

# CALISTOGA CITY PLANNING COMMISSION

## RULES OF PROCEDURE

Revised January 28, 2009

1 **I. PURPOSE**

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

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8 **II. POWERS AND DUTIES**

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

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

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**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.

- 88 2. Post the agenda at least seventy-two (72) hours prior to the meeting.
- 89 3. Give priority to matters referred to them by the City Council.
- 90 4. Ensure that all applications submitted to the Planning Commission for
- 91 consideration conform to established submittal requirements.
- 92 5. Prepare, post, and publish public notices, including public hearings required
- 93 by law or required by the Planning Commission.
- 94 6. Be custodian of records and sign official documents of the Planning
- 95 Commission as directed.
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## 97 V. MEETINGS

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- 99 1. All meetings shall be held in full compliance with the provision of state law,
- 100 ordinances of the City, and shall be conducted in accordance with Robert's
- 101 Rules of Order.
- 102 2. Regular meetings of the Planning Commission shall be held on the second
- 103 and fourth Wednesday of each month at **5:30** p.m. in the Community Center,
- 104 unless otherwise determined by the Commission.
- 105 3. Whenever a meeting falls on a holiday, no meeting shall be held on that day.
- 106 Such meeting may be rescheduled to another day, or canceled by a motion
- 107 adopted by the Planning Commission.
- 108 4. The Planning Commission may cancel any meeting by a majority vote, in an
- 109 emergency, or in the event that there is no quorum. **Three (3) members**
- 110 **shall constitute a quorum for the purpose of conducting routine**
- 111 **business.**
- 112 5. A meeting may be adjourned and reconvene at any specified time upon a
- 113 majority vote of the Commission provided that a specific date, time and
- 114 location is set prior to adjourning the meeting.
- 115 6. Special meetings may be held upon the call of the Chair or by a majority vote
- 116 of the voting members, or upon request by the City Council following at least
- 117 24 hours notice to each member of the Planning Commission and the press.
- 118 7. Items appearing on the agenda will be introduced and considered at the
- 119 scheduled meeting, unless a time limit is placed on the meeting by a majority
- 120 of the quorum present. No items shall be introduced after the established
- 121 time limit, and all continued items shall be placed on the next regular meeting.
- 122 8. Requests for continuances are considered on an as needed basis (i.e.,
- 123 illness, new information, etc.), however the Planning Commission
- 124 discourages more than one continuance.
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## 126 VI. VOTING

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- 128 1. A majority of the Commission members entitled to vote shall constitute a
- 129 quorum. No business may be transacted at a regular or special meeting
- 130 unless a quorum of the membership is present.
- 131 2. Except where otherwise required by law, *such as in the case of a General*
- 132 *Plan Amendment where the a recommendation for approval shall be made by*

- 133            *the affirmative vote of not less than a majority of the total membership of the*  
134            *Planning Commission*, actions by the Commission shall be by a majority of  
135            the quorum of the Commission present when action is taken.
- 136            3. Voting will be by verbal vote. Each member present at the meeting shall vote  
137            for or against the measure, unless disqualified from voting or abstaining  
138            because of disqualification.
- 139            4. In the event of a tie vote, which cannot be resolved by any subsequent  
140            motion, the matter shall be considered as denied.
- 141            5. If a member is required to abstain from voting due to prohibitions of State law,  
142            such member shall *announce the conflict of interest, recuse himself or*  
143            *herself, and leave the room* during the Planning Commissions deliberation  
144            and vote of the matter. This information will be noted in the minutes.
- 145            6. The order of voting shall be determined by the Chair, with the Chair voting  
146            last.
- 147            7. The Chair of the Commission, or other presiding officer, may make and  
148            second motions and debate from the Chair, subject only to such limitations of  
149            debate as are imposed on all members of the Commission.

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151            **VII. PRESENTATIONS OR HEARING PROPOSALS**

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- 153            1. The Chair shall announce the subject of the agenda item or public hearing, as  
154            advertised.
- 155            2. A motion may be made and voted upon to continue a public hearing to a  
156            definite time and date before receiving a staff report or opening the item for  
157            public comment. For public hearings, testimony is typically accepted for the  
158            record with the understanding that no action will be taken and a new public  
159            hearing will be held.
- 160            3. The staff shall be asked to present the substance of the application, staff  
161            report and recommendation, and to answer technical questions of the  
162            Commission.
- 163            4. In the case of Public Hearings, the Order of Testimony shall be as follows:  
164                    a. Chair announces the agenda item as advertised  
165                    b. Presentation of the staff report  
166                    c. Questions of staff by the Commission  
167                    d. Public hearing opened  
168                    e. Applicant's statement  
169                    f. Proponents' statements  
170                    g. Opponents' statements  
171                    h. If necessary, a rebuttal from the applicant  
172                    i. Public hearing closed  
173                    j. The Commission shall then deliberate and either determine the  
174                    matter or continue the matter to another date and time certain
- 175            5. The Rules of Testimony shall be as follows:  
176                    a. Persons presenting testimony to the Commission are requested,  
177                    *but not required*, to give their name and address for the record.

