

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

**Wednesday, April 28, 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
2 **Acting Chairman Kite** called the meeting to order at 5:43 PM.
3

4 **A. ROLL CALL**

5 **Present:** Acting Chairman Nicholas Kite, Commissioners Paul Coates and Matthew Moye.
6 **Absent:** Chairman Jeff Manfredi and Vice-Chairman Clayton Creager. **Staff Present:** Charlene
7 Gallina, Planning and Building Director, Ken MacNab, Senior Planner, Erik Lundquist, Associate
8 Planner and Kathleen Guill, Planning Commission Secretary.
9

10 **B. PLEDGE OF ALLEGIANCE**

11
12 **C. PUBLIC COMMENTS**

13 No comment.
14

15 **D. ADOPTION OF MEETING AGENDA**

16 There was motion by **Commissioner Coates**, seconded by **Commissioner Moye** to approve the
17 agenda as submitted. **Motion carried: 3-0-2-0.**
18

19 **E. COMMUNICATIONS/CORRESPONDENCE**

20 The following writings were distributed to a majority of the Planning Commission during the
21 Planning Commission meeting:

- 22 1. Letter from Clayton Creager, date 04/26/2010 (Attachment 1)
 - 23 2. Letter from Kristin Casey, date 04/26/2010 (Attachment 2)
- 24

25 **F. CONSENT CALENDAR**

26 No action required.
27

28 **G. TOUR OF INSPECTION**

29 None.
30

31 **H. PUBLIC HEARING**

32 **1. DR 2010-01.** Palmer House Renovation Project – Consideration of a Design Review
33 application requested by Robert Fiddaman and Susan Hoffman, to allow restoration/renovations
34 to an existing structure currently listed on the National Register; including, but not limited to, new
35 perimeter foundation, re-roof, porch repairs and a 72 square foot addition, all on the property
36 located at 1300 Cedar Street within the “DC-DD”, Downtown Commercial - Design District (APN
37 011-223-002).
38

39 In accordance with the California Environmental Quality Act (CEQA), the City of Calistoga,
40 Planning and Building Department has prepared an Initial Study/CEQA Checklist for the above
41 referenced project. The Planning Commission has determined that the proposed project as
42 amended by the included mitigation measures will not have a significant adverse effect on the
43 environment. The City of Calistoga intends to adopt the Mitigated Negative Declaration for the
44 project. Additional comments will be considered at the public hearing.

45
46 **Commissioner Moye** advised for the record, that he had visited the project site the week prior to
47 familiarize himself with the site.

48
49 **Planner Lundquist** reported the City was excited to consider the proposed improvements for
50 renovation of the Palmer House retaining the historic character of a property currently listed on the
51 National Historic Landmark Register. He provided a brief summary of the site background and
52 proposed improvements which included a perimeter foundation, reroof, porch repair, exterior and
53 minor interior improvements. He advised Julie Inman, a registered Architect had provided
54 guidance for historic preservation and maintenance and there was not a lot of mitigation
55 warranted. Therefore staff was recommending a Mitigated Negative Declaration and supported
56 the exterior renovations with conditions subject to the nature of the property as a single residential
57 property.

58
59 **Julie Inman**, 2133 First Street in Napa, President of Napa County Housing Landmarks, advised
60 due to her close relationship with this project she had recused herself from formal review by the
61 organization. She then provided a brief summary of the proposed work including a foundation
62 retrofit, some interior upgrading and infrastructure work with very careful restoration of exterior
63 features of the house including the railings that have become deteriorated.

64
65 **Bob Fiddaman**, 1300 Cedar Street, reported the house is very livable and will end up looking like
66 it has for the last few decades, except they are putting on the shutters that were originally there.
67 He stated as of yet he was not sure how to replace the filigree near the roof. He gave an
68 overview reporting the roof mounted air conditioning system was not visible from the front of the
69 house and provided a color board with nuance white, a lighter shade of white, and trim in black
70 forest or black ebony. Also noting he looked into solar, but it will not be effective due to trees, an
71 energy audit was performed and there are potential opportunities for a huge improvement. Mr.
72 Fiddaman shared his Interest in putting in a measure that will keep the house as a house. Stating
73 there is always economic pressure to make it something else and he is Interested in pursuing a
74 Mills Act resolution to protect the house in ten year increments. In closing he stated he assumed
75 there would be no other notification process required to build the fence.

76
77 **Acting Chairman Kite** asked if the fence would be within the overall guidelines for fences.

