



March 5, 2018

Planning Commission  
County of Napa  
1195 Third Street  
Napa, CA 94559

RE: Agenda Item # 8B: Amendment to Planning Commission Bylaws

Dear Chair Cottrell and Fellow Commissioners:

Thank you for providing an opportunity to revisit updates to the Planning Commission Bylaws. These rules still need work. There are glaring inconsistencies, wording/phrases with no definition, redundant explanations and obsolete and/or inappropriate terminology. Here are a few of my issues and questions:

The previous rules afforded the public and the applicant the same privileges. For example: "Rebuttal in same order." Why has this been removed in the revised rules?

Sometimes the applicant includes new evidence, facts, opinions not previously included in the staff report or applicant's presentations. The public should have an opportunity to comment on these in the rebuttal section of the hearing. Setting time limits would be OK if you are willing to set time limits for applicant rebuttal.

The use of title Secretary in most places has been replaced with Clerk of the Commission – but 4 or 5 rules still use these words.

Please explain why revised rule 11A "Each speaker shall be permitted to be heard once for up to three minutes on any agenda item unless the Chair affirmatively grants additional time" is inconsistent with 12E "Each speaker shall be heard once for up to three minutes". These rules should be identical.

At what point in this process does the public request additional time? We often bring content experts, legal counsel, etc. and wish them to be afforded extra time.

Rule 11 A (last sentence) states: "The speaker time limit shall not apply to applicants who are parties to matters that are the subject of noticed hearings." is clearly inconsistent with Rule 12 D where the applicants have a 15-minute cumulative timeframe.

Rule 13 B: Applicant or other directly interested party. What is the definition of "directly interested party"? In some cases, the whole community can be interested parties.

Numerous rules use the terms “prior to the meeting”. Can you be more explicit? Is this 24 hours ahead of Commission meeting, on or before 5pm the day before, or prior to the agenda item on the day of Commission meeting?

The 2008 rules are quite simple and straight forward. It is easy to understand the process. In contrast, the 2018 amended rules intermix and intermingle content so as to be contradictory and confusing. My suggestion is to go back to the 2008 structure and amend appropriately.

For example, to eliminate redundancy, establish one rule for the public addressing the Commission, time limit, submitting paper or electronic material etc. Create an equivalent rule for the applicant in a public hearing. Then use the simplified format used in the 2008 rules with cross reference to these two new rules.

Thanks, and regards,

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