

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC ~~2014~~2015-__**

**APPROVING PARCEL MAP PM 2014-1 DIVIDING THE PROPERTY LOCATED AT
2960 FOOTHILL BOULEVARD INTO 2 PARCELS**

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2 **WHEREAS**, on March 6, 2014, the property owners submitted a parcel map to
3 divide the property located at 2960 Foothill Boulevard (APN 011-400-003) into 2
4 parcels; and

5 **WHEREAS**, on ~~December 10, 2014~~November 18, 2015 the Planning
6 Commission adopted Resolution PC ~~2014~~2015-__ approving a use permit
7 amendment and variance allowing a veterinary clinic on a 1-acre parcel; and

8 **WHEREAS**, the Planning Commission reviewed the parcel map during a public
9 hearing on December 10, 2014 and November 18, 2015. –During its review, the
10 Planning Commission considered the public record, including the staff report, findings,
11 and written materials and testimony presented by the applicant and the public during the
12 hearing; and

13 **WHEREAS**, this action has been reviewed for compliance with the California
14 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
15 pursuant to Section 15061(b)(3) of the CEQA guidelines; and

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

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

21 Supporting Evidence: The parcel map is consistent with the Rural Residential
22 General Plan land use designation, which allows up to one dwelling unit per acre.
23 The parcel map would divide a 2.15 parcel into 2 parcels. Additionally, the project
24 is consistent with the performance standards contained in the Rural Residential
25 land use designation because the lot sizes are not in conflict with the rural
26 character, open space is preserved and the design is sensitive to Calistoga's
27 character. In addition, the proposed parcels comply with the RR Rural
28 Residential Zoning District's development standards regulating lot sizes. As such
29 the project, together with its design and improvements, is consistent with the
30 General Plan and the provisions of the Calistoga Municipal Code.

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

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

- 40 3. Finding: That the site is physically suitable for the type and density of
41 development.

42 Supporting Evidence: Considering the size, shape, location, topography,
43 existence of improvements and natural features, the properties are suitable for
44 the existing veterinary clinic development and an anticipated residential dwelling.
45 The property is connected to City water and the soils are suitable for on-site
46 septic systems for sewage disposal.

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

51 Evidence: This action has been reviewed for compliance with the California
52 Environmental Quality Act (CEQA) and is exempt from the requirements of the
53 CEQA pursuant to Section 15061(b)(3) of the CEQA guidelines; and

54 **NOW, THEREFORE, BE IT RESOLVED** based on the above findings, the
55 Planning Commission hereby approves Parcel Map PM 2014-1 creating two parcels,
56 subject to the following conditions of approval:

- 57 1. The configuration of the parcel map may include minor amendments, provided
58 that all proposed parcels comply with the Zoning Ordinance and General Plan,
59 and the modification does not result in any increased environmental impact. Any
60 modifications shall be subject to approval by the Planning and Building Director
61 and the Public Works Director.
- 62 2. The tentative parcel map shall expire two years from approval, unless an
63 extension has been granted consistent with the City's Subdivision Code and the
64 State Subdivision Map Act.
- 65 3. Prior to recordation of the parcel map, all current and estimated taxes due for this
66 property shall be paid to the County Tax Collector's office.
- 67 4. Prior to recordation of the parcel map, the cultural/recreational development impact
68 fee shall be paid to offset impacts to cultural and recreational facilities.
- 69 5. During ground-disturbing activities, a qualified cultural resource consultant and
70 tribal member shall be present to monitor the site and activities. If archaeological,
71 historical, paleontological resources or other human remains are encountered, all
72 construction activity in the affected area shall cease and no materials shall be
73 removed until the qualified professional surveys the site and mitigation measures
74 can be proposed by the qualified professional to the satisfaction of the Planning
75 Division for approval and subsequent implementation.

