



City of Calistoga
Planning & Building
Department

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FOR DEPARTMENT USE ONLY

FILE# _____
IS# _____
AP# _____ - _____ - _____
APPLICANT _____

CONDITIONAL USE PERMIT

The City of Calistoga has been divided into zoning districts as provided in Title 17 of the Calistoga Municipal Code. The Zoning Ordinance contains lists of uses for each zoning district that are either permitted outright or that may be permitted under certain conditions. The purpose of the use permit process is to ensure the compatibility of land uses within the City. Use permits can only be approved when the use is in conformance with the City's General Plan and Zoning Ordinance and where it can be demonstrated that the use will not create a nuisance or be detrimental to the public welfare. Some use permits can be approved administratively by staff. Most, however, must be reviewed and approved by the Planning Commission at a public hearing. Use permits can only be approved when the deciding body can make the findings of fact under Section 17.40.070 of the Zoning Ordinance (see below).

If the project involves new construction, design review approval is generally required. Applicants should refer to the Design Review submittal form.

Use permits are site specific and cannot be transferable to another property or location. Once a use permit has been granted, a change in ownership of the property or use will not affect the approval unless the new owner intends to modify the use. In that case, the applicant may apply for an amendment to the existing use permit.

Within 30 days of receipt of an application, the City must notify the applicant in writing as to whether the application is complete. If the application is incomplete, the applicant will be advised what additional information is needed to process the application. Upon receipt of the additional materials, a new 30-day period review for completeness begins. Once the application is determined to be complete, it will take approximately six - eight weeks to complete the process. This time frame may increase if the project is subject to environmental review or an appeal is filed by the applicant or others.

APPLICATION CHECKLIST

Staff has checked the information required to be submitted with the use permit application based on preliminary information. Additional information may be required after the application materials have been reviewed. A complete application will ensure its prompt processing. If you have any questions, please contact the Planning Division.

Application Submittal Requirements

- _____ 1. A completed Planning Division Application signed by all property owners holding a title interest
- _____ 2. A completed Environmental Information Form as provided by the Planning Division
- _____ 3. 15 copies of Site Plans, Landscape Plans, Drainage, Erosion and Sedimentation Plan, Elevations, Floor Plans and a Sign Plan folded into packets containing one of each sheet. All plans must be folded to 8 ½" by 11" (24" by 36" is the maximum size accepted). Provide reduced paper (11" x 17") and digital copies of all plans.

- _____ 4. Application fee
- _____ 5. A list of and mailing labels for property owners within a 300' radius of the project site with an affidavit from the title company certifying that the mailing list is current.
- _____ 6. A detailed project description explaining the type of business or other use proposed; size and intensity of use (building square footage to be occupied, number of employees); days and hours of operation; anticipated car and truck traffic; proposed new construction, etc.

Supplemental Information

A. Site Plans – The applicant is encouraged to have a licensed civil engineer, surveyor, licensed architect, landscape architect and/or building designer prepare the plans.

