

**CALISTOGA PLANNING COMMISSION  
REGULAR MEETING AGENDA**

**July 24, 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.<sup>1</sup>*

**A. ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENTS**

Public Comments is an opportunity to 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 may not take action on items raised during Public Comments.

**D. ADOPTION OF MEETING AGENDA**

**E. COMMUNICATIONS/CORRESPONDENCE**

**F. CONSENT CALENDAR**

1. Draft minutes for the June 26, 2013 Planning Commission meeting

**G. PUBLIC HEARINGS**

1. **Maxine's (CUP 2013-9):** Consideration of a Conditional Use Permit to allow the sale of secondhand merchandise within an existing commercial building located at 1365 Lincoln Avenue (APN 011-221-016) within the DC-DD Downtown Commercial - Design District.

**H. MATTERS INITIATED BY COMMISSIONERS**

**I. DIRECTOR REPORT**

**J. ADJOURNMENT**

The next meeting of the Planning Commission is scheduled for Wednesday, August 14, 2013, at 5:30 p.m.

<sup>1</sup>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).

*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, July 20, 2013 no later than 4:30 p.m.*

  
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Lynn Goldberg  
Planning Commission Secretary

**REPORTS:** Planning Commission reports for items on this agenda are available online at [www.ci.calistoga.ca.us](http://www.ci.calistoga.ca.us). For additional information, please call the Planning and Building Department at 707-942-2827.

**DECISION:** For applications that require review by the City Council, the Commission's action is a recommendation to the Council. In cases where no other action is required, the action of the Commission is final unless appealed.

**APPEALS:** Anyone who does not agree with the Planning Commission's decision or the conditions that 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 decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing, 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 (28 DFR 35.102-35-104 ADA Title II), 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 arrangements to ensure accessibility to this meeting.

**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.