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### 1. INTRODUCTION

#### 1.1. *Purpose and Scope*

1.1.1. The purpose of these Development Guidelines is to (a) convey the Napa County (County) design and construction standards, policies, and procedures pertaining to the development of aeronautical and non-aeronautical land and/or Improvements at the Napa County Airport (Airport), (b) promote attractive, high quality, consistent, and compatible development at the Airport, (c) minimize threats to health, safety, security, welfare, and Property, and (d) preserve and/or enhance the investment made by those entities who develop Improvements at the Airport.

1.1.1.1. The County hereby declares and provides that all development at the Airport is subject to the following covenants, restrictions, and conditions.

1.1.1.2. These Development Guidelines shall be followed by all Lessees, Sublessees, developers, contractors, subcontractors, and any other entity that develops Improvements at the Airport.

#### 1.2. *Goal*

1.2.1. It is the goal of the County to preserve the scenic quality of the Airport for the benefit of Lessees, Sublessees, consumers, users, and the community and to ensure that the Airport is developed in a high quality manner consistent with sound fiscal management, the preservation of environmental quality, and the provision of essential products, services, and facilities. This goal is further supported by the following objectives:

1.2.1.1. Economic: Preservation of Property values and enhancement of investments.

1.2.1.2. Environmental: Conservation of existing natural resources (and features) and minimizing adverse impacts on the natural environment.

1.2.1.3. Function: Encouragement of imaginative and innovative planning and development of land and Improvements while maintaining high planning and engineering standards, yet being flexible and able to respond to changes in the market.

1.2.1.4. Visual: Maintenance of variety, interest, and a high standard for architectural and landscape design and development.

1.2.1.5. Social: Maintain an amenable relationship between the Airport and the surrounding community.

#### 1.3. *General Aviation General Provisions*

1.3.1. These Development Guidelines incorporate, by reference, the General Provisions.

#### 1.4. *Applicability*

1.4.1. These Development Guidelines apply to all applications for new development or re-development of land and/or Improvements at the Airport occurring after the date of promulgation of the Primary Guiding Documents.

**1.5. General Requirements**

- 1.5.1. No object, Improvement, or natural growth shall be erected, altered, or allowed to grow, or be maintained on the Airport that does not fully comply with the Airport Master Plan, Airport Layout Plan, Land Use Compatibility Plan and/or other Regulatory Measures.
- 1.5.2. Notwithstanding any other provisions of these Development Guidelines, land and Improvements may not be developed or used in such a manner as to (a) create electrical interference with Aircraft radios, (b) make it difficult for Aircraft crew members to distinguish between Airport lighting or signage, (c) create glare that impairs the visibility of Aircraft crew members or personnel engaged in Air Traffic Control operations, or (d) otherwise endangers the arrival, departure, or maneuvering of Aircraft.

**1.6. Prohibited Uses**

- 1.6.1. The following uses are considered detrimental to the general welfare of the Airport, Airport consumers and users, or the community and are prohibited.
  - 1.6.1.1. No use shall be permitted that devalues Airport land and/or Improvements or is in violation of any Regulatory Measure.
  - 1.6.1.2. Improvements are limited to uses that, in the opinion of the County, do not produce significant adverse effects that cannot be mitigated or that may be detrimental to the health, safety, security, or welfare of persons or harmful to Property.
  - 1.6.1.3. No temporary Improvements or mobile homes, offices, or storage buildings shall be installed or maintained at the Airport without the prior written consent of the County. All applications for approval of any temporary Improvement shall include provisions for dismantling and/or removal of the Improvement no later than five business days after construction of permanent Improvements are completed.
    - 1.6.1.3.1. Temporary Improvements shall not be utilized for engaging in Commercial Activities of any kind.
- 1.6.2. Marking and Lighting
  - 1.6.2.1. Notwithstanding the foregoing, the owner of any nonconforming object, Improvement, or natural growth shall be required to install, operate, and maintain thereon any markers and lights deemed necessary by the County and/or FAA to indicate to Aircraft Operators that the hazard is present at the Airport.
  - 1.6.2.2. Such markers and lights shall be installed, operated, and maintained at the owner's expense and risk.
- 1.6.3. Existing Uses
  - 1.6.3.1. No development shall be allowed or approved that would permit the establishment or creation of hazard at the Airport or permit a nonconforming use, object, Improvement, or natural growth to be made or become higher, or create a greater hazard to air navigation than it was when the application was originally submitted.

## **2. LAND DEVELOPMENT**

### **2.1. General**

- 2.1.1. These Development Guidelines are general in nature and do not necessarily address every type of condition or detail that may be encountered during the design and development process. As such, all entities are encouraged to establish an on-going review process with the County (early in the design stage) to ensure that all aspects of the entity's Development Plan (discussed in Section 4.4. Development Plan) are acceptable to the County.
- 2.1.2. Where a specific building material is identified (or specifications are provided for a specific type of material), it shall be understood that the material identified or a material having the same or equivalent specifications shall be utilized.
  - 2.1.2.1. No occupancy of any building or structure shall be permitted before the building or structure is completed and a Certificate of Occupancy is issued.

### **2.2. Environmental Quality**

- 2.2.1. It is the policy of the County to encourage features in any development that will conserve energy and natural resources and minimize the consumption of energy.
  - 2.2.1.1. To this end, it is the policy of the County to (a) encourage orientation of buildings or structures to take advantage of the sun, (b) prevent Improvements from blocking direct sunlight to other Improvements, (c) encourage the use of barriers as a defense against wind, (d) promote the use of landscaping to maximize cooling in the summer and retention of heat in the winter, and (e) promote the construction and siting of Improvements that conserve natural gas, electricity, gasoline, or other sources of energy.
- 2.2.2. It is the policy of the County to preserve and protect the County's water resources.
  - 2.2.2.1. To this end, it is the policy of the County that no land use or development shall be initiated that would (a) adversely affect the quantity, quality, or reliability of the County's water resources, (b) occur at the expense of established water dependent activities, (c) result in increased alkalization of water, loss of stream flows, or the destruction of wildlife habitats, or (d) entail future major expenditures on the part of the general public to reacquire or redistribute water resources
- 2.2.3. It is the policy of the County that no land use or development shall be initiated that would (a) accelerate erosion of soil and rock (including, but not limited to, stream sedimentation, dust, and gulying), (b) alter drainage and floodwater patterns, (c) exacerbate flood hazards, (d) reduce natural vegetation, (e) create visual scars, (f) leach minerals, (g) destroy animal habitats, or (h) increase maintenance costs for roads and other Improvements.



**2.3. Provision of Necessary Airport Land and/or Improvements**

2.3.1. It is the policy of the County to encourage development that utilizes but does not overburden existing Airport land and/or Improvements. In cases where existing Airport land and/or Improvements are underutilized, it is the policy of the County to:

2.3.1.1. encourage development that minimizes Vehicle congestion and promotes Vehicle efficiency and safety.

2.3.1.2. ensure that the land is not committed to uses without adequate evidence that sufficient facilities will be available to collect, treat, and dispose of the types and quantities of wastewater anticipated and that such facilities will have suitable capacity, quality of discharge, point of discharge, and reliability.

