairment or contamination during flooding in the case of on-site waste disposal systems.
  - c. The Applicant shall include the following on the plans:
    - (i) A note stating that "This project is located in a Special Flood Hazard Area "Zone AE" and the floodway as designated on the Flood Insurance Rate Map (FIRM), 06055C0504F dated February 20, 2012.
    - (ii) A note stating "The Base Flood Elevation (BFE) for this project is \_\_\_ft, NAVD 1988.
    - (iii) Show the floodplain and floodway limits as depicted on the FIRM map.
    - (iv) Call out finished floor elevations of structures and utilities.
  - d. Upon completion of any permanent structures the elevation of the lowest floor including the basement shall be certified by a registered professional engineer or surveyor on the current Elevation Certificate form. The elevation certificate shall be submitted prior to the building's final sign off.
42. The Applicant shall submit signed Letter of Intent from the Projects adjacent property owners that indicate the impacted adjacent property owner's understanding of the extent of various improvements to be performed and the willingness to provide all necessary easements, etc. and to allow the construction to occur and improvements to remain.
43. MISCELLANEOUS – The following items shall be shown on the improvement plans submitted for approval:
- a. The Applicant shall incorporate the group mailbox concept into the Project design. Proposed locations shall be reviewed and approved by the Post Office and the City of Napa Public Works Department.
  - b. Public street access points and street corners shall be designed to satisfy the City of Napa Visibility and Fencing Standard (CON Standards S-25). The sight distance and visibility triangle lines shall be shown on the Grading and Drainage

## ATTACHMENT 2

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

- c. 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.
  - d. As designed and shown on the RSA+ plans, the project interfaces several adjacent properties. The Applicant shall provide details for each property describing how each property's improvements (fences, retaining walls, concrete curb, concrete gutter, , etc.) interface with the new subdivision. 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 Applicant's property. Details showing fencing shall be incorporated in the Improvement Plans.
44. Prior to Commencing any activities on Site and any ground disturbing activities, the Applicant shall:
- a. Conduct a pre-construction meeting with representatives of the City whereby the Applicant and the Contractor provides the following:
    - (i) Six (6) full size bond copies of the approved Improvement Plans for City's use.
    - (ii) One (1) job Site copy of the CON-Standard Specs for their use.
45. Subdivision Map (FINAL MAP) - The Applicant shall submit the Final Map for review by the Public Works Department Development Engineering Division, utilizing the Final Map checklist, and approval by the City Engineer. The form and approval of the Final Map shall meet the following requirements.
- a. The Final Map shall be in compliance with the Subdivision Map Act. Government Code Section: 66410-66499
  - b. The Final Map shall show easements for the private street, private driveways, drainage facilities and utilities as required by the Public Works Director. The Owner's Statement of the Final Map shall offer Public in the Final Map Owner's Statement. Private easements shall be recorded as separate instruments with their recording information on the Final Map. These conveyances shall include:
    - (i) A minimum 5-foot public utility easement adjacent to all public street rights-of-way within the limits of the subdivision.
    - (ii) A minimum 47-foot public right of way dedication shall be designated for Clementina Circle as shown on the Tentative Subdivision Map.
    - (iii) A minimum 12-foot public right of way dedication shall be designated for the multi-use path on the south bank of Salvador Channel as shown on the Tentative Subdivision Map.
    - (iv) Easements for shared private driveways

