

City of Calistoga

Staff Report

TO Honorable Mayor and City Council
FROM Lynn Goldberg, Planning and Building Director
DATE February 20, 2018
SUBJECT Zoning Code Amendment for Contractor Storage Yards (ZOA 2017-3)

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

1 **ISSUE:** Consideration of a proposed amendment to the Municipal Code to expand
2 opportunities for contractor storage yards

3 **RECOMMENDATION:** Following a public hearing, introduce the attached ordinance
4 and waive its first reading

5 **BACKGROUND:** The Planning Commission expressed concern about the lack of
6 suitable sites within the city limits that can accommodate equipment/materials storage
7 and ancillary office space for operations such as landscape contractors, tree and
8 equipment maintenance services, and building contractors. Such uses have been
9 accommodated in the past through approval of a use permit in the Community
10 Commercial District and Light Industrial Zoning Districts. Contractor offices with fleet
11 vehicle storage have also been approved through a use permit in the R-3
12 Multifamily/Office Zoning District. However, opportunities for locating additional similar
13 operations in these zoning districts are very limited and some business owners
14 consequently have to park their vehicles and equipment at their homes or at non-
15 sanctioned locations around town. Therefore, the Commission asked staff to explore
16 other potential locations for these types of operations.

17 Staff subsequently presented a report to the Commission suggesting that they could be
18 added as a conditionally-permitted use in the Rural Residential and/or Rural
19 Residential-Hillside Zoning Districts. These zoning districts are most likely to include
20 large properties located on the outskirts of the city. Furthermore, non-residential uses

21 such as commercial farms and wineries are already allowed by use permit in these
22 districts. Following discussion, the Commission recommended that the City Council
23 consider initiating a Zoning Code amendment to add Contractor Storage Yards as a
24 conditionally-permitted use in the RR and RR-H Zoning Districts.

25 On August 15, 2017, the City Council directed staff to initiate the appropriate Zoning
26 Code amendments. On November 8, 2017, the Planning Commission adopted
27 resolution PC 2017-16 recommending to the City Council approval of the amendments,
28 including a definition for “Contractor storage yard.”

29 **DISCUSSION:** The use permit process would provide an opportunity for the Planning
30 Commission to evaluate each proposal individually and assure the compatibility of an
31 operation with existing and future uses in the vicinity. Conditions of approval could
32 include minimum setbacks of storage and buildings from adjoining properties, screening
33 requirements, and limitations on the size and type of an operation, depending on the
34 particular circumstances.

35 **ENVIRONMENTAL REVIEW:** The proposed Zoning Code amendment has been
36 reviewed in accordance with the California Environmental Quality Act and the City has
37 determined that CEQA Guidelines Section 15061(b)(3), the “general rule” exemption,
38 applies because it can be seen with certainty that there is no possibility that the
39 amendment may have a significant effect on the environment. Therefore, the proposed
40 action is exempt from CEQA.

41 **FISCAL IMPACTS:** The City staff processing costs for a contractor storage yard use
42 permit would be paid by the applicant.

43 **ATTACHMENTS**

- 44 1. Draft ordinance
- 45 2. Zoning Map highlighting RR and RR-H Zoning Districts

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA AMENDING TITLE 17, ZONING, TO ADD A DEFINITION FOR “CONTRACTOR STORAGE YARDS” AND ALLOW THEM BY USE PERMIT IN THE RR AND RR-H ZONING DISTRICTS (ZOA 2017-3)

1 **WHEREAS**, there is a lack of suitable sites within the city limits that can
2 accommodate equipment/materials storage and ancillary office space for operations
3 such as landscape contractors, tree and equipment maintenance services, and building
4 contractors; and

5 **WHEREAS**, the lack of suitable sites results in some business owners parking
6 their vehicles and equipment at their homes, at non-sanctioned locations in the city or at
7 locations outside of the city; and

8 **WHEREAS**, these businesses provide important services to the community and
9 the City wishes to support their continued existence; and

10 **WHEREAS**, the Planning Commission reviewed the proposed amendments at a
11 public hearing on November 8, 2017 and adopted PC Resolution 2017-16
12 recommending their approval to the City Council; and

13 **WHEREAS**, during its review, the City Council considered the public record,
14 including the staff report, findings, and any written materials and testimony presented by
15 the public during the hearing.

16 **NOW, THEREFORE, THE CALISTOGA CITY COUNCIL DOES HEREBY**
17 **ORDAIN AS FOLLOWS:**

18 **SECTION ONE**

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

22 **SECTION TWO**

23 The Calistoga Municipal Code is hereby amended as follows:

24 1. Chapter 17.04 Definitions is hereby amended to add the following definition:

25 17.04.164.5 Contractor storage yard

26 “Contractor storage yard” shall mean an area and/or building used by a
27 small-scale general, building, excavation well-drilling or landscaping
28 contractor; landscaping, tree or pool maintenance service; or a similar
29 operation where a limited number of business-related vehicles,
30 equipment and/or materials are stored; and incidental maintenance or
31 shop work may be performed. The use may include the operational
32 offices of the contractor. This use does not include wholesale or retail
33 sales.

