

# MINUTES

## CALISTOGA PLANNING COMMISSION

June 10, 2015

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

### A. ROLL CALL

Commissioners present: Chair Jeff Manfredi, Vice Chair Carol Bush, Paul Coates, Tim Wilkes. Absent: Scott Cooper (excused). Staff present: Planning & Building Director Lynn Goldberg, Senior Planner Erik Lundquist.

### B. PLEDGE OF ALLEGIANCE

### C. PUBLIC COMMENTS

None.

### D. ADOPTION OF MEETING AGENDA

The meeting agenda of June 10, 2015 was accepted as presented.

### E. COMMUNICATIONS/CORRESPONDENCE

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

### F. CONSENT CALENDAR

#### 1. Commission Minutes

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

### G. PUBLIC HEARINGS

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

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

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

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

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

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

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

**Chair Manfredi** opened the public hearing.

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

**Chair Manfredi** closed the public hearing.

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

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

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

**Vice Chair Bush** rejoined the meeting.

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

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

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

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

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

**Chair Manfredi** opened the public hearing.

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

**Chair Manfredi** closed the public hearing.

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

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

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

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

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

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

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

**Chair Manfredi** opened the public hearing.

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

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

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

**Chair Manfredi** closed the public hearing.

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

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

#### **H. MATTERS INITIATED BY COMMISSIONERS**

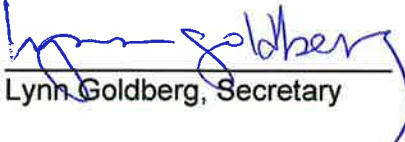
**Commissioner Coates** believes that there should be additional discussion about the recent increase in the number of applications for wine tasting rooms, as we are starting to lose the eclectic nature of downtown. There are lots of other tasting opportunities elsewhere in the county. Ms. Goldberg suggested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

#### **I. DIRECTOR REPORT**

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

#### **J. ADJOURNMENT**

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

  
Lynn Goldberg, Secretary

