

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2014-__

**RESOLUTION APPROVING USE PERMIT UP 2014-2 ALLOWING WINE
BARREL BROKER, STORAGE AND REPAIR WITHIN THE EXISTING
INDUSTRIAL BUILDING AT 865 SILVERADO TRAIL**

1 **WHEREAS**, on January 15, 2014, the applicant submitted a use permit
2 application to establish a wine barrel broker, storage and repair within the
3 existing industrial building at 865 Silverado Trail (APN 011-050-024) within the
4 Light Industrial Zoning District; and

5 **WHEREAS**, the Planning Commission reviewed and considered this
6 application at its regular meeting on February 12, 2014, and prior to taking action
7 on the application, the Commission received written and oral reports by staff and
8 received public testimony; and

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 15301 of the CEQA guidelines;
12 and

13 **WHEREAS**, the Planning Commission pursuant to CMC 17.02.190 has
14 determined that wine barrel storage and repair is allowed with a use permit in the
15 Light Industrial Zoning District based upon the following findings:

- 16 1. The subject uses and operations are compatible with the uses
17 permitted in the zone within which it is proposed to be located;
- 18 2. Wine barrel storage and repair is similar to one or more uses
19 permitted in the zone within which it is proposed to be located, such
20 as mini storage and wineries; and
- 21 3. Wine barrel storage and repair will not cause substantial injury to
22 the health, safety, or welfare of the occupants or their property in
23 the zone in which it is proposed to be located.

24 **WHEREAS**, the Planning Commission pursuant to CMC Chapter
25 17.40.070 has made the following use permit findings for the project:

- 26 1. The proposed development, together with any provisions for its design
27 and improvement, is consistent with the General Plan, any applicable
28 specific plan and other applicable provisions of the Zoning Code including
29 the finding that the use as proposed is consistent with the historic, rural,
30 small-town atmosphere of Calistoga.

31
32 Finding: The General Plan designation for the project area is Light
33 Industrial. The property is also subject to the Entry Corridor 2: Downvalley
34 Silverado Trail overlay, which recognizes the existing light industrial

35 facility. The Resort Character Area overlay, which also applies to the
36 property, allows re-use of the existing industrial building, as well as the
37 proposed light industrial use. Additionally, the proposed use is a
38 conditionally allowed use within the Light Industrial Zoning District since it
39 is similar to the list of conditionally-allowed uses.

40

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

42

43 Finding: No physical changes to the existing structure are proposed. Only
44 minor changes in the traffic patterns will occur as a result of this project,
45 which are insignificant and will have no change to the existing traffic
46 volumes or level of service at key intersections.

47

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

52

53 Finding: The project is exempt from CEQA per Section 15301 of the
54 CEQA Guidelines. As conditioned, this use will not result in detrimental or
55 adverse impacts upon the public resources, wildlife or public health, safety
56 and welfare.

57

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

61

62 Finding: The proposed use will not cause and/or propose any additional
63 water or wastewater treatment demand. The property carries a baseline
64 of 70 acre feet of water and 95 acre feet of wastewater annually.

65

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

68

69 Finding: Approval of this use permit application does not require the
70 extension of a service main.

71

72 6. An allocation for water and/or wastewater service pursuant to Chapter
73 13.16 CMC (Resource Management System) shall be made prior to
74 project approval. Said allocation shall be valid for one year and shall not
75 be subject to renewal.

76

77 Finding: New allocations for water and/or wastewater service are not
78 required for projects that do not impact these resources.

79
80 7. The proposed development presents a scale and design which are in
81 harmony with the historical and small-town character of Calistoga.

82
83 Finding: No significant physical or exterior changes to the existing
84 structure are proposed.

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

90
91 Finding: The proposed use will contribute to the local viticulture industry,
92 thereby enhancing the local economy.

93
94 9. The proposed development complements and enhances the architectural
95 integrity and eclectic combination of architectural styles of Calistoga.

96
97 Finding: There are no significant physical changes that will occur to the
98 exterior of the existing metal building.

99
100 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
101 Commission that based on the above findings, the Planning Commission
102 approves the proposed project, subject to the following conditions of approval.

