

City of Calistoga

Staff Report

TO: Honorable Mayor and City Council
FROM: Charlene Gallina, Planning & Building Director
DATE: January 19, 2010
SUBJECT: Urban Design Plan (UDP)

1 **APPROVAL FOR FORWARDING:**

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3 
4 James C. McCann, City Manager

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6 **ISSUE:** Consideration of Resolutions adopting the Draft Urban Design Plan
7 (UDP) as recommended by the Planning Commission on November 10, 2009.
8 *(This item was continued from the City Council Meeting of December 1,*
9 *2009)*

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11 **RECOMMENDATION:** Adopt Resolutions.

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13 **BACKGROUND:** On December 1, 2009, the City Council held a public hearing
14 on the Revised Draft Urban Design Plan to solicit public comments, discuss and
15 consider recommendations provided by the Planning Commission. The Council
16 continued the item to January 19, 2010 to provide additional time for Council to
17 complete their discussion. An excerpt of the City Council meeting minutes, an
18 abbreviated staff report, as well as, written public comments submitted that
19 evening and to date has been attached for City Council review. Also attached
20 are three separate Resolutions for Council action (separate action is necessary
21 as two members have business or property interests in specific districts
22 discussed in the Plan).

23
24 **DISCUSSION:**

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26 **Council Discussion:** It should be noted that staff has not included any revisions
27 to the Draft UDP, from that presented at the December 1, 2009 meeting, pending
28 final Council direction. At the meeting of December 1, 2009, the City Council's
29 discussion focused on the following issues:
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- 31 1. Extension of Washington Street to Dunaweal Lane: The City Council
32 indicated through a "straw vote" (with Councilmember Kraus opposed) to
33 support the Planning Commission's recommendation to retain language
34 within the UDP referencing the General Plan's finding and "plan line" for
35 this potential road extension in the future and to clarify the process for the
36 consideration of the desirability and need of this facility. The Council also
37 directed staff to revise applicable UDP sections that address this General
38 Plan recommendation to reflect the language included in Chapter 3
39 Circulation Systems (on Page 41, Lines 1746-1755).

40
41 ***Street #3: Extension of Washington Street to Dunaweal***
42 ***Lane***

43
44 *Maintain the plan line as presently anticipated in the General*
45 *Plan to provide an alternate access for the **Lower***
46 ***Washington and Historic District Character Areas** and*
47 *the community in general. Should it be determined to be*
48 *necessary and desired, a feasibility study should be*
49 *conducted to determine the suitability, benefits, and design*
50 *characteristics of the street. This proposed alignment must*
51 *be of appropriate scale and suitable for the rural/urban*
52 *transitional setting. Such alignment must not encroach upon*
53 *County agricultural lands.*

- 54
55 2. Gliderport Property: The City Council directed staff to add language to
56 Chapter 2 – Character Area 4 Gliderport (on Page 27, Lines 1191-1196)
57 requiring that the development of a Planned Development Plan be utilized
58 to process any future development proposal within this Character Area.
59
60 3. Additional Visitor Accommodation Development: Councilmember Kraus
61 suggested that a Visitor Accommodation Demand evaluation should be
62 considered to determine the reasonable carrying capacity for this use.
63 Staff suggested that the City Council may want to consider undertaking
64 such a study to look at the capacity and sustainability for new or expanded
65 visitor accommodations.
66
67 4. Public Notice Protocol: In response to questions raised by
68 Councilmember Slusser regarding adequacy of public noticing for the UDP
69 effort, please note that the following multiple methods were used to notify
70 the public of the UDP meetings:
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72 • Newspaper Display Ads;
73 • Posting of Notices on four (4) Community Boards;
74 • Posting of Notices on the City's Website and E-Notify Distribution sign-
75 ups (more than 50 people were directly notified by this method);
76 • Mailing labels created through meeting sign-in sheets (more than 90
77 people were directly notified by this method); and

- E-Mail distribution created through meeting sign-in sheets (more than 100 people were directly notified by this method).

Public Comments: Attachment 2 represents written public comments that were provided during the City Council Meeting of December 1, 2009. Staff has also received a letter from Mr. Paul J. Beard II on January 14, 2010 regarding exactions and takings issues.

