

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2016-__**

**APPROVING USE PERMIT UP 2016-7 TO ALLOW VEHICLE STORAGE AND
A DISPATCH OFFICE ASSOCIATED WITH A TOUR, TRANSPORTATION
AND CONCIERGE SERVICE AT 505 WASHINGTON STREET**

1 **WHEREAS**, on September 22, 2016, Napa Valley Tours and
2 Transportation submitted a use permit application to allow vehicle storage and a
3 dispatch office associated with a tour, transportation and concierge service at
4 505 Washington Street; and

5 **WHEREAS**, the Planning Commission reviewed and considered the
6 request at a public hearing held on November 9, 2016 and prior to taking action
7 on the application, the Commission received written and oral reports by Staff,
8 and received public testimony; and

9 **WHEREAS**, the property is located within the Light Industrial District
10 (I District), which does not explicitly state that the use is conditionally-permitted.
11 However, it is recognized that in the development of a zoning district, not all uses
12 of land can be listed, nor all future uses be anticipated. As such, the Zoning Code
13 provides the authority to the Planning Commission to allow uses similar in nature
14 to those uses listed in accordance with Calistoga Municipal Code (CMC) Section
15 17.03.090; and

16 **WHEREAS**, pursuant to CMC Section 17.03.090(B), the Planning
17 Commission has made the following similar use determination findings in order to
18 conditionally-permit vehicle storage and a dispatch office associated with a tour,
19 transportation and concierge service within the Light Industrial District:

20 1. Finding: The use is in keeping with the stated intent and purpose of the
21 zoning district.

22 Supporting Evidence: An intent and purpose statement is not provided
23 within the Light Industrial District. However, the General Plan designation
24 for the property is also Light Industrial, which states that the intent is to
25 “apply the designation to certain areas of the city where existing industrial
26 uses occur where industry can be isolated or buffered from residential
27 use.” The Light Industry designation further states that automobile-related
28 uses and accessory offices are allowed. Vehicle storage on the property,
29 which is not visible from a public right-of-way, meets the stated purpose
30 and intent of the General Plan, which is the policy document that is
31 implemented by the zoning districts.

32 2. Finding: Investigations have disclosed that the subject use and its
33 operation are compatible with the uses permitted in the zoning district
34 within which it is proposed to be located.

35 Supporting Evidence: Vehicle storage and an accessory office are
36 compatible with the other uses permitted in the Light Industrial Zoning
37 District since the suggested use and the other permitted uses involve the
38 service-oriented uses relating to vehicles. For instance, the Calistoga
39 mini-storage facility located on Washington Street in the Light Industrial
40 District includes a RV storage facility.

41 3. Finding: The subject use is similar to one or more uses permitted in the
42 zoning district within which it is proposed to be located.

43 Supporting Evidence: Vehicle storage is similar to and is often a
44 component of mini storage, which is listed as a conditionally-permitted
45 use.

46 4. Finding: The subject use will not cause substantial injury to the health,
47 safety, or welfare of the occupants or their property in the zoning district in
48 which it is proposed to be located.

49 Supporting Evidence: Vehicle storage and an accessory office would be
50 operated in a safe and orderly manner that would not result in injury to the
51 health, safety and welfare of people or property.

52 **WHEREAS,** the Planning Commission pursuant to Chapter 17.40.070 has
53 made the following findings for the use permit application:

54 1. Finding: The proposed development, together with any provisions for its
55 design and improvement, is consistent with the General Plan, any
56 applicable specific plan and other applicable provisions of the Zoning
57 Code including the finding that the use as proposed is consistent with the
58 historic, rural, small-town atmosphere of Calistoga.

59 Supporting Evidence: The General Plan designation for the property is
60 Light Industrial, which allows automobile-related uses and accessory
61 offices. The Lower Washington Character Area overlay, which also applies
62 to the property, allows small scale light industrial uses that keep within the
63 character of the area and existing neighborhood constraints. The
64 property's location off of Washington Street is suitable for this light
65 industrial use since it is well screened and not visible from the public right-
66 of-way.