78
79 **Bob Fiddaman** stated it will be an eight foot fence and he was assuming no additional noticing
80 would be required following this meeting. He directed attention to the existing deck on the rear
81 west side, advising they were now considering it's removal and replacement with brick porches.
82 Mr. Fiddaman also pointed out the renovation of the garage is not part of this application but
83 presumed he would not have to go back for design review for the improvements.

84

85 **Planner Lundquist** confirmed the garage was not part of this application, but advised further plan
86 review was dependent on the scope of the renovations to determine if it would trigger another plan
87 review.
88

89 **Commissioner Coates** congratulated the applicants for this endeavor that will give Calistoga an
90 opportunity to hang on to a piece of history. Commissioner Coates asked staff if they could create
91 a condition that would help streamline the process so the applicant could have the garage
92 reviewed administratively and not need to come back to the Commission for review of the garage
93 improvements based on the incredible things they are doing to the property.
94

95 **Planner Lundquist** stated staff appreciated the respect of the commission, however without
96 knowing the scope of the work, there are two known matters at hand requiring consideration: the
97 impact of the Napa River which is assessed through CEQA review and the conservation grading
98 within the stream channel requiring Planning Commission approval through a use permit, so he
99 cannot commit that it will be allowed through administrative approval.
100

101 **Director Gallina** noted that condition one allows us to do that if it does not have environmental
102 issues.
103

104 **Acting Chairman Kite** stated it looks like a great project, and thanked the applicant for taking
105 such pride and effort with the project. His guidance to staff would be to use their discretion to help
106 the project move along.
107

108 There was motion by **Commissioner Coates**, seconded by **Acting Chairman Kite** to adopt
109 Planning Commission Resolution PC 2010-06 adopting a Mitigated Negative Declaration based
110 on an Initial Study prepared for the Palmer House Restoration and Addition Project incorporating
111 the findings and mitigation measures as provided in the Resolution. **Motion carried: 3-0-2-0.**
112

113 There was motion by **Commissioner Moye**, seconded by **Acting Chairman Kite** to adopt
114 Resolution 2010-07 approving Design Review (DR 2010-01), to allow restoration/renovations to
115 an existing structure currently listed on the National Register; including but not limited to, new
116 perimeter foundation, re-roof, porch repairs and a 72 square foot addition, all on the property
117 located at 1300 Cedar Street within the "DC-DD" Downtown Commercial – Design District (APN
118 011-223-002) based on the findings and conditions of approval as provided in the Resolution.
119 **Motion carried: 3-0-2-0.**
120

121 I. NEW BUSINESS

122

123 **1. GPA 2009-01:** Presentation on the Housing Element Update program, including: (1) an
124 overview of the current Housing Element; (2) progress on implementing the current Housing
125 Element; (3) information on housing-related trends and demographics; and (4) emerging issues
126 discussed by the Housing Element Advisory Committee. The Housing Element is a
127 comprehensive assessment of current and projected housing needs for all economic segments of
128 the community. The purpose of the Housing Element Update program is to develop an overall
129 strategy and schedule of actions for the next five years to achieve the City's housing needs.
130

131 **Director Gallina** directed attention to the two correspondence items presented under
132 Communications regarding the Housing Element Update program. The first was from
133 Commissioner Creager who could not be present during this meeting and provided some
134 comments to think about (Attachment 1). The second is a letter from Kristin Casey (Attachment
135 2). This letter was previously presented to the Housing Element Advisory Committee back in
136 March.

137
138 **Planner MacNab** presented a power point presentation that included the basic background,
139 accomplishments, and demographics and issues that emerged during the analysis for the Housing
140 Element update. Highlights are as follows:

- 141
- 142 • Every city in California is required to include a Housing Element in their General Plan.
 - 143 • A Housing Element is a comprehensive assessment of current and projected housing needs
144 for all segments of the community.
 - 145 • All housing elements must be updated every five years.
 - 146 • There are four elements that must be included - housing needs assessment, regional housing
147 needs allocation, governmental and non-governmental constraints analysis, and housing
148 programs.
 - 149 • Planner MacNab gave an overview of the trends, conditions and needs; and a breakdown of
150 the RHNA statistics for Napa County.
 - 151 • He provided a look at what is in the mix, i.e. contract or deed restricted, and how the city must
152 address how to keep units to address the needs.
 - 153 • Regional Housing needs allocations are determined by ABAG with consideration of the
154 numbers and affordability. Calistoga must allocate ninety-four additional units from 2007 to 2014.
155 He noted the city does not have to build those units, but must find opportunities for those units.
- 156

157 **Acting Chairman Kite** asked if ABAG dictates a minimum.

