

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2015-__

**APPROVING A PRELIMINARY AND FINAL DEVELOPMENT PLAN/USE PERMIT
FOR RESIDENTIAL DEVELOPMENTS ON THE BRANSTAD PARCEL MAP AND A
DESIGN REVIEW REQUEST TO DEVELOP A 3-BEDROOM RESIDENCE AT 957
PETRIFIED FOREST ROAD, PARCEL 2 OF THE BRANSTAD PARCEL MAP**

1 **WHEREAS**, on September 17, 2014, the property owner submitted a request for
2 a 2-lot parcel map of the property located at 957 Petrified Forest Road. The property
3 owner also submitted a preliminary and final development plan/use permit for the
4 residential developments on the resulting lots and design review request to develop a 3-
5 bedroom residence on Proposed Parcel 2; and

6 **WHEREAS**, the RR-H Rural Residential – Hillside District establishes that prior
7 to use permit approval for residential development, a preliminary development plan shall
8 be approved by the Planning Commission; and

9 **WHEREAS**, the RR-H District allows both the preliminary development and final
10 development plan/use permit to be consolidated into one review phase; and

11 **WHEREAS**, the Planning Commission considered the preliminary development
12 plan and final development plan/use permit and the design review request during a
13 public hearing on March 25, 2015. Prior to taking action on the application, the
14 Planning Commission received written and oral reports by the staff, and received public
15 testimony; and

16 **WHEREAS**, the Planning Commission adopted Resolution 2015-__ adopting a
17 mitigated negative declaration based upon the initial study prepared for this project
18 finding that the project, as amended by mitigation measures agreed to by the applicant,
19 would not have a significant adverse impact on the environment; and

20 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.070 has made
21 the following use permit findings for the project:

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

27 Supporting Evidence: The proposed residential development is consistent with
28 the General Plan Rural-Residential – Hillside land use designation. this
29 residential development appears to be compatible with the meaning and intent of
30 the RR-H district to provide a flexible design so that development is concentrated
31 in an area with the greatest environmental carrying capacity. The key component
32 to achieving this objective is placing the structure in a location that minimizes
33 impacts to trees, soils, geology, slopes and drainage. These objectives have
34 been addressed through the placement of the structures in a location that has a
35 less than significant impact on the environmental.

36 Additionally, the analysis prepared by Adobe Associates, Inc. indicates that the
37 proposed parcels exceed the minimum area required per dwelling unit required
38 per CMC Section 17.15.080. Therefore, the project can be found to conform to
39 the intent of the Zoning Code.

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

41 Supporting Evidence: The proposed residential development maintain adequate
42 setbacks from natural drainage areas and is in a location that would not create
43 large-scale grading activities that would alter the rural open space character of
44 the property.

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

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

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

56 Supporting Evidence: The City's water system and wastewater treatment facility
57 are adequate to serve the proposed use.

58 5. Finding: Approval of the use permit application shall not cause the extension of
59 service mains greater than 500 feet.

60 Supporting Evidence: This use permit would not cause the extension of any
61 service mains, if the City Council grants the requested waiver. The Planning
62 Commission finds the requested waiver has merit.

63 6. Finding: An allocation for water and/or wastewater service pursuant to Chapter
64 13.16 CMC (Resource Management System) shall be made prior to project
65 approval. Said allocation shall be valid for one year and shall not be subject to
66 renewal.

67 Supporting Evidence: The Planning and Building Department intends to grant an
68 allocation allowing a nominal increase in water and wastewater service to
69 accommodate this residential development.

70 7. Finding: The proposed development presents a scale and design which are in
71 harmony with the historical and small-town character of Calistoga.

72 Supporting Evidence: The site layout and structure are in scale with and
73 harmonious with existing development in the surrounding neighborhood. The
74 project would result in two large residential parcels with significant tree cover
75 visible from the roadway. The residential developments would be located at the

76 foot of a hillside at the forest's edge over 50 feet south of Cyrus Creek. Since the
77 homes would be placed at a relatively low elevation and are screened by dense
78 vegetation along Cyrus Creek, the open-space character of the entry corridor
79 would be preserved.

80 8. Finding: The proposed development be consistent with and enhance Calistoga's
81 history of independent, unique, and single location businesses, thus contributing
82 to the uniqueness of the town, which is necessary to maintain a viable visitor
83 industry in Calistoga and to preserve its economy.

