

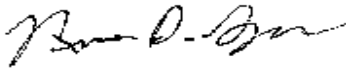
# City of Calistoga

## Staff Report

**TO** Honorable Mayor and City Council  
**FROM** Erik V. Lundquist, Senior Planner  
**DATE** July 21, 2015  
**SUBJECT** Second Reading of Ordinance No. 712

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APPROVAL FOR FORWARDING:



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Richard D. Spitler, City Manager

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**ISSUE:** Zoning Map Amendment rezoning the property located at 33 Brannan Street (APN 011-050-023) from the R-2 Two-Family Residential to the R-3 Multi-Family Residential/Office Zoning District.

**RECOMMENDATION:** Adopt Ordinance No. 712 as submitted

**BACKGROUND:** On July 7, 2015, the City Council held a public hearing to consider adopting an ordinance to rezone the property. Following a public hearing, the City Council introduced and waived the first reading of the attached ordinance.

**ATTACHMENT**

1. Ordinance No. 712

ORDINANCE NO. 712

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA AMENDING THE CALISTOGA ZONING MAP TO REZONE THE PROPERTY LOCATED AT 33 BRANNAN STREET FROM THE R-2 TWO-FAMILY RESIDENTIAL TO THE R-3 MULTI-FAMILY RESIDENTIAL/OFFICE ZONING DISTRICT**

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1           **WHEREAS**, the applicant has submitted a request to rezone the property located  
2 at 33 Brannan Street (APN 011-050-023) from the R-2 Two-Family Residential to the R-  
3 3 Multi-Family Residential/Office Zoning District; and

4           **WHEREAS**, the proposed amendment to the Zoning Map for the City of  
5 Calistoga is consistent with General Plan goals and policies promoting housing  
6 development and would have no detrimental affect on the public health, safety and  
7 general welfare of the community; and

8           **WHEREAS**, the proposed zoning district provides development regulations that  
9 would ensure the subject property is developed in an appropriate manner; and

10           **WHEREAS**, the Planning Commission reviewed the proposed amendment at a  
11 public hearing on May 27, 2015, and after considering the public record, including the  
12 staff report and findings, adopted PC Resolution 2015-14 forwarding a recommendation  
13 that the City Council approve the rezoning of the property; and

14           **WHEREAS**, the proposed amendment is not subject to the California  
15 Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines  
16 because it can be seen with certainty that there is no possibility that they may have a  
17 significant effect on the environment.

18           **WHEREAS**, the City Council of the City of Calistoga reviewed and considered  
19 this ordinance at a public hearing on July 7, 2015, noticed in accordance with state and  
20 local law, and which included the written and oral staff report, the Planning  
21 Commission's recommendation and comments received from the general public and  
22 interested agencies and parties.

23           **NOW, THEREFORE, THE CALISTOGA CITY COUNCIL DOES HEREBY**  
24 **ORDAIN AS FOLLOWS:**

25           **SECTION ONE**

26           Findings. The above recitals are incorporated herein as if set forth herein in full  
27 and each is relied upon independently by the City Council for its adoption of this  
28 ordinance.

29           **SECTION TWO**

30           The Zoning Map provided in Section 17.03.010 of Title 17 of the Calistoga  
31 Municipal Code is hereby amended to rezone the property located at 33 Brannan Street  
32 from the R-2 Two-Family Residential to the R-3 Multi-Family Residential/Office Zoning  
33 District.

35 **SECTION THREE**

36 The City Clerk or his or her designee is hereby directed to amend the Zoning  
37 Map of the City of Calistoga, California, which is on file with the City, to reflect the  
38 change in zoning for the subject property described in the above title.

39 **SECTION FOUR**

40 Environmental Review. This action has been reviewed in accordance with the  
41 California Environmental Quality Act, CEQA Guidelines Section 15061(b)(3), the  
42 “general rule” exemption. The City has determined that because it can be seen with  
43 certainty that there is no possibility that the proposed amendment will have an impact  
44 on the environment, this ordinance is therefore exempt from CEQA under the general  
45 rule.

46 **SECTION FIVE**

47 Severability. If any section, subsection, subdivision, paragraph, sentence,  
48 clause, or phrase in this ordinance or any part thereof is for any reason held to be  
49 unconstitutional or invalid or ineffective by any court of competent jurisdiction, such  
50 decision shall not affect the validity or effectiveness of the remaining portions of this  
51 ordinance or any part thereof. The City Council hereby declares that it would have  
52 passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase  
53 thereof irrespective of the fact that any one or more subsections, subdivisions,  
54 paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or  
55 ineffective.

56 **SECTION SIX**

57 Effective Date. This Ordinance shall take effect thirty (30) days after its passage  
58 and before the expiration of fifteen (15) days after its passage, shall be published in  
59 accordance with law in a newspaper of general circulation published and circulated in  
60 the City of Calistoga.

61 THIS ORDINANCE was introduced with the first reading waived at the City of  
62 Calistoga City of Council meeting of the **7th day of July, 2015**, and was passed and  
63 adopted at a regular meeting of the Calistoga City Council **on the 21st day of July,**  
64 **2015**, by the following vote:

65 **AYES:**  
66 **NOES:**  
67 **ABSENT:**  
68 **ABSTAIN:**

69 \_\_\_\_\_  
**Chris Canning, Mayor**

70 **ATTEST:**

71 \_\_\_\_\_  
72 **Kathy Flamson, City Clerk**