

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2012-11**

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A CONDITIONAL USE PERMIT (U 2011-14), DESIGN REVIEW (DR 2011-12) AND PRELIMINARY/FINAL PLANNED DEVELOPMENT PLAN (PD 2011-02) FOR THE SILVER ROSE RESORT LOCATED AT 400 SILVERADO TRAIL WITHIN THE PLANNED DEVELOPMENT (PD 2007-1) ZONING DISTRICT (APN #S: 011-050-035; 011-050-036; 011-050-037; 011-050-039; & 011-050-040)

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2 **WHEREAS**, on December 22, 2011, an application was submitted by the
3 Silver Rose Venture LLC, requesting approval of a Conditional Use Permit,
4 Design Review, and a Preliminary/Final Planned Development Plan for
5 redevelopment of the Silver Rose property to establish a new Silver Rose Resort;
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7 **WHEREAS**, Silver Rose LLC, is proposing to develop a resort to include a
8 spa, restaurant, recreational facilities, administrative and meeting spaces, winery,
9 85 visitor accommodations units and 21 single-family residential homes on the
10 22.5 acre property located at the northeast corner of Silverado Trail and
11 Rosedale Road; and
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13 **WHEREAS**, the Planning Commission reviewed the project during a
14 public hearing at it's regularly scheduled meeting on March 28, 2012. During its
15 review, the Planning Commission considered the public record, including the staff
16 report, findings, and written materials and testimony presented by the applicant
17 and the public during the hearing; and
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19 **WHEREAS**, the Planning Commission finds that approval of the Use
20 Permit, Design Review and preliminary/final Planned Development Plan will not
21 result in detrimental or adverse impacts upon the public resources, wildlife or
22 public health, safety and welfare if the conditions of project approval proposed
23 are adopted; and
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25 **WHEREAS**, An Initial Study/Mitigation Negative Declaration (IS/MND) was
26 completed in accordance with applicable CEQA Guidelines, and on February 27,
27 2012, the IS/MND was circulated for public and agency review and comment.
28 Copies of the IS/MND were made available to the public at the Department of
29 Planning and Building on February 27, 2012, and the IS/MND was distributed to
30 interested parties and agencies. On March 16, 2012, a notice of the Planning
31 Commission public hearing of March 28, 2012, to review the IS/MND was
32 published in the local newspaper;
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34 **WHEREAS**, the Planning Commission has reviewed and considered this
35 application at its regular meetings on March 28, 2012 and April 18, 2012, and
36 prior to taking action on the application, the Commission received written and
37 oral reports by the Staff, and received public testimony; and
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39 **WHEREAS**, pursuant to Chapter 17.24.170 PD Planned Development
40 District – Article III. PD 2007-1 (Terrano Resort & Spa) of the Calistoga Municipal
41 Code, the Planning Commission finds the proposed project, if the conditions of
42 project approval, the Ordinance adopting the Zoning Ordinance Text Amendment
43 to PD 2007-1, as amended, and the Ordinance adopting the Development
44 Agreement for the project are adopted, is in compliance with all the required
45 provisions of the Planned Development District; and
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47 **WHEREAS**, the Planning Commission, pursuant to Chapter 17.40.070
48 Findings (Use Permit) has made the following findings for the project:
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50 The Project’s proposed findings in support of approval a preliminary/final Planned
51 Development Plan/Conditional Use Permit, in conformance with Calistoga
52 Municipal Code (“CMC”) Section 17.40.070, to demolish the existing resort and
53 single-family residence and construct a new resort consisting of 85 visitor
54 accommodations, restaurant, conference, winery and spa uses, and the
55 establishment of geothermal activity and 21 single family homes are set forth
56 below.
57

58 **1. That the proposed development, together with any provisions for its**
59 **design and improvement, is consistent with the General Plan, any**
60 **applicable specific plan and other applicable provisions of this code**
61 **including the finding that the use as proposed is consistent with the**
62 **historic, rural, small-town atmosphere of Calistoga.**

63 a. The Project is consistent with General Plan Land Use Objective LU-
64 1, as the Project proposes high-quality, sensitively designed infill
65 development, while preserving important rural residential and
66 agricultural open-space values on the site (LU-1 P5).

67 b. The Project is consistent with General Plan Land Use Objective LU-
68 1.2 concerning the balance between visitor-oriented and local-
69 serving commercial development, as follows:

70 i. The Project minimizes adverse impacts to other segments of
71 the economy and the resident population through significant
72 upgrading in the quality of visitor accommodations, impact
73 fees and exactions paid pursuant to the Development
74 Agreement, and conditions imposed on the Planned
75 Development/Conditional Use Permit (LU-1.2 P1).

- 76 ii. The Project will be analyzed under the California
77 Environmental Quality Act (“CEQA”) and all environmental
78 impacts will be mitigated to a level of less than significant
79 (LU-1.2 P2).
- 80 iii. The Project expands existing visitor accommodations (LU-
81 1.2 P3).
- 82 iv. The Project is compatible with the adjacent visitor
83 accommodations, residential and agricultural uses (LU-1.2
84 P4).
- 85 c. The Project is consistent with General Plan Land Use Objective LU-
86 1.3 concerning the preservation of Calistoga’s quality of life, as
87 follows:
- 88 i. The Project is designed in an environmentally sensitive
89 manner, is compatible with adjacent visitor accommodation,
90 residential and agricultural uses, meets noise, air, water and
91 wastewater quality standards, and has access to City water,
92 wastewater, fire and police services (LU-1.3 P3 and P4).
- 93 ii. The Project is appropriately landscaped to harmonize with
94 the rural residential nature of the Silverado Trail Downvalley
95 Entry Corridor, provides sufficient on-site parking to serve
96 the expanded uses and is designed to minimize the size and
97 bulk of individual buildings (LU-1.3 P5).
- 98 d. The Project is consistent with General Plan Land Use Objective LU-
99 2.1 P1 concerning conformance with the Rural Residential land use
100 designation of the site, as follows:
- 101 i. Visitor accommodation and winery uses are allowed in the
102 Rural Residential land use designation pursuant to a
103 discretionary permit, such as a Planned Development or
104 Conditional Use Permit (LU-14).
- 105 ii. The Project clusters structural development to minimize
106 visual monotony, preserve and enhance on-site agricultural
107 open space, maintain a vineyard buffer at the entrance to the
108 site and maintain the scenic vista of the site from the
109 Silverado Trail public right-of-way and adjacent private
110 development (LU-14 and LU-17).

