



City of Calistoga
Planning Commission
Agenda Item Summary

DATE	February 24, 2016
ITEM	Draft Minutes of February 10, 2016 Meeting
RECOMMENDATION	Approve minutes with any necessary changes

MINUTES

CALISTOGA PLANNING COMMISSION

February 10, 2016

1 **A. ROLL CALL**

2 Commissioners present: Paul Coates, Tim Wilkes, Scott Cooper, Alissa McNair,
3 Walter Abernathy. Absent: None. Staff present: Planning & Building Director Lynn
4 Goldberg, Senior Planner Erik Lundquist.

5 **B. PLEDGE OF ALLEGIANCE**

6 **C. PUBLIC COMMENTS**

7 None.

8 **D. ADOPTION OF MEETING AGENDA**

9 The meeting agenda of February 10, 2016 was accepted as presented.

10 **E. COMMUNICATIONS/CORRESPONDENCE**

11 None.

12 **F. CONSENT CALENDAR**

13 **1. Commission Minutes**

14 The minutes for the January 27, 2016 meeting were unanimously adopted as
15 presented.

16 **G. PUBLIC HEARING**

17 **1. Helmer Short-Term Rental Zoning Ordinance Amendment ZOA 2015-9 and**
18 **Use Permit 2015-13:** Consideration of zoning ordinance text amendment to
19 allow short term vacation rentals within the existing PD 2002-2 Planned
20 Development District. The Planning Commission will also consider a use permit
21 application allowing a short-term vacation rental at 345 Silverado Trail

22 Senior Planner Lundquist presented the staff report for the items. The applicants
23 request an amendment to the PD 2002-2 Zoning District to conditionally-permit
24 the transient commercial occupancy of a dwelling unit, and a use permit to allow
25 the short-term rental of their residence. The home would continue to be the
26 applicants' primary residence, but on occasion would be rented to guests staying
27 less than 30 consecutive days. Staff believes the transient use would be
28 compatible with adjoining uses if a number of conditions are adopted to minimize
29 potential negative off-site impacts, such as limiting the number of guests and
30 prohibiting entertainment. Although it's the policy of the City to prohibit vacation
31 rentals in residential neighborhoods, this is a unique stand-alone property and
32 allowing it to be rented on a short-term basis would generate transient occupancy
33 tax for the City. It is therefore recommended that the Commission recommend to
34 the City Council approval of the zoning ordinance amendment and approve the

35 use permit with conditions. The use permit would only become valid if the Council
36 approves the zoning ordinance amendment.

37 In response to a question by **Vice Chair Wilkes**, Mr. Lundquist confirmed that
38 there is only one residence in the district at this time.

39 In response to a question by **Commissioner Cooper** about whether approving
40 this vacation rental would set a precedent, Mr. Lundquist explained that since the
41 property is located in a PD District, it would not. He noted that the Silver Rose PD
42 district allows residences to be used as vacation rentals.

43 In response to a question by **Commissioner McNair** about the process for
44 revoking as use permit, Mr. Lundquist explained that a public hearing could be
45 scheduled if the conditions of approval hadn't been complied with or health and
46 safety was threatened.

47 **Chair Coates** opened the public hearing.

48 **Brad Cannon**, representing the applicants, thinks the proposal is a win-win for
49 the owners and the community. It meets the intent of the property's General Plan
50 designation to allow visitor accommodations with a discretionary permit. The
51 applicants would like to see the condition prohibiting special events deleted.

52 In response to questions by **Vice Chair Wilkes**, applicant **Curtis Helmer**
53 explained that the home would likely be rented through a web site and that the
54 carriage house will probably not be included in the rental. He has no objection to
55 Vice Chair Wilkes' suggestion to add a condition prohibiting the placement of a
56 for-rent sign on the property.

57 **Vice Chair Wilkes** thinks that the term "corporate events" is too broad and they
58 wouldn't necessarily be noisy. The rental agreement would probably be in the
59 name of a corporate entity, which would make it a corporate event. He would like
60 to see some leeway given to staff as to what constitutes a special event. He
61 understands that the intent of prohibiting special events is due to the potential for
62 noise, especially outdoors. However, the proposed wording seems too restrictive.

63 Mr. Lundquist explained that staff has a concern that corporate events could
64 involve team-building exercises and invited guests such as speakers, which
65 would generate noise and traffic, and violate the intent of a vacation rental.

66 **Commissioner Abernathy** observed that it seems like the intent is to focus on
67 potential noise impacts. Mr. Lundquist reiterated that staff wanted to focus on the
68 proposed vacation rental use and not allow special events. If the Commission is
69 supportive of allowing special events under certain circumstances, it could
70 continue the item and staff could work with the applicant on the terms of the use.

71 **Commissioner Cooper** is concerned that it will be difficult for staff to explain to
72 residents who would like to have a vacation rental why one is being allowed in
73 this case when the City's policy is to prohibit them. He is also concerned about
74 potential impacts on local visitor accommodations.

