

RESOLUTION NO. 2012-02

A RESOLUTION OF THE CITY OF CALISTOGA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT (U 2011-05) AND DESIGN REVIEW (DR 2011-05) ALLOWING THE CONSTRUCTION AND OPERATION OF THE LAVA VINE WINERY, INCLUDING ADMINISTRATIVE OFFICES, FULFILLMENT, BARREL STORAGE, RETAIL SALES AND TASTING AND WINE PRODUCTION AND BIKE RENTALS AT 963 & 965 SILVERADO TRAIL (APN 011-050-043) WITHIN THE "CC-DD", COMMUNITY COMMERCIAL DESIGN DISTRICT.

1 **WHEREAS**, Joseph and Jill Cabral are the owners of the subject property
2 for which this application is proposed; and
3

4 **WHEREAS**, on February 13, 2008 the Planning Commission adopted
5 Planning Commission Resolution PC 2008,03 approving Conditional Use Permit
6 (U 2007-08) and Design Review (DR 2007-10) allowing wine related businesses,
7 including administrative offices, fulfillment, barrel storage, retail sales and tasting
8 on the property subject to conditions of approval; and
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10 **WHEREAS**, on February 21, 2011, Conditional Use Permit (U 2011-05)
11 and Design Review (DR 2011-05) applications were filed requesting a new
12 30,000 gallon (approximately 12,600 cases) per year winery on the subject
13 parcel with the construction of a new 5,214 square feet winery building and
14 associated infrastructure. In addition, the project proposes to add to the
15 available uses a new bicycle rental business on the property located at 963/965
16 Foothill Boulevard within the "CC-DD", Community Commercial - Design District
17 (APN 011-050-043); and
18

19 WHEREAS, on February 22, 2012 Mr. Cabral submitted a letter and
20 supporting revised project description. On March 28, 2012 and April 2, 2012 the
21 Planning and Building Department received a Landscaping Plan and colored
22 renderings prepared by Jack Chandler and Associates; and
23

24 **WHEREAS**, the Planning Commission reviewed the project during a
25 public hearing at it's regularly scheduled meeting on February 8, 2012 and April
26 25, 2012. During its review, the Planning Commission considered the public
27 record, including the staff report, findings, and written materials and testimony
28 presented by the applicant and the public during the hearing; and
29

30 **WHEREAS**, the Planning Commission adopted a Mitigated Negative
31 Declaration (Resolution PC 2012-01) based upon an initial study prepared for
32 this project finding that the proposed project, as amended by mitigation
33 measures agreed to by the applicant, would not have a significant adverse
34 impact on the environment; and

\\cc\city\Departments\Planning & Building\Applications\CUP\2011\U 2011-05 Lava Vine Winery DR
2011-05\PC Meeting April 25, 2012\REVISED Resolution PC 2012-
02, Use Permit & Design Review.doc\cc\city\Departments\Planning &
Building\Applications\CUP\2011\U 2011-05 Lava Vine Winery DR 2011-05\PC Meeting February 8,
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WHEREAS, the Planning Commission pursuant to Chapter 17.40 has made the following Conditional Use Permit findings for the project:

1. The proposed development, together with any provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan and other applicable provisions of the Zoning Code including the finding that the use as proposed is consistent with the historic, rural, small-town atmosphere of Calistoga.

Finding: General Plan and Zoning District designations for the site are Community Commercial (CC) and Community Commercial / Design District Overlay (CC-DD) respectively. The proposed uses, “winery and tasting facility” and “bicycle rentals and tours” are enumerated as allowed use within the CC Zoning District (with a use permit). The overlay zoning district is intended to address the added design attention required for the Entry Corridor. As discussed in items 7 and 9 below the project design responds to these requirements.

2. The site is physically suitable for the type and density of development.

Finding: The site design is very precisely configured to respond to the projects’ functional requirements along with the various zoning code requirements. The desire to develop a rural winery feel in combination with the storm water and waste disposal requirements results in a proposal with a modest density.

3. The proposed development has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the project will not result in detrimental or adverse impacts upon the public resources, wildlife or public health, safety and welfare.

Finding: The Planning Commission has adopted a Mitigated Negative Declaration based upon the initial study prepared for the project, finding that with the incorporation of mitigation measures, the project will not have a significant adverse impact on the environment.

