

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2009-10**

**A RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION AND MITIGATION, MONITORING AND REPORTING PLAN BASED ON AN INITIAL STUDY PREPARED FOR THE ARROYO TENTATIVE PARCEL MAP PROJECT LOCATED ON GRANT STREET (APN 011-390-035) WITHIN THE “RR”, RURAL RESIDENTIAL ZONING DISTRICT.**

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1           **WHEREAS**, the property owners, Vincent and Marjorie Arroyo, are requesting  
2 approval of a Tentative Parcel Map (PM 2008-03) to divide an existing 9.70-acre parcel  
3 into four separate legal lots of record. The parcels would range in size from 2.18 to 2.54  
4 gross acres. The property owners have also requested an exemption to the wastewater  
5 connection requirements to allow individual septic systems. The property is located on  
6 Grant Street (APN 011-390-035) within the “RR”, Rural Residential Zoning District;  
7

8           **WHEREAS**, the Planning Commission has reviewed and considered the Initial  
9 Study prepared for the project at its regular meeting on July 8, 2009 and prior to taking  
10 action on the application, the Commission received written and oral reports by the Staff,  
11 and received public testimony;  
12

13           **WHEREAS**, in accordance with the California Environmental Quality Act (CEQA),  
14 the City of Calistoga, Planning and Building Department prepared an Initial Study/CEQA  
15 Checklist, which identified potentially significant impacts to aesthetics, aesthetics, air  
16 quality, biological resources, cultural resources, geology and soils, water quality, noise  
17 and utilities and service systems;  
18

19           **WHEREAS**, this project, as mitigated, will not result in any significant adverse  
20 environmental impacts; and  
21

22           **WHEREAS**, that on the basis of the Initial Study prepared for the Arroyo Parcel  
23 Map project as requested by the property owners, Vincent and Marjorie Arroyo,, will not  
24 have a significant effect on the environment and, therefore, a mitigated negative  
25 declaration is adopted based on the following findings.  
26

- 27 1. An Initial Study was prepared pursuant to the California Environmental Quality  
28 Act and has been considered as a result of this project and although the project  
29 could have a significant effect on the environment, there will not be a significant  
30 effect in this case because mitigation measures to reduce all impacts to a level of  
31 insignificance or to avoid such impacts have been identified and agreed to by the  
32 applicant. A Mitigated Negative Declaration should therefore be prepared with  
33 the mitigation measures as adopted as part of the Mitigation, Monitoring and  
34 Reporting Plan.  
35
- 36 2. As mitigated this project will not result in any significant adverse environmental  
37 impacts. There is no evidence that this project will result in any adverse impacts to  
38 fish and wildlife habitat.  
39

40           **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning  
41 Commission that based on the above Findings, the Planning Commission recommends  
42 that the City Council adopts a Mitigated Negative Declaration and Mitigation, Monitoring  
43 and Reporting Plan including the following Mitigation Measures:

44  
45           Aesthetics

46  
47           Aesthetics-1: Prior to building permit issuance or Improvement Plans, all lighting shall  
48 hooded, shielded and directed downward and shall be designed and equipped with  
49 motion detector switching and/or timers upon review and approval of the Planning and  
50 Building Department.

51  
52           Air Quality

53  
54           Mitigation Measures AQ-1: Prior to building permit or grading permit issuance, the  
55 applicant shall incorporate the following Best Management Practices into the  
56 construction and improvement plans and clearly indicate these provisions in the  
57 specifications upon review and approval of the Public Works and Planning and Building  
58 Departments. The construction contractor shall incorporate these measures into an  
59 Erosion and Sediment Control Plan to limit fugitive dust and exhaust emissions during  
60 construction.

