

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

**Wednesday, November 19, 2008
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).

1 **Chairman Manfredi** called the meeting to order at 5:34 PM.
2

3 **A. ROLL CALL**

4 **Present:** Chairman Jeff Manfredi, Vice-Chairman Clayton Creager, Commissioners Carol Bush,
5 and Paul Coates. **Absent:** Nicholas Kite. **Staff Present:** Charlene Gallina, Planning and Building
6 Director, Ken MacNab, Senior Planner, Erik Lundquist, Associate Planner and Kathleen Guill,
7 Planning Commission Secretary.
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9 **B. PLEDGE OF ALLEGIANCE**

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11 **C. PUBLIC COMMENTS**

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13 **D. ADOPTION OF MEETING AGENDA**

14 There was motion by **Commissioner Coates**, seconded by **Vice-Chairman Creager**, to approve
15 the agenda as submitted. **Motion carried. 4-0-1-0.**
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17 **E. COMMUNICATIONS**

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19 **F. CONSENT CALENDAR**

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21 1. Planning Commission Minutes for the regular meeting of October 08, 2008.

22 There was motion by **Commissioner Coates**, seconded by **Vice-Chairman Creager** to approve
23 the consent calendar as presented. **Motion carried: 4-0-1-0.**
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25 **G. TOUR OF INSPECTION**

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27 **H. PUBLIC HEARING**

28
29 1. **TTM (E) 2008-01.** Consideration of an extension of time for the previously approved Oak Villa
30 Planned Development (PD 2006-01) requested by Alois and Ursula Tieber to allow additional time
31 to meet conditions of approval and record the Subdivision Map creating 6 individual lots and 6
32 attached single family homes all on the property located at 1213 Elm Street (APN 011-243-007)
33 within “PD 2006-01”, Oak Villa Townhouse Planned Development District. This proposed action is
34 exempt from the California Environmental Quality Act (CEQA) under Section 15332 of the CEQA
35 Guidelines.

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Planner Lundquist provided a brief history advising former approval of project in 2006 and subsequently applicants have been preparing the improvement plans for the infrastructure, drainage, water, etc, and the final development will come back for review and consideration in order to record the final map. The applicants are reporting additional time will be needed to secure financing and therefore they are requesting an extension of time for the tentative parcel map for a three year period and that will make the property a better asset to them and the community.

Chairman Manfredi asked when the three year period would start.

Planner Lundquist reported it would be effective December 6, 2008.

Commissioner Coates asked if an extension were granted will they have to obtain a Growth Management allocation.

Planner Lundquist reported this project was exempt because it has been listed on a standby account and the applicants have already paid their water and sewer connection through the leak protection program.

There was motion by **Chairman Manfredi**, seconded by **Vice-Chairman Creager** to Direct Staff to file a Notice of Exemption for the Project pursuant to Section 15332 of the CEQA. **Motion carried: 4-0-1-0.**

There was motion by **Vice-Chairman Creager**, seconded by **Commissioner Bush** to Adopt Resolution PC 2008-48 approving a three-year time extension for the Oak Villa Planned Development (PD 2006-01), including a Subdivision Map and Preliminary Development Plan located at 1213 Elm Street (APN 011-243-007) within "PD 2006-01", Oak Villa Townhouse Planned Development District, based upon the Findings presented in the staff report and subject to conditions of approval. **Motion carried: 4-0-1-0.**

I. NEW BUSINESS

Presentation regarding the City's Water Supply provided by Pubic Works Director/City Engineer Dan Takasugi.

Director Takasugi presented an overview of the City's water supply giving a synopsis of the status of Kimball Reservoir and treatment plant, and the State Water Project (SWP) contracted water supply. He noted having both sources of water supply was extremely beneficial. He presented a schematic reflecting water sources showing various facilities, Kimball Reservoir, water from state NBA source, Jamieson Reservoir and reported there are times when Hennessy Reservoir serves us. Director Takasugi provided review of terminology, water treatment capacity, water rights and projected allocations from the State noting the allocation would rise 20 to 30% later in the year, but it would be dependent on rainfall conditions. However he stated it did not necessarily correlate because the State water allocation was based upon on storage amount and timing. Director Takasugi further referenced the NBA water supply agreements advising of three main entitlements and other conditional allocations and provided graphics of allocation history, and a summary of calculations using the standard method used in previous years. He reported a conservative assumption is applied when talking about maximum demand with a firm yield supply, subtracting

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83 unused supply, other allocations and standby accounts, (such as the Tieber allocation project we
84 just talked about). Mandatory conservation measures would achieve measurably more.
85 Discussion continued related to approved Growth Management allocations and the one time sale
86 of carry over water.

