

**“B”**

## **Recommended Conditions of Approval and Final Agency Approval Memos**

**ZONING ADMINISTRATOR HEARING – AUGUST 27, 2025  
RECOMMENDED CONDITIONS OF APPROVAL**

**MARINEAU-MES ACCESSORY STRUCTURES VIEWSHED**

**Application Number P25-00207-VIEW  
4000 Silverado Trail N., Angwin, California  
APN: 021-010-079-000**

This Permit encompasses and shall be limited to the project commonly known as the Marineau-Mes Accessory Structures, located at 4000 Silverado Trail N. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as “Reserved” and, therefore, have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

**PART I**

**1.0 PROJECT SCOPE**

This Permit encompasses and shall be limited to:

- 1.1 Approval of a Viewshed Application to allow the construction of:
  - a. a new 22-foot-tall, 1,085 square foot pool house surrounded by a 665 square-foot outdoor patio with trellis, handrails, and a concrete retaining wall and stairs connecting to an existing pool patio;
  - b. a new 15-foot tall, 300 square-foot barn near the vineyard, pump house and water tanks located in the southern portion of the property;
  - c. a new landscaping plan to add two 48-inch box Coast Live Oak trees and two new 15-gallon Catalina Cherry shrubs; and
  - d. new drainage swales and storm drain inlets that will tie into the existing drainage system onsite.

The accessory structures and associated improvements shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa County Code (the County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved

in accordance with the County Code and may be subject to the permit modification process.

## **2.0 STATUTORY AND CODE SECTION REFERENCES**

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

## **3.0 MONITORING COSTS**

All Staff costs associated with monitoring compliance with these conditions, previous permit conditions, and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions of approval and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the permittee's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

## **PART II**

## **4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT**

Permittee shall comply with the following during operation of the project:

- 4.1 GROUND WATER MANAGEMENT – WELLS **[RESERVED]**
- 4.2 AMPLIFIED MUSIC **[RESERVED]**
- 4.3 TRAFFIC **[RESERVED]**
- 4.4 PARKING **[RESERVED]**
- 4.5 BUILDING DIVISION – USE OR OCCUPANCY CHANGES **[RESERVED]**
- 4.6 FIRE DEPARTMENT – TEMPORARY STRUCTURES **[RESERVED]**
- 4.7 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.8 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.
- b. All landscaping shall be permanently maintained in accordance with the landscaping approved by the County.
- c. **[RESERVED]**
- d. The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site-specific vegetation. The permittee shall obtain the written approval of the Planning Division prior to any change in paint color that differs from the approved building permit. Highly reflective surfaces are prohibited.
- e. **[RESERVED]**

4.9 NO TEMPORARY SIGNS

Temporary off-site signage, such as “A-Frame” signs are prohibited.

4.10 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies’ requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division recommended approval conditions as stated in their Memorandum dated June 25, 2025.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify this permit.

4.11 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.12 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

- a. Groundwater Management - A Groundwater Demand Management Program shall be developed and implemented for the property as outlined in COA No. 6.16(a) below.

- i. The parcel shall be limited to 2.205 acre-feet<sup>1</sup> of groundwater per year for all water consuming activities on the parcel.
- ii. The pumping rate of the Project Well (referred to as the “Upper Well” in the HDVine LLC 2024 Water Availability Analysis) shall remain less than 10 gallons per minute (gpm), as required by P22-00212-ECP COA No. 16. An equipment maintenance plan shall be developed and implemented for the property as outlined in COA No. 6.16.b. below.

In the event that changed circumstances or significant new information provide substantial evidence<sup>2</sup> that the groundwater system referenced in the Use Permit would significantly affect the groundwater basin, the PBES Director shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the County Code and to protect public health, safety, and welfare.

