

City of Calistoga
Staff Report

TO Honorable Mayor and City Council
FROM Lynn Goldberg, Planning and Building Director
DATE March 6, 2018
SUBJECT Second Reading of Ordinance No. 732

APPROVAL FOR FORWARDING:



Dylan Feik, City Manager

ISSUE: Zoning Code Amendment allowing construction storage yards by Conditional Use Permits (ZOA 2017-3)

RECOMMENDATION: Adopt Ordinance No. 732 as submitted

BACKGROUND: On February 20, 2018, following a public hearing, the City Council introduced and waived the first reading of the attached ordinance.

ATTACHMENT

1. Ordinance No. 732

ORDINANCE NO. 732

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**