158
159 **Planner MacNab** stated the numbers projected are the minimum required.

160
161 **Acting Chairman Kite** asked if certain grants will become available to the city if we can satisfy
162 this requirement.

163
164 **Planner MacNab** reported the key test is when the Housing Element is certified. We send our
165 draft to the State, they provide review and comments, and then we adopt it and send it back
166 showing we made the improvements and this opens the opportunity for improvement project
167 grants.

168
169 **Planner MacNab** provided review of the Housing Programs and reported actions to
170 accommodate the production of housing is a big part of what the committee has worked on the
171 last few months. The goals, policies and programs is what the State is most interested in.

172
173 The current five goals of the Housing Element are:

- 174 • Provide adequate sites for the development of housing to meet the City's housing needs.
- 175 • Encourage a variety of housing types.
- 176 • Provide housing to meet the needs of very-low, low and moderate income households.
- 177 • Remove governmental constraints to the maintenance and production of housing.

- 178 • Enhance and promote quality housing design in new and existing development.
179

180 **Planner MacNab** provided a progress report on accomplishments including rezoning of properties
181 to allow for residential development, completion of the wastewater treatment plant, water main
182 replacement and implementation of a Growth Management System Program. He highlighted
183 collaborations with Calistoga Affordable Housing and Napa County and presented housing
184 production statistics. He noted we have to make sure the system and policies allow for a
185 minimum number of units achievable and we do not anticipate the Growth Management System to
186 create a constraint.

187
188 **Planner MacNab** provided demographic trends reporting the population growth by the year 2015
189 is estimated at less than 1%, with a decline in the senior population and an increase in youth.
190 Data also concluded there is an increase in persons of Hispanic/Latino origin and a decrease of
191 those identified as white and the survey reflects a greater level of lower income levels. This is a
192 statewide trend and the trend is anticipated to continue.

193
194 **Acting Chairman Kite** asked if we have produced the very low income housing needed for those
195 people to live.

196
197 **Planner MacNab** replied advising we are experiencing a condition of overcrowding, with families
198 living together in overcrowded conditions. We don't have new affordable housing coming on line
199 and we do have a growing population that doesn't have income sufficient for the higher priced
200 housing. Planner MacNab reported the ratio of those that own or rent has stayed very much the
201 same, but the household size living in the homes has changed. The one and two person
202 households have declined and the larger households are starting to increase, this is consistent
203 with the changes in the age in the community.

204
205 **Acting Chairman Kite** stated that people bunch up and overcrowd to meet the expense or they
206 have to leave and live outside of Calistoga.

207
208 **Planner MacNab** reported that overcrowding is of concern to the State, and this means more than
209 one person per room is overcrowding. He reported the problem is more prominent in rental
210 homes verses ownership. The issue has been recognized as creating health and safety issues as
211 well as impacting physical issues like parking. The city is looking at establishing an annual multi-
212 family unit inspection program.

213
214 **Planner Lundquist** asked what the timing was for the results of the census this year.

215
216 **Planner MacNab** reported the data will trickle out just as we hope to be getting our housing
217 element adopted.

218
219 **Planner MacNab** recapped general observations:

- 220 • A slowing population growth trend
221 • Growing Hispanic/Latino population
222 • Overpayment for housing
223 • Overcrowding in rental units
224 • Increasing house size, and

- 225 • Aging housing stock
226

227 **Planner MacNab** reported the Housing Element needs to focus on modifying the programs to
228 address issues such as maintenance and rehabilitation of existing homes, overcrowding
229 programs, the lack of affordable housing for households with income under \$100,000, the lack of
230 programs for moderate income level housing, and possibly more affordable attached townhome
231 development.
232

233 The economic outlook does not project incomes to significantly increase and there is no regional
234 job growth anticipated. The city does not currently have a lot of projects coming forward and this
235 limits the cities ability to establish programs. While housing prices have declined, financing is
236 difficult.
237

238 **Planner MacNab** gave an overview of emerging policy issues suggesting consideration for
239 stimulating production of moderate income housing, looking at rehabilitation verses new
240 construction of homes and providing more alternatives to developers for flexibility in “inclusionary
241 housing”. He reviewed new housing laws including “By-Right” multi-family housing and
242 emergency shelters, as well as “Reasonable Accommodation” requiring jurisdictions to institute
243 procedures for persons with disabilities.
244

