

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2012-__

RESOLUTION APPROVING CONDITIONAL USE PERMIT (U 2012-04)
ALLOWING A CONTRACTOR'S STORAGE YARD AT 414 FOOTHILL
BOULEVARD WITHIN THE "I", LIGHT INDUSTRIAL ZONING DISTRICT (APN
011-260-045 TO -052; 011-260-076)

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

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4 **WHEREAS**, William Bounsall, Kathy Bowser, Marion Bounsall and Jeff
5 Bounsall are the owners of the subject property for which this application is
6 proposed; and

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8 **WHEREAS**, the Planning Commission has reviewed and considered this
9 application at its regular meetings of July 11, 2012 and August 22, 2012 and prior
10 to taking action on the application, the Commission received written and oral
11 reports by the Staff, and received public testimony; and

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

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

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22 Finding: The property is within the Light Industrial General Plan land use
23 designation. The Light Industrial land use designation allows heavy
24 commercial and light industrial uses, including manufacturing, auto repair,
25 bottling plants, storage, assembly, service and repair , and greenhouses.
26 The contractor's storage yard use is consistent with the Light Industrial
27 land use designation and is appropriately placed to minimize conflicts with
28 adjoining land uses. Additionally, the project is consistent with the Entry
29 Corridor and Overlay designations as described in the 2003 General Plan
30 Update.

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32 The Planning Commission has determined that the "I", Light Industrial
33 Zoning District allows for contractor's office and storage yards with a use
34 permit, therefore, the proposed use is an appropriate one at this location.

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36 2. The site is physically suitable for the type and density of development.
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38 Finding: The proposed use is an appropriate use on the site and is
39 consistent with General Plan policies and the zoning ordinance provisions.
40 The structures are scaled appropriately with the surrounding
41 developments and natural features.

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

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48 Finding: This project is exempt from environmental review based on the
49 categorical exemption for construction of small structures under Section
50 15303 of the California Environmental Quality Act (CEQA) Guidelines.

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

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56 Finding: The project does not require connection to the City's public water
57 or the public sanitary sewer systems. As such, no adverse impacts to
58 public water and wastewater are foreseeable or anticipated.

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

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63 Finding: The project will not be connected to public water or the public
64 sanitary sewer systems. As such, public water and wastewater mains will
65 not be extended.

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67 6. An allocation for water and/or wastewater service pursuant to Chapter
68 13.16 CMC (Resource Management System) shall be made prior to
69 project approval. Said allocation shall be valid for one year and shall not
70 be subject to renewal.

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72 Finding: The project will not be connected to public water or the public
73 sanitary sewer systems. As such, no allocation is necessary.

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

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78 Finding: The proposed development is limited in scope and scale and
79 involves the use of existing storage shed on the property. The uses and

80 structures are consistent with the rural landscape and agricultural uses
81 that existing on the site in within the vicinity.

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

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88 Finding: William Bounsall Construction Inc., is not a large conglomerate,
89 or a corporation with multiple business enterprises. The independently
90 owned business will complement the local construction industry for
91 Calistoga, which is built upon and enhanced by other unique, non-
92 chained, non-branded businesses.

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94 9. The proposed development complements and enhances the architectural
95 integrity and eclectic combination of architectural styles of Calistoga.

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97 Finding: To the east and west of the property, along Foothill Boulevard,
98 area rural residential and agricultural uses. The proposed uses are in
99 character with these adjacent existing uses, The storage shed is an
100 existing building that already complements the residential and agricultural
101 uses on the property and within the peripheral areas of Calistoga.

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103 10. To receive a use permit, a finding shall be made that the proposed
104 development or use would be resident serving as defined in CMC
105 17.04.597. This finding shall only apply to formula businesses.

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107 Finding: William L. Bounsall Construction is a privately owned and
108 operated business, not a formula business.

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

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114 1. This permit authorizes the operation of a contractor's storage yard on the
115 site consistent the site plans received May 21, 2012 consistent with all
116 other City Ordinances, rules, regulations, and policies. The conditions
117 listed below are particularly pertinent to this permit and shall not be
118 construed to permit violation of other laws and policies not so listed.

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120 2. This permit allows a front yard setback of 20 feet from the front property
121 line and 15 feet from the side property line for all structures and equipment
122 associated with this contractor's storage yard.

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3. Development and use of the contractor's storage yard shall conform to all required conditions established herein. If the conditions to the granting of this use permit have not been or are not complied with, or the use which is established by this permit have become detrimental to the public health, safety or general welfare, the Planning Commission may consider an amendment to these conditions or possible revocation of this permit to protect the public health, safety and general welfare of the community, as set forth in the City's Zoning Ordinance. The Planning and Building Department may approve minor amendments to this conditional use permit provided that the amendment is still in substantial conformance with the original approval. Any expansion of the contractor's storage yard shall require a conditional use permit amendment subject to review and approval of the Planning Commission.
 4. Within six (6) months of approval, the existing office trailer shall be removed from the property. A replacement office shall require an amendment to this use permit subject to the review and approval of the Planning Commission.
 5. Hours of operation shall be restricted to 7 a.m. to 5 pm Monday through Saturday, unless substantial health, safety and welfare impacts occur. No operations on Sundays are permitted. In which case the Planning and Building Department or the Planning Commission may impose greater restrictions. No stacks of materials stored outside shall exceed 6 feet in height.
 6. The term of approval of this permit shall expire three years from the permit's effective date, unless an extension and/or building permit has been issued for the project prior to the expiration date.
 7. All work performed in conjunction with this approval shall be by individuals who possess a valid business license from the City of Calistoga.
 8. The property owner shall obtain a Building Permit for construction of all buildings or structures located on the site, not otherwise exempt by the Uniform Building Code or any State or local amendment adopted thereto.
 9. Prior to issuance of all building permits, the property owner agrees to pay all fees associated with plan check and building inspections, and associated development impact fees rightfully established by City

165 Ordinance or Resolution, unless otherwise deferred by the Planning and
166 Building Department.

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168 10. The property shall have illuminated address numbers that are clearly
169 visible to the street day and night.

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171 11. No signage shall be permitted as a result of this approval. All additional
172 signage shall be subject to the approval of the Planning and Building
173 Director.

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175 12. Pursuant to Chapter 6.5 & 6.95 of the California Health and Safety Code,
176 businesses that generate hazardous waste and/or store hazardous
177 materials above threshold amounts shall file a Hazardous Waste
178 Generator Application and/or Hazardous Materials Business Plan with the
179 Department of Environmental Management within 30 days of said
180 activities. All businesses must submit the required Business Activities
181 Form which can be obtained from the Department of Environmental
182 Management. Additionally, a permit may be necessary from the Calistoga
183 Fire Department when the storage exceeds the limits set by the Calistoga
184 Municipal Code or California Fire Code.

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186 13. All Best Management Practices necessary to prevent stormwater pollution
187 per NPDES shall be implement and maintained to the satisfaction of the
188 City, including the follow:

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190 a. All outdoor equipment and materials storage areas shall be designed
191 to limit the potential pollutants to contact runoff.

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193 b. Any non-hazardous liquids, such as latex paint, shall be stored
194 indoors, unless otherwise approved by the City.

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196 c. No vehicle/equipment maintenance shall be performed outdoors.

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199 **PASSED, APPROVED AND ADOPTED** on August 22, 2012, by the
200 following vote of the Calistoga Planning Commission:

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202 AYES:
203 NOES:
204 ABSENT:
205 ABSTAIN:

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JEFF MANFREDI, Chairman

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ATTEST: _____
KENNETH G. MACNAB
Secretary to the Planning Commission