

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2015-\_\_**

**APPROVING A PARCEL MAP DIVIDING THE PROPERTY LOCATED AT 957  
PETRIFIED FOREST ROAD (APN 011-370-026) INTO 2 PARCELS**

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2       **WHEREAS**, on September 17, 2014, the property owner submitted a request for  
3 a 2-lot parcel map of the property located at 957 Petrified Forest Road (APN 011-370-  
4 026). The property owner also submitted a preliminary and final development plan, use  
5 permit and design review request to develop a 3-bedroom residence on Proposed  
6 Parcel 2; and

7       **WHEREAS**, the Planning Commission reviewed the parcel map during a public  
8 hearing on March 25, 2015. During its review, the Planning Commission considered the  
9 public record, including the staff report, findings, and written materials and testimony  
10 presented by the applicant and the public during the hearing; and

11       **WHEREAS**, the Planning Commission adopted Resolution 2015-\_\_ adopting a  
12 mitigated negative declaration based upon the initial study prepared for this parcel map  
13 finding that the parcel map, as amended by mitigation measures agreed to by the  
14 applicant, would not have a significant adverse impact on the environment; and

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

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

20       Supporting Evidence: Adobe Associates, Inc. prepared a slope density analysis  
21 that addressed the slope density calculation associated with the Rural  
22 Residential – Hillside General Plan land use designation. The average slope of  
23 the total property (including Cyrus Creek) is 28.9%. The average slope of  
24 proposed Parcel 1 is 29.6% and the minimum allowed parcel size is 1.8 acres.  
25 The average slope of proposed Parcel 2 is 27.6% and the minimum parcel size is  
26 1.7 acres. The proposed 3-acre and 5-acre parcels exceed the minimum area  
27 required per dwelling unit.

28       Furthermore, the lot configurations comply with the General Plan policies,  
29 specifically the Rural Residential performance standards, as follows:

- 30       • *"Provide landscape and/or open space buffers between development and at*  
31 *the entrances to the new development."* The residential developments will  
32 have substantial setbacks and will be separated from Petrified Forest Road  
33 by Cyrus Creek and dense vegetation.
- 34       • *"Maintain scenic vistas from public rights-of-way and existing private*  
35 *development."* Northbound traffic on Petrified Forest Road will have limited  
36 views of the residential developments due to the orientation of the roadway

37 and vegetation. Southbound traffic will have filtered views of the development  
38 through the vegetation but the residential developments are low enough in  
39 comparison to the surrounding hillside such that no effect on scenic vistas or  
40 scenic corridors would occur.

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

44 2. Finding: That the design of the proposed subdivision provides, to the extent  
45 feasible, for future passive or natural heating or cooling opportunities in the  
46 subdivision, as described in the State Subdivision Map Act and any guidelines  
47 promulgated by the Council.

48 Supporting Evidence: The design of the parcel map provides, to the extent  
49 feasible, for future passive or natural heating or cooling opportunities. The lots  
50 are configured in a manner that will allow structures the ability to take advantage  
51 of southern exposure and local climates (i.e., summer breezes).

52 3. Finding: That the site is physically suitable for the type and density of  
53 development.

54 Supporting Evidence: As required by the General Plan, development in this area  
55 must preserve the rural open space and tree cover. The project would result in 2  
56 developable parcels and would retain the tree cover visible from the roadway.  
57 The residential developments would be located at the foot of a hillside at the  
58 forest's edge over 50 feet south of Cyrus Creek. Since the homes would be  
59 placed at a relatively low elevation and are screened by dense vegetation along  
60 Cyrus Creek, negative visual impacts to the Foothill Boulevard and Petrified  
61 Forest Road scenic corridors are not anticipated.

62 4. Finding: That the proposed subdivision has been reviewed in compliance with the  
63 California Environmental Quality Act (CEQA) and that the project will not result in  
64 detrimental or adverse impacts upon the public resources, wildlife or public  
65 health, safety and welfare.

66 Supporting Evidence: The project has been analyzed under CEQA and all  
67 environmental impacts will be mitigated to a level of less than significant.

68 **NOW, THEREFORE, BE IT RESOLVED** based on the above findings, the  
69 Planning Commission hereby approves a parcel map date stamped October 21, 2014  
70 creating two parcels, subject to the following conditions of approval:

- 71 1. The configuration of the final parcel map may include minor amendments,  
72 provided that all proposed parcels comply with the Zoning Ordinance and  
73 General Plan, and the modification does not result in any increased  
74 environmental impact. Any modifications shall be subject to approval by the  
75 Planning and Building Department Director and the Department of Public Works  
76 Director.

