

**CALISTOGA PLANNING COMMISSION
REGULAR MEETING AGENDA**

May 22, 2013



5:30 PM - Calistoga Community Center
1307 Washington St., Calistoga, CA

Chairman Jeff Manfredi
Vice Chairman Paul Coates
Commissioner Carol Bush
Commissioner Walter Kusener
Commissioner Scott Cooper

California Courts have consistently upheld that development is a privilege, not a right.”¹

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 that 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

F. CONSENT CALENDAR

1. Draft minutes for the April 24, 2013 Planning Commission meeting

G. PUBLIC HEARINGS

1. **ELZEY RESIDENCE (DR 2013-06):** Consideration of a Design Review request to allow a new residence at 1721 Emerald Drive (APN 011-032-014).
2. **MIOCENE WINERY (CUP 2013-05):** Consideration of a Conditional Use Permit to allow a new winery within an existing industrial building located at 865 Silverado Trail (APN 011-050-024).

H. MATTERS INITIATED BY COMMISSIONERS

I. DIRECTOR REPORT

¹Among 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).

J. ADJOURNMENT

The next meeting of the Planning Commission is a regular meeting scheduled for Wednesday, June 12, 2013, at 5:30 p.m.

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, May 17, 2013 no later than 4:30 p.m.



Lynn Goldberg
Planning Commission Secretary

REPORTS: Planning Commission reports for items on this Agenda are available online at 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.

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, Calistoga or call (707) 942-2827.

NOTICE: If you challenge the 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, 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 and subject of discussion. Presentations to the Commission are generally limited to three minutes. Additional time may be granted by the Commission Chair as appropriate to the scope of the project.