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

Finding: The additional water demand of 0.161 annual acre feet is summarized in the Water Use and Wastewater Generation Study prepared by Delta Engineering and included with this application. Adequate supply of public water is available to serve the project. Domestic

80 waste will be treated on site and process wastewater generated from
81 winemaking activities will be off-hauled and therefore not impact the City's
82 wastewater treatment facility.
83

84 5. Approval of the use permit application shall not cause the extension of
85 service mains greater than 500 feet.
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87 Finding: Approval of this use permit application shall not cause the
88 extension of service mains greater than 500 feet. In the event
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90 6. An allocation for water and/or wastewater service pursuant to Chapter
91 13.16 CMC (Resource Management System) shall be made prior to
92 project approval. Said allocation shall be valid for one year and shall not
93 be subject to renewal.
94

95 Finding: The Planning and Building Department Manager intends to grant
96 a non-residential Growth Management Allocation (GMA 2011-05) allowing
97 an additional 0.161 acre feet of water per year. The total water demand
98 for this project is 0.94 ac-ft/year of water. The project will involve the use
99 of septic systems so no wastewater allocation is necessary at this time.
100

101 7. The proposed development presents a scale and design which are in
102 harmony with the historical and small-town character of Calistoga.
103

104 Finding: The site itself is part of a series of parcels that make up the
105 transition from rural country side to 'town' as you enter from the southeast.
106 The immediate surroundings; densely vegetated hill side, vineyards and
107 traditional farmhouses have a character that is more rural the urban. This
108 proposal seeks to develop a small working winery and tasting room that
109 draws from the existing rural character of Calistoga's surrounding areas
110 while beginning to make the transition to town. The proposed development
111 is comprised of two separate structures similar is scale, shape and
112 proportion to the rural farmhouses and barns found along Highway 29.
113 The traditional/contemporary design provides a nice transition from the
114 larger wineries found throughout the County to the unique business/retail
115 uses found in town.
116

117 8. The proposed development is consistent with and will enhance Calistoga's
118 history of independent, unique, and single location businesses, thus
119 contributing to the uniqueness of the town, which is necessary to maintain
120 a viable visitor industry in Calistoga and to preserve its economy.
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122 Finding: The mixed-use property it self is clearly "independent, unique
123 and single location" and the viability of the proposed use will be linked to
124 the City's viable visitor industry and economy.

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9. The proposed development complements and enhances the architectural integrity and eclectic combination of architectural styles of Calistoga.

Finding: The existing developments on the property embody Calistoga's heritage. The proposal to add a new winery building on the property will not impede or affect Calistoga's character. The composition and design with the proposed materials and details endeavors to be respectful of the City's architectural past while making a positive addition to the eclectic fabric that is unique to the mixed use neighborhood and the town.

WHEREAS, the Planning Commission pursuant to Chapter 17.06 of the Calistoga Municipal Code has made the following Design Review findings for the project:

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

Finding: The proposed development is sized for a small family winery with the intent to have the structure blend in with the surrounding neighbors using soft and lower roof lines to minimize visual impacts. The proposed structure is set back and situated in an area of the property that will be least visible.

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

Finding: The property is flat and rectangular in shape so the orientation of the structure is limited as a result of the on site waste disposal system. However, the below ground waste disposal system provides ample open space soften the site layout.

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

Finding: The proposed winery will be harmonious and compliant the past and future development in Calistoga and the neighboring parcels. The development will resemble other developments in Calistoga but casual with its own character.

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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Finding: The building design will use materials that are natural in texture and color blending well with the surroundings.

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

Finding: Proposed materials, colors and detailing are uniformly applied to corresponding building elements based on design intent and composition, irrespective of the building orientation; there is no “front” elevation with more or different materials.

6. Consistency of composition and treatment.

Finding: See items 4 and 5 above.

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.

Finding: The site contains both large elms and sycamore trees that the proposed construction will not affect. The existing olive trees will be relocated on site and the smaller oak trees will remain. All landscaping is irrigated with drip irrigation.

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

Finding: Exterior lighting will be minimal “barn –style” down lights located on the buildings and trellis as necessary to facilitate pedestrian movement to and from the structure.

9. The need for improvement of existing site conditions including but not limited to signage, landscaping, lighting, etc., to achieve closer compliance with current standards.

Finding: The existing site conditions should be adequate for the proposed structure. The proposed structure will be new construction used for wine making, events and wine barrel storage. Most site upgrades have been completed for existing tasting rooms.

