

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2014-__**

**APPROVING T PARCEL MAP PM 2013-1 DIVIDING THE PROPERTY COMMONLY
REFERRED TO AS ASSESSOR PARCEL NUMBER 011-351-007, INTO 3 PARCELS**

1
2 **WHEREAS**, on October 8, 2013, the property owners submitted a parcel map to
3 divide the property commonly referred to as Assessor Parcel Number 011-351-007, into
4 3 parcels; and

5 **WHEREAS**, the Planning Commission reviewed the parcel map during a public
6 hearing on February 26, 2014. During its review, the Planning Commission considered
7 the public record, including the staff report, findings, and written materials and testimony
8 presented by the applicant and the public during the hearing; and

9 **WHEREAS**, the Planning Commission adopted Resolution 2014-__ adopting a
10 mitigated negative declaration based upon the initial study prepared for this parcel map
11 finding that the proposed parcel map, as amended by mitigation measures agreed to by
12 the applicant, would not have a significant adverse impact on the environment; and

13 **WHEREAS**, pursuant to Section 16.10.040 of the Calistoga Municipal Code, the
14 Planning Commission has made the following findings for approval of the tentative
15 parcel map:

- 16 1. That the proposed subdivision, together with the provisions for its design and
17 improvement, is consistent with the General Plan, any applicable specific plan,
18 and other applicable provisions of this code.

19 Finding: The parcel map is consistent with the Rural Residential General Plan
20 land use designation, which allows up to one dwelling unit per acre. The parcel
21 map would divide a 3.10 parcel into 3 parcels. Additionally, the project is
22 consistent with the performance standards contained in the Rural Residential
23 land use designation because the lot sizes and deed restrictions are not in
24 conflict with the rural character, open space is preserved and the design is
25 sensitive to Calistoga's character. In addition, the proposed parcels comply with
26 RR Rural Residential zoning district's development standards regulating lot sizes.
27 As such the project, together with its design and improvements, is consistent with
28 the General Plan and the provisions of the Calistoga Municipal Code.

- 29 2. Except for condominium conversion projects, where no new structures are
30 added, that the design of the proposed subdivision provides, to the extent
31 feasible, for future passive or natural heating or cooling opportunities in the
32 subdivision, as described in the State Subdivision Map Act and any guidelines
33 promulgated by the Council.

34 Finding: The design of the parcel map provides, to the extent feasible, for future
35 passive or natural heating or cooling opportunities. The lots are configured in a

36 manner that will allow structures the ability to take advantage of southern
37 exposure and local climates (i.e., summer breezes).

38 3. That the site is physically suitable for the type and density of development.

39 Finding: The site is level and generally unconstrained. The proposed lots for
40 future single-family homes are consistent with neighboring development. This
41 residential development will be required to meet and maintain strict development
42 standards (e.g., setbacks, lot coverage and height limitations) and will be in a
43 location that would not create land use conflicts.

44 4. That the proposed subdivision has been reviewed in compliance with the
45 California Environmental Quality Act (CEQA) and that the project will not result in
46 detrimental or adverse impacts upon the public resources, wildlife or public
47 health, safety and welfare.

48 Finding: The Project has been analyzed under CEQA and all environmental
49 impacts will be mitigated to a level of less than significant.

50 **NOW, THEREFORE, BE IT RESOLVED** based on the above findings, the
51 Planning Commission hereby approves Parcel Map PM 2013-1 creating three parcels,
52 subject to the following conditions of approval:

53 1. The configuration of the parcel map may include minor amendments, provided
54 that all proposed parcels comply with the Zoning Ordinance and General Plan,
55 and the modification does not result in any increased environmental impact. Any
56 modifications shall be subject to approval by the Planning and Building
57 Department Director and the Department of Public Works Director.

58 2. The tentative parcel map shall expire two years from approval, unless an
59 extension has been granted consistent with the City's Subdivision Code and the
60 State Subdivision Map Act.

61 3. Prior to recordation of the parcel map, all current and estimated taxes due for this
62 property shall be paid to the County Tax Collector's office.

63 4. Prior to recordation of the parcel map, the quality of life development impact fee
64 shall be paid to offset the impacts to cultural and recreation facilities.