- 77 2. The tentative parcel map shall expire two years from approval, unless an  
78 extension has been granted consistent with the City's Subdivision Code and the  
79 State Subdivision Map Act.
- 80 3. Prior to recordation of the parcel map, all current and estimated taxes due for this  
81 property shall be paid to the County Tax Collector's office.
- 82 4. During ground-disturbing activities, a qualified cultural resource consultant and  
83 tribal member shall be present to monitor the site and activities. If archaeological,  
84 historical, paleontological resources or other human remains are encountered, all  
85 construction activity in the affected area shall cease and no materials shall be  
86 removed until the qualified professional surveys the site and mitigation measures  
87 can be proposed by the qualified professional to the satisfaction of the Planning  
88 Division for approval and subsequent implementation.
- 89 The above statement shall be added on the Final Map including the delineation  
90 of the archeological setbacks as shown on the tentative parcel map.
- 91 5. Prior to recordation of the parcel map, all parcel corners and angle points, and all  
92 right-of-way curve points shall be monumented, subject to the approval of the  
93 City Engineer.
- 94 6. All improvements and facilities required herein and as shown on any approved  
95 tentative parcel map, site plan, or other documents submitted for approval, all  
96 representations made by the applicants, and the plans and specifications  
97 submitted to and approved by City shall be designed and constructed to comply  
98 with the General Plan, the Calistoga Municipal Code (CMC), the "Standard  
99 Specifications" of the Public Works Department. Approval of the tentative parcel  
100 map depicting improvements that do not conform to the CMC or City standards  
101 does not constitute approval of exceptions to the CMC or City standards unless  
102 explicitly stated herein or in another City resolution.
- 103 7. The subdivider shall be responsible for all City plan check, map check and  
104 inspection costs. The subdivider shall deposit funds into a developer deposit  
105 account upon the initiation of plan check services. The amount of the initial  
106 deposit shall be determined by the City Engineer. Additional funds may be  
107 required based upon actual plan check costs. Prior to approval of the  
108 improvement plans, the subdivider shall pay any outstanding balance for plan  
109 checking services and shall deposit an additional amount based upon the City's  
110 estimate of inspection costs.
- 111 8. In the event that the City is forced to condemn or acquire off-site property interest  
112 in connection with required off-site improvements, the subdivider shall fund the  
113 cost of condemnation or acquisition, including but not limited to the amounts  
114 necessary to purchase the easement or fee simple interest, document  
115 preparation, and severance or other damages payable to the owners of the land  
116 upon which the improvements are to be located, the actual cost and acquisition

- 117 and all fees, including attorney's fee and/or other expenses necessary to  
118 prosecute the condemnation action, including expert witness and appraisal fees.
- 119 In the event that the City elects to proceed with acquisition or condemnation  
120 pursuant to Government Code Section 66462.5, the subdivider shall, within 60  
121 days of written notice by the City, deposit with the City, as an advance, the full  
122 estimated cost of such acquisition or condemnation. The developer shall prepare  
123 any easements or deeds necessary for off-site improvements.
- 124 9. The subdivider shall prepare and submit improvement plans for the construction  
125 of all necessary and required improvements. All design and construction shall  
126 conform to the City of Santa Rosa Standard Specifications for Public  
127 Improvements, or other adopted City of Calistoga standards as applicable.
- 128 10. No grading or other construction shall be performed until the improvement plans  
129 have been approved and signed by the City Engineer. Encroachment permits  
130 and building permits will not be issued prior to the approval of the improvement  
131 plans. An encroachment permit is required for any work within the City's rights of  
132 way.
- 133 11. Tree preservation measures shall be incorporated into the design of the  
134 improvements and shown on the improvement plans in accordance with the  
135 City's Tree Preservation Ordinance (CMC 19.01).
- 136 12. Existing overhead utilities of 26,000 volts or less and proposed utilities, both on-  
137 site and along project frontages, shall be placed underground in accordance with  
138 Title 16 of the Calistoga Municipal Code, unless waived by the City Council.
- 139 13. Roadway Improvements:
- 140 a. Prior to recordation of the parcel map, a minimum 20-foot wide bridge  
141 shall be constructed across Cyrus Creek subject to the review and  
142 approval of the City.
- 143 b. Prior to recordation of the parcel map, the 20-foot wide asphalt roadway  
144 shall be constructed from the newly constructed bridge to the shared  
145 property line of Proposed Parcel 1 and Proposed Parcel 2.
- 146 c. Prior to recordation of the parcel map, an adequate turn radius shall be  
147 constructed of asphalt near the shared property line of Proposed Parcel 1  
148 and Proposed Parcel 2 subject to the review and approval of the City.
- 149 d. The structural section of all road improvements shall be designed based  
150 upon a geotechnical investigation that provides the basement soils R-  
151 value and expansion pressure test results. A copy of the geotechnical  
152 report shall also be submitted with the first set of improvement plan check-  
153 prints.
- 154 e. Prior to recordation of the parcel map or in conjunction with the  
155 recordation of the parcel map, a maintenance agreement shall be

156 recorded ensuring and providing for maintenance responsibility for those  
157 portions of the roadway that are not dedicated or reserved for public use.

