

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, ASSOCIATE PLANNER

MEETING DATE: MARCH 12, 2008

SUBJECT: RESIDENTIAL DEVELOPMENTS AT 2945 FOOTHILL
BOULEVARD (APN 011-360-039)

1
2 **REQUEST**
3

4 Consideration of Conditional Use Permit and Design Review applications to allow
5 the construction of a 2,225 square foot single-family residence with an attached
6 472 square foot garage located at 2945 Foothill Boulevard (APN 011-360-039)
7 within the "RR-H", Rural Residential-Hillside District. This application also
8 includes a request to develop a 750 square foot residential second unit with a
9 750 square foot attached garage. The property owner is Victor Manuel
10 Hernandez. This proposed action is exempt from the California Environmental
11 Quality Act (CEQA) under Section 15303 of the CEQA Guidelines.
12

13 **PROPOSED PROJECT**
14

15 The project site is 1.85 acres and is located on the southwest side of Foothill
16 Boulevard near the City limits. The lot was originally part of a larger 8.84-acre
17 remainder parcel that was subdivided in 1983 (Parcel Map 13PM100) and
18 subsequently adjusted (LLA 2002-03) July 1, 2005 to create this legal lot of
19 record. The subject lot is presently established with a one bedroom single-family
20 dwelling built 1932 totaling approximately 480 square feet. The existing
21 residence has aged and is becoming dilapidated with time.
22

23 On January 30, 2007 Joseph Plemons a representative for Victor Manuel
24 Hernandez, the property owner submitted a conditional use permit and design
25 review in order to obtain approval of a single-family residential dwelling unit and a
26 residential second unit on the property. The residential structure will be served
27 with City water and on-site septic systems. The existing residence will be
28 demolished as a result of this project.
29

30

31 **STAFF ANALYSIS**

32

33 The proposed project appears to have a less than significant impact on the City's
34 Land Use regulations, Growth Management regulations, Hazards and Tree
35 regulations provided that conditions of approval are incorporated into the
36 project's design. The following is a complete analysis of each of these
37 aforementioned components.

38

39 **A. Land Use**

40

41 The standards for the RR-H District require that certain development standards
42 (i.e. setbacks, building envelopes, building height, lot area and usable yard open
43 space requirements) be established through the conditional use permit approval
44 process. Typically, residential developments are required to maintain 20-foot
45 front yard setbacks, 10-foot side yard setbacks and 20-foot rear yard setbacks.
46 This proposal would exceed these required setbacks.

47

48 The project is limited to no greater than 40% building coverage. On an 80,586
49 square foot lot (1.85 acres), this would allow up to 32,234.4 square feet of
50 building coverage. The proposed project contains approximately 4,563 square
51 feet (6%) building coverage. The project must also provide usable open space in
52 an amount not less than 25% of the floor area, or 743.75 square feet in this
53 instance. Decking and open area surrounding the residence is provided which
54 will meet the minimum requirements for usable open space.

55

56 In addition, while most districts in the City allow up to 25 feet between grade and
57 the mid-point between the roof eave and roof ridge, there are allowances for an
58 additional five feet of height in the following instances (CMC 17.38.030):

59

- 60 • The Planning Director provides notice to adjacent neighbors for the request
61 for up to five additional feet of height; and
- 62 • The structure meets special historic, architectural, or aesthetic interests
63 where additional height would result in building design more compatible with
64 the dominant building height in the immediate neighborhood; and
- 65 • There is sufficient separation between structures on adjoining lots to minimize
66 the proposed additional height, or there are no adverse impacts on privacy,
67 access to sunlight, or views; and
- 68 • In no case shall the height exceed 35 feet (commercial) and 30 feet
69 (residential).

70

71 However, in this particular case, Staff recommends that the structure be
72 restricted to a height not exceeding 25 feet above natural grade to the midpoint

73 of the roof. This will avoid a massing issue and a precedent-setting design for
 74 future hillside development.
 75

Applicable Development Standards		Proposal
Minimum Front Yard Setback	Established through the Use Permit Process	64'-0"
Minimum North Side Yard Setback	Established through the Use Permit Process	15'-0"
Minimum South Side Yard Setback	Established through the Use Permit Process	More than 80'-0"
Minimum Rear Yard Setback	Established through the Use Permit Process	62'-0"
Maximum Lot Coverage	40 Percent	6 Percent (4,563 sq/ft)
Building Height	25-Foot Max.	Average 17'-6" (Main House) Average 22'-6" (Second Unit)
Usable Open Space	25% of Floor Area (743.75 Square Feet)	Over 1,000 Square Feet
Parking	2 spaces outside the required setbacks	2 spaces within garage or driveway (Main House) 1 space within garage or in driveway (Second Unit)

