

# MINUTES

## CALISTOGA PLANNING COMMISSION

November 26, 2014

1 The meeting was called to order at 5:30 pm.

### 2 **A. ROLL CALL**

3 Commissioners present: Chair Jeff Manfredi, Vice Chair Carol Bush, Commissioners  
4 Scott Cooper, Paul Coates, Tim Wilkes. Absent: None. Staff present: Planning &  
5 Building Director Lynn Goldberg, Senior Planner Erik Lundquist.

### 6 **B. PLEDGE OF ALLEGIANCE**

### 7 **C. PUBLIC COMMENTS**

8 None.

### 9 **D. ADOPTION OF MEETING AGENDA**

10 The meeting agenda of November 26, 2014 was accepted as presented.

### 11 **E. COMMUNICATIONS/CORRESPONDENCE**

12 A letter from Caltrans for Item G.1. and a letter from David Moon-Wainwright for Item  
13 G.2. were distributed to the Commission.

### 14 **F. CONSENT CALENDAR**

#### 15 **1. Commission Minutes**

16 The November 12, 2014 minutes were unanimously adopted as presented.

### 17 **G. PUBLIC HEARINGS**

#### 18 **1. Fair Way Extension Path Project Mitigated Negative Declaration:** 19 Consideration of a Mitigated Negative Declaration for the Fair Way Extension 20 Path Project

21 **Planning Director Goldberg** noted that a 10-foot wide path for use by bicyclists  
22 and pedestrians currently extends westerly from Dunaweal Lane to Tedeschi  
23 Little League field, terminating approximately .6 miles from central Calistoga. The  
24 Calistoga Active Transportation Plan calls for this path to extend to the  
25 intersection of Lincoln Avenue and Fair Way Extension. On June 17, 2014, the  
26 City Council selected a preferred alignment for the path extension and directed  
27 staff to proceed with the preparation of construction plans and environmental  
28 analysis.

29 An Initial Study prepared for the project identified potential environmental impacts  
30 in the areas of air quality, biological resources, hydrology/water quality, noise,  
31 transportation/traffic and utilities. However, it was determined that although the  
32 proposed project could have a significant effect on the environment, there will not  
33 be a significant effect in this case because project revisions have been agreed to  
34 by the City. Therefore, a Mitigated Negative Declaration (MND) was prepared

35 that includes details on potential impacts and the project's mitigation monitoring  
36 program.

37 The MND was sent to the State for distribution to appropriate agencies, and  
38 owners and occupants of property contiguous to the project within 300 feet were  
39 notified of its availability for review. No comments were received during the 30-  
40 day public review period; however, a letter was submitted by Caltrans after the  
41 close of the period. As a result of comments raised in the letter, the expansion of  
42 two mitigation measures and the addition of a standard measure is  
43 recommended. These changes are reflected in the revised resolution distributed  
44 to the Commission.

45 Ms. Goldberg advised the Commission that Nancy Dakin Woltering, who  
46 prepared the MND and Mitigation Monitoring Program was available to answer  
47 any questions. On the basis that there is no substantial evidence that the project  
48 may have a significant impact on the environment, staff recommends that the  
49 Planning Commission adopt a resolution adopting a Mitigated Negative  
50 Declaration and Mitigation Monitoring Program for the Fair Way Extension Path  
51 Project.

52 In response to a question from **Commissioner Bush**, Ms. Goldberg indicated  
53 that although the pathway would pass closely by the preschool and fencing may  
54 be required to protect the students, no significant modification to the preschool  
55 would be required.

56 In response to questions from **Commissioner Wilkes** regarding who would  
57 decide the appropriate crosswalk lighting enhancements required by Caltrans,  
58 Ms. Goldberg responded that a study would determine the appropriate design  
59 alternative, which would ultimately need to be approved by Caltrans. She does  
60 not believe that additional environmental review would be required for either  
61 alternative. Any trees removed would be required by the Public Works  
62 Department to be replaced at a 3:1 ratio; CDFW would not generally provide any  
63 further input regarding replacement. There are no conflicts between the pathway  
64 and the former gliderport property; the pathway is located entirely within the  
65 public (former railroad) right-of-way and the plans will accommodate the drainage  
66 that flows across the area towards the pathway.

67 **Commissioner Wilkes** suggested revising No. 5 under noise mitigation to  
68 prohibit construction workers' music and prohibit communications radios that are  
69 audible from adjoining properties entirely rather than what is currently stated in  
70 the measure.

71 In response to a question from **Commissioner Coates**, Ms. Goldberg responded  
72 that the City will have to coordinate any Lincoln Avenue crosswalk  
73 enhancements for pathway users with Caltrans.

