

CITY OF CALISTOGA
PLANNING COMMISSION
PC RESOLUTION 2015-__

1 RECOMMENDING THAT THE CITY COUNCIL RESCIND AND REPLACE
2 MUNICIPAL CODE CHAPTER 17.24, PD PLANNED DEVELOPMENT ZONING
3 DISTRICT, ARTICLE 1 (ZOA 2015-3)

4 WHEREAS, the PD Planned Development Zoning District was established in
5 order to allow flexibility in design and the approval of desirable departures from the strict
6 application of certain zoning district regulations for appropriate projects; and

7 WHEREAS, amendments to Article 1 of Chapter 17.24 are required because
8 several of the Article's provisions or omissions have proven to be problematic, including
9 the requirement for both a preliminary and a final development plan, the lack of
10 application requirements, the lack of findings for approval, the one-year length of
11 approval, the lack of an approval extension process and the automatic revocation of the
12 approval after one year; and

13 WHEREAS, CMC Section 17.40.070(10) refers to a definition in CMC Section
14 17.04.597, which was repealed by Ordinance 714; and

15 WHEREAS, the Planning Commission reviewed the proposed amendments at a
16 public hearing on October 28, 2015, and during its review, considered the public record,
17 including the staff report, findings, and any written materials and testimony presented by
18 the public during the hearing; and

19 WHEREAS, the Planning Commission has determined that the proposed
20 amendments are not subject to the California Environmental Quality Act (CEQA) under
21 Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that
22 there is no possibility that they may have a significant effect on the environment.

23 NOW, THEREFORE, BE IT RESOLVED by the City of Calistoga Planning
24 Commission that, based on the above findings, it is recommended that the City Council
25 amend CMC Section 17.40.070(10) to read as follows:

- 26 10. *To receive a use permit, a finding shall be made that the proposed*
27 *development or use would be resident serving. This finding shall*
28 *only apply to formula businesses.*

29 NOW, THEREFORE, BE IT FURTHER RESOLVED by the City of Calistoga
30 Planning Commission that, based on the above findings, it is recommended that the
31 City Council rescind Article 1 of Chapter 17.24 of the Calistoga Municipal Code and
32 replace it with the text as shown in Exhibit A hereto.

33 APPROVED AND ADOPTED on October 28, 2015 by the following vote of the
34 Calistoga Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jeff Manfredi, Chair

ATTEST: _____
Lynn Goldberg, Secretary

draft

Exhibit A

Chapter 17.24
PD PLANNED DEVELOPMENT DISTRICT

Article I. General Provisions

Sections:

- 17.24.010 Purpose.
- 17.24.020 Base and combining districts.
- 17.24.030 Uses permitted.
- 17.24.040 Allowed variations from standards.
- 17.24.050 Application requirements
- 17.24.060 Review of proposed PD District.
- 17.24.070 Modifications to development plan
- 17.24.080 Approval period and extensions.
- 17.24.090 Termination of PD Districts.

17.24.010 Purpose.

The purpose of the Planned Development District is to provide locations for well-planned developments that conform with the General Plan. The planned development provisions are intended to combine General Plan compliance with good zoning practices while allowing certain desirable departures from the strict application of individual zoning district regulations.

17.24.020 Base and combining PD districts.

- A. A PD may be established as a base district or as a combining district. When used as a combining district, the PD designation may be combined with any base zoning district.
- B. A combined planned development district shall be designated by the letters PD following the base district designation. A base district shall be designated by PD and the number of the planned development district.

17.24.030 Uses permitted.

A planned development may include a multiplicity of land uses, provided as follows.

- A. In the case of a PD combining district, such uses would normally be permitted by the base zoning district.
- B. In the case of a PD base district, such uses are allowed by the applicable General Plan land use designation(s) and policies.

17.24.040 Allowed variations from standards.

- A. In approving a development plan associated with a PD combining district, the Planning Commission and City Council may require or allow variations from development standards for the for the district with which it is combined such as building height, lot coverage, parking, landscaping and lot sizes and dimensions.

72 B. Standards for lot area and dimensions, coverage, yards, building heights,
73 landscaping and parking for uses in a PD base district shall be the standards of
74 the zoning district governing uses most similar in nature and function to the uses
75 proposed in the PD district. Exceptions to these standards may be allowed by the
76 Planning Commission and the City Council when it can be demonstrated that
77 such modified standards would result in more desirable development and are
78 warranted in terms of the relationship of the total proposed development or units
79 thereof in the General Plan.

80 **17.24.050 Application requirements**

81 An application for a PD District classification shall be accompanied by:

82 A. A written and/or diagrammatic project description that provides sufficient
83 information to evaluate the merits of the proposed reclassification.

84 B. A site features map depicting the project site's existing topography, structures
85 and natural features, including areas of significant vegetation, and properties
86 within 300 feet of the site.

