

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2015-__

RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO THE DOWNTOWN COMMERCIAL AND COMMUNITY COMMERCIAL ZONING DISTRICTS TO ALLOW OFF-SITE AUTOMATED TELLER MACHINES (ATMS)

1 **WHEREAS**, on November 4, 2014, Charmi Deepak, on behalf of NELSON,
2 submitted a request to amend the DC Downtown Commercial Zoning District to allow
3 off-site ATMs; and

4 **WHEREAS**, the Planning Commission considered the request at public hearings
5 on January 14, 2015 and February 25, 2015. Prior to taking action on the application,
6 the Planning Commission received written and oral reports by the staff, and received
7 public testimony; and

8 **WHEREAS**, amending the Zoning Ordinance to allow off-site ATMs in the
9 Downtown Commercial and Community Commercial Zoning Districts is warranted in
10 order to serve residents and visitors, but must be implemented in a manner that does
11 not affect the vibrancy and rural small-town character of Calistoga; and

12 **WHEREAS**, conditionally permitting off-site ATMs in the DC and CC Zoning
13 Districts with specific performance standards will ensure consistency with General Plan
14 policies and will preserve, protect and enhance Calistoga's quality of life and rural small-
15 town character; and

16 **WHEREAS**, the Planning Commission has determined that this action is not
17 subject to the California Environmental Quality Act (CEQA) under Section 15061(b)(3)
18 of the CEQA Guidelines because it can be seen with certainty that there is no possibility
19 that the amendments may have a significant effect on the environment.

20 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
21 Commission that, based on the above findings, it is recommended that the City Council
22 amend the DC Downtown Commercial and CC Community Commercial Zoning Districts
23 to allow off-site ATMs, as shown in Exhibit A attached hereto and incorporated herein.

24 **APPROVED AND ADOPTED** on February 25, 2015 by the following vote of the
25 Calistoga Planning Commission:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Jeff Manfredi, Chair

ATTEST: _____
Lynn Goldberg
Secretary to the Planning Commission

Exhibit A

**Chapter 17.22
COMMERCIAL LAND USE DISTRICTS**

Downtown Commercial: Amend Section 17.22.040(B)(5) CMC to incorporate regulations for conditionally-permitting off-site ATMs within the Downtown Commercial Zoning District as follows:

17.22.040(B)(5) Banks and financial institutions, with drive-up or walk-up facilities. An automatic teller machine (ATM) on the exterior of a non-bank building may be allowed, pursuant to the following:

- a. It is accessory, but not integral to another business on the same site*
- b. It is physically integrated into the building occupied by the business and is not a free-standing structure*
- c. It is compatible with the architectural design of the building, and to the extent possible, is not located on a visually-prominent portion of the building*
- d. It does not detract from the business' appearance and is consistent overall with the design character of the commercial area*
- e. It is readily accessible to the general public and meets ADA accessibility standards*
- f. User queues would not block pedestrian traffic*
- g. It does not allow drive-through access from a vehicle*
- h. Is provided with a receptacle sufficient in size to accommodate trash and any smoking materials discarded by users*
- i. Arrangements have been made for the premises' ongoing maintenance, including the collection of trash*
- j. Its location can be readily monitored by the Calistoga Police Department or private security, and is not located in minimally-visible areas, such as alley ways and court yards*
- k. Lighting is the minimum necessary for security purposes*

Community Commercial: Amend Section 17.22.060(B)(5) CMC to incorporate regulations for conditionally-permitting off-site ATMs within the Community Commercial Zoning District as follows:

17.22.060(B)(5) Banks and financial institutions, with drive-up or walk-up facilities. An automatic teller machine (ATM) on the exterior of a non-bank building may be allowed, pursuant to the following:

- a. It is accessory, but not integral to another business on the same site*

- 60 *b. It is physically integrated into the building occupied by the business and is not*
61 *a free-standing structure*
- 62 *c. It is compatible with the architectural design of the building, and to the extent*
63 *possible, is not located on a visually-prominent portion of the building*
- 64 *d. It does not detract from the business' appearance and is consistent overall*
65 *with the design character of the commercial area*
- 66 *e. It is readily accessible to the general public and meets ADA accessibility*
67 *standards*
- 68 *f. User queues would not block pedestrian traffic*
- 69 *g. It does not allow drive-through access from a vehicle*
- 70 *h. Is provided with a receptacle sufficient in size to accommodate trash and any*
71 *smoking materials discarded by users*
- 72 *i. Arrangements have been made for the premises' ongoing maintenance,*
73 *including the collection of trash*
- 74 *j. Its location can be readily monitored by the Calistoga Police Department or*
75 *private security, and is not located in minimally-visible areas, such as alley*
76 *ways and court yards*
- 77 *k. Lighting is the minimum necessary for security purposes*