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Previous Project Conditions

Moore Creek Park Expansion – “Dan’s Wild Ride Trail” – Use Permit
Minor Modification P21-00246
Zoning Administrator Hearing Date (March 22, 2023)



A Tradition of Stewardship
A Commitment to Service

Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

March 3, 2011

John Woodbury, General Manager
Napa County Regional Park and Open Space District
1195 Third Street, Suite 210
Napa, Calif. 94559

Re: Use Permit Application № P10-00155

Moore Creek Park

2607 and 2613 Chiles Pope Valley Road, St. Helena, Calif., APNs. 025-440-010, 025-200-034, 025-060-025, and 025-060-023

Dear John,

Please be advised that **Use Permit Application № P10-00155** was **APPROVED** by the Napa County Conservation, Development, and Planning Commission (hereinafter "Commission") on March 2, 2011, subject to the attached final conditions of approval, Napa County departmental comments, and all applicable Napa County regulations. In approving the above application, the Commission reaffirmed the mitigated negative declaration adopted by and on file with the Napa County Regional Park and Open Space District.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors consistent with Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another. You are hereby further notified that the ninety day period, established by California Government Code §66020(d)(1), in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has commenced.

Pursuant to Napa County Code §18.124.080, the approved use permit must be activated within two years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration of your permit.

If you have any questions about this letter please feel free to contact me at 707.253.4847 or via email at chris.cahill@countyofnapa.org.

Best regards,

A handwritten signature in black ink, appearing to read "Christopher M. Cahill", with a long horizontal flourish extending to the right.

Christopher M. Cahill
Planner

Attached: adopted conditions of approval and Departmental requirements
Copied: L. Anderson (Counsel), J. Tuteur (Assessor), J. Jordan (CDPD), FILE

Exhibit B

CONDITIONS OF APPROVAL

**Moore Creek Park
Use Permit Application № P10-00155
2607 and 2613 Chiles Pope Valley Road, St. Helena, CA, 94574
Assessor's Parcel Nos. 025-440-010, 025-200-034, 025-060-025, and 025-060-023**

1. **SCOPE:** This approval shall be limited to a use permit to allow:

The Napa County Regional Park and Open Space District-owned Moore Creek parcels to be improved and used as a parks and rural recreation facility, including trails for hiking, horseback riding, and mountain bicycling, staging area accommodating up to 26 vehicles, and limited environmental camping; all as further described in, limited by, and mitigated by the adopted project Mitigated Negative Declaration.

The park shall be designed in substantial conformance with the submitted site plans, elevations drawings, and other submittal materials and shall comply with all requirements of the Napa County Code. To the extent that this approval and/or these conditions may conflict with the project description incorporated into the project Mitigated Negative Declaration, with submitted plans, or with other submitted materials, this approval and these conditions shall supersede and control.

It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process in accordance with Section 18.124.130 of the Napa County Code.

2. **ENVIRONMENTAL PERFORMANCE MEASURES:** The project shall comply with each of the following performance measures:

- **Noise.** No noise shall be produced which exceeds the standards set forth in the general plan noise element and Chapter 8.16 of the Napa County Code for adjacent residential uses.
- **Odors.** No obnoxious off-site odors shall be produced.
- **Dust.** Best management practices for dust control shall be utilized and no dust may travel off-site.
- **Nighttime Lighting.** Any exterior lighting shall be shielded and directed downward, shall be located as low to the ground as practicable, shall be the minimum necessary for security, safety, and/or operations, and shall be in keeping with the natural open space character of the site. Where visible, structures shall utilize non-reflective materials to the greatest extent practicable.
- **Aesthetics.** Landscaping and/or fencing shall be required as necessary to reduce adverse visual impacts to the public.
- **Fire.** The use shall result in minimal added fire hazard. The use shall meet all requirements of the applicable fire protection agency for fire prevention and suppression.

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- **Pests, Including Weeds and Vectors.** The use shall result in minimal added pest hazards. If necessary, appropriate suppression methods shall be provided.
- **Safety.** Facilities shall be designed and the use shall be conducted in a manner that minimizes safety hazards to users, adjacent residents, and adjacent livestock.
- **Erosion.** Facilities shall be designed to produce a minimum of soil erosion, and managed and maintained so as to promptly restore any damage from erosion.

