CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2016-__

APPROVING USE PERMIT UP 2016-8 ALLOWING A THREE UNIT BED AND BREAKFAST INN ON THE PROPERTY LOCATED AT 1503 LAKE STREET

WHEREAS, on November 28, 2016, Jim Flamson, on behalf of Rosemary Faulds, submitted an application requesting a use permit to allow a bed and breakfast inn at 1503 Lake Street; and

WHEREAS, the Planning Commission considered the request at its regular meeting of December 14, 2016, and prior to taking action on the application, the Planning Commission received written and oral reports by the staff, and received public testimony; and

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

WHEREAS, the Planning Commission pursuant to Chapter 17.40.070 has made the following use permit findings for the project:

1. The proposed development, together with any provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan and other applicable provisions of the Zoning Code including the finding that the use as proposed is consistent with the historic, rural, small-town atmosphere of Calistoga;

   Finding: The guestrooms are within an existing single-family residence and two detached cottages. In accordance with General Plan policies, the project will be operated so as to be compatible with adjacent residential uses, periodic inspections will be conducted to ensure compliance with conditions of approval, and no net loss of housing will occur. Upon fulfillment of the conditions of approval, the bed and breakfast inn will meet the requirements of Chapter 17.35 of the Calistoga Zoning Ordinance.

2. The site is physically suitable for the type and density of development;

   Finding: The site is physically suitable for the use. There is sufficient parking, landscaping and open space on all sides of the property. The intensity of the use is not such that would adversely affect the residential neighborhood.

3. The proposed development has been reviewed in compliance with the California Environmental Quality Act (CEQA) and the project will not result in detrimental or adverse impacts upon the public resources, wildlife or public health, safety and welfare;

Finding: The project is exempt from environmental review pursuant to Section 15332 (In-fill Development Projects) of the CEQA Guidelines.

4. Approval of the use permit application will not cause adverse impacts to maintaining an adequate supply of public water and an adequate capacity at the wastewater treatment facility;

Finding: The City's water system and wastewater treatment facility are adequate to serve this use.

5. Approval of the use permit application shall not cause the extension of service mains greater than 500 feet;

Finding: Mainlines will be repaired but the project will not require the extensions of service mains.

6. An allocation for water and/or wastewater service pursuant to Chapter 13.16 CMC (Resource Management System) shall be made prior to project approval. Said allocation shall be valid for one year and shall not be subject to renewal;

Finding: A new allocation for water and/or wastewater service is not required for the proposed use. No increase in water consumption or wastewater generation is anticipated by this proposal.

7. The proposed development presents a scale and design which are in harmony with the historical and small-town character of Calistoga;

Finding: No new structures or exterior modifications to the existing structures are being proposed as part of the project. The structures have long been part of the fabric of the community, so it would be in harmony with the historical and small-town character of Calistoga.

8. The proposed development is consistent with and will enhance Calistoga's history of independent, unique, and single location businesses, thus contributing to the uniqueness of the town, which is necessary to maintain a viable visitor industry in Calistoga and to preserve its economy;

Finding: The bed and breakfast inn is independently owned and operated.

9. The proposed development complements and enhances the architectural integrity and eclectic combination of architectural styles of Calistoga.

Finding: The existing structures will be preserved, adding to the architectural integrity and eclectic combination of architectural styles of Calistoga.

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

1. This use permit allows a three unit bed and breakfast inn at 1503 Lake Street. The uses hereby permitted shall substantially conform to site plan received November 28, 2016 by the Planning and Building Department, except as noted in the permit conditions.

2. This permit shall be null and void if not used within two years from the approval date, or if the use is abandoned for a period of one hundred and eighty (180) days. Minor modifications which do not increase environmental impacts may be approved in writing by the Planning and Building Director.

3. The owner(s) shall permit the City of Calistoga or representative(s) or designee(s) to make periodic inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

4. This use permit does not abridge or supercede the regulatory powers or permit requirements of any federal, state or local agency, special district or department which may retain regulatory or advisory function as specified by statue or ordinance. The applicant shall obtain permits as may be required from each agency.

5. Prior to operation, the operator shall obtain a business license pursuant to the City of Calistoga Municipal Code Chapter 5.04 subject to the review and approval of the Finance Department. The applicant shall, at all times, remain in compliance with the requirements of Chapter 5.04.

6. The operation shall remain, at all times, in compliance with the Calistoga Municipal Code Chapter 3.16, Transient Occupancy Tax, and be current on the collection, reporting and payment of all transient occupancy taxes to the City.

7. Prior to operation, a fire suppression system shall be installed within the principal residence and two detached cottages, subject to the review and approval of the Fire Chief.

8. Prior to operation and annually thereafter, an inspection shall be conducted by the Fire Department to ensure installation of fire extinguishers, smoke detectors and carbon monoxide detectors.

9. Special events associated with the bed and breakfast (e.g., weddings, graduation parties, bar mitzvahs, quinceaneras, etc.) are prohibited.

10. Prior to operation, the bed and breakfast's kitchen shall comply with provisions of Division 104, Part 7, of the California Health and Safety Code entitled "California Retail Food Code" subject to the review and approval of the Napa County Planning, Building and Environmental Services

Department. The applicant shall obtain an annual food permit for the Napa County Planning, Building and Environmental Services Department.

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

12. Prior to operation of the bed and breakfast inn, one parking space per guest room shall be provided and designated on-site in the northeastern corner of the property.

13. Prior to operation, the head wall supporting the culvert at the intersection of Fair Way and Lake Street shall be reconstructed subject to the review and approval of the Public Works Director.

PASSED AND ADOPTED on December 14, 2016, by the following vote of the Calistoga Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

_____
Paul Coates, Chair

ATTEST: _____
Lynn Goldberg
Secretary to the Planning Commission