- 111 iii. The Project preserves existing trees native to the Napa
112 Valley to the maximum extent feasible, thereby preserving
113 natural resources important to the community (LU-17).
- 114 iv. The Project's site and architectural design, preserves the
115 site's rural, agricultural scale and character (LU-17).
- 116 e. The Project is consistent with General Plan Land Use Objective LU-
117 2.1 P2 concerning conformance with the Entry Corridor 2:
118 Downvalley Silverado Trail overlay designation of the site, as
119 follows:
- 120 i. Vineyards are preserved and enhanced along the Silverado
121 Trail, providing a wide, agricultural open-space buffer (LU-32
122 and LU-34).
- 123 ii. Walls and fences incorporate stone and wood materials
124 which blend harmoniously with the surrounding landscape
125 (LU-32).
- 126 iii. Existing mature trees are preserved to the maximum extent
127 feasible (LU-32).
- 128 iv. The proposed hotel, villas, winery, restaurant and residential
129 buildings are designed to preserve the low-rise, understated
130 rural residential and agricultural qualities of the site and
131 adjacent properties (LU-33).
- 132 v. The site and landscape design screens the existing Winery
133 parking lot from the Silverado Trail to the maximum extent
134 feasible (LU-33).
- 135 vi. The Project is subject to Design Review (LU-33).
- 136 vii. The Project, as a destination resort and spa which includes a
137 winery and 21 residences, complements, rather than
138 competes, with the City's downtown commercial core (LU-
139 33).
- 140 f. The Project is consistent with General Plan Land Use Objective LU-
141 2.1 P2 regarding conformance with the Visitor Accommodations
142 overlay designation of the site, as visitor accommodations are
143 allowed in the Rural Residential land use designation pursuant to a
144 discretionary permit, such as a Planned Development or
145 Conditional Use Permit (LU-14).

- 146 g. The Project is consistent with General Plan Land Use Objective LU-
147 3.1 regarding the physical suitability of lands for the development
148 proposed, as follows:
- 149 i. The Project upgrades and expands existing development
150 (LU-3.1 P1).
- 151 ii. The Project, including the impact fees and exactions paid
152 pursuant to the Development Agreement, is coordinated with
153 the provision of infrastructure and public services required to
154 meet Project needs (LU-3.1 P3).
- 155 iii. Clustering and interconnection of the hotel, residences and
156 winery and maximum feasible preservation of vineyard and
157 agricultural open space on-site (LU-3.1 P5).
- 158 h. The Project is consistent with General Plan Land Use Objective LU-
159 3.2 regarding respect for Calistoga's small town rural character and
160 the avoidance environmental impacts, as follows:
- 161 i. The Project's site and architectural design, preserves the
162 site's rural, agricultural scale and character (LU-3.2 P1).
- 163 i. The Project is consistent with General Plan Geothermal Objective
164 G-1.2, as the establishment of an on-site, closed-loop geothermal
165 heating and/or cooling system, in which all geothermal water
166 pumped is re-injected, will not have an adverse impact on the
167 longevity of the geothermal resource, will not impact biotic
168 resources or waterways, and will not produce any effluent to be
169 treated or disposed of (G1.2 P3).
- 170 j. The Project is consistent with General Plan Economic Development
171 Objective ED-1.1 P1, regarding support for the lodging industry, as
172 the Project significantly upgrades existing visitor accommodations
173 and spa facilities to serve a luxury, health and wellness oriented
174 market segment.
- 175 k. The Project is consistent with PD 2007-1, as amended, as the
176 project includes a resort with a mix of uses consisting of a hotel,
177 spa, restaurant winery, and single-family homes.
- 178 **2. That the site is physically suitable for the type and density of**
179 **development.**
- 180 a. The approximately 22.5 acres of the site, with its variegated
181 topography, is highly suitable to the Project's mixed-use, integrated

182 visitor accommodations, spa, restaurant, vineyards, residential, and
183 winery uses.

184 b. The Project's design allows the physical integration of the Winery,
185 Restaurant, Hotel, and Residences thereby facilitating clustered
186 development and the preservation of on-site vineyard and
187 agricultural open space.

188 **3. That the proposed development has been reviewed in compliance**
189 **with the CEQA and that the project will not result in detrimental or**
190 **adverse impacts upon the public resources, wildlife or public health,**
191 **safety and welfare.**

192 a. The Project will be analyzed under CEQA and all environmental
193 impacts will be mitigated to a level of less than significant.

194 b. The impact fees and exactions paid pursuant to the Development
195 Agreement, and the conditions imposed under the Planned
196 Development/Conditional Use Permit ensure that the Project has
197 no adverse impacts on public health, safety and welfare.

198 **4. Approval of the use permit application will not cause adverse**
199 **impacts to maintaining an adequate supply of public water and an**
200 **adequate capacity at the wastewater treatment facility.**

201 a. The Project, including the impact fees and exaction paid pursuant
202 to the Development Agreement, will not cause adverse impacts to
203 the public water supply and wastewater treatment facility.

204 **5. Approval of the use permit application shall not cause the extension**
205 **of service mains greater than 500 feet with the exception of possibly**
206 **a sewer line.**

207 a. Sanitary Sewer extension maybe required to be constructed if the
208 Brian Arden Winery (BAW) project does not install the sewer lane
209 ahead of Silver Rose. If this main is not in place Silver Rose will be
210 required to meet the sewer conditions for BAW project (e.g.approx.
211 800 LF south of Silverado Trail of 8-inch sewer line, easement road
212 construction, etc)

213 **6. An allocation for water and/or wastewater service pursuant to**
214 **Chapter 13.16 CMC (Resource Management System) shall be made**
215 **prior to project approval.**

216 a. The Project includes a Development Agreement, and is therefore
217 within the exception from the Growth Management System set forth
218 in Section 19.02.050 (F) of the Calistoga Municipal Code.

219 **7. That the proposed development presents a scale and design which**
220 **are in harmony with the historical and small-town character of**
221 **Calistoga.**

222 a. The Project's site and architectural design, preserves the site's
223 rural, agricultural scale and character.

224 **8. That the proposed development be consistent with and enhance**
225 **Calistoga's history of independent, unique, and single location**
226 **businesses, thus contributing to the uniqueness of the town, which**
227 **is necessary to maintain a viable visitor industry in Calistoga and to**
228 **preserve its economy.**

229 a. The Project is a unique, destination resort development, integrating
230 visitor accommodations and on-site vineyards with restaurant,
231 winery, spa and residential uses, adding to the City's diversity in the
232 types and quality of visitor serving businesses.

