

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2009-02**

A RESOLUTION APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT U 2005-21 (U 2008-08) ELIMINATING A REQUIREMENT FOR AN OFF SITE PARKING EASEMENT TO SATISFY PARKING REQUIREMENTS FOR A BED AND BREAKFAST FACILITY ON PROPERTY LOCATED AT 1437 FOURTH STREET (APN 011-201-003) WITHIN THE “R1”, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT.

1 **WHEREAS**, William and Graceann Magone Miranda, property owners, submitted
2 a request for a Conditional Use Permit (U 2005-21), to allow a 2-unit bed and breakfast
3 facility on the property located at 1437 Fourth Street (APN 011-201-003). In addition to
4 this request they also requested a Variance (VA 2007-01) to allow tandem parking in
5 conjunction with the bed and breakfast use; and
6

7 **WHEREAS**, the Planning Commission considered these requests at its regular
8 meeting of March 28, 2007. Prior to taking action on the application, the Commission
9 received written and oral reports by the staff, and received public testimony; and
10

11 **WHEREAS**, following the public hearing portion of the meeting the Planning
12 Commission suggested that since the applicant owned the adjoining vacant parcel that
13 the parking be provided on this parcel; the property owner agreed; and
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15 **WHEREAS**, Planning Commission adopted Resolution PC 2007-13 denying
16 Variance (VA 2007-01), based on the applicant’s agreement to provide parking on their
17 adjoining vacant parcel and adopted Resolution 2007-14 approving Conditional Use
18 Permit (U 2005-21) on March 28, 2008; and
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20 **WHEREAS**, Condition No. 8, of Conditional Use Permit (U 2005-21), Resolution
21 2007-14, states that prior to operation of the bed and breakfast an easement shall be
22 recorded for two (2) parking spaces on the adjoining vacant parcel (APN 011-201-004);
23

24 **WHEREAS**, the property owners have re-evaluated their interest in encumbering
25 their adjoining parcel and submitted a request for a Variance (VA 2008-03) from Chapter
26 17.36, to allow tandem parking on the property located at 1437 Fourth Street (APN 011-
27 201-003); and
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29 **WHEREAS**, the subsequent to the public hearing, the Planning Commission
30 adopted Resolution PC 2009-01 rescinding Resolution PC 2007-13 and approving
31 Variance (VA 2008-03) allowing tandem parking in conjunction with the approved B & B
32 on the property located at 1437 Fourth Street within the “R1”, Single Family Residential
33 Zoning District; and
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35 **WHEREAS**, since the Planning Commission adopted Resolution 2009-01, the
36 parking easement required per Condition No. 8 of Use Permit U 2005-21 is no longer
37 warranted; and
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39 **WHEREAS**, the Planning Commission held a public hearing on January 14,
40 2009, pursuant to Government Code Section 65090, considered the staff
41 recommendations and heard public testimony; and

42
43 **WHEREAS**, the project is categorically exempt from the California Environmental
44 Quality Act (CEQA) under Section 15332 of the CEQA Guidelines, and approval of the
45 Use Permit will not result in detrimental or adverse impacts upon the public resources,
46 wildlife or public health, safety and welfare if the mitigations proposed are adopted; and
47

48 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.070 of the
49 Calistoga Municipal Code re-adopts by reference the findings adopted as part of the
50 previously approved Conditional Use Permit (U 2005-21) as findings for this amendment.
51

52 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
53 Commission that based on the above findings the Planning Commission approves the
54 Conditional Use Permit Amendment (U 2008-08) deleting Condition No. 8 to eliminate
55 the requirement for an easement on the adjoining property to satisfy parking
56 requirements for a bed and breakfast facility on the property located at 1437 Fourth
57 Street (APN 011-201-003) within the "R1", Single Family Residential Zoning District.
58

59 **NOW, THEREFORE, BE IT FURTHER RESOLVED** by the City of Calistoga
60 Planning Commission that unless expressly described herein all other entitlements,
61 obligations, provisions and or/conditions of approval shall remain effective as prescribed
62 pursuant to Resolution PC 2007-14.
63

64 **PASSED, APPROVED AND ADOPTED** on January 14, 2009, by the following
65 vote of the Calistoga Planning Commission:
66

67 AYES:
68 NOES:
69 ABSTAIN:
70 ABSENT:
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JEFF MANFREDI, CHAIRMAN

ATTEST: _____
Kathleen Guill
Secretary to the Planning Commission