#### 4.13 PREVIOUS CONDITIONS [RESERVED]

### PART III

#### 5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

##### 5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

#### 6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition environmental, building and/or other applicable permit applications:

##### 6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply

---

<sup>1</sup> 2.205 acre-feet of groundwater represents 90% of the property's annual recharge volume as calculated in the *Sebastien Marineau-Mes Vineyard Water Availability Analysis*, prepared by HDVine LLC, dated June 2022 (Revised June 25, 2024).

<sup>2</sup> Substantial evidence is defined by case law as evidence that is of ponderable legal significance, reasonable in nature, credible and of solid value. The following constitute substantial evidence: facts, reasonable assumptions predicated on facts; and expert opinions supported by facts. Argument, speculation, unsubstantiated opinion or narrative, or clearly inaccurate or erroneous information do not constitute substantial evidence.

with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division recommended approval conditions as stated in their Memorandum dated June 25, 2025.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the permit.

## 6.2 BUILDING DIVISION – GENERAL CONDITIONS

Please contact the Building Division with any questions regarding the following:

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the CBC or any State or local amendment adopted thereto
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a “J” number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. **[RESERVED]**

## 6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward; located as low to the ground as possible; the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

## 6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit

application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this permit. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.

- b. Plant materials shall be purchased locally when practical, and, to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.
- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Any Oak trees removed as a result of the project shall be replaced at a 2:1 ratio and shown on the landscaping plans for the Planning Division's review and approval. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with project development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.
- d. **[RESERVED]**
- e. **[RESERVED]**

#### 6.5 COLORS

The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall obtain the written approval of the Planning Division in conjunction with building permit review and/or prior to painting the building. Highly reflective surfaces are prohibited.

#### 6.6 OUTDOOR STORAGE/SCREENING/UTILITIES **[RESERVED]**

#### 6.7 MECHANICAL EQUIPMENT **[RESERVED]**

#### 6.8 TRASH ENCLOSURES **[RESERVED]**

#### 6.9 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.10 HISTORIC RESOURCES **[RESERVED]**

6.11 DEMOLITION ACTIVITIES **[RESERVED]**

6.12 VIEWSHED – EXECUTION OF USE RESTRICTION

The property owner shall execute and record in the county recorder's office a use restriction, in a form approved by County Counsel, requiring that building exteriors, existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation to be maintained by the owner or the owner's successor so as to maintain conformance with the County Code.

6.13 PERMIT PREREQUISITE MITIGATION MEASURES

The permittee shall comply with the following permit prerequisite mitigation measures identified in the Addendum to the 2021 adopted Initial Study/Mitigated Negative Declaration for the Marineau-Mes Residence Viewshed project and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

a. Biological Resources

**MM BIO-2:** If tree/vegetation removal and initial ground disturbance must occur during the general bird nesting season (i.e., February 1 to August 31), a pre-construction nesting bird survey shall be performed by a qualified biologist no more than seven (7) days prior to the initiation of tree removal or ground disturbance. The survey shall cover the Project Area (including tree removal areas) and surrounding areas within 500 feet. If active bird nests are found during the survey, an appropriate no-disturbance buffer shall be established by the qualified biologist. A qualified biologist shall monitor all active nests during construction each day for one week, and weekly thereafter, to ensure that construction activities do not disturb nesting birds or raptors. If the qualified biologist observes birds displaying nest-disturbance behavior, the qualified biologist shall cease all work and CDFW shall be consulted with regarding appropriate avoidance and minimization measures prior to resuming construction. In this event, construction shall not resume without CDFW's written permission. Monitoring shall continue until a qualified biologist determines that the nest is no longer active, at which point no-disturbance buffer may be lifted and work may be initiated within the buffer.

Method of Monitoring: The permittee shall have a nesting bird survey completed prior to any ground disturbing activities scheduled to occur on the site from February 1 through August 31. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities shall be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds protected under the Fish and Game Code section 3500 et seq. and Migratory Bird Treaty Act.



Responsible Agency: CDFW

b. Tribal Cultural Resources

**MM TCR-1:** Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescrapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.

Responsible Agency: Planning Division

**MM TCR-2:** The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that require multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor has indicated that the site has a low potential for tribal cultural resources.

