

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

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).

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2 **Chairman Manfredi** called the meeting to order at 5:49 PM.
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4 **A. ROLL CALL**

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

10 **B. PLEDGE OF ALLEGIANCE**

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12 **C. PUBLIC COMMENTS**

13 None.
14

15 **D. ADOPTION OF MEETING AGENDA**

16 There was motion by **Commissioner Kite**, seconded by **Commissioner Coates** to approve the
17 agenda as provided. **Motion carried: 5-0-0-0.**
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19 **E. COMMUNICATIONS/CORRESPONDENCE**

20 **Distribution of the Planning Commission Rules of Procedure.** The Rules of Procedure were
21 distributed to Commissioners to allow an opportunity to review and prepare for discussion,
22 revision and/or confirmation during the January 26, 2011 Planning Commission meeting. No
23 action taken.
24

25 **F. NEW BUSINESS**

26 1. Presentation of Resolution PC 2011-01 honoring Clayton Creager for his service on the
27 Planning Commission January 01, 2001 – December 31, 2010 and his commitment to the citizens
28 of Calistoga.
29

30 **Chairman Manfredi** read aloud the resolution for the public and personally thanked Clayton
31 Creager for his service on the Planning Commission. There was motion by **Chairman Manfredi**,
32 seconded by **Commissioner Bush** to approve Resolution PC 2011-01. **Motion carried**
33 **unanimously: 5-0-0-0.**
34

35 **Chairman Manfredi** presented the plaque/resolution to Clayton Creager, and the audience and
36 Commission responded with a standing ovation.
37

38 **Clayton Creager** thanked the Commissioners, staff and the community explaining serving on the
39 Commission had offered him a great opportunity to know Calistoga, although at times it presented
40 a tough balance to maintain. He welcomed Carol Bush as the newly appointed Commissioner.
41

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

44
45 There was motion by **Commissioner Bush** to re-elect Jeff Manfredi as Chairperson, motion was
46 seconded by **Commissioner Kite**. **Motion carried: 5-0-0-0.**
47

48 There was motion by **Commissioner Bush** to nominate Paul Coates as Vice-Chair, **Chairman**
49 **Manfredi** seconded the motion. **Motion carried: 5-0-0-0.**
50

51 There was motion by **Chairman Manfredi**, seconded by **Commissioner Kite** to re-elect Kathleen
52 Guill as Planning Commission Secretary. **Motion carried: 5-0-0-0.**
53

54 **G. CONSENT CALENDAR**

- 55 1. Planning Commission regular Meeting Minutes of November 10, 2010.
56 2. Planning Commission regular Meeting Minutes of November 18, 2010.
57 3. Planning Commission regular Meeting Minutes of December 08, 2010.
58

59 **Commissioner Kite** reported he had sent a request to the Planning Commission Secretary by
60 email for minor clarification/correction to the November 18th Minutes, (reference page 3 of 6). His
61 comments were to be amended as needed between lines 121 – 129. There was motion by
62 **Chairman Manfredi**, seconded by **Commissioner Moyer** to approve the Consent Calendar, to
63 include the corrections to the November 18, 2011 Minutes. **Motion carried: 5-0-0-0.**
64

65 **H. TOUR OF INSPECTION**

66 None.
67

68 **I. PUBLIC HEARINGS**

- 69 1. **Conditional Use Permit Amendment (U 2010-09):** Consideration of an amendment to the
70 previously approved Conditional Use Permit (U 84-4) eliminating the owner/manager residence
71 requirements associated with “The Chanric Inn”, granting an exception to the parking
72 requirements and increasing the number of guest units from a six (6) unit bed and breakfast
73 facility to an eight (8) unit bed and breakfast facility, located at 1805 Foothill Boulevard (APN 011-
74 290-029) within the “R-1-10”, Single Family Residential District. The property owner is Richard
75 Pielstick. *(This item was continued from the regular Planning Commission Meeting of November*
76 *17, 2010.)*
77

78 **Chairman Manfredi** announced the agenda item and noted for the record the Staff report had
79 separated the discussion into two sections. The first part of discussion would be related to the
80 proposal for one additional room, and the remaining discussion would be for the possibility of
81 adding two rooms, for a total of 8 rooms and authorization to eliminate the requirement of an on
82 site manager.
83

84 **Planner Lundquist** presented a brief history of the rigorous review by key players, the public,
85 Planning Commission and the City Council which had transpired prior to the revision of the Bed

86 and Breakfast Ordinance. These hearings resulted in allowing Bed and Breakfasts to have from 1
87 – 10 units and provided the ability to eliminate an on site manager if the business is located within
88 the R-1-10 zoning, and upon Planning Commission review and approval with findings of special
89 circumstances.