## ATTACHMENT 2

- (v) Any other public easements determined to be necessary by the Public Works Director for the public improvements on the Site.
  - c. The Applicant shall include abandonment of any applicable existing utility easements not being used for this subdivision.
  - d. The Owner of the property shall record CC&Rs and establish an incorporated homeowner's association or a maintenance association to provide long term maintenance, financing and monitoring for all shared private street improvements, private storm drains and the post construction storm water best management practices that are incorporated as part of the project.
    - (i) The City Engineer and City Attorney must approve the substance and form of the CC&Rs and associated documents prior to the approval of the Final Map.
    - (ii) The documents (CC&Rs) shall be recorded contemporaneously with the Final Map.
    - (iii) The CC&Rs and homeowners association must provide a detailed outline of responsible parties, inspections, maintenance procedures, the perpetual maintenance and replacement of the improvements, monitoring documentation and annual reporting to the City Public Works Department, and procedures for administration and oversight.
    - (iv) In addition, the CC&Rs and homeowners association must provide for appropriate provisions relating to enforcement options, the right of the City to access the Site to perform work, the right of the City to recover its costs, indemnification and enforcement provisions, as well as any other provisions deemed necessary or convenient to accomplish the City's objectives. The City of Napa shall either be a signatory to the CC&Rs or a third-party beneficiary to the CC&Rs with the right but not the obligation to enforce the obligations and secure attorney's fees for legal counsel to enforce such obligations.
46. Prior to approval of the Improvement Plans and Final Map, the Applicant shall submit documentation to Public Works-Development Engineering Department (PW-DED) that the following have been addressed:
- a. The Applicant shall pay off all current account balances based on the rate in effect at the time of permit issuance.
  - b. The Applicant shall pay a deposit for inspection fees for public improvements.
  - c. The Applicant shall furnish proof of satisfactory in form to the City Attorney of the acquisition of all rights of entry, permits, easements, etc., necessary to construct the Project or to satisfy required Project mitigation measures and/or conditions.
  - d. The Applicant shall submit to the PWD- DED a Soils Investigation/ Geotechnical Report in accordance with NMC Section 16. 36. 200 with the first Improvement Plan submittal. The Improvement Plans shall incorporate all design and construction criteria specified in the report. The Geotechnical Engineer shall sign the improvement plans and approve them as conforming to their

## ATTACHMENT 2

recommendations prior to Improvement Plan approval. The Geotechnical Engineer shall also assume responsibility for inspection of the work and prior to acceptance of the work shall certify to the City that the work performed is adequate and complies with their recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of Building Plans in accordance with NMC Title 15.

- e. The Applicant shall provide acknowledgement by the District Engineer that the design of the sanitary sewer is approved by Napa Sanitation District (NapaSan). NapaSan may sign the Improvement Plans if their conditions require them to do so.
  - f. Applicant shall provide to the City Engineer for approval as to substance and to the City Attorney for approval as to form any private easements via a separate instrument for access, utilities, and drainage. The private easements shall be recorded with the Napa County Recorder.
  - g. Establish an incorporated maintenance association and their attendant satisfactory CC&Rs to provide said long-term access and maintenance of the Private Improvements.
  - h. Prior to recording the Final Map, the Applicant shall either install all onsite and offsite improvements or work with the Public Works Department Development Engineering Division to execute the City's Standard Improvement Agreement, provide bonds and provide proof of workers compensation insurance and general liability insurance in the forms and amounts as required by the Risk Manager and City Attorney.
  - i. The Applicant shall furnish the Public Works Department Development Engineering Division with proof of the payment of the mapping service fee as required by Napa County Board of Supervisors Resolution No. 92-119.
  - j. The Applicant shall obtain approval from all parties owning an interest in any existing rights-of-way or easements within the subdivision, which are proposed to be changed, modified, or deleted. Deeds shall be recorded concurrently with the Final Map to reflect the proposed revision, modification or removal of any existing rights-of-way or easements. The deeds shall be submitted to the Public Works Department Development Engineering Division and shall be in forms approved by the City Attorney.
47. Prior to issuance of a Building Permit:
- a. The Applicant shall pay Street Improvement Fees (SIF) in accordance with the Master Schedule of City Fees and Charges effective at the time of issuance of Building Permit (Policy Resolution 16). The current rates for the Street Improvement Fee (effective July 2024) for this Project are as follows:

	Land Use	Unit (DU)	Street Component Rate	Utility Underground Rate	Street Component Fee	Utility Underground Fee
New Use		51	\$1,538/DU	\$2,258/DU	\$78,438	\$115,158

## ATTACHMENT 2

	Single Family Detached Housing					
Existing Use (credit)	Single Family Detached Housing	1	\$1,538/DU	\$2,258/DU	(\$1,538)	(\$2,258)
					<b>\$76,900</b>	<b>\$112,900</b>

- b. The Applicant shall pay North Jefferson Street Improvement Fees in accordance with the Master Schedule of City Fees and Charges effective at the time of issuance of Building Permit (Policy Resolution 16). The current rates for the North Jefferson Street Improvement Fee (effective July 2024) for this Project are as follows:

	Land Use	Unit (DU)	North Jefferson Street Improvement Rate	North Jefferson Street Improvement Fee
New Use	Single Family Detached Housing	51	\$10,379.47/DU	\$529,352.97
Existing Use (credit)	Single Family Detached Housing	1	\$10,379.47/DU	(\$10,379.47)
				<b>\$518,973.50</b>

48. Prior to issuing a certificate of occupancy of the first unit or Building Permit Final (whichever occurs first): The Applicant shall submit documentation to the Building Division for review and approval that indicates the following items have been completed as reviewed and approved by the PW-DED.
- a. All onsite and offsite improvements shall be constructed to the satisfaction of the City Engineer prior to occupancy.
  - b. The improvements identified on the Public Street Repair Plan shall be completed
  - c. The Applicant shall replace any damaged curb and gutter along street frontages in accordance with the City of Napa Standard Specifications and Standard Plans.
  - d. The applicant shall submit an inspector's punch list indicating that all the "Public & Private Improvements" are constructed to the satisfaction of the City Engineer.
  - e. The Applicant shall complete the Final Stormwater Inspection Sign Off form as specified in the SCP and include the contractors and engineer of records signature verifying all post-construction BMPs have been installed and inspected

## ATTACHMENT 2

as designed per the approved plans. A copy of the form may be requested from the Public Works Development Engineering Division – Stormwater Program.

- f. Prepare the post-construction letter of map revision (LOMR) for City review and signature on the Community Concurrence portion on the LOMR form MT-2.
- g. Submit a certification by the Geotechnical Engineer of Record that all work has been completed in conformity with the recommendations in the Soils Investigation/Geotechnical Report.
- h. 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.
- i. Identify all on-site post-construction stormwater quality BMPs and along the Project frontage with the appropriate street address (addresses to be provided by City) and GIS coordinates.
- j. Prior to Final PW-DED & Final SW sign off, all disturbed areas shall be installed with final, permanent stabilization measures to ensure no sediment laden water discharged from the Site.
- k. The Applicant shall submit to the PW-DED all improvement plans in digital AutoCAD format, compatible with the City's current version, and tied to the City's coordination system for all storm drain facilities, water lines, lot lines, sanitary sewer lines, sidewalks, and streets. AutoCAD files shall be updated for as-built information and submitted to and approved as complete by the PW-DED.

### UTILITIES DEPARTMENT – WATER DIVISION

49. Prior to approval of the Improvement Plans, the Applicant shall:
- a. Submit a utility plan for review and written approval by the Utilities Director identifying the following information:
    - (i) Size of existing water service(s) to property;
    - (ii) Existing water main(s) and applicable tie-in locations, details, etc.;
    - (iii) Abandonment of any existing unused water service(s);
    - (iv) Installation of a single water service for each lot with approved backflow prevention device. Water services may not be shared across property boundaries per NMC Section 13.04.230. The type of backflow device(s) required to be installed shall be determined by the Utilities Department Cross-Connection Specialist;
    - (v) Installation of a sufficient number of fire hydrants on all public water facilities as directed by the Fire Marshal at City approved locations;

## ATTACHMENT 2

- (vi) Installation of a sufficient number of water main valves at City-approved locations;
- (vii) Installation of appropriately sized water main(s) in the proposed public streets and applicable tie-in locations, details, etc.
- (viii) Relocation of any affected water facilities and/or appurtenances;
- (ix) Installation of a sufficient number of water quality monitoring/sampling stations at City-approved locations;
- (x) Size and location of all proposed water services (residential, fire, irrigation, etc.);
- (xi) Meter boxes and water services shall be located a minimum of 3-ft outside any vehicular travel ways.
- (xii) Construction of improvements (permanent structures, other utilities etc.) shall meet the minimum required clearances from all public water infrastructure per City Std W-18, W-22A and W-22B.