233 **9. To receive a use permit, a finding shall be made that the proposed**
234 **development or use would be resident serving as defined in CMC**
235 **17.04.597. This finding shall only apply to formula businesses.**

236 a. The Project does not: have a business name common to a similar
237 business located elsewhere, use standardized services or uniforms
238 common to a similar business located elsewhere, include interior
239 decoration common to a similar business located elsewhere, use
240 architecture, exterior design or signs common to a similar business
241 located elsewhere, use a trademark or logo common to a similar
242 business located elsewhere, or employ a name, appearance,
243 business presentation or other similar features which would make
244 the Project substantially identical to another business within or
245 outside of the City, and is therefore not a Formula Business, as that
246 term is defined in CMC Section 17.04.132.

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248 **WHEREAS**, the Planning Commission pursuant to Chapter 17.06.040 of
249 the Calistoga Municipal Code, finds that the development attains the purposes
250 set forth in CMC 17.06.010 and is in compliance with the following Design
251 Review guidelines:

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253 **1. The extent to which the proposal is compatible with the existing**
254 **development pattern with regard to massing, scale, setbacks, color,**
255 **textures, materials, etc.**

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- a. The Project's site and architectural design, preserves the site's rural, agricultural scale and character.
- b. Walls and fences incorporate stone and wood materials which blend harmoniously with the surrounding landscape.
- c. The Project clusters structural development to minimize visual monotony, preserve and enhance on-site agricultural open space, maintain a vineyard buffer at the entrance to the site and maintain the scenic vista of the site from the Silverado Trail public right-of-way and adjacent private development.

2. Site layout, orientation, location of structures, relationship to one another, open spaces and topography.

- a. The organization of the buildings and the clustering and physical integration of the Hotel, Winery, Restaurant and single-family homes, preserves the site's rural, agricultural scale and character.
- b. The Project clusters structural development to minimize visual monotony, preserve and enhance on-site agricultural open space, maintain a vineyard buffer at the entrance to the site and maintain the scenic vista of the site from the Silverado Trail public right-of-way and adjacent private development.

3. Harmonious relationship of character and scale with existing and proposed adjoining development, achieving complementary style while avoiding both excessive variety and monotonous repetition.

- a. The Project clusters structural development to minimize visual monotony, preserve and enhance on-site agricultural open space, maintain a vineyard buffer at the entrance to the site and maintain the scenic vista of the site from the Silverado Trail public right-of-way and adjacent private development.
- b. The variation among the architectural styles within the main buildings and the interrelationship of all Project exterior finish materials on the site ensures appropriately complementary styles among the Project's buildings.

4. Building design, materials, colors and textures that are compatible and appropriate to Calistoga. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project.

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- a. The integration of working vineyard and culinary farming operations with the Project’s visitor accommodations, winery, restaurant and spa uses is complimented by the rural-scale and agriculturally-inspired Project building styles and exterior finishes.
- b. The Project’s site and architectural design, including the use of hip and gabled metal roofs, and low-scale buildings preserves the site’s rural, agricultural scale and character.

5. Harmony of materials, colors, and composition of those sides of a structure, which are visible simultaneously.

- a. All Project buildings utilize consistent and harmonious exterior finish materials on all sides.

6. Consistency of composition and treatment.

- a. The variation among the architectural styles within the resort buildings and the interrelationship of all Project exterior finish materials on the site ensures appropriately complementary styles among the Project’s buildings.
- b. Walls and fences incorporate stone and wood materials which blend harmoniously with the surrounding landscape.

7. Location and type of planting with regard to valley conditions. Preservation of specimen and landmark trees upon a site, with proper irrigation to insure water conservation and maintenance of all plant materials.

- a. Existing trees are preserved to the maximum extent feasible.
- b. Existing specimen and landmark trees that cannot be preserved in place are transplanted to the maximum extent feasible.
- c. Implementation of the Project’s Tree Protection Plan will reduce the impacts to the health of the existing, preserved trees.

8. Whether exterior lighting, design signs and graphics are compatible with the overall design approach and appropriate for the setting.

344 a. The Project's lighting shall comply with CMC Section 17.36.090 (D),
345 subject to review and approval at the building permit stage by the
346 Director of Planning and Building and the Police Department.
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348 **9. The need for improvement of existing site conditions including but**
349 **not limited to signage, landscaping, lighting, etc., to achieve closer**
350 **compliance with current standards.**
351

352 a. The Project substantially upgrades existing site conditions with
353 regard to, landscaping, lighting, architecture and exterior finishes.
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355 b. The Project substantially upgrades the exterior of the existing
356 Winery building, an important structure for Entry Corridor 2:
357 Downvalley Silverado Trail.
358

359 **10. Whether the design promotes a high design standard and utilizes**
360 **quality materials compatible with the surrounding development**
361 **consistent with and appropriate for the nature of the proposed use.**
362

363 a. The Project substantially upgrades of existing site conditions with
364 regard to, landscaping, lighting, architecture and exterior finishes.
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366 b. The integration of working vineyard and culinary farming operations
367 with the Project's visitor accommodations, winery, restaurant,
368 residences, and spa uses is complimented by the rural-scale and
369 agriculturally-inspired building styles and exterior finishes.
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371 c. The Project's site and architectural design, and the clustering and
372 physical integration of the Hotel, Winery, Restaurant and
373 residences, preserves the site's rural, agricultural scale and
374 character.
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376 d. The variation among the architectural styles within the resort
377 buildings and the interrelationship of all Project exterior finish
378 materials on the site ensures appropriately complementary styles
379 among the Project's buildings.
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381 e. Walls and fences incorporate stone and wood materials which
382 blend harmoniously with the surrounding landscape.
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384 **11. Responsible use of natural and reclaimed resources.**
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386 a. The Project preserves existing trees to the maximum extent
387 feasible.
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389 b. The Project includes the on-site composting of winery solid wastes.
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391 **THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
392 Commission that based on the above Findings, the Planning Commission
393 recommends to the City Council approval of the proposed project, subject to the
394 following Conditions of Approval:
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396 Wherever any condition herein requires the review and/or approval of the
397 "City," this shall mean and refer to the review and/or approval by the
398 appropriate department staff, unless otherwise expressly stated.
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400 **CONDITIONAL USE PERMIT (U 2011-14), DESIGN REVIEW (DR2011-12) &**
401 **PRELIMINARY/FINAL PLAN DEVELOPMENT PLAN (PD 2011-2)**
402