87
88 **Commissioner Coates** noted the twelve inch NBA line and asked if the City was going to be
89 compromised to wield out water.

90
91 **Director Takasugi** responded certainly because we cannot push the water out any faster due to
92 pipe size.

93
94 **Commissioner Coates** asked if we have to be more conservative because we cannot get it here
95 fast enough.

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97 **Director Takasugi** stated he was not aware of that but knows we could potentially add additional
98 pump stations along the route to transmit the water faster.

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100 **Vice-Chairman Creager** questioned if the assumptions did not include the 1.5 million gallon water
101 tank.

102
103 **Director Takasugi** reported it is expected to on line in 2010, and it is obviously unrelated to
104 supply.

105
106 **Vice-Chairman Creager** asked if that will also help with water pressure.

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108 **Director Takasugi** reported it will help with flow not pressure. He assured the City is exploring all
109 options including wells, but noted each option has it s complications.

110
111 **Director Takasugi** referenced concerns with water quality advising the water is monitored and
112 maintained according to health standards and a water quality report is provided with the water bills.

113
114 **Vice-Chairman Creager** reported at the Council meeting the previous night there was a lot of
115 anxiety expressed from the community about water, stating it is good to be aware but in his
116 thinking the anxiety was not necessarily warranted. He reported Calistoga is better prepared than
117 the majority of municipalities and the Calistoga water plan is well thought out and geared to the
118 long term. There is concern state wide on how we use water in the state, and in many cases we
119 do not use water very efficiently. North Coast streams are impaired, there is use of water
120 conveyed through ditches, gates opened and allowed to flow through a field for hours rather than
121 utilizing a holding tank, thus many times more water is used than what is needed. It is a crisis with
122 solutions and Calistoga is well positioned with this crisis. Controls based on a larger global setting
123 are not warranted to hold up GMA allocations. The merit of a project should not be relative to
124 those larger issues and should not send us in a crisis mode locally.

125
126 **Aaron Harkin**, 1018 Myrtle Street asked for comment on the notion of dredging Kimball Dam.

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128 **Dan Takasugi** stated there is a report that looked at the potential of dredging to add 120 af of
129 storage, but the ability to directly divert water and still stay within our licenses does not provide

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130 significant value, would create numerous challenges and environmental issues, and is not an
131 economically viable alternative.

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133 **J. MATTERS INITIATED BY COMMISSIONERS**

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135 **K. DIRECTOR'S COMMENT/PROJECT STATUS**

136 **Director Gallina** reported the City Council approved GMA allocations for 2009 projects included
137 Gumina, Franquelin, Cortez, Calistoga Affordable Housing, Arroyo, Montelli, Tulloch, Lundy and
138 Von Strassers.

139
140 **Chairman Manfredi** recommended we should consider not continuing to authorize allocations for
141 projects when the property is for sale.

142
143 **Director Gallina** reported with the completion of the five year GMA cycle, staff will be coming
144 forward with recommendations for change to the GMA Ordinance to streamline the process.

145
146 **Vice-Chairman Creager** referenced the relevance based on the water presentation how the GMA
147 criteria is making a difference and the Ordinance and guidelines is a method to help us get where
148 we want to go.

149
150 **Secretary Guill** reminded the need those that have not completed the mandatory Ethics training to
151 complete the training as soon as possible and provide a copy of the certificate of completion to
152 Staff for the file and please advise if they need her to resend the link to complete the training on
153 line.

154
155 **Director Gallina** advised the Bay Area Air Quality Department has implemented new regulations
156 for burning wood fireplaces and wood stoves, and there will be certain days that they identify and
157 provide notification that prohibits anyone from burning in their stoves and fire places between
158 November and February, noting through enforcement people could be subject to a fine.

159
160 **L. ADJOURNMENT**

161 There was motion by **Commissioner Bush**, seconded by **Vice-Chairman Creager** to adjourn to
162 the Planning Commission regular meeting of December 10, 2008 at 5:30 PM. The meeting
163 adjourned at 6:29 pm . **Motion carried: 4-0-1-0**

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165 The next regular meeting of the Planning Commission is scheduled for Wednesday, December 10,
166 2008 at 5:30 PM.

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170 _____
171 Kathleen Guill,
172 Secretary to the Planning Commission

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