65 5. Prior to recordation of the parcel map, all parcel corners and angle points, and all
66 right-of-way curve points shall be monumented, subject to the approval of the
67 City Engineer.

68 6. Prior to recordation of the parcel map, a declaration of restrictions for parcels in
69 the White Parcel Map shall be recorded. The Declaration shall contain setback
70 restrictions, tree protection and replacement measures and architectural
71 standards subject to the review and approval of the Planning and Building
72 Department.

73 7. Developer shall design and construct all improvements and facilities required
74 herein and as shown on any approved tentative parcel map, site plan, or other

75 documents submitted for permit approval, all representations made by Developer,
76 and with the plans and specifications submitted to and approved by City, to comply
77 with the General Plan, the Calistoga Municipal Code (CMC), the "Standard
78 Specifications" of the Public Works Department. Approval of a tentative parcel
79 map depicting improvements that do not conform to the CMC or City standards
80 does not constitute approval of exceptions to the CMC or City standards unless
81 explicitly stated herein or in another City resolution.

82 8. The developer shall be responsible for all City plan check, map check and
83 inspection costs. The developer shall deposit funds into a developer deposit
84 account upon the initiation of plan check services. The amount of the initial
85 deposit shall be determined by the City Engineer. Additional funds may be
86 required based upon actual plan check costs. Prior to approval of the
87 improvement plans, the developer shall pay any outstanding balance for plan
88 checking services and shall deposit an additional amount based upon the City's
89 estimate of inspection costs.

90 9. In the event that the City is forced to condemn or acquire off-site property interest
91 in connection with required off-site improvements, the developer shall fund the
92 cost of condemnation or acquisition, including but not limited to the amounts
93 necessary to purchase the easement or fee simple interest, document
94 preparation, and severance or other damages payable to the owners of the land
95 upon which the improvements are to be located, the actual cost and acquisition
96 and all fees, including attorney's fee and/or other expenses necessary to
97 prosecute the condemnation action, including expert witness and appraisal fees.

98 In the event that the City elects to proceed with acquisition or condemnation
99 pursuant to Government Code Section 66462.5, the developer shall, within 60
100 days of written notice by the City, deposit with the City, as an advance, the full
101 estimated cost of such acquisition or condemnation. The developer shall prepare
102 any easements or deeds necessary for off-site improvements.

103 10. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or
104 underground fuel storage tanks shall be abandoned under permit and inspection
105 of Napa County Environmental Services Divisions or other designated agency. If
106 there are none, the project engineer shall provide a letter describing the scope of
107 the search done to make this determination.

108 11. The developer shall prepare and submit improvement plans for the construction
109 of all necessary and required improvements. All design and construction shall
110 conform to the City of Santa Rosa Standard Specifications for Public
111 Improvements, or other adopted City of Calistoga standards as applicable.

112 12. No grading or other construction shall be performed until the improvement plans
113 have been approved and signed by the City Engineer. Encroachment permits
114 and building permits will not be issued prior to the approval of the improvement
115 plans. An encroachment permit is required for any work within the City's rights of
116 way.

- 117 13. Tree preservation measures shall be incorporated into the design of the
118 improvements and shown on the improvement plans in accordance with the
119 City's Tree Preservation Ordinance (CMC 19.01).
- 120 14. Existing overhead utilities of 26,000 volts or less and proposed utilities, both on-
121 site and along project frontages, shall be placed underground in accordance with
122 Title 16 of the Calistoga Municipal Code.
- 123 15. Roadway Improvements:
- 124 a. Prior to recordation of the parcel map, a minimum 12-foot asphalt roadway
125 shall be constructed from Mora Avenue along the entire southwestern
126 frontage of the property subject to the review and approval of the Fire and
127 Public Works Departments.
- 128 b. Prior to recordation of the parcel map, an adequate turn radius shall be
129 constructed of asphalt at the intersection of Mora Avenue subject to the
130 review and approval of the Fire and Public Works Departments.
- 131 Where the new roadway improvements abut existing paving, the existing
132 pavement section shall be reconstructed to provide adequate conforms.
133 The limits of such reconstruction shall be as determined by the Public
134 Works Director.
- 135 c. The structural section of all road improvements shall be designed based
136 upon a geotechnical investigation that provides the basement soils R-
137 value and expansion pressure test results. A copy of the geotechnical
138 report shall also be submitted with the first set of improvement plan check-
139 prints.
- 140 d. Prior to recordation of the parcel map or in conjunction with the
141 recordation of the parcel map, a maintenance agreement shall be
142 recorded ensuring and providing for maintenance responsibility for those
143 portions of the roadway that are not dedicated or reserved for public use.
- 144 16. Water and Sanitary Sewer Improvements:
- 145 a. Prior to recordation of the parcel map, per CMC Section 16.16.120, a
146 water main line shall be brought to the property subject to the review and
147 approval of the Public Works Department.
- 148 b. The water mains must be located in public right-of-way wherever possible.
149 Where public water and sewer mains must be located on private property,
150 all necessary easement dedications must be made prior to final
151 acceptance of the project by the City.
- 152 c. All private facilities must be located within the private property and clearly
153 identified as private on the design drawings.
- 154

