

**CITY OF CALISTOGA
PLANNING COMMISSION
REGULAR MEETING AGENDA**

Wednesday, January 14, 2009
5:30 PM
Calistoga Community Center
1307 Washington St., Calistoga, CA

Chairman Jeff Manfredi
Vice- Chairman Clayton Creager
Commissioner Carol Bush
Commissioner Paul Coates
Commissioner Nicholas Kite

“California Courts have consistently upheld that development is a privilege, not a right.”

Among the most cited cases for this proposition are Associated Home Builders, Inc. v. City of Walnut Creek, 4 Cal.3d633 (1971) (no right to subdivide), and Trent Meredith, Inc. v. City of Oxnard, 114 Cal. App. 3d 317 (1981) (development is a privilege).

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENTS

Public Comments is time reserved on each regular meeting agenda to provide an opportunity for the public to directly address the Planning Commission on items of interest to the public, which do not appear on the agenda. Comments should be limited to three minutes. The Commission will not be able to take action on items raised during Public Comments.

D. ADOPTION OF MEETING AGENDA

E. COMMUNICATIONS/CORRESPONDENCE

Distribution of the Planning Commission Rules of Procedure.

Recommended Action: No action required. Review Rules and prepare for discussion, revision and/or confirmation during the January 28, 2009 Planning Commission meeting.

F. CONSENT CALENDAR

The following items listed on the Consent Calendar are considered routine and action taken by the Planning Commission is by a single motion. Any member of the Planning Commission, staff or the public may request that an item listed on the Consent Calendar be moved and action taken separately. In the event that an item is removed from the consent calendar, it shall be consider after the last scheduled item under New Business.

1. Planning Commission Minutes for the Special meeting of October 13, 2008.
2. Planning Commission Minutes for the regular meeting of October 22, 2008.
3. Planning Commission Minutes for the regular meeting of November 12, 2008.

Recommended Action: Approve as submitted.

G. TOUR OF INSPECTION

Items on this agenda containing an asterisk (*) are designated for the Tour of

Inspection. Shortly after 5:30 p.m., the Planning Commission will leave the Community Center to inspect these sites and will return as soon thereafter as possible. The purpose of this inspection is to view the physical characteristics of the site only—no action is taken by the Planning Commission on the site. The Planning Commission may eliminate one or more sites on the tour identified with an asterisk (*). The public is welcome to join the Planning Commission on its tour of inspection.

H. NEW BUSINESS

1. Election of 2009 Planning Commission Officers.

Recommended Action: Elect a Chairperson, Vice-Chair and Secretary

2. Presentation by Mr. Jack Betourne on the Napa County Stormwater Management Program.

Recommended Action: Information only; no action required.

3. **PA 2008-04, CDR 2008-04.** Conceptual Design Review for the proposed Bounsall & Wright Winery and Event Center on a 7-acre site to be developed in three phases. The project proposes to feature two wineries, a tasting room with a delicatessen and outside picnic areas, two retail buildings, winery office space, and a special event area with an adjacent reception building for a site total of 80,289 square feet. The project site is located at 414 Foothill Boulevard (APNs 011-260-045 through 011-260-076) within the "I" Light Industrial Zoning District.

Recommended Action: Continue item to January 28, 2009 as requested by Staff with consent of the Applicant.

4. **General Plan Amendment (GPA 2009-01):** Consideration of a work program for updating the Housing Element of the City's General Plan. The Housing Element is a comprehensive assessment of current and projected housing needs for all economic segments of the City. It sets forth goals, policies and programs for addressing the City's housing needs. By State law, the City is required to review and update the Housing Element every five years. The proposed action, recommendation on a work program to City Council, is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines

Recommended Action: Adopt Planning Commission Resolution PC 2009-03 recommending to the City Council adoption of the proposed work program for updating the Housing Element of the City's General Plan.

I. PUBLIC HEARING

1. **U 2008-08 and VA 2008-03.** Consideration of Conditional Use Permit Amendment and Variance requested by Graceann Mangone Miranda property owner, amending Conditional Use Permit (U 2005-21) and allowing tandem parking in conjunction with

the approved Bed and Breakfast Facility on the property located at 1437 Fourth Street (APN 011-201-003) within the "R1", Single Family Residential Zoning District. This proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15332 of the CEQA Guidelines

Recommended Actions:

- a. Direct Staff to file a Notice of Exemption for the Project pursuant to Section 15332 of the CEQA Guidelines.
- b. Adopt Resolution PC 2009-01 approving Variance (VA 2008-03) allowing tandem parking on the existing driveway in conjunction with a previously approved bed and breakfast facility on property located at 1437 Fourth Street (APN 011-201-003) within the "R1", Single Family Residential zoning district.
- c. Adopt Resolution PC 2009-02 amending Conditional Use Permit U 2005-21 (U 2008-08) to eliminate a requirement for an off site parking easement to satisfy parking requirements for a bed and breakfast facility on property located at 1437 Fourth Street (APN 011-201-003) within the "R1", Single Family Residential Zoning District.

J. MATTERS INITIATED BY COMMISSIONERS

K. DIRECTOR'S COMMENTS/PROJECT STATUS

L. ADJOURNMENT

The next regular meeting of the Planning Commission is scheduled for Wednesday, January 28, 2009, at 5:30 PM.

POSTING: *I declare that a copy of this Planning Commission agenda was posted at City Hall, 1232 Washington Street, among other locations within the Calistoga City Limits, on Friday, January 09, 2009 at 4:30 p.m.*

Kathleen Guill,
Secretary to the Planning Commission

All Planning Commission reports for items on this Agenda are available online at <http://www.ci.calistoga.ca.us>. For additional information, please call the Planning and Building Department at 707-942-2827.

DECISION: The Planning Commission process is an important step in the permit review process required by the City of Calistoga Zoning Ordinance. For projects that require review by the City Council, the Commission's action shall be a recommendation to the Council. In cases where no other action is required, the action of the Commission is final unless appealed within ten days of the decision.

APPEALS: Anyone that does not agree with the Planning commission's decision or the conditions that may have been imposed by the Commission in approving an agenda item may appeal the commission's action to the City Council. Appeals must be filed within ten (10) calendar days from the date of the Commission's action. Appeals may be limited to those issues raised at the public meeting. For additional information concerning the requirements for filing an appeal, please contact the Planning & Building Department, 1232 Washington Street in Calistoga or call (707) 942-2827.

Any writings or documents provided to a majority of the legislative body regarding any item on this agenda will be made available for public inspection at the Public Counter located on the first floor at 1232 Washington Street during normal business hours.

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NOTICE: If you challenge a city's zoning, planning, or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Judicial review of any City administrative decision may be heard only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

SPECIAL ASSISTANCE: Pursuant to Title II of the Americans with Disabilities Act: In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting please contact the Planning and Building Department at (707-942-2827. Notification forty-eight (48) hours prior to the meeting will enable the City to make reasonable arrangement to ensure accessibility to this meeting. (28 DFR 35.102-35-104 ADA Title II).

PUBLIC COMMENTS: All speakers are asked to provide their name, address, and subject of discussion. Presentations to the Commission are generally limited to five minutes. Additional time may be granted by the Commission Chair as appropriate to the scope of the project.