

## RESOLUTION NO. 2000-97

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF  
NAPA, STATE OF CALIFORNIA, ADOPTING  
THE REVISED CALISTOGA CITY PLANNING COMMISSION  
RULES OF PROCEDURE**

---

**WHEREAS**, California Government Code Section 65100 establishes that the legislative body of each agency shall assign by ordinance the functions of the planning commission, as it deems appropriate and necessary; and

**WHEREAS**, local agencies routinely establish a set or rules, commonly referred to as "*Rules of Procedure*" or "*Planning Commission Bylaws*", identifying the conduct of meetings, selection of officers, roles and responsibilities, type of meetings, voting procedures, etc. which assist planning commissions in the organizing their meetings; and

**WHEREAS**, the City Council adopted Ordinance No. 237 in February 1961 (Municipal Code Chapter 2.21) establishing the duties and responsibilities of the City Planning Commission; and

**WHEREAS**, the Planning Commission adopted the "*Rules of Procedure of the Calistoga City Planning Commission*" in 1961, and there have been no comprehensive updates of the "*Rules of Procedure*" since that time; and

**WHEREAS**, the "*Rules of Procedure*" have received few changes since they were originally adopted in 1961 and they have been determined to no longer reflect the broad range of Planning Commission responsibilities or its organizational structure; and

**WHEREAS**, the Planning Commission revised its *Rules of Procedure* on October 11, 2000, and forwarded the draft "*City of Calistoga Planning Commission Rules of Procedure*" to the City Council for consideration, attached herein as "*Exhibit A*".

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Calistoga hereby adopts the revised "*City of Calistoga Planning Commission Rules of Procedure*".

**PASSED AND ADOPTED** by the City Council this **8th day of November 2000**, by the following vote:

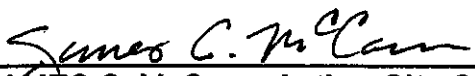
**AYES:** Councilmembers Dohring, Beck, and Cinocco, Vice Mayor Coates, and Mayor Callegari

**NOES:** None

**ABSTAIN/ABSENT:** None

  
MARIO CALLEGARI, Mayor

**ATTEST:**

  
JAMES C. McCann, Acting City Clerk

## CALISTOGA CITY PLANNING COMMISSION

### RULES OF PROCEDURE

*(Affirmed by the CC on November 8, 2000)*

#### I. PURPOSE

The following rules shall be applicable to the organization of the Planning Commission pertaining to the roles and responsibilities, type and conduct of meetings, and selection of officers, pursuant to California Government Code (Section 55000) and the City of Calistoga Municipal Code (Ord. 237 (part) 1961).

#### II. POWERS AND DUTIES

The City of Calistoga Planning Commission shall have the powers and shall perform all duties conferred and imposed upon city planning commissions by the California Government Code and, in addition, the Planning Commission shall:

1. Advise the City Council in the adoption and maintenance of a comprehensive, long term, general plan for the physical growth and development of the city.
2. Implement the City of Calistoga General Plan and, where necessary, develop precise specific plans based on the general plan described in Section II.1 above.
3. Advise the City Council in the adoption and maintenance of land use and development policies contained in the City of Calistoga Municipal Code and, in particular, the Zoning Ordinance.
4. Administer the City of Calistoga Zoning Ordinance.
5. Consider appeals of decisions of the Design Review Board and staff.
6. Conduct studies and report on matters referred for action by the City Council.
7. Generally conserve and promote public health, safety, comfort, convenience and general welfare.
8. Implement and, where required, advise the City Council on project consistency with the procedures of the California Environmental Quality Act (CEQA).
9. Serve as an advisory body to the City Council on matters related to city growth and development, and on such other matters as may be requested by the City Council.
10. Promote public interest in planning and encourage citizen participation in planning related issues, including the formulation of the General Plan.
11. Engage in a program of acquainting citizens with problems and alternative solutions relating to the physical environment.
12. Annually review the Capital Improvement Program (CIP) identifying the multi-year scheduling of public physical improvements for consistency with the General Plan.
13. Provide an annual report on the status of the General Plan and progress in its implementation.

