

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALISTOGA AMENDING THE CALISTOGA ZONING MAP TO REZONE THE PROPERTIES LOCATED AT 1213 AND 1303 FOOTHILL FROM THE R-1-10 ONE-FAMILY RESIDENTIAL TO THE DC DOWNTOWN COMMERCIAL ZONING DISTRICT

1 **WHEREAS**, on February 2, 2015, Nicholas and Gillian Kite submitted a request
2 to rezone the properties located at 1213 and 1303 Foothill Boulevard from R-1-10 One-
3 Family Residential to the Downtown Commercial Zoning District; and

4 **WHEREAS**, the proposed amendment to the Zoning Map for the City of
5 Calistoga is consistent with the applicable General Plan policies and would have no
6 detrimental affect on the public health, safety and general welfare of the community.
7 The proposed zoning district provides for development provisions that are consistent
8 with the community's goals to provide a mix of residential and visitor-related uses; and

9 **WHEREAS**, the Planning Commission reviewed the proposed amendment at a
10 public hearing on February 25, 2015, and after considering the public record, including
11 the staff report and findings, adopted PC Resolution 2015-5 forwarding a
12 recommendation that the City Council approve the rezoning of the properties; and

13 **WHEREAS**, the proposed amendment is not subject to the California
14 Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines
15 because it can be seen with certainty that there is no possibility that they may have a
16 significant effect on the environment.

17 **WHEREAS**, the City Council of the City of Calistoga reviewed and considered
18 this ordinance at a public hearing on May 19, 2015, noticed in accordance with state
19 and local law, and which included the written and oral staff report, the Planning
20 Commission's recommendation and comments received from the general public and
21 interested agencies and parties.

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

SECTION ONE

24 Findings. The above recitals are incorporated herein as if set forth herein in full
25 and each is relied upon independently by the City Council for its adoption of this
26 ordinance.
27

SECTION TWO

28 The Zoning Map provided in Section 17.03.010 of Title 17 of the Calistoga
29 Municipal Code is hereby amended to rezone the properties located at 1213 and 1303
30 Foothill Boulevard from the R-1-10 One-Family Residential to the DC Downtown
31 Commercial Zoning District.
32

34 **SECTION THREE**

35 The City Clerk or his or her designee is hereby directed to amend the Zoning
36 Map of the City of Calistoga, California, which is on file with the City, to reflect the
37 change in zoning for the subject property described in the above title.

38 **SECTION FOUR**

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

45 **SECTION FIVE**

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

55 **SECTION SIX**

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

60 THIS ORDINANCE was introduced with the first reading waived at the City of
61 Calistoga City of Council meeting of the **19th day of May, 2015**, and was passed and
62 adopted at a regular meeting of the Calistoga City Council **on the ___ day of ___, 2015**,
63 by the following vote:

64 **AYES:**
65 **NOES:**
66 **ABSENT:**
67 **ABSTAIN:**

68 _____
Chris Canning, Mayor

69 **ATTEST:**

70 _____
71 **Kathy Flamson, City Clerk**



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FEB - 2 2015

CITY OF CALISTOGA

NICHOLAS AND GILLIAN KITE

The Craftsman Inn

1213 FOOTHILL BOULEVARD • CALISTOGA, CA • 94515

PHONE: 707 942 0680 • FAX: 707 942 4657 EMAIL: INFO@LODGINGINNAPAVALLEY.COM

TO: CITY OF CALISTOGA
PLANNING AND BUILDING DEPARTMENT
1232 Washington Street
Calistoga, CA 94515

Re: Narrative supporting application for a General Plan amendment and Zoning Ordinance map amendment for 1213 and 1303 Foothill Boulevard.

January 29, 2015

Dear Erik,

With this letter we request a General Plan amendment and Zoning Ordinance map amendment to include the properties located at 1213 and 1303 Foothill Boulevard within the Downtown Commercial land use designation and Downtown Commercial zoning district. Below is our rationale for the requests.

We have owned the property at 1213 Foothill Boulevard since 2005. Renovations to restore the building and convert it to a high quality visitor accommodation were completed in 2007 and we have been operating The Craftsman Inn since then as a 5-unit bed and breakfast facility (U 2010-08 and U 2006-16).

In 2014 we purchased the adjoining property at 1303 Foothill Boulevard which had been operating as a fortune telling parlor, as we found, complete with three dimensional murals and associated items.

Our intention is to use this property to expand the Craftsman Inn. Initial discussions with staff indicated that in principle (i.e., subject to obtaining appropriate entitlements) this would be a feasible project as an extension of the current business.

Staff indicated that the project may gain support as one consolidated property and business enabling more efficient use of parking, and a cohesive architectural approach as required by the General Plan Land Use Elements.

Both properties are within the Entry Corridor 3: *Lincoln Avenue at Foothill Boulevard* General Plan overlay land use designation. 1213 Foothill Boulevard is also within the Lincoln Avenue/Foothill Boulevard Gateway Overlay. Relevant land use considerations within the General Plan Land Use Element of the general plan include:

- "Retain enhance and complement the existing conforming retail, commercial, artisan and lodging establishments in the gateway"

- "The defining streetscape elements of the Historic District of the Downtown Character Area should be extended to the Lincoln/Foothill intersection and along Foothill Boulevard east to Pine Street and West to Elm Street.

- "As opportunities present themselves enhance the appearance of properties in this area and coordinate improvements..."

Given these requirements of the General Plan, the two properties should be developed in a cohesive manner and the resulting coordination should be made permanent by means of a lot merger or other binding joint encumbrance of the combined properties so there would be no possibility that an enlarged visitor accommodation covering both sites could at any time be reincarnated as two separate visitor accommodations potentially resulting in an uncoordinated look to this important gateway.

In Summary:

Merging the properties and creating a joint development in order to further the General Plan Land Use Element policies provides a substantial benefit to the community.

To facilitate effective design review and conditional use permitting, the properties must be designated Downtown Commercial and have a reciprocal Downtown Commercial Zoning District.

Therefore we respectfully request that the properties located at 1213 and 1303 Foothill Boulevard be designated Downtown Commercial in the General Plan Land Use Element and rezoned to a Downtown Commercial zoning district to enable a cohesive, permanently coordinated development ensuring consistency of the General Plan Land Use policy direction.

Yours sincerely,



Nicholas Kite



Gillian Kite