

CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2021-XX

APPROVING USE PERMIT UP 2021-1 ALLOWING THE
ESTABLISHMENT OF A COTTAGE INDUSTRY (GLASS BLOWING
STUDIO) WITH A RETAIL SHOWROOM IN AN EXISTING
STOREFRONT AT 1400 LINCOLN AVENUE

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2 **WHEREAS**, on January 27, 2021, Mark and Michiko Weiner submitted a request
3 for a use permit in order to establish a cottage industry (glass blowing studio) and retail
4 showroom space within an existing commercial storefront located at 1400 Lincoln
5 Avenue; and

6 **WHEREAS**, the Planning Commission considered this request at its regular
7 meeting of February 24, 2021. Prior to taking action on the application, the Planning
8 Commission received written and oral reports by the staff, and received public
9 testimony; and

10 **WHEREAS**, this action has been reviewed for compliance with the California
11 Environmental Quality Act (CEQA) and is exempt from the requirements of CEQA
12 pursuant to Section 15301 and 15303 of the CEQA Guidelines; and

13 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.030.D has
14 made the following use permit findings for the project:

- 15 1. Finding: Is in accord with the General Plan and any applicable planned
16 development.

17 Supporting Evidence: The proposed development is consistent with the goals
18 and policies of the Calistoga General Plan in that it represents an allowable use
19 in an existing commercial space in a strategic location in the downtown. A glass
20 studio with a retail showroom component would complement the existing mix of
21 uses on the block.

- 22 2. Finding: Is in accord with all provisions of this title.

23 Supporting Evidence: The site is physically suitable for the type and intensity of
24 use in that it occupies an existing space and incorporates retail elements, such
25 as antiques. The type of use contemplated is allowed with a use permit in this
26 district by the zoning code.

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

29 Supporting Evidence: This use is proposed for an existing downtown commercial
30 space. There will not be any excessive noise or lighting, or any other operational
31 characteristics associated with the use that will interfere with surrounding
32 properties.

- 33 4. Finding: Is consistent with and will enhance Calistoga's history of independent,
34 unique, and single location businesses, thus contributing to the uniqueness of the

35 town, which is necessary to maintain a viable visitor industry in Calistoga and to
36 preserve its economy.

37 Supporting Evidence: The re-use of this existing commercial space in the
38 downtown would be consistent with Calistoga's sense of independent and unique
39 single-location businesses. This locally owned-business would be a complement
40 to the downtown in this location. The proposed use would be unique to Calistoga
41 and would continue to enhance the experience for visitors to the city and make a
42 meaningful contribution to the City's fiscal vitality.

43 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
44 Commission that based on the above findings, the Planning Commission approves the
45 proposed use, subject to the following conditions of approval:

- 46 1. The use hereby permitted shall substantially conform to the project descriptions and
47 supporting plans received January 27, 2021 by the Planning and Building
48 Department, except as noted in the permit conditions.
- 49 2. Any expansion or change of use shall require an amendment subject to use
50 permit review as determined by the Planning and Building Department. Minor
51 modifications may be approved in writing by the Planning and Building Director.
- 52 3. No signage is specifically approved as a result of this approval. All signage shall
53 separately be subject to the approval of the Planning and Building Director.
- 54 4. Any minor modifications to the front of the building shall be subject to the review
55 and approval of the Planning & Building Director, unless determined to be
56 significant enough for a formal design review.
- 57 5. This permit shall be null and void if not used within a year, or if the use is
58 abandoned for a period of one hundred and eighty (180) days. Once the use is
59 initiated, this permit shall be valid until it expires or is revoked pursuant to the terms
60 of this permit and/or Chapter 17.40 of the Calistoga Municipal Code.
- 61 7. This use permit does not abridge or supersede the regulatory powers or permit
62 requirements of any federal, state or local agency, special district or department
63 which may retain regulatory or advisory function as specified by statute or
64 ordinance. The applicant shall obtain permits as may be required from each
65 agency.
- 66 8. This project is subject to additional review and approvals by the Calistoga
67 Building Division and the Calistoga Fire Department.
- 68 9. A building permit shall be obtained for any construction occurring on the site not
69 otherwise exempt by the California Building Code or any state or local
70 amendment adopted thereto, and all fees associated with plan check and
71 building inspections, and associated development impact fees established by
72 City Ordinance or Resolution shall be paid.

- 73 10. Prior to operation, an inspection shall be conducted by the Fire Department to
74 ensure compliance with health and safety regulations including the installation of
75 fire extinguishers, smoke detectors and carbon monoxide detectors. Additionally,
76 the occupancy limit of the space shall be reviewed and approved by the Building
77 Official and/or Fire Chief and shall be posted in a conspicuous place for the life of
78 the use.

ADOPTED on February 24, 2020 by the following vote of the Calistoga Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Scott Cooper, Chair

ATTEST: _____
Claudia Aceves, Secretary