

**Exhibit A**  
**Approved Conditions of Approval**  
**Design Review**  
**1883 Heritage Way**  
**Residential Development - Exterior Modifications**  
**(File LUP-24-7)**

Planning Conditions:

Project Specific Conditions:

1. Application shall be in substantial conformance to the drawings prepared by Joseph Farrell Architecture, and received October 17, 2024, except as provided below:
  - a) Garage door shall have a maximum of one glazed panel for each garage door.
  - b) Front door, including side lites, shall be a maximum of 50% glazed.
2. All exterior lights shall be downcast and shielded from adjacent properties.

General Conditions:

3. All new electrical, telephone, CATV and similar service wires or cables shall be installed underground.
4. Prior to the issuance of a building permit, a formal pre-construction meeting shall be held for the contractor and/or property owner. The meeting shall include appropriate departments/agencies to review requirements of the permit (i.e., construction hours, encroachment permits, compliance with the scope of work, inspections requirements, etc.).
5. Development and operation of the use shall be substantially as represented on the approved plans and elevations, material samples, and project narrative as described in the staff report on file with the Planning Department, except as modified by conditions. Once installed, all improvements shall be maintained in accordance with the approved plans. If any changes and/or unforeseen circumstances arise prior to or during construction, the applicant or representative shall contact the Town immediately. Town Hall contact information shall be provided on submitted plans at the building permit stage.
6. All exterior mechanical and electrical equipment shall be screened by landscaping or fencing or incorporated into the design of buildings so as not to be visible from the street. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, heaters, cable equipment, telephone entry boxes, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems.
7. The Town Planner may approve minor design and finish changes, including minor roof changes. The Town Planner may refer any and all design and finish changes to the Zoning & Design Review Board for consideration and adjudication.
8. This approval will expire two years from the effective date of approval if construction has not commenced.
9. Disposal of construction and demolition waste and recycling shall be in accordance with the Joint Powers Agreement with Upper Valley Waste Management.
10. Construction and demolition activities shall conform to the noise control provisions

contained in Municipal Code Chapter 8.04, Noise Control Regulations, including Section 8.04.030 B.1., as follows:

No person engaged in construction or demolition activity as a contracted service shall operate or cause the operation of any tools or equipment except between the hours of 9 a.m. and 6 p.m., Monday through Friday (excluding holidays), such that the sound therefrom creates intrusive noise across a residential or commercial real property boundary, except by permit issued pursuant to Section 8.04.040(E).

11. No construction activities shall occur on the following holidays:

- Dr. Martin Luther King's Birthday
- President's Day
- Memorial Day
- Juneteenth
- 4<sup>th</sup> of July
- Labor Day
- Veterans' Day
- Thanksgiving & Friday following Thanksgiving
- Christmas
- New Years Day
  - If any of the preceding holidays occur on a weekend day, then the prior Friday if on a Saturday, or the following Monday if on a Sunday shall be defined as the holiday.

12. The applicant, property owner and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the Town and its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against the Town or its agents, officers, attorneys, or employees to attack, set aside, void, or annul the action(s) at issue herein. This indemnification shall include damages or fees awarded against the Town, if any, costs of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the property owner, and/or successor(s) in interest, the Town, and/or parties initiating or bringing such action.

13. The applicant, property owner and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the Town, its agents, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document, if made necessary by said legal action and the applicant, property owner, or successor in interest desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents in a form and under conditions approved by the Town Attorney.

14. In the event that a claim, action, or proceeding described above is brought, the Town shall promptly notify the applicant, property owner and any successor in interest of the existence of the claim, action, or proceeding, and the Town will cooperate fully in the defense of such claim, action, or proceeding. Nothing herein shall prohibit the Town from participating in the defense of any claim, action, or proceeding; the Town shall retain the right to (i) approve the counsel to so defend the Town, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The Town shall also have the right not to participate in said defense, except that the Town agrees to cooperate with the applicant, property owner, or successor in interest in the defense of said claim, action, or proceeding. If the Town chooses to have counsel of its own to defend any claim, action, or proceeding where the Applicant, property owner and any successor in interest has

already retained counsel to defend the Town in such matters, the fees and expenses of the counsel selected by the Town shall be paid by the applicant, property owner and/or any successor in interest, as appropriate.

15. The applicant, property owner and any successor in interest, whether in whole or in part, indemnifies the Town for all the Town's costs, fees, and damages which the Town incurs in enforcing the above indemnification provisions.
16. Unless a shorter limitation period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
17. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), the conditions constitute written notice of a statement of the amount of such fees and a description of dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions
18. The applicant shall submit final architectural and site engineering/improvement plans in electronic format to the Town Planner and Town Engineer for review and approval. Review and approval shall be subject to verifying consistency of the final architectural plans with the design plans approved by the ZDRB. Review and approval shall also be subject to conformance with accepted Town Engineering Standards. Any and all changes to the plans subsequent to their submittal for building permit review and issuance shall require approval by the Town Planner and/or Town Engineer.
19. The project's contractor and all subcontractors shall secure and maintain current Town of Yountville business licenses.
20. All conditions must be completed by Final Inspection, with the exception of the indemnification provisions, which shall survive and continue past Final Inspection.

Public Works Conditions:

21. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the current versions of Caltrans Standards and Specifications, the Town of Yountville Municipal Code, the Yountville Public Works Standards and annexed changes, and all current federal, state and county codes governing such improvements. Town Standards can be found on the Town of Yountville website.
22. An Encroachment Permit shall be obtained for any construction work, staging, or deliveries that occur from and/or in the public right-of-way.
23. Heritage Way as paved within the last 2 years and per Town Municipal Code 12.04.040 is on the prohibition street list. The proposed utilities (sewer and gas connections) are shown cutting into Humboldt Street which will require significant street restoration. Comments regarding the street restoration will be included in the conditions of approval as part of the plan check process.
24. No drainage from the hardscape, decks, pools or roof improvements shall be allowed to directly leave the site. The stormwater plan shall provide a method to address how drainage will be treated and infiltration on site and at the property lines to prevent inundation of neighboring properties. Drainage overflow shall be shown on the plans and directed in a manner acceptable to the Town.