



City of Calistoga Planning Commission Agenda Item Summary

DATE	December 14, 2016
ITEM	Use Permit UP 2016-8
APPLICANT	Rosemary Faulds
PROPERTY ADDRESS	1503 Lake Street
ASSESSOR'S PARCEL NO.	011-153-010
GENERAL PLAN DESIGNATION	Medium Density Residential
ZONING DISTRICT	R-1, One-Family Residential
STAFF CONTACT	Erik V. Lundquist, Senior Planner
POTENTIAL CONFLICTS	Commissioner McNair – Proximity to Residence
RECOMMENDATION	Approve use permit with conditions
SUGGESTED MOTION	"I move that the Planning Commission adopt a resolution to operate a 3-unit bed and breakfast at 1503 Lake Street."

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN COATES AND MEMBERS OF THE PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, SENIOR PLANNER

MEETING DATE: DECEMBER 14, 2016

**SUBJECT: OAKWOOD BED AND BREAKFAST (UP 2016-8)
1503 LAKE STREET**

1 **ITEM**

2 Consideration of a use permit application to establish a 3-unit bed and breakfast
3 inn at 1503 Lake Street

4 **BACKGROUND AND SETTING**

5 The 15,500 square-foot corner lot at 1503 Lake Street is currently developed with
6 a single-family residence, a detached residential second unit, a utility shed, utility
7 room and a double-car garage with attached carport. Except for the single-family
8 residence, the structures are concentrated in the northwestern portion of the
9 property with access from Fair Way. The single-family residence is generally
10 centered on the property. A secondary access is also available from Lake Street.

11 The property is located in a residential neighborhood surrounded by primarily
12 single-family homes; the Calistoga Junior/Senior High School is located within
13 300 feet. The property is located within the Medium Density Residential General
14 Plan land use designation and R-1, One-Family Residential Zoning District. The
15 Medium Density land use designation allows single-family homes, duplexes and
16 bed and breakfasts. The R-1 District is consistent with the land use designation
17 since it allows single-family homes, residential second units and bed and
18 breakfasts.

19 In 1983, the City granted approval of a two-unit bed and breakfast, which
20 converted the two pre-existing detached residential units to guest units. Cottage
21 1 has approximately 404 square feet of floor area and Cottage 2 has
22 approximately 347 square feet of floor area.

23 In 1988, the Planning Commission conditionally-approved Use Permit UP 88-11
24 allowing an increase to the number of bed and breakfast units from two to three
25 units. The third guest unit was located within the single-family residence. The bed
26 and breakfast operated in conformance with the approved use permit until 2014

27 and staff is not aware of any guest or neighbor complaints associated with the
28 usage during that period of time.

29 In a letter dated October 23, 2014, the City received a request from the property
30 owner to relinquish the bed and breakfast use permit due to personal
31 circumstances. At that time, the City advised the owner's representative that the
32 use permit would be null and void if not re-activated by April 23, 2015. Staff also
33 informed the owner that only a single-family residence and a residential second
34 unit would be permissible per the R-1 District standards. As such, on December
35 10, 2014, the owner applied for a building permit to convert the third residential
36 unit to a utility shed by removing the heat source (without a heat source the unit
37 becomes unconditioned floor space and is not habitable per the building code).
38 On December 17, 2014, the City finalized Building Permit No. 6433 confirming that
39 the third residential unit had been converted to a utility shed. Furthermore, the
40 structure does not contain a legitimate kitchen (i.e., it has no stove).

41 **PROJECT DESCRIPTION**

42 On December 28, 2016, Trustee James Flamson, on behalf of the property
43 owner, submitted a use permit application requesting a new use permit for a 3-
44 unit bed and breakfast in the exact configuration as the previously-approved bed
45 and breakfast. The two detached structures would be converted to two guest
46 units and a third guest unit would be located within the principal residence. The
47 proposed parking would be located in the northeastern corner of the property, as
48 was required per the 1988 approval. Continental breakfast may be served.

49 **DISCUSSION**

50 **General Plan Consistency**

51 The project site has a General Plan land use designation of Medium Density
52 Residential, which allows bed and breakfast inns. Staff therefore finds that the
53 proposal for the bed and breakfast inn is consistent with the General Plan.

