

## RESOLUTION 2017-12

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA MAKING A DETERMINATION FOR A CATEGORICAL EXEMPTION FOR A CONDITIONAL USE PERMIT (CUP 2017-33) FOR THE USE OF AN OUTDOOR PATIO AS AN ACCESSORY USE TO A WINE AND BEER TASTING ESTABLISHMENT AT 322 THIRD STREET UNDER SECTION 15332 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

**WHEREAS**, the Planning Commission received an application for a Conditional Use Permit for the use of an outdoor patio as an accessory use to a wine and beer tasting establishment at 322 Third Street; and

**WHEREAS**, the Planning Commission received oral comments and public input and the staff report on April 4<sup>th</sup>, 2017, for the Conditional Use Permit (CUP 2017-33); and

**WHEREAS**, based upon the whole record before the Planning Commission and in light of the proposed use of an outdoor patio as an accessory use to a wine and beer tasting establishment situated at 322 Third Street, the Planning Commission determined that the project is Categorical Exempt under CEQA §15332 "In-Fill Development Projects" by making the following findings:

1. The project is consistent with the 2035 General Plan designation and polices as well as zoning designation and regulations.
2. The proposed project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
3. The project site has no value as habitat for endangered, rare, or threatened species.
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
5. The site can be adequately served by all municipal utilities and public services.
6. The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista hereby approves the Categorical Exemption under CEQA §15332 "In-Fill Development Projects" for a Conditional Use Permit (CUP 2017-33) for the use of an outdoor patio as an accessory use to a wine and beer tasting establishment at 322 Third Street.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 4<sup>th</sup> day of April, 2017, by the following vote:

Resolution 2017-12  
322 Third Street  
April 4, 2017

**AYES:** Franco, Freels, Moore, Boyd

**NOES:** None

**ABSENT:** Hopper

**ABSTAIN:** None

  
Vice Chairperson Darlene Boyd

**ATTEST:**

  
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Trish Paetz, Deputy City Clerk