

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2017-\_\_**

**APPROVING USE PERMIT UP 2017-6 TO ALLOW THE OPERATION OF AN OFFICE WITH ANCILLARY FLEET VEHICLE AND EQUIPMENT STORAGE ASSOCIATED WITH A TREE SERVICE BUSINESS LOCATED AT 1506 GRANT STREET (APN 011-101-001)**

---

1           **WHEREAS**, on June 12, 2017, Kerry Joe Branum, submitted a request for a use  
2 permit to operate an office with ancillary fleet vehicle and equipment storage associated  
3 with a tree service business located at 1506 Grant Street; and

4           **WHEREAS**, the Planning Commission considered the request at a public hearing  
5 on June 28, 2017, and prior to taking action on the application, received written and oral  
6 reports by the staff, and public testimony; and

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

10           **WHEREAS**, the Planning Commission pursuant to CMC Section 17.40.030(D)  
11 has made the following findings for the project:

12 1.     Finding: Is in accord with the General Plan and any applicable planned  
13 development.

14           Substantial evidence: The property is located within the Community Commercial  
15 land use designation and the Downtown Character Area as identified in the  
16 General Plan. The Community Commercial land use designation is generally  
17 situated in the areas at the edge of the downtown. These areas are intended to  
18 be transitional between the downtown commercial area and residential  
19 neighborhoods and may provide a combination of visitor-and local-serving  
20 commercial uses at the outskirts of the City. Offices and service commercial uses  
21 are allowed uses in the Community Commercial land use designation. The  
22 Downtown Character Area supports a mix of uses that provide a transition  
23 between the historic downtown and the Resort Character Area. Staff finds that  
24 the proposed use is consistent with the General Plan with respect to these land  
25 use policies. There is no applicable planned development.

26 2.     Finding: Is in accord with all applicable provisions of the Zoning Code.

27           Substantial evidence: The property is located within the CC Community  
28 Commercial zoning district. The CC district allows offices and conditionally-allows  
29 service commercial (i.e., equipment repair). The use is consistent with the CC  
30 District development standards since no exterior modifications to the structure  
31 would occur. The leased space includes approximately 5,500 square feet of yard  
32 area and 300 square feet of interior space. The unmarked parking area behind

33 the building would provide adequate area for the fleet vehicle storage and  
34 employee parking.

35 3. Finding: Will not substantially impair or interfere with the development, use or  
36 enjoyment of other property in the vicinity.

37 Substantial evidence: This project would have limited impacts on the  
38 surrounding area, since the use would occur within an existing building, in an  
39 open area not visible from the public right-of-way and is located away from any  
40 sensitive receptors. Conditions of approval will help minimize potential parking,  
41 noise and issues occurring as a result of hazardous materials storage.

42 4. Finding: Is consistent with and enhances Calistoga's history of independently-  
43 owned businesses, thus contributing to the uniqueness of the town, which is  
44 necessary to maintain a viable visitor industry and promote its economy.

45 Substantial evidence: The re-use of this underutilized existing commercial space  
46 would be consistent with Calistoga's sense of independent and unique single-  
47 location businesses. The business also provides a needed service within the  
48 community.

49 5. Finding: Is resident-serving, in the case of a formula business.

50 Substantial evidence: The proposed use is not considered a formula business as  
51 defined by Title 17.

52 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning  
53 Commission that based on the above findings, the Planning Commission approves the  
54 subject use permit application, subject to the following conditions of approval.

55 1. This permit authorizes an arborist's office and associated fleet vehicle and  
56 equipment storage consistent with the narrative and plans received by the City  
57 on June 12, 2017. The conditions listed below are particularly pertinent to this  
58 permit.

59 2. This permit shall be null and void if not used within a year, or if the use is  
60 abandoned for a period of one hundred and eighty (180) days. Once the use is  
61 initiated, this permit shall be valid until it expires or is revoked pursuant to the  
62 terms of this permit and/or Chapter 17.40 of the Calistoga Municipal Code.

63 3. This use permit does not abridge or supersede the regulatory powers or permit  
64 requirements of any federal, state or local agency, special district or department  
65 which may retain regulatory or advisory function as specified by statute or  
66 ordinance. The applicant shall obtain permits and licenses as may be required  
67 from each agency.

68 4. A 20-foot wide fire lane from Grant Street to the rear of the property shall be kept  
69 clear at all times. (A fire lane with a 20-foot width may require striping, if deemed  
70 necessary by the Calistoga Fire Department.)

- 71 5. Within 60 days of approval, the applicant shall obtain approval from the Napa  
72 County Environmental Health Division and Calistoga Fire Department for the  
73 handling and storage of hazardous materials, if necessary.
- 74 6. Within 30 days of approval, the applicant shall prepare and implement a building  
75 safety plan for interior uses subject to the review and approval of the Building  
76 Official and Fire Chief. The building safety plan shall address compliance with  
77 the California Building Standards Codes for the applicable occupancy  
78 classification. Alternative means may be used but the plan at a minimum shall  
79 address adequate venting, exiting and fire separations.
- 80 7. All storage of vehicle- and equipment-related waste products and parts shall be  
81 located away from the public view within a structure.
- 82 8. Within 30 days of approval, the applicant shall submit a spill prevention and  
83 clean-up plan subject to the review and approval of the Planning and Building  
84 Department.
- 85 9. Washing of vehicles and equipment shall be prohibited, unless approved by  
86 the Planning and Building Director.
- 87 10. In the event of substantiated ongoing noise complaints related to the operation,  
88 the Planning and Building Department shall determine if noise is being  
89 generated in excess of 80 decibels at the property line. If so, a public hearing  
90 shall be held for the Planning Commission to consider modifying the conditions  
91 of the use permit to address noise-related issues.
- 92 11. No on-site burning of materials shall be permitted. Any disposal of vegetation  
93 removed as a result of the arborist's activities shall be lawfully disposed of by  
94 grinding and composting off-site. The on-site storage of chipped material shall  
95 be limited to 10 cubic yards.
- 96 12. Chipping, cutting, sawing, and/or processing of timber into firewood or other  
97 smaller segments on site is prohibited.

**APPROVED AND ADOPTED** on June 28, 2017, by the following vote of the  
Calistoga Planning Commission:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Paul Coates, Chair

ATTEST: \_\_\_\_\_  
Lynn Goldberg, Secretary