90

91 **Planner Lundquist** reported this application is the third request received for expansion of a Bed
92 and Breakfast facility since the changes were approved. The Chanric Inn, originally known as the
93 Culver Mansion is allowed to operate as a six unit Bed and Breakfast. The Culver house is a
94 seven bedroom residential structure, but one of the bedrooms in the lower floor was not allowed to
95 be rented as a guest unit since the previous code limited the number of units to a maximum of six.
96 As such the applicant is seeking to expand with one additional unit in the main house to allow
97 seven rooms including the extra room in the lower floor of the main house. Planner Lundquist
98 noted the lower unit in question has previously been subject to some scrutiny. He was frank when
99 he advised the City has done some looking at back payments and it appears the owners have
100 often rented the area as a guest unit. Therefore a condition has been included requiring an audit
101 be conducted at the expense of the property owner of all applicable financial/rental records to
102 determine if the appropriate transient occupancy tax has been paid subject to the determination of
103 the Planning and Building and Administrative Departments. Further noting should evidence be
104 found that additional taxes are due for any historically suspected illegal room rental(s), the funds
105 shall be paid in full, with a penalty assessed. If no discrepancies are found nothing further would
106 be required of the owner/operator.

107

108 **Planner Lundquist** reported mitigation of concerns raised from Mr. Davis and Chris Ciriacks,
109 1801 Foothill Blvd., regarding noise and tobacco use, and appropriate ingress and egress of the
110 property. Conditions include prohibiting smoking in certain places on the property, and restricting
111 hours of operation of the pool and outdoor area.

112

113 **Planner Lundquist** further presented a request for consideration to eliminate the required
114 resident manager and the addition of one more unit in the rear for a total of eight units. Many of
115 the conditions are carried through for the elimination of the manager on site. During the last five
116 years the experience has been only one call per year not noise related, and one domestic issue.
117 It is recommended if staff or the Police Department receives future complaints the permitted use
118 will be brought back for review by the Planning Commission. Staff is continuing to support the
119 proposed eight units with no on site manager and flexibility of parking.

120

121 **Chairman Manfredi** recalled the change in the Bed and Breakfast ordinance was by the City
122 Council whereby they thought the original recommendation was too broad, and that is why the
123 changes were limited to the R-1-10 zone only.

124

125 **Planner Lundquist** confirmed the original proposal was city wide, however the City Council felt
126 change within the R-1-10 district would be more appropriate.

127

128 **Chairman Manfredi** asked staff when City Council provided that direction had they looked at
129 forming a subcommittee.

130

131 **Planner Lundquist** confirmed Council had directed formation of a subcommittee to include staff,
132 two commissioners, and notification inviting persons of interest. It was at that level the ordinance

133 was re-drafted and then brought back to the Planning Commission for recommendation to City
134 Council.

135

136 **Chairman Manfredi** disclosed for the record he had previously met with both the neighbors
137 privately sometime during November or December.

138

139 **Commissioner Kite** also reported privately meeting with the neighbors regarding this project.

140

141 **Commissioner Moyer** referenced the letter (Staff Report, attachment 4) from the City to the
142 owner/operators of the Chanric Inn, addressing non-compliance and he asked why the City didn't
143 take any action at that time.

144

145 **Planner Lundquist** reported originally during the annual Bed and Breakfast inspection the
146 potential for the illegal unit was identified, however the City was entertaining increasing allowable
147 units, so Staff was directed not to pursue while the Bed and Breakfast regulations were
148 undergoing possible revision.

149

150 **Commissioner Moyer** stated since we didn't take any enforcement action previously, what is the
151 consequence if they do not follow the rules of the ordinance again.