54 **Zoning Compliance**

55 Bed and breakfast uses are conditionally-allowed in the R-3 District, in
56 accordance with CMC Chapter 17.35. Upon approval of this use permit with the
57 recommended conditions of approval, the proposed bed and breakfast facility
58 would comply with the following R-3 District criteria and the bed and breakfast
59 regulations:

- 60 1. No residential units will be eliminated;
- 61 2. The B&B is harmonious with the character of the neighborhood and
62 zoning district in which is it located;
- 63 3. Adequate parking can be provided;
- 64 4. The resident manager maintains his/her primary place of residence on
65 site;

- 66 5. The B & B is accessory and secondary to the primary residence and does
67 not exceed 49% of the use of the land and/or building area;
- 68 6. There are no other bed and breakfast facilities being operated on the
69 same side of the street; and
- 70 7. No meals will be served after noon or to persons who are not paying
71 guests, except for those persons who are nonpaying personal guests of
72 the occupying owner-manager of the bed and breakfast.

73 Although one of the detached cottages has been occupied by a caretaker, the
74 cottage does not constitute an independent living unit because it does not
75 contain a formal kitchen (i.e., it has no stove). The second cottage is currently
76 storage per Building Permit No. 6433.

77 The City is not aware of any neighborhood complaints resulting from the
78 previously-approved use as a bed and breakfast during its operation between
79 1983 and 2014. The bed and breakfast use would continue to be harmonious
80 with the neighborhood.

81 CMC Section 17.36.120(C) requires two off-street parking spaces for the owner
82 or resident manager of the project and one additional space for each bed and
83 breakfast rental room. Therefore, five off-street parking spaces are required. The
84 double-car garage would continue to be available for resident parking and the
85 three parking spaces required for the guests would be located in the northeastern
86 corner of the property, as required per the 1988 use permit. With the additional
87 parking, this proposal would meet the parking requirements of the Calistoga
88 Municipal Code.

89 Based upon the site plan, it appears that approximately 868 square feet of the
90 total 3,207 indoor square footage would be used by guests. Of the 15,500-
91 square foot property, up to 5,000 square feet would be used by guests for
92 parking and outside gathering. As such, the primary use of the property would
93 remain residential.

94 No other bed and breakfast operations are in the vicinity and breakfast may be
95 served to the guests. Staff has found that the project complies with the stated
96 Zoning Code regulations, as conditioned.

97 **Resource Management**

98 Given that this property has a baseline of 0.932 annual acre feet of water
99 and 0.838 annual acre feet of wastewater, the current allocation for
100 water and wastewater is sufficient to accommodate the proposed use. No
101 additional allocation is required unless otherwise determined by the Public
102 Works Department upon issuance of the business license.

103 **Agency Review**

104 The Napa County Planning, Building and Environmental Services Department
105 reviewed the application and has no objection to the approval of the project

106 provided their suggested conditions of approval are incorporated into the use
107 permit. In general, they requested that the kitchen be designed and/or modified
108 to meet code compliance for the intended uses. Staff has incorporated their
109 suggested conditions into the draft resolution.

110 The City's Fire Department has reviewed the project and is requiring fire
111 sprinklers, fire extinguishers, smoke detectors and carbon monoxide detectors.
112 Fire sprinklers are required to achieve code compliance, per CMC Section
113 15.36.030(C), as stated below:

114 *"For any change of occupancy, including conversions of buildings*
115 *to single-family residences, accessory dwelling units, bed and*
116 *breakfast, inns, lodging houses or congregate residences for 10 or*
117 *fewer persons or other similar uses, an automatic fire sprinkler shall*
118 *be installed throughout."*

119 Sprinklers would be required throughout the main house and two detached units,
120 subject to the review and approval of the Fire Chief. The Fire Department will
121 conduct an initial inspection and annual inspections thereafter to ensure
122 continued compliance.

123 The Public Works Department has reviewed the proposal and has suggested that
124 a condition of approval be incorporated that requires the reconstruction of the
125 head wall that supports the drainage culvert at the intersection of Fair Way and
126 Lake Street upon issuance of an encroachment permit.

127 **FINDINGS**

128 To reduce repetition, all of the necessary findings are contained in the respective
129 attached Resolution.

130 **PUBLIC COMMENTS**

131 As of the writing of this report, Staff has not received any correspondence
132 regarding this matter.

133 **ENVIRONMENTAL REVIEW**

134 Staff has determined that the proposed project is Categorically Exempt from the
135 requirements of the California Environmental Quality Act (CEQA) pursuant to
136 Section 15332 (In-fill Development Projects) of the CEQA Guidelines.

137 **RECOMMENDATION**

138 Approve the use permit application with conditions

139 **ATTACHMENTS**

- 140 1. Location Map
- 141 2. Draft Resolution
- 142 3. Site Plan resubmitted November 28, 2016

Oakwood Bed and Breakfast Inn
1503 Lake Street APN 011-153-010
Use Permit UP 2016-8
December 14, 2016
Page 5 of 5

- 143 4. CMC Chapter 17.35, Bed and Breakfast Inns and Facilities
- 144 5. Excerpt of the Planning Commission Minutes of December 14, 1988