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

215 Finding: From the outset one of the design objectives for this project has
216 been to creatively utilize high quality materials in innovative ways that are
217 respectful of the historical context while presenting a clean contemporary
218 aesthetic representative of the wine brand it represents.
219

220 11. Responsible use of natural and reclaimed resources.
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222 Finding: The project is designed to use solar panels on the south facing
223 roof. Reclaimed water will be used when available and the barrel room will
224 be constructed in a way that will be use minimal energy for cooling.
225

226 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
227 Commission hereby approves Conditional Use Permit (U 2011-05) and Design
228 Review (DR 2011-05), based on the above Findings and subject to the following
229 Conditions of Approval:
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231 **GENERAL CONDITIONS**
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233 1. This permit authorizes the construction of the Lava Vine Winery on the site
234 consistent the Architectural Plan Set received December 8, 2011 prepared
235 by John David Rulon, Architect and the Engineered Plan Set prepared by
236 Delta Engineering received December 6, 2011 consistent with all other
237 City Ordinances, rules, regulations, and policies. The project shall also be
238 consistent with the Applicant's letter and supporting revised project
239 description dated February 22, 2012 and the Landscaping Plan and
240 colored renderings prepared by Jack Chandler and Associates received
241 March 28, 2012 and April 2, 2012 by the Planning and Building
242 Department.—The conditions listed below are particularly pertinent to this
243 permit and shall not be construed to permit violation of other laws and
244 policies not so listed.
245

246 2. This permit authorizes the use of the property consistent with the project
247 description set forth in the Planning Commission Staff Report dated
248 February 8, 2012 and April 25, 2012 and consistent with all other City
249 Ordinances, rules, regulations, and policies. Specifically, this use permit
250 allows bicycle rentals and tours and wine related businesses, including
251 administrative offices, wine production, fulfillment, barrel storage, retail sales
252 and wine tasting.
253

254 3. Any and/or all previous land use entitlements existing prior to this
255 approval shall be null and void, including conditional use permit (U 2007-
256 08) and design review (DR 2007-10). Leasable office space within the
257 historic residence may remain until such time that the wine processing
258 facility (i.e. winery and barrel storage) has been built and receives an
259 occupancy permit from the Planning and Building Department. Offices in

260 | association with the on site winery are permissible. Wine fulfillment is
261 | permissible in the basement/ground floor of the historic residence.

262 |
263 | 4. Development and use of the property shall conform to all required
264 | conditions established herein. If the conditions to the granting of this use
265 | permit have not been or are not complied with, or the use which is
266 | established by this permit have become detrimental to the public health,
267 | safety or general welfare, the Planning Commission may consider an
268 | amendment to these conditions or possible revocation of this permit to
269 | protect the public health, safety and general welfare of the community, as
270 | set forth in the City's Zoning Ordinance. The Planning and Building
271 | Department may approve minor amendments to this conditional use
272 | permit provided that the amendment is still in substantial conformance
273 | with the original approval.

274 |
275 | 54. This Conditional Use Permit authorizes wine related events up to 25
276 | people. Wine related events in excess of 25 people may be authorized
277 | with an Administrative Use Permit provided no more than four events
278 | occur within the calendar year and public notices is given to the adjoining
279 | properties within a 300 foot radius. Weddings, private parties or other
280 | non-wine related events are strictly prohibited.
281 | ~~Wine related special events up to 60 people may be authorized with an~~
282 | ~~Administrative Use Permit provided no more than four events occur within~~
283 | ~~the calendar year and public notices is given to the adjoining properties~~
284 | ~~within a 300 foot radius. Weddings, private parties or other non-wine~~
285 | ~~related events are strictly prohibited.~~

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287 | 65. The term of approval of this permit shall expire three years from the
288 | permit's effective date, unless an extension and/or building permit has
289 | been issued for the project prior to the expiration date.

290 |
291 | 76. All work performed in conjunction with this approval shall be by individuals
292 | who possess a valid business license from the City of Calistoga.

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294 | 87. This use permit does not abridge or supercede the regulatory powers or
295 | permit requirements of any federal, state or local agency, special district or
296 | department which may retain regulatory or advisory function as specified
297 | by statue or ordinance. The applicant shall obtain permits as may be
298 | required from each agency.