2.3.1.3. ensure that the land is not committed to uses without adequate evidence that a water supply of sufficient quality, quantity, pressure, and reliability is available to support the intended use and provide for protection from fire.

**2.4. Manmade and Natural Hazards**

2.4.1. It is the policy of the County to encourage development that does not expose existing entities to avoidable natural and manmade hazards. To this end, it is the policy of the County to:

2.4.1.1. ensure that developments are designed, constructed, and located in a manner that is compatible with any hazards.

2.4.1.2. prevent development in floodplains, geologically hazardous areas, or other natural hazard areas that could threaten the development, the Airport, the welfare of the public, or the Property of others.

2.4.1.3. ensure that developments are designed and located in such a manner that provides for adequate Emergency Public Services.

**2.5. Reuse of Resources**

2.5.1. It is the policy of the County to:

2.5.1.1. encourage the efficient and environmentally sound reutilization of resources, both natural and manmade, which reduces the need for raw materials and finished products.

2.5.1.2. encourage the beneficial reuse of wastewater so that other water supplies can be preserved.



### **3. DESIGN CRITERIA**

#### **3.1. Accessory Buildings or Structures**

- 3.1.1. All accessory buildings or structures shall be identified on the Development Plan and approved by the County in writing prior to construction.
- 3.1.2. Accessory buildings or structures include any building or structure other than the main building or structure that is intended to be located in place for more than six months.
- 3.1.3. Accessory buildings or structures shall match the architectural design and materials of existing Improvements.
  - 3.1.3.1. If the existing Improvements were (a) constructed prior to promulgation of these Development Guidelines and (b) do not fully comply with these Development Guidelines, a variance shall be requested to construct accessory buildings or structures that do not fully comply with these Development Guidelines.

#### **3.2. Additions and Expansions**

- 3.2.1. Prior to making any additions or expansion to existing Improvements, the Development Plan and specifications shall be submitted to the County and written approval of the County shall be obtained.
- 3.2.2. Additions or expansions shall match the architectural design and materials of existing Improvements.

#### **3.3. Aircraft Accesses**

- 3.3.1. In order to allow for the efficient and safe operation of Aircraft and to minimize potential conflicts with pedestrians and Vehicles:
  - 3.3.1.1. all Aprons and Aircraft access points (i.e., Taxiways and Taxilanes) shall meet the design standards described in AC 150/5300-13 Airport Design.
  - 3.3.1.2. A minimum of 40 feet frontage Apron shall be required between the edge of the access Taxiway or Taxilane and the exterior wall of any Hangar door. The frontage Apron shall be adequate to accommodate the largest Aircraft the Hangar is designed to accommodate.
  - 3.3.1.3. Where two Hangars access a common Taxiway or Taxilane, a 40 foot access Taxilane shall be required between the two frontage Aprons, edge to edge. Where a common access Taxilane is possible, the Lessee shall be required to lease and construct one-half of said access Taxilane.
  - 3.3.1.4. A maximum of two Vehicle or pedestrian access points shall be permitted to the Apron or Taxiway. Each access point must be monitored by a camera providing visual confirmation of approved access.

#### **3.4. Alterations**

- 3.4.1. Alterations to the exterior appearance of existing Improvements shall not be made without the prior written approval of the County. This shall include site work alterations.



**3.5. Antennae**

- 3.5.1. All required antennae, satellite dishes, and similar equipment shall be identified in the Development Plan and approved by the County in writing prior to construction.
- 3.5.2. No antennae, satellite dish, or similar equipment shall be allowed that interferes with existing or future Airport operations.
- 3.5.3. When possible, all antennae, satellite dish, or similar equipment shall be screened from view.
- 3.5.4. FAA Form 7460-1 shall be completed to conform to 14 CFR Part 77 Objects Affecting Navigable Airspace.

**3.6. Aprons**

- 3.6.1. Operators providing rotary wing Aircraft parking shall adhere to the design standards described in AC150/5390-2B for any Apron areas that will be constructed or utilized for rotary wing Aircraft parking.

**3.7. Improvement Height**

- 3.7.1. The overall height of the Improvement shall be commensurate with surrounding land uses and dependent upon use of the Improvement and size of Aircraft.
- 3.7.2. Prior to construction or installation of any Improvement, a determination shall be obtained from the FAA indicating that the Improvement is not an obstruction under 14 CFR Part 77 Objects Affecting Navigable Airspace and not a hazard to air navigation.

**3.8. Doors**

- 3.8.1. Hangar doors shall be sliding, overhead, or bi-fold doors, as appropriate for the size of the Hangar.
- 3.8.2. Doors shall be constructed of pre-finished aluminum, pre-finished steel, or flexible fabric curtain (designed for aviation uses) and shall be a color and design that is complementary to the rest of the structure. No wood, plastic, corrugated fiberglass, tin, or other unfinished materials shall be utilized
  - 3.8.2.1. Translucent panels may be incorporated into pre-finished aluminum or pre-finished steel doors to provide additional lighting.
- 3.8.3. Pedestrian doors shall be in a number commensurate with local fire and building codes. All pedestrian doors shall be pre-finished metal construction in metal jambs and shall be a color and design that is complementary to the rest of the structure. No wood, plastic, corrugated fiberglass, tin, or other unfinished materials shall be utilized.
- 3.8.4. Vehicle access doors shall be of overhead construction and shall be a color and design that is complementary to the rest of the structure.

**3.9. Exterior Lighting**

- 3.9.1. In order to create a functional, safe, secure, and aesthetically pleasing environment:

- 3.9.1.1. a lighting plan describing the exterior illumination layout and fixture selection shall be submitted with the Development Plan and approved by the County in writing prior to construction or installation.
- 3.9.1.2. lights shall not be placed to cause glare or light areas outside of the area intended to be lit including neighboring land and/or Improvements.
- 3.9.1.3. all Vehicle parking areas and driveway lighting shall provide uniform illumination. Accent illumination is recommended at key points such as entrances, exits, loading zones, and driveways.
- 3.9.1.4. concealed light sources are required.
- 3.9.1.5. security light sources shall be operational during hours of darkness and shall illuminate the building exterior sufficiently for safety and security.
- 3.9.1.6. all exterior lighting shall be color-corrected for true white with allowances for modest amounts of blue or green.
- 3.9.1.7. all exterior lighting shall be high pressure sodium fixtures.
- 3.9.1.8. all exterior lighting fixtures shall direct light rays downward.
- 3.9.1.9. distance between exterior lighting shall not exceed 40 feet.
- 3.9.1.10. height of light poles shall comply with 14 CFR Part 77 Objects Affecting Navigable Airspace.

**3.10. Exterior Materials**

- 3.10.1. Exterior building material and color samples shall be submitted with the Development Plan and approved by the County in writing prior to construction.
- 3.10.2. Exterior building materials shall be compatible with adjacent buildings or structures and shall not affect Aircraft operations. As a general rule, reflective glass and other reflective materials will not be approved by the County.
- 3.10.3. Building glazing shall not cause glare or reflections that will interfere with Aircraft operations.
- 3.10.4. Facades of all buildings and structures shall be kept in good repair, condition, and appearance at all times.

