

MINUTES

CALISTOGA PLANNING COMMISSION

June 10, 2015

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, Paul Coates,
4 Tim Wilkes. Absent: Scott Cooper (excused). Staff present: Planning & Building
5 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 June 10, 2015 was accepted as presented.

11 **E. COMMUNICATIONS/CORRESPONDENCE**

12 Communications from David Moon-Wainwright and Kristin Casey regarding Item
13 G.2. were distributed to the Commission.

14 **F. CONSENT CALENDAR**

15 **1. Commission Minutes**

16 The minutes for the May 27, 2015 meeting were unanimously adopted as
17 presented.

18 **G. PUBLIC HEARINGS**

19 **1. Heibel Ranch Vineyards Tasting Room UP 2015-3:** Consideration of a use
20 permit to establish a wine tasting and retail business within an existing
21 commercial space located at 1458 Washington Street, Suite 12 (The Calistoga
22 Depot)

23 **Vice Chair Bush** recused herself from the item because of her business'
24 proximity to the proposed project and left the meeting.

25 Senior Planner Lundquist presented the staff report for the item. He noted that
26 the operation would comply with the City's grape-sourcing regulations. All food
27 service would be pre-packaged. He observed that there are numerous wine
28 tasting operations in the downtown, but they are generally spread out and some,
29 such as this one, are located in unique facilities. The City is in a wine-making
30 region and needs to support this industry.

31 In response to questions from **Commissioner Coates**, Mr. Lundquist
32 acknowledged that the applicant would have to obtain Planning Commission

33 approval for expanded food service, and that the ABC has determined that there
34 is an over-concentration of businesses selling alcoholic beverages in Calistoga.

35 **Commissioner Coates** expressed concern over the potential homogenization of
36 downtown and loss of its uniqueness. Mr. Lundquist noted that several years ago
37 the Commission had directed staff to ask the City Council if there was a need to
38 regulate the number of downtown tasting facilities now and the Council declined
39 to do so. Given that there are an even greater number of tasting facilities and that
40 there seems to be a recent increase in applications for them, it would be
41 reasonable for the Commission to make a similar request again.

42 **Chair Manfredi** suggested that since this topic is not an agenda item, it be
43 deferred to the Commission matters portion of the meeting.

44 **Chair Manfredi** opened the public hearing.

45 **Trent Ghiringhelli**, representing Heibel Ranch Vineyards, informed the
46 Commission that he is a Calistoga resident and looks forward to opening his
47 business.

48 **Chair Manfredi** closed the public hearing.

49 **Commissioner Wilkes** noted that the application is similar to the recently-
50 approved Olabisi Tasting Room in that it is a local, bootstrap operation and there
51 isn't another reasonable alternative for the winery to offer public tasting.

52 A motion by **Commissioner Wilkes** to adopt a resolution approving a use permit
53 to establish a wine tasting and retail business at 1458 Lincoln Avenue, Suite 12
54 was seconded by **Chair Manfredi** and approved unanimously.

55 **2. Land Use Element Amendments GPA 2015-1: Consideration of amendments**
56 **to the Land Use Element of the Calistoga General Plan**

57 **Vice Chair Bush** rejoined the meeting.

58 Planning & Building Director Lynn Goldberg presented the staff report for the
59 item. The recently-updated Housing Element of the Calistoga General Plan
60 necessitates amending the Land Use Element in order to maintain internal
61 consistency. Staff also has identified background information and actions that
62 should be updated. Staff does not believe that a comprehensive update of the
63 Land Use Element is warranted, since it was substantially amended in 2012
64 through the incorporation of certain provisions of the Urban Design Plan.
65 Responses to comments received from Rev. David Moon-Wainwright and Kristin
66 Casey on the item have been provided to the Commission. The proposed
67 amendments would allow a wide variety of residential care facilities in all of the
68 residential districts, including facilities that care for up to 12 persons. In response
69 to Rev. Moon-Wainwright's comments, staff further recommends replacing the
70 "convalescent care", "community care" and "congregate care" use categories with
71 two new use categories – "large residential care facilities for the elderly" and
72 "skilled nursing facilities" – as allowed uses on properties with the Community

73 Commercial Land Use Designation. This would ensure that these larger projects,
74 which generate more traffic and different types of traffic (e.g., delivery trucks), are
75 not located in residential neighborhoods. No revisions are recommended in
76 response to Ms. Casey's comments.

77 In response to questions from **Commissioner Wilkes**, Ms. Goldberg advised
78 him that the Land Use Element amendments did not include updated
79 demographic information, since it was included in the recently-updated Housing
80 Element. She confirmed that the proposed amendments would not affect the
81 ability to establish or maintain residential care facilities for up to 12 persons in
82 residentially-designated areas.

83 **Commissioner Coates** thanked Rev. David Moon-Wainwright and Ms. Casey
84 for their comments and for staff responding so quickly to them. It is important that
85 the community be involved in these types of discussions.

86 In response to a question from **Vice Chair Bush**, Ms. Goldberg explained that
87 the vacant property behind Riverlea Square is zoned R-2 and would not be
88 affected by the proposed amendments to the commercial land use designations.

89 **Chair Manfredi** opened the public hearing.