The following brief assessment reflects staff's recommendation on written comments received to date:

1. Bounsall Family Letter – Staff recommended at the December 1, 2009 meeting that suggested changes 1-5 in the letter are helpful and reasonable clarifications and should be incorporated in the UDP. Regarding the sixth suggestion in the letter, staff recommended that the language provided in the UDP not be changed (the current language clearly identifies that other compatible commercial uses should be subordinate to the dominate land use proposed for the property).
2. Andrew N. D'Anneo Letter – Mr. D'Anneo has expressed concern regarding UDP public noticing. (Please refer to discussion provided above on Public Notice Protocol). In addition, Mr. D'Anneo expressed opposition to the potential extension of Washington Street to Dunaweal Lane.
3. Kristin Casey Letter – With regards to Items 1-3, of Ms. Casey's letter, staff supports Ms. Casey's recommended changes to correct errors in the UDP and/or to provide additional clarification. With respect to Item 4, it should be noted that the Commission deliberated on this previously expressed concern and was not in agreement with Ms. Casey and recommended changes to Page 18, Lines 769-722 of the UDP. With respect to Item 5, Ms. Casey has expressed opposition regarding UDP's reference to the General Plan's discussion of the potential extension of Washington Street to Dunaweal Lane. Lastly, with respect to Item 6, Ms. Casey notes that some communities place a cap on the total number of visitor accommodation units allowed.
4. Norma Tofanelli – Requested clarification on the 2030 Regional Transportation Plan (RTP) "Call for Projects List", specifically reference to the "Fair Way Extension between Highway 29 and Dunaweal Lane" project. She further requested to see any circulation studies completed for the City of Calistoga.

It should be noted that Federal transportation statutes require that the Metropolitan Transportation Commission (MTC) for the San Francisco Bay Area in partnership with Napa County Transportation & Planning Agency – NTCPA develop and periodically update a long range (25 years) Regional Transportation Plan (RTP). This RTP is the principal policy and planning document guiding all Federal and State investments in transportation

126 projects in our region. Therefore, NCTPA is required to identify all
127 highway, transit, street, road, bike and pedestrian projects within Napa
128 County planned out to 2030 as either discrete projects or a part of a
129 project grouping in the document to plan for future funding needs. In the
130 spring of 2008, NCTPA staff requested the City of Calistoga to provide a
131 list of potential projects to be included in the draft long range RTP. To
132 generate this list, the Public Works Director with assistance from Planning
133 & Building Director used the City's adopted General Plan and the 2007
134 Bicycle Transportation Plan to identify listed projects. It should be noted
135 that the list is not binding and is updated on a regular basis to reflect
136 changes in policy and priorities of each City and the County. The
137 projected costs on the list are extremely broad rough estimates for project
138 environmental and feasibility studies, design and construction costs.
139

- 140 5. Mr. Beard's Letter – Mr. Beard, an attorney, raised concerns that the
141 language in the UDP referencing existing General Plan Goals, Objectives,
142 Policies and Actions regarding pedestrian and bicycle facilities may not be
143 legal. First, the community's desire for such improvements is well
144 expressed in the existing General Plan; the UDP does not introduced new
145 ideas in this regard. Secondly, the UDP does not suggest or recommend
146 any expansion of existing General Plan direction regarding these facilities.
147 Third, as noted many times previously, the UDP is a planning document
148 intended to provide direction for clarification and refinement of the General
149 Plan; it does not establish new policies or requirements. Finally, Mr.
150 Beard is correct that exactions (conditions of approval) must be consistent
151 with established legal and constitutional standards; any such exaction
152 imposed on a development project must address the nexus and
153 reasonable relationship concepts which have been long established in
154 land use activities.
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156 **STAFF RECOMMENDATION:** Staff recommends that the City Council
157 concluded its discussion of the Draft Urban Design Plan (UDP) and adopt the
158 document as recommended by the Planning Commission on November 10, 2009
159 as amended.
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161 **FISCAL IMPACT:** The adopted Fiscal Year 2009-2010 Budget includes funding
162 for this activity and final preparation of the UDP (editing and production of the
163 final document).
164

165 **ATTACHMENTS:**

- 166 1. Draft Resolutions
167 a. A Resolution adopting the Calistoga UDP excluding Character Area 3:
168 Downtown;
169 b. A Resolution adopting the Stevenson/Grant Area within the Calistoga
170 UDP; and
171 c. A Resolution adopting the Historic District within the Calistoga UDP.
172 2. Letters from the December 1, 2009 Meeting
173 a. Bounsall Revised letter, dated November 19, 2009

- 174 b. Andrew D'Anneo, letter, dated December 1, 2009
- 175 c. Kristin Casey letter, dated December 1, 2009
- 176 d. Norma Tofanelli – Handout Referencing New 2030 RTP
- 177 3. Mr. Paul J. Beard II, letter dated January 14, 2010
- 178 4. December 1, 2009 City Council Meeting Minute Excerpt
- 179 5. Abbreviated City Council Staff Report of December 1, 2009

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181 [Note: A complete copy of the City Council Report of December 1, 2009 and
182 Draft UDP has been provided on the City's Website at www.ci.calistoga.ca.us as
183 a link]