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

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

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

## ATTACHMENT 2

<b>Kitchen Faucet</b>	<b>Shall not exceed 1.5 gpm at 60 psi</b>
<b>Dishwasher</b>	<b>Shall be "Energy Star"</b>
<b>Clothes washer</b>	<b>Shall be "Energy Star"</b>

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

51. Prior to Occupancy, the Applicant shall:

- a. Submit remaining fees (hot-taps, meter sets, etc.) to the Water Division at 1700 Second Street, Suite 100, Napa, CA;
- b. Construct all water improvements as shown on the approved plans, the City of Napa Public Works Department Standard Specifications and the special conditions listed above;
- c. Request backflow device inspection from City of Napa Water Division. Call (707)257-9544 at least 48 Hours in advance of requested inspection time;
- d. Submit certification that all backflow devices have been installed and tested by an AWWA certified tester (a list of testers is provided by the City of Napa) to the City of Napa Water Division; Complete a meter verification test (to be scheduled and performed by the City of Napa Water Division).

52. Prior to Building Permit Final, the Applicant shall:

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

### UTILITIES DEPARTMENT – SOLID WASTE AND RECYCLING DIVISION

53. Prior to approval of the Building Permit, the Applicant shall:

- a. Comply with the requirements of NMC Comply with requirements of City Ordinance O2010 18 and file a Waste Reduction and Recycling Plan (WRRP) for review by the Solid Waste and Recycling Division if the Project exceeds a: more than \$100,000 in building valuation or b: exceeds 5,000 sq ft of new, improved, or

## ATTACHMENT 2

remodeled areas. No building permit shall be issued for any project until the Compliance Official has approved the WRRP. The plan shall document that recyclable materials shall be separated for recycling in order to meet the requirement of the City's construction and demolition debris ordinance - recycling mandatory recyclables and exceeding overall 50% diversion. This form is linked below: <https://www.cityofnapa.org/DocumentCenter/View/7556/Waste-Reduction-and-Recycling-Plan-WRRP-Form-PDF->

54. If the Project requires CC&Rs, the document shall include the following language:
  - a) the Home Owners Association shall be responsible for the removal of all solid waste, recycling and compostables from the property on a weekly basis by contracting with the City of Napa's authorized contractor;
  - b) Parcels shall contract separately for solid waste/recycling/organic material collection with the City's authorized contractor.
55. Residents for Lots 18 and 19 shall place carts on their designated collection day on Clementina Circle per the Napa Municipal Code Section 5.60.060 for service by the City's authorized contractor.
56. Residents for Lots 38, 39 and 40 shall place carts on their designated collection day on Clementina Circle per the Napa Municipal Code Section 5.60.060 for service by the City's authorized contractor.
57. Residents for Lots 48 and 49 shall place carts on their designated collection day on El Centro Avenue per the Napa Municipal Code Section 5.60.060 for service by the City's authorized contractor.
58. Residents for Lots 50 and 51 shall place carts on their designated collection day on Lassen Street per the Napa Municipal Code Section 5.60.060 for service by the City's authorized contractor.
59. Prior to Occupancy, the Applicant shall:
  - a. Submit official weight receipts/tags for each load shall be obtained, and at the conclusion of construction shall be submitted for review by the Compliance Official prior to the approval of a Certificate of Occupancy.

### CITY GENERAL CONDITIONS

60. 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.
61. Unless otherwise specifically provided in this resolution, each condition of this approval shall be satisfied prior to the first to occur of: (a) approval of a final map (if this resolution includes the approval of a tentative subdivision map or tentative parcel map), (b) issuance of a building permit, or (c) commencement of any use of

## ATTACHMENT 2

land that is authorized by this resolution. An improvement agreement between the City and the Applicant (and landowner, if different) that obligates the Applicant to complete specified conditions of approval will be deemed to be a satisfaction of those specified conditions if: (i) the agreement is accompanied by required security for faithful performance and labor and materials, and (ii) the agreement is approved as to substance by the City Engineer, and approved as to form by the City Attorney.

62. No use authorized by this permit may commence until after the Applicant executes any required permit agreement required by previously stated conditions of approval.
63. Applicant shall pay all applicable fees and charges at the required time and at the rate in effect at time of payment (in accordance with the City's Master Fee Schedule; see individual departments regarding the timing of fee payment requirements).
64. Applicant shall design and construct all improvements and facilities shown on any approved tentative map, site plan, plans and specifications, or other approved documents, to comply with the General Plan, any applicable Specific Plan, the NMC, City ordinances and resolutions, the "Standard Specifications" of the Public Works and Fire Departments, and the approved tentative map, site plan, plans and specifications, and other approved documents.
65. 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.
66. To the full extent permitted by law, the Applicant shall indemnify, defend, release and hold City, its agents, officers, and employees harmless from and against any claims, suits, liabilities, actions, damages, penalties or causes of action by any person, including Applicant, for any injury (including death) or damage to person or property or to set aside, attack, void or annul any actions of City, its agents, officers and employees, from any cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the applications relating to the subject property; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation or operation of Project improvements and regardless whether the actions or omissions are alleged to be caused by City or Applicant so long as City promptly notifies Applicant of any such claim, etc., and the City cooperates in the defense of same.
67. If the Applicant is not the owner of the subject property, all agreements required to be executed by the City must be executed by the Owner(s) as well as the Applicant.