67 2. Finding: The site is physically suitable for the type and density of
68 development.

69 Supporting Evidence: The one-acre site is adequately sized to
70 accommodate the proposed vehicle storage, employee parking, the travel
71 ways without impacts to the Napa River or adjoining properties.

72 3. Finding: The proposed development has been reviewed in compliance
73 with the California Environmental Quality Act (CEQA) and the project will

74 not result in detrimental or adverse impacts upon the public resources,
75 wildlife or public health, safety and welfare.

76 Supporting Evidence: This project is exempt from CEQA under Section
77 15332 of the CEQA Guidelines (In-fill Development Projects).

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

81 Supporting Evidence: The City's water system is adequate to serve this
82 infill project. The project site would be served by an on-site septic system
83 so no impact on the City's wastewater treatment facility is anticipated.

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

86 Supporting Evidence: Approval of this use permit application will not
87 require the extension of service mains greater than 500 feet.

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

92 Supporting Evidence: A new allocation for water and/or wastewater
93 service is not required for the proposed use. No increase in water
94 consumption or wastewater generation is anticipated by this proposal.

95 7. Finding: The proposed development presents a scale and design which
96 are in harmony with the historical and small-town character of Calistoga.

97 Supporting Evidence: No new structures or exterior modifications to the
98 existing structures are proposed as part of the project. The property is
99 located off of Camp Street not visible from the public right-of-way so no
100 impacts to the city's small-town character are anticipated.

101 8. Finding: The proposed development is consistent with and will enhance
102 Calistoga's history of independent, unique, and single location businesses,
103 thus contributing to the uniqueness of the town, which is necessary to
104 maintain a viable visitor industry in Calistoga and to preserve its economy.

105 Supporting Evidence: The proposed transportation services would be
106 consistent with Calistoga's sense of independent businesses and would
107 enhance the visitor experience while making a meaningful contribution to
108 the City's fiscal vitality through enhanced property and business tax
109 revenues.

110 9. Finding: The proposed development complements and enhances the
111 architectural integrity and eclectic combination of architectural styles of
112 Calistoga.

113 Supporting Evidence: No new structures are proposed on the property so
114 this finding is not applicable in this case.

115 **WHEREAS**, this action has been reviewed for compliance with the
116 California Environmental Quality Act (CEQA) and is exempt from the
117 requirements of the CEQA pursuant to Section 15332 (In-fill Development
118 Projects) of the CEQA guidelines.

119 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
120 Commission that based on the above findings, the Planning Commission
121 approves the proposed project, subject to the following conditions of approval:

122 1. The uses hereby permitted shall substantially conform to the project
123 description received on September 22, 2016 and the supporting site plans
124 received October 24, 2016 by the Planning and Building Department, except
125 as noted in the permit conditions.

126 This use permit allows the storage of 35 vehicles and a vehicle detailing
127 area associated with a tour, transportation and concierge service. The
128 vehicles may be stacked primarily in the northernmost corner with the
129 larger vehicles parked at the perimeter, along up to three vehicles on an
130 existing concrete pad and four others within the southernmost corner. In
131 the event of the construction of a pathway along the river as provided
132 herein, the parking conflicting with the pathway shall be relocated to an
133 acceptable area subject to the review and approval of the Planning and
134 Building Department.

135 The use permit allows a 0-foot setback for parking and a 10-foot setback
136 for any new structure on the property.

137 2. The water baseline for the property shall be set at 0.428 annually acre-
138 feet. The property does not have a wastewater baseline. In the event
139 connection to the City's sanitary sewer line is warranted, an allocation
140 shall be obtained and a wastewater baseline shall be set upon the
141 payment of the applicable connection fees.

142 3. If the use(s) in the building ever exceed its baseline or any other change
143 of use occurs to the building, the owner will be required to obtain a Growth
144 Management Allocation and pay for the additional connection fees
145 required for the additional water and sewer allocation subject to the review
146 and approval of the Planning and Building and Public Works Departments.