#### III. ORGANIZATION AND ELECTION OF OFFICERS

1. The officers of the Planning Commission shall consist of a Chair and Vice Chair. The Secretary shall be a City Employee, normally the Planning Director or his/her designee.
2. The offices of the Chair and Vice Chair shall be elective and persons elected shall serve for a term of one year.
3. Elections shall be held during the annual meeting, which shall be a regular meeting held in January of each year.
4. The Vice Chair shall succeed the Chair upon absences. Should the office of Chair become vacant before the term is completed, the Vice Chair shall serve the unexpired term of the vacated office. A new Vice Chair shall be elected at the next regular meeting.
5. In the absence of the Chair and Vice Chair, any other member shall call the Planning Commission to order, whereupon the Chair shall be elected from the members present.

#### IV. DUTIES OF OFFICERS

##### CHAIR

1. Preside over all meetings of the Commission, preserve order and decorum, and decide questions of order.
2. Appoint subcommittees of the Planning Commission, serve as an ex-officio member of all committees so appointed with voice but not vote, and refer matters to the proper standing subcommittees.
3. Call special meetings in accordance with legal requirements.
4. Sign documents for the Planning Commission.
5. Assist staff in the creation of agendas.

##### VICE CHAIR

1. Assist the Chair in the execution of the duties of office and act in the absence of the Chair resulting from illness, disqualification, or absence due to conference or meeting.
2. Succeed the Chair if the office becomes vacant for the remaining term of the vacated office.

##### SECRETARY

1. The Secretary shall be responsible for the preparation of Planning Commission minutes, shall assure that all official actions by the Planning Commission are recorded in the minutes, and shall keep a record of all meetings of the Planning Commission.
2. Post the agenda at least seventy-two (72) hours prior to the meeting.
3. Give priority to matters referred to them by the City Council.
4. Ensure that all applications submitted to the Planning Commission for consideration conform to established submittal requirements.
5. Prepare, post, and publish public notices, including public hearings required by law or required by the Planning Commission.
6. Be custodian of records and sign official documents of the Planning Commission as directed.

#### V. MEETINGS

1. All meetings shall be held in full compliance with the provision of state law, ordinances of the City, and shall be conducted in accordance with Robert's Rules of Order.
2. Regular meetings of the Planning Commission shall be held on the second and fourth Wednesday of each month at 7:00 p.m. in the Community Center, unless otherwise determined by the Commission.
3. Whenever a meeting falls on a holiday, no meeting shall be held on that day. Such meeting may be rescheduled to another day, or canceled by a motion adopted by the Planning Commission.
4. The Planning Commission may cancel any meeting by a majority vote, in an emergency, or in the event that there is no quorum. Three (3) members shall constitute a quorum for the purpose of conducting routine business. Four affirmative votes shall be required for approval of any Master Plan or Precise Plan Unit.
5. A meeting may be adjourned and reconvene at any specified time upon a majority vote of the Commission provided that a specific date, time and location is set prior to adjourning the meeting.

6. Special meetings may be held upon the call of the Chair or by a majority vote of the voting members, or upon request by the City Council following at least 24 hours notice to each member of the Planning Commission and the press.
7. Items appearing on the agenda will be introduced and considered at the scheduled meeting, unless a time limit is placed on the meeting by a majority of the quorum present. No items shall be introduced after the established time limit, and all continued items shall be placed on the next regular meeting.

## **VI. VOTING**

1. A majority of the Commission members entitled to vote shall constitute a quorum. No business may be transacted at a regular or special meeting unless a quorum of the membership is present.
2. Except where otherwise required by law, actions by the Commission shall be by a majority of the quorum of the Commission present when action is taken.
3. Voting will be by verbal vote. Each member present at the meeting shall vote for or against the measure, unless disqualified from voting or abstaining because of disqualification.
4. In the event of a tie vote, which cannot be resolved by any subsequent motion, the matter shall be considered as denied.
5. If a member is required to abstain from voting due to prohibitions of State law, such member shall leave the podium and remain silent during any deliberation of the matter. When these circumstances exist, that Commissioner will state the reason for abstention and such reason will be noted in the minutes.
6. The order of voting shall be determined by the Chair, with the Chair voting last.
7. The Chair of the Commission, or other presiding officer, may make and second motions and debate from the Chair, subject only to such limitations of debate as are imposed on all members of the Commission.