## ATTACHMENT 2

68. 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 required in connection with the instant approvals has begun. If you fail to file a protest complying with all the requirements of Section 66020, you will be legally barred from later challenging such exaction.
69. Violation of any term, condition, mitigation measure or Project description relating to this approval is unlawful, prohibited and a violation of the Napa Municipal Code and can result in revocation or modification of this approval and/or the institution of civil and/or criminal enforcement and/or abatement proceedings.
70. 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.
71. The Design Review Permit, and Tentative Subdivision Map and Use Permit shall become effective on the day following Council's approval of this Resolution, and is subject to expiration and revocation, and may be extended, all in accordance with the provisions in NMC Chapters 16.20 and 17.68, as applicable.

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Napa at a regular meeting of said City Council held on the XX day of February 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

**ATTACHMENT 2**

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

Approved as to form:

\_\_\_\_\_  
Chris Diaz  
Interim City Attorney

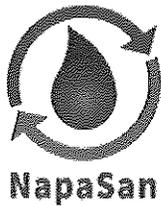


EXHIBIT "A"

December 6, 2023

Planning Director  
City of Napa  
P.O. Box 660  
Napa, CA 94559

RE: PL19-0016, Zinfandel Subdivision, REFRL-000986, Robert Biale, 1583 & 1657 El Centro Ave, (Allen)

The owner shall pay to NapaSan the prevailing fees and charges in effect as established by Resolutions and Ordinances before the Issuance of a County Building Permit and shall adhere to the rules and regulations as they apply to the application.

NapaSan has identified the following comments based on the current application. NapaSan reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan.

The following conditions are based on the information currently available and are subject to change upon receipt of additional information:

1. 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 approval, prior to issuance of permits.
2. Sanitary sewer mains shall have a minimum clearance of 10 feet from proposed trees, 10 feet from water mains, 5 feet from other utilities, and 5 feet from bioretention areas.
3. Sanitary sewer facilities are required to have a minimum of 36" of cover at all points within the public right-of-way. The proposed sanitary sewer facilities shall be designed to meet this requirement.
4. 1583 El Centro Avenue is currently outside NapaSan's service boundary. Annexation of the parcel will be required.
5. The existing private sewage disposal system serving 1583 El Centro Avenue shall be abandoned per Napa County Environmental Health standards.
6. The owner shall obtain a demolition permit from NapaSan prior to removal of any existing structures or vegetation. Demolition credits shall be valid for a period of two years from the date the demolition permit is issued.
7. The new sewer system shall be designed to maintain the functionality of the existing 10-inch relief sewer main running from El Centro Avenue to Lassen Street.

NapaSan  
1515 Soscol Ferry Road  
Napa, CA 94558

Office (707) 258-6000  
Fax (707) 258-6048

[www.nopasan.com](http://www.nopasan.com)

COLLECTION • TREATMENT • RECOVERY • REUSE

EXHIBIT "A"