**3.11. Exterior Storage**

- 3.11.1. In order to shield stored materials from public view:
  - 3.11.1.1. no articles, goods, materials, machinery, equipment, trees or plants (except approved landscaping), or similar items shall be stored, kept in the open, or exposed to public view within the area between the building setback line (as identified in Section 3.22) and the street.



- 3.11.1.2. no outside storage (other than that approved by the County in writing) shall be permitted on any Leased Premises unless such storage is visually screened in a manner approved by the County in writing. No outside storage shall extend above the top of such screening.
- 3.11.1.3. any article, good, or material to be stored other than in an enclosed, covered building shall be enclosed either with an architectural screen fence at least six feet in height, appropriate landscaping, or other screening devices or material as approved by the County in writing.
- 3.11.1.4. no storage shed, accessory building, or structure other than the main building shall be permitted except during construction or if approved by the County in writing prior to construction or installation.
- 3.11.1.5. objects such as water towers, storage tanks, processing equipment, cooling towers, communications towers, vents, and other structures or equipment shall be architecturally compatible or effectively shielded from view and shall be approved by the County in writing prior to construction or installation.

### **3.12. Fences, Gates, and Buffers**

- 3.12.1. In order to provide security and/or visual buffer of unsightly areas such as storage areas:
  - 3.12.1.1. fences and gates shall be of the same type of material and style of the existing perimeter fence and shall be properly maintained, fully functional, and in good appearance at all times.
  - 3.12.1.2. the height of all buffers shall be at least equal to the material being stored or screened.
- 3.12.2. When possible, fences, gates, and buffers shall not be permitted directly adjacent to Aircraft Movement Areas and Non-Movement Areas unless identified with lights (or devices with reflectors on all sides).
- 3.12.3. Required fencing, gates, and buffers shall be identified in the Development Plan and approved by the County in writing prior to construction or installation.
  - 3.12.3.1. Submittal shall include identification of the (a) location of fences and gates, (b) the type, height, and color of the materials, and (c) other design features or considerations.

### **3.13. Flagpoles**

- 3.13.1. All flagpoles shall be located in such a manner and at sufficient distance from Aprons, Taxiways, or Taxilanes to prevent being a hazard to Aircraft.
- 3.13.2. The height of flagpoles shall comply with 14 CFR Part 77 Objects Affecting Navigable Airspace.

### **3.14. Garbage Containers**

- 3.14.1. Exterior garbage containers and waste recycling containers with lids shall be screened from view.

**3.15. Grading and Drainage**

- 3.15.1. In order to establish compatible grading and drainage between Improvements and adjacent land and to control drainage and erosion:
  - 3.15.1.1. a site plan indicating proposed grading and drainage (including drainage flow, contours, and elevations) shall be submitted with the Development Plan and approved by the County in writing prior to construction.
    - 3.15.1.1.1. Grading permits from the applicable Agency shall be obtained prior to performing any grading.
  - 3.15.1.2. grades, berms, channels, and swales shall be an integral part of the grading, drainage, and Paved surface design.
  - 3.15.1.3. concrete Paved area grades shall not exceed two percent (2%) slope and shall not be less than one-half of one percent (0.5%) slope.
  - 3.15.1.4. asphalt Paved area grades shall not exceed two percent (2%) slope and shall not be less than one percent (1%) slope.
  - 3.15.1.5. drainage facilities and structures shall be designed to accommodate all storm water generated by the land in accordance with the County's Master Storm Water Pollution Prevention Plan (SWPPP) and the Construction SWPPP.
- 3.15.2. Drainage shall not negatively impact adjacent land or Improvements and shall flow into natural or developed drainage.
- 3.15.3. The elevation of the land shall not be changed so as to materially affect the surface elevation or grade of the surrounding land.
- 3.15.4. Gutters and downspouts shall be used to facilitate drainage from roofs.
- 3.15.5. Hangar drainage shall flow through an oil/water separator.

**3.16. Landscaping**

- 3.16.1. In order to create a compatible and continuous relationship between landscaped areas and adjacent lots, minimize the use of irrigation water, maintain a pleasant appearance in all areas not covered by Improvements or Vehicle parking areas, and enhance the existing character of a site; the following landscaping guidelines shall be followed.
- 3.16.2. Any portion of the land not used for an Improvement or Paved area shall be landscaped according to the landscaping and irrigation plan submitted with the Development Plan and approved by the County in writing prior to construction.
  - 3.16.2.1. Landscaping materials shall be installed within 30 calendar days of receipt of Certificate of Occupancy.
  - 3.16.2.2. All landscaping shall be maintained year round and accepted for good appearance by the County.
  - 3.16.2.3. The Lessee is responsible for landscape maintenance and weed control.
- 3.16.3. All areas with frontage shall be landscaped to provide effective screening of Vehicle parking areas with berms and/or shrubbery.



- 3.16.3.1. Berms and/or shrubbery shall have a maximum height of three feet, as measured from the Vehicle parking area.
- 3.16.3.2. Berm slopes shall not exceed 2:1 with a three foot wide flat crown. Lessee shall provide shade trees per local code requirements in all Vehicle parking areas.
- 3.16.4. Landscaping shall also be used, consistent with building and fire codes, to screen unsightly items such as above ground storage tanks, heating and air conditioning units, trash containers, loading docks, or utility boxes.
- 3.16.5. Landscaping materials shall be indigenous to the State of California and may include such items as trees, shrubs, hedges or bushes, and ground cover such as grass or landscaping rocks. Small landscaping rock shall be permitted provided it does not create a hazard to Aircraft or personnel. Decorative bark and seed or fruit bearing trees shall be prohibited.
- 3.16.6. All landscaped areas shall be irrigated by a permanent, underground irrigation system suitable for the type and amount of landscaping installed. The landscape plan shall conserve the use of irrigation water.
- 3.16.7. Landscaping materials shall be compatible with that of the surrounding development and shall not pose a hazard to aviation security or safety. Landscaping shall, when fully grown, (a) not exceed 25 feet above ground level and (b) comply with 14 CFR Part 77 Object Affecting Navigable Airspace surfaces, whichever is less, and shall not obscure the tower line of site.

### **3.17. Loading and Service Areas**

- 3.17.1. In order to ensure that loading and service areas are functional and aesthetically pleasing:
  - 3.17.1.1. all loading and unloading of Vehicles shall be conducted on the Leased Premises.
  - 3.17.1.2. loading areas, loading docks, Vehicle parking areas, and service areas shall be planned so that one use does not interfere with another use.
  - 3.17.1.3. no loading docks or service areas shall be visible from the street. Use of a landscaped buffer is recommended.
    - 3.17.1.3.1. Loading and unloading zones shall be denoted by a yellow curb.

