

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2013-__

APPROVING USE PERMIT UP 2013-15 FOR THE INSTALLATION AND OPERATION OF ANTENNAE AND AN UNMANNED WIRELESS TELECOMMUNICATION FACILITY AT THE NAPA COUNTY FAIRGROUNDS LOCATED AT 1435 N. OAK STREET (APN 011-140-007)

1 **WHEREAS**, on October 3, 2013, the CBR Group, on behalf of AT&T, submitted a
2 request for a use permit in order to allow the installation and operation of antennae and
3 an unmanned wireless telecommunication facility at the Napa County Fairgrounds
4 located at 1435 N. Oak Street (APN 011-140-007); and
5

6 **WHEREAS**, the Planning Commission considered the request at its regular
7 meeting of November 13, 2013. Prior to taking action on the application, the Planning
8 Commission received written and oral reports by the staff, and received public
9 testimony; and
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11 **WHEREAS**, this action has been reviewed for compliance with the California
12 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
13 pursuant to Section 15303 of the CEQA guidelines; and
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15 **WHEREAS**, the Planning Commission pursuant to CMC Section 17.06.020(B)(2)
16 has waived design review since compliance with the Zoning Ordinance is achieved
17 through the use permit; and
18

19 **WHEREAS**, the Planning Commission pursuant to CMC Section 17.40.070 has
20 made the following Use Permit findings for the project:
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- 22 1. The proposed development, together with any provisions for its design and
23 improvement, is consistent with the General Plan, any applicable specific plan
24 and other applicable provisions of the Zoning Code including the finding that the
25 use as proposed is consistent with the historic, rural, small-town atmosphere of
26 Calistoga.
27

28 Finding: The General Plan land use designation of the subject property is P-
29 Public/Quasi Public. The proposed facility will be designed and constructed in a
30 manner consistent with adopted land use policies. In addition, the General Plan
31 relies on the Zoning Ordinance to determine the appropriate location and design
32 of telecommunication facilities through the use permit process; therefore, the
33 proposed project is consistent with the General Plan.
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35 The subject property is within the P Public / Quasi Public Zoning District. The
36 Planning Commission has determined that telecommunications facilities are

37 permitted in the P zoning district with approval of a use permit. Through this use
38 permit it is found that the antennae and unmanned facility are sited in a location
39 that does not impact the historic, rural, small-town character of Calistoga.

- 40
41 2. The site is physically suitable for the type and density of development.

42
43 Finding: The project area is heavily screened from view within the valley floor and
44 the property's existing usage is appropriate for telecommunication uses.

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

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51 Finding: This project is exempt from CEQA under Section 15303.

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

56
57 Finding: No water or wastewater is required to operate the facility.

- 58
59 5. Approval of the use permit application shall not cause the extension of service
60 mains greater than 500 feet.

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62 Finding: This use permit would not cause the extension of service mains.

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

67
68 Finding: No water or sewer service is required by this project.

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

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73 Finding: The location of the antennae on the light standard creates a site-
74 specific camouflage technique that would be compatible with existing
75 architectural lighting elements. The ground-mounted equipment is in a location
76 that is screened from view with fencing and vegetation, away from public access.

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

82
83 Finding: The unmanned wireless telecommunication facility will provide an
84 additional service to Calistoga's visitors. Increasing visitor services is important
85 to maintain a viable visitor industry.

86
87 9. The proposed development complements and enhances the architectural
88 integrity and eclectic combination of architectural styles of Calistoga.

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90 Finding: Minimal construction is planned. The site is already developed with
91 several light standards, grandstands, structures and parking areas. This
92 proposed use would not significantly change or alter the existing appearance of
93 the area.

94
95 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
96 Commission that based on the above Findings the Planning Commission approves the
97 proposed project, subject to the following Conditions of Approval.

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99 1. This permit authorizes antennae and an unmanned wireless telecommunication
100 facility consistent with the plans received October 28, 2013 and consistent with
101 all other City ordinances, rules, regulations, and policies. The conditions listed
102 below are particularly pertinent to this permit and shall not be construed to permit
103 violation of other laws and policies not so listed.