- 61  
62           a) Exposed soils shall be watered periodically during construction, a minimum of  
63 twice daily. The frequency of watering shall be increased if wind speeds exceed  
64 15 mph. Only on-site well water, purchased city water or reclaimed water shall be  
65 used for this purpose. Responsibility for watering shall include weekends and  
66 holidays when work is not in progress.
- 67  
68           b) During excavation activities, haul trucks used to transport soil shall utilize tarps or  
69 other similar covering devices to reduce dust emissions.
- 70  
71           c) Grading and construction equipment operated during construction activities shall  
72 be properly mufflered and maintained to minimize emissions. Equipment shall be  
73 turned off when not in use.
- 74  
75           d) Construction sites involving earthwork shall provide for a gravel pad area  
76 consisting of an impermeable liner and drain rock at the construction entrance to  
77 clean mud and debris from construction vehicles prior to entering the public  
78 roadways. Street surfaces in the vicinity of the project shall be routinely swept  
79 and cleaned of mud and dust carried onto the street by construction vehicles.
- 80  
81           e) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed  
82 stockpiles (dirt, sand, etc.).
- 83  
84           f) Post-construction revegetation, repaving or soil stabilization of exposed soils shall  
85 be completed in a timely manner according to the approved Erosion and  
86 Sediment Control Plan and verified by City inspectors prior to acceptance of  
87 improvements or issuance of certificates of occupancy.
- 88

89 g) The Developer shall designate a person with authority to require increased  
90 watering to monitor the dust and erosion control program and provide name and  
91 phone number to the City of Calistoga prior to issuance of grading permits.  
92

93 Mitigation Measures AQ-2: Prior to occupancy, wood burning fireplaces, wood stoves  
94 and outdoor stoves/cooking centers shall require the use of natural gas or Environmental  
95 Protection Agency certified fireplaces in order to reduce any potential emissions.  
96

97 Biological Resources  
98

99 Mitigation Bio 1: Prior to construction activities within 100 feet of trees potentially  
100 supporting special-status bats, a qualified bat biologist will survey for special-status bats.  
101 If no evidence of bats is present, no further mitigation is required. If evidence of bats is  
102 observed a no-disturbance buffer acceptable in size to the CDFG will be created around  
103 active bat roosts during the breeding season (March 15-August 15). Bat roosts initiated  
104 during construction are presumed to be unaffected, and no buffer is necessary.  
105

106 Mitigation Bio 2: If project construction is to occur from February 1 through August 31 a  
107 qualified biologist shall conduct pre-construction surveys of all potential nesting habitats  
108 within 100 feet of project activities. If nesting birds are identified on the project site or  
109 within the surveyed area, a non-disturbance buffer (determined in coordination with the  
110 California Department of Fish and Game) shall be established around the nest tree  
111 during the breeding season or until the young have fledged. If preconstruction surveys  
112 indicate that nests are inactive or potential habitat is unoccupied, no further mitigation  
113 measures are required. Raptor or other bird nests initiated during construction are  
114 presumed to be unaffected and no buffer is necessary. However, the "take" of any  
115 individuals is prohibited.  
116

117 Mitigation Bio 3: Prior to Improvement Plan issuance, a Tree Removal and Replacement  
118 Plan consistent shall be reviewed and approved by the Public Works Department in  
119 conjunction with the Planning and Building Department. All requirements and restrictions  
120 contained in Chapter 19.01 of the Calistoga Municipal Code (CMC) shall be complied  
121 with, which shall incorporate replacement trees for those trees slated for removal and  
122 shall include any recommendations of the Project Arborist into the project.  
123

124 Cultural Resources  
125

126 Mitigation CR.1: Prior to the initiation of construction or ground-disturbing activities, all  
127 construction personnel should be alerted to the possibility of buried cultural remains (i.e.,  
128 prehistoric and/or historic resources). Personnel should be instructed that upon  
129 discovery of buried cultural materials, work in the immediate vicinity of the find should  
130 cease and a qualified archaeologist should be contacted immediately.  
131

132 Mitigation CR.2: If archaeological, historical, paleontological resources or other human  
133 remains are encountered, all construction activity in the affected area shall cease and no  
134 materials shall be removed until a qualified professional surveys the site and mitigation  
135 measures can be proposed by the qualified professional to the satisfaction of the  
136 Planning Division for approval and subsequent implementation by the permit holder.  
137

138 Geology & Soils

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140 Geo 1: Prior to the approval of the improvement plans and/or final map, a final design-  
141 level geotechnical report, shall be prepared and submitted to the City for review and  
142 approval. The recommendations of the final geotechnical report shall be incorporated  
143 into the project design prior to issuance of improvement plans or grading permits for  
144 review and approval of the Public Works and/or Planning and Building Departments.