### **3.18. Maintenance**

- 3.18.1. In order to ensure that all Improvements are maintained in a clean, neat, orderly, and timely manner:
  - 3.18.1.1. Lessee shall keep the Leased Premises and all Improvements located on the Leased Premises (including, but not limited to, buildings, roadways, walkways, Vehicle parking areas, and landscaping) in good repair, fully functional, and aesthetically pleasing at all times.
  - 3.18.1.2. Lessee shall maintain the Leased Premises and all Improvements in a first class manner.



- 3.18.1.3. Lessee shall keep lawns mowed, the landscape weeded, and shrubbery trimmed.
- 3.18.1.4. Improvements that are damaged by the elements, by Vehicles, fire, or any other cause shall be repaired as promptly as possible.
- 3.18.1.5. Buildings vacated for any reason shall be kept locked to prevent entrance by vandals and maintenance shall continue as if occupied.
- 3.18.1.6. Roads and pavements shall be kept true to line and grade and in good repair.
- 3.18.1.7. Drainage gutters or basins shall be kept clean and free of any obstacles or debris.
- 3.18.1.8. Undeveloped areas shall be maintained in a ground cover to fully comply with Appendix B of the Napa County Airport Industrial Area Specific Plan and EIR or any update thereto and mowed/trimmed as necessary to ensure a neat appearance. Irrigation of undeveloped areas is not required. In addition, all ground cover shall fully comply with Section 3.16. and approved by the County.

**3.19. Open Sided Structures**

- 3.19.1. All structures shall be fully enclosed. No open sided structures shall be permitted with the exception of shade Hangars.

**3.20. Pedestrian Circulation**

- 3.20.1. In order to allow for safe, convenient, and orderly movement of pedestrians:
  - 3.20.1.1. walkways shall be a minimum of four feet wide.
  - 3.20.1.2. convenient pedestrian access from all Vehicle parking areas to building entrances shall be provided.
  - 3.20.1.3. all pedestrian walkways shall be constructed of Portland cement concrete. Bituminous asphalt, dirt, and gravel walks are prohibited.
  - 3.20.1.4. pedestrian access to buildings, structures, and sites shall be designed and constructed in accordance with the Americans with Disabilities Act of 1990, as may be amended, and any other applicable Regulatory Measures.

**3.21. Residence**

- 3.21.1. No building, structure, Vehicle, or trailer shall be used as a place of residence.

**3.22. Setbacks**

- 3.22.1. In order to provide sufficient space between buildings and streets to ensure adequate light, privacy, and sound control and to allow for landscaping and functional uses (including Emergency Vehicle access, adequate Vehicle parking areas and access, and Aircraft clearance), the following setbacks shall be maintained:
  - 3.22.2. Minimum Building Setback Requirements
    - 3.22.2.1. Front (landside): minimum of 30 feet from the edge of structure to the lot line.

- 3.22.2.2. Back (airside): shall be based on the largest Aircraft permitted in the area (as outlined on the Airport Layout Plan) plus 15 feet.
- 3.22.2.3. Sides: minimum of 15 feet from the edge of structure to the lot line.
- 3.22.3. Vehicle Parking Area Setback Requirements
  - 3.22.3.1. Street right-of-way: minimum of 15 feet landscaped and bermed (where possible) except for that portion that is used for pedestrian access and driveways.
  - 3.22.3.2. Side lot line: minimum of 10 feet (not applicable if adjacent lots have a contiguous Vehicle parking area).
  - 3.22.3.3. Buildings: minimum of five feet from walkways or landscaped areas.
- 3.22.4. Utility Transformer or Meter Setback Requirements
  - 3.22.4.1. Street right-of-way: minimum of five feet
  - 3.22.4.2. Side lot line:
    - 3.22.4.2.1. With Apron – minimum of 10 feet
    - 3.22.4.2.2. Without Apron – minimum of 40 feet
- 3.22.5. No part or portion of any building shall be erected, constructed, or extended nearer than the distance from Movement Areas as depicted by the building restriction line in Exhibit A of the Airport Layout Plan. The County shall determine for Lessee any setback distances required from any Taxiway or Apron edge.
- 3.22.6. The setback areas shall be entirely graded and sodded, seeded, or landscaped between the lot lines and from the Apron to the building face in a manner that shall produce an acceptable lawn or landscaped area with exception of the areas that are required for Aprons, driveways, walkways, or Vehicle parking areas.
- 3.22.7. Different setbacks may be required based upon a number of factors such as lot size, structure use, Aircraft type and Aircraft Design Group, location on the Airport, surrounding land use, and compatibility with other developments (e.g., Fuel storage facility).

### **3.23. Signage**

- 3.23.1. The following criteria are provided in order to achieve a compatible balance of good taste and provide suitable graphics for (a) business identification, uniformity, and individual image, (b) communicate information in a straightforward and aesthetically pleasing manner, and (c) establish a compatible relationship between sign structures, the natural environment, and the overall design character of a lot while at the same time improving the safety and efficiency of pedestrian and vehicular traffic.
- 3.23.2. A signage plan shall be submitted with the Development Plan and approved by the County in writing prior to installation of signage.
- 3.23.3. General
  - 3.23.3.1. All existing signs are considered approved if the signs met the requirements of the development guidelines in effect at the time of construction or installation.

- 3.23.3.2. Streetside identification signs shall be an approximate 4:1 horizontal rectangle and shall not exceed 6.5 square feet. Minimum setback from back of the curb is three feet and the top of the sign shall not exceed six feet from the top of the curb.
- 3.23.3.3. No signs shall exceed 50 square feet per face for ground signs and 200 square feet in area for wall signs.
- 3.23.3.4. No signs shall be located closer than three feet to any lot line.
- 3.23.3.5. Wall signs shall not comprise more than five percent of the area of the elevation upon which the sign is located. Wall signs shall be fixture signs, signs painted directly on the surface of the wall, or projection signs with individual letters not exceeding 12 inches.
- 3.23.3.6. No more than three directional signs shall be permitted on any lot. Directional signs can be used to give directions to traffic or pedestrians or give special instructions.
- 3.23.3.7. Identification signs are restricted to advertising Lessee and Sublessee identification only.
- 3.23.4. Business Signs
  - 3.23.4.1. Fixed Base Operators (FBOs) and Specialized Aviation Service Operators (SASOs), by virtue of the Activities of these Operators, shall be permitted to advertise the (a) brand of Fuel product sold, (b) Aircraft service center, dealership, or manufacturer affiliations, and/or (c) business name. These signs may be double faced. FBOs and SASOs shall obtain the written approval of the County prior to making any changes or revisions to the airside signs. The County shall review and approve requests on an individual basis.
  - 3.23.4.2. Individual businesses other than FBOs who deal primarily with Transient Aircraft and/or infrequent visitors to the Airport may have an identification sign on the sides of the building occupied by the business or a free-standing sign located in the landscaped areas between the Aircraft/Vehicle parking and the building. Free-standing signs shall not exceed four feet by eight feet with the top of sign no higher than six feet from the ground. Logo type signs shall not exceed 32 square feet. Individual letters shall not exceed two feet in height. Signs may be internally or externally lit, but in no case shall the lighting interfere with Aircraft operations and/or control.
  - 3.23.4.3. Entire buildings may have an identification sign located in the landscaped area between the Vehicle parking area and the building. These signs shall not exceed four feet by eight feet (six feet by eight feet with base) nor exceed six feet height. Decorative logos may also be included in the entrance way décor.
  - 3.23.4.4. Lessees or Sublessees who utilize an entrance other than the main entrance to a building may have a business identification sign on or adjacent to the entrance door. The sign shall not exceed six square feet.



