

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2015-__**

**APPROVING USE PERMIT UP 2015-1 FOR THE INSTALLATION AND OPERATION
OF ANTENNAE AND AN UNMANNED VERIZON WIRELESS
TELECOMMUNICATION FACILITY AT THE NAPA COUNTY FAIRGROUNDS
LOCATED AT 1435 N. OAK STREET**

1 **WHEREAS**, on January 9, 2015, Peter Hilliard, on behalf of Verizon Wireless,
2 submitted a request for a use permit in order to allow the installation and operation of
3 antennae and an unmanned wireless telecommunication facility at the Napa County
4 Fairgrounds located at 1435 N. Oak Street (APN 011-140-007 & -055); and

5 **WHEREAS**, the Planning Commission considered the request at a public hearing
6 on February 11, 2015. Prior to taking action on the application, the Planning
7 Commission received written and oral reports by the staff, and received public
8 testimony; and

9 **WHEREAS**, this action has been reviewed for compliance with the California
10 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
11 pursuant to Section 15303 of the CEQA guidelines; and

12 **WHEREAS**, the Planning Commission pursuant to CMC Section 17.06.020(B)(2)
13 has waived design review since compliance with the Zoning Ordinance is achieved
14 through the use permit; and

15 **WHEREAS**, the Planning Commission pursuant to CMC Section 17.40.070 has
16 made the following use permit findings for the project:

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

22 Supporting Evidence: The General Plan land use designation of the subject
23 property is P Public/Quasi Public. The proposed facility will be designed and
24 constructed in a manner consistent with adopted land use policies. In addition,
25 the General Plan relies on the Zoning Ordinance to determine the appropriate
26 location and design of telecommunication facilities through the use permit
27 process; therefore, the proposed project is consistent with the General Plan.

28 The subject property is within the P Public / Quasi Public Zoning District. The
29 Planning Commission has determined that telecommunications facilities are
30 permitted in the P zoning district with approval of a use permit. Through this use
31 permit it is found that the antennae and unmanned facility are sited in a location
32 that does not impact the historic, rural, small-town character of Calistoga.
33

- 34 2. Finding: The site is physically suitable for the type and density of development.
35 Supporting Evidence: The project area is heavily screened from view within the
36 valley floor and the property's existing usage is appropriate for
37 telecommunication uses.
- 38 3. Finding: The proposed development has been reviewed in compliance with the
39 California Environmental Quality Act (CEQA) and the project will not result in
40 detrimental or adverse impacts upon the public resources, wildlife or public
41 health, safety and welfare.
42 Supporting Evidence: This project is exempt from CEQA under Section 15303.
- 43 4. Finding: Approval of the use permit application will not cause adverse impacts to
44 maintaining an adequate supply of public water and an adequate capacity at the
45 wastewater treatment facility.
46 Supporting Evidence: No water or wastewater is required to operate the facility.
- 47 5. Finding: Approval of the use permit application shall not cause the extension of
48 service mains greater than 500 feet.
49 Supporting Evidence: This use permit would not cause the extension of service
50 mains.
- 51 6. Finding: An allocation for water and/or wastewater service pursuant to Chapter
52 13.16 CMC (Resource Management System) shall be made prior to project
53 approval. Said allocation shall be valid for one year and shall not be subject to
54 renewal.
55 Supporting Evidence: No water or sewer service is required by this project.
- 56 7. Finding: The proposed development presents a scale and design which are in
57 harmony with the historical and small-town character of Calistoga.
58 Supporting Evidence: The location of the antennae on the replacement light
59 standard creates a site-specific camouflage technique that would be compatible
60 with existing architectural lighting elements. The ground-mounted equipment is in
61 a location that is screened from view with fencing and vegetation, away from
62 public access.
- 63 8. Finding: The proposed development is consistent with and will enhance
64 Calistoga's history of independent, unique, and single location businesses, thus
65 contributing to the uniqueness of the town, which is necessary to maintain a
66 viable visitor industry in Calistoga and to preserve its economy.
67 Supporting Evidence: The unmanned wireless telecommunication facility will
68 provide an additional service to Calistoga's visitors. Increasing visitor services is
69 important to maintain a viable visitor industry.
- 70 9. Finding: The proposed development complements and enhances the
71 architectural integrity and eclectic combination of architectural styles of Calistoga.