- 76 The above statement shall also be added as a note on the Final Map.
- 77 6. Prior to transferring ownership of Parcel 2, disclosure shall be made in writing to
78 the transferee and shall be signed by the transferee acknowledging the
79 veterinary clinic use(s) on Parcel 1.
- 80 The above statement shall also be added as a note on the Final Map.
- 81 7. Prior to recordation of the parcel map, all parcel corners and angle points, and all
82 right-of-way curve points shall be monumented, subject to the approval of the
83 City Engineer.
- 84 8. All improvements and facilities required herein and as shown on any approved
85 tentative parcel map, site plan, or other documents submitted for approval, all
86 representations made by the applicants, and with the plans and specifications
87 submitted to and approved by City shall be designed and constructed to comply
88 with the General Plan, the Calistoga Municipal Code (CMC), the "Standard
89 Specifications" of the Public Works Department. Approval of the tentative parcel
90 map depicting improvements that do not conform to the CMC or City standards
91 does not constitute approval of exceptions to the CMC or City standards unless
92 explicitly stated herein or in another City resolution.
- 93 9. The subdivider shall be responsible for all City plan check, map check and
94 inspection costs. The subdivider shall deposit funds into a developer deposit
95 account upon the initiation of plan check services. The amount of the initial
96 deposit shall be determined by the City Engineer. Additional funds may be
97 required based upon actual plan check costs. Prior to approval of the
98 improvement plans, the subdivider shall pay any outstanding balance for plan
99 checking services and shall deposit an additional amount based upon the City's
100 estimate of inspection costs.
- 101 10. In the event that the City is forced to condemn or acquire off-site property interest
102 in connection with required off-site improvements, the subdivider shall fund the
103 cost of condemnation or acquisition, including but not limited to the amounts
104 necessary to purchase the easement or fee simple interest, document
105 preparation, and severance or other damages payable to the owners of the land
106 upon which the improvements are to be located, the actual cost and acquisition
107 and all fees, including attorney's fee and/or other expenses necessary to
108 prosecute the condemnation action, including expert witness and appraisal fees.
- 109 In the event that the City elects to proceed with acquisition or condemnation
110 pursuant to Government Code Section 66462.5, the subdivider shall, within 60
111 days of written notice by the City, deposit with the City, as an advance, the full
112 estimated cost of such acquisition or condemnation. The developer shall prepare
113 any easements or deeds necessary for off-site improvements.
- 114 11. The subdivider shall prepare and submit improvement plans for the construction
115 of all necessary and required improvements. All design and construction shall

116 conform to the City of Santa Rosa Standard Specifications for Public
117 Improvements, or other adopted City of Calistoga standards as applicable.

118 12. No grading or other construction shall be performed until the improvement plans
119 or grading plans have been approved and signed by the City Engineer and/or
120 Building Official. Encroachment permits and building permits will not be issued
121 prior to the approval of the improvement plans. An encroachment permit is
122 required for any work within the City's rights of way.

123 13. Tree preservation and replacement measures shall be incorporated into the
124 design of the improvements and shown on the improvement plans in
125 accordance with the City's Tree Preservation Ordinance (CMC 19.01).

126 14. Existing overhead utilities of 26,000 volts or less and proposed utilities, both on-
127 site and along project frontages, shall be placed underground in accordance with
128 Title 16 of the Calistoga Municipal Code unless waived by the City Council.

129 15. Prior to recordation of the parcel map, a deed restriction shall be recorded
130 against the property limiting the density to 1 dwelling unit on the 2.15 acre
131 property unless waived by the City Council. A residential second unit is exempt
132 from this deed restriction.

133 A statement regarding the same shall also be added as a note on the Final Map.

134 16. Prior to the recordation of the parcel map, a building envelope shall be depicted
135 on Parcel 2 on the parcel map consistent with the tentative map, subject to
136 review and approval of the Planning and Building Department.

137 17. The existing solid wood-board fence along the southeastern property boundary
138 shall remain and/or be replaced in its current location after the construction of the
139 required improvements. In the event that the fence does not allow a full 20-foot
140 wide roadway, the fence may be installed on top of the proposed asphalt berm.
141 Agricultural fencing shall be encouraged beyond the existing fence lines. New
142 boundary line fencing shall be subject to the review and approval of the Planning
143 and Building Department.

