

# CITY OF CALISTOGA

## STAFF REPORT

**TO: CHAIRMAN MANFREDI AND MEMBERS OF THE PLANNING COMMISSION**

**FROM: ERIK V. LUNDQUIST, SENIOR PLANNER**

**MEETING DATE: MAY 25, 2011**

**SUBJECT: BED AND BREAKFAST INSPECTION REPORT AND ADMINISTRATIVE REVIEW OF PINK MANSION AND CRAFTSMAN INN**

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### **REQUEST**

- 1) Receive a report on the Planning and Building and Fire Department's 2011 annual bed and breakfast inspections per the City's Bed and Breakfast Inns and Facilities Ordinance (Ord. 667); and
- 2) Receive a report regarding the administrative review of the Pink Mansion and the Craftsman Inn as required per their respective conditional use permits.

### **PURPOSE**

Bed and Breakfast Inspection Report: Section 17.35.020(H), *Bed and Breakfast Inns and Facilities* of the Calistoga Municipal Code states,

"All facilities shall be inspected periodically 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."

Historically, the Planning and Building Department has provided its inspection report to the Planning Commission on an annual basis. In June of 2010 Ordinance No. 667 became effective requiring inspections and the supplemental report on an as needed basis. Since bed and breakfast code compliance is an important issue in the community, the Planning and Building Department has maintained its annual inspections and has scheduled this matter to provide the 2011 Bed and Breakfast inspection report to the Planning Commission.

Pink Mansion and Craftsman Inn Report: Bed and Breakfast Inn and Facility Inspections are not the entire focus of this report. The purpose of this report is also

30 intended to provide an administrative review of the Pink Mansion and Craftsman Inn  
31 as required per their respective conditional use permits.

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33 On September 8, 2010 the Planning Commission adopted Resolution PC 2010-14  
34 approving a conditional use permit amendment allowing the Pink Mansion to eliminate  
35 the on site manager and add a 7<sup>th</sup> guest unit. Similarly, on November 18, 2010 the  
36 Planning Commission adopted Resolution PC 2010-16 approving a conditional use  
37 permit amendment allowing the Craftsman Inn to eliminate their on site manager. No  
38 additional rooms were authorized at the Craftsman Inn. To mitigate neighborhood  
39 compatibility concerns the Planning Commission incorporated a condition of approval  
40 into the projects requiring periodic administrative reviews. The conditions state:

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42 *This Conditional Use Permit shall be administratively reviewed every (3) months*  
43 *during the first year (and on a semi-annual basis thereafter) to determine whether*  
44 *the use has resulted in a detrimental or adverse impact to the surrounding*  
45 *neighborhood. A report of staff's investigation shall be submitted via memorandum*  
46 *to the Planning Commission. Should it be determined that violation of the*  
47 *Conditions of this Use Permit have occurred or there is evidence of impact on the*  
48 *surrounding neighborhood, staff shall bring the Use Permit back to the Planning*  
49 *Commission for reconsideration.*

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51 As such, the purpose of this report is to satisfy this condition requiring the  
52 administrative review to determine whether the use has resulted in a detrimental or  
53 adverse impact to the surrounding neighborhood.

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55 **DISCUSSION**

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57 **A. Annual Inspection Report**

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59 The Planning and Building and Fire Departments have completed their initial  
60 inspections of sixteen (16) local bed and breakfast inns and facilities. These  
61 inspections primarily took place during the month of April and May. The process  
62 continues to be well received and the inspections were conducted in a professional  
63 manner with little or no impact on the business operations. These inspections focused  
64 on Use Permit compliance and the identification of potential health and safety risks  
65 including, in some instances, inadequate fire extinguishers, extension cords, smoke  
66 detectors and emergency signage.

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68 Attachment 1 identifies the compliance status of each Bed and Breakfast. In summary,  
69 out of the sixteen (16) inspections; eleven (11) of the Bed and Breakfast  
70 establishment's are clearly in conformance with the Planning and Building  
71 Departments requirements and regulations, two (2) of the Bed and Breakfast  
72 establishments are suspected of noncompliant operations and three (3) of the Bed  
73 and Breakfast establishments are pending inspection.

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75 At this time, staff continues to monitor the two (2) facilities suspected of  
76 noncompliance. Since no hard evidence has been found staff has not commenced

77 any formal abatement action or citation procedure. Until confirming evidence is found  
78 staff will continue to monitor these establishments.

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80 **B. Pink Mansion and Craftsman Inn Administrative Review**

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82 **1. Pink Mansion**

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84 Since this administrative review has coincided with the annual inspection program,  
85 staff has focused this administrative review on complaints received. The Planning and  
86 Building Department has not received any complaints or concerns regarding the  
87 operations resulting from the elimination of the on site manager. A review of the  
88 Police Department records indicates a report of found property and a medical aid.  
89 Otherwise, no citizen complaints have been received regarding noise or disturbances  
90 occurring at the property. It is staff's opinion that this establishment is operating in a  
91 reasonable and courteous manner.

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93 **2. Craftsman Inn**

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95 The Planning and Building Department has not received any complaints or concerns  
96 regarding the operations resulting from the elimination of the on site manager. A  
97 review of the Police Department records indicates no incidents at this property.  
98 Furthermore, no citizen complaints have been received regarding noise or  
99 disturbances occurring at the property. It is staff's opinion that this establishment is  
100 also operating in a reasonable and courteous manner.

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102 **RECOMMENDATION**

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104 Staff does not foresee the need for additional reviews until the next inspection season.  
105 As such, Staff recommends that the Planning Commission direct Staff to continue its  
106 annual inspection program but allow staff to extend the compliance reviews of the Pink  
107 Mansion and Craftsman Inn from 6-months to yearly in order to coincide with the  
108 annual inspection program. Staff is of the opinion that this minor modification to the  
109 conditions of approval is permissible under the discretionary authority of the Planning  
110 and Building Department and Planning Commission changing the timing of review  
111 does not increase environmental impacts.

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113 **ENVIRONMENTAL IMPACT**

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115 The proposed action is not a project as defined by Title 14, Chapter 3, §15378 of the  
116 California Code of Regulations (State CEQA Guidelines) and therefore CEQA is not  
117 applicable.

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119 **ATTACHMENT**

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121 1. 2011 Bed and Breakfast Inventory  
122 2. Bed and Breakfast Inns and Facilities, Ordinance No. 667