- 3.23.4.5. Lessees or Sublessees who lease an entire office or Hangar building may have a business identification sign either on the door, adjacent to the door in the entrance way, the closest window, or on the wall between the window and the entrance way. The specific shape and size of the sign shall be determined at the time of individual request, but in no case shall the sign exceed 12 square feet or extend higher than the entrance door. The sign on the wall may be internally lit or indirect lighting may be used to illuminate the sign.
- 3.23.5. Building Directory Signs
  - 3.23.5.1. Building directory signs shall be located inside the main entrance door.
- 3.23.6. Vehicle Parking Signs
  - 3.23.6.1. Directional signs to Vehicle parking areas shall comply with these Development Guidelines.
  - 3.23.6.2. Individual, visitor, and handicap spaces shall be identified by a standard sign with the top not to exceed four feet above ground.
  - 3.23.6.3. No Vehicle parking zones shall be denoted by a yellow painted curb.
- 3.23.7. Address Signs
  - 3.23.7.1. Individual addressees shall have street numbers and street names identified in close proximity to the main entrance. Street numbers and street names shall contrast with the background and be four to seven inches in height.
- 3.23.8. Temporary Signage
  - 3.23.8.1. Written approval shall be obtained from the County prior to installing temporary signage. Applicants shall submit a written request to the County for approval of temporary signage and provide a sketch of the sign, location map, and desired duration. Approval of temporary signage is not generally favored by the County.
- 3.23.9. Project Identification Signs
  - 3.23.9.1. Project identification signs may be installed during construction and for a period of up to 30 days following issuance of the certificate of occupancy. Signage is limited to the side of the construction office plus one free-standing sign not to exceed four feet by eight feet and maximum of six feet in height. Signs may include leasing information with the exception of pricing.
- 3.23.10. Miscellaneous Signs
  - 3.23.10.1. Miscellaneous signage, not included in these Development Guidelines, shall be approved by the County in writing prior to installation.
- 3.23.11. Vacated Property

3.23.11.1. Signs pertaining to activities or occupants no longer using a Leased Premises shall be removed within 30 days of cessation of the activity or the time the occupant vacates the Leased Premises. After that time, the County may remove and dispose of the sign at Lessee's expense and risk.

3.23.12. Hangar/Office Building Development Signs

3.23.12.1. One sign attached to the Hangar/office building facing the Aircraft Movement Area and one sign attached to the Hangar/office building facing the street or Vehicle parking area shall be allowed. Signs shall not individually be more than five percent (5%) of the building elevation square footage on which the sign shall be installed and at no time shall any sign be more than 200 square feet in area. Signs may be back lighted or otherwise illuminated and shall be positioned not to create a glare that could distract a pilot or interfere with Aircraft operations. Sign location, size, colors, materials, and text shall be submitted with the Development Plan and approved by the County prior to installation.

3.23.13. Prohibited Signs

3.23.13.1. Neon signs, either on building walls, in windows, or located inside a building and seen from the street.

3.23.13.2. Moving or flashing signs or lights.

3.23.13.3. Rooftop signs.

3.23.13.4. Electronic message boards used for advertising.

3.23.13.5. Any sign advertising employment opportunities.

**3.24. Structure**

3.24.1. The building structure shall be masonry, concrete, or steel frame load bearing construction.

3.24.1.1. Wood framed structures are prohibited.

**3.25. Utilities**

3.25.1. A utilities plan identifying all utilities shall be submitted with the Development Plan and approved by the County in writing prior to construction. Utility improvements shall conform to the appropriate Agency requirements.

3.25.2. Lessee is responsible for the maintenance of all utility lines to the Lessee's facility and for keeping all shutoffs accessible for immediate use.

3.25.3. In order to provide for the construction and maintenance of utilities serving developed areas, Lessee shall:

3.25.3.1. Preserve existing utility easements and recognize the potential for future utility easements.

3.25.3.2. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electricity, or any other energy or service shall be installed or maintained upon any lot (outside of any building) above the surface of the ground except for hoses, movable pipes use for irrigation or other purposes during construction, or transformers.



- 3.25.3.3. Co-locate transformers with utility meters and screen with vegetation setback at a safe distance.
- 3.25.4. Utility costs and charges for any services and meters (including temporary service) for the Leased Premises shall be the sole responsibility of Lessee from the date of Notice to Proceed with construction.
- 3.25.5. Extension of utilities to proposed facilities shall be the responsibility of Lessee.
- 3.25.6. Lessee or Lessee's contractor shall be responsible for returning any areas disturbed by excavation and installation of utilities to its original condition.

**3.26. Vehicle Parking**

- 3.26.1. To allow for safe, convenient, and orderly movement of Vehicles, Vehicle parking shall be permitted only in designated Vehicle parking areas unless otherwise approved by the County in writing.
- 3.26.2. A Vehicle parking area plan describing the Vehicle parking layout shall be submitted with the Development Plan and approved by the County in writing prior to construction.
- 3.26.3. All Vehicle parking areas shall be Paved with asphalt or concrete and shall have a weight bearing capacity that is sufficient to accommodate the heaviest expected load and/or usage.
- 3.26.4. Number of Vehicle Parking Spaces
  - 3.26.4.1. Vehicle parking areas shall be sufficient to park the Vehicles of all users of all Improvements and consistent with requirements set forth by the Minimum Standards and these Development Guidelines.
  - 3.26.4.2. One Vehicle parking space per 250 square feet of terminal building area which is to be used for administrative or leaseable office area.
  - 3.26.4.3. One Vehicle parking space per 500 square feet of terminal building area which is to be used for customer area.
  - 3.26.4.4. One Vehicle parking space per 1,000 square feet of the first 20,000 square feet of hangar floor area which is to be used for Aircraft storage, Aircraft maintenance, or shop area. One Vehicle parking space per 2,000 square feet of hangar floor area above 20,000 square feet.
- 3.26.5. Other
  - 3.26.5.1. Landscaping islands shall be provided at intervals of 10 Vehicle parking spaces.
  - 3.26.5.2. A poured-in-place concrete curb shall be provided at the perimeter of planted areas to prevent vehicular intrusion. Curbs shall be continuous.
  - 3.26.5.3. An access driveway (20 feet wide minimum or as required by fire code, whichever is greater) shall be provided and maintained between each Vehicle parking area.



- 3.26.5.4. All Vehicle parking spaces shall be designated by painted lines or other approved methods.
- 3.26.5.5. The perimeter of Vehicle parking areas shall have concrete curb and gutter.