87 C. A statement as to how the proposed project will comply with the City's
88 Inclusionary Housing requirements, if ownership residences are proposed.

89 D. In the case of a PD base district, proposed district regulations including:

90 1. Principal permitted uses

91 2. Accessory uses

92 3. Uses permitted by conditional use permit

93 4. Development standards

94 a. Minimum lot area

95 b. Minimum lot width and depth

96 c. Maximum density

97 d. Minimum setbacks for principal and accessory buildings, including
98 yard setbacks from adjacent properties and between differing uses

99 e. Maximum building heights for principal and accessory buildings

100 f. Maximum lot coverage for structures

101 g. Accessory building requirements, including setbacks, height limits
102 and location

103 h. Parking requirements

104 i. Design guidelines

105 k. Additional standards as determined by the Planning and Building
106 Director

107 E. In the case of a PD combining district, any proposed variations from the
108 development standards of the base district with which it is being combined.

- 109 F. A Development Plan that identifies the following:
- 110 1. Proposed land uses by type, acreage, residential densities and non-
- 111 residential uses, expressed in gross square footage of floor area
- 112 2. The proposed circulation pattern, indicating both public and private
- 113 vehicular and pedestrian ways, preliminary locations and widths of streets
- 114 and alleys, and estimated traffic generation as it affects public streets
- 115 within and adjacent to the project
- 116 3. Site features that influence the development of the site
- 117 4. A preliminary grading and drainage plan
- 118 5. Preliminary elevations of proposed buildings and structures from major
- 119 vantage points
- 120 6. If a phased development, each phase shall be indicated including location,
- 121 structures, infrastructure and timing.
- 122 7. A statement of provisions for ultimate ownership and maintenance of all
- 123 parts of the development, including streets, structures, hillside areas (if
- 124 such exist) and open spaces.
- 125 8. Any other information that the Planning and Building Director determines
- 126 to be necessary to properly evaluate the project.
- 127 G. The Planning and Building Director may waive any of the above required
- 128 information items if, in their opinion, they are unnecessary or unreasonable under
- 129 the circumstances.

130 **17.24.060 Review of proposed PD District.**

- 131 A. The Planning Commission shall hold at least one public hearing on a proposed
- 132 PD district, including all of its application materials. The Commission shall make
- 133 a recommendation to the City Council that the PD District and its Development
- 134 Plan be approved, approved in modified form, or denied.
- 135 B. In recommending approval of an ordinance adopting a PD district, the
- 136 Commission shall make the following findings:
- 137 1. The PD district is consistent with the General Plan and with the purposes
- 138 of the Zoning Code.
- 139 2. The project will have a beneficial effect that could not be achieved under
- 140 other zoning districts.
- 141 3. Any variations from standard zoning development standards are
- 142 warranted by the design and amenities incorporated in the project's
- 143 Development Plan.
- 144 C. The City Council shall hold at least one public hearing on a proposed PD district
- 145 and its Development Plan after receipt of the Planning Commission's
- 146 recommendation. In approving an ordinance adopting a PD district, the Council
- 147 shall make the same findings required for the Planning Commission.

- 148 D. Approval by the Council of a planned development district shall constitute that
149 body's approval of the associated Development Plan which shall be, by
150 reference, incorporated into and become a part of the planned development
151 district. The approved Development Plan shall govern all development on the
152 site.
- 153 E. Any planned development district shall be subject to all adopted conditions and
154 shall be exempted from other provisions of this title only to the extent specified.

155 **17.24.070 Modifications to development plan.**

156 Modifications to an approved development plan shall be submitted for review and action
157 by the Planning Commission, except that minor modifications that do not increase the
158 project's approved density or change the approved uses may be approved by the
159 Planning and Building Director.

160 **17.24.080 Approval period and extensions.**

- 161 A. Development plan approval shall be valid for two years from the date of the
162 Council's final action.
- 163 B. The commencement of a development plan's first phase shall constitute initiation
164 of the planned development project.
- 165 C. A one-year time extension of a development plan's approval may be approved by
166 the Planning Commission upon a finding that circumstances justify an extension.
167 A longer time extension may be approved by the City Council.
- 168 D. In the circumstance of combined and simultaneous filing with other applications
169 with longer approval periods (i.e., subdivisions, development agreements) the
170 approval of the development plan shall be extended to coincide with the longer
171 term, but in no case shall the development plan be extended more than 10 years.

172 **17.24.090 Termination of PD Districts.**

173 If construction specified in a development plan has not commenced within two years
174 after the establishment of a PD District and the approval of its Development Plan by the
175 City Council, or following the expiration of any time extensions, the City Council may
176 consider reclassifying all or part of the area to the original zoning district or other
177 district(s) deemed appropriate by the Council.