90 **David Moon-Wainwright**, 1210 Pine Street, thanked staff for responding to his
91 concerns. He believes that care facilities of 20 beds would be appropriate in
92 residential areas. There is a lack of local facilities to accommodate seniors who
93 are injured or ill and cannot recover in their home. It's often very difficult for
94 friends and relatives to visit seniors who are recovering in Napa or Santa Rosa.
95 Our community needs convalescent and long-term care. The smaller care homes
96 are very appropriate for the residential neighborhoods and it's important to
97 protect them.

98 **Chair Manfredi** closed the public hearing.

99 **Commissioner Wilkes** has observed the operation of The Cedars rest home for
100 many years and feels that it is very suitable for the neighborhood. However, if it
101 had 20 beds, it would have negative impacts. Staff has struck a good balance in
102 its recommendation to limit residential care facilities to 12 persons. He agrees
103 with Rev. Moon-Wainwright about the long-term need for such services and there
104 is ample opportunity for its development on properties classified in the
105 Community Commercial land use designation.

106 **Chair Manfredi** agrees with Rev. Moon-Wainwright, however, it's not the
107 Planning Commission's charge to proactively meet the needs of seniors. He also
108 agrees that care facilities with 20 beds would be too large for residential
109 neighborhoods and the proposed 12 person limit is consistent with state law.

110 A motion by **Commissioner Coates** to adopt a resolution recommending to the
111 City Council adoption of the proposed amendments to the Land Use Element of
112 the Calistoga General Plan, with the replacement of the "convalescent care,"
113 "community care" and "congregate care" use categories with the "large

114 residential care facilities for the elderly” and “skilled nursing facilities” use
115 categories in the Community Commercial land use designation was seconded by
116 **Vice Chair Bush** and approved unanimously.

117 **3. Zoning Ordinance Amendment ZOA 2015-2:** Consideration of a
118 recommendation to the City Council to amend the commercial zoning districts of
119 the Zoning Code

120 Ms. Goldberg presented the staff report for the item. The recent update to the
121 Housing Element requires that the commercial zoning districts be amended to
122 maintain consistency with the General Plan. The proposed amendments would
123 also separate the commercial zoning districts into two chapters and add purpose
124 and intent statements for each district. The use permit requirement for
125 modifications to existing structures that result in an increase in the number of
126 leasable spaces would be deleted. It is also proposed that the DD District be
127 eliminated because it is duplicative of provisions included in the zoning districts
128 as well as existing design review requirements. Housekeeping-type revisions are
129 also proposed to better organize the regulations. She noted that “community
130 care” and “congregate care facilities” should be replaced with “large residential
131 care facilities for the elderly” and “skilled nursing facilities,” consistent with the
132 proposed amendments to the General Plan Community Commercial land use
133 designation.

134 **Commissioner Wilkes** expressed concern that the sale of firearms and
135 ammunition was not specifically listed as a conditionally-permitted use in the
136 commercial zoning districts and that the City would therefore have little control
137 over them. It was the consensus of the Commission to add this to the lists of
138 uses subject to approval of a use permit in both commercial zoning districts. The
139 Commission asked staff to develop potential guidelines for such sales.

140 **Chair Manfredi** opened the public hearing.

141 In response to a question from **Diane Barrett**, Ms. Goldberg confirmed that no
142 rezonings of commercial properties are proposed as part of the proposed
143 amendments.

144 **David Moon-Wainwright** observed that there is no mention of pharmacies as
145 permitted or conditionally-permitted uses in the commercial zoning districts; and
146 wondered whether dispensaries should be included.

147 Mr. Lundquist noted that the Calistoga Municipal Code prohibits medical
148 marijuana dispensaries in the city.

149 **Chair Manfredi** closed the public hearing.

150 A motion by **Commissioner Wilkes** to adopt a resolution recommending that the
151 City Council 1) rescind Calistoga Municipal Code Chapter 17.22 Commercial
152 Land Use Districts and Chapter 17.28 Design District, 2) adopt Chapter 17.21,
153 DC Downtown Commercial District and Chapter 17.22, CC Community
154 Commercial District, including the recommended replacement of “community

155 care” and “congregate care facilities” with “large residential care facilities for the
156 elderly” and “skilled nursing facilities” and revising Chapter 17.04 Definitions
157 accordingly, 3) renumber existing Chapter 17.21, Home Occupations to Chapter
158 17.43 and 4) change references from “general commercial district” to
159 “commercial zoning districts” was seconded by **Vice Chair Bush** and approved
160 unanimously.

161 **H. MATTERS INITIATED BY COMMISSIONERS**

162 **Commissioner Coates** believes that there should be additional discussion about
163 the recent increase in the number of applications for wine tasting rooms, as we are
164 starting to lose the eclectic nature of downtown. There are lots of other tasting
165 opportunities elsewhere in the county. Ms. Goldberg suggested it could be a
166 possible topic for a future Mayor’s Forum. **Commissioner Wilkes** observed that if
167 everyone who makes wine in Napa Valley needs a tasting facility, it would lead to
168 development of tasting rooms all over the county. A co-op tasting facility could be
169 developed to accommodate numerous wineries. He would like to see a discussion of
170 the benefits and costs of wine tasting operations to the community and hear the
171 thoughts of the entire community on the matter. The other commissioners concurred.

172 **I. DIRECTOR REPORT**

173 Planning & Building Director Goldberg reported that there will be a Commission
174 meeting on June 24th.

175 **J. ADJOURNMENT**

176 The meeting was adjourned at 6:30 p.m.

Lynn Goldberg, Secretary