75 **Vice Chair Wilkes** asked the applicant whether they wanted the use permit
76 application approved with the condition prohibiting special events or continue the
77 item and work with staff to potentially revise the condition.

78 **Mr. Cannon** noted that there are already City regulations and procedures in
79 place for special events that could be used. They could use that process to apply
80 for special event permits.

81 **Mr. Lundquist** explained that the special event process primarily is geared
82 towards the use of public property. Approving each special event on a case-by-
83 case basis would be difficult for staff to manage. The use permit is the
84 appropriate place to set the threshold and define the parameters. He is
85 concerned that if the condition prohibiting special events is deleted, that the
86 public won't have been notified of the possibility of special events.

87 In response to a question by **Commissioner McNair**, **Mr. Lundquist** confirmed
88 that special events at wineries are generally limited to four per year through their
89 use permit.

90 **Chair Coates** is concerned about deleting the condition prohibiting special
91 events if neighbors have not been advised. Allowing their residence to be used
92 as a vacation rental is a great opportunity for the applicants. Allowing special
93 events would open a can of worms; other properties would want the same
94 privilege.

95 **Vice Chair Wilkes** believes that the point is to use the house as a vacation
96 rental, not an event center. He agrees that it's improper for condition No. 8 to be
97 deleted without further notice.

98 **Chair Coates** closed the public hearing and asked for commissioner comments.

99 A motion by **Vice Chair Wilkes** to adopt a resolution recommending to the City
100 Council a zoning text amendment to allow the transient commercial occupancy of
101 a dwelling unit within the existing PD 2002-2 Planned Development District was
102 seconded by **Commissioner McNair** and approved by a 4-1 vote (Cooper
103 dissent).

104 A motion by **Vice Chair Wilkes** to adopt a resolution approving a use permit
105 allowing the transient commercial occupancy of a dwelling unit at 345 Silverado
106 Trail, with an added condition prohibiting the posting of a rental sign on the
107 property, was seconded by **Chair Coates** and approved by a 4-1 vote (Cooper
108 dissent).

109 H. GENERAL GOVERNMENT

110 1. **General Plan Annual Report:** Status of the Calistoga General Plan and
111 progress made toward its implementation in 2015

112 Planning Director Goldberg explained that the City is required to prepare an
113 annual report on the status of its general plan and progress made toward its
114 implementation. The report also identifies how City decision-making was guided

115 by the General Plan's goals, policies and actions. She noted that Commission
116 staff reports always include a discussion of how an item conforms to the General
117 Plan. She highlighted a few of the significant accomplishments in 2015 that
118 implemented the General Plan and noted that the City has already provided
119 nearly twice the number of housing units needed for its share of regional housing
120 needs during the current planning period, which does not end until 2022.

121 **Vice Chair Wilkes** suggested adding construction of the Boys and Girls Club
122 and the Berry Street Bridge replacement to projects that are anticipated in 2016.

123 **Commissioner McNair** suggested adding the relocation of the dog park and
124 community gardens. Ms. Goldberg recommended that the list only include
125 projects that had been approved. However, she noted that the City Council may
126 include those actions in their goals and priority projects for the next fiscal year.

127 **Commissioner Abernathy** asked how the implementation priorities are
128 determined and whether there is a work program. Ms. Goldberg responded that
129 they are primarily set by the City Council, and that this is a good time to be taking
130 the General Plan annual report to the Council so they can see which actions
131 have not been completed. They are also determined by what is raised by the
132 community. The City doesn't have the personnel or financial resources to
133 implement everything, and some of the actions may no longer be as important as
134 they were when the General Plan was updated in 2003. She reiterated that
135 implementing the General Plan is continuous and is not intended to be achieved
136 within a few years after adoption. The Commission can certainly make
137 suggestions to the Council as to priorities for implementation; it is part of the
138 Commission's role to do so.

139 A motion by **Chair Coates** to recommend to the City Council acceptance of the
140 annual report on the General Plan was seconded by **Commissioner Cooper**
141 and approved by a unanimous vote.

142 I. MATTERS INITIATED BY COMMISSIONERS

143 **Commissioner Cooper** is still concerned about turning left from Washington onto
144 Berry Street; the corner is very dark. Mr. Lundquist recalled that Public Works
145 determined last year when the matter was first raised that a tree was covering one of
146 the intersection's light and it may need to be trimmed again. **Vice Chair Wilkes**
147 thinks it's likely that the light will be replaced with re-alignment of the intersection as
148 part of the bridge replacement.

149 **Commissioner McNair** asked for further information about an email sent to
150 commissioners regarding staff's approval of a design review application for
151 modifications to the residence at 1900 Cedar Street. Ms. Goldberg explained that
152 the application had been approved several months ago, so there is no opportunity to
153 appeal the decision to the Planning Commission.

154 J. DIRECTOR REPORT

155 None

156 **K. ADJOURNMENT**

157 The meeting was adjourned at 6:08 p.m.

Lynn Goldberg, Secretary

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