

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2011-17**

**RESOLUTION APPROVING CONDITIONAL USE PERMIT (U 2011-13) TO
ALLOW TEMPORARY STORAGE AND WAREHOUSING WITHIN THE
EXISTING 10,990 SQUARE FOOT METAL STRUCTURE AT 1475 SECOND
STREET (APN 011-204-001) WITHIN THE “CC-DD”, COMMUNITY
COMMERCIAL – DESIGN DISTRICT.**

1 **WHEREAS**, William Shaw is the applicant of the subject property for
2 which this application is proposed;

3
4 **WHEREAS**, the Planning Commission has reviewed and considered this
5 application at its regular meeting on November 9, 2011 and prior to taking action
6 on the application, the Commission received written and oral reports by the Staff,
7 and received public testimony;

8
9 **WHEREAS**, this action has been reviewed for compliance with the
10 California Environmental Quality Act (CEQA) and is exempt from the
11 requirements of the CEQA pursuant to Section 15303 of the CEQA guidelines;
12 and

13
14 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.070 has
15 made the following Conditional Use Permit findings for the project:

- 16
17 1. The proposed development, together with any provisions for its design
18 and improvement, is consistent with the General Plan, any applicable
19 specific plan and other applicable provisions of the Zoning Code including
20 the finding that the use as proposed is consistent with the historic, rural,
21 small-town atmosphere of Calistoga.

22
23 Response: The project site is designated in the City’s General Plan and
24 Zoning Ordinance for commercial land uses. The existing structure has
25 operated as a commercial business. The owner’s desire to provide
26 temporary storage and warehousing for local merchants and enterprises is
27 consistent with the rural atmosphere of Calistoga.

- 28
29 2. The site is physically suitable for the type and density of development.

30
31 Response: No physical changes to the existing structure are proposed.
32 Only minor increases in traffic will occur as a result of this project, which
33 are insignificant in relationship to the current traffic volume on the surface
34 streets.

36 3. The proposed development has been reviewed in compliance with the
37 California Environmental Quality Act (CEQA) and the project will not result
38 in detrimental or adverse impacts upon the public resources, wildlife or
39 public health, safety and welfare.
40

41 Response: The project is exempt from CEQA under Section 15303, use
42 of an existing structure. As conditioned, this use will not result in
43 detrimental or adverse impacts upon the public resources, wildlife or
44 public health, safety and welfare.
45

46 4. Approval of the use permit application will not cause adverse impacts to
47 maintaining an adequate supply of public water and an adequate capacity
48 at the wastewater treatment facility.
49

50 Response: The proposed use will not cause and/or propose any
51 additional water or wastewater treatment demand.
52

53 5. Approval of the use permit application shall not cause the extension of
54 service mains greater than 500 feet.
55

56 Response: This use will not result in an extension of an existing service
57 main.
58

59 6. An allocation for water and/or wastewater service pursuant to Chapter
60 13.16 CMC (Resource Management System) shall be made prior to
61 project approval. Said allocation shall be valid for one year and shall not
62 be subject to renewal.
63

64 Response: New allocations for water and/or wastewater service are not
65 required for projects that do not impact these resources.
66

67 7. The proposed development presents a scale and design which are in
68 harmony with the historical and small-town character of Calistoga.
69

70 Response: No physical or exterior changes to the existing structure are
71 proposed.
72

73 8. The proposed development is consistent with and will enhance Calistoga's
74 history of independent, unique, and single location businesses, thus
75 contributing to the uniqueness of the town, which is necessary to maintain
76 a viable visitor industry in Calistoga and to preserve its economy.
77

78 Response: The use is independently owned and operated and the
79 structure has existed at the site for a number of years. It will serve
80 residents and business owners of the community.

81
82 9. The proposed development complements and enhances the architectural
83 integrity and eclectic combination of architectural styles of Calistoga.

84
85 Response: There are no exterior physical changes that will occur to the
86 exterior of the existing metal building.

87
88 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
89 Commission that based on the above Findings the Planning Commission
90 approves the proposed project, subject to the following Conditions of Approval.

91
92 1. This permit authorizes temporary storage and warehousing within the
93 existing 10,990 square foot metal structure on the site consistent with the
94 updated Site Plans received September 7, 2011 and consistent with all
95 other City Ordinances, rules, regulations, and policies. The conditions
96 listed below are particularly pertinent to this permit and shall not be
97 construed to permit violation of other laws and policies not so listed.

98
99 2. Approval of this permit is limited to conformance with the land use
100 provisions contained in the City's Zoning Ordinance. Use of the property
101 shall be limited to those uses identified in the Findings above and the Staff
102 Report dated November 9, 2011. Any changes to the approved use are
103 subject to the provisions of the Zoning Ordinance, as it exists now or may
104 be amended in the future.

105
106 3. Development and use of the structure shall conform to all required
107 conditions established herein. Failure to comply with these conditions may
108 result in amendment by the Planning Commission or possible revocation
109 to protect the public health, safety and general welfare of the community,
110 as set forth in the City's Zoning Ordinance.

111
112 4. Approval of this Conditional Use Permit is based on the presentation of
113 materials kept on file by the Planning and Building Department. These
114 materials shall be applied to the building as approved and may only be
115 changed with the approval of a Conditional Use Permit Amendment
116 application approved by the Planning and Building Director and/or
117 Planning Commission, through the process established in the City of
118 Calistoga Zoning Ordinance. Any future exterior alterations, expansion or
119 other new construction shall also be subject to Design Review approval.
120 The Planning and Building Department Director may approve minor

- 121 amendments to this use permit provided that the permit is still in
122 substantial conformance with the original approval.
123
- 124 5. Prior to any construction on the property, the property owner shall obtain a
125 Building Permit, unless otherwise exempt by the Uniform Building Code or
126 any State or local amendment adopted thereto.
127
- 128 6. Prior to issuance of a building permit, the property owner agrees to pay all
129 fees associated with plan check and building inspections, and associated
130 development impact fees rightfully established by City Ordinance or
131 Resolution, unless waived or deferred by the City Council.
132
- 133 7. In the event permittee violates or fails to comply with any conditions of
134 approval of this permit, no further permits, licenses, approvals or
135 certificates of occupancy shall be issued until such violation has been fully
136 remedied.
137
- 138 8. Prior to occupancy, each lessee and/or tenant shall obtain and maintain a
139 business license with the City.
140
- 141 9. Trucks dropping or picking up of stored or warehoused items shall be
142 prohibited between the hours of 7:00 p.m. and 7:00 a.m. In the event that
143 traffic conflicts exist the matter shall be reviewed by the Planning and
144 Building Department or Planning Commission to determine whether or not
145 more restrictive hours of operation are warranted.
146
- 147 10. This permit prohibits the storage of products for regional distribution,
148 outdoor storage and public storage.
149
- 150 11. The Planning Commission may revoke the permit in the future pursuant to
151 the provisions of Chapter 17.40 of the Calistoga Municipal Code if the
152 Commission finds that the use to which the permit is put is detrimental to the
153 health, safety, or general welfare of the public, or constitutes a nuisance.
154
- 155 12. This permit shall expire on November 9, 2013, unless extended by the
156 Planning Commission. This permit shall be null and void if the use is
157 abandoned for a period of 180 days.
158

159 **PASSED, APPROVED AND ADOPTED** on November 11, 2011, by the
160 following vote of the Calistoga Planning Commission:

161
162 AYES:
163 NOES:

164 ABSENT:
165 ABSTAIN:

166
167
168
169

JEFF MANFREDI, Chairman

170 ATTEST: _____
171 Amanda Davis
172 Secretary to the Planning Commission