

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIR MANFREDI AND MEMBERS OF THE PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, SENIOR PLANNER

MEETING DATE: JUNE 24, 2015

SUBJECT: AURORA PARK COTTAGES USE PERMIT UP 2015-5
1807 FOOTHILL BOULEVARD

1 **ITEM**

2 Consideration of a use permit to legalize the existing legal nonconforming bed and
3 breakfast use located at 1807 Foothill Boulevard, eliminate the on-site owner/manager
4 residence requirements, and allow a 7th guest unit.

5 **BACKGROUND / DISCUSSION**

6 The property is located along Foothill Boulevard corridor between Petrified Forest Road
7 and Lincoln Avenue. The southern portion of this area is predominantly developed with
8 hillside residential uses and several bed-and-breakfast facilities of good architectural
9 character. The northern portion consists of single-family residential uses and includes
10 the historic hospital property and the Herrero Italian olive farm reproduction. The
11 property is adjacent to another bed and breakfast facility, the Chanric Inn, and a single-
12 family residence.

13 The single-family home and six cottages located on the 1.44-acre property were
14 constructed in the 1950's. The six cottages have historically been used as guest units.
15 In 1998, a proposal to substantially alter the Aurora Park Cottages was approved by the
16 City, including architectural changes, enlarged structures and extensive landscaping.
17 The project was ultimately abandoned by a subsequent owner, and in 1999 a
18 substantially less comprehensive plan was approved for exterior changes and new
19 colors to the business. The renovations to the cottages were completed in late 2000. No
20 alterations to the owner's residence occurred at that time.

21 The property has recently sold and the new owner proposes to legalize the existing
22 legal nonconforming bed and breakfast use, eliminate the on-site owner/manager
23 residence requirements, and allow a 7th guest unit. The new owner also owns the
24 neighboring property located at 1815 Foothill Boulevard. The existing single-family
25 home located at 1815 Foothill Boulevard would be utilized to manage the Aurora Park
26 Cottages, including office space, storage and guest reception. No exterior changes to
27 either property are proposed. Interior modifications to the existing manager's unit will be
28 minimal, including enlarging its living space and updating its finishes.

29 Aurora Park Cottages is currently allowed as a legal nonconforming use since the use
30 was established prior to the current use permit requirements. Bed and breakfast inns
31 and facilities are now a conditionally-permitted use in the R-1-10 Zoning District. The
32 use does not currently have the benefit of a use permit. The new owner desires to
33 obtain a use permit allowing the use and its expansion.

34 ANALYSIS

35 A. General Plan Consistency

36 Land Use Element: The General Plan designation for the property is Medium Density
37 Residential, which allows bed and breakfast establishments. The Foothill Character
38 Area overlay, which also applies to the property, supports a limited number of bed and
39 breakfast uses. Although the number of guest units would be increasing on the property,
40 the number of total establishments in the community would remain the same. The
41 number of bed and breakfast establishments has declined in recent years due to
42 changes in visitor expectations. Allowing a larger (approximately 700 square feet) guest
43 unit is an allowed use in the land use designation and in keeping with the growing
44 trends in the industry.

45 The Land Use Element prohibits the loss of housing through its conversion to
46 commercial uses (Policy P1.3-6). However, in 2010, when the bed and breakfast
47 regulations were adopted, the City Council acknowledged that the loss of housing would
48 occur but the City would retain its ability to mitigate or offset the loss. In this particular
49 case, the owner would be required to pay the affordable housing linkage fee, which
50 would contribute to the creation of housing.

51 Economic Development: Allowing this bed and breakfast expansion would be consistent
52 with General Plan Objective ED-1.1, which encourages the City to support the lodging
53 industry.

