

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

**DRAFT**

**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 Moye**

**“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 5:44 PM.  
2

3 **A. ROLL CALL**

4 **Present:** Chairman Jeff Manfredi, Vice-Chairman Clayton Creager, Commissioners Paul  
5 Coates, Nicholas Kite, and Matthew Moye. **Staff Present:** Charlene Gallina, Planning and  
6 Building Director, Ken MacNab, Senior Planner, Erik Lundquist, Associate Planner, and  
7 Kathleen Guill, Planning Commission Secretary.  
8

9 **I. PUBLIC HEARING**

10 **2. ZO 2009-03.** Consideration of a Zoning Ordinance Text Amendment, initiated by the City of  
11 Calistoga, to amend the bed and breakfast regulations and other requirements pertaining to  
12 such use. This proposed action is exempt from the California Environmental Quality Act  
13 (CEQA) under Section 15061(b)(3) of the CEQA Guidelines.  
14

15 **Commissioner Kite** recused himself from discussion due to a conflict of interest noting he is a  
16 bed and breakfast business owner.  
17

18 **Planner Lundquist** provided an overview reporting on September 23, 2009 the Planning  
19 Commission adopted a resolution recommending City Council adoption of an ordinance that would  
20 amend the Bed and Breakfast Inns and Facilities Zoning Ordinance. The primary reason was to  
21 meet the General Plan policy referencing protection of the residential areas from further  
22 commercial expansion in residential neighborhoods while encouraging the visitor accommodation  
23 industry to expand to meet current trends. Recommended changes included consideration to  
24 reduce the onsite manager requirement and provide flexibility to increase the allowable maximum  
25 units from six to ten units. On October 20, 2009 the City Council requested the Planning  
26 Commission further review the recommendation to tighten the regulations to assure protection of  
27 the neighborhoods. This came back to the Commission in December and a subcommittee  
28 including Chairman Manfredi and Commissioner Moye was formed. The subcommittee held two  
29 meetings looking at specific zoning districts that would be appropriate to allow the changes  
30

31 **Planner Lundquist** advised that the subcommittee recommendation would provide an the  
32 exception only in the R-1-10 Zoning District since the district is along the transportation corridor of  
33 Foothill Blvd., which contains larger lots and could accommodate an opportunity to increase in the  
34 number of units (minimum lot size 10,000 sqft), and only if the facility is already established as a  
35 bed and breakfast prior to January 01, 2010.  
36

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37 **Commissioner Moye** identified the only residential neighborhood that calls out for bed and  
38 breakfasts is the hillside. He shared concern for sending this to Council when it is not a clean  
39 ordinance, suggesting changing other residential districts (RR, R1, R-2 and R-3).  
40

41 **Planner Lundquist** added Commissioner Moye's comments are appropriate and don't change  
42 the intent of the proposed changes to the Bed and Breakfast regulations. There is a general  
43 inconsistency between the various chapters. The recommendation is to incorporate the language  
44 elsewhere into the Zoning Ordinance to reduce ambiguity.  
45

46 **Chairman Manfredi** opened the public portion of the hearing at 5:54 PM.  
47

48 **Kurt Becker**, 1715, Michael Way, read aloud a letter written by his wife Gwen Becker and  
49 included in the Staff Report as attachment 6 expressing her outrage with recommended changes  
50 and shared her relief that Councilperson Slusser questioned the need. Mr. Becker further  
51 complained about the lack of notification to the general public when topics like these are  
52 presented and suggested decisions should be put to a vote on a ballot, presenting pros and cons.  
53

54 **Nick Kite**, 1019 Foothill Blvd., reminded the intent has never been to change the small town rural  
55 character of the community. He noted he understood there are sensitive areas, however, there  
56 are less sensitive areas where current guidelines are more restrictive, and reminded transient  
57 occupancy tax generates revenue for the City. It is his belief the amended proposal applies to  
58 very few areas. Mr. Kite recommended approval of the revised recommendation.  
59

60 **Chairman Manfredi** reminded the Commission is only providing recommendations to City  
61 Council. People are encouraged to go to that meeting to express their support/lack of support for  
62 the recommendations. As far as notification notices are published appropriately. It is published  
63 appropriately.  
64

65 **Norma Tofanelli**, 1001 Dunaweal Lane, thanked the Commission for trying to produce a more  
66 rational update. Read aloud correspondence (see Attachment 7), directing attention to two  
67 primary issues. 1) protect the integrity of neighborhoods and stating on site management is  
68 essential. Ms. Tofanelli noted it should not be the burden of neighbors to police, report and quiet  
69 neighborhoods, it is the responsibility of the business owner.  
70

71 **Chairman Manfredi** closed the public portion of the hearing at 6:02 PM and requested  
72 Commissioners comments.  
73

74 **Commissioner Moye, Vice-Chairman Creager, Commissioner Coates and Chairman**  
75 **Manfredi** supported resolving the inconsistency in the Zoning Ordinance noting the changes were  
76 appropriate.  
77

78 **Chairman Manfredi** reminded there would be no impact to zoning districts except within the R-1-  
79 10 zoning designation.  
80

81 **Director Gallina** noted appropriate public notification will go out at that time. She encouraged the  
82 audience to please sign up to receive City Council and Planning Commission public notices and  
83 meeting agenda's automatically by email at "E-Notify" on the City at website.

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There was motion by **Commissioner Moye**, seconded by **Vice-Chairman Creager** to 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, including the appropriate revisions in the appropriate zonings. **Motion carried: 4-0-0-1.**

**Commission Kite** resumed his seat on the Commission at 6:05 PM.

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Kathleen Guill  
Secretary to the Planning Commission