152

153 **Chairman Manfredi** reminded that enforcement was not on the table for discussion during this
154 meeting, however it is exactly the case. Things do go on that shouldn't happen.

155

156 **Commissioner Moyer** noted that the applicant broke the rules and is now asking for privileges.

157

158 **Vice-Chair Coates** disclosed he also had previously met with both the neighbors privately. He
159 then drew attention to the fact there were only three parcels within the R-1-10 zoning that fit the
160 criteria for increasing the number of units.

161

162 **Planner Lundquist** confirmed there are only three Bed and Breakfasts that qualify, plus one other
163 visitor accommodation.

164

165 **Vice-Chair Coates** wanted to draw attention to the limited eligibility.

166

167 **John Davis**, 1801 Foothill Blvd., advised his comments were not the result of a neighborhood
168 fight and it is not personal, stating he likes Chan and Rick. Mr. Davis comments included the
169 following:

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- Mr. Davis explained he lives next door to something that started as a four bedroom and it
171 got larger and larger. He new there was a Bed and Breakfast next door but didn't
172 anticipate its growth.

173

- He urged the Commission not to allow the expansion.

174

- He shared the difficulties with parking, people driving up their driveway and the noise.

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- Breakfast was formerly served to the guests indoors, now it is on the patio. He said it is
176 almost like having the people right in his home. Mr. Davis stated he didn't know how to
177 abate that unless the guests go back indoors.

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- Mr. Davis reported they haven't complained to the Police and don't want to call every time, or make a big deal. However with further expansion they will have no choice but to call the police.
 - Guests smoke on the patio and the smoke comes straight into their house.
 - He reported he is not complaining how it is now, but would prefer it not get larger, any increase in business will affect them too.
 - Parking and driveway signage hasn't been effective.
 - They have previously stretched a chain across the driveway; it was somewhat affective, but it was a pain to deal with.
 - An electric gate may be helpful.

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189 **Chairman Manfredi** noted in fact the Chanric Inn has been illegally renting a room so Mr. Davis

190 has already been living next to a seven room Bed and Breakfast.

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192 **Chris Ciriacks**, 1801 Foothill, thanked the Commission for their time and her comments included

193 the following:

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- Ms. Ciriacks drew attention to the driveway stating it is dangerous because people are required to back down the driveway when they come in and the spinning of tires breaks up the driveway.
 - It is also an intrusion due to the headlights coming up to the house.
 - An electric gate would help.
 - There is a huge problem when there are too many people and no parking.
 - They have interruptions due to guests that come to their house to ask for information about the Bed and Breakfast.
 - Ms. Ciriacks reported they have not complained to Chan and Rick because they do a good job and try to make things work.
 - The previous owners were a problem.
 - There could be up to 16 people on the patio at one time with guests, maids, etc.
 - She referenced the conditions where it references "pool and patio" and requested it should say "pool, hot tub and patio". Recently the patio has been getting so much use.
 - They wouldn't have purchased their property if they had known about the potential growth next door.
 - Another issue is protecting the redwoods, maybe they could put in big rocks every four feet to keep people from parking right next to the redwoods.
 - She would like to see a restriction on loud parties.
 - This should never have been allowed to be a Bed and Breakfast so close to the property line.
 - She shared concern that complaints have to be verified and they have to call the police and they hate doing that. If this is approved they have to wait a year for it to come under review again.

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219 **Chairman Manfredi** noted persons can complain anytime, they do not have to wait for the first

220 review.

221

222 **Director Gallina** also noted individuals may call the police or the Planning and Building

223 Department to leave a message on the voice mail. If this results in an excessive amount of

224 complaints it will be reviewed more immediately.

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Commissioner Kite suggested the first line of defense is for the neighbors to call the police. It is the only recourse for very bad behavior and could probably be the thing that would cause them to lose their use permit. There are ordinances in place for noise enforcement by the Police Department and the neighbors have the same recourse as every other citizen, it is their choice.

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Norma Tofanelli, 1001 Dunawear Lane, asked for clarification, stating it has been acknowledged there was one illegal room.

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Chairman Manfredi reported staff suspected there was one unauthorized room in use.

