

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

Wednesday, April 14, 2010  
5:30 PM  
Calistoga Community Center  
1307 Washington St., Calistoga, CA

Chairman Jeff Manfredi  
Vice- Chairman Clayton Creager  
Commissioner Paul Coates  
Commissioner Nicholas Kite  
Commissioner Matthew Moya

**“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**

**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 regular meeting Minutes of March 24, 2010.

**Recommended Action:** Approve the Consent Calendar as presented.

**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. PUBLIC HEARING**

1. **ZO 2009-03.** Consideration of a Zoning Ordinance Text Amendment, initiated by the City of Calistoga, to amend the bed and breakfast regulations and other requirements pertaining to such use. This proposed action is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines.

**Recommended Actions:** Rescind PC Resolution 2009-26 and adopt PC Resolution 2010-05 recommending approval to the City Council of a Zoning Ordinance Text Amendment amending the bed and breakfast regulations, Chapter 17.35 of the Calistoga Municipal Code.

**I. NEW BUSINESS**

1. **CDR 2008-04.** Conceptual Design Review for the proposed Bounsall Family Winery Project on the property located at 414 Foothill Boulevard (APNs 011-260-045 through 011-260-076) within the "I" Light Industrial Zoning District. The project has been revised and now proposes two wineries, a wine shop and deli, a retail/winery office building, picnic grounds and a special event area with an adjacent reception building all contained on the property.

Please note that this item is scheduled for discussion purposes only. The Planning Commission will not take action on this item.

**Recommended Action:** Consider the historic record of February 11, 2009, discuss the concept plan modifications, receive public comment and provide feedback to the Applicant and staff regarding Commission review of the concept plans as revised giving particular attention to massing, scale, height and compatibility of land uses.

It should be noted that the Planning Commission comments received during conceptual design review are advisory only and should not be considered by the Applicant to be requirements or an endorsement of the project until a complete application is considered through the formal review process.

2. Review and assessment of the County of Napa's draft Winery-related Zoning Ordinance Amendments, Associated Interpretive Guidance Resolution, and Draft Negative Declaration in order to submit written comments during their public hearing process.

**Recommended Action:** Discuss and provide a recommendation to the City Council.

3. Review and assessment of the County of Napa's Vacation Rental Proposal in order to submit written comments during their public hearing process.

**Recommended Action:** Discuss and provide a recommendation to the City Council.

**J. MATTERS INITIATED BY COMMISSIONERS**

Chair Manfredi's report on the Special City Council Strategic Planning and Goal Setting Meeting of April 13, 2010.

**K. DIRECTOR'S COMMENTS/PROJECT STATUS**

1. Report on the Special City Council Strategic Planning and Goal Setting Meeting of April 13, 2010.
2. Earth Day 2010 Activities
3. Napa County Climate Action Planning Public Meeting Schedule
4. Napa County Transportation Planning Agency Vine 29 Commuter Express Schedule

**L. ADJOURNMENT**

The next regular meeting of the Planning Commission is scheduled for Wednesday, April 28, 2010, 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, April 09, 2010 no later than 4:30 p.m.*

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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.

**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.

*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.*