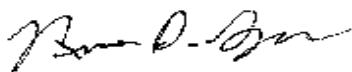


## City of Calistoga Staff Report

**TO:** Honorable Mayor and City Council  
**FROM:** Erik V. Lundquist, Senior Planner  
**DATE:** May 19, 2015  
**SUBJECT:** Off-site ATMs Zoning Ordinance Amendment (ZOA 2014-6)

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APPROVAL FOR FORWARDING



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Richard D. Spittler, City Manager

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**ISSUE:** Consideration of amendments to the Downtown Commercial and Community Commercial Zoning Districts to allow off-site automated teller machines (ATMs).

**RECOMMENDATIONS:** Following a public hearing, introduce the ordinance and waive its first reading

**BACKGROUND:** On November 4, 2014, architectural firm NELSON, submitted a request to amend the DC Downtown Commercial Zoning District to allow free-standing off-site ATMs. The Commission considered the request at a public hearing on January 14, 2015, and after discussion and public comments, continued the matter in order for staff to work with the applicant on language that would allow off-site ATMs to be integrated with an existing building.

Staff drafted language that would conditionally-permit off-site ATMs in the Downtown Commercial and Community Commercial Zoning Districts with specific performance standards to ensure consistency with General Plan policies and preserve, protect and enhance Calistoga's quality of life and rural small-town character. The Planning Commission considered the proposed code amendment at a public hearing on February 25, 2015, and adopted PC Resolution 2015-5 recommending its approval to the Council.

**PROPOSED AMENDMENTS:** The proposed amendments to the DC and CC Zoning Districts would add the following to the banks and financial institutions land use category as a conditionally-permitted use:

*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*

These performance requirements would reduce visual effects and unwanted nuisances resulting from off-site ATMs. Security measures would also been added to protect the public. The Planning Commission would be required to find that all of these regulations have been met in order to approve a use permit for an off-site ATM.

**ENVIRONMENTAL REVIEW:** The proposed Code amendments are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines, the "general rule" exemption, because it can be seen with certainty that there is no possibility that the action in question may have a significant effect on the environment.

**CONSISTENCY WITH COUNCIL GOALS AND OBJECTIVES:** The proposed amendment is not inconsistent with the City Council's goals and objectives for Fiscal Year 2014-15. Goal 5 states "enhance Calistoga's small town character by making it attractive and safe." This amendment has been carefully drafted with specific performance standards to ensure consistency with General Plan policies and preserve, protect and enhance Calistoga's quality of life and rural small-town character.

**FISCAL IMPACT:** Staff time and direct expenses associated with the processing of use permits for off-site ATMs would be offset by the applicants through application processing fees.

### **ATTACHMENTS**

1. Draft ordinance
2. Excerpt from February 25, 2015 Planning Commission Minutes
3. Planning Commission Resolution PC 2015-5