403 **General Planning Conditions:**
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- 405 1. This permit authorizes the construction of a resort consisting of an 85
406 room hotel, 150 seat restaurant/lounge, spa and fitness, meeting rooms,
407 21 single-family dwellings, 10,000 case winery with retail sales and
408 tasting, vineyards, and related infrastructure consistent the plans and
409 supporting information received February 27, 2012, and consistent with all
410 other City Ordinances, rules, regulations, and policies. The conditions
411 listed below are particularly pertinent to this permit and shall not be
412 construed to permit violation of other laws and policies not so listed. A
413 minor reduction the number of visitor accommodation units, restaurant
414 seating, and the number of dwellings is allowed provided the Planning and
415 Building Manager determines the modification to be in substantial
416 compliance with the approved Development Plan.
417
- 418 2. The applicant agrees by accepting these conditions herein that any
419 material deviations from the approved plans (dated February 27, 2012,
420 and on file at the City's Planning and Building Department) shall be
421 subject to review and approval by the Planning and Building Manager, or
422 Planning Commission as determined by the Manager, prior to
423 incorporating the changes on the project site.
424
- 425 3. Development and use of the property shall substantially conform to the
426 submitted project description and site plans on file in the City's Planning
427 and Building Department dated February 27, 2012.
428
- 429 4. All construction and improvements shall be in accordance with zoning,
430 building, and all other codes, ordinances, standards, policies of the City of
431 Calistoga.
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- 433 5. All construction activity shall be restricted to the hours of 7:00 a.m. to 7:00
434 p.m., Monday through Saturday. Construction hours may be extended as
435 approved by the Planning and Building Manager if it is determined that
436 special circumstances exist that necessitate extend hours for short periods
437 of time.
438
- 439 6. Construction activity shall stay outside the drip line of any protected tree to
440 the maximum extent feasible. Protective fencing shall be installed subject
441 to the review and approval of the Planning and Building Department in
442 consultation with a City hired certified Arborist (paid by applicant) prior to
443 the issuance of any building or grading permit.
444
- 445 7. Per CMC section 19, applicant shall provide a tree protection plan which
446 shall be designed and reviewed by a certified Arborist hired by the City
447 and paid for by the applicant. Appropriate tree mitigation shall be
448 approved prior to any grading permits being released.
449
- 450 8. Vehicles used in transporting materials shall be limited to City-approved
451 haul routes. No construction traffic is allowed on Rosedale Road east of
452 the project site or on Pickett Road without prior approval from the City and
453 County.
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- 455 9. All work performed in conjunction with this approval shall be by individuals
456 who possess a valid business license from the City.
457
- 458 10. Any temporary sales office shall require the approval of an administrative
459 Conditional Use Permit.
460
- 461 11. This use shall conform to all required conditions established herein, as
462 approved by the City Council. Failure to comply with these conditions may
463 result in a City-initiated amendment or revocation of the permit if the City
464 finds that the use to which the permit is put is detrimental to the health,
465 safety, comfort or welfare of the public, or causes a nuisance.
466
- 467 12. This use permit does not abridge or supersede the regulatory powers or
468 permit requirements of any federal, state or local agency, special district or
469 department which may retain regulatory or advisory function as specified by
470 statute or ordinance. The applicant shall obtain permits as may be required
471 from each agency prior to the issuance of any grading or building permit.
472
- 473 13. The Planning and Building Manager may approve minor amendments to
474 this Use Permit provided that the permit is still in substantial conformance
475 with the original approval.
476

- 477 14. Permit holder shall be required to comply with all mitigation measures
478 contained in Resolution PC 2012-09 (Mitigated Negative Declaration
479 dated February 21, 2012) and which are incorporated herein. Permit
480 holder and applicant shall also be required to comply with all required
481 project revisions and mitigation measures contained in the Mitigation
482 Monitoring Program.
483
- 484 15. The applicant shall be allowed to pull separate building permits for each
485 phase of the project, subject to City Planning and Building, Public Works
486 Director and Fire Chief approval of a detailed phasing plan. The phasing
487 plan shall be submitted for review and approval by the City prior the
488 issuance of any building or grading permit and include a plan that
489 identifies the sequence of all structures, uses and amenities, installation of
490 utilities and infrastructure, compliance with project conditions and the
491 submittal of a construction management plan as required in these
492 conditions.
493
- 494 16. Prior to the selling or service of any alcoholic beverages within any portion
495 of the project, the applicant shall obtain a license from the State
496 Department of Alcohol and Beverage Control, and provide a copy of the
497 license to the Planning and Building Department.
498
- 499 17. Prior to the issuance of a building permit for any phase of the project that
500 requires such, the applicant shall obtain all necessary permits from the
501 Napa County Department of Environmental Management for spa and
502 resort operations, including the planned restaurant, pools and use of
503 geothermal water.
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- 505 18. Prior to building permit issuance for any commercial structure that
506 includes food or beverage service facilities, the applicant shall comply with
507 the California Uniform Retail Food Facilities Law and Napa County
508 Environmental Health Management Division requirements for food and
509 beverage service to the public. Complete plans and specifications
510 containing equipment layout, finish schedule and plumbing plans for the
511 food and/or beverage facilities and employee restrooms must be
512 submitted directly to the Department of Environmental Management with
513 the appropriate plan review fee. Upon completion of the work and prior to
514 final by this department an annual food permit will also be required.
515
- 516 19. Prior to the issuance of a building permit for demolition of any buildings,
517 the applicant shall provide a declaration to the Building Official that there
518 is no lead paint, asbestos, or other hazardous substances on-site. In the
519 event that a declaration cannot be provided, an investigation shall be
520 required. In the event that toxic substances are on-site, a certified

- 521 asbestos or toxic control specialist shall monitor the cleanup and/or
522 excavation.
523
- 524 20. Prior to issuance of any, demolition permit, building permit or grading
525 permit, the permit holder shall obtain any required permits from the Bay
526 Area Air Quality Management District (BAAQMD), and shall comply with
527 all permit requirements specified by BAAQMD.
528
- 529 21. Prior to the issuance of a Certificate of Occupancy, the applicant shall
530 submit a master sign program that sets forth the sign theme for the project
531 and specifies proposed sign sizes, types, and locations, including wall,
532 canopy, freestanding, directional, and informational signs, including
533 building addressing. The master sign program shall comply with the City's
534 regulations for Formula Visitor Accommodations and shall be subject to
535 review and approval by the Fire Chief, Police Chief and Planning and
536 Building Manager.
537
- 538 22. The permittee shall permit the City of Calistoga or representative(s) or
539 designee(s) to make periodic inspections at any reasonable time deemed
540 necessary in order to assure that the activity being performed under
541 authority of this permit is in accordance with the terms and conditions
542 prescribed herein.
543
- 544 23. The applicant shall pay for all third party plan check and building
545 inspection service fees required for building permit review and inspection
546 during project construction.
547
- 548 24. The applicant shall submit a final landscape improvement plan, including
549 lighting, fencing, ponds, patios, decking, etc., prior to issuance of a
550 building permit for the project, showing final selection of plant materials,
551 sizes, locations and details of the on site reclaimed (if any) irrigation
552 delivery system. The Landscape Architect shall also include evidence that
553 the landscape specimens will not be affected by the reclaimed water (if
554 any) chemistry.
555
- 556 25. Utilities within the site shall be placed underground to protect the scenic
557 value of the property. Existing overhead utilities along Rosedale Road
558 may remain in order to retain the existing tree cover.
559
- 560 26. The Planning and Building Manager may approve minor amendments to
561 this Design Review application provided that the permit is still in
562 substantial conformance with the original approval.
563
- 564 27. Any future exterior alterations, expansion or other new construction shall be
565 subject to Design Review approval. The property owner agrees to submit

