



# CALISTOGA PLANNING COMMISSION

## REGULAR MEETING AGENDA

### January 26, 2022

5:30 p.m.  
Virtual Meeting

Chair Scott Cooper  
Vice Chair Tim Wilkes  
Commissioner Rick Kaiser  
Commissioner Doug Allan  
Commissioner Mike Vaughn

**\* 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=aStuQk5sYkhhMQUpaSDk0RHZTWXZnUT09>, 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 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](mailto: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

*Staff reports to the Planning Commission regarding communications and/or correspondence received for items on the agenda.*

### F. CONSENT CALENDAR

#### 1. Approval of Draft Minutes from the January 12, 2021, Regular Meeting

### G. PUBLIC HEARINGS

1. **Review 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:** This continuation item is a concurrent Use Permit Amendment and Design Review application (submitted September 22, 2021) to legalize several unpermitted improvements to a 7.37-acre parcel (APN 011-050-032) at 345 Silverado Trail. At the October 13, 2021, public hearing, the Planning Commission considered compliance of the improvements with Title 17 Zoning of the Calistoga Municipal Code (CMC.) Based on further consideration by Staff of new information submitted by the applicant, several of the items previously presented to the Planning Commission were determined to be Staff actions under code regulations not enforced by Planning Commission (noise violations, erosion control plan, concrete slab removal, storage shed, access road lighting, helicopter sculpture) and should be dealt with through the City's existing enforcement processes. The specific improvements subject to Planning Commission consideration for this entitlement at the public hearing are: 1) Aviaries – Prohibited Use; 2) Entry Gate – Elimination of Fire Source; 3) Metal Barn – Relocation outside setback. The proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15303 of the CEQA Guidelines.

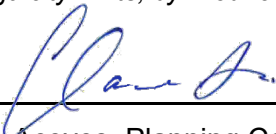
**Recommended Action:** Hold public hearing and adopt *Resolution PC 2022-XX* to approve Use Permit Amendment UP 2021-9 and Design Review DR 2021-2 to allow the previously unpermitted improvements specified herein, subject to the conditions of approval; and take such additional, related action as may be appropriate.

### H. DIRECTOR'S REPORT

### I. MATTERS INITIATED BY COMMISSIONERS

### 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, January 19, 2022, 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](http://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 Commission Secretary Claudia Aceves at 707.942.2825 or [orcaceves@ci.calistoga.ca.us](mailto:orcaceves@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.