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Norma Tofanelli read aloud her letter supporting the objections and all of the on going concerns raised by Chris Ciriacks. (Attachment 1) She strongly urged the use not be granted at this time because illegal operations should not be rewarded. There should be a thorough audit completed and one full year of compliance with no complaints. Once they are cleared they could then be allowed to apply for the additional use. We should avoid sending a message of selective enforcement to the community.

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Dennis MacNay, Bear Flag Inn, reported his use permit was approved twelve years and at the time he was required to widen the egress/entrance to his inn. This ordinance has overlooked some of these things. The project in question was formerly the Culver Mansion and he recalled 8-9 years ago someone was killed on the road in that location. Staff should think about looking to add a street light in that area to prevent accidents. He recommended looking at the general ordinance and the whole picture to help figure out how to accommodate them.

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Channing McBride, 1805 Foothill Blvd., reported having had a good relationship with his neighbors and some of the concerns surprise him. He reported they have done everything they can over the years, including changing their brand of dryer sheets at the neighbors request, so as not to bother them. He reported they have been very meticulous in asking their neighbors if there is anything they can do for them, so many of these issues brought up are a total surprise.

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Chairman Manfredi referenced the complaint regarding people going up their neighbor's driveway, noting that putting a chain across worked but was inconvenient. He asked as a good neighbor would Mr. McBride be willing to contribute to a gate.

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Channing McBride stated the neighbors had presented a proposal for an \$11,000 gate, and they could not afford such a gate. Mr. McBride reported when they have check-ins they give a welcome call informing guests their sign is difficult to see and this has helped with traffic flow. To this day he could not recall any guests stating they went to the neighbors and they have never heard there was a problem from John or Chris, but he wished they would have said something. Pertaining to parking he reported they are very clear how the parking structure works, verbal and a written note is provided at check in. In closing he shared his concern that during the first Public Hearing Chris Ciriacks had said previous owners guests were a problem, but as we proceed and after we told them we were unable to help with the proposed gate, the problem seems to have grown.

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Commissioner Moye asked Mr. McBride directly if prior to this application had the Chanric Inn operated the seventh room in the house as a guest room.

273 **Channing McBride** reported they had occasionally rented the seventh room. He noted when
274 they purchased the Bed and Breakfast they had been told there were seven rooms. The seven
275 rooms were built into their budget. When they moved here they should have done their homework
276 with the City, but did not. He reported they have paid the appropriate Transient Occupancy Tax
277 (TOT) on the room as it has been rented and they will prove that when the audit is completed. Mr.
278 McBride noted there has been no change in operation since they opened, and if the City had
279 concerns, why have they continued to be licensed. He concluded stating they did break a rule,
280 but have they hurt anyone with it.

281
282 **Commissioner Moyer** asked Mr. McBride when was it their knowledge it was only a six room
283 facility.

284
285 **Channing McBride** reported it was known during their first year.

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287 **Commissioner Moyer** asked Mr. McBride if they continued to operate using that room after that.

288
289 **Channing McBride** responded advising the choice was to either rent the room or go out of
290 business.

291
292 **Planner Lundquist** wanted to provide clarification of the following:

- 293 • Referencing the parking requirements at the inn he advised they need 8 spaces and they
294 actually have nine.
- 295 • The current Building Code/Fire Code requires illuminated address signs. It is a necessary
296 precaution and neither of the properties has illuminated signs.
- 297 • In reference to the comment regarding requiring a full blown audit. There will be an audit
298 to go through their books, if there is no discrepancy or lack of (TOT) payments there will be
299 no action. If there is a deficiency, they will be required to correct that. We do know they
300 have paid for seven rooms in certain circumstances.
- 301 • Referencing the pool area, he reported for clarity he will add language identifying the “hot
302 tub” too.

303
304 **Channing McBride** wanted to mention it had been rumored that they got caught using the
305 additional room, and that is why they pursued creating new rules. Changing of the rules has been
306 a two year process. He and Rick had invited and encouraged the entire community to participate
307 in the review process with the City and only three others participated. They were not looking for
308 just a personal benefit, they had hoped to benefit the entire community with the change.

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310 **Chairman Manfredi** closed the public portion of the meeting at 6:55 PM.

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312 **Commissioner Bush** referenced issues with no parking on Hwy. 128.