Responsible Agency: Planning Division

**MM TCR-3:** All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures

if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.

Responsible Agency: Planning Division

**MM TCR-4:** The Project applicant must meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

Method of Monitoring: Prior to initial ground disturbance the permittee shall provide documentation to the Planning Division that the permittee has retained a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.

Responsible Agency: Planning Division

6.14 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.15 FINAL MAPS **[RESERVED]**

6.16 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS

a. Groundwater Demand Management Program

1. The permittee shall install a meter on the project well. The meter shall be placed in a location that will allow for the measurement of all groundwater used on the project parcel. Prior to the issuance of building permits for the pool house or barn as approved under this permit, the permittee shall submit for review and approval by the PBES Director a groundwater demand management plan which includes a plan for the location and the configuration of the installation of a meter on the project well.

2. The Plan shall identify how best available technology and best management water conservation practices will be applied throughout the parcel.
  3. The Plan shall identify how best management water conservation practices will be applied where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
  4. As groundwater consuming activities already exists on the property, meter installation and monitoring shall begin immediately, and the first monitoring report is due to the County within 120 days of approval of this permit.
  5. For the first twelve months of operation under this permit, the permittee shall read the meters at the beginning of each month and provide the data to the PBES Director monthly. If the water usage on the property exceeds, or is on track to exceed, 2.205 acre-feet per year, or if the permittee fails to report, additional reviews and analysis and/or a corrective action program at the permittee's expense shall be required and shall be submitted to the PBES Director for review and action.
  6. The permittee's well shall be included in the Napa County Groundwater Monitoring program if the County finds the well suitable.
  7. At the completion of the reporting period per 6.16(a)(5) above, and so long as the water usage is within the maximum acre-feet per year as specified above, the permittee may begin the following meter reading schedule:
    - i. On or near the first day of each month the permittee shall read the water meter, and provide the data to the PBES Director during the first weeks of April and October. The PBES Director, or the Director's designated representative, has the right to access and verify the operation and readings of the meters during regular business hours.
    - ii. Upon continued increases in operations approved under this permit, the PBES Director, or the Director's designated representative, has the right to revise the data submittal schedule.
- b. Within 90 days of approval of this permit, the permittee shall submit information on the existing well pump flow restrictor as described in COA 4.12.a.ii. to the Planning Division. The submittal shall include a narrative providing information of how the device works, equipment specifications, and a maintenance and monitoring plan. Any request for extension of time must be submitted in writing by the permittee and received by the PBES

Department two (2) weeks prior to the end of the timeline specified herein and the PBES Department will determine the extension timeframe.

## **7.0 PROJECT CONSTRUCTION**

Permittee shall comply with the following during project construction:

### **7.1 SITE IMPROVEMENT**

Please contact Engineering Services with any questions regarding the following:

#### **a. GRADING & SPOILS**

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

#### **b. DUST CONTROL**

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

#### **c. AIR QUALITY**

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
4. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.
8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ [http://www.arb.ca.gov/portable/perp/perpfaq\\_04-16-15.pdf](http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf) or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.

d. **STORM WATER CONTROL**

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board.

7.2 **ARCHEOLOGICAL FINDING**

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 **CONSTRUCTION NOISE**

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities only shall occur daily between the hours of 8:00 AM to 5:00 PM.

#### 7.4 CONSTRUCTION MITIGATION MEASURES

The permittee shall comply with the following construction mitigation measures identified in the adopted Initial Study/Mitigated Negative Declaration and Project Revision Statement/Mitigation Monitoring and Reporting Program prepared for the project:

