

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2021-XX**

**APPROVING USE PERMIT UP 2021-07 ALLOWING A BONDED WINE
BARREL STORAGE FACILITY WITHIN THE EXISTING INDUSTRIAL
BUILDING AT 865 SILVERADO TRAIL**

1 **WHEREAS**, on July 23, 2021, the applicant submitted a use permit application to
2 establish a bonded wine barrel storage facility within the existing industrial building at 865
3 Silverado Trail (APN 011-050-024) within the Light Industrial Zoning District; and

4 **WHEREAS**, the Planning Commission reviewed and considered this application
5 at its regular meeting on September 8, 2021. Prior to taking action on the application, the
6 Commission received written and oral reports by staff and received public testimony; and

7 **WHEREAS**, the Planning Commission has determined that this action is not
8 subject to the California Environmental Quality Act (CEQA) under Section 15301 of the
9 CEQA Guidelines as the proposed bonded wine storage facility use entails negligible
10 alterations and no expansion of former use will occur within the existing structure on the
11 property; and

12 **WHEREAS**, the Planning Commission pursuant to CMC 17.02.190 has
13 determined that the bonded wine barrel storage facility is allowed with a use permit in the
14 Light Industrial Zoning District based upon the following findings:

- 15 1. The subject uses and operations are compatible with the uses permitted in
16 the zone within which it is proposed to be located;
- 17 2. Wine barrel storage is similar to one or more uses permitted in the zone
18 within which it is proposed to be located, such as mini storage and wineries;
19 and
- 20 3. Wine barrel storage will not cause substantial injury to the health, safety, or
21 welfare of the occupants or their property in the zone in which it is proposed
22 to be located.

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

- 25 1. Is in accord with the General Plan and any applicable planned development.
26 Finding: The proposed bonded wine storage facility is consistent with the
27 goals and policies of the Calistoga General Plan in that it represents
28 allowable uses in an existing industrial space within the Entry Corridor 2:
29 Downvalley Silverado Trail overlay, which recognizes the existing light
30 industrial facility. The Resort Character Area overlay, which also applies to
31 the property, allows re-use of the existing industrial building, as well as the
32 proposed light industrial use. A bonded wine storage facility in this location
33 provides wineries located within the Calistoga area a safe local facility to
34 store their bonded wine barrels.

35 2. Is in accord with all applicable provisions of this title.

36 Finding: The I: Light Industrial Zoning District conditionally allows the noted
37 uses, specifically wineries and warehousing with a use permit. The use is
38 consistent with all I District development standards and would comply with
39 the parking requirements associated with the use as the property has more
40 parking than required for the use. The project is in compliance with all other
41 development standards for the Zoning District.

42 3. Will not substantially impair or interfere with the development, use or
43 enjoyment of other property in the vicinity.

44 Finding: The proposed use is similar to those already found within the Light
45 Industrial Zoning District. The project would generate less traffic, water use,
46 and wastewater than previously permitted uses, have sufficient parking, and
47 would operate during normal business hours with all operations occurring
48 inside the building. As such, no significant new noise or traffic impacts are
49 expected from the project.

50 4. Is consistent with and enhances Calistoga's history of independently owned
51 businesses, thus contributing to the uniqueness of the town, which is
52 necessary to maintain a viable visitor industry and promote its economy.

53 Finding: The proposed use would be consistent with Calistoga's sense of
54 independent and unique single-location businesses. The owners and
55 representatives are located in Calistoga and are establishing Calistoga
56 Vintner's Service to provide services for the local wine industry. The project
57 would provide an opportunity for wineries within the Calistoga area affected
58 by recent wildfires and insurance increases to have a safe local facility to
59 store their bonded wine barrels. The project as proposed would provide
60 opportunities for local wineries, thereby enhancing the local wine industry
61 and the local economy.

62 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
63 Commission that based on the above findings, the Planning Commission approves the
64 proposed project, subject to following conditions of approval:

- 65 1. This permit authorizes the establishment and operation of a bonded wine barrel
66 storage facility on the site, consistent with all other City ordinances, rules,
67 regulations, and policies. The use shall also be consistent with the project
68 description and supporting plans received in July 2021 by the Planning and
69 Building Department, except as noted in the permit conditions.
- 70 2. Development and use of the property shall conform to all required conditions
71 established herein. If the conditions to the granting of this use permit have not
72 been or are not complied with, or the use which is established by this permit have
73 become detrimental to the public health, safety or general welfare, the Planning

- 74 Commission may consider an amendment to these conditions or revocation of
75 this permit to protect the public health, safety and general welfare of the
76 community, as set forth in the City's Zoning Ordinance.
- 77 3. The normal business operations within the structure shall be limited from 5am to
78 6pm seven (7) days per week, unless substantial health, safety and welfare
79 impacts occur, in which case the Planning and Building Department or the
80 Planning Commission may impose greater restrictions.
- 81 4. Prior to occupancy, a barrel storage plan shall be submitted to the City subject to
82 the review and approval of the Planning and Building and Fire Departments. Wine
83 barrel storage shall be limited to 8,000 barrels and shall comply with the California
84 Fire Code requirements.
- 85 5. The term of approval of this permit shall expire one year from the permit's effective
86 date, unless the use has commenced or an extension and/or building permit has
87 been issued for the project prior to the expiration date.
- 88 6. All work performed in conjunction with this approval shall be by individuals who
89 possess a valid business license from the City of Calistoga.
- 90 7. The property owner shall obtain a Building Permit for construction of all
91 improvements located on the site, not otherwise exempt by the California Building
92 Code or any State or local amendment adopted thereto.
- 93 8. Prior to issuance of any building permits, the property owner agrees to pay all
94 fees associated with plan check and building inspections, and associated
95 development impact fees rightfully established by City Ordinance or Resolution,
96 unless otherwise deferred by the Planning and Building Department.
- 97 9. This use permit does not abridge or supersede the regulatory powers or permit
98 requirements of any federal, state, or local agency, special district or department
99 which may retain regulatory or advisory function as specified by statute or
100 ordinance. The applicant shall obtain permits as may be required from each
101 agency.
- 102 10. The property shall not exceed the established annual baseline for water and
103 wastewater use, which is 70 acre-feet of water and 95 acre-feet of wastewater.
- 104 11. No signage is permitted as a result of this approval. All new signage shall
105 separately be subject to the approval of the Planning and Building Department.
- 106 12. Prior to occupancy, the property shall have illuminated address numbers posted
107 that are clearly visible to the street day and night.

108 **ADOPTED** on September 8, 2021, by the following vote of the Calistoga Planning
109 Commission:

AYES:

Resolution No. PC 2021-XX
Calistoga Vintner's Service, LLC
Bonded Wine Barrel Storage Facility
Use Permit UP 2021-07
865 Silverado Trail
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NOES:
ABSTAIN:
ABSENT:

Scott Cooper, Chair

ATTEST: _____
Claudia Aceves, Secretary