8. The proposed sewer manhole on the existing 18-inch sewer main in El Centro Avenue shall be a trunk manhole designed with an adjustable gate or weir structure per NapaSan's design requirements.
9. Easements containing sewer mains that will be abandoned shall be quitclaimed after easements are dedicated for the new public sewer mains. The developer shall prepare the quitclaim documents. The manhole in El Centro Avenue, on the upstream side of the 10" sewer main to be abandoned, shall be rehabilitated with spray coating per NapaSan standards.
10. A sanitary sewer easement with a minimum width of 20 feet; centered on the sewer main, shall be dedicated for all sewer mains located outside the public right-of-way. No trees or other permanent structures will be allowed within the easement area.
11. An all-weather access drive with adequate turnaround space shall be provided for all sewer manholes located outside the public right-of-way. Access easements shall be provided, as necessary.
12. The existing 10" sewer main crossing under Salvador Channel shall be rehabilitated or replaced by the developer between the location at which the development connects and the existing manhole at the intersection of Lassen Street and Valencia Street. All other existing on-site sewer infrastructure shall be abandoned per NapaSan standards.
13. The 10" sewer main crossing under Salvador Channel shall have a manhole north of Salvador Channel, contained within Parcel B. Drivable access shall be provided.
14. If any of the proposed sewer systems will be privately owned and maintained, the owner shall enter into an agreement with NapaSan that outlines the maintenance responsibilities of the private sanitary sewer main. The appropriate language shall be included in the CC&R's regarding maintenance of the private sewer system. A draft set shall be submitted to NapaSan for review.
15. Any private sewer facilities proposed to serve multiple parcels shall be designed to meet NapaSan's standards for private sewer mains (1% minimum slope).
16. Each parcel shall be served by a separate sanitary sewer lateral at 2% minimum slope.
17. The owner/developer shall enter into an improvement agreement with NapaSan and post the appropriate bonds covering the sanitary sewer work.
18. The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:
  - a. Agreement Fees

December 6, 2023  
Page 2

COLLECTION TREATMENT RECOVERY REUSE

EXHIBIT "A"

- b. Annexation Fees
- c. Demolition Fees
- d. Plan Check Fees
- e. Inspection Fees
- f. Capacity Charges (per single family dwelling and ADU)

19. NapaSan has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at NapaSan's website ([www.NapaSan.com](http://www.NapaSan.com)). NapaSan may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

The capacity charge for an equivalent dwelling unit currently is \$11,519 and will increase by the Consumer Price Index (CPI) annually in July. Commercial capacity charges are determined per NapaSan Code Section 5.02.030.B. Contact NapaSan Staff at (707) 258-6012 or [gglascott@napasan.com](mailto:gglascott@napasan.com) for additional information.

Sincerely,



Gavin Glascott, P.E.  
Associate Engineer

December 6, 2023  
Page 3

COLLECTION • TREATMENT • RECOVERY • REUSE

## EXHIBIT "B"



## Napa County Flood Control and Water Conservation District

**ANDREW S. BUTLER, PE**  
DISTRICT ENGINEER

November 24, 2025

Michael Allen  
Acting Planning Manager  
Planning Division, Community Development Department, City of Napa  
1600 First Street, Napa, CA 94559

RE: Review of PL 19-0016; Zinfandel Subdivision, 1583 & 1657 El Centro Avenue

Thank you for providing the Napa County Flood Control and Water Conservation District (District) with the opportunity to review and comment on the Zinfandel Subdivision Project (Project). The Project proposes to modify the channel of Salvador Creek within areas the District owns in fee or the County holds channel maintenance easements. The City has conducted an independent review of a hydraulic analysis provided by the applicant and indicated that Alternative 2 (the Project as reviewed) meets all applicable flood plain requirements. The District has also reviewed the study and other submitted information and requests that the City include the following in the conditions of approval:

- The applicant shall provide the District the opportunity to review and comment on all design submittals related to channel modifications, bank treatments, and planting plans on Salvador Creek. The District must formally approve the final design prior to issuance of building permits.
- Prior to issuance of building permits the applicant shall complete the following land exchanges as shown in Exhibit A & B attached:
  - Obtain a Right of Entry on District-owned property (APN parcel 038-297-008) and County-owned easements for temporary construction access to construct channel modifications.
  - Dedicate an access easement to the District from Clemetine Circle and drivable path across the created terrace and a 5-foot-wide access and channel maintenance easement along the District's channel property.
  - Dedicate in fee to the District the area of the County channel easement on APN 038-361-010.
  - Dedicate in fee to District those portions of APN 038-361-027, 038-361-026, and 038-361-010 that are required to maintain the future south terrace and utilize the relocated maintenance road.

