

Chapter 17.35
BED AND BREAKFAST INNS AND FACILITIES

Sections:

- 17.35.010 Purpose.
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- 17.35.030 Use permit required.
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17.35.010 Purpose.

- A. It is the purpose of this chapter to establish regulations for the location, use, character, parking, signing and processing of applications for bed and breakfast inns and facilities in residential zones within the City.
- B. Proposed conversions in residential zones to B and B facilities which would eliminate an existing rental unit or units shall not be permitted, unless otherwise provided herein. This admonition pertains to, inter alia, units which contain independent cooking and bathroom facilities.
- C. It is further the purpose of these regulations to encourage the restoration of historic structures. An example of an historic structure is one which is listed by Federal, State and/or recognized Napa County agencies as having architectural or historic significance.
- D. It is further the purpose of these regulations to provide for bed and breakfast facilities which are accessory to and secondary to the primary residential use of land in residentially zoned areas. The terms "accessory" and "secondary" mean that the establishment of bed and breakfast facilities in residential zones shall not exceed 49 percent of the use of the land and/or building area on and in which the facilities are to be located. (Ord. 667 § 2, 2010; Ord. 421 § 2, 1987; Ord. 416 § 2, 1986; Ord. 396 § 2, 1984; Ord. 390 § 2, 1983).

17.35.020 General regulations.

- A. For the purposes of this title and Chapter 13.18 CMC (Rates, Billing, Payment and Charges), B and B facilities located in residential zoning districts shall be considered commercial uses.
- B. The establishment of bed and breakfast inns and facilities shall be harmonious with the character of the neighborhood and zone in which they are to be located.
- C. Adequate and surplus off-street parking is of primary concern in the establishment of bed and breakfast inns and facilities. The requirements and development standards for parking as established in Chapter 17.36 CMC shall apply to all B and B facilities, unless otherwise provided herein.
- D. Any facility operating contrary to the terms of this section shall be subject to immediate closure and permit revocation.
- E. No facility shall be operated without a current business license.
- F. Operation of any B and B facility on a permanent basis shall be by the resident property owner(s) or resident manager. No off-site management shall be permitted, unless otherwise provided herein.
- G. No meals may be served after noon or to persons who are not paying guests, except for those persons who are nonpaying personal guests of the occupying owner-manager of the B and B inn or facility. Occasional special events which involve meals shall be approved by the Director of Planning and Building.

H. All facilities shall be inspected on an annual basis by the Planning and Building Department for conformance with use permit conditions and the regulations established in this title. Inspection reports shall be forwarded to the Planning Commission for informational purposes, as necessary. (Ord. 667 § 2, 2010).

17.35.030 Use permit required.

All bed and breakfast inns and facilities shall require a use permit subject to the provisions of Chapter 17.40 CMC. (Ord. 667 § 2, 2010).

17.35.040 Permit regulations.

A. All applications for a bed and breakfast facility shall be on forms provided by the Planning and Building Department and accompanied by the appropriate fee as established by Council resolution.

B. Bed and breakfast inns and facilities shall be permitted only where an occupying owner or resident manager maintains his or her primary place of residence on site. The bed and breakfast inn and facility shall be operated as an accessory use to the owner's/manager's residence. No mix of rental units and B and B units on a single property shall be permitted.

C. Bed and breakfast inns and facilities shall be limited by spacing and to the number of rental rooms or units by zones as follows:

1. Spacing. R-R, RR-H, R-1, R-1-10, R-2 and R-3 zones: not more than one bed and breakfast facility per each side of a City block or one facility per each 500 feet where conventional blocks are not present.

2. Number of Units.

a. R-R, RR-H, R-1, R-1-10 and R-2 zones: not more than two units or rooms;

b. R-3 zone: not more than three units or rooms.

3. Maximum. The maximum number of bed and breakfast rental units may be increased in the R-R, RR-H, R-1, R-1-10, R-2 and R-3 zones, subject to a major use permit, when the special circumstances as stated below exist. In no case shall such increase permit the total number of units to exceed six bed and breakfast rental units. Special circumstances to be considered shall include, but not be limited to, the following:

a. Proximity to a State highway or major arterial as indicated in the General Plan circulation element; and

b. The historical character and/or significance of the structure(s) in which the units are to be located; and

c. The character of the proposed site relative to its surroundings; and

d. The nature of ingress and egress; and

e. The adequacy of the number and location of off-street parking spaces and maneuvering areas; and

f. Provision of rooms accessible to the developmentally disabled.

4. Exception. The Planning Commission may authorize an exception to subsections (B), (C) and (D) of this section and CMC 17.36.130(C), parking requirements, subject to a major use permit, when the special circumstances as stated above and below exist:

- a. A bed and breakfast inn and facility or other visitor accommodation located on the property was authorized by the City on or before January 1, 2010; and
- b. The property is located within an R-1-10 zone; and
- c. The property is established with no more than 10 rental units; and
- d. Minimum lot size of 10,000 square feet. The Planning Commission, in considering all of the above special circumstances, shall establish written findings to support approval of bed and breakfast rental unit increases.

D. Signs identifying bed and breakfast inns and facilities shall comply with the provisions of Chapter 17.58 CMC.

E. All approved use permits for bed and breakfast inns and facilities shall include a condition requiring conversion of all existing water fixtures by installation of conservation devices.

1. Excepting therefrom, upon Planning Commission approval, authentic historic fixtures.

F. To obtain a use permit, a finding shall be made that the proposed bed and breakfast inn and facility would not result in a net loss of housing. (Ord. 667 § 2, 2010; Ord. 626 § 1, 2006).

The Calistoga Municipal Code is current through Ordinance 722, passed August 2, 2016.

Disclaimer: The City Clerk's Office has the official version of the Calistoga Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