145

146 Geo 2: A permit for the installation of the sewage disposal system to serve each parcel  
147 must be secured from the Department of Environmental Management prior to issuance  
148 of a building permit for any structure that generates wastewater to be disposed of on site  
149 by such a system. To secure this permit, the applicant will be required to perform the  
150 required soils testing in the primary and reserve areas. If, based on the results of such  
151 testing, an alternative sewage disposal system is required, plans for such must be  
152 prepared by a licensed civil engineer or registered environmental health specialist and  
153 submitted to the Department of Environmental Management for review and approval  
154 prior to issuance of a building permit. If an alternative sewage disposal system is not  
155 required, the developer will be required to submit a scaled plot plan showing the location  
156 of the proposed septic system relative to the proposed project and other structures, the  
157 required 100% expansion area, and the proposed trench detail.

158

159 Hydrology & Water Quality

160

161 Mitigation WQ.1: Prior to Final Map approval or grading permit issuance, the Public  
162 Works, Planning and Building Departments shall have reviewed and approved all  
163 drainage improvements. Said improvement plans shall be designed by a civil engineer  
164 and in accordance with the Napa County Design Criteria and any applicable adopted  
165 City standards. The capacity and condition of existing and proposed drainage facilities  
166 downstream of the development shall be analyzed and off-site drainage improvements  
167 shall be constructed as necessary. Site grading and drainage improvements shall be  
168 shown on the improvement plans.

169

170 Mitigation WQ.2: Prior to grading and/or building permit issuance, the applicant shall  
171 submit finalized engineered drainage plans and design calculations for the City  
172 Engineer's review and approval.

173

174 Mitigation WQ.3: All drainage inlets shall be permanently marked "No Dumping-Flows to  
175 River".

176

177 Mitigation WQ.4: Prior to building or grading permit issuance, verification shall be  
178 provided indicating that a permit has been obtained or a Notice of Intent (NOI) has been  
179 filed with the California Regional Water Quality Control Board for a General Permit to  
180 Discharge Storm Water Associated with Construction Activity subject to the review and  
181 approval of the Planning and Building Department.

182

183 Mitigation WQ.5: No discharge of hazardous materials shall be allowed in ground or  
184 surface waters or on the land. All hazardous materials shall be stored and managed.

185

186 Noise

187

188 Mitigation Measure N-1: The applicant shall develop a construction management plan to  
189 reduce traffic congestion during project construction, including staging areas on the  
190 project site and truck movements delivering and/or exporting fill material. Approval of  
191 the plan shall be required from the City prior to issuance of any grading permit.  
192

193 Mitigation Measure N-2: Construction travel shall be managed to minimize noise levels  
194 consistent with the City's Construction Ordinance.  
195

196 Mitigation Measure N-3: Construction activities shall be limited to the hours of 7 AM and  
197 7 PM Monday through Saturday consistent with the City's construction ordinance.  
198

199 Mitigation Measure N-4: Construction restriction shall be posted on-site for the duration  
200 of construction.  
201

202 Utilities & Service Systems  
203

204 Mitigation Utilities 1: Prior to Final Map approval or grading permit issuance, the Public  
205 Works, Planning and Building Departments shall have reviewed and approved all  
206 drainage improvements. Said improvement plans shall be designed by a Civil Engineer  
207 and in accordance with the Napa County Design Criteria and any applicable adopted  
208 City standards. The capacity and condition of existing drainage facilities downstream of  
209 the development shall be analyzed and off-site drainage improvements shall be  
210 constructed as necessary. Site grading and drainage improvements shall be shown on  
211 the improvement plans.  
212

213 **PASSED, APPROVED, AND ADOPTED** on July 8, 2009, by the following vote of  
214 the Calistoga Planning Commission:  
215

216 AYES:

217 NOES:

218

219 ABSENT

220

221 ABSTAIN:

222

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225

226

227

228 ATTEST: \_\_\_\_\_

229

230

Kathleen Guill  
Secretary to the Planning Commission

\_\_\_\_\_  
JEFF MANFREDI, Chairman