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314 **Planner Lundquist** reported it can be prohibited with signage.

315
316 **Commissioner Bush** stated she was somewhat familiar with the property and the reported two
317 bedrooms in the cottage was not true.

318
319 **Planner Lundquist** reported there are two areas that could be used as bedrooms.

320 **Vice-Chair Coates** provided the following comments:

- 321 • The guests are required to sign an agreement at the time of registration, under penalty that
- 322 emphasizes applicable fees up to \$500.00 for smoking in the guest rooms, and these are
- 323 the very things that are being complained about.
- 324 • It has been acknowledged the Use Permit at the time of purchase of the property, was for
- 325 six units only. Each business gets a Use Permit with set rules established. While he does
- 326 understand the issues with the economy, persons should not violate a Use Permit. You are
- 327 to do what is appropriate. Struggling to stay open, does not give anyone the right to violate
- 328 the law.
- 329 • Therefore he must ask how he can support someone that has been in violation; what is the
- 330 solution; and how can they get on the right track.

331

332 **Commissioner Moye** agreed with Vice-Chair Coates, suggesting he would like to see a clear title
333 for a year. People need to follow the rules and then ask for privileges. Don't ask for privileges
334 when you are breaking the existing rules.

335

336 **Commissioner Kite** asked Mr. McBride about charging fees for smoking or making noise, asking
337 if this is something they have actually imposed.

338

339 **Channing McBride** reported they have never had to apply a smoking charge, but it provides a
340 way of making a statement to their guests. With reference to "noise" they have had to impose
341 fees when guests have been inconsiderate of other guests within the inn.

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343 **Commissioner Kite** suggested as a general principal the neighbors could be worse off. What if a
344 single family residence were next door, there is no way conditions could be applied or enforced, a
345 Use Permit provides more protection. He understood with a Bed and Breakfast cars and parking
346 is an issue, but in general we can help ensure the owners are good neighbors. Referencing the
347 issue of code enforcement, he acknowledged they acted outside the pangs of the Use Permit, and
348 he does not think that is advisable, but they are now trying to work within the regulations.

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350 **Commissioner Bush** stated that code enforcement is a separate issue and questioned what
351 about the City's culpability. She stated she did believe the audit was a good idea, however the
352 real issue is, can their proposal fit into the new ordinance.

353

354 **Chairman Manfredi** reported the Planning Commission has a gift of flexibility and the ability to
355 show compassion. The inn has operated as a seven room facility and they were in violation of the
356 Use Permit, but the sky didn't fall, there were no wild parties and the Cities character has not been
357 altered. Mrs. Tofanelli has provided good points, but Chairman Manfredi did not feel his credibility
358 had been stained. The applicants are trying to rectify the problem and his feeling is sometimes
359 we have to let things go.

360

361 There was motion by **Commissioner Kite**, seconded by **Commissioner Bush** to direct Staff to
362 file a Notice of Exemption for the Project pursuant to Section 15332 of the CEQA Guidelines.

363

Motion carried: 5-0-0-0.

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365 There was motion by **Chairman Manfredi**, seconded by **Commissioner Bush** to adopt
366 Resolution PC 2011-02 approving Conditional Use Permit Amendment (U 2010-09), amending the
367 previously approved Conditional Use Permit (U 84-4), granting an exception to the parking

368 requirements and increasing the number of guest units from a six (6) unit bed and breakfast
369 facility to an seven (7) unit bed and breakfast facility, located at 1805 Foothill Boulevard (APN
370 011-290-029) within the "R-1-10", Single Family Residential District, based upon the findings
371 presented in Resolution PC 2011-02 and subject to conditions of approval. **Poll of the**
372 **Commission: Ayes –Manfredi, Bush and Kite. Notes - Moye and Coates. Motion carried.**
373

374 Discussion commenced regarding the second portion of the request eliminating the
375 owner/manager residence requirements associated with "The Chanric Inn", granting an exception
376 to the parking requirements and increasing the number of guest units from a six (6) unit bed and
377 breakfast facility to an eight (8) unit bed and breakfast facility
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379 **Commissioner Moye** stated we are blurring the line between Bed and Breakfast and a vacation
380 rental, it could look like a vacation rental.
381