54 B. Zoning Ordinance Compliance

55 The property is located within the R-1-10 One-Family Residential Zoning District. Bed
56 and breakfast inns and facilities are a conditionally-permitted use within this District.
57 Calistoga Municipal Code (CMC) Chapter 17.35 provides the specific bed and breakfast
58 regulations. The existing facility is in conformance with the general regulations (CMC
59 Section 17.35.020) since the property is in harmony with the neighborhood, is paying
60 the appropriate water and sewer rates, has an on-site manager, has an adequate
61 supply of parking and only serves breakfast. The existing facility is also consistent with
62 the permit regulations (CMC Section 17.35.040), with the exception of the minimum
63 500-foot separation spacing requirement because it is located adjacent to another bed
64 and breakfast. CMC Section 17.35.040(B) requires an owner/manager to maintain his
65 or her primary place of residence on site and CMC Section 17.35.040(C)(3) limits the
66 maximum number of units to 6 rental units. The owner has also requested an exception
67 per CMC Section 17.35.040(C)(4) to allow an increase in the number of bed and
68 breakfasts within close proximity, to eliminate the owner's/manager's residence
69 requirement and to add a 7th guest unit.

70 Pursuant to CMC Section 17.35.040(C)(4) exceptions may be granted to allow the
71 elimination of the owner's/manager's residence requirements, the minimum 500-foot
72 separation spacing requirement and up to 10 rental units. Prior to approval of the
73 exceptions, the Planning Commission must consider the following special
74 circumstances:

- 75 a. A bed and breakfast inn and facility or other visitor accommodation located on
76 the property was authorized by the City on or before January 1, 2010; and
- 77 b. The property is located within an R-1-10 zone; and
- 78 c. The property is established with no more than 10 rental units; and
- 79 d. Minimum lot size of 10,000 square feet.

80
81 The Aurora Park Cottages were established prior to January 1, 2010 and the 1.44-acre
82 property is located within the R-1-10 Zoning District. Upon conversion of the manager's
83 unit to a guest unit the property would have a total of 7 guest units, which is less than
84 10. Staff is of the opinion that the proposal to operate 7-unit bed and breakfast facility
85 without an on-site owner/manager residence meets the purpose and intent of the
86 Ordinance and it can be found to meet the special circumstances to allow the expansion
87 of use.

88 It should be further noted that standard conditions are proposed for this project similar
89 to that of other bed and breakfast facilities, such as the Pink Mansion, Craftsman Inn,
90 Chanric Inn and Wayside Inn.

91 **C. Growth Management**

92 The property carries a water baseline of 0.790 annual acre-feet (aaf) of water and 0.711
93 annual acre-feet (aaf) of wastewater. Although the conversion of the manger's unit to a
94 guest unit does not have a direct effect on the water and wastewater needs, the Public
95 Works Department has found that the historic usage on the property has exceeded the
96 baseline. An average of the two highest years indicates the usage to be 1.62 aaf of
97 water and 1.46 aaf of wastewater. As such, a growth management allocation must be
98 awarded prior to operation and the authorization of a water and wastewater allocation.
99 The Planning and Building Department Director intends to grant a non-residential
100 Growth Management Allocation of 0.830 aaf of water and 0.749 aaf of wastewater. Prior
101 to building permit issuance or operations, the applicant is required to pay the water and
102 wastewater service connection fee at the rate in effect at the time the building permit is
103 issued.

104 **D. Health and Safety**

105 The Fire Department has reviewed the application and has indicated that smoke
106 detectors, fire extinguishers and carbon monoxide detectors will be required prior to
107 occupancy. Although, not required the Fire Chief highly recommends the installation of
108 fire sprinklers.

110 **PUBLIC COMMENTS**

111 As of June 19, 2015, no public comments had been received regarding this project.

112 **FINDINGS**

113 To reduce repetition, all of the necessary findings to approve the conditional use permit
114 application are contained in the draft resolution.

115 **ENVIRONMENTAL REVIEW**

116 The proposed project is Categorically Exempt from the requirements of the California
117 Environmental Quality Act (CEQA) pursuant to Section 150619(b)(3) of the CEQA
118 Guidelines.

119 **RECOMMENDATION**

120 Adopt a resolution approving Use Permit UP 2015-5 with conditions.

ATTACHMENTS

1. Location Map
2. Draft Resolution
3. Project Description received May 13, 2015
4. Site Plan received May 13, 2015