76
 77 **B. Growth Management and Public Services**
 78

79 On January 4, 2005, the City Council adopted Ordinance #616, which
 80 established a growth management system applicable to development in all
 81 zoning districts. Section 19.02.050(D) of the Calistoga Municipal Code states:

82
 83 *"Dwellings or non-residential structures on existing parcels of*
 84 *record which have paid water and wastewater connection fees prior*
 85 *to the effective date of this ordinance and are paying water meter*
 86 *service charges and/or a waste water capacity allocation charge to*
 87 *maintain a water and/or waste water allocation. In such instances,*
 88 *the parcel shall have a history of residential or non-residential*
 89 *development in the past, and the proposed new development shall*
 90 *not exceed the water consumption and wastewater production of*
 91 *the original development, as defined in the City's Standardized Use*
 92 *Table or established baseline allocation, as applicable. This*

93 *exception does not apply to parcels that do not have a history of*
94 *residential or non-residential development.”*
95

96 The existing single-family dwelling located on the property has historically been
97 served with City water. The City’s Standardized Use Table indicates that a
98 single-family dwelling typically uses 0.428 acre-feet of water per year. The
99 proposed single-family residence will not exceed this historic usage and does not
100 propose to change the number of bedrooms on the property, which would exceed
101 the allowable water usage as specified in the Standardized Use Table.
102 Therefore, the proposed single-family dwelling is exempt from the Growth
103 Management System pursuant to Section 19.02.050(D). Furthermore, the
104 proposed residential second dwelling unit is also exempt from the Growth
105 Management System pursuant to Section 19.02.050(A).
106

107 In addition, these two residential developments are currently served by an
108 existing septic system and no change is proposed. The Environmental
109 Management Division has reviewed this application and has determined that it
110 can be served with a septic system. Therefore, this project is exempt from the
111 City’s Growth Management System.
112

113 **C. Hazards**
114

115 The General Plan has identified the property within the Wildland Fire Hazard Risk
116 Area (Figure SAF-5). The Fire Department has reviewed the site and has
117 determined that the site is suitable for the proposed development provided that
118 the new developments provide adequate design measures to reduce the wildland
119 fire hazard risk.
120

121 The Fire Department has recommended that the driveway/roadway be designed
122 and constructed in accordance with the Napa County Rural Driveway standards
123 in terms of widths, radius, turnarounds, surfacing and grades. Specifically, the
124 driveway shall be constructed of asphaltic concrete or concrete and provide a
125 hammerhead turnaround at the driveway terminus, subject to the review and
126 approval of the Fire Chief. In addition, the recently adopted codes require that
127 the new residential developments be constructed with fire sprinklers. In order to
128 provide the necessary flows to serve the fire sprinkler system a booster pump will
129 be warranted. These recommendations have been included as conditions of
130 approval.
131

132 **D. Trees**
133

134 Evaluation of the site by Mr. Joe Branum, certified arborist, identified 93 trees on
135 the property that qualify as ‘protected’ trees per the definition as established by

136 the City of Calistoga Municipal Code 19.01 Trees. As specified in the arborist
137 report, 1 'protected tree' is currently designated for removal with the proposed
138 project and an additional three are recommended for removal due to their
139 condition or location.

140

141 Seventy-four of the evaluated trees are located in areas where no construction
142 impact is expected. Fifteen trees are listed as 'possible impacts' due to their
143 locations near grading limits. Any construction work near these trees will fall
144 under tree protection procedures and specification requirements. The four trees
145 proposed for removal will require a tree removal permit as described in the tree
146 ordinance. Tree mitigation will be required consistent with a Tree Mitigation Plan
147 subject to the review and approval of the Department of Public Works, which
148 includes 12 replacement trees.

149

150 **FINDINGS**

151

152 In addition to the above discussion, the analysis of this project includes reference
153 to the Findings for Use Permit Approval (CMC 17.40.070) and Findings for
154 Design Review Approval (CMC Chapter 17.06.040). These are discussed
155 generally as follows:

156

157 **Findings for Use Permit Approval (CMC 17.40.070):**

158

159 1. The proposed development, together with any provisions for its design
160 and improvement, is consistent with the General Plan, any applicable
161 specific plan and other applicable provisions of the Zoning Code including
162 the finding that the use as proposed is consistent with the historic, rural,
163 small-town atmosphere of Calistoga.