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PLANNING AND BUILDING CONDITIONS

- 303 | ~~98.~~ The property owner shall obtain a Building Permit for construction of all
304 buildings or structures located on the site, not otherwise exempt by the
305 Uniform Building Code or any State or local amendment adopted thereto.
306
- 307 | ~~109.~~ Prior to issuance of all building permits, the property owner agrees to pay
308 all fees associated with plan check and building inspections, and
309 associated development impact fees rightfully established by City
310 Ordinance or Resolution, unless otherwise deferred by the Planning and
311 building Department.
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- 313 | ~~1110.~~ Prior to Building Permit issuance, the applicant shall purchase 0.161 acre-
314 feet of water subject to the ordinances in place at the time of Building
315 Permit issuance. A reduced amount of resources, if requested by the
316 Applicant shall only be approved upon the review and approval of the
317 Public Works Department.
318
- 319 In the event that during the life of the project, the water/wastewater use
320 exceeds the established baselines of 0.94 ac/ft of water or is required to
321 connect to the City's wastewater system, the applicant shall obtain
322 additional baseline water/wastewater capacity via application for an
323 additional water and wastewater allocation during the next available
324 Growth Management Allocation process. The applicant shall determine
325 the quantity of additional water and/or wastewater allocation required
326 based upon the submittal of an engineered water study demonstrating/
327 quantifying the site-specific water usage.
328
- 329 | ~~1211.~~ Prior to issuance of grading or building permits, the developer shall submit
330 for review and approval by the Planning and Building Department, a soils
331 report that includes appropriate recommendations for the proposed
332 grading and improvements to the site.
333
- 334 | ~~1312.~~ No signage shall be permitted as a result of this approval. All additional
335 signage shall be subject to the approval of the Planning and Building
336 Director.
337
- 338 | ~~1413.~~ No outdoor storage of wine barrels, wine cases, pallets, cardboard boxes or
339 miscellaneous products shall be permitted.
340
- 341 | ~~1514.~~ Prior to occupancy, the applicant shall submit Landscaping Plans and
342 specifications to the Planning and Building Department for review and
343 approval including appropriate natural landscape parking lot screening.
344 The Landscaping Plans shall comply with State or local water efficient
345 landscaping standards in place at the time the Plans are submitted.
346 Landscaping shall be installed prior to occupancy. All landscaping shall be

347 maintained throughout the life of the project, and shall be replaced as
348 necessary.

349
350 | 1615. Prior to building permit issuance, a Lighting Plan shall be reviewed and
351 approved by the Planning and Building Director. Exterior materials and
352 illumination shall be limited to the extent necessary for safety.
353 Architectural materials and lighting visible from the public right-of-way and
354 adjoining developed parcels shall be prohibited and the light source of
355 fixtures shall be limited in wattage or shielded to retain character of the
356 site and surrounding area subject to the review and approval of the
357 Planning and Building Director or Planning Commission.

358
359 | 1716. Prior to building permit issuance, all necessary permits shall be obtained
360 with the Napa County Department of Environmental Management.
361 Evidence of these permits shall be provided to the Planning and Building
362 Department

363
364 | 18. During bottling the winery shall be closed to public tasting, tours and
365 events.

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367 **FIRE DEPARTMENT CONDITIONS**

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369 | 1917. Prior to building permit issuance, an automated fire sprinkler system
370 including any necessary mechanical devices such as booster pumps,
371 hydrants and/or valves shall be reviewed and approved by the Fire, Public
372 Works and Planning and Building Departments. The fire sprinkler design
373 submittal shall be supported by a flow analysis indicating code compliance
374 prepared by a qualified individual or firm acceptable to the City. A deferred
375 fire sprinkler plan submittal is not permitted, unless otherwise acceptable
376 to the Fire Chief.

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378 | 2018. The property shall have illuminated address numbers that are clearly
379 visible to the street day and night.

380 **PUBLIC SERVICES**

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382 | 2119. Complete plans and specifications containing equipment layout, finish
383 schedule and plumbing plans for the food and/or beverage facilities and
384 employee restrooms must also be submitted directly to the Department of
385 Environmental Management with the appropriate plan review fee. These
386 plans must be reviewed and approved prior to issuance of any building
387 clearance or building permit for said areas.

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389 | 2220. Pursuant to Chapter 6.5 & 6.95 of the California Health and Safety Code,
390 businesses that generate hazardous waste and/or store hazardous

391 materials above threshold amounts shall file a Hazardous Waste
392 Generator Application and/or Hazardous Materials Business Plan with the
393 Department of Environmental Management within 30 days of said
394 activities. All businesses must submit the required Business Activities
395 Form which can be obtained from the Department of Environmental
396 Management.