144 186. Roadway Improvements:

145 a. Prior to recordation of the parcel map, a 20-foot wide driveway shall be
146 constructed of chip-seal or an alternative all-weather surface within the
147 panhandle portion of Parcel 2 from the existing concrete pad to the
148 emergency vehicle turnaround subject to the review and approval of the
149 Public Works and Planning and Building Departments. ~~Prior to recordation~~
150 of the parcel map, a driveway approach shall be constructed at the Foothill
151 Boulevard/roadway intersection subject to the review and approval of the
152 Public Works Department and Caltrans. An access easement shall be
153 provided for those portions of the driveway approach located on Parcel 1.

154 b. Prior to recordation of the parcel map, an emergency vehicle turnaround
155 shall be constructed near the shared property line between Parcel 1 and

~~Parcel 2 subject to the review of the City. Prior to recordation of the parcel map, the existing private roadway shall be repaved with asphalt to a minimum width of 12 feet from the intersection of Foothill Boulevard to the location of the future driveway to Parcel 2 subject to the review and approval of the Public Works and Planning and Building Departments.~~

~~c. Prior to recordation of the parcel map, an adequate turnout shall be constructed of asphalt at the location of the future driveway to Parcel 2 subject to the review and approval of the Public Works and Planning and Building Departments. An access easement shall be provided for those portions of the turnout located on Parcel 2.~~

cd. The structural section of all road improvements shall be designed based upon a geotechnical investigation that provides the basement soils R-value and expansion pressure test results. A copy of the geotechnical report shall also be submitted with the first set of improvement plan check-prints.

de. Concurrent with the recordation of the parcel map, an access and utility a 5-foot access easement shall be provided over a portion of Parcel 2 panhandle in favor of Parcel 1 along the western property boundary to accommodate those portions of the roadway that may extend onto Parcel 1 and 2.

ef. Concurrent with the recordation of the parcel map, an emergency vehicle turnaround easement non-access easement shall be provided over Parcel 1 in favor of Parcel 2 provided precluding access from the roadway onto Parcel 2 from the location of the future driveway to the northwestern property corner.

fg. ~~Concurrent with the recordation of the parcel map, a 20-foot emergency vehicle access easement shall be provided along the eastern property boundary of Parcel 1 in favor of Parcel 2 subject to the review and approval of the Public Works Department.~~

h. Prior to recordation of the parcel map, the trash enclosure located on Parcel 1 shall be relocated subject to the review and approval of the Planning and Building Department.

~~i. Upon development of Parcel 2, a minimum 20-foot wide chip-seal emergency vehicle access shall be constructed along the eastern property boundary of Parcel 1 terminating in an acceptable emergency vehicle turnaround on Parcel 2 subject to the review and approval of the Fire and Planning and Building Departments.~~

~~— The above shall also be added as a note on the Final Map.~~

197. Water and Sanitary Sewer Improvements:

~~a. Prior to recordation of the parcel map, a 20-wide water line easement in favor of proposed parcel 2 shall be provided along the eastern boundary of proposed parcel 1.~~

196 | ~~ab.~~ Prior to recordation of the parcel map, a
197 | private water lateral shall be extended from Foothill Boulevard to Parcel 2
198 | subject to the review and approval of the Public Works and Planning and
199 | Building Departments.

200 | ~~———— The above shall also be added as a note on the Final Map.~~

201 | ~~bc.~~ Prior to recordation of the parcel map, a fire hydrant shall be installed
202 | along Foothill Boulevard subject to the review and approval of the Fire and
203 | Public Works Departments. The Fire and Public Works Departments may
204 | waive this requirement upon finding that adequate water pressure does
205 | not exist.

206 | ~~cd.~~ Prior to recordation of the parcel map, per CMC Section 16.16.130, a
207 | sewer main line shall be brought to the property subject to the review and
208 | approval of the Public Works Department unless waived by the City
209 | Council.

