

1 EXISTING REGULATIONS

2 Chapter 17.35

3 BED AND BREAKFAST INNS AND FACILITIES

4 Sections:

5 17.35.010 Purpose.

6 17.35.020 General regulations.

7 17.35.030 Use permit required.

8 17.35.040 Permit regulations.

9 17.35.010 Purpose.

- 10 A. It is the purpose of this chapter to establish regulations for the location, use, character,  
11 parking, signing and processing of applications for bed and breakfast inns and facilities in  
12 residential zones within the City.
- 13 B. Proposed conversions in residential zones to B and B facilities which would eliminate an  
14 existing rental unit or units shall not be permitted. This admonition pertains to, inter alia,  
15 units which contain independent cooking and bathroom facilities.
- 16 C. It is further the purpose of these regulations to encourage the restoration of historic  
17 structures. An example of an historic structure is one which is listed by Federal, State  
18 and/or recognized Napa County agencies as having architectural or historic significance.
- 19 D. It is further the purpose of these regulations to provide for bed and breakfast facilities  
20 which are accessory to and secondary to the primary residential use of land in  
21 residentially zoned areas. The terms "accessory" and "secondary" mean that the  
22 establishment of bed and breakfast facilities in residential zones shall not exceed 49  
23 percent of the use of the land and/or building area on and in which the facilities are to be  
24 located. (Ord. 421 § 2, 1987; Ord. 416 § 2, 1986; Ord. 396 § 2, 1984; Ord. 390 § 2,  
25 1983).

26 17.35.020 General regulations.

- 27 A. For the purposes of this title and Chapter 13.18 CMC (Rates, Billing, Payment and  
28 Charges), B and B facilities located in residential zoning districts shall be considered  
29 commercial uses.
- 30 B. The establishment of bed and breakfast inns and facilities shall be harmonious with the  
31 character of the neighborhood and zone in which they are to be located.
- 32 C. Adequate and surplus off-street parking is of primary concern in the establishment of bed  
33 and breakfast inns and facilities. The requirements and development standards for  
34 parking as established in Chapter 17.36 CMC shall apply to all B and B facilities.
- 35 D. Any facility operating contrary to the terms of this provision shall be subject to  
36 immediate closure and permit revocation.
- 37 E. No facility shall be operated without a current business license and transient tax  
38 certificate.
- 39 F. Operation of any B and B facility on a permanent basis shall be by the resident property  
40 owner(s) or resident manager. No off-site management shall be permitted.
- 41 G. No meals may be served after noon or to persons who are not paying guests, except for  
42 those persons who are nonpaying personal guests of the occupying owner-manager of the  
43 B and B inn or facility. Occasional special events which involve meals shall be approved  
44 by the Director of Planning and Building.
- 45 H. All facilities shall be inspected on an annual basis by the Planning and Building  
46 Department for conformance with use permit conditions and the regulations established

1 in this title. Inspection reports shall be forwarded to the Planning Commission for  
2 informational purposes.

3 **17.35.030 Use permit required.**

4 All bed and breakfast inns and facilities shall require a use permit subject to the provisions of  
5 Chapter 17.40 CMC.

6 **17.35.040 Permit regulations.**

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

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

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

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

20 2. Number of Units.  
21 a. R-R, RR-H, R-1 and R-2 zones: not more than two units or rooms;  
22 b. R-3 zone: not more than three units or rooms.

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

- 29 a. Proximity to a State highway or major arterial as indicated in the General  
30 Plan circulation element; and
- 31 b. The historical character and/or significance of the structure(s) in which  
32 the units are to be located; and
- 33 c. The character of the proposed site relative to its surroundings; and
- 34 d. The nature of ingress and egress; and
- 35 e. The adequacy of the number and location of off-street parking spaces  
36 and maneuvering areas; and
- 37 f. Provision of rooms accessible to the developmentally disabled; and
- 38 g. Minimum lot size of 10,000 square feet.

39 The Planning Commission, in considering all of the above special circumstances, shall establish  
40 written findings to support approval of bed and breakfast rental unit increases.

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

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

46 1. Excepting therefrom, upon Planning Commission approval, authentic historic fixtures.  
47 (Ord. 626 § 1, 2006).