- _____ 8. Property address
- _____ 9. Owner's address and phone number
- _____ 10. North arrow
- _____ 11. Drawing scale: Use a scale of 1" = 10', 1" = 20' or 1/8 " = 1'0" for Site Plan and 1/4" = 1'0" for elevations
- _____ 12. Property lines and dimensions
- _____ 13. Identify how the site is or will be served by water and wastewater
- _____ 14. Location and type of all easements
- _____ 15. Show existing and proposed building locations: dimension all required front, back and side yard setbacks; show actual building setbacks from property lines and outline of structures on adjacent parcels
- _____ 16. Dimensions of all parking area driveways, parking spaces and landscaped areas
- _____ 17. Calculations for site area, building coverage, parking lot paved areas, exterior storage areas, walkways, trash enclosures and other non-parking paved areas, and total landscaped area
- _____ 18. Existing and proposed contours and/or finished elevations, existing trees and shrub masses, site features including creeks and adjacent riparian vegetations, wetlands, major rock outcroppings, landslides, flood zones, earthquake faults and related setbacks. Plot all trees over 4" in diameter 4.5 feet above existing grade. Provide their common name, size, condition, drip line and location onsite. Any trees proposed to be removed shall be identified along with the reasons why they are proposed for removal. Any tree with a diameter at breast height (DBH) greater than 12 inches, any native oak with a DBH greater than six inches and any Valley oak, seedling, sapling or older are protected under Calistoga Municipal Code Section 19.010.40. Removal of these trees will require a Tree Protection Plan as specified in the Municipal Code. In addition, show trees in the adjacent right-of-way within 30 feet of the area proposed for development and on adjacent properties with drip lines over the project site. An arborist report and photographs may be required.
- _____ 19. Illustrate roof overhangs, porches, stairs, decks, or other architectural features
- _____ 20. Location, type and height of fencing materials
- _____ 21. Illustrate all landscaped areas, berms, and general type of all landscaping
- _____ 22. Identify all above ground utility equipment/connections
- _____ 23. Vicinity map illustrating the subject parcel(s) and adjacent streets and parcels, and land uses of adjacent parcels, including outlines of existing structures

B. Landscape Plan

- _____ 24. Landscape features and proposed planting plan including species and size
- _____ 25. Irrigation features proposed
- _____ 26. Tree replacement plan (if applicable)

_____ 27. Clearly illustrate all existing trees and which are to be removed (see item 18 above)

C. Drainage, Erosion and Sedimentation Plan

- _____ 28. The contour of the land at intervals of one foot of elevation up to 5% slope; two foot intervals up to 10% and five foot intervals over 10%
- _____ 29. Average cross slope of each proposed parcel
- _____ 30. Location, width and direction of flow of any watercourses or drainages
- _____ 31. Post construction erosion control measures and/or implementation of Best Management Practices (BMPs) regarding erosion control

D. Elevations

- _____ 32. Identify each elevation by direction
- _____ 33. Show ridge and finished floor elevations; Key elevations to topography
- _____ 34. Show height of structures from average grade to mid-point between the ridge and eaves for a gable or hip roof and from average grade to the top of the ridge for mansard roofs
- _____ 35. Show windows, doors, retaining walls, materials and other finishing details (provide samples or brochures)
- _____ 36. Show the location, height, size, type of exterior lights, and level of illumination.
- _____ 37. Provide colored renderings
- _____ 38. Indicate the location of signs, mailboxes, storage spaces, HVAC units, transformers, utility meters, and other items that affect the exterior appearance

E. Floor Plan

- _____ 39. Show all interior spaces, doors, windows, mechanical rooms, and stairways
- _____ 40. Provide a floor plan for each floor
- _____ 41. Fully dimension the floor plan. Clearly show upper levels on lower level floor plan using guidelines or cross-hatch

F. Sign Plan (Optional)

- _____ 42. A sign inventory of all signs must be submitted for any sign evaluation. Include the type, description, size, height and locations of all existing and proposed signs
- _____ 43. Site plan showing the location and size of all existing or proposed freestanding monument, freeway pole or facade signs. Include building length for all public right-of-way street frontages
- _____ 44. Building elevations showing sizes and locations of existing and/or proposed facade signs
- _____ 45. Indicate the letter type, color scheme, cabinet colors and material specifications.
- _____ 46. The height above finish grade, dimensions and area of all signs shall be shown on all the above drawings

G. Required Findings

In order to approve a Conditional Use Permit, the deciding body must make the findings listed on the next page pursuant to Section 17.40.070. Please supply written statements in support of the findings.

Please submit written statements in support of the following findings:

1. That the proposed development, together with any provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan and other applicable provision of this code including the findings that the use as proposed is consistent with the historic, rural, small-town atmosphere of Calistoga.

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

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

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

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

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

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

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

- 9. That the proposed development complements and enhances the architectural integrity and eclectic combination of architectural styles of Calistoga.

- 10. The proposed development or use would be resident serving as defined in CMC 17.04.597 (for formula businesses only).