245 Calistoga has fortunately been able to identify more than enough area/lands to meet our housing
246 needs, but we are concerned with the State encouraging the “By-Right” discretionary program
247 because it creates awkwardness for getting projects that don’t fit and excluding a program the
248 State wants may attract attention.
249

250 Next steps:

- 251 • Release draft update, May, 2010
252 • Community meeting on draft update, and Planning Commission review of draft, June, 2010
253 • Transmittal of draft update to State for review, July, 2010
254

255 **Commissioner Moye** asked besides “By Right”, what were the other serious comments.
256

257 **Planner MacNab** stated “By-Right” is one, and the other is a potential County program reserving
258 affordable housing in exchange for transfer of RHNA credit, but there has been no formal
259 proposal. The general question is why do we have to provide more affordable housing. The
260 answer is the State assumes more people, more growth, and there is no choice even if we think it
261 won’t happen here. Not to comply could result with loss of grant money and legal implications.
262

263 **Commissioner Moye** asked if the draft Housing Element will go to Council for approval.
264

265 **Planner MacNab** stated it has not been determined if the draft will go to the Planning Commission
266 and Council or not, but ultimately final adoption has to go to City Council.
267

268 **J. MATTERS INITIATED BY COMMISSIONERS**

269 Nothing to report.
270

271 **K. DIRECTOR’S COMMENTS/PROJECT STATUS**

272 Urban Design Plan Implementation Work Program adopted.

273 **Director Gallina** reported City Council adopted the UDP Implementation Work Program as
274 recommended, with no additions or deletions. Staff is now getting started identifying funding. And
275 it will go back to Council with budget.

276
277 Proposed General Plan Implementation Work Program – Status Update

278 **Director Gallina** reported working on the plan for implementing the General Plan. She is looking at
279 each element of the General Plan and identifying key projects for review by the Planning
280 Commission.

281
282 Napa County Winery Definition Ordinance

283 **Director Gallina** provided an update on the Winery Definition Ordinance advising
284 recommendations opposing the ordinance were forwarded to County, unfortunately they
285 recommended approval and it will go forward to Board of Supervisors May 11, 2010.

286
287 **Acting Chairman Kite** asked if there were any other letters submitted opposing the ordinance.

288
289 **Director Gallina** reported Saint Helena and Yountville were also in opposition to the ordinance.

290
291 **Commissioner Coates** asked if we anticipated there would be live representation from all three
292 cities on May 11, 2010.

293
294 **Director Gallina** reported that County see's this as a way to further clarify the ordinance and
295 believed it was not that big of an issue.

296
297 **Acting Chairman Kite** stated when there is wiggle room around the rule; boundaries tend to
298 arbitrarily move.

299
300 **Commissioner Coates** recommend Commissioner Kite be present at that meeting as a
301 spokesperson.

302
303 Napa County Vacation Rental Ordinance

304 **Director Gallina** reported that County staff recommended they extend the effective date of the
305 ordinance adopted last December to December 1, 2010 to provide more time to allow additional
306 time to work with the illegal vacation rental stake holders. They will not enforce the new
307 regulations during this period.

308
309 **Acting Chairman Kite** asked how many of current stake holders pay transient occupancy tax
310 (TOT).

311
312 **Director Gallina** reported none of those stake holders are paying TOT.

313
314 **Acting Chairman Kite** suggested he should stop paying TOT and become a stakeholder.

315
316 **Director Gallina** distributed a letter received from Jeff Bounsall stating they will be going forward
317 with their project. (Attachment 3)

318

319 **Planner Lundquist** noted he didn't know if the application will be conceptual or a formal
320 application.

321
322 **Acting Chairman Kite** stated he was understanding of the cost involved and would be willing to
323 see just a rough sketch by the architect to see the direction they are going without any significant
324 cost to the applicant.

325
326 **Acting Chairman Kite** referenced the Urban Design Plan and encouraged if there are funds
327 available the City should take some visible physical action such as providing way-finding signage
328 or something additional to recommended technical changes.

329
330 **Director Gallina** reported contacting Winter and Company for examples of other cities way-finding signage
331 and maybe it could be done this next fiscal year.

332 .
333 **ADJOURNMENT**
334 There was motion by **Acting Chairman Kite**, seconded by **Commissioner Coates** to adjourn to
335 the next regular meeting of the Planning Commission, Wednesday, May 12, 2010, at 5:30 PM.
336 **Motion carried: 3-0-2-0.** The meeting adjourned at 7:16 PM.

337
338
339
340
341 _____
342 Kathleen Guill
343 Secretary to the Planning Commission

344
345 (3) Attachments