

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2009-07**

**A RESOLUTION APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT U 2005-21 (U 2008-08) REQUIRING AN EASEMENT FOR ONE OFF SITE PARKING SPACE 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.**

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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  
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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  
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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);  
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24           **WHEREAS**, the property owners have re-evaluated their interest in encumbering  
25 their adjoining parcel with two additional spaces and submitted a request for a Variance  
26 (VA 2008-03) from Chapter 17.36, to allow one tandem parking on the property located  
27 at 1437 Fourth Street (APN 011-201-003); 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 one tandem parking space in conjunction with the  
32 approved B & B on the property located at 1437 Fourth Street within the “R1”, Single  
33 Family Residential Zoning District; and  
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35           **WHEREAS**, since the Planning Commission adopted Resolution 2009-01,  
36 Condition No. 8 of Use Permit (U 2005-21) warrants amendment to reflect the  
37 requirement for only one off site parking space rather than two; and  
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39           **WHEREAS**, the Planning Commission held a public hearing on March 25, 2009,  
40 pursuant to Government Code Section 65090, considered the staff recommendations  
41 and heard public testimony; and

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**WHEREAS**, the project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332 and 15305 of the CEQA Guidelines, and approval of the Use Permit will not result in detrimental or adverse impacts upon the public resources, wildlife or public health, safety and welfare if the mitigations proposed are adopted; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning Commission that based on the above findings the Planning Commission approves the Conditional Use Permit Amendment (U 2008-08) amending Condition No. 8 requiring an easement on the adjoining property for only one off site parking space to satisfy parking requirements for a bed and breakfast facility on the property located at 1437 Fourth Street (APN 011-201-003) within the "R1", Single Family Residential Zoning District.

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

**PASSED, APPROVED AND ADOPTED** on March 25, 2009, by the following vote of the Calistoga Planning Commission:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

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JEFF MANFREDI, CHAIRMAN

ATTEST: \_\_\_\_\_  
Kathleen Guill  
Secretary to the Planning Commission