382 **Commissioner Kite** asked if there was anything in the Bed and Breakfast regulations that say
383 you will serve breakfast each morning and managers must be on site a certain number of hours.
384

385 **Planner Lundquist** stated there must be the presence of an on site manager, except in the R-1-
386 10 zoning, and through inspections it is verified if there is permanent residence.
387

388 **Commissioner Kite** noted he understood what Commissioner Moye was saying and wondered if
389 we should have a condition stating breakfast is served daily and a manager is on the premises at
390 least six hours a day.
391

392 **Chairman Manfredi** advised this would require amending the Bed and Breakfast Ordinance.
393

394 **Commissioner Kite** stated that would be good but we need to address the issue for this project
395 and he was sure there would be no objection to a condition.
396

397 **Commissioner Moye** asked what was different about properties within R-1-10 zoning that made
398 it more appropriate. When reviewing the Bed and Breakfast ordinance he had not liked allowing
399 no manager, but liked they had to ask to get an approval for it. Why is it ok for expansion up to
400 ten rooms in R-1-10 zoning, noting it does not seem fair to those in other zoning districts. He
401 reminded we already approved two use permits.
402

403 **Channing McBride** reported they will have to live within 5 to 10 minutes, how could they operate
404 without that. He noted they have no interest in using the facility as a vacation rental.
405

406 **Commissioner Moye** shared he was uncomfortable with creating the potential for future
407 problems.
408

409 **Commissioner Bush** stated she liked the idea of conditioning a breakfast.
410

411 **Chairman Manfredi** noted they could also prohibit weddings and bands.
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413 **Commissioner Kite** reminded those events would require a Special Use permit.
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415 **Director Gallina** corrected it would require an Event Permit.

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There was motion **Commissioner Bush**, seconded by **Commissioner Kite** to amend 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. **With the following poll of the Commission: Ayes – Bush and Kite. Noes – Manfredi, Coates and Moye. Motion failed.** A resolution of Denial will be prepared.

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.

Director Gallina reported the city has various processes identified in Municipal Code, addressing special events, and other temporary events. These processes have often times been confusing to the public as to which process is to be used. Staff decided we need to consolidate into one process. During a Special Meeting in December the Aquatic and Recreation Manager and Director of Planning and Building presented the proposed Special Event Ordinance to the Community Resources Commission, accepted feedback and incorporated their recommendations as identified in the Staff Report. Staff is asking the Planning Commission to adopt the resolution 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 within the City.

Commissioner Moye stated this is exactly what we need for permits, he likes check lists. It helps people to know what to expect. If they can't meet the requirements they don't have to submit.

Commissioner Kite questioned if this will be streamlined for reoccurring events.

Director Gallina said this was discussed i.e. "The Stroll Event", could be done with a one time. Permit. However some instances may still need to go to council if it is in the public right-of-way, or requiring street closure.

Chairman Manfredi commended Staff on a job well done.

Vice-Chair Coates suggested the 45 days for processing seemed a little lengthy, especially if they were to appeal it could go even longer.

Director Gallina reported exploring a 30 day window, and staff is committed to turn around approval in 15 days. Please note in past applications have been submitted 1 – 3 days prior to the proposed event, making it very difficult to process. She noted if there were an appeal it would be streamlined quickly.

463 **Commissioner Moye** noted he understands fees are set by Council, but have we talked about
464 recommendations for options for groups with no funds - like the Boy Scouts.

465 .
466 **Director Gallina** reported Olivia Lemon is working on the fee structure and will be taking to the
467 Community Resources Committee the following week and it will be forwarded to Council for
468 review and approval.

469
470 **Chris Canning**, Director, Chamber of Commerce, thanked staff for finally pulling this together.
471 Requirements have changed and the check list is nice to have. To address the concern with the
472 Boy Scouts etc., there needs to be two schedules, one for non profit and another for private. For
473 general information the Fairgrounds has agreed to work with the City, even though they are
474 exempt from the process. We should make sure this is not used as a tool to manage the
475 Fairgrounds.

476
477 **Chairman Manfredi** closed the public portion of the discussion at 7:38 PM.

