

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)

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

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

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

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

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

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

SECTION ONE

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

SECTION TWO

The Calistoga Municipal Code is hereby amended as follows:

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

17.04.164.5 Contractor storage yard

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

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

11. Contractor storage yards

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

SECTION THREE

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

SECTION FOUR

Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional, or invalid, or ineffective.

SECTION FIVE

Effective Date. This Ordinance shall take effect thirty (30) days after its passage and before the expiration of fifteen (15) days after its passage, shall be published in accordance with law, in a newspaper of general circulation published and circulated in the City of Calistoga.

THIS ORDINANCE was introduced with the first reading waived at the City of Calistoga City of Council meeting of the **20th day of February, 2018**, and was passed and adopted at a regular meeting of the Calistoga City Council on the **6th day of March, 2018**, by the following vote:

AYES: Vice Mayor Dunsford, Councilmembers Lopez-Ortega, Barnes and Kraus and Mayor Canning
NOES: None
ABSENT: None
ABSTAIN: None



Chris Canning, Mayor

ATTEST:


Kathy Flamson, City Clerk