

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2021-XX**

**APPROVING USE PERMIT UP 2021-06 RENEWING USE PERMIT U 96-6 ALLOWING FOR A ONE UNIT BED AND BREAKFAST INN ON THE PROPERTY LOCATED AT 1102 PINE STREET**

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1           **WHEREAS**, on February 12, 1997 the Planning Commission approved a use  
2 permit to allow the conversion of an existing single-family residence to a one (1) unit  
3 bed and breakfast inn at 1102 Pine Street; and

4           **WHEREAS**, on March 27, 2000 the Planning Commission approved a use permit  
5 to construct a two-story structural addition (1,340 square feet in total) to the one (1) unit  
6 bed and breakfast inn; and

7           **WHEREAS**, the bed and breakfast operated in conformance with the approved  
8 use permit until 2019 when the City informed the owner that the property had not been  
9 used in more than 180 days, and the use permit lapsed; and

10           **WHEREAS**, the owner wishes to renew the use permit for a one (1) unit bed and  
11 breakfast inn, referred to as the Czech Inn, originally approved under U 96-6; and

12           **WHEREAS**, the Planning Commission has determined that this action is not  
13 subject to the California Environmental Quality Act (CEQA) under Section 15332 of the  
14 CEQA Guidelines because the bed and breakfast use will occur within existing  
15 structures on the property; and

16           **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.030.D has  
17 made the following use permit findings for the project:

- 18 1.    Finding: Is in accord with the General Plan and any applicable planned  
19 development.

20           Supporting Evidence: The guestrooms are within an existing converted single-  
21 family residence. In accordance with General Plan policies, the project will be  
22 operated so as to be compatible with adjacent commercial uses, periodic  
23 inspections will be conducted to ensure compliance with conditions of approval,  
24 and no net loss of housing will occur.

- 25 2.    Finding: Is in accord with all provisions of this title.

26           Supporting Evidence: Upon fulfillment of the conditions of approval, the bed and  
27 breakfast inn will meet the requirements of Chapter 17.22 of the Calistoga Zoning  
28 Ordinance.

- 29 3.    Finding: Will not substantially impair or interfere with the development, use or  
30 enjoyment of other property in the vicinity.

31           Supporting Evidence: The site is physically suitable for the use. There is  
32 sufficient parking, landscaping and open space on all sides of the property. The

33 intensity of the use is not such that would adversely affect the commercial  
34 neighborhood.

- 35 4. Finding: Is consistent with and will enhance Calistoga’s history of independent,  
36 unique, and single location businesses, thus contributing to the uniqueness of the  
37 town, which is necessary to maintain a viable visitor industry in Calistoga and to  
38 preserve its economy.

39 Supporting Evidence: The bed and breakfast inn is independently owned and  
40 operated.

41 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning  
42 Commission that based on the above findings, the Planning Commission approves the  
43 proposed project, subject to following conditions of approval:

- 44 1. This use permit allows a one-unit bed and breakfast inn at 1102 Pine Street. The  
45 uses hereby permitted shall substantially conform to the description and plans  
46 received by the Planning and Building Department, except as noted in the  
47 permit conditions.
- 48 2. The inn is limited to one (1) guest unit until such time as a Conditional Use permit  
49 for expansion of the inn is approved by the Planning Commission.
- 50 3. This permit shall be null and void if not used within one year from the approval date,  
51 or if the use is abandoned for a period of one hundred and eighty (180) days.  
52 Minor modifications which do not increase environmental impacts may be  
53 approved in writing by the Planning and Building Director.
- 54 4. The owner(s) shall permit the City of Calistoga or representative(s) or designee(s)  
55 to make periodic inspections at any reasonable time deemed necessary in order  
56 to assure that the activity being performed under authority of this permit is in  
57 accordance with the terms and conditions prescribed herein.
- 58 5. This use permit does not abridge or supersede the regulatory powers or permit  
59 requirements of any federal, state or local agency, special district or department  
60 which may retain regulatory or advisory function as specified by statute or  
61 ordinance. The applicant shall obtain permits as may be required from each  
62 agency.
- 63 6. Prior to operation, the operator shall obtain a business license pursuant to the City  
64 of Calistoga Municipal Code Chapter 5.04 subject to the review and approval of  
65 the Finance Department. The applicant shall, at all times, remain in compliance  
66 with the requirements of Chapter 5.04. 65.
- 67 7. The operation shall remain, at all times, in compliance with the Calistoga Municipal  
68 Code Chapter 3.16, Transient Occupancy Tax, and be current on the collection,  
69 reporting and payment of all transient occupancy taxes to the City.
- 70 8. Prior to operation and annually thereafter, an inspection shall be conducted by the  
71 Fire Department to ensure installation of fire extinguishers, smoke detectors and  
72 carbon monoxide detectors.
- 73 9. Special events (e.g., weddings, graduation parties, bar mitzvahs, quinceaneras,  
74 etc.) are prohibited on the property.

75           10. The property owner or resident manager shall occupy the property as their primary  
76                   place of residency.

77  
78                   **ADOPTED** on August 11, 2021, by the following vote of the Calistoga Planning  
79 Commission:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Scott Cooper, Chair

ATTEST: \_\_\_\_\_  
          Claudia Aceves, Secretary