

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2008-44**

**A RESOLUTION FORWARDING A RECOMMENDATION TO THE CITY COUNCIL FOR THE ADOPTION OF AN ORDINANCE THAT AMENDS THE CALISTOGA MUNICIPAL CODE, SPECIFICALLY TITLE 17.22, COMMERCIAL LAND USE DISTRICTS TO ESTABLISH PROVISIONS FOR AUTHORIZING SIDEWALK DINING ESTABLISHMENTS WITHIN THE PUBLIC RIGHTS-OF-WAY IN COMMERCIAL LAND USE DISTRICTS, CHAPTER 17.04 DEFINITIONS TO ADD RELATED DEFINITIONS, AND SECTION 12.08.020 ENCROACHMENTS OF PUBLIC RIGHTS-OF-WAY – DEFINITIONS OF TITLE 12 STREETS, SIDEWALKS AND PUBLIC PLACES TO ADD SIDEWALK DINING UNDER “ROUTINE ENCROACHMENT”**

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2       **WHEREAS**, the General Plan provides direction for the enhancement of the  
3 Commercial Zoning Districts as a key to Calistoga’s economic well being as follows:  
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- 5       • (CI-1.2) Maintain and enhance the urban design quality of the downtown;
- 6       • (CIR-3.2) Provide a pedestrian network that encourages walking for short trips  
7       and recreation;
- 8       • (LU-1.1) Ensure that new commercial development enhances and maintains the  
9       vibrancy of Calistoga’s downtown;
- 10      • (ED-1.2) Expand economic activity in Calistoga that builds on the community’s  
11      strengths and reinforces its small town character;

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13       **WHEREAS**, the Planning & Building Department was requested to assist the  
14 Community Resources Commission (CRC) in bringing forward an updated Sidewalk  
15 Dining Ordinance that was placed on hold by the City Council on June 15, 2004, in  
16 response to City Council adoption of Resolution No. 2007-86, which approved the  
17 Community Resources Commission Work Plan for Fiscal Year 2007/2008;  
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19       **WHEREAS**, on April 16, 2008 and September 17, 2008, the Planning & Building  
20 Department presented to the Community Resources Commission’s an updated draft  
21 Ordinance for their review and recommendation to the Planning Commission and City  
22 Council. Prior to recommending adoption of the proposed ordinance, the Community  
23 Resources Commission received written and oral reports by the staff, and received  
24 public testimony;  
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26       **WHEREAS**, the Planning Commission considered the proposed establishment of  
27 provisions for authorizing sidewalk dining establishments within the public rights-of-way  
28 in Commercial Land Use Districts at its regular meeting of September 24, 2008 and  
29 October 22, 2008. Prior to taking action on the proposed revisions, the Planning  
30 Commission received written and oral reports by the staff, and received public  
31 testimony;  
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33       **WHEREAS**, the Planning Commission finds the proposed procedures for  
34 processing procedures for sidewalk dining establishments within the public rights-of-way  
35 in Commercial Land Use Districts as provided for in Exhibit A are necessary and proper  
36 for maintaining a positive business climate in the community;  
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