**4. PROCEDURES FOR APPROVAL**

**4.1. Pre-Submittal Meeting**

4.1.1. Applicants are required to schedule a pre-submittal meeting with the Airport Manager. This meeting shall provide the Applicant with the opportunity to discuss available land, designated land uses, and the development concept. This also provides the Applicant with the opportunity to obtain general comments regarding the feasibility of the development concept and to identify any potential problems or challenges associated with the idea.

**4.2. Concept Plan**

4.2.1. Following the pre-submittal meeting, five copies of the Concept Plan and a completed General Aviation Operator and Lessee Application shall be submitted to the Airport Manager.

4.2.2. The Airport Manager shall review the Concept Plan and address any questions or concerns with the Applicant.

4.2.3. Concept Plan drawings shall include the following information, at a minimum:

- 4.2.3.1. title or name of the development;
- 4.2.3.2. vicinity map, scale, north arrow and date of preparation;
- 4.2.3.3. location and legal description of lot including property control number;
- 4.2.3.4. total area of open space;
- 4.2.3.5. location and proposed uses of building areas to include ranges of dimensions and square footage estimates;
- 4.2.3.6. location and dimensions of required building and landscaping setbacks as described within these Development Guidelines;
- 4.2.3.7. Vehicle parking areas, verifiable based upon building square footage estimates;
- 4.2.3.8. designation and classification of any right of way, turning or acceleration and/or deceleration lanes, areas to be vacated, access points, etc.;
- 4.2.3.9. fencing and security gates;
- 4.2.3.10. topographic map depicting existing and proposed contours;
- 4.2.3.11. utilities plan depicting existing and proposed location of all utilities;
- 4.2.3.12. internal site circulation and designation of public and private streets;
- 4.2.3.13. proposed timetable for Development Plan

4.2.4. The Applicant or designated representative shall be required to meet with the County's Director of Planning to present and/or review the Concept Plan.

**4.3. Agreement**

4.3.1. Following approval of the Concept Plan by the County, the Applicant shall begin negotiating an Agreement with the County, consistent with the Leasing/Rents and Fees Policy.

4.3.2. If a Sublessee of an existing Lessee is making the development, consent to the Sublease shall first be obtained from the County in writing.



- 4.3.3. Under no circumstances shall construction begin before an Agreement is executed by the County and the Lessee or consent to the Sublease is obtained from the County, as appropriate.

**4.4. Development Plan**

- 4.4.1. Following the approval of the Agreement by the County, the Development Plan shall be submitted to the County's Director of Planning within 60 days.
- 4.4.2. The function of the Development Plan is to fully define the proposed land use including identifying the location of all Improvements and signage, the maximum height of structures, and minimum building setbacks. The Development Plan shall address the function, right(s)-of-way, and widths of roads within and adjacent to the project area. The Development Plan shall identify the location, type, and extent of access to/from Airport roads and the necessary traffic controls (if any) for the project's access points.
- 4.4.3. To be considered complete and to be accepted by the County, the Development Plan shall include all of the following items. The County will not accept incomplete submittals. All of the items shall be organized into five individual self-contained packets.
  - 4.4.3.1. Letter of Intent: This letter shall fully describe the proposed development and convey the anticipated construction schedule and/or phasing plan for the proposed development.
  - 4.4.3.2. Letter from Water and Sewer Providers: Based upon written notification to the providers from the Applicant of the intent to develop the parcel which includes an estimated total number of gallons per day of water requirements and an estimated number of gallons per day of sewage to be treated, both based upon total building square footage and use, letters from the proposed water and/or sewer providers shall include proof that the provider has the ability to serve the full development according to requirements outlined by the Applicant.
    - 4.4.3.2.1. In the case of a proposal for utilization of individual wells and/or septic tanks, the Letter of Intent shall clearly state that wells are proposed. The County will refer the entire submittal to the appropriate Agency to obtain an opinion on the adequacy of the proposal.
  - 4.4.3.3. Letter from Fire Department: This letter shall identify the impacts of the proposed development on the district and the district's capabilities of servicing the proposed development.
  - 4.4.3.4. Traffic Impact Study: This letter shall identify the impact of the proposed development on traffic. A waiver may be granted for those projects that have little or no traffic impact.
  - 4.4.3.5. Phase III Drainage Report: The Phase III Drainage Report shall address the site area only and identify the impact of the proposed development on regional facilities.
    - 4.4.3.5.1. All parcels located within areas served by a regional retention and/or detention pond will be subject to a pro rata



## PROCEDURES FOR APPROVAL

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- fee for construction and maintenance of the detention facility.
- 4.4.3.6. Rolled Prints of Development Plan: See “Plan Map Requirements” (discussed in Section 4.4.4.1).
  - 4.4.3.7. Rolled Construction Drawings: See “Construction Drawing Requirements” (discussed in Section 4.4.4.2).
  - 4.4.3.8. Engineer Stamp: All plans and drawings shall be stamped by a certified Engineer.
  - 4.4.3.9. California Environmental Quality Act: An appropriate document illustrating full compliance pursuant to the California Environmental Quality Act.
  - 4.4.3.10. Waiver Request Letter: This letter, which requests a waiver to the submittal process shall identify each item for which waiver is requested and provide detailed justification for the request. This is a separate letter and shall not be substituted for or combined with the Letter of Intent.
  - 4.4.3.11. Review Fee: Checks shall be made payable to Napa County for the total amount of fees required. Contact the County for current fee schedules.
  - 4.4.3.12. Lease or Sublease Agreement.
  - 4.4.3.13. Completed FAA Form 7460-1, Notice of Proposed Construction or Alteration (if required).
- 4.4.4. The Development Plan shall be prepared on 24” x 36” and shall contain the following completed drawings.
- 4.4.4.1. Plan Map Requirements
    - 4.4.4.1.1. Cover: Project name, date of drawing, appropriate scale (1” = 2,000’ preferred), vicinity map with north arrow facing top of page, and emphasis of the major roadway network within one mile of the proposed site.
    - 4.4.4.1.2. Land Use/Site Plan: Building outline, setbacks, Vehicle parking areas and ratios, curb cuts, land and building use with square footage, distances between structures, maximum building heights, existing and proposed right(s)-of-way widths for all existing/proposed internal and external roadways, existing/proposed public and/or private roadways and conceptual points of access to adjacent and/or external roadways, unobstructed open space, and utility locations.
    - 4.4.4.1.3. Landscape and Irrigation Plan: Location, maximum dimensions and detailed description of fences, walls, walkways, driveways, plazas, decks, planters, screens, building or other materials used, plant materials and any other landscaping features as well as grassed areas (include type), slope stabilization, berms and mounds, grading, planting schedule, lighting and signage.
    - 4.4.4.1.4. Grading Plan: Existing contours (dashed) to 100 feet outside property line or the distance that is necessary depending upon the property grade; proposed contours



(solid) tied to existing; finish floor elevations; building heights, drainage and storm retention and detention facilities.

