

**RESOLUTION NO. 2009-103**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, SUSPENDING APPLICABLE PROVISIONS OF THE GROWTH MANAGEMENT SYSTEM PROGRAM AND DESIGNATING AUTHORITY TO THE PLANNING & BUILDING DIRECTOR TO PROCESS ALLOCATIONS PURSUANT TO CHAPTER 19.02 GROWTH MANAGEMENT SYSTEM OF THE CALISTOGA MUNICIPAL CODE**

**WHEREAS**, the City Council of the City of Calistoga, on January 4, 2005, adopted an Ordinance #616 establishing Chapter 19.02 Growth Management System of the Calistoga Municipal Code applicable to development in all zoning districts; and

**WHEREAS**, the City Council of the City of Calistoga, on September 6, 2005 adopted Ordinance #624 amending Chapter 19.02 Growth Management System of Calistoga Municipal Code to clarify and improve program implementation; and

**WHEREAS**, the City Council of the City of Calistoga, on June 2, 2009 adopted Ordinance #660 amending Chapter 19.02 Growth Management System of Calistoga Municipal Code to further clarify, streamline and improve program implementation; and

**WHEREAS**, the City Council of the City of Calistoga, on October 20, 2009 adopted Ordinance #664 amending Chapter 19.02 Growth Management System of Calistoga Municipal Code to provide provisions for the administrative processing of growth management allocations when authorized by the City Council by resolution; and

**WHEREAS**, the City's Growth Management System was found consistent with the City's General Plan, which establishes growth management policies based on a desire to restrict population growth to no more than 1.35% per year and to balance growth with the availability of essential public facilities and services; and

**WHEREAS**, the Growth Management System established procedures for the assessment of community conditions, the availability of resources in order to determine an estimate for the number of residential units and acre-feet of water for non-residential uses that will be available, a priority list of general development objectives for allocation request evaluation, specific timeframes for awarding allocations to residential and non-residential development on an annual basis, and deadlines for securing awarded allocations; and

**WHEREAS**, the City Council of the City of Calistoga, at its regular meeting of November 3, 2009, considered as one of its items of business, the Planning Commission's recommendation for suspension applicable provisions of the Growth Management System program and delegation of authority to the Planning & Building Director to grant allocations until such time development demands become more substantial.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Calistoga, based on the purpose and objectives of the City's Growth Management System program, and specific provisions provided in Section 19.02.090 Suspension and Delegation of Chapter 19.02 Growth Management System of the Calistoga Municipal Code, suspends applicable provisions of the City's Growth Management System Program related to allocation processing timeframes and milestone lists and transfers authority to the Planning & Building Director, as follows:

1. Provisions of Chapter 19.02 Growth Management System remain in full force, except for the following:
  - a. Section 19.02.060 Allocation Procedures, specifically Subsections A, B, C, D, G-1, G-2, G-5, and G-6.
  - b. The Planning & Building Director shall be authorized to grant allocations under the provisions of this resolution. In addition, the Director shall be responsible for tracking all reserved and granted allocations.
2. Every six (6) months, the Planning & Building Director shall distribute a report to the Planning Commission and City Council providing information on the number of allocations granted administratively and the status of key elements of the Growth Management System. Allocations shall not be made by the City where there is inadequate water or wastewater treatment capacity or when population growth for residential allocations, measured over a five year fixed period, exceeds a 1.35% rate.
3. The City Council shall revisit this resolution to determine what change, if any, is appropriated when more than 50% of the allocations allowed in the current five-year planning cycle have been awarded.
4. Growth Management Allocation requests submitted as part of the 2010 cycle shall be authorized to proceed forward under this Resolution.
5. Any decision on an allocation by the Planning & Building Director pursuant to the provision of CMC Chapter 19.02 may be appealed to the City Council pursuant to CMC Chapter 1.20 Appeals.

**NOW THEREFORE BE IT FURTHER RESOLVED** that this resolution shall take effect on November 19, 2009.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Calistoga at a regular meeting held this **3rd day of November, 2009**, by the following vote:

**AYES: Mayor Gingles, Councilmembers Kraus, Slusser, and Garcia**

**NOES: None**

**ABSENT: Vice Mayor Dunsford**

**ABTAIN: None**

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**JACK GINGLES, Mayor**

**ATTEST:**

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**SUSAN SNEDDON, City Clerk**