##### a. Biological Resources

**MM BIO-2:** If tree/vegetation removal and initial ground disturbance must occur during the general bird nesting season (i.e., February 1 to August 31), a pre-construction nesting bird survey shall be performed by a qualified biologist no more than seven (7) days prior to the initiation of tree removal or ground disturbance. The survey shall cover the Project Area (including tree removal areas) and surrounding areas within 500 feet. If active bird nests are found during the survey, an appropriate no-disturbance buffer shall be established by the qualified biologist. A qualified biologist shall monitor all active nests during construction each day for one week, and weekly thereafter, to ensure that construction activities do not disturb nesting birds or raptors. If the qualified biologist observes birds displaying nest-disturbance behavior, the qualified biologist shall cease all work and CDFW shall be consulted with regarding appropriate avoidance and minimization measures prior to resuming construction. In this event, construction shall not resume without CDFW's written permission. Monitoring shall continue until a qualified biologist determines that the nest is no longer active, at which point no-disturbance buffer may be lifted and work may be initiated within the buffer.

Method of Monitoring: The permittee shall have a nesting bird survey completed prior to any ground disturbing activities scheduled to occur on the site from February 1 through August 31. The survey results shall be provided to the Napa County Planning, Building and Environmental Services. In the event any special-status or other protected nesting birds are found to occur on-site construction activities shall be scheduled to avoid nesting and breeding periods and consultation will be sought with CDFW to develop appropriate measures to reduce potential impacts to nesting birds protected under the Fish and Game Code section 3500 et seq. and Migratory Bird Treaty Act.

Responsible Agency: CDFW

##### b. Tribal Cultural Resources

**MM TCR-1:** Ground disturbing activities occurring in conjunction with the Project (including surveys, testing, concrete pilings, debris removal, rescapes, punch lists, erosion control (mulching, waddles, hydroseeding, etc.), pot-holing or auguring, boring, grading, trenching, foundation work and other excavations or other ground disturbance involving the moving of dirt or rocks with heavy equipment or hand tools within the Project area) shall be monitored on a full-time basis by qualified tribal monitor(s) approved by the Tribe. The tribal monitoring shall be supervised by the

project Tribal Cultural Advisor. Tribal monitoring should be conducted by qualified tribal monitor(s) approved by the Tribe, who is defined as qualified individual(s) who has experience with identification, collection and treatment of tribal cultural resources of value to the Tribe. The duration and timing of the monitoring will be determined by the project Tribal Cultural Advisor. If the project Tribal Cultural Advisor determines that full-time monitoring is no longer warranted, he or she may recommend that tribal monitoring be reduced to periodic spot-checking or cease entirely. Tribal monitoring would be reinstated in the event of any new or unforeseen ground disturbances or discoveries.

Responsible Agency: Planning Division

**MM TCR-2:** The project Tribal Cultural Advisor and tribal monitor(s) may halt ground disturbance activities in the immediate area of discovery when known or suspected tribal cultural resources are identified until further evaluation can be made in determining their significance and appropriate treatment or disposition. There must be at minimum one tribal monitor for every separate area of ground disturbance activity that is at least 30 meters or 100 feet apart unless otherwise agreed upon in writing between the Tribe and applicant. Depending on the scope and schedule of ground disturbance activities of the Project (e.g., discoveries of cultural resources or simultaneous activities in multiple locations that require multiple tribal monitors, etc.) additional tribal monitors may be required on-site. If additional tribal monitors are needed, the Tribe shall be provided with a minimum of three (3) business days advance notice unless otherwise agreed upon between the Tribe and applicant. The on-site tribal monitoring shall end when the ground disturbance activities are completed, or when the project Tribal Cultural Advisor has indicated that the site has a low potential for tribal cultural resources.

Responsible Agency: Planning Division

**MM TCR-3:** All on-site personnel of the Project shall receive adequate cultural resource sensitivity training approved by the project Tribal Cultural Advisor or his or her authorized designee prior to initiation of ground disturbance activities on the Project. The training must also address the potential for exposing subsurface resources and procedures if a potential resource is identified. The Project applicant will coordinate with the Tribe on the cultural resource sensitivity training.