3. ADDITIONAL ENVIRONMENTAL PERFORMANCE MEASURES (CAMPGROUNDS): The project shall comply with each of the following performance measures:

- **Site Density.** The number and density of sites shall maintain the rural character and the environment of both the site and surrounding areas.
- **Occupancy.** Except for authorized caretakers, employees, agents and/or volunteers, the maximum continuous length of occupancy by the same person or vehicle within the campground shall be fourteen days.
- **Recreational Vehicles.** Where recreation vehicles or recreation vehicle facilities are proposed, the size of the allowed recreation vehicles shall be consistent with the rustic natural character of the site.

4. SIGNS:

Prior to installation of any park identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. All signs shall meet the design standards as set forth in Chapter 18.116 of the County Code.

5. GATES/ENTRY STRUCTURES:

Any gate installed at the park entrance shall be reviewed by the Conservation, Development, and Planning Department, the Department of Public Works, and the Napa County Fire Department to assure that it is designed to allow large vehicles, such as motor homes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure, an additional permit shall be required according to the County Code. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed and approved as part of this use permit approval.

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6. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not necessarily limited to:

- Department of Environmental Management in their memo of February 17, 2011;
- Department of Public Works as stated in their memo of February 10, 2011;
- County Fire Department as stated in their memo of June 23, 2010; and
- Building Division as stated in their memo of February 10, 2011.

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

7. GRADING AND SPOILS:

All grading and spoils generated by construction of the project facilities shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

8. WELLS:

The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Environmental Management determines that water usage at the park is affecting, or would potentially affect, groundwater supplies or nearby wells. Data requested could include, but would not necessarily be limited to, water extraction volumes and static well levels. If the applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gauge potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the Director of Environmental Management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the Director has provided notice and the opportunity for hearing in compliance with the County Code §13.15.070 (G-K).

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9. 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 during windy periods.

10. 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 Conservation, Development, and Planning 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 the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he 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 nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

11. TRAFFIC:

All road improvements on private property shall be maintained in good working condition subject to the review and approval of the Department of Public Works.

12. STORM WATER CONTROL:

For any construction activity that results in disturbance to more than one acre of total land area, the permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified. Parking lots shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

13. MITIGATION MEASURES:

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

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14. INDEMNIFICATION:

An indemnification agreement was signed and submitted with initial application materials.

15. STREAM SETBACKS:

No new construction or earthmoving activity is hereby approved within established stream setbacks. The NCRPOSD is subject to the requirements of the County's Conservation Regulations to the extent it undertakes earth disturbing activities within the area covered by this use permit.



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Environmental Management

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Steven Lederer
Director

MEMORANDUM

To: Napa County Planning Department Chris Cahill, Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: February 17, 2011	Re: Use Permit Application for Moore Creek Park Located at 2607 Chiles-Pope Valley Road, St. Helena Assessor Parcel # 025-440-010 File P10-00155

The revised application has been reviewed and this department recommends approval with the following conditions of approval:

1. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Department within 30 days of said activities. If your business does not store hazardous materials above threshold planning quantities, submit the Business Activities Page indicating as such.
2. A permit for the proposed composting toilets must be secured from this Department prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
3. Plans for the proposed composting toilets shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria demonstrating the system is able to meet provisions contained in Napa County Sewage Ordinance. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Department.
4. The applicant shall maintain regular monitoring of the composting toilet system as required by this Department. An annual operating permit is required for this system.
5. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.

Moore Creek Park
AP# 025-440-010
February 17, 2011

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6. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.
7. According to the revised application, water will not be provided to park visitors and the residences located on the property have existing water systems. As proposed, the project is not currently required to be regulated as a small public water system by this Department under California Code of Regulations, Title 22, or Napa County Code. In the future if water is available to park users the water system will be required to obtain a permit and meet all applicable requirements.

cc: John Woodbury, John.Woodbury@countyofnapa.org
Hillary Gitelman, CDPD



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Department of Public Works

1195 Third Street, Suite 201
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Main: (707) 253-4351
Fax: (707) 253-4627

Donald G. Ridenhour, P.E.
Director of Public Works

MEMORANDUM

To: Napa County Planning Department and Conservation Department Chris Cahill	From: Napa County Public Works Drew Lander 707-253-4892
Date: February 10 th , 2011 Revised from the May 10 th , 2010 memo.	Re: P10-00155, Moore Creek Park, 2607 Chiles-Pope Valley Road. APN 025-440-010, 025-200-034, 025-060-025 etal.