566 an application for Building Permit for all construction of buildings or
567 structures located on the site, not otherwise exempt by the Uniform Building
568 Code or any State or local amendment adopted thereto. Prior to issuance
569 of all building permits, the property owner agrees to pay all fees associated
570 with plan check and building inspections, and associated development fees
571 rightfully established by City Ordinance or Resolution.
572

573 28. Approval of this Design Review is based on the presentation of materials
574 kept on file by the Planning and Building Department. These materials shall
575 be applied to the building as approved and may only be materially changed
576 with the approval of a Design Review application approved by the Planning
577 Commission, through the process established in the City of Calistoga
578 Zoning Ordinance.
579

580 29. Ground mounted equipment, such as backflow prevention devices and
581 utility panels, etc. shall be adequately screened from public view and view
582 from adjoining developed parcels, prior to occupancy of the project.
583

584 30. Given the location of this parcel near an Entry Corridor as described in the
585 General Plan, the property owner agrees to submit for Design Review
586 consideration and approval all future exterior alterations, additions and site
587 modifications, such as exterior color changes, awnings, signs, materials,
588 and lighting, not to include repainting a structure to match the existing
589 color(s) and repair or maintenance where the work solely involves the
590 replacement of materials in kind or in a location that is not visible from the
591 public right-of-way.
592

593 31. Prior to building permit issuance, all permanent exterior lighting shall be
594 directed and/or shielded so as not to shine or create glare on any adjacent
595 property in accordance with the standards contained in Section 17.36 of
596 the Calistoga Municipal Code and the Title 24 Part 6 2007 California
597 Energy Code which limits light and glare, subject to the review and
598 approval of the Planning and Building Department.
599

600 32. Construction materials that are highly reflective are prohibited.
601 Construction materials that are less reflective shall not be allowed to
602 project glare or light across the property boundaries.
603

604
605 **Engineering/Public Works Department Conditions:**
606

607 General Conditions
608

609 33. The applicant shall pay all applicable reimbursement (sewer and storm
610 drainage) fees due pursuant to the adopted Reimbursement Agreement

- 611 for Off-Site Public Improvements Related to the Palisades-Calistoga
612 Resort, LP (Solage) Project.
613
- 614 34. The Developer shall provide improvement and warranty, bonding, and
615 security in accordance with CMC 16.18. Developer shall provide cost
616 estimates for City approval from a registered Civil Engineer. Improvement
617 security shall include an additional amount for the estimated cost of
618 restoring the site should the developer not complete all the improvements.
619
- 620 35. The applicant shall submit for review and approval by the City Public
621 Works Director a Final Storm Drainage Study prior to the issuance of
622 grading and/or building permits. The applicant shall construct drainage
623 improvements as outlined in the adopted Silver Rose Final Storm
624 Drainage Study as required to serve the project. Such improvements shall
625 be complete and operational, subject to City inspection and approval, prior
626 to occupancy of the project.
627
- 628 36. Provide signed/stamped letter from geotechnical engineer of record that
629 all soil and groundwater drain related issues were installed as designed.
630
- 631 37. The developer shall provide a stamped letter from the civil engineer
632 inspecting work (by them or their sub) certifying that all infrastructure has
633 been installed per plans and specifications.
634
- 635 38. Developer shall pay current rates for all required inspection services.
636
- 637 39. The applicant shall design and install all on-site infrastructure
638 improvements including roads, drainage, sewer, and water to the
639 satisfaction of the satisfaction of the applicant's engineering team (i.e.
640 geotechnical, civil, structural, electrical, mechanical etc.). Letters shall be
641 provided by each engineering specialty signing off on the acceptance that
642 the facilities were inspected (by them or their sub) and installed as
643 designed. The City is not responsible for on-site infrastructure. Applicant
644 shall include a note on the final map stating that Calistoga is not
645 responsible for any of the on-site infrastructure (e.g. roads, utilities,
646 drainage facilities). On-site infrastructure is the responsibility of the
647 developer, builder and their team of architects and engineers.
648
- 649 All public infrastructure improvements shall be built to the satisfaction of
650 Calistoga and current Federal, State and local requirements. All
651 improvements shall be installed, properly inspected operational and
652 accepted by the City prior to project occupancy. The developer shall pay
653 for all inspection of this infrastructure.
654

- 655 40. All new structures shall be required to connect to City sewer and water
656 service before final inspection. Winery to be served by on-site wells as
657 approved by Napa County.
658
- 659 41. Prior to any grading or building permit issuance, the developer shall have
660 a Qualified Stormwater Developer (QSD) prepare an approved Storm
661 water Pollution Prevention Plan (SWPPP) as required by the most recent
662 NPDES Construction General Permit provided by the State Water
663 Resources Control Board. This shall include a Notice of Intent (NOI). The
664 developer will also be responsible for implementing all aspects of the
665 SWPPP throughout construction activities and through Notice of
666 Termination (NOT).
667
- 668 42. The applicant shall obtain approval of an appropriate temporary security
669 fence (for purposes of securing construction equipment and materials)
670 from the City prior to issuance of any grading or building permit
671
- 672 43. The applicant shall provide a traffic control plan signed by a licensed traffic
673 engineer to control traffic safety throughout all of the construction phases.
674 Plan shall include but not limited to staging areas on the project site and
675 truck movements, cones, signage, flagging, etc. Approval of the plan shall
676 be required from the City prior to issuance of any grading permit or in
677 conjunction with the submittal and approval of a detailed phasing plan.
678 Rosedale Road east of the project site and Pickett Road shall not be used
679 for construction or staging.
680
- 681 44. The property owner shall satisfy all Napa County requirements related to
682 this project.
683
- 684 45. All internal roads/ driveways, water, sewer, and drainage facilities will be
685 owned and maintained by the developer/homeowners association (i.e. City
686 will not own any on-site infrastructure).
687
- 688 46. Owner will need to sign and provide appropriate documentation for all
689 required maintenance agreements related to on-site infrastructure.
690
- 691 47. Applicant will provide any necessary easements documents required for
692 infrastructure.
693
- 694 48. A preliminary water/wastewater study was provided prior to entitlements.
695 Additional water/wastewater beyond what was initially estimated should be
696 accounted for during design phase and additional connection fees paid (if
697 necessary). The resort portion of the project shall be billed for water and
698 sewer at the City's transient general rate. The winery waste will be billed
699 based on strength and flow if discharged to the City sewer. The

700 residential portion shall be billed at a residential rate based on
701 consumption of water through the master meter.