158 **14. Water and Sanitary Sewer Improvements:**

159 a. Prior to recordation of the parcel map, private water laterals shall be  
160 extended from the existing 8-inch water main located near the newly  
161 constructed bridge subject to the review and approval of the Public Works  
162 and Planning and Building Departments.

163 b. Prior to recordation of the parcel map, per CMC Section 16.16.130, a  
164 sewer main line shall be brought to the property subject to the review and  
165 approval of the Public Works Department unless waived by the City  
166 Council.

167 If waived by the City Council, a permit(s) to construct an onsite  
168 wastewater system shall be secured from Napa County Environmental  
169 Services prior to issuance of a building permit for any structure that  
170 generates wastewater to be disposed of by this system. Plans for an  
171 alternative sewage treatment system shall be designed by a licensed  
172 Civil Engineer or Registered Environmental Health Specialist and be  
173 accompanied by complete design criteria based upon local conditions.

174 c. All private facilities must be located within the private property and clearly  
175 identified as private on the design drawings.

176 **15. Drainage Improvements:**

177 a. Prior to recordation of the parcel map, a preliminary engineered drainage  
178 plan shall be submitted for review and approval by the Public Works  
179 Department. The preliminary drainage plan shall address the roadway  
180 improvements required herein and runoff resulting from development on  
181 the new parcels.

182 b. Drainage improvements shall be designed by a civil engineer in  
183 accordance with the Napa County Design Criteria and any applicable  
184 adopted City drainage plans. The capacity and condition of existing  
185 drainage facilities downstream of the development shall be analyzed and  
186 off-site drainage improvements shall be constructed as necessary. Site  
187 grading and drainage improvements shall be shown on the improvement  
188 plans.

189 c. Improvements necessary to mitigate the run-off resulting from the  
190 proposed parcels may be deferred until development, provided the  
191 necessary easements are secured upon recordation of the parcel map.

192 d. Improvement plans shall include an erosion control (winterization) plan.

193 **16.** The subdivider shall secure all necessary rights-of-way and easements for both  
194 onsite and offsite improvements. Rights-of-way and easements shall be

- 195 dedicated on the map or provided by grant deed. The subdivider shall prepare  
196 all necessary legal descriptions and deeds.
- 197 17. The final map shall not be approved prior to approval of the improvement plans.
- 198 18. Prior to approval of the final map, the subdivider shall either complete the  
199 required improvements as shown on the signed improvement plans, or enter into  
200 an Improvement Agreement in accordance with Calistoga Municipal Code  
201 Section 16.18.070.
- 202 19. A final map, as defined in the State Subdivision Map Act and prepared by a  
203 licensed surveyor or civil engineer, showing all parcels, rights-of-way, and  
204 easement(s) shall be filed with the City Engineer's Office.
- 205 20. A complete set of *As-Built* or Record improvement plans showing all constructive  
206 changes from the original plans shall be submitted to the Public Works  
207 Department prior to acceptance of the public improvements.
- 208 21. Prior to acceptance of the work, the subdivider shall provide a written statement  
209 signed by an engineer certifying that they observed the work during construction  
210 and that site grading and all private site improvements have been completed in  
211 accordance with the improvement plans approved by the City Engineer.
- 212 22. Prior to acceptance of the work, the subdivider shall provide a written statement  
213 signed by a geotechnical engineer certifying that they observed the work and  
214 reviewed testing results, and that all work was performed in accordance with the  
215 recommendations included in the Soils Investigation/Geotechnical Report or other  
216 recommendations necessitated by field conditions.

217 PASSED AND ADOPTED by the Planning Commission of the City of Calistoga at  
218 a regular meeting held this 25th day of March 2015, by the following vote:

219  
220 AYES:  
221 NOES:  
222 ABSENT:  
223 ABSTAIN:  
224  
225

226  
227 \_\_\_\_\_  
228 JEFF MANFREDI, Chair  
229

230  
231 ATTEST: \_\_\_\_\_  
232 LYNN GOLDBERG  
233 Planning Commission Secretary