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398 | 2321. Prior to occupancy, a refuse enclosure/area shall be reviewed and approved
399 by the Planning and Building Department. Adequate area must be provided
400 for collection of recyclables. The applicant must contact Upper Valley
401 Disposal in order to determine the area and the access needed for this
402 refuse area.

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404 | 242. During the construction, demolition, or renovation period of the project the
405 applicant should use Upper Valley Disposal for all wastes generated
406 during project development, unless applicant transports their own waste.
407 If the applicant transports their own waste, they must use the appropriate
408 landfill or solid waste transfer station for the service area in which the
409 project is located.

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411 | 2523. Applicant shall obtain a license from the State Department of Alcoholic
412 Beverage Control prior to operation.

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415 PUBLIC WORKS CONDITIONS

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417 A. General

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419 | 2624. Developer shall design and construct all improvements and facilities shown
420 on any site plan, or other documents submitted for permit approval, all
421 representations made by Developer, and with the plans and specifications
422 submitted to and approved by City, to comply with the General Plan, the
423 Calistoga Municipal Code (CMC), and the "Standard Specifications" of the
424 Public Works Department. Approval of a site plan depicting improvements
425 that do not conform to the CMC or City standards does not constitute
426 approval of exception to the CMC or City standards unless explicitly stated
427 herein or in another City resolution.

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429 | 2725. The developer shall be responsible for all City plan check and inspection
430 costs. The developer shall deposit funds into a City Developer Deposit
431 Account upon the initiation of plan check services. The amount of the
432 initial deposit shall be determined by the City Engineer. Additional funds
433 may be required based upon actual plan check costs. Prior to approval of
434 the improvement plans the developer shall pay any outstanding balance

435 for plan checking services and shall deposit an additional amount based
436 upon the City's estimate of inspection costs.

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438 **B. Improvement Plan Conditions:**

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440 | 2826. The developer shall prepare and submit improvement plans for the
441 construction of all necessary and required improvements including water,
442 sanitary sewer, storm drain facilities, roadway improvements, curbs,
443 gutters and sidewalks, as required. The improvement plans shall include
444 elevations, striping plans, profiles and pavement sections shall as deemed
445 necessary by the City Engineer. All design and construction shall
446 conform to the City of Santa Rosa Standard Specifications for Public
447 Improvements, or other adopted Napa County or City of Calistoga
448 standards as applicable.

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450 | 2927. The developer shall prepare a Soils Investigation/Geotechnical Report. The
451 improvement plans shall incorporate all design and construction criteria
452 specified in the report.

453

454 | 3028. No grading or other construction shall be performed until the improvement
455 plans have been approved and signed by the City Engineer. Building
456 Permits will not be issued prior to the approval of the improvement plans
457 unless otherwise approved by the Public Works and Planning and Building
458 Departments.

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460 | 3129. Prior to grading and/or building permit issuance, a tree permit shall be
461 removed and approval by the Department of Public Works for the removal
462 of the existing elm tree.

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464 | 3230. Water and Sanitary Sewer Improvements:

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466 a. Any structure in which plumbing is to be installed shall be connected to
467 the City's water unless an exception has been explicitly granted in
468 accordance with the provisions of the CMC.

469

470 b. All private storm drains, water, fire line services and appurtenances,
471 must be located within the private property and clearly identified as
472 private on the design drawings.

473

474 c. A permit for the installation of the engineered septic system must be
475 secured from the Department of Environmental Management prior to
476 issuance of a Building Permit.

477

478 d. Prior to building permit issuance, a will serve letter shall be issued by the
479 City of Calistoga indicating the City will provide sewer service in the

480 future as necessary. In the event of failure of the combined (domestic
481 and winery waste water) septic system, the winery waste will need to be
482 separately hold and hauled off site or pre-treated (i.e. wine waste to
483 facility outside city limits and domestic waste to city waste water plant).
484 Any hold and haul waste water must be hauled to other permitted
485 treatment facilities. Additionally, the owner may not extend public sewer
486 main to the property, but may extend a private sewer lateral to public
487 sewer main. A sewer monitoring hole on the sewer lateral will be
488 required in the public right-of-way just prior to discharge into public
489 sewer. Sewer line improvements should be considered as part of this
490 project and shown on the conceptual use plans. Sewer connection fees
491 would apply.