702
703 49. Developer shall pay any necessary fees related to City peer review costs
704 associated with the review of the design, construction, and inspection of
705 the project.

706
707 Street Improvements and On-Site Circulation

708
709 50. Street improvement plans for Silverado Trail shall be submitted and
710 approved by the City Engineer prior to the issuance of any grading permit.
711 Improvements shall adhere to City standards unless specifically approved
712 by the City Engineer, accompanied by supporting documentation from the
713 applicant. Street improvements to Silverado Trail shall include at left turn
714 pocket at the main entrance and a 4 foot wide Class II bike lane.

715
716 51. The project developer shall improve Rosedale Road to meet Napa County
717 Road and Street Standards for a Type I General Minor without parking
718 lanes – Low Density-Type I from Silverado Trail to the east side of the
719 residential access driveway entrance and then taper to the existing road
720 width.

721
722 52. Rosedale shall receive a 2-inch minimum full width Hot Mix Asphalt
723 overlay the entire length of the property frontage and its intersection with
724 Silverado Trail prior to final occupancy of the project (if the full width of
725 Rosedale Road is paved as part of the improvements to meet the General
726 Minor Without Parking section then this condition will be deemed satisfied
727 with the exception of the paving the intersection of Silverado Trail and
728 Rosedale Road).

729
730 53. The applicant shall obtain an encroachment permit from the City to cover
731 work within the public ROW and/or work dealing with City owned or
732 maintained utilities. A grading permit will be issued through the Planning
733 and Building Department.

734
735 54. A minimum of 178 resort parking spaces and 42 residential parking
736 spaces for a total of 220 parking spaces shall be provided on-site as
737 illustrated and detailed in submitted application materials and plans on file
738 in the City's Planning and Building Department dated February 27, 2012.
739 No on-street parking shall be permitted along Silverado Trail or Rosedale
740 Road unless permitted by administrative use permit for the event.

741
742 55. Prior to recordation of any phase of the Final Subdivision Map, all
743 necessary right-of-way dedications and easement recordation shall occur.
744

- 745 56. The Improvement Plans submitted for review and approval by the City
746 shall include relocating the existing streetlight at Rosedale and Silverado
747 Trail to a location that better identifies this intersection. The location shall
748 follow City Standards and be placed to the satisfaction of the City
749 Engineer. Prior to the issuance of the first Certificate of Occupancy for
750 any part of the project, the applicant shall relocate, install and activate said
751 streetlight. Streetlight shall conform to PG&E standards and shall be
752 dedicated to PG&E and they agree to maintain said light.
753

754 Water Service
755
756

- 757 57. The water design and improvements shall comply with the City of Santa
758 Rosa Design and Construction Standards and applicable State (e.g.
759 Department of public health) Standards.
760
761 58. On-site well water will serve all on-site irrigation, winery
762 commercial/production and pool water. Applicant will need to provide proof
763 of this with appropriate design/construction improvements. If domestic
764 water is required for any of these facilities the City will require the
765 developer's engineer update the water study to provide additional
766 allocation and pay appropriate connection fees.
767
768 59. All points of connection to existing city system will require appropriate
769 backflow and master metering devices to the satisfaction of Public Works.
770
771 60. Provide appropriate level of design detail for any off-site water
772 improvements.
773
774 61. Provide appropriate backflow prevention of all sources.
775
776 62. Provide complete fire flow/hydraulic calculations to confirm required fire
777 flow and pressure to the project.
778
779

780 Wastewater Collection and Treatment
781

- 782 63. The sanitary sewer design and improvements shall comply with the City of
783 Santa Rosa Design and Construction Standards and applicable state (e.g.
784 Department of Public Health) standards.
785
786 64. All generation rates and quantities contained in the February, 2012
787 Water/Wastewater report prepared by BKF Engineering are the best
788 estimates of maximum amounts to be permitted for this project. Prior to
789 the issuance of building permits for each phase, said amounts shall be

790 verified as within the thresholds established by this approval. Verification
791 will include a letter and any necessary study, signed by the project
792 engineer and accepted by the City Engineer.

793 65. Mud separators shall be installed at the spa. No mud shall be allowed into
794 the sanitary sewer system. Developer shall provide an operations and
795 maintenance plan to the City and shall be responsible for regular
796 scheduled maintenance of mud separators. Should the mud separators
797 fail to meet their performance requirements, the owner shall reconstruct
798 the mud separators at the owner's expense. The design of mud
799 separators shall be submitted to the Public Works Department for review
800 and approval prior to the issuance of building permits.

801 66. All commercial and restaurant waste shall have adequately sized
802 oil/grease vaults to separate waste products. No grease shall be allowed
803 to enter the sanitary system. Developer shall provide O&M plan to the
804 City along with annual statements showing scheduled maintenance of
805 facilities.

806 67. Winery wastewater pretreatment and/or monitored discharge facilities, if
807 included in the final design, shall be designed and constructed to meet all
808 City requirements for discharge into public sewer systems. This will
809 require a separate sewer system and monitoring manhole be set, so that
810 24/7 strength flow monitoring/testing can be accomplished. Prior to
811 occupancy of any phase, Developer shall provide an operations and
812 maintenance plan to the City and shall be responsible for regular
813 scheduled maintenance of all pretreatment and/or monitored discharge
814 facilities. Should the pretreatment and/or monitored discharge facilities fail
815 to meet their treatment and discharge performance requirements, the
816 owner shall reconstruct the improvements and/or monitored discharge
817 facilities. The applicant will be responsible for the cost of 24/7 monitoring
818 of discharge through this manhole and will be billed on a monthly schedule
819 with strength and flow of discharge the basis for those charges.