84 Supporting Evidence: This finding relates to businesses and is not applicable in
85 this instance.

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

88 Supporting Evidence: While the house does include traditional elements, the
89 home is unique in its expression and provides a variation to the architectural
90 styles of Calistoga.

91 **WHEREAS**, the Planning Commission adopted the following design review
92 findings per CMC Section 17.41.050 as part of its deliberations on the project:

93 1 Finding: The design is in accord with the General Plan and any applicable
94 planned development.

95 Supporting Evidence: The property is within the Rural Residential – Hillside
96 General Plan land use designation. The residential development complies with
97 the General Plan policies, specifically the Rural Residential performance
98 standards, as follows:

99 • *"Provide landscape and/or open space buffers between development and at*
100 *the entrances to the new development."* The residential developments will
101 have substantial setbacks and will be separated from Petrified Forest Road
102 by Cyrus Creek and dense vegetation.

103 • *"Maintain scenic vistas from public rights-of-way and existing private*
104 *development."* Northbound traffic on Petrified Forest Road will have limited
105 views of the residential developments due to the orientation of the roadway
106 and vegetation. Southbound traffic will have filtered views of the development
107 through the vegetation but the residential developments are low enough in
108 comparison to the surrounding hillside such that no effect on scenic vistas or
109 scenic corridors would occur.

110 • *"Preserve natural resources important to the community."* The development is
111 proposed in an area that has the least impact on vegetation. The remaining
112 up-sloping vegetated hillside would be preserved.

113 2. Finding: The design is in accord with all applicable provisions of the Zoning
114 Code.

115 Supporting Evidence: The project site is zoned Rural Residential – Hillside by the
116 Zoning Code. The lot configurations appear to comply with the Zoning Code,
117 Section 17.15.010(B) principals and standards as follows:

- 118 • *“The location, orientation and design for building sites, buildings, fences and*
119 *other structures, and streets and other circulation elements shall maintain and*
120 *preserve natural topography, cover, significant landmarks and trees, minimize*
121 *cut and fill, and preserve and enhance views and vistas on and off the subject*
122 *property.”* The residential developments have been designed and oriented in
123 a clearing at the forest’s edge that is over 50 feet from Cyrus Creek. The
124 access roadway follows the topography and avoids large cuts and fill.
- 125 • *“The design of buildings, fences and other structures shall be in harmony with*
126 *and enhance natural site characteristics in regard to height, bulk, textures,*
127 *color, reflective properties, roof characteristics and setbacks.”* The residential
128 structures will be low-rise and will have subdued architectural elements that
129 complement their surroundings.
- 130 • *“In those areas where approval is given to disturb or remove natural*
131 *vegetation and ground cover, natural ground covers and other surfacing shall*
132 *be installed and a system designed for perpetual maintenance and care. All*
133 *landscaping, ground covering, and other surfacing shall be in harmony with*
134 *the natural site characteristics.”* The landscaping design incorporates
135 plantings that will complement and enhance the natural landscape
136 immediately adjacent to the structures. The remaining undeveloped portions
137 of the property will remain in a natural state.

138 3. Finding: The design is consistent with any adopted design review guidelines to
139 the extent possible.

140 Supporting Evidence: The architectural plans are consistent with the Residential
141 Design Guidelines because the single-story structure is proportionate to the size
142 of the buildable, area, is compatible with the surrounding neighborhood, has
143 architectural interest, varied rooflines, a well-placed garage and uses
144 landscaping, fencing and lighting to enhance the overall design.

145 4. Finding: The design will not impair or interfere with the development, use or
146 enjoyment of other property in the vicinity or the area.

147 Supporting Evidence: Construction of a single-story structure on the subject
148 property would not have any shading impacts or significantly disrupt hillside
149 views from adjoining properties. The location of the home has been selected so
150 that the impact to the natural resources would be minimized and retain the
151 significant tree cover and open-space quality of the site.