- 4.4.4.1.5. Erosion Control Plan
- 4.4.4.1.6. Signage Plan: Include graphic layout, size, location, color, materials, and construction details.
- 4.4.4.1.7. Elevations: Referenced to the Airport benchmark with lot corners located using the Airport's station/offset system.
- 4.4.4.1.8. Owner of Record signature block
- 4.4.4.1.9. Signature and stamp block for engineer
- 4.4.4.2. Construction Drawing Requirements:
  - 4.4.4.2.1. The final construction drawings shall be prepared on 24" x 36" blueline and shall contain the following.
  - 4.4.4.2.2. Elevations and Sections: Building heights, materials, colors, finishes, and sign locations and dimensions.
  - 4.4.4.2.3. Floor Plans: Areas and rooms, names illustrating intended use of areas and rooms, dimensions of all areas and rooms, and roof plan.
  - 4.4.4.2.4. All plans shall be subject to review and approval by the appropriate Agencies.
- 4.4.4.3. The County may impose any condition or requirement deemed necessary to protect the health, safety, and welfare of the public; to prevent a nuisance or hazard to Property; and to ensure proper completion of the project.
- 4.4.4.4. The County shall approve with or without conditions, approve contingent upon minor revision(s), deny the submittal, or defer action on the submittal pending completion of major revision(s).
- 4.4.4.5. Following approval of the Development Plan and prior to application to the Director of Planning for any building permit, the Applicant shall deliver to the County
  - 4.4.4.5.1. One set of final construction drawings, signed by a registered architect or professional engineer; and
  - 4.4.4.5.2. One complete plan map set for signature by the County's Director of Planning.

### **4.5. Requirements of the FAA**

- 4.5.1. Non-Aeronautical Uses
  - 4.5.1.1. FAA approval shall be obtained for projects that would not be considered aeronautical uses (as determined by the FAA).
- 4.5.2. Possible Obstructions in the Navigable Airspace



- 4.5.2.1. 14 CFR Part 77 Objects Affecting Navigable Airspace establishes the maximum allowable heights of objects on or in the vicinity of Airport. It does this by the definition of “imaginary surface” which, if penetrated by an object, would be considered an obstruction. Any planned development that would penetrate the 14 CFR Part 77 imaginary surfaces would most likely not be approved by the FAA, and it is likely that the County would not pursue or approve the project.
- 4.5.3. Notice of Proposed Construction or Alteration
  - 4.5.3.1. Once the Development Plan has the support of the County, FAA Form 7460-1, Notice of Proposed Construction or Alteration, shall be submitted to the FAA by the County. This form provides the FAA with specific information regarding the project including the nature of the proposal, the description of the structures, the location of the structures, and the height and elevation to the nearest foot of both the site and the structures.
  - 4.5.3.2. FAA Form 7460-1, Notice of Proposed Construction or Alteration is the official notification to the FAA of the proposed construction or alteration and the Applicant shall review FAA Form 7460-1, Notice of Proposed Construction or Alteration, and be prepared to provide the information requested on the form on or about the time the submittal is made to the County for final approval of the Development Plan.



**5. CONSTRUCTION PHASE**

**5.1. Pre-Construction Meeting**

5.1.1. Prior to the start of construction, the County shall arrange a pre-construction meeting with the Lessee, Sublessee, developers, contractors, subcontractors, or any other entity planning to develop Improvements at the Airport to review the County's safety requirements, operational restrictions, and coordination procedures.

**5.2. Permits and Licenses**

5.2.1. Lessee, Lessee's contractor, subcontractors, and suppliers (of any tier) shall obtain and pay for all required permits, licenses, and certificates.

5.2.2. Lessee, Lessee's contractor, subcontractors, and suppliers shall obtain all required approvals and development agreements.

5.2.3. Charges for permits, approvals, tap fees, and development agreements shall be paid by the Lessee.

5.2.4. No construction shall be undertaken without first receiving a building permit.

**5.3. Bonds**

**5.3.1. Contractors Bond**

5.3.1.1. Prior to the issuance of notice to proceed, Lessee's contractor shall deliver to the County and maintain in effect throughout the period of construction, a construction performance bond and a labor and material payment bond, each in a sum not less than 100% of the construction contract amount.

5.3.1.2. Bonds shall guarantee prompt and faithful performance of the said contract and guarantee prompt payment by Lessee's contractor to all persons supplying labor, materials, team hire, sustenance, provisions, provender, supplies, rental machinery, tools and equipment used directly or indirectly by said contractor, subcontractor, and suppliers in the prosecution of the Work provided for in the owner-contractor agreement and shall protect the County from any liability, loss, or damage therefrom.

5.3.1.3. The performance bond and payment bond shall name the Lessee as the obligee with the County being named on the dual obligee rider.

**5.3.2. Tenant Payment Bond**

5.3.2.1. Prior to the issuance of notice to proceed, the Lessee shall provide the County with a payment bond in a sum not less than 100% of the construction contract amount. Said payment bond shall guarantee prompt and faithful payment (by the Lessee) for the work performed under the Lessee-contractor agreement (directly to Lessee's contractor).

**5.3.3. Surety Company's Financial Rating Requirement**



- 5.3.3.1. All bonds shall be issued by a surety company licensed to transact business in the State of California and satisfactory to and approved by the County. If a bond is executed by an attorney-in-fact of the surety, a power of attorney shall be attached to the bond.
- 5.3.3.2. The surety company shall be licensed (with a Best rating of A or above).

**5.4. Insurance**

- 5.4.1. Contractor, at its sole cost and expense, shall obtain and maintain in full force and effect during the term of the construction the following insurance:
  - 5.4.1.1. Commercial General Liability coverage in the minimum amount of \$1,000,000 combined single limit (CSL) bodily injury and Property damage each occurrence and \$2,000,000 aggregate, including personal injury, broad form Property damage, products/completed operations, explosion, collapse, underground, broad form blanket contractual, and \$100,000 fire legal liability.
  - 5.4.1.2. Commercial or Business Automobile Liability coverage in the minimum amount of \$1,000,000 CSL bodily injury and Property damage for all Vehicles arising out of the use, loading, and unloading of owned, non-owned, or hired Vehicles.
  - 5.4.1.3. Personal Vehicle Liability coverage in the amounts of \$250,000 per person and \$500,000 each Accident Bodily Injury and \$100,000 each Accident Property Damage for each Vehicle to be operated in association with the contract that is not insured under Commercial Vehicle Liability.
  - 5.4.1.4. Workers' Compensation (WC) coverage, in full compliance with California's statutory requirements, for all employees of contractor and Employer's Liability in the minimum amount of \$1,000,000.
  - 5.4.1.5. Professional Liability (Errors and Omissions) Engineers and Architects coverage in the minimum amount of \$500,000 each occurrence and \$1,000,000 aggregate.
  - 5.4.1.6. Property Coverage: Course of Construction (Builders Risk) Insurance covering all materials and equipment at the job site, with limits of not less than one hundred percent (100%) of the total estimated cost of construction, against all perils including flood until the project is accepted as completed by the County. Should the work being constructed be damaged by fire or any other causes except earthquake during construction, contractor shall replace it in accordance with the requirements of the plans and specifications without additional expense to the County.
- 5.4.2. The insurance company or companies underwriting the required policies shall be licensed (with a Best rating of A or above) or authorized to write such insurance in the State of California or be approved in writing by the County.