820 68. Permit(s) for geothermal wells and the geothermal energy system will be
821 obtained from the California Department of Conservation – Division of Oil,
822 Gas and Geothermal resources, at which time a detailed plan for the
823 geothermal energy system and supply/re-injection wells will be required.
824 The geothermal heating and/or cooling system for the project shall be
825 limited to 32 acre feet per year of geothermal groundwater pumped from
826 three on-site wells, used to provide heating and/or cooling to the project,
827 and re-injected into one re-injection well. All geothermal wells (i.e.
828 extraction, injection, etc.) will require flow meters to account for use and
829 discharge. Applicant agrees to provide the City all geothermal meter
830 reads (e.g. extraction, re-injection wells, sewer discharge meters, etc.) at
831 regular billing intervals (e.g.bi-monthly)

- 832 69. Any facilities that discharge well water (cold or hot) and any pretreated
833 winery waste discharge shall be plumbed separately and routed through a
834 single flow meter (as approved by the City) to account for billing of waste
835 discharge.
- 836 70. If “hold and haul” process is used for winery waste. Owner will be required
837 to provide adequate documentation/receipts to prove that all wine waste
838 has been transported to appropriate off-site treatment facility and that it
839 has not been discharged to City sewer facilities.
- 840 71. Any existing wells not used for the proposed development shall be
841 abandoned by the applicant in accordance with all local and state
842 requirements.
- 843 72. Provide appropriate level of design detail for all off-site sewer
844 improvements to an appropriate connection point approved by the City
845
- 846 Drainage
847
- 848 73. Storm drainage design shall meet all current federal, state, and local
849 requirements.
850
- 851 74. Storm drainage post construction runoff, low impact development (LID)
852 improvements shall be designed in compliance with the most current
853 County requirements, Regional Water Quality Control Board standards
854 and the California Stormwater Quality Association (CASQA) Handbook of
855 Best Management Practices.
856
- 857 75. Developer shall maintain all existing stormwater facilities on or
858 immediately adjacent to the property. Should any facilities fail to meet their
859 drainage performance requirements, the owner shall reconstruct them at
860 the owner’s expense.
861
- 862 76. Developer shall maintain all stormwater culverts and headwalls under
863 Rosedale access driveways. Should the stormwater culverts and
864 headwalls fail structurally, the owner shall reconstruct stormwater culverts
865 and headwalls at the owner’s expense. Structures and piping along
866 Rosedale shall meet the most recent County standards and dedicated to
867 the County.
868
- 869 77. Permeable asphalt or permeable concrete shall not be used as a
870 permeable pavement solution. Developer shall provide a permeable
871 pavement maintenance plan to the City and shall be responsible for
872 maintaining permeable pavements to maintain drainage performance
873 requirements. Should the permeable pavements fail to meet their

874 drainage performance requirements, then the owner shall reconstruct the
875 permeable pavements at the owner's expense.

876
877 78. Developer shall submit an engineered fail-safe control design for
878 redirecting winery service yard and crush pad waste to sanitary sewer that
879 meets the Public Works Department approval and install such
880 improvements.

881
882 79. Prior to occupancy, Developer shall provide an operations and
883 maintenance plan to the City and shall be responsible for regular
884 scheduled maintenance of all project detention basins and other storm
885 drain facilities. Should the project detention basins fail to meet their
886 drainage detention performance requirements, then the owner shall
887 reconstruct the detention basins at the owner's expense.

888
889 80. Provide appropriate level of design detail for all off-site drainage
890 improvements.

891
892 81. Developer shall address in final drainage study how they have mitigated
893 an increase in runoff with designed LID facilities (i.e. meet water balance
894 SWPPP requirements and/or other local requirements). Include
895 calculations and details of water quality device sizing proposed to be
896 used.

897
898 82. To minimize the any possible increased runoff, the pond/outlet structure
899 shall be designed so peak flows for the 2, 10, and 100 year-24 hour
900 events are no greater than existing peak flows as required by State law.

901
902 83. Developer's engineer shall provide a minimum of 1-foot of freeboard in all
903 detention ponds from the maximum calculated water height.

904
905 84. Developer's engineer shall calculate the hydrology contributing to the
906 existing and proposed underground drainage along Rosedale being piped
907 around the project to the Luvisi ditch and evaluate the hydraulics and size
908 lines appropriately to keep the 10-year HGL at or below all rims.

909
910 85. Developer's engineer shall provide plans with a clear over-land release
911 pattern (e.g. when undergrounded or other drain facilities fail how
912 buildings are protected from flooding).

913
914 **Fire and Police Department Conditions:**

915
916 86. The applicant shall develop an on-site security protocol for project
917 construction and operation, which shall be approved by the Calistoga
918 Police Department prior to issuance of any building permit.

- 919
920 87. The project shall comply with the Fire Protection Report prepared by RJA
921 dated February 9, 2012.
922
- 923 88. The applicant shall demonstrate to the satisfaction of the Calistoga Fire
924 Department that all structures are accessible to emergency services as
925 required by Section 902.1, Appendix D standards of the California Fire
926 Code. Additionally, as required by the Calistoga Fire Department, upon
927 review of the final plans submitted for building permit issuance the
928 applicant may be required to fund the purchase of longer hoses or other
929 equipment modifications for fire suppression, if needed. This approval
930 shall be obtained prior to issuance of any building permit. The proposed
931 14 foot wide EVA through the hotel proportion of the project is adequate
932 based upon the provisions included in the Fire Protection Report prepared
933 by RJA dated February 9, 2012.
934
- 935 89. Prior to the issuance of any building permit, the building fire suppression
936 sprinkler system plan for the resort and spa shall be submitted to the
937 Planning and Building Department for review and approval by the Fire
938 Department or other authorized party. Additionally, prior to construction,
939 the applicant shall demonstrate to the Fire Department availability of an
940 adequate water supply and adequate water pressure to ensure
941 operational sprinkler systems and fire hydrants.
942
- 943 90. Prior to the issuance of a Certificate of Occupancy, any guest unit
944 containing cooking or kitchen facilities shall have a ten (10) lb. ABC fire
945 extinguisher, with instruction placard.
946
- 947 91. Prior to the issuance of a Certificate of Occupancy, instructions on the 911
948 emergency telephone system shall be available in all guest units. The
949 dial-out 911 connection shall be direct from all public and private phones
950 and not be routed through a central resort switchboard.
951
- 952 92. Given that cell phones and/or Fire/Police communication systems do not
953 work underground an intercom or other similar communication system
954 shall be installed within underground locations as required by Appendix J
955 of the Fire Code. Said system shall be shown on the construction plans for
956 the Winery remodel and installed and tested as operational prior to
957 occupancy of the cave and/or winery and the parking garage.
958
- 959 93. Prior to the issuance of a Certificate of Occupancy smoke detectors shall
960 be installed in compliance with applicable codes. A log of the smoke
961 detector maintenance shall be kept on file in the maintenance building and
962 open for inspection to the Fire Department.
963