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479 There was motion by **Commissioner Moye**, seconded by **Commissioner Bush** to adopt
480 Resolution 2011-04 recommending to the City Council adoption of an Ordinance that amends the
481 Calistoga Municipal Code to establish new and amend existing provisions for authorizing special
482 events occurring in the City. **Motion carried: 5-0-0-0**

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484 **J. NEW BUSINESS (Continued from item F.)**

485 Presentation – Overview of the Sustainable Communities Strategy
486 **Director Gallina** distributed a presentation providing information from the Association of Bay Area
487 Governments (ABAG), providing an overview, of the planning process that is currently underway
488 related to development of a Sustainable Communities Strategy for the Bay Area, that is consistent
489 with Senate Bill 375. She reported ABAG is charged to develop a sustainable community twenty
490 five year plan addressing how the Bay Area will accommodate the regions jobs, housing and
491 transportation to reduce gas emissions. ABAG will provide an initial vision and is asking
492 jurisdictions to provide comments. This needs to be reviewed in conjunction with the General
493 Plan process going through the year 2012.

494
495 **Commissioner Kite** asked if this is a drill down offense from the Climate Action Plan .

496
497 **Director Gallina** stated it will bring everything together.

498
499 **Planner Lundquist** stated the Climate Action Plan is part of AB 32, charged with reducing the
500 States green house gas, Senate Bill 375 targets this regionally, amongst housing and jobs, the
501 key and the biggest emitter is transportation. Reducing traffic and its coordination in the rural
502 areas needs to happen because it has land use impacts and ABAG coordinates that effort.

503
504 **K. MATTERS INITIATED BY COMMISSIONERS**

505 **Commissioner Moye** asked about the status of the Chevron Station project.

506
507 **Planner MacNab** stated there has been no activity. He summarized prior progress included
508 working with owners of the station, and the Planning Commissions approval of the design. When
509 the City Council provided review they liked the CUP but not the design, and referred it back to the
510 Planning Commission. The applicants did not want to do much and were discouraged by Council

511 action and now have no desire to go forward. We have sent a letter to close the file and to date
512 there has been no response.

513
514 **Commissioner Moye** asked when will the sheet come off the sign.

515
516 **Planner MacNab** stated the sheet does not come off at this time there is no approval for Fast
517 Mart signage, but staff can pursue this if the Planning Commission is interested in doing that.

518
519 **Chairman Manfredi** asked Staff to determine if they have exceeded the time frame allowed to
520 operate as a station.

521
522 **Vice-Chair Coates** referenced the issue of illegal vacation homes, reporting problems that have
523 occurred on his block with a home that is being illegally used as a vacation rental. There should
524 be fines imposed and the persons doing it are waiving it in our face.

525
526 **Chairman Manfredi** noted the particular house in question has a big web site promoting this
527 rental.

528
529 **Vice-Chair Coates** recommended appropriate enforcement action should be taken. We have
530 regulations and they need to abide by them. We need to do send something to Council to help
531 promote a no tolerance policy.

532
533 **Chairman Manfredi** asked staff to help get the mechanism to impose substantial fines.

534
535 **L. DIRECTOR'S COMMENTS/PROJECT STATUS**

536 **Director Gallina** reported that Calistoga Affordable Housing is now accepting Rebuilding
537 Calistoga applications. The work is scheduled to be completed April 9 – 17, 2011.

538
539 **Commissioner Kite** asked about the outcome with the sign for Choice Hotels.

540
541 **Planner MacNab** reported Choice Hotels came back with design responding to the comments
542 provided by the Planning Commission. Staff didn't feel they met the interpretation of comments,
543 and they did not like that. They have gone as far as they can go for now. There needs to be a
544 common understanding of what the direction is, otherwise staff will have to bring it back to the
545 Planning Commission.

546
547 **ADJOURNMENT**

548 There was motion by **Commissioner Bush**, seconded by **Vice-Chair Coates** to adjourn to the
549 next regular Planning Commission meeting of Wednesday, January 26, 2011, at 5:30 PM.

550 **Motion carried: 5-0-0-0.**

551
552 The meeting adjourned at 7:52 PM .

553
554
555
556 _____
557 Kathleen Guill
558 Secretary to the Planning Commission
Attachment