---

804 First Street • Napa, CA 94559-2623 • (707) 259-8600 • FAX (707) 259-8619

EXHIBIT "B"

Page 2

- o Dedicate channel improvement easement or fee to the District that remnant portion of APN 038-361-027 located outside (south of) the County channel easement.
  - o County channel easements on adjacent private property (within APN 038-361-027 & 038-361-026) shall remain, or District will accept dedications of underlying land in fee.
  - o The applicant shall provide legal descriptions and plat maps for all land exchanges to the District for approval.
- The future HOA shall be responsible for any maintenance on the created terraces.

Sincerely



Andrew Butler, PE  
District Engineer

EXHIBIT "B"

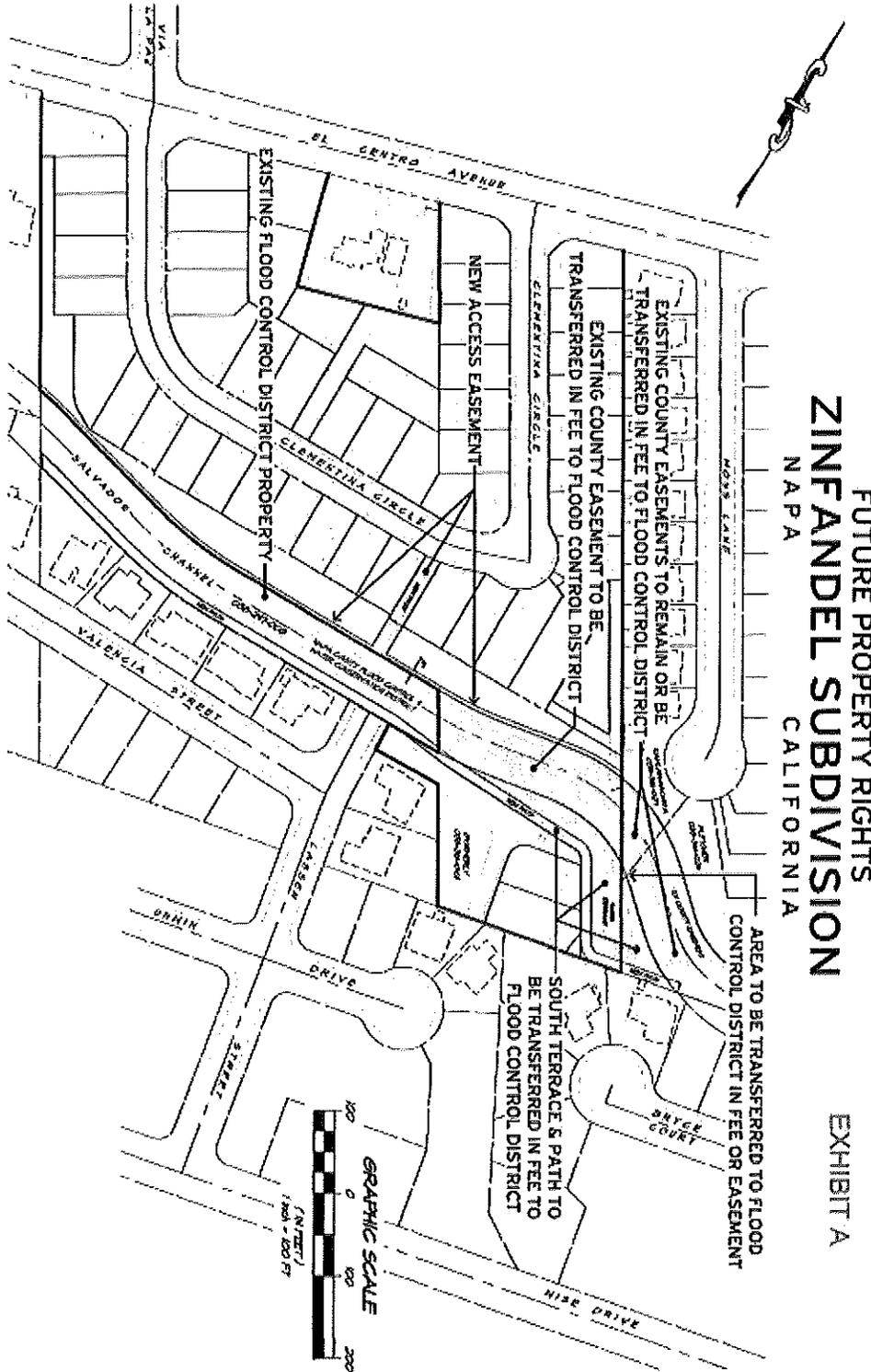


EXHIBIT "B"