Responsible Agency: Planning Division

**MM TCR-4:** The Project applicant must meet and confer with the Tribe, at least 45 days prior to commencing ground disturbance activities on the Project to address notification, protection, treatment, care and handling of tribal cultural resources potentially discovered or disturbed during ground disturbance activities of the Project. All potential cultural resources unearthed by Project activities shall be evaluated by the project Tribal Cultural Advisor. The Tribe must have an opportunity to inspect and

determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of tribal cultural resources to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to the Tribe, the Tribe will coordinate with the Project applicant to establish appropriate treatment and disposition of the resources with appropriate dignity which may include reburial or preservation of resources. The Project applicant must facilitate and ensure that the determination of treatment and disposition by the Tribe is followed to the extent permitted by law. No laboratory studies, scientific analysis, collection, curation, or video recording are permitted for tribal cultural resources without the prior written consent of the Tribe.

Method of Monitoring: Prior to initial ground disturbance the permittee shall provide documentation to the Planning Division that the permittee has retained a project Tribal Cultural Advisor designated by the Tribe, to direct all mitigation measures related to tribal cultural resources.

Responsible Agency: Planning Division

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL **[RESERVED]**

**8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES [RESERVED]**

**9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES**

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence:

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS **[RESERVED]**

9.3 GATE/ENTRY STRUCTURES **[RESERVED]**

9.4 LANDSCAPING

Landscaping shall be installed in accordance with the approved landscape plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**

9.6 DEMOLITION ACTIVITIES **[RESERVED]**

9.7 GRADING SPOILS

All spoils piles shall be removed in accordance with the approved grading permit and/or building permit.



- 9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**
- 9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**
- a. Provide evidence that the required well meter has been installed and groundwater usage monitoring has commenced as required in COA Nos. 4.12(a) and 6.16(a).



A Tradition of Stewardship  
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210  
Napa, CA 94559  
www.countyofnapa.org

**Brian D Bordona**  
Director

## MEMORANDUM

To:	Hannah Spencer Planning Division	From:	Ginevra Augustini Engineering Division
Date:	June 25 <sup>th</sup> , 2025	Re:	P25-00121 4000 Silverado Trl N - Pool House 030-210-010-000

The Engineering Division received a referral for comment on an administrative viewshed permit. Based upon the information provided in the application, Engineering finds the application **complete** and recommends the following conditions of approval:

### RECOMMENDED APPROVAL CONDITIONS:

#### PREREQUISITES FOR ISSUANCE OF PERMITS

1. Any changes to the roadway, access driveway, and parking areas, proposed new or reconstructed shall be captured under a revision to the site's grading permit, ENG21-00034, and shall be consistent with the most recent edition of the Napa County Road and Street Standards.
2. Any improvements constructed within the Public right-of-way will require an encroachment permit from the Department of Public Works.
3. Any changes to site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, and parking and driveways, shall be prepared by a registered civil engineer and captured by a revision to ENG21-00034, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) **prior to the commencement of any on site land preparation or construction**. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
4. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 of the Napa County Municipal Code, and Appendix J of the California Building Code.

5. **Prior to issuance of a development permit (i.e. building permit and/or grading permit),** the owner shall submit or update the necessary documents for erosion control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention Program Erosion and Sediment Control Plan Guidance document, date December 2014.
6. **Prior to the issuance of a development permit,** the owner shall make any necessary updates to the approved Single Family Dwelling Stormwater Control Plan (SCP) under ENG21-00034 in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division of PBES.

#### PREREQUISITES FOR FINAL CERTIFICATE OF OCCUPANCY

1. The site shall be completely stabilized to the satisfaction of the County Engineer prior to final occupancy.

**Any changes in use or design may necessitate additional review and approval.**

If you have any questions regarding the above items, please contact Ginevra Augustini from Napa County PBES Department Engineering Division at (707)-299-1358 or via e-mail at [ginevra.augustini@countyofnapa.org](mailto:ginevra.augustini@countyofnapa.org).

Sincerely,

A handwritten signature in black ink, appearing to read "G. Augustini", with a stylized flourish at the end.

Ginevra Augustini, EIT  
Assistant Engineer