34 2. Section 17.141.020(B), Uses Allowed with a Use Permit (in the RR Zoning
35 District), is hereby amended to add the following:

36 11. Contractor storage yards

37 3. CMC Section 17.15.030(B), Uses Allowed by a Use Permit (in the RR-H
38 Zoning District), is hereby amended to add the following:

39 10. Contractor storage yards

40 **SECTION THREE**

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

46 **SECTION FOUR**

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 FIVE**

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.

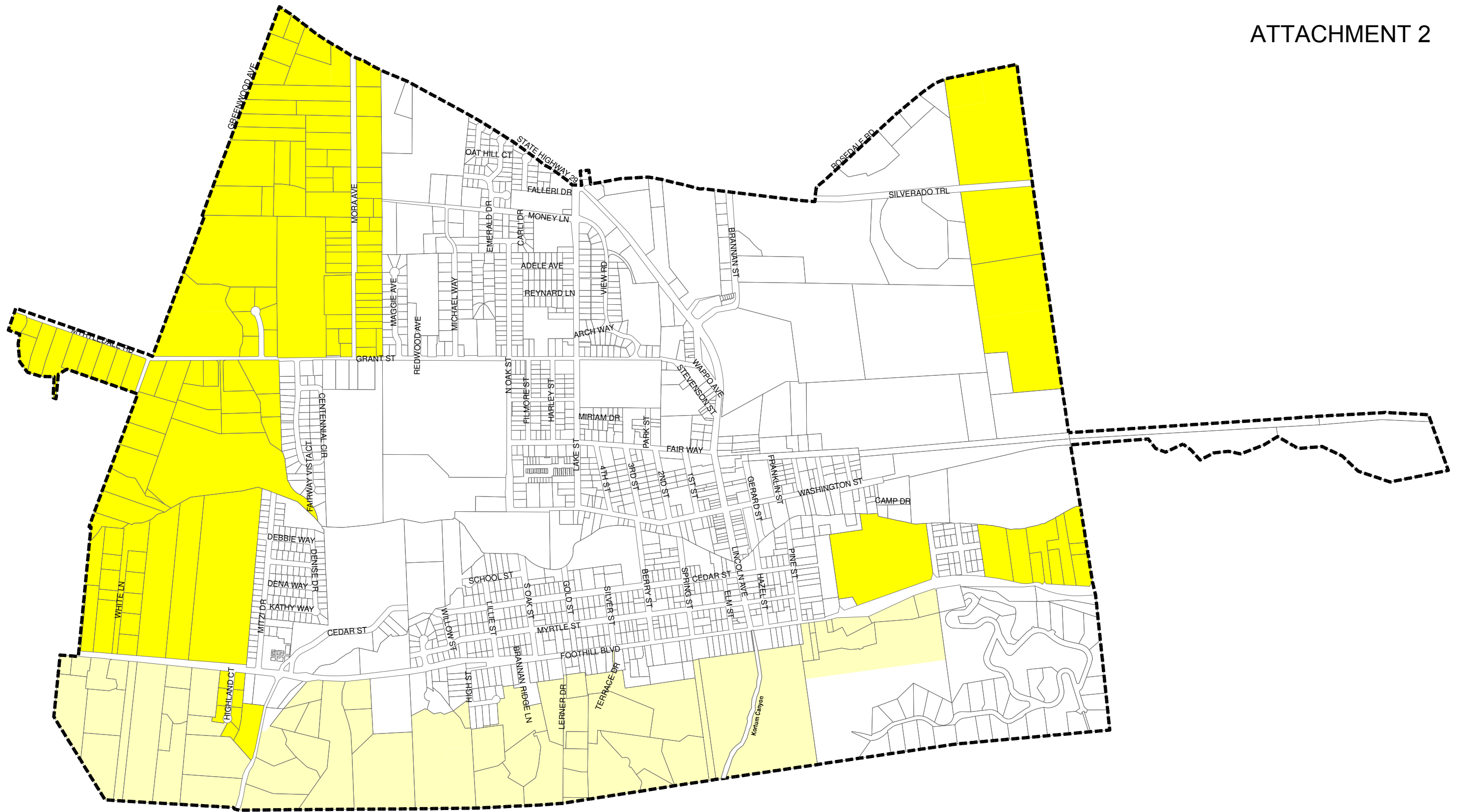
61 THIS ORDINANCE was introduced with the first reading waived at the City of
62 Calistoga City of Council meeting of the **20th day of February, 2018**, and was passed
63 and adopted at a regular meeting of the Calistoga City Council on the ___ **day of** ____,
64 **2018**, by the following vote:

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



69 _____
70 **Chris Canning, Mayor**

71 **ATTEST:**

72
73 _____
74 **Kathy Flamson, City Clerk**



Zoning Districts

-  RR
-  RR-H

Possible Zoning for Contractor Storage Yards