This application is to allow the operation of a new 673 acre public access park to be operated by the Regional Parks & Open Space District. Use is to include existing residence to be onsite "caretaker's" quarters and occupied 8 months of the year during seasonal use of the park, two (2) environmental camping areas with composting toilets. Day use is proposed in addition to campsite use.

EXISTING CONDITIONS:

1. Existing property entrance is on the West side of Chiles-Pope Valley Road, North of the existing stone bridge over Chiles Creek.
2. Parcel 025-440-010 contains a residential structure which will continue to be occupied. Parcel 025-200-034 contains a residential structure to be utilized as the caretaker's quarters and will contain the lower camp ground. Parcel 025-060-025 is currently undeveloped and will contain the upper campground which accessible by hiking trails and existing ranch road.
3. Access driveway is 20ft wide at the connection with the County road and immediately narrows to 15 ft for approximately 500ft to the proposed parking area.
4. Proposed parking area is currently compacted gravel and varies from 35ft to 50ft in width.
5. Roadway continues to the existing caretaker's residence for approximately 6000ft and varies in width from 12ft to 18ft.
6. Portions of roadway are constrained by slopes in excess of 30% and by the existing Moore Creek.
7. The most recent County traffic counts (2007) were taken North of SR 128 and are 405 ADT.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. No public water use is proposed. The project will not result in any increase in water usage over existing use. No additional review is required.

NEW DRIVEWAY:

2. An Encroachment permit will be required. Encroachment access improvements will be required at the driveway connection to Chiles-Pope Valley Road to improve turning movements into and out of the driveway.
3. The entrance shall be designed to facilitate the entering of vehicles from the County road and shall provide a minimum of 18ft wide road with 2ft of shoulder from the entrance to the proposed public access parking area.
4. No change in traffic is proposed beyond the public parking area. Driveway access to the existing residence which is proposed to be utilized by the property caretaker shall be surfaced with an all weather surface equivalent to 5" of class 2AB rock. Turnouts shall be provided as directed by the County Fire Marshall to facilitate ingress and egress relating to the park use.
5. Other roads not used to access residential structures but vital to park access shall be designed and maintained in a manner consistent with the Handbook for Forest and Ranch Roads (June 1994)

PARKING:

6. The parking proposed by the applicant or required by the Planning Department as a condition of this use permit modification must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 27, Section 19).
7. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.
8. No vehicles with trailers shall be permitted without the appropriate vehicle turn around area designated to allow for the largest proposed vehicle to safely maneuver.

SITE IMPROVEMENTS:

9. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, parking, and access roads, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office prior to the commencement of any on site land preparation or construction. A plan check fee will apply.
10. Proposed drainage for the development shall be shown on the improvement plans and shall avoid the diversion or concentration of stormwater runoff onto adjacent properties.
11. A left turn lane has been evaluated and is found not be required at this time based on the Average Daily Traffic on Chiles Pope Valley Road and the average daily vehicle trips per day calculated at 30.

OTHER RECOMMENDATIONS:

12. It is recommended that the berm adjacent to the public parking area be re-graded and vegetated to allow for winter inundation of the parking area and to promote sheet flow runoff out of the parking area.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

13. The application as proposed does not trigger Post-Construction stormwater management volume control requirements.
14. The application shall incorporate Site Design, Source Control and Treatment control Best Management Practices to comply with County and State water quality standards if applicable.
15. New parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.

CONSTRUCTION STORMWATER MANAGEMENT REQUIREMENTS:

16. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.
17. Any construction activity that will result in disturbance of greater than one acre of total land area will require the permittee to obtain coverage in accordance with Napa County's General Permit for Discharges of Storm Water Associated with Construction issued by the Regional Water Quality Control Board (SRWQCB).
18. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
19. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
20. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Kevin Berryhill or Drew Lander at 253-4351.



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Department of Public Works

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Donald G. Ridenhour, P.E.
Director of Public Works

GROUNDWATER MEMORANDUM

DATE: February 22, 2011

TO: Conservation Development and Planning Department

FROM: Annamaria Martinez, Assistant Engineer 
Phone: 707-259-8378
Email: annamaria.martinez@countyofnapa.org

SUBJECT: Moore Creek Park, APN# 025-440-010, 025-200-037, 025-060-023 & 025.
File # P10-00155 UP

The application is for a new open space park located north of Lake Hennessey.

EXISTING CONDITIONS:

1. The parcels are located in the "Hillside" groundwater region.
2. Existing usage for all parcels combined is 1.3 AF/Year.