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493 e. In the event the Solage local benefit district is in effect at the time of
494 building permit issuance, this property may be subject to reimbursement
495 of proportional sewer and drainage off-site improvement costs.
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497 | ~~3331~~. Drainage Improvements:

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500 a. All project related flooding impacts shall be mitigated by the project
501 developer. Drainage improvements shall be designed by a civil engineer
502 in accordance with the Napa County Design Criteria. Site grading and
503 drainage improvements shall be shown on the improvement plans.

504 b. Prior to issuance of grading or building permits, the developer shall
505 submit for review and approval by the Planning and Building
506 Department, a Maintenance Agreement for stormwater quality/detention
507 devices)

508
509 c. Prior to issuance of grading or building permits, the crush pad shall be
510 graded so that all spilled juice goes into the drain and/or the entire crush
511 pad shall drain towards the proposed trench drain. The crush pad area
512 shall be covered to preclude rainwater.

513
514 d. Prior to building permit issuance, a revised Hydrological Report shall be
515 submitted indicating/addressing the following:

- 516 • A watershed map for pre and post conditions
- 517 • Santa Rosa Hydrologic design parameters (i.e. time of
518 concentration of 7 minutes, minimum 10yr. 24 hour storm, run
519 pre/post peak as rational method as well and analyze detention
520 w/SCS),
- 521 • Provide finish grades to accommodate overland release if
522 infiltrator trench overflows
- 523 • Provide rainfall depth reference

- 524 • Need to show in hydrology report that the pre vs. post runoff
525 draining to the south is less
526 • State that the project is not in the 100-year floodplain (per
527 appropriately referenced FEMA map)
528
529 e. Prior to building permit issuance, vegetative swale detention time meets
530 the minimum as required by CASQA or water quality can be treated with
531 mechanical inlet (e.g. contech stormfilter catch basin or equivalent).
532

533 | ~~3432~~. Roadway Improvements
534

- 535 a. Prior to building permit issuance, an encroachment permit shall be
536 obtained from the Napa County Department of Public Works for “No
537 Parking” signage along Silverado Trail, and the restriping Silverado Trail
538 removing the painted median (two sets of double yellow lines).
539
540 b. Pavement markings and signage shall be provided on all streets as
541 necessary and as required by the City Engineer. Signage restricting
542 parking and red painted curbing shall be installed where appropriate.
543 Speed limit signs shall be installed at locations determined by the City
544 Engineer.
545
546 c. Prior to building permit issuance, an encroachment permit shall be
547 obtained from the Napa County Department of Public Works to install a
548 left-turn lane or lesser improvement, as warranted.
549

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551 | **C. Dedications**
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- 553 | ~~3533~~. All necessary rights of way and easements shall be dedicated by grant
554 deed. The developer shall prepare all necessary legal descriptions and
555 deeds.
556

557 | **D. Project Final and/or Release of Securities Conditions**
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- 559 | ~~3634~~. All improvements shown on the Improvement Plans shall be completed
560 and accepted by the City, as appropriate. A certificate of occupancy shall
561 not be issued for any structure until required improvements are completed
562 to the satisfaction of the City Engineer.
563
564 | ~~3735~~. A complete set of *As-Built* or Record improvement plans showing all
565 constructive changes from the original plans shall be submitted to the
566 Public Works Department prior to acceptance of the public improvements,
567 as appropriate.
568

569 | ~~3836~~. Prior to acceptance of the work, the developer shall provide a written
570 | statement signed by his or her engineer certifying that they observed the
571 | work during construction and that site grading and all private site
572 | improvements have been completed in accordance with the improvement
573 | plans approved by the City Engineer, as appropriate.
574 |

575 | ~~3937~~. Prior to acceptance of the work, the developer shall provide a written
576 | statement signed by his or her geotechnical engineer certifying that they
577 | observed the work and reviewed testing results, and that all of work was
578 | performed in accordance with the recommendations included in the Soils
579 | Investigation/Geotechnical Report or other recommendations necessitated
580 | by field conditions, as appropriate.
581 |

582 | **PASSED, APPROVED, AND ADOPTED** by the Planning Commission of
583 | the City of Calistoga at a regular meeting held this ~~8th-25th~~ day of ~~February~~
584 | ~~April~~ 2012, by the following vote:

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586 | **AYES:**
587 | **NOES:**
588 | **ABSENT:**
589 | **ABSTAIN:**

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591 |

JEFF MANFREDI, Chairman

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593 |
594 | **ATTEST:**

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KENNETH G. MACNAB, Planning Commission Secretary