- 964 94. Prior to issuance of any temporary or final certificate of occupancy for any
965 phase of the development, project water system and fire hydrant facilities
966 shall be installed and accepted by the City Engineer and City Fire Chief as
967 operational and sufficient to provide adequate water flow and pressure.
968
- 969 95. Prior to plan approval, a complete fire flow hydraulic analysis will be
970 required. Results shall be acceptable to City Fire Chief and City Engineer.
971

972 **County of Napa Conditions:**
973

- 974 96. Prior to any work within the Rosedale Road right-of-way begins, the
975 developer shall obtain an encroachment permit from the Napa County
976 Department of Public Works-Road Department.
977
- 978 97. Access to the project during construction shall be from Silverado Trail and
979 Rosedale Road through its intersection with Silverado Trail. No
980 construction vehicle access shall be taken from Pickett Road. All
981 damaged roads shall be repaired by the developer at the developer's
982 expense.
983
- 984 98. All paved sections on Rosedale Road shall support Calistoga Fire Trucks
985 and Napa County Fire Emergency Vehicles and Equipment.
986
- 987 99. Improvement plans for work within unincorporated Napa County shall be
988 reviewed by the Napa County Department of Public Works and approved
989 by the Director or his representative.
990
- 991 100. The property owner shall be required to provide proof of clearance by the
992 Napa County Public Works Department prior to issuance of any grading or
993 building permit application.
994
995

996 **Resort Ownership and Operation:**
997
998

- 999 101. The owner of the Resort Unit shall maintain sufficient control over the
1000 entire Project to operate the Property as an integrated commercial resort.
1001 The creation and conveyance of the hotel units, the 21 single-family
1002 dwellings, the Restaurant Unit, the Spa and Fitness Unit, the Winery Unit,
1003 the wedding lawn and all common areas, shall be subject to the following
1004 provisions, which shall be incorporated, to the satisfaction of the Planning
1005 and Building Manager into one or more Declaration(s) and Shared
1006 Facilities Covenant(s), recorded against the Property:
1007

- 1008 a. The Resort Owner shall have the right and duty to manage the
1009 Property, including the spa, vineyard, winery, conference facilities,
1010 restaurant, and Visitor Accommodations, subject only to the rights
1011 of individual Owners with respect to their single family dwellings
1012 and the rights of the owners of the Winery Unit,. The Resort Owner
1013 shall have the right to contract with a third-party entity for operation
1014 of the Project (the “Resort Operator”).
- 1015 b. The resort shall be operated in conformance with the City’s
1016 regulations for Formula Visitor Accommodations. Any variation
1017 from these regulations is subject to review and approval by the
1018 Planning and Building Manager, or Planning Commission as
1019 determined by the Planning and Building Manager, prior to
1020 incorporating the changes on the project site. Upon reasonable
1021 advance notice to Resort Owner and Member Owners, City shall
1022 have the right to inspect Visitor Accommodation Units to ensure
1023 compliance with the Applicable Law.
- 1024 c. City shall have the right, upon reasonable notice to Resort Owner
1025 or operator, to inspect the records of Resort Owner which pertain to
1026 the collection and payment of Transient Occupancy Tax for Hotel
1027 Occupancies to ensure compliance with applicable laws and the
1028 operating conditional use permit.
- 1029 d. The resort owner or operator shall disclosure to resort guests,
1030 event sponsors, purchasers of the single-family residences, and
1031 guests or renters of the single-family residences that the resort is
1032 located in an agricultural area and is subject to farming-related
1033 impacts such as dust, noise and spraying. The disclosure
1034 statement shall be reviewed by the Planning and Building
1035 Department prior to any sale or occupancy of the resort or homes.
1036
- 1037 e. The Resort Owner or Operator shall have the right and
1038 responsibility to manage parking for: the resort, winery and
1039 restaurant; for any event held on the resort property; and for
1040 owners, guests and renters of the single-family residences.
1041
- 1042 f. Any modification of the provisions of the CC&Rs implementing
1043 these conditions shall be subject to the prior written consent of
1044 City’s Planning and Building Manager, which consent shall not be
1045 unreasonably withheld.
- 1046
- 1047 102. Outdoor events shall end no later than 10 PM Friday and Saturday and no
1048 later than 9 PM Sunday though Thursday. Outdoor events may transition
1049 to indoor venues and continue pas the curfews listed.

- 1050
1051 103. Amplified/live music is permitted for outdoor events provided the maximum
1052 average noise level does not exceed 60 db at the project boundary.
1053
1054 104. This Conditional Use Permit only allows for events that are by invitation.
1055 Events open to the General Public require an individual City permit and
1056 parking management/shuttle plan.
1057
1058 105. Transient lodging use of the 21 single family dwellings shall be managed
1059 by the Silver Rose managing entity, the Homeowners Association for the
1060 single-family development (“HOA”) or an entity hired and approved by the
1061 HOA and the name and contact information of the manager will be
1062 provided to the City.
1063
1064 106. A Parking Management Plan for managing resort parking during events
1065 and for managing the parking needs of owners or renters of the 21 single-
1066 family residences shall be submitted to the Planning and Building
1067 Department for review and approval prior to recordation of the Final Map.
1068
1069 107. The project’s Covenants, Conditions and Restrictions (CC&Rs) and right
1070 to farm disclosure shall be submitted to the Planning and Building
1071 Department and the City Attorney for review and approval prior to
1072 recordation of the Final Map.
1073
1074 108. The Project shall remain, at all times, in compliance with the City of
1075 Calistoga Municipal Code Chapter 3.16, Transient Occupancy Tax and be
1076 current on collection of, reporting to and payment of all transient
1077 occupancy taxes to the City.
1078
1079 109. Delivery vehicles shall access Rosedale Road directly from Silverado Trail
1080 and shall not use Pickett Road.
1081
1082 110. Deli hours shall not exceed 6 AM to 6 PM.
1083
1084 111. All seven of the single-family homes accessing from Silverado Trail shall
1085 be limited to one-story.
1086
1087 112. Of the 14 single-family homes accessing from Rosedale Road no more
1088 than four may be two-story.
1089
1090
1091
1092
1093
1094

1095 **PASSED, APPROVED, AND ADOPTED** on April 18, 2012, by the
1096 following vote of the Calistoga Planning Commission:

1097

1098 AYES:

1099 NOES:

1100 ABSENT

1101 ABSTAINED:

1102

1103

JEFF MANFREDI, CHAIRMAN

1104

1105 ATTEST: _____

1106 KENNETH G. MACNAB, Secretary to the Planning Commission

1107