164

165 Response: The proposed uses including a single-family residence and
166 residential second unit are consistent with the General Plan designation of
167 the lot for Rural Residential-Hillside (RR-H) use. Further, the structure
168 appears to be compatible with the meaning and intent of the RR-H
169 designation to provide a flexible design so that development is
170 concentrated in an area with the greatest environmental carrying capacity.
171 The key component to achieving this objective is placing the structure in a
172 location that minimizes impacts to trees, soils, geology, slopes and
173 drainage. These objectives have been addressed through the placement
174 of the structures in a location that has a less than significant impact on the
175 environmental.

176

177 2. The site is physically suitable for the type and density of development.

178

179 Response: There are no changes proposed to the type of land use
180 (residential) or density (one house per lot) presented in this application.
181 The proposed residence and residential second unit maintain adequate
182 setbacks from natural drainage areas and is in a location that would not
183 create large scale grading activities.
184

185 3. The proposed development has been reviewed in compliance with the
186 California Environmental Quality Act (CEQA) and the project will not result
187 in detrimental or adverse impacts upon the public resources, wildlife or
188 public health, safety and welfare.
189

190 Response: This project is exempt from CEQA under Section 15303.
191

192 4. Approval of the use permit application will not cause adverse impacts to
193 maintaining an adequate supply of public water and an adequate capacity
194 at the wastewater treatment facility.
195

196 Response: The existing single-family dwelling located on the property has
197 historically been served with City water. The City's Standardized Use
198 Table indicates that a single-family dwelling typically uses 0.428 acre-feet
199 of water per year. The proposed single-family residence will not exceed
200 this historic usage and does not propose to change the number of
201 bedrooms on the property, which would exceed the allowable water usage
202 as specified in the Standardized Use Table. Therefore, the proposed
203 single-family dwelling is exempt from the Growth Management System
204 pursuant to Section 19.02.050(D). Furthermore, the proposed residential
205 second dwelling unit is also exempt from the Growth Management System
206 pursuant to Section 19.02.050(A).
207

208 5. Approval of the use permit application shall not cause the extension of
209 service mains greater than 500 feet.
210

211 Response: This use will not result in an extension of an existing service
212 main.
213

214 6. An allocation for water and/or wastewater service pursuant to Chapter
215 13.16 CMC (Resource Management System) shall be made prior to
216 project approval. Said allocation shall be valid for one year and shall not
217 be subject to renewal.
218

219 Response: See response to comment No. 4.
220

221 7. The proposed development presents a scale and design which are in
222 harmony with the historical and small-town character of Calistoga.

223
224 Response: With the proposed conditions, the structure and site plan is in
225 scale with and harmonious with existing development in the surrounding
226 residential neighborhood. The scale of the project is compatible with other
227 residences along Foothill Boulevard. The proposed design is consistent
228 with the Design Guidelines and Section 17.06.040 of the Calistoga
229 Municipal Code.

230
231 8. The proposed development is consistent with and will enhance Calistoga's
232 history of independent, unique, and single location businesses, thus
233 contributing to the uniqueness of the town, which is necessary to maintain
234 a viable visitor industry in Calistoga and to preserve its economy.

235
236 Response: This condition relates to businesses and is not applicable in
237 this instance.

238
239 9. The proposed development complements and enhances the architectural
240 integrity and eclectic combination of architectural styles of Calistoga.

241
242 Response: While the house does include traditional elements, the home
243 is contemporary in its expression and provides a variation to the
244 architectural styles of Calistoga.

245
246 **Design Guidelines (Municipal Code Section 17.06.040)**

247
248 1. The design shall be compatible with the existing development pattern with
249 regard to massing, scale, setbacks, color, textures, materials, etc.

250
251 Response: The residences would be located on a 1.85-acre parcel, which
252 has significant tree cover and up sloping topographic features. The site is
253 accessed from Foothill Boulevard. The location of the structure well off of
254 the public road should limit any potential adverse visual impact from the
255 public right-of-way and valley floor.

256
257 2. The design shall result in an appropriate site layout, orientation, and
258 location of structures, relationship to one another, open spaces and
259 topography.

260
261 Response: See response to comment No.1.

262

263 3. The design shall provide a harmonious relationship of character and scale
264 with existing and proposed adjoining development, achieving
265 complementary style, while avoiding both excessive variety and
266 monotonous repetition.

267
268 Response: The proposal is a long awaited redevelopment, which is
269 complementary to the surrounding developments in the vicinity while
270 maintaining a sense of uniqueness.

271
272 4. The building design, materials, colors and textures shall be compatible
273 and appropriate to Calistoga, and the architectural design or structures
274 and their materials and colors shall be appropriate to the function of the
275 project.