147 4. A building permit shall be required to convert the existing single-family
148 residence to an office. The supporting plans shall indicate that the project
149 will be altered in accordance with Calistoga Municipal Code Chapter 18,
150 Floodplain Management. Prior to the issuance of any building permit, all
151 fees associated with plan check and building inspections, and associated

- 152 development impact fees established by City ordinance or resolution shall
153 be paid.
- 154 5. Prior to occupancy, a public pedestrian access and scenic easement shall
155 be provided from the rear property line to 30 feet past the top of the
156 riverbank or other distance, subject to the review and approval of the
157 Planning and Building Department.
- 158 6. Prior to building permit issuance, a Tree Protection and Replacement Plan
159 consistent with Calistoga Municipal Code (CMC) Chapter 19.01 shall be
160 reviewed and approved by the Public Works Department. All requirements
161 and restrictions contained in Chapter 19.01 shall be complied with, which
162 shall include any recommendations of the project arborist, if deemed
163 necessary by the Public Works Department.
- 164 7. All permanent exterior lighting shall be directed and/or shielded so as not
165 to shine or create glare on any adjacent property in accordance with the
166 standards contained in Section 17.36 of the Calistoga Municipal Code and
167 the California Energy Code which limits light and glare, subject to the
168 review and approval of the Planning and Building Department.
- 169 8. The applicant shall submit for review and approval by the City Public
170 Works Director a storm drainage study prior to the issuance of grading
171 and/or building permits. The applicant shall construct drainage
172 improvements as outlined in the drainage study as required to serve the
173 project. Such improvements shall be complete and operational, subject to
174 City inspection and approval, upon occupancy.
- 175 9. The storm drainage study shall address how increased runoff has been
176 mitigated with designed LID facilities. Calculations and details of water
177 quality device sizing proposed to be used shall be included in the final
178 drainage study. To minimize any possible increase in peak runoff, the
179 retention pond/outlet structure shall be designed so peak flows for the 2,
180 10, and 100 year, and 24 hour events are no greater than existing peak
181 flows as required by State law.
- 182 10. Prior to occupancy, the property owner shall provide an operations and
183 maintenance plan to the City and shall be responsible for regular
184 scheduled maintenance of all project retention basins and other on- and
185 off-site storm drain facilities. Should the project detention/retention basins
186 fail to meet their drainage detention performance requirements, the owner
187 shall reconstruct the retention basins at the owner's expense.
- 188 11. The property owner shall sign a maintenance agreement related to all
189 storm drain facilities that require significant maintenance (e.g., pump
190 stations, LID improvements, underground storage).

- 191 12. Prior to building permit issuance, all necessary permits for the on-site
192 septic system shall be obtained with the Napa County Department of
193 Environmental Management. Evidence of these permits shall be provided
194 to the Planning and Building Department.
- 195 13. This permit shall be null and void if not used within a one year period, or if
196 the use is abandoned for a period of one hundred and eighty (180) days.
197 This permit shall be valid until it expires or is revoked pursuant to the terms
198 of this permit and/or Chapter 17.40 of the Calistoga Municipal Code. Minor
199 modifications which do not increase environmental impacts may be
200 approved in writing by the Planning and Building Director.
- 201 14. The owner(s) shall permit the City of Calistoga or representative(s) or
202 designee(s) to make periodic inspections at any reasonable time deemed
203 necessary in order to assure that the activity being performed under
204 authority of this permit is in accordance with the terms and conditions
205 prescribed herein.
- 206 15. This use permit does not abridge or supercede the regulatory powers or
207 permit requirements of any federal, state or local agency, special district or
208 department which may retain regulatory or advisory function as specified
209 by statute or ordinance. The applicant shall obtain permits as may be
210 required from each agency.

211 **ADOPTED** on November 9, 2016 by the following vote of the Calistoga
212 Planning Commission:

213 **AYES:**
214 **NOES:**
215 **ABSENT:**
216 **ABSTAIN:**

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Tim Wilkes, Vine Chair

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ATTEST: _____
Lynn Goldberg, Secretary to the Planning Commission

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