

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2010-05**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALISTOGA RESCINDING RESOLUTION PC 2009-26 AND FORWARDING A RECOMMENDATION TO THE CITY COUNCIL FOR THE ADOPTION OF AN ORDINANCE AMENDING CHAPTER 17.35, *BED AND BREAKFAST INN AND FACILITIES OF THE MUNICIPAL CODE PERTAINING TO BED AND BREAKFAST USES.*

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2 **WHEREAS**, on September 23, 2009 the City of Calistoga Planning Commission adopted
3 Resolution PC 2009-26 recommending to the City Council an amendment to bed and breakfast
4 inns and facilities regulations and other requirements pertaining to such use in the Calistoga
5 Municipal Code; and
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7 **WHEREAS**, on October 20, 2009 the City considered the Planning Commission's
8 recommendations at their regularly scheduled meeting and upon close of the public hearing, the
9 City Council recommended that the zoning ordinance amendments be referred back to the
10 Planning Commission for reconsideration; and
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12 **WHEREAS**, during the Planning Commission meeting of December 9, 2009, a
13 Subcommittee comprised of two Planning Commissioners was established to develop a revised
14 Ordinance to address the City Council's concerns; and
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16 **WHEREAS**, on April 14, 2010 the Planning Commission reconsidered the proposed
17 revisions to the City's bed and breakfast regulations and other regulations pertaining to such use
18 and considered the recommendations of the Planning Commission Subcommittee. Prior to
19 taking action on the proposed revisions, the Planning Commission received written and oral
20 reports by the staff, and received public testimony; and
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22 **WHEREAS**, based upon new discoveries the Planning Commission finds it appropriate
23 to rescind Resolution PC 2009-26 containing their previous recommendations; and
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25 **WHEREAS**, the Planning Commission finds the proposed revisions to the City's bed
26 and breakfast regulations contained in Chapter 17.35 of the Calistoga Municipal Code, as
27 provided for in Exhibit A, are necessary and proper for maintaining a positive growth in the
28 visitor accommodation climate in the community and are consistent with the policy direction
29 contained in the General Plan; and
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31 **WHEREAS**, the Planning Commission finds that the proposed revisions to the bed and
32 breakfast regulations are consistent with General Plan Objective H-3.5, Implementation Measure
33 A1, on Page H-93 of the Housing Element since a finding is established that any new Bed and
34 breakfast will not result in a net loss of housing and limiting the conversion opportunities to only
35 those three (3) pre-existing bed and breakfast inns and one (1) other lodging facility in the "R1-
36 10" Zoning District; and
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38 **WHEREAS**, the Economic Development Element, Policy 3 of the General Plan
39 specifically encourages upgrades of existing bed and breakfast inns to meet the changing
40 demands of customers and to strengthen business vitality; and
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42 **WHEREAS**, the Planning Commission has determined that this action is not be subject
43 to the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA
44 Guidelines.
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46 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
47 Commission that, based on the above findings, Resolution PC 2009-26 shall be rescinded and the
48 proposed amendment to bed and breakfast inns and facilities regulations, as described in Exhibit
49 A attached, is forwarded to the City Council with a recommendation of adoption.
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51 **PASSED, APPROVED, AND ADOPTED** on April 14, 2010, by the following vote of
52 the Calistoga Planning Commission:
53

- 54 AYES:
- 55 NOES:
- 56 ABSENT:
- 57 ABSTAIN

60 _____
61 Jeff Manfredi, Chairman

62
63 ATTEST: _____
64 Kathleen Guill
65 Secretary to the Planning Commission
66

EXHIBIT A

PLANNING COMMISSION RECOMMENDATION

Chapter 17.35

BED AND BREAKFAST INNS AND FACILITIES

Sections:

17.35.010 Purpose.

17.35.020 General regulations.

17.35.030 Use permit required.

17.35.040 Permit regulations.

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, unless otherwise provided herein. -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. 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 provision shall be subject to immediate closure and permit revocation.
- E. No facility shall be operated without a current business license, and transient tax certificate.
- F. Operation of any B and B facility on a permanent basis shall be by the resident property

- 46 | owner(s) or resident manager. No off-site management shall be permitted, unless
47 | otherwise provided herein.
- 48 | G. No meals may be served after noon or to persons who are not paying guests, except for
49 | those persons who are nonpaying personal guests of the occupying owner-manager of the
50 | B and B inn or facility. Occasional special events which involve meals shall be approved
51 | by the Director of Planning and Building.
- 52 | H. All facilities shall be inspected periodically ~~on an annual basis~~ by the Planning and
53 | Building Department for conformance with use permit conditions and the regulations
54 | established in this title. Inspection reports shall be forwarded to the Planning Commission
55 | for informational purposes, as necessary.

