

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

Wednesday, January 12, 2011
5:30 PM
Calistoga Community Center
1307 Washington St., Calistoga, CA

Chairman Jeff Manfredi
Commissioner Paul Coates
Commissioner Nicholas Kite
Commissioner Matthew Moye
Commissioner Carol Bush

“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

Distribution of the Planning Commission Rules of Procedure. The Rules of Procedure have been provided to Commissioners to allow an opportunity to review and prepare for discussion, revision and/or confirmation during the January 26, 2011 Planning Commission meeting.

Recommended Action: No action required.

F. NEW BUSINESS

1. Presentation of Resolution PC 2011-01 honoring Clayton Creager for his service on the Planning Commission January 01, 2001 – December 31, 2010 and his commitment to the citizens of Calistoga.

Recommended Action: Approve and adopt Resolution PC 2011-01 honoring Clayton Creager for his service and commitment to the community.

2. Election of 2011 Planning Commission Officers to include a Chairperson, Vice-Chair and Secretary.

Recommended Actions: Elect a Chairperson, Vice-Chair and Secretary.

G. 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 November 10, 2010.
2. Planning Commission regular Meeting Minutes of November 17, 2010.
3. Planning Commission regular Meeting Minutes of December 08, 2010.

Recommendation: Approve the Consent Calendar as presented

H. 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.

I. PUBLIC HEARINGS

1. **Conditional Use Permit Amendment (U 2010-09):** Consideration of an amendment to the previously approved Conditional Use Permit (U 84-4) eliminating the owner/manager residence requirements associated with “The Chanric Inn”, granting an exception to the parking requirements and increasing the number of guest units from a six (6) unit bed and breakfast facility to an eight (8) unit bed and breakfast facility, located at 1805 Foothill Boulevard (APN 011-290-029) within the “R-1-10”, Single Family Residential District. The property owner is Richard Pielstick. *(This item was continued from the regular Planning Commission Meeting of November 17, 2010.)*
 - a. **Recommended Actions:**
Staff recommends the filing of a Notice of Exemption for the Project pursuant to Section 15332 of the CEQA Guidelines.
 - b. Adopt Resolution PC 2011-02 approving Conditional Use Permit Amendment (U 2010-09), amending the previously approved Conditional Use Permit (U 84-4), granting an exception to the parking requirements and increasing the number of guest units from a six (6) unit bed and breakfast facility to an seven (7) unit bed and breakfast facility, located at 1805 Foothill Boulevard (APN 011-290-029) within the “R-1-10”, Single Family Residential District, based upon the findings presented in Resolution PC 2011-02 and subject to conditions of approval.
 - c. Adopt Resolution PC 2011-03 approving Conditional Use Permit Amendment (U 2010-09), amending the previously approved Conditional Use Permit (U 84-4), eliminating

and converting the owner/manager's unit to an additional bed and breakfast guest unit, located at 1805 Foothill Boulevard (APN 011-290-029) within the "R-1-10", Single Family Residential District, based upon the findings presented in Resolution PC 2011-03 and subject to conditions of approval.

2. **CMC 2010-02:** Consideration of an amendment to Calistoga Municipal Code, initiated by the City of Calistoga, amending Title 5 Business Taxes, Licenses and Regulations, Title 3 Revenue, Finance, and Expenditure, specifically Chapter 3.30 Film Permits for Motion Picture and Television Production and Title 17 Zoning, specifically, Section 17.40.050 Action – Administrative Use Permits to establish regulations for authorizing Special Events occurring in the City. No further environmental review is required in accordance with Section 15061(b)(3) of the CEQA Guidelines.

Recommended Action: Adopt Resolution 2011-04 recommending to the City Council adoption of an Ordinance that amends the Calistoga Municipal Code to establish new and amend existing provisions for authorizing special events occurring in the City.

J. NEW BUSINESS (Continued from item F.)

1. Presentation – Overview of the Sustainable Communities Strategy

Recommended Action: Receive presentation and provide comments.

K. MATTERS INITIATED BY COMMISSIONERS

L. DIRECTOR'S COMMENTS/PROJECT STATUS

M. ADJOURNMENT

The next regular meeting of the Planning Commission is scheduled for Wednesday, January 26, 2011, 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, January 07, 2011 no later than 4:30 p.m.*

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.

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.

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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.