

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council

FROM: Ken MacNab, Senior Planner

VIA: Charlene Gallina, Director of Planning & Building

DATE: June 3, 2008

SUBJECT: Zoning Ordinance Text Amendment – ZO 2008-02
Limited Increase in Lot Coverage in the R-1 Zoning District

APPROVAL FOR FORWARDING:


James C. McCann, City Manager

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2 **ISSUE:** Consideration of a Zoning Ordinance Text Amendment, initiated by the City of
3 Calistoga, amending Chapter 17.38 General Provisions and Exceptions of the Calistoga
4 Municipal Code to allow limited increases in lot coverage within the R-1 (single-family
5 residential) Zoning District.

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7 **RECOMMENDATION:** Adopt Ordinance No. 650 as submitted.

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9 **BACKGROUND:** On May 20, 2008, the City Council held a public hearing to consider a
10 recommendation from the Planning Commission to amend the City's residential lot
11 coverage standards. At the conclusion of deliberations, the City Council introduced
12 and waived the first reading of an Ordinance establishing regulations for allowing limited
13 increases in lot coverage within the R-1 (single-family residential) Zoning District. The
14 Ordinance has been scheduled for adoption tonight.

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16 **FISCAL IMPACT:** The adoption of this Ordinance will create no direct fiscal impacts.

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18 **ATTACHMENTS:**

- 19
20 1. Ordinance No. 650

ORDINANCE NO. 650

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA AMENDING TITLE 17.38, GENERAL PROVISIONS AND EXCEPTIONS OF THE MUNICIPAL CODE, SPECIFICALLY ADDING SUBSECTION (G) TO SECTION 17.38.050 TO ALLOW LIMITED INCREASES IN LOT COVERAGE WITHIN THE R-1 ZONING DISTRICT

The City Council of the City of Calistoga does hereby ordain as follows:

SECTION ONE:

WHEREAS, the City Council finds that the City's Zoning Ordinance and Zoning Map were adopted by Ordinance No. 460 on February 5, 1991; and

WHEREAS, the Planning Commission considered the proposed revisions to the City's lot coverage regulations at its regular meetings of April 9 and April 23, 2008. Prior to taking action on the application, the Planning Commission received written and oral reports by the staff, and received public testimony; and

WHEREAS, the Planning Commission held duly noticed public hearings on this Zoning Ordinance Text Amendment on April 9 and April 23, 2008 and adopted Resolution No. 2008-14 forwarding a recommendation of an approval of this Ordinance by the City Council; and

WHEREAS, the City Council of the City of Calistoga has reviewed and considered this text amendment at its regular meeting on May 20, 2008 as one of its items of business, noticed in accordance with Government Code Section 65090, this Ordinance to be adopted in accordance with Code Section 65850, to include the written and oral staff report, proposed findings and comments received from the general public and interested agencies and parties; and

WHEREAS, the City Council finds that the proposed revisions will provide flexibility in allowing accessory structures that have limited visual or physical impacts; and

WHEREAS, the City Council finds that the proposed revisions provide a streamlined approach to processing applications and preserves the qualities that make the community unique in manner that is consistent with the General Plan's desire to ensure a small town character; and

WHEREAS, this action has been determined to not be subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

42 **SECTION TWO:**
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44 Subsection (G) is hereby added to Section 17.38.050 in Chapter 17.38 General
45 Provisions and Exceptions of the Calistoga Municipal Code to read in its entirety as follows:
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47 G. Additional lot coverage for attached or detached accessory structures located in the
48 R-1 zone may be allowed in accordance with the following provisions:
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50 1. An increase of up to 5% above the maximum lot coverage provided for in
51 CMC 17.16.040 may be approved by the Planning and Building Director for
52 attached or detached accessory structures that meet the following design
53 criteria:
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55 a. The accessory structure is aesthetically integrated with the primary
56 building on the property or will not be visible from a public right-of-way.
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58 b. The accessory structure has been designed to minimize physical and
59 visual intrusion on adjacent properties.
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61 2. An increase of up to 7% above the maximum lot coverage provided for in
62 CMC 17.16.040 may be approved for attached or detached accessory
63 structures meeting the design criteria in subsection (G)(1) of this section,
64 subject to the following procedure:
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66 a. Written notice of a proposal to exceed the maximum lot coverage provided
67 for in CMC 17.16.040 by more than 5% but not greater than 7% shall be
68 mailed to all property owners within 300 feet of the subject site. Such
69 notice shall be given not less than 10 days before the date the Planning
70 and Building Director approves the proposal.
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72 b. If the Planning and Building Director determines that there is substantial
73 concern expressed by surrounding property owners the proposal shall be
74 referred to the Planning Commission for review and approval at a public
75 hearing.
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77 3. At the discretion of the Planning and Building Director, any proposal to
78 exceed the maximum lot coverage pursuant to subsection (G)(1) or (G)(2) of
79 this section may be referred to the Planning Commission for review and
80 approval at a public hearing.
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82 **SECTION THREE:**
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84 If any section or portion of this ordinance is for any reason held to be invalid and/or
85 unconstitutional by a court of competent jurisdiction, such decision shall not affect the
86 validity of the remaining portions of this ordinance.
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88 **SECTION FOUR:**

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AYES:

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NOES:

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ABSENT/ABSTAIN:

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JACK GINGLES, Mayor

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ATTEST:

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SUSAN SNEDDON, City Clerk