276
277 Response: The stucco siding will be accented with “powder snow”, white
278 trim and “harbor blue” composition roofing, which are modest and will
279 identify the structures as residential.

280
281 5. The design shall provide for harmony of materials, colors, and composition
282 of those sides of a structure, which are visible simultaneously.

283
284 Response: See previous response to comment No. 4.

285
286 6. The design shall provide consistency of composition and treatment.

287
288 Response: See previous response to comment No. 2.

289
290 7. The design shall consider the location and type of planting with regard to
291 valley conditions, including the preservation of specimen and landmark
292 trees upon a site with proper irrigation to insure water conservation and
293 maintenance of all plant materials.

294
295 Response: The property owner is required to replace the trees slated for
296 removal at a ratio of 3:1 and any addition landscaping will be required to
297 be drought resistant throughout the site. In addition, visibility of the
298 structure is further reduced by the location of the structure against the
299 hillside.

300
301 8. The exterior lighting, design, signs and graphics shall be compatible with
302 the overall design approach and appropriate for the setting.

303
304 Response: Exterior lighting will be subdued and directed downward, and
305 will be used to enhance the building design and landscaping as well as

306 provide for safety and security. The source of illumination should not
307 create glare to occupants and neighboring properties or roadways.

308

309 9. The design shall provide for improvement of existing site conditions,
310 including but not limited to signage, landscaping, lighting, etc., to achieve
311 closer compliance with current standards.

312

313 Response: See previous response to comment No. 8.

314

315 10. The design promotes a high design standards and utilizes quality
316 materials compatible with the surrounding development consistent with
317 and appropriate for the nature of the proposed use.

318

319 Response: The proposed residence will not create a negative aesthetic
320 impact on the quality of adjacent residential neighborhoods because the
321 project meets all General Plan design objectives and is designed in a
322 manner that complements the eclectic variations in residential design
323 throughout Calistoga.

324

325 11. The design presents a responsible use of natural and reclaimed
326 resources.

327

328 Response: The project is designed using natural and reclaimed
329 resources to the maximum extent feasible under the current City, State
330 and Federal Regulations.

331

332 **ENVIRONMENTAL REVIEW**

333

334 Staff has determined that the proposed project is Categorically Exempt from the
335 requirements of the California Environmental Quality Act (CEQA) pursuant to
336 Section 15303 of the CEQA Guidelines.

337

338 **RECOMMENDATIONS**

339

340 A. Staff recommends the filing of a Notice of Exemption for the Project
341 pursuant to Section 15303 of the CEQA Guidelines as a Class 3
342 Exemption.

343

344 B. Staff recommends approval of a Conditional Use Permit (U 2007-01) and
345 Design Review (DR 2007-01) applications to allow the construction of a
346 2,225 square foot single-family residence with an attached garage and a
347 750 square foot residential second unit with attached garage located at

Victor Manuel Hernandez
2945 Foothill Boulevard
U 2007-01 and DR 2007-01
March 12, 2008
Page 10 of 10

348 2945 Foothill Boulevard (APN 011-360-039) within the "RR-H", Rural
349 Residential Hillside Zoning District, subject to conditions.

350

351 **SUGGESTED MOTIONS**

352

353 **Categorical Exemption**

354

355 I move that the Planning Commission direct Staff to file a Notice of Exemption for
356 the Project pursuant to Section 15303 of the CEQA Guidelines as a Class 3
357 Exemption.

358

359 **Conditional Use Permit and Design Review**

360

361 I move that the Planning Commission adopt Resolution PC 2008-12 approving
362 Conditional Use Permit (U 2007-01) and Design Review (U 2007-01) allowing the
363 construction of a 2,225 square foot single-family residence with an attached
364 garage and a 750 square foot residential second unit with attached garage
365 located at 2945 Foothill Boulevard (APN 011-360-039) within the "RR-H", Rural
366 Residential Hillside Zoning District based upon the Findings presented in the staff
367 report and subject to conditions of approval.

368

369 **NOTE:** The applicant or any interested person is reminded that the Calistoga
370 Municipal Code provides for a ten (10) calendar day appeal period. If there is a
371 disagreement with the Planning Commission, an appeal to the City Council may be
372 filed. The appropriate forms and applicable fee must be submitted prior to 5:00
373 p.m. on or before the tenth calendar day following the Commission's final
374 determination.

375

376 **ATTACHMENTS**

377

- 378 1. Draft Conditional Use Permit and Design Review Resolution PC 2008-12
- 379 2. Arborist's Report dated February 20, 2008
- 380 3. County of Napa Department of Environmental Management memo dated
381 March 6, 2007
- 382 4. Project Plans