103
104 1. This permit authorizes the establishment and operation of a wine barrel
105 storage and repair operation on the site, consistent with the plan set
106 received January 15, 2014 prepared by Robertson Engineering, Inc.,
107 consistent with all other City ordinances, rules, regulations, and policies.
108 The use shall also be consistent with the project description set forth in the
109 Planning Commission Staff Report dated February 12, 2014. The
110 conditions listed below are particularly pertinent to this permit and shall not
111 be construed to permit violation of other laws and policies not so listed.

112
113 2. Development and use of the property shall conform to all required
114 conditions established herein. If the conditions to the granting of this use
115 permit have not been or are not complied with, or the use which is
116 established by this permit have become detrimental to the public health,
117 safety or general welfare, the Planning Commission may consider an
118 amendment to these conditions or revocation of this permit to protect the

119 public health, safety and general welfare of the community, as set forth in
120 the City's Zoning Ordinance.

121
122 The Planning and Building Department Director may approve minor
123 amendments to this conditional use permit provided that the amendment
124 is still in substantial conformance with the original approval.
125

126 3. The normal business operations within the structure shall be limited to 7 am
127 to 5 pm seven days per week, unless substantial health, safety and welfare
128 impacts occur, in which case the Planning and Building Department or the
129 Planning Commission may impose greater restrictions. During the harvest
130 season, the hours may be extended to 8 pm.
131

132 4. Toasting operations shall be limited to outdoors on a concrete pad, as
133 indicated on the Floor Plan received January 15, 2014, and shall be
134 restricted to toasting no more than one barrel at any given time. In the
135 event that toasting causes injury, detriment, nuisance, or annoyance to
136 any considerable number of persons or to the public, or endangers the
137 comfort, repose, health, or safety of any of those persons or the public, or
138 that causes, or has a natural tendency to cause injury or damage to
139 business or property, the Fire Chief at his/her discretion may further
140 restrict the use.
141

142 5. Prior to occupancy, a barrel storage plan shall be submitted to the City
143 subject to the review and approval of the Planning and Building and Fire
144 Departments. Wine barrel storage shall be limited to 2,000 barrels and
145 shall comply with the California Fire Code requirements.
146

147 6. The storage of sawdust and other fine compostable material shall be
148 removed from the property every two weeks.
149

150 7. Prior to occupancy, the existing fire sprinkler system and alarm system
151 shall be evaluated and tested for the use subject to the review and
152 approval of the Fire Department. In the event improvements to the
153 sprinkler and alarm systems are warranted to address occupancy needs,
154 all improvements shall be installed prior to occupancy subject to the
155 review and approval of the Planning and Building and Fire Departments.
156

157 8. The term of approval of this permit shall expire one year from the permit's
158 effective date, unless an extension and/or building permit has been issued
159 for the project prior to the expiration date.
160

- 161 9. All work performed in conjunction with this approval shall be by individuals
162 who possess a valid business license from the City of Calistoga.
163
- 164 10. The property owner shall obtain a Building Permit for construction of all
165 improvements located on the site, not otherwise exempt by the California
166 Building Code or any State or local amendment adopted thereto.
167
- 168 11. Prior to issuance of all building permits, the property owner agrees to pay
169 all fees associated with plan check and building inspections, and
170 associated development impact fees rightfully established by City
171 Ordinance or Resolution, unless otherwise deferred by the Planning and
172 Building Department.
173
- 174 12. No signage is permitted as a result of this approval. All signage shall be
175 subject to the approval of the Planning and Building Department.
176
- 177 13. Prior to occupancy, evidence shall be provided that an operational permit
178 has been obtained from the Bay Area Air Quality Management District
179 (BAAQMD). If no permit is required, evidence shall be provided indicating
180 that the operation is exempt from BAAQMD permitting requirements.
181
- 182 14. Prior to occupancy, the property shall have illuminated address numbers
183 that are clearly visible to the street day and night.
184

185 **PASSED AND ADOPTED** on February 12, 2014, by the following vote of
186 the Calistoga Planning Commission:
187

188 AYES:

189 NOES:

190 ABSENT:

191 ABSTAIN:
192
193

194 _____
JEFF MANFREDI, CHAIR
195
196
197

198 ATTEST: _____
199 Lynn Goldberg
200 Secretary to the Planning Commission