

RESOLUTION 2013 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING A VARIANCE TO CMC TITLE 18, FLOODPLAIN MANAGEMENT, ALLOWING THE REPLACEMENT OF AN EXISTING GAZEBO AND MISCELLANEOUS PARK IMPROVEMENTS WITHIN THE FLOODWAY AT 1308 CEDAR STREET (APN 011-223-003).

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2 **WHEREAS**, the subject parcel is the Pioneer Park, developed with a gazebo,
3 restroom, playground and other miscellaneous park improvements; and
4

5 **WHEREAS**, the Friends of Pioneer Park, a California non-profit corporation, has
6 initiated a project to renovate Pioneer Park; and
7

8 **WHEREAS**, on August 28, 2013 the Planning Commission adopted Resolution PC
9 2013-24 approving design review DR 2013-8 allowing renovations to Pioneer Park
10 including replacement of the existing gazebo; and
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12 **WHEREAS**, the City Council considered floodway variance VA 2013-7 at its regular
13 meeting on October 1, 2013, pursuant to Government Code Section 65090. Prior to taking
14 action on the application, the City Council received written and oral reports by the staff, and
15 received public testimony; and
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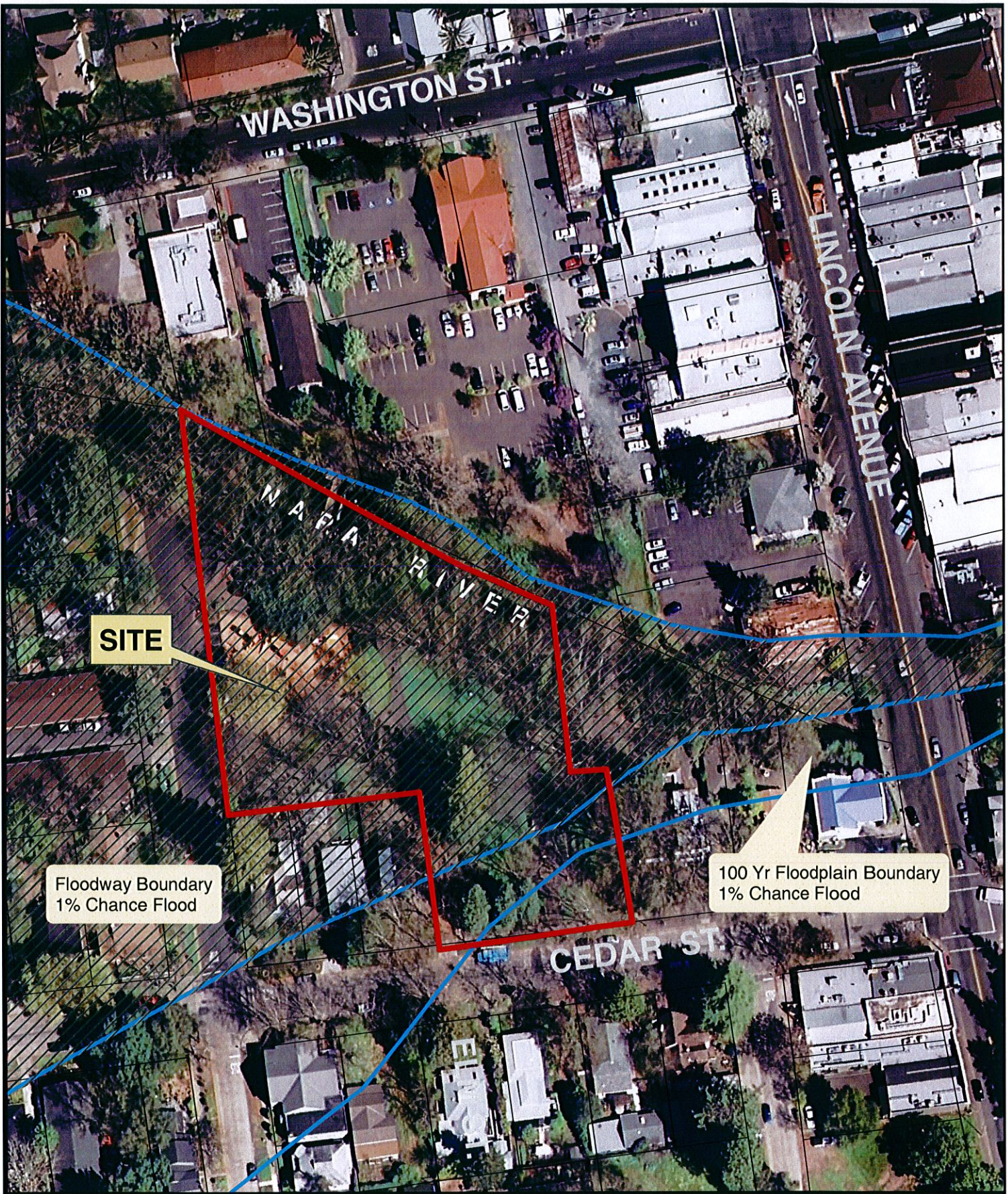
17 **WHEREAS**, the requested variance to allow the replacement of an existing gazebo
18 and miscellaneous park improvements in the floodway is within the jurisdiction of the City
19 of Calistoga, and the City of Calistoga has authority under Ordinance Number 564 to grant
20 the requested variance; and
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22 **WHEREAS**, the City Council finds the proposed plantings, light standards,
23 ornamental fencing and at-grade pathways will not cause an adverse impact on the flood
24 flows since these features will not obstruct or divert flood flows resulting in an increase in
25 height above the current condition; and
26

27 **WHEREAS**, the City Council finds that since the gazebo and foundation system are
28 located in the upstream conveyance shadow of the existing 8-foot solid wood board fence
29 and residence to the east, flood flow will not drastically change direction as a result of the
30 replacement gazebo; and
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32 **WHEREAS**, the requested variance is in harmony with the general purpose and
33 intent of the Floodplain Management for the City of Calistoga; and
34

35 **WHEREAS**, the variance represents a grant of relief to the property from the
36 requirements of this ordinance because specific enforcement would otherwise result in
37 unnecessary hardship. This variance, therefore permits, as limited herein, development in
38 a manner otherwise prohibited by the floodplain management regulations; and
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VICINITY MAP

**1308 Cedar Street
Pioneer Park**