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the proposed project. The parcels, totaling 673 acres are located in the hillside groundwater region with an extraction threshold of 0.5 AF/Acre, resulting in a total parcel threshold of 336.50 AF/Year. The estimated water demand of 1.3 AF/Year is but well below the established threshold for the parcels (individually and combined) and equal to the existing use.

As the projected usage falls below the established threshold for the parcels, the projected usage for the project should not have a significant impact on static water levels of neighboring wells.

No further analysis is necessary.



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Napa County Fire Department
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pete.munoa@fire.ca.gov

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Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Hillary Gitelman - Director
Conservation, Development and Planning

FROM: Pete Muñoa, Fire Department

DATE: June 23, 2010

SUBJECT: Moore Creek Park – Use Permit
P10-00155

Site Address: 2607 Chiles-Pope Valley Road, St. Helena 94574

The Napa County Fire Marshal staff has reviewed the Use Permit application to allow the use of land for a new open space district park. Based on the information provided within the application document, we recommend that the following items be incorporated as project conditions or mitigation measures if the commission approves the project.

- 1. All use of existing structures shall comply with all applicable standards, regulations, codes and ordinances at time permit issuance.**
2. Fire apparatus access roads shall be provided to within 150 feet of all portions of the structures. Fire apparatus access roads shall have an unobstructed width of not less than 14 feet at the building site and an unobstructed vertical clearance of not less than 13.5 feet.
3. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
4. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.

5. The applicant shall be responsible for maintaining 10 feet of defensible space along each side of the roadway. This defensible space zone shall include the removal of all dead fuel, dry grass mowed to less than four inches in height, the removal or cutting of all brush, the removal of small trees less than 8 inches in diameter and the removal of all ladder fuel on existing trees up to 8 feet in height, within 10 vertical feet of each side of the roadway and vertical clearance of 13'6".
6. A defensible space zone shall be created around all structures. This defensible space zone shall be 100' from all portions of a structure. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
7. The approved address numbers shall be placed on the building by the applicant in such a position as to be plainly visible and legible from the street or streets fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 6" in height for the building, contrasting in color with their background and shall be illuminated.
8. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.
9. Currently serviced and tagged fire extinguishers with a minimum rating of 2A10BC shall be provided within 75 feet of travel distance from any portion of the facilities and shall be mounted 3 1/2 to 5 feet to the top of the extinguisher.
10. All exit doors shall be operable without the use of a key or any special knowledge or effort.
11. Illuminated exit signs and emergency back up lighting shall be installed throughout the building per the California Building Code, section 1004, 2007 edition.
12. A Knox cabinet and all weather housing unit (model #1307 and #1201) will be required to allow emergency vehicle access to the site.
13. The Knox Cabinet shall have one or all of the following items placed in the Knox cabinet, dependent on requirements of this facility:
 - A minimum of 2 master keys to the structure(s) for emergency access.
 - 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 - Maps of the camping areas.

- Napa County Hazardous Materials Business including all MSDS forms, etc.

14. The use of open fire for the purpose of cooking or warming during declared fire season shall be prohibited.

15. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established rate as adopted by the Napa County Board of Supervisors by resolution.

Please feel free to contact the Napa County Fire Marshal's Office at (707) 967-1421 to discuss any fire protection issues you may have regarding your project.

Pete Muñoa
Fire Marshal



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Hillary Gitelman
Director

2-10-11

Building Inspection Department review comments for inclusion with:

Planning Department permit: P10-00155 Use Permit General

Status of Building Department review of this planning entitlement: Approved; awaiting Building Permit submittals

At parcel: 025-440-010
2697 Chiles Pope Valley Road, St Helena, CA

Owner: Napa County Regional Park & Open Space District

Description of permit: Moore Creek Park: Use Permit and Parks and Rural Recreation Findings for a new (roughly 1,580 acre) public park located north of Lake Hennessey. Park is to be owned and operated by the Napa County Regional Park and Open Space District.

Comments:

The Building Department is not reviewing this project for compliance with CA Building Standards at this time; it is only reviewing the proposed Planning entitlement. The Building Department has no issues or concerns with the approval of the Use Permit General; it is a planning entitlement only and doesn't in itself authorize any construction or change in occupancy.