74 **Commissioner Coates** observed that there is a grade differential along sections  
75 of the pathway, resulting in retaining walls. He would like to ensure that they do  
76 not have to be relocated in the future when parking is installed along Fair Way.

77 **Chair Manfredi** opened and closed the public hearing after no comments were  
78 offered.

79 **Commissioner Cooper** is glad to see the path occurring and evolving.

80 A motion by **Chair Manfredi** to adopt a resolution approving a Mitigated Negative  
81 Declaration for the Fair Way Extension Path Project, with the revision to Noise  
82 Mitigation Measure No. 5, was seconded by **Commissioner Cooper** and  
83 approved unanimously.

84 **2. Amendments to CMC Chapter 17.37, Second Dwelling Units (ZOA 2014-4):**  
85 Consideration of a recommendation to the City Council to repeal and replace  
86 CMC Chapter 17.37, Second Dwelling Units, in order to delete regulations that  
87 constrain the development of second units, and delete redundant and  
88 unnecessary provisions and wording

89 **Ms. Goldberg** noted that the updated Housing Element included an action to  
90 consider amendments to the Zoning Code's regulations for second dwelling units  
91 in order to promote their development. In addition to deleting seven development  
92 standards because they do not appear to be warranted, staff is also  
93 recommending allowing second units not exceeding 15 feet in height to be  
94 located within 10 feet of the rear property line, rather than having to comply with  
95 the 20-foot setback required for the primary unit. Another proposed amendment  
96 would allow the maximum lot coverage in the R-1 Zoning District to be increased  
97 from 30 percent to 35 percent (with administrative approval) and to 37 percent  
98 (with written notice to property owners within 300 feet and administrative  
99 approval) to accommodate a second unit under certain circumstances, such as  
100 being designed to minimize physical and visual intrusion on adjacent properties.

101 Because second units are required by the State to be reviewed using the same  
102 process as for the primary dwelling, the Commission may wish to replace the  
103 administrative use permit requirement that is included in the proposed ordinance  
104 with a design review approval requirement. Measures to minimize privacy  
105 intrusion and impacts on neighboring properties' scenic views could still be  
106 retained in the development standards.

107 She addressed the concerns in Mr. Moon-Wainwright's letter, noting that one on-  
108 site parking space would be required for a second unit, in addition to the two  
109 parking spaces for the primary unit, and that it would not be possible to limit the  
110 number of vehicles associated with a particular second unit.

111 **Commissioner Coates** believes that the wording of 17.37.040(B.) regarding  
112 windows is confusing because the first part of the standards uses "shall" and the  
113 second part uses "should." Ms. Goldberg suggested striking the suggested  
114 methods of minimizing privacy intrusion and rely on the residential design  
115 guidelines instead.

116 **Commissioner Wilkes** noted that the proposed development standards for  
117 minimum separation between the primary and secondary dwelling unit would

118 usually be greater than six feet because of building code regulations. Ms.  
119 Goldberg suggested deleting Section 17.37.030(I.) and rely on the Building Code  
120 for separation requirements. The Commission concurred with deleting this  
121 subsection.

122 **Commissioner Wilkes** believes that there should be flexibility with the color of  
123 the second unit. Ms. Goldberg noted that the word “compatible” is used in  
124 Section 17.37.040(A.) to provide flexibility.

125 **Commissioner Cooper** observed that the Section seems to prohibit the  
126 installation of a manufactured home behind a stucco home. Ms. Goldberg  
127 suggested that compatibility could be required if the second unit could be seen  
128 from a public street.

129 There was Commission consensus that requiring a second unit’s design to be  
130 compatible with the primary unit’s provides sufficient flexibility. It was also the  
131 consensus to require design review approval for second units in zoning districts  
132 where they are a permitted use, rather than require an administrative use permit.

133 **Chair Manfredi** opened and closed the public hearing after there were no  
134 comments.

135 A motion by **Vice-Chair Bush** and seconded by **Commissioner Wilkes** to adopt  
136 a resolution that the City Council rescind and replace Chapter 17.37, and delete  
137 three definitions from Chapter 17.04 as shown in Exhibit A thereto and as  
138 modified by the Commission’s discussion was approved unanimously.

139 **H. MATTERS INITIATED BY COMMISSIONERS**

140 None.

141 **I. DIRECTOR REPORT**

142 Ms. Goldberg advised the Commission that she had received comments from the  
143 State on the draft Housing Element Update and they can be readily addressed. She  
144 reminded the Commission that there will be no meeting on December 24th.

145 **J. ADJOURNMENT**

146 The meeting was adjourned at 6:03 p.m.

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Lynn Goldberg  
Planning Commission Secretary