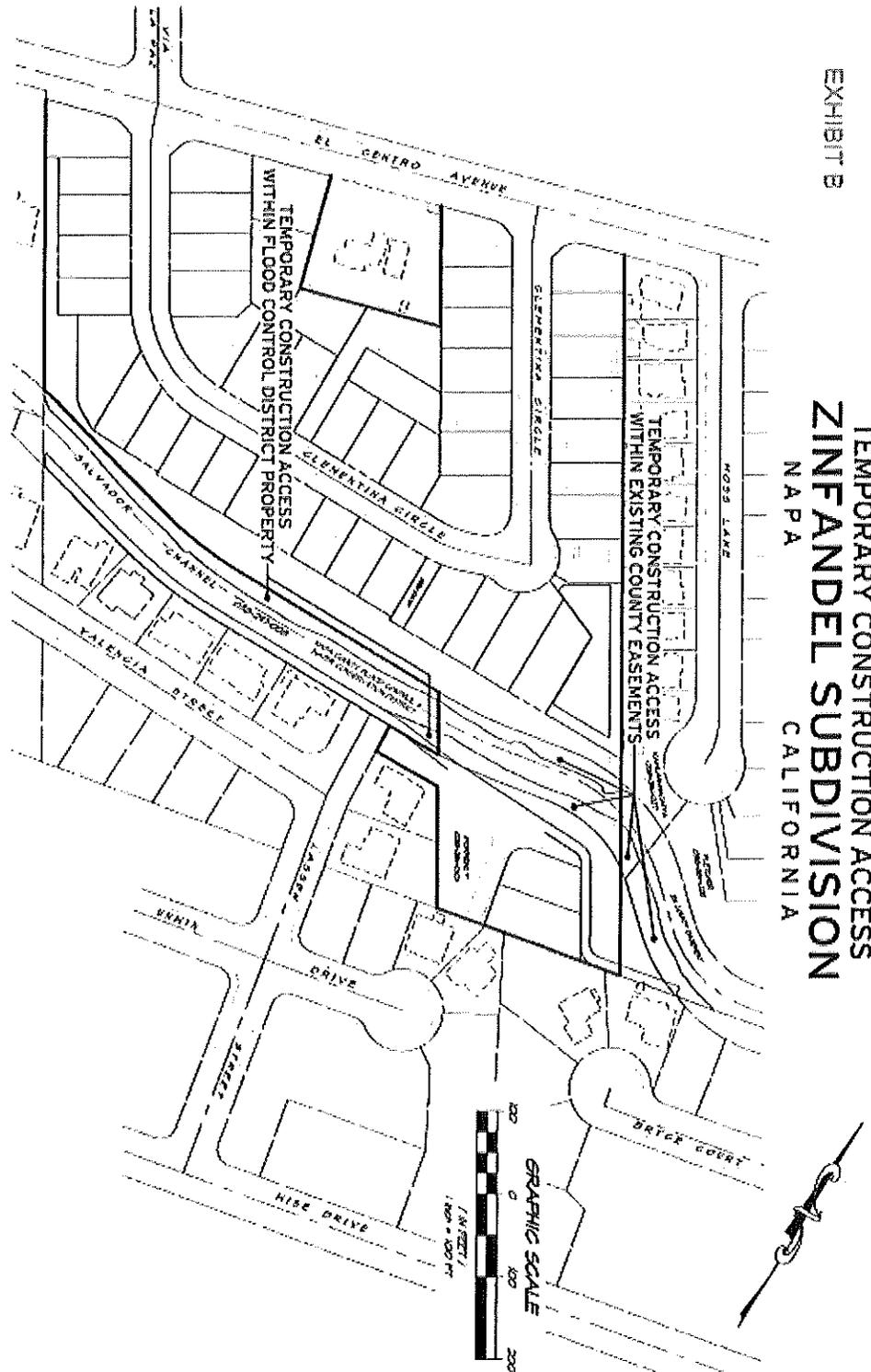


EXHIBIT B

TEMPORARY CONSTRUCTION ACCESS  
ZINFANDEL SUBDIVISION  
NAPA CALIFORNIA