152 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
153 Commission that based on the above findings, the preliminary and final development
154 plan/use permit for the residential developments on the Branstad Parcel Map and

155 design review request for a single-family home on Parcel 2 of the Branstad Parcel Map
156 are hereby approved, subject to following conditions of approval:

- 157 1. This approval constitutes the approval for a preliminary and final development
158 plan/use permit for both lots resulting from the Branstad Parcel Map. This approval
159 also constitutes design review approval for a single-family home on Parcel 2 of
160 said parcel map located at 957 Petrified Forest Road. The improvements hereby
161 permitted shall substantially conform to the Tentative Parcel Map prepared by
162 Adobe Associates, Inc. dated September 16, 2014 and the plans prepared by
163 Farrell-Faber & Associates Inc. dated August 2014.
- 164 2. This approval does not constitute the design review approval of a future residence
165 on Parcel 1 of the Branstad Parcel Map. The design review approval of a future
166 residence on Parcel 1 may be conducted administratively unless the Planning and
167 Building Director determines that the Planning Commission review is warranted.
- 168 3. This approval shall be null and void if not vested within a one-year period. Upon
169 occupancy of the single-family residence located at 957 Petrified Forest Road,
170 Parcel 2, this approval shall be deemed vested.
- 171 4. Per CMC Section 17.15.050, the minimum setbacks for the properties shall be as
172 follows: a 50-foot setback from Cyrus Creek, 20-foot side yard setbacks and a
173 100-foot setback from the rear property line. Accessory structures shall maintain
174 setbacks consistent with Calistoga Municipal Code (CMC) Section 17.38.050.
- 175 5. Minor modifications to the approved plans may be approved in writing by the
176 Planning and Building Director.
- 177 6. This approval does not abridge or supersede the regulatory powers or permit
178 requirements of any federal, state or local agency, special district or department
179 which may retain regulatory or advisory function as specified by statute or
180 ordinance. The applicant shall obtain permits as may be required from each
181 agency.
- 182 7. An application for building permit shall be submitted for all construction occurring
183 on the site not otherwise exempt by the California Building Code or any state or
184 local amendment adopted thereto. Prior to the issuance of any building permit, all
185 fees associated with plan check and building inspections, and associated
186 development impact fees established by City ordinance or resolution shall be
187 paid.
- 188 8. Prior to occupancy, a final landscape plan shall be reviewed and approved by the
189 Planning and Building Department. This plan shall provide a description of
190 proposed plants and irrigation plan identifying all areas to be planted visible from
191 the public right-of-way. Landscaping shall be installed prior to occupancy. All
192 landscaping shall be maintained throughout the life of the project, and shall be
193 replaced as necessary.
- 194 9. Prior to building permit issuance, a Tree Protection and Replacement Plan
195 consistent with CMC Chapter 19.01 shall be reviewed and approved by the

- 196 Public Works Department. All requirements and restrictions contained in Chapter
197 19.01 shall be complied with, which shall include any recommendations of the
198 project arborist.
- 199 10. Construction activity shall stay outside the drip line of any protected tree to the
200 maximum extent feasible. Prior to building permit issuance, protective fencing
201 shall be installed subject to the review and approval of the Public Works
202 Department.
- 203 11. Tree preservation measures shall be incorporated into the design of the
204 improvements and shown on the improvement plans in accordance with the
205 City's Tree Preservation Ordinance (CMC Chapter 19.01) and the project
206 arborist's recommendations. The project arborist shall be on site during ground
207 disturbing activities, including all activity associated with digging the foundation.
208 Subsequently, the project arborist shall prepare a letter to the Planning and
209 Building Department stating that the observations were made and that any
210 unexpected root damage was mitigated.
- 211 12. Prior to the issuance of any building permit, a fire suppression sprinkler system
212 plan shall be submitted to the Planning and Building Department for review and
213 approval by the Fire Department. Prior to occupancy, the automated fire sprinkler
214 system shall be installed.
- 215 13. Prior to the issuance of any building permit, a drainage study, prepared by a
216 qualified engineer, shall be submitted subject to the review and approval of the
217 Public Works Department.

218 **PASSED AND ADOPTED** on March 25, 2015, by the following vote of the
219 Calistoga Planning Commission:

220 AYES:
221 NOES:
222 ABSENT:
223 ABSTAIN:

224
225 _____
226 Jeff Manfredi, Chairman
227

228 ATTEST: _____
229 Lynn Goldberg
230 Secretary to the Planning Commission