



CALISTOGA PLANNING COMMISSION REGULAR MEETING AGENDA October 13, 2021

5:30 p.m.

Virtual Meeting

Chair Scott Cooper
Vice Chair Tim Wilkes
Commissioner Alissa McNair
Commissioner Doug Allan
Commissioner Jack Berquist

*** COVID-19 NOTICE ***

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 54953 (AS AMENDED BY AB 361) WHICH AUTHORIZES TELECONFERENCED MEETINGS UNDER THE BROWN ACT DURING CERTAIN PROCLAIMED STATES OF EMERGENCY. THE GOVERNOR OF CALIFORNIA PROCLAIMED A STATE OF EMERGENCY RELATED TO COVID-19 ON MARCH 4, 2020. THIS TELECONFERENCED MEETING IS NECESSARY SO THAT THE CITY CAN CONDUCT ESSENTIAL BUSINESS AND IS PERMITTED UNDER GOVERNMENT CODE 54953 IN ORDER TO PROTECT PUBLIC HEALTH AND SAFETY OF ATTENDEES.

Consistent with Government Code Section 54953, this Meeting will be held via teleconference only, and will not be physically open to the public. Commissioners and staff will teleconference into the meeting by audio and/or video. The meeting will be conducted via Zoom Webinar. Below is information on how the public may observe and participate in the meeting. The City recognizes that not all residents have the same ways to stay engaged, so several alternatives are offered. Please participate in the meeting by observing or listening to the meeting via Zoom:

1. **Watch on your TV** – Napa Valley TV Channel 28 (call your cable provider to ensure you have a City of Calistoga coded cable box)
2. **Listen on your phone** – dial 1-669-900-6833, enter webinar ID: 832-0395-3296, password: 123201
3. **Watch online** via Zoom at <https://us02web.zoom.us/j/83203953296?pwd=aStuQk5sYkhmQUpaSDk0RHZTWXZnUT09>, enter password: 123201
4. **Watch online** via YouTube Live at [youtube.com/cityofcalistoga](https://www.youtube.com/cityofcalistoga)

COMMENT ON THESE MATTERS: Please participate in the meeting by providing public comment on any item on the agenda or any item of municipal concern. To comment during a virtual meeting (Zoom), click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the Agenda item. You will be unmuted when it is your turn to make your comment for up to 3 minutes. After allotted time, you will be re-muted. Instructions for how to "Raise Your Hand" are available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raise-Hand-In-Webinar>.

Alternatively, participate in the meeting by providing public comment on any item on the agenda or any item of municipal concern via email. Please submit your comment, limited to 350 words or less, via email to publiccomment@ci.calistoga.ca.us. Written public comments submitted by email should clearly indicate the Agenda Item No. or specify "Oral Communications" in the Subject Line for items not on the agenda and are requested to include the submitter's full name. Comments received by 4:00 p.m. on the day of the meeting will be posted online with the agenda packet and included in the record but will not be read aloud. Comments received after the commencement of the meeting and before the agenda item is heard will be read aloud for a maximum of three minutes, or as determined by the Chair. If a comment is received after the agenda item is heard but before the close of the meeting, the comment will still be included as a part of the record of the meeting but will not be read aloud.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENTS

Public Comments is an opportunity to address the Planning Commission on items of interest to the public that do not appear on the agenda. The Commission cannot consider any issues or take action on items raised during Public Comments.

D. ADOPTION OF MEETING AGENDA

E. COMMUNICATIONS/CORRESPONDENCE

F. CONSENT CALENDAR

1. **Approval of Draft Minutes from the September 8, 2021, Regular Meeting**

G. PUBLIC HEARINGS

1. **Review of Compliance with Conditions of Approval, Use Permit Amendment UP 2021-9, and Design Review DR 2021-2 for 345 Silverado Trail (APN 011-050-032) – Originally Helmer Conditional Use Permit U 2003-12:** Consideration of a use permit amendment and design review to address the property's code violations, ensuring compliance with conditions of approval. The project consists of relocating an existing unpermitted metal barn behind the 20-foot side yard setback, reviewing the design of an existing entrance gate, reviewing existing unpermitted duck and aviary enclosures for non-native bird species in connection with an issued noise nuisance notice of violation, review the abandonment of existing unpermitted garage pads within a potentially sensitive area of the property and relocating the footprint behind the existing main garage, helicopter sculpture, and consider an Erosion Control Plan for trees removed for defensible space be required as a Condition of Approval prior to obtaining building permits. The proposed action is exempt from the California Environmental Quality Act (CEQA) under §15303 of the CEQA Guidelines.

Recommended Action: Hold public hearing and consider approving portions of the application with conditions and denying other portions.

2. **Prohibition on New Gas Station Land Uses – Zoning Ordinance Amendment ZOA 2021-1:** Consideration of a recommendation to the City Council of a proposal from the Calistoga Green Committee of a zoning ordinance amendment to the Calistoga Municipal Code (CMC) Title 17, Zoning to codify a prohibition of new gas station land uses in all zoning districts and to provide uniform regulations and development standards for modifications, maintenance, operation, and discontinuation of fueling/gas station uses and facilities in the City. The proposed action is exempt from the California Environmental Quality Act (CEQA) under §§15378, 15061(b)(3), 15301, 15303, 15304, and 15308 of the CEQA Guidelines.

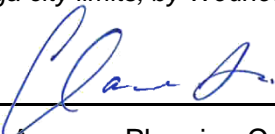
Recommended Action: Hold public hearing and consider recommending Municipal Code Amendments to the City Council.

H. MATTERS INITIATED BY COMMISSIONERS

I. DIRECTOR'S REPORT

J. ADJOURNMENT

I declare that a copy of this agenda was posted at City Hall, 1232 Washington Street, among other locations within the Calistoga city limits, by Wednesday, October 6, 2021, no later than 4:30 p.m.



Claudia Aceves, Planning Commission Secretary

PUBLIC COMMENTS: Speakers may provide their name and subject of discussion. Presentations to the Commission are generally limited to three minutes. Additional time may be granted by the Commission Chair as appropriate to the scope of the project

REPORTS: Staff reports to the Planning Commission for items on this agenda are available online at www.ci.calistoga.ca.us. For additional information, please call the Planning & Building Department at 707.942.2830.

DECISION: For applications that require review by the City Council, the Commission's action is a recommendation to the Council. In cases where no other action is required, the action of the Commission is final unless appealed.

APPEALS: Anyone who does not agree with the Planning Commission's decision or the conditions that 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 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, Calistoga or call 707.942.2830.

NOTICE: If you challenge the City's decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing, 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: Each City entity offers public programs, services, and meetings in a manner that is reasonably accessible to everyone, including individuals with disabilities. Each City entity complies with all applicable requirements of the Americans with Disabilities Act and California law, and does not discriminate against any person with a disability. If a person with a disability requires information or materials in an appropriate alternative format (or any other reasonable accommodation), or needs any assistance to participate in this meeting, please contact Planning & Building Director Zach Tusinger at 707.942.2830 or ztusinger@ci.calistoga.ca.us. In making a request for assistance, advance notice to the City 48 hours prior to the meeting will enable the City to make suitable arrangements. Wheelchair access to the Community Center and speaker's microphone is available. For TTY/ Speech-to-Speech users, dial 711 for the California Relay Service, offering free text-to-speech, speech-to-speech, and Spanish-language services 24 hours a day, 7 days a week.