## **VII. PRESENTATIONS OR HEARING PROPOSALS**

1. The Chair shall announce the subject of the agenda item or public hearing, as advertised.
2. A motion may be made and voted upon to continue a public hearing to a definite time and date before receiving a staff report or opening the item for public comment. For public hearings, testimony is typically accepted for the record with the understanding that no action will be taken and a new public hearing will be held.
3. The staff shall be asked to present the substance of the application, staff report and recommendation, and to answer technical questions of the Commission.
4. In the case of Public Hearings, the Order of Testimony shall be as follows:
  - a. Chair announces the agenda item as advertised
  - b. Presentation of the staff report
  - c. Questions of staff by the Commission

- d. Public hearing opened
- e. Applicant's statement
- f. Proponents' statements
- g. Opponents' statements
- h. If necessary, a rebuttal from the applicant
- i. Public hearing closed
- j. The Commission shall then deliberate and either determine the matter or continue the matter to another date and time certain

5. The Rules of Testimony shall be as follows:

- a. Persons presenting testimony to the Commission are requested to give their name and address for the record.
- b. Comments are typically limited to five (5) minutes. To avoid unnecessary cumulative evidence, the Chair may further restrict the time of testimony on a particular issue.
- c. If there are numerous people in the audience who wish to participate on an issue, and it is known that large numbers represent the same opinion, the Chair will request that a spokesperson be selected to speak for the entire group. The spokesperson will have the opportunity of speaking for a reasonable length of time and of presenting a complete case.
- d. Speakers will be permitted to provide testimony only once, but may answer questions of the Commission through the Chair.
- e. The Chair will rule irrelevant and off-the-subject comments out of order.
- f. The Chair will not permit any complaints regarding the staff or individual commissioners during a public hearing. Complaints should be submitted in writing or presented verbally as a separate item on the agenda under Public Comments.
- g. No person shall address the Commission without first securing the permission of the Chair to do so. All comments shall be addressed to the Commission. All questions shall be placed through the Chair.

## VIII. GENERAL CONDUCT

1. The personal integrity, values and professionalism of each participant will be respected by others. The Commission and staff will avoid personal attacks, stereotyping or condescending remarks. The motivations and intentions of all participants are assumed to be well intentioned.
2. Private conversations should be avoided, as they are disruptive to the meeting.
3. A decision made by the Planning Commission that requires no further action shall be the final decision. Commissioners and staff will avoid presenting minority opinions or otherwise promote information that opposes the majority decision.
4. When discussing issues with the media, the Commission and staff will take special care to present only their own views and opinions, and clearly qualify their comments as such. Unless otherwise determined by the Chair, the Chair will present the Commission position on issues based on the action taken in a vote and recorded in the official minutes of the Commission proceedings.
5. Participants should strive to maintain a positive tone in their deliberations and in communications with others including the media.
6. The Commission will make every effort possible to consult with staff prior to the meeting to ask questions that may require research outside of the meeting, make minor changes to grammar or spelling in written materials, or to clarify or correct erroneous information.

7. Members who know in advance that they will be absent should notify the Secretary at the earliest opportunity. The Secretary shall notify the Chair in the event projected absences will provide a lack of quorum.

#### **IX. AGENDAS**

1. A deadline of 4:30 p.m. on the tenth day preceding the Planning Commission meeting shall be set for the receipt of items to be included in the agenda for that meeting. The agenda shall be distributed to members of the Commission at least four business days prior to the meeting.
2. The agenda shall include the following:
  - a. Roll Call
  - b. Approval of Minutes
  - c. Public Forum
  - d. Communications or Correspondence
  - e. New Business or Public Hearings
  - f. Project Status Reports
  - g. Matters Initiated by the Commission or Director of Planning and Building
  - h. Unfinished Business
  - i. Committee Reports
  - j. Adjournment
3. The Planning Commission will maintain a list of methods (Attachment A) which identifies ways to increase media coverage of local planning issues. Those items identified as "ongoing" will be applied to projects on an ongoing basis. Other methods may be required by the Planning Commission on an individual basis depending on the particular project.

#### **X. AMENDMENTS TO THE RULES OF PROCEDURE**

1. These by-laws may be amended, revised or repealed at any regular meeting of the Planning Commission by a vote of a majority of a quorum.