72 Supporting Evidence: Minimal construction is planned. The site is already
73 developed with several light standards, grandstands, structures and parking
74 areas. This proposed use would not significantly change or alter the existing
75 appearance of the area.

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

- 79 1. This permit authorizes antennae and an unmanned wireless telecommunication
80 facility consistent with the plans received January 9, 2015 and consistent with all
81 other City ordinances, rules, regulations, and policies. The conditions listed
82 below are particularly pertinent to this permit and shall not be construed to permit
83 violation of other laws and policies not so listed.
- 84 2. This permit shall be null and void if not used within a year, or if the use is
85 abandoned for a period of one hundred and eighty (180) days. Once the use is
86 initiated, this permit shall be valid until it expires or is revoked pursuant to the
87 terms of this permit and/or Chapter 17.40 of the Calistoga Municipal Code. Minor
88 modifications which do not increase environmental impacts may be approved in
89 writing by the Planning and Building Director.
- 90 3. This use permit does not abridge or supercede the regulatory powers or permit
91 requirements of any federal, state or local agency, special district or department
92 which may retain regulatory or advisory function as specified by statute or
93 ordinance. The applicant shall obtain permits as may be required from each
94 agency.
- 95 4. A building permit shall be obtained for all construction occurring on the site, not
96 otherwise exempt by the California Building Code or any State or local
97 amendment adopted thereto, and all fees associated with plan check and
98 building inspections, and associated development impacts fees established by
99 City Ordinance or Resolution shall be paid. The County of Napa may approve
100 building permits for this project.
- 101 5. Prior to installation, a permit shall be obtained from the Bay Area Air Quality
102 Management District, as necessary.
- 103 6. The owner or operator of this wireless telecommunication facility shall be
104 responsible for the continuous upkeep and maintenance of the facility.
- 105 7. Each facility must comply with any and all applicable regulations and standards
106 promulgated or imposed by any state or federal agency, including but not limited
107 to, the Federal Communications Commission and Federal Aviation
108 Administration.
- 109 8. Certification must be provided that the proposed facility will at all times comply
110 with all applicable health requirements and standards pertaining to RF emissions.

- 111 9. The permit holder shall reasonably cooperate in providing siting and in sharing
112 facilities for collocation with other telecommunication providers or public agencies
113 at the site.
- 114 10. A cyclone fence with vinyl slats shall enclose the ground-mounted equipment.
115 Barbed wire shall not be permitted and any further proposed method of security
116 shall be reviewed and approved by the Planning and Building Director prior to its
117 installation.
- 118 11. Signage installed as part of the facility shall be limited to signs required for
119 identification and safety requirements.
- 120 12. Any obsolete or unused facilities must be removed by the permit holder and/or
121 property owner upon termination of the use, or within 90 days of the termination.
- 122 13. Construction activity shall stay outside the drip line of any protected tree to the
123 maximum extent feasible. Protective fencing shall be installed prior to any site
124 alterations subject to the review and approval of the Public Works Department.
- 125 14. The noise level created by the permit holder for emergency power generation
126 and other equipment shall not exceed 60 dBA at the nearest edge of the property
127 line. In addition to this, if noise complaints are received by the Planning and
128 Building Department, then the applicant shall be responsible for the cost of
129 conducting a noise study by a mutually agreed upon third party and implementing
130 mitigation measures.
- 131 15. Natural vegetation shall be maintained to the greatest degree possible to provide
132 erosion control, dust suppression and concealment.
- 133 16. The permit holder shall be responsible for repair of any direct verifiable damage
134 to public roadways resulting from construction or operation of this project.
- 135 17. All parking and access areas shall be continuously maintained in good repair
136 throughout the life of the project.

137 **ADOPTED** on February 11, 2015, by the following vote of the Calistoga Planning
138 Commission:

139
140 **AYES:**
141 **NOES:**
142 **ABSENT:**
143 **ABSTAIN:**
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145
146 JEFF MANFREDI, CHAIRMAN
147

148
149 **ATTEST:** _____
150 Lynn Goldberg
151 Secretary to the Planning Commission