There are a few significant California Building Standards Code issues foreseen at this time based on the information presented:

1. Many issues related to required accessibility are not yet indicated on any drawings submitted. Plans for building permit(s) must be sufficiently detailed to indicate existing and proposed conditions and show compliance with all pertinent code requirements related to accessibility found in CBC Chapter 11B.
2. Based on the limited scope of "construction" items proposed the areas of concern at this time appear to be related to the Staging Area, and at least include: Accessible parking space(s); accessible sanitary facilities; an accessible path of travel from the accessible parking to the accessible sanitary facilities.
3. It is unclear what functions the proposed "Kiosk" provides to the public. If it is something that is sought and used by the public then it will need to be on an accessible path of travel linked to the accessible parking. Based on the location of the Kiosk

shown on Attachment Four in the submittal it may be necessary to provide a second Kiosk, or its functional equivalent, in closer proximity to the accessible parking.

4. The use of toilets that are not connected to a sanitary system (composting toilets are proposed) may not be acceptable. Approval of composting toilets will most likely require as special process by "Alternate Materials and Methods" with the Chief Building Official. This issue really needs to be addressed prior to preparing detailed plans for building permits.
5. Facilities for hand washing at the toilets are not mentioned in the proposal. The California Plumbing Code would seem to require this for a public facility.

These and other issues with California Building Standards Code compliance will be dealt with during the future building permit application review and approval processes.

All plans and documents for commercial projects are required by State Law to be prepared and coordinated under the direction of a California Licensed Architect (Business and Professions Code, Chapter 3, Division 3 & California Building Code, Appendix Chapter 1).

Prior to any future construction work, or change in occupancy, applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapters 10 and 11B. Submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits. Per Building Department policy, please coordinate the drawings so that all items related to accessibility compliance are grouped coherently together on one (or more) sheets

Eric Banvard
Plans & Permit Supervisor
Conservation Development & Planning
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Planning, Building & Environmental Services

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Hillary Gitelman
Director

December 10, 2012

Napa County Regional Park and Open Space District
1195 Third Street, 2nd Fl Suite 210
Napa Ca 94558

Re: Moore Creek Park Fencing Plan Amendment; APN 025-440-010, 025-200-034, 025-060-025, & 025-060-023; Very Minor Modification Permit Application No P12-00387

Your application for a Very Minor Modification No P12-00387 to the previous use permit, has been considered by the Planning Building & Environmental Services Director on December 10, 2012. The request is to modify the findings, to comply with the requirements of Napa County Code Section 18.104.340 (f) with fencing or undeveloped buffer zones. No other changes are approved as part of this permit. Please be advised that your request has been **APPROVED** by the Director, and as follows.

The proposed modification is within the scope of the Moore Creek Park Mitigated Negative Declaration (MND). No new environmental impacts that were not assessed by the MND would result from the proposed modification; no substantial changes are proposed that would require major revisions of the MND; no substantial changes would occur with respect to the circumstances under which the project is being undertaken which would require major revisions of the MND; and, there is no new substantial information. Therefore, no additional environmental review is required.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another.

Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

Pursuant to Napa County Code §18.124.080, the modification must be activated within two (2) years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

If you have any questions about this letter please feel free to contact me at 707.299.1334 or via email at suzie.gambill@countyofnapa.org.

Sincerely,

Hillary Gitelman, Director

By Suzie Gardner-Gambill

**REVISED FINDING
MOORE CREEK PARK
VERY MINOR MODIFICATION –FILE #P12-00387-VMOD
(APN 025-440-010-000, 025-200-034, 025-060-023, & 025-060-025)**

1. **SCOPE:**

Finding number 12 is modified as follows:

New wording is underlined and deleted language is struck through.

Moore Creek Park will provide for appropriate buffer zones and/or fencing for protection of adjoining habitats and erosion hazard areas as defined in Chapter 18.104.340 (f) with either fencing or undeveloped buffer zones as deemed appropriate by the District, ~~New fencing will be installed along the perimeter of the Moore Creek property, as well as along the creek bank in selected locations,~~ to control trespass onto adjacent private properties and to control the timing and location of cattle grazing. To avoid disturbance to wildlife corridors, no chain link or other solid property line fencing is proposed. Where utilized, buffer zones would include park boundary – no trespassing signage at the property line and buffer areas of not less than 50 feet which would be kept clear of any trail or other public-serving park facility. No other changes are approved with this action. All previous condition, findings, and mitigation measures are still applicable except as modified by this action. ~~Security fencing (such as 6ft high chain link), as is often used around vineyards, could limit the movement of wildlife; to avoid this potential impact, the new fencing will be 4 strand wire, which does not cause a significant impediment to the movement of wildlife, which is capable of going over or under such fencing.~~