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156 17. Drainage Improvements:
- 157 a. Prior to recordation of the parcel map, a preliminary engineered drainage
158 plan shall be submitted for review and approval by the Public Works
159 Department. The preliminary drainage plan shall address the roadway
160 improvements required herein and runoff resulting from development on
161 the new parcels.
- 162 b. All project-related flooding impacts shall be mitigated by the project
163 developer. Drainage improvements shall be designed by a civil engineer
164 in accordance with the Napa County Design Criteria and any applicable
165 adopted City drainage plans. The capacity and condition of existing
166 drainage facilities downstream of the development shall be analyzed and
167 off-site drainage improvements shall be constructed as necessary. Site
168 grading and drainage improvements shall be shown on the improvement
169 plans.
- 170 c. Improvements necessary to mitigate the run-off resulting from the
171 proposed parcels may be deferred until development provided the
172 necessary easements are secured upon recordation of the parcel map.
- 173 d. Improvement plans shall include an erosion control (winterization) plan.
- 174 18. The developer shall secure all necessary rights-of-way and easements for both
175 onsite and offsite improvements. Rights-of-way and easements shall be
176 dedicated on the map or provided by grant deed. The developer shall prepare all
177 necessary legal descriptions and deeds.
- 178 19. The final map shall not be approved prior to approval of the improvement plans.
- 179 20. Prior to approval of the final map, the developer shall either complete required
180 construction as shown on the signed improvement plans, or enter into an
181 Improvement Agreement in accordance with Calistoga Municipal Code Section
182 16.18.070. A certificate of occupancy shall not be issued for any structure until
183 required improvements are completed to the satisfaction of the City Engineer.
- 184 21. A final map, as defined in the State Subdivision Map Act and prepared by a
185 licensed surveyor or civil engineer, showing all parcels, rights-of-way, and
186 easement(s) shall be filed with the City Engineers Office. Upon recording of the
187 map, the subdivision is valid.
- 188 22. All improvements shown on the improvement plans shall be completed and
189 accepted by the City.
- 190 23. A complete set of *As-Built* or Record improvement plans showing all constructive
191 changes from the original plans shall be submitted to the Public Works
192 Department prior to acceptance of the public improvements.
193

194 24. Prior to acceptance of the work, the developer shall provide a written statement
195 signed by his or her engineer certifying that they observed the work during
196 construction and that site grading and all private site improvements have been
197 completed in accordance with the improvement plans approved by the City
198 Engineer.

199
200 25. Prior to acceptance of the work, the developer shall provide a written statement
201 signed by his or her geotechnical engineer certifying that they observed the work
202 and reviewed testing results, and that all of work was performed in accordance
203 with the recommendations included in the Soils Investigation/Geotechnical Report
204 or other recommendations necessitated by field conditions.

205
206 PASSED AND ADOPTED by the Planning Commission of the City of Calistoga at
207 a regular meeting held this 26th day of February 2014, by the following vote:

208
209 AYES:
210 NOES:
211 ABSENT:
212 ABSTAIN:

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JEFF MANFREDI, Chair

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220 ATTEST: _____
221 LYNN GOLDBERG
222 Planning Commission Secretary