- 178                   b. Comments are typically limited to *three (3)* minutes. To avoid  
179 unnecessary cumulative evidence, the Chair may further restrict the  
180 time of testimony on a particular issue.
- 181                   c. If there are numerous people in the audience who wish to  
182 participate on an issue, and it is known that large numbers  
183 represent the same opinion, the Chair will request that a  
184 spokesperson be selected to speak for the entire group. The  
185 spokesperson will have the opportunity of speaking for a  
186 reasonable length of time and of presenting a complete case.
- 187                   d. Speakers will be permitted to provide testimony only once, but may  
188 answer questions of the Commission through the Chair.
- 189                   e. The Chair will rule irrelevant and off-the-subject comments out of  
190 order.
- 191                   f. The Chair will not permit any complaints regarding the staff or  
192 individual commissioners during a public hearing.
- 193                   g. No person shall address the Commission without first securing the  
194 permission of the Chair to do so. All comments shall be addressed  
195 to the Commission. All questions shall be placed through the  
196 Chair.
- 197                   6. In the case of New Business agenda items, flexibility at the discretion of the  
198 Chair may be applied in the presentation of the item by staff and/or the  
199 applicant, as well as, the order questions by the Commission to either staff or  
200 the applicant. The Rules of Testimony provided above shall also apply to  
201 New Business agenda items.

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203 **VIII. GENERAL CONDUCT**

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206 respected by others. The Commission and staff will avoid personal attacks,  
207 stereotyping or condescending remarks. The motivations and intentions of all  
208 participants are assumed to be well intentioned.
- 209                   2. Private conversations should be avoided, as they are disruptive to the  
210 meeting.
- 211                   3. A decision made by the Planning Commission that requires no further action  
212 shall be the final decision of the Commission. Commissioners and staff will  
213 avoid presenting minority opinions or otherwise promoting information that  
214 opposes the majority decision.
- 215                   4. When discussing issues with the media, the Commission and staff will take  
216 special care to present only their own views and opinions, and clearly qualify  
217 their comments as such. Unless otherwise determined by the Chair, the  
218 Chair will present the Commission position on issues based on the action  
219 taken in a vote and recorded in the official minutes of the Commission  
220 proceedings.
- 221                   5. Participants should strive to maintain a positive tone in their deliberations and  
222 in communications with others including the media.

- 223 6. The Commission will make every effort possible to consult with staff prior to  
224 the meeting to ask questions that may require research outside of the  
225 meeting, make minor changes to grammar or spelling in written materials, or  
226 to clarify or correct erroneous information.  
227 7. Members who know in advance that they will be absent should notify the  
228 Secretary at the earliest opportunity. The Secretary shall notify the Chair in  
229 the event projected absences will provide a lack of quorum.  
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231 **IX. AGENDAS**

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233 1. A deadline of 4:30 p.m. on the tenth day preceding the Planning Commission  
234 meeting shall be set for the receipt of items to be included in the agenda for  
235 that meeting. The agenda shall be distributed to members of the Commission  
236 at least four business days prior to the meeting.  
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238 2. The agenda shall include, but shall not be limited to, the following:  
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240 a. Roll Call  
241 b. Public Comments  
242 c. Approval of Minutes  
243 d. Communications or Correspondence  
244 e. New Business *and/or* Public Hearings  
245 f. Project Status Reports  
246 g. Matters Initiated by the Commission or Director of Planning and  
247 Building  
248 h. Adjournment  
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250 3. The Planning Commission will maintain a list of methods (Attachment A)  
251 which identifies ways to increase media coverage of local planning issues.  
252 Those items identified as “ongoing” will be applied to projects on an ongoing  
253 basis. Other methods may be required by the Planning Commission on an  
254 individual basis depending on the particular project.  
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256 **X. AMENDMENTS TO THE RULES OF PROCEDURE**

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

- 263 A. Methods List to Increase Media Coverage  
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