210 | If waived by the City Council, a permit to construct an onsite
211 | wastewater system must be secured from Napa County Environmental
212 | Services prior to approval of a building clearance (or issuance of a
213 | building permit) for any structure that generates wastewater to be
214 | disposed of by this system. Plans for an alternative sewage treatment
215 | system shall be designed by a licensed Civil Engineer or Registered
216 | Environmental Health Specialist and be accompanied by complete
217 | design criteria based upon local conditions.

218 | ~~d.~~ Prior to recordation of the parcel map, the existing septic system on
219 | Parcel 1 shall be relocated subject to the review and approval of
220 | Napa County Environmental Services.

221 | e. All private facilities must be located within the private property and clearly
222 | identified as private on the design drawings.

223 | ~~1820.~~ Drainage Improvements:

224 | a. Prior to recordation of the parcel map, a ~~preliminary~~-final engineered
225 | drainage plan shall be submitted for review and approval by the Public
226 | Works Department. The ~~preliminary~~-drainage plan shall address the
227 | roadway improvements required herein and runoff resulting from
228 | development on the new parcels.

229 | b. Drainage improvements shall be designed by a civil engineer in
230 | accordance with the Napa County Design Criteria and any applicable
231 | adopted City drainage plans. The capacity and condition of existing
232 | drainage facilities downstream of the development shall be analyzed and
233 | off-site drainage improvements shall be constructed as necessary. Site
234 | grading and drainage improvements shall be shown on the improvement
235 | plans.

236 c. ~~Prior to recordation of the parcel, i~~Improvements necessary to mitigate the
237 run-off resulting from the proposed parcels ~~shall be installed consistent~~
238 ~~with this tentative approval subject to the review and approval of the~~
239 ~~City may be deferred until development, provided the necessary~~
240 ~~easements are secured upon recordation of the parcel map.~~

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

242 e. ~~Concurrent with the recordation of the parcel map, a maintenance~~
243 ~~agreement shall be recorded relating to all drainage facilities that require~~
244 ~~significant maintenance (e.g. drain inlets, swales, pipes, etc.).~~

245 ~~1921.~~ The subdivider shall secure all necessary rights-of-way and easements for both
246 onsite and offsite improvements. Rights-of-way and easements shall be
247 dedicated on the map or provided by grant deed. The subdivider shall prepare
248 all necessary legal descriptions and deeds.

249 ~~220.~~ The final map shall not be approved prior to approval of the improvement plans.

250 ~~231.~~ Prior to approval of the final map, the subdivider shall either complete the
251 required improvements as shown on the signed improvement plans, or enter into
252 an Improvement Agreement in accordance with Calistoga Municipal Code
253 Section 16.18.070.

254 ~~242.~~ A final map, as defined in the State Subdivision Map Act and prepared by a
255 licensed surveyor or civil engineer, showing all parcels, rights-of-way, and
256 easement(s) shall be filed with the City Engineers Office. Upon recording of the
257 map, the subdivision is valid.

258 ~~253.~~ A complete set of *As-Built* or Record improvement plans showing all constructive
259 changes from the original plans shall be submitted to the Public Works
260 Department prior to acceptance of the public improvements.

262 ~~264.~~ Prior to acceptance of the work, the subdivider shall provide a written statement
263 signed by an engineer certifying that they observed the work during construction
264 and that site grading and all private site improvements have been completed in
265 accordance with the improvement plans approved by the City Engineer.

266 ~~275.~~ Prior to acceptance of the work, the subdivider shall provide a written statement
267 signed by a geotechnical engineer certifying that they observed the work and
268 reviewed testing results, and that all work was performed in accordance with the
269 recommendations included in the Soils Investigation/Geotechnical Report or other
270 recommendations necessitated by field conditions.

271 **PASSED AND ADOPTED** by the Planning Commission of the City of Calistoga
272 at a regular meeting held this ~~10th-18th~~ day of ~~December~~ November 2015~~4~~, by the
273 following vote:

274 AYES:
275

276 NOES:
277 ABSENT:
278 ABSTAIN:

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JEFF MANFREDI, Chair

ATTEST: _____
LYNN GOLDBERG
Planning Commission Secretary