- 5.4.3. All insurance required will be primary coverage and any insurance or self-insurance maintained by the County shall be excess of contractor's insurance coverage and shall not contribute to it.
- 5.4.4. The County shall be notified immediately if any aggregate insurance limit is exceeded. Additional coverage shall be purchased to meet requirements.
- 5.4.5. All insurance is required to carry and keep in full force and effect, shall name the County and the County Board of Supervisors, individually and collectively, and their representatives, officers, officials, employees, agents, and volunteers as additional insured (except Workers' Compensation).
- 5.4.6. Contractor agrees to waive all rights of subrogation against the County and the County Board of Supervisors (individually and collectively), representatives, officers, officials, employees, agents, and volunteers for losses arising directly or indirectly from the activities and/or work performed by contractor (applies only to Commercial General Liability and Workers' Compensation).
- 5.4.7. Policies shall not be canceled, non-renewed, or reduced in scope of coverage until after 60 days written notice has been given to the County.
- 5.4.8. Contractor agrees to provide the County with the following insurance documents on or before the start of construction:
  - 5.4.8.1. Certificates of Insurance for all required coverages
  - 5.4.8.2. Additional Insured endorsements
  - 5.4.8.3. Waiver of Subrogation endorsements (Waiver of Transfer Rights of Recovery Against Others, Waiver of Our Right to Recover from Others)
  - 5.4.8.4. Sixty days Notice Cancellation Clause endorsements
- 5.4.9. It is the responsibility of the contractor to ensure that any and all subcontractors comply with all terms and conditions of the insurance provisions outlined herein.
- 5.4.10. Insurance coverage in the minimum amounts set forth herein shall not be construed to relieve contractor for liability in excess of such coverage, nor shall it preclude the County from taking such other actions as are available to it under the law.
- 5.4.11. Claims Made Insurance: If the Professional Liability coverage is "claims made", contractor shall, for a period of three years after the date when contract is terminated, completed, or non-renewed, maintain insurance with a retroactive date that is on or before the start date of contract services or purchase an extended reporting period endorsement (tail coverage).
- 5.4.12. Contamination and Pollution: contractor, at its own cost and expense, shall provide clean up of any premises, any Property or natural resources that are contaminated or polluted as a result of contractor's activities. Any fines, penalties, punitive or exemplary damages assigned due to contaminating or polluting activities of the contractor shall be borne entirely by the contractor.

### **5.5. *Clean-Up During Construction***

- 5.5.1. The construction site and other associated areas shall at all times be kept free of accumulated waste materials, dirt, and surplus materials.



- 5.5.2. Waste materials, dirt, and surplus materials shall not be permitted to create a safety or health hazard or interfere with any activity normally occurring on the Airport and shall be disposed of in a suitable manner.
- 5.5.3. If the construction site is not maintained in a clean, orderly, and safe condition, the County may, after issuing a written notice, provide the necessary clean up services.
  - 5.5.3.1. The Lessee agrees to reimburse the County for such expenses within 15 days upon receipt of an invoice.
  - 5.5.3.2. This is not to be construed as a duty or obligation of the County to provide such clean up services.

### **5.6. Damages During Construction**

- 5.6.1. Lessee assumes sole responsibility for all property damages arising from the construction or remodel of the Improvements and shall take immediate steps to repair such damages or replace the damaged Improvements to the satisfaction of the County and any other affected entities.

### **5.7. Erosion Prevention During Construction**

- 5.7.1. In order to prevent loss of soil by water and wind erosion and to minimize the generation of dust, practical combinations of the following technical principals shall be used during and/or after construction, as appropriate.
  - 5.7.1.1. Expose the smallest possible area of cleared land.
  - 5.7.1.2. Provisions shall be made to effectively accommodate increased runoff caused by changes or alterations of soil and surface conditions.
  - 5.7.1.3. Permanent surfacing and landscaping shall be installed as soon as practical.
  - 5.7.1.4. Temporary mulching shall be used for imported fill that may be subject to erosion.
  - 5.7.1.5. Cleared land shall be watered down at frequent intervals to minimize the creation of dust.

### **5.8. Inspections**

- 5.8.1. Persons who are employees of the County or under contract with the County may be assigned to inspect construction sites.
- 5.8.2. These persons may inspect and observe the Lessees, Sublessees, developers, contractors, subcontractors, or any other entity that develops Improvements at the Airport to determine whether or not the design, materials used, manufacturing and construction processes and methods applied, and the equipment, furnishings, fixtures, systems, and finishes installed satisfy the requirements of the approved plans, documents, and drawings (as submitted in the Development Plan and approved by the County).
- 5.8.3. Lessee, Sublessee, developers, contractors, subcontractors or any other entity that develops Improvements at that Airport shall permit these inspectors and all other Agency inspectors' unlimited access and provide the means of access to the construction site.

5.8.4. Such inspections shall not relieve the Lessee, Sublessee, developers, contractors, subcontractors or any other entity that develops Improvements at that Airport of any obligations.

**5.9. Protection of Property and Work in Progress**

5.9.1. Lessee, Sublessee, developers, contractors, subcontractors, and any other entity that develops Improvements at the Airport shall take all reasonable precautions to protect and ensure the safety of persons on or near the construction site and shall take all reasonable measures to prevent injury or loss to all persons or Property on or near the construction site including:

5.9.1.1. all work and materials, equipment, systems, fixtures, and furnishings incorporated therein, whether in storage on or off the construction site, under the care, custody, or control of the contractor, subcontractors, or any other entity that develops Improvements at the Airport; and

5.9.1.2. all other Property at the construction site or adjacent thereto, including but without limitation, lawns, walkways, pavements, driveways, roadways, structures, and utilities not designated for removal, relocation, or replacement in the course of construction.

5.9.2. If the operations of the Lessee, Sublessee, developers, contractors, subcontractors, and any other entity that develops Improvements at the Airport destroy or damage any real or personal Property, public or private, Lessee or Lessee's contractor shall promptly repair or replace such Property before the County will issue a letter of occupancy to the Lessee.

**5.10. Safety**

5.10.1. Lessee's contractor is responsible for the health and safety of its employees, agents, subcontractors, suppliers, material providers, and other persons on the construction site. Lessee's contractor shall take all necessary precautions and actions to protect all such persons and the Property of such persons from injury, loss, or damage.

5.10.1.1. Such precautions and actions shall include, but not be limited to, compliance with all the applicable federal, state, and local occupational health, safety, and all other applicable Regulatory Measures.

**5.11. As-Build Drawings**

5.11.1. Within 30 days of project completion, the Applicant shall submit reproducible as-built 11" x 17" CAD Red Line drawings of all Improvements including underground utilities either constructed or found in place. Vertical and horizontal locations shall be referenced to the Airport's benchmark using the station/offset system. The as-built drawings are to be signed by a Registered Professional Engineer or Registered Land Surveyor.