104 2. This permit shall be null and void if not used within a year, or if the use is
105 abandoned for a period of one hundred and eighty (180) days. Once the use is
106 initiated, this permit shall be valid until it expires or is revoked pursuant to the
107 terms of this permit and/or Chapter 17.40 of the Calistoga Municipal Code. Minor
108 modifications which do not increase environmental impacts may be approved in
109 writing by the Planning and Building Director.

110 3. This use permit does not abridge or supercede the regulatory powers or permit
111 requirements of any federal, state or local agency, special district or department
112 which may retain regulatory or advisory function as specified by statute or
113 ordinance. The applicant shall obtain permits as may be required from each
114 agency.

115 4. A building permit shall be obtained for all construction occurring on the site, not
116 otherwise exempt by the California Building Code or any State or local
117 amendment adopted thereto, and all fees associated with plan check and
118 building inspections, and associated development impacts fees established by
119 City Ordinance or Resolution shall be paid. The County of Napa may approve
120 building permits for this project.

121 5. Prior to installation, a permit shall be obtained from the Bay Area Air Quality
122 Management District, as necessary.

123 6. The owner or operator of this wireless telecommunication facility shall be
124 responsible for the continuous upkeep and maintenance of the facility.

- 125 7. Each facility must comply with any and all applicable regulations and standards
126 promulgated or imposed by any state or federal agency, including but not limited
127 to, the Federal Communications Commission and Federal Aviation
128 Administration.
- 129 8. Certification must be provided that the proposed facility will at all times comply
130 with all applicable health requirements and standards pertaining to RF emissions.
- 131 9. The permit holder shall reasonably cooperate in providing siting and in sharing
132 facilities for collocation with other telecommunication providers or public agencies
133 at the site.
- 134 10. A cyclone fence with redwood or vinyl slats shall enclose the ground-mounted
135 equipment. Barbed wire shall not be permitted and any further proposed method
136 of security shall be reviewed and approved by the Planning and Building Director
137 prior to its installation.
- 138 11. Signage installed as part of the facility shall be limited to signs required for
139 identification and safety requirements.
- 140 12. Any obsolete or unused facilities must be removed by the permit holder and/or
141 property owner upon termination of the use, or within 90 days of the termination.
- 142 13. Construction activity shall stay outside the drip line of any protected tree to the
143 maximum extent feasible. Protective fencing shall be installed prior to any site
144 alterations subject to the review and approval of the Public Works Department.
- 145 14. Tree preservation measures shall be incorporated into the design of the
146 improvements and shown on the improvement plans in accordance with the
147 City's Tree Preservation Ordinance (CMC 19.01) and the project arborist's
148 recommendations. The project arborist shall be on site during ground-disturbing
149 activities, including all activity associated with digging the foundation.
150 Subsequently, the project arborist shall prepare a letter to the Planning and
151 Building Department stating that the observations were made and that any
152 unexpected root damage was mitigated.
- 153 15. The noise level created by the permit holder for emergency power generation
154 and other equipment shall not exceed 60 dBA at the nearest edge of the property
155 line. In addition to this, if noise complaints are received by the Planning and
156 Building Department, then the applicant shall be responsible for the cost of
157 conducting a noise study by a mutually agreed upon third party and implementing
158 mitigation measures.
- 159 16. Natural vegetation shall be maintained to the greatest degree possible to provide
160 erosion control, dust suppression and concealment.
- 161 17. The permit holder shall be responsible for repair of any direct verifiable damage
162 to public roadways resulting from construction or operation of this project.
- 163 18. All parking and access areas shall be continuously maintained in good repair
164 throughout the life of the project.

165 **ADOPTED** on November 13, 2103, by the following vote of the Calistoga
166 Planning Commission:

167
168 **AYES:**
169 **NOES:**
170 **ABSENT:**
171 **ABSTAIN:**

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174

JEFF MANFREDI, CHAIRMAN

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ATTEST: _____

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Lynn Goldberg
Secretary to the Planning Commission

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