56 | **17.35.030 Use permit required.**

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

59 | **17.35.040 Permit regulations.**

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- 61 | A. All applications for a bed and breakfast facility shall be on forms provided by the
62 | Planning and Building Department and accompanied by the appropriate fee as established
63 | by Council resolution.
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- 65 | B. Bed and breakfast inns and facilities shall be permitted only where an occupying owner
66 | or resident manager maintains his or her primary place of residence on-site. The bed and
67 | breakfast inn and facility shall be operated as an accessory use to the owner's/manager's
68 | residence. No mix of rental units and B and B units on a single property shall be
69 | permitted.
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- 71 | C. Bed and breakfast inns and facilities shall be limited by spacing and to the number of
72 | rental rooms or units by zones as follows:
- 73 | 1. Spacing. R-R, RR-H, R-1, R-1-10, R-2 and R-3 zones: not more than one bed
74 | and breakfast facility per each side of a City block or one facility per each 500
75 | feet where conventional blocks are not present.
- 76 | 2. Number of Units.
- 77 | a. R-R, RR-H, R-1, R-1-10, and R-2 zones: not more than two units or
78 | rooms;
- 79 | b. R-3 zone: not more than three units or rooms.
- 80 | 3. Maximum. The maximum number of bed and breakfast rental units may be
81 | increased in the R-R, RR-H, R-1, R-1-10, R-2 and R-3 zones, subject to a major
82 | use permit, when the special circumstances as stated below exist. In no case shall
83 | such increase permit the total number of units to exceed six bed and breakfast
84 | rental units. Special circumstances to be considered shall include, but not be
85 | limited to, the following:
- 86 | a. Proximity to a State highway or major arterial as indicated in the General
87 | Plan circulation element; and
- 88 | b. The historical character and/or significance of the structure(s) in which
89 | the units are to be located; and
- 90 | c. The character of the proposed site relative to its surroundings; and
- 91 | d. The nature of ingress and egress; and
- 92 | e. The adequacy of the number and location of off-street parking spaces
93 | and maneuvering areas; and

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- f. Provision of rooms accessible to the developmentally disabled; and
- ~~g. Minimum lot size of 10,000 square feet.~~
- 4. Exception. The Planning Commission may authorize an exception to Sections 17.35.040(B), (C) & (D) and 17.36.130(c) parking requirements of this Title, 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. (Ord. 626 § 1, 2006).
- 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.

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**Chapter 17.14
R-R RURAL RESIDENTIAL DISTRICT**

123 **Sections:**

124 **17.14.020 Uses allowed.**

125 **17.14.030 Height limit of buildings and structures.**

126 **17.14.040 Lot area requirements.**

127 **17.14.020 Uses allowed.**

128 Uses allowed in an R-R district are as follows:

129 A. Uses Allowed without Use Permit.

- 130 1. Single-family dwellings;
- 131 2. Second dwelling units in accordance with Chapter 17.37 CMC;
- 132 3. Light agricultural uses, including but not limited to: farms on a commercial scale devoted to the growing of field, tree, berry or bush crops, and vegetable or flower gardens;
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- 135 4. The keeping of horses for noncommercial purposes on sites with a ratio of not less than one-half acre per horse;
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- 137 5. Student projects devoted to agricultural education;
- 138 6. Home occupations in accordance with Chapter 17.21 CMC;
- 139 7. Uses determined by the Planning Commission to be similar in nature as provided by the procedures in Chapter 17.02 CMC.

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141 B. Uses Allowed with Use Permit.

- 142 1. Public or private recreational and educational uses and their necessary facilities, including but not limited to: public parks, playgrounds, schools, colleges, churches, temples, golf, swimming, tennis, polo, civic or country clubs, fairgrounds, public buildings, utility substations or parking lots;
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- 146 2. Geothermal activity (exploration, development, and use);
- 147 3. Veterinary clinics with animal boarding facilities. The issuance of a conditional use permit shall be in accordance with the findings contained in CMC 17.40.010 and shall also comply with the following:
 - 148 a. The minimum lot size shall be two acres;
 - 149 b. Noise associated with the conditionally permitted use shall be mitigated to a level consistent with otherwise permitted uses established in this chapter;
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 - 151 c. Odors associated with the conditionally permitted use shall be mitigated to a level consistent with otherwise permitted uses established in this chapter;
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 - 154 d. New facilities and expansions have received design review approval consistent with the provisions contained in Chapter 17.06 CMC;
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- 157 4. Light agricultural uses including farms on a commercial scale devote to the hatching, raising, fattening, or marketing of animals such as, but not limited to, poultry, rabbits, goats, sheep, pigs; aviaries and kennels; the grazing and experimental or selective breeding or training of cattle or horses; provided, that such use is not a part of, nor conducted as, stock feed or livestock sales yards, or a commercial riding academy located on the same premises;
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- 165 5. Repealed by Ord. 599;
- 166 6. Uses determined by the Planning Commission to be similar in nature as provided by the procedures in Chapter 17.02 CMC;
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- 168 7. Home occupations in accordance with Chapter 17.21 CMC;
- 169 8. Small scale winery operations producing less than 2,000 cases of wine annually;
- 170 provided, that the following guidelines have been considered prior to the required
- 171 use permit approval:
- 172 a. The parcel size is two acres or more;
- 173 b. The parcel is established with a principal residence and the winery shall
- 174 be subordinate to the primary residential use;
- 175 c. A minimum of 20 percent of the wine produced on-site shall originate
- 176 from fruit grown on the parcel with modifications only approved through
- 177 the use permit process.;
- 178 d. Only one winery shall be permitted on-site;
- 179 e. Public tours of winery shall be prohibited;
- 180 f. The number and frequency of private wine marketing events shall be
- 181 strictly limited and reviewed during the use permit process. Private wine
- 182 marketing events are limited to a maximum of four events per calendar
- 183 year. The maximum number of guests allowed at any private wine
- 184 marketing event shall be determined during the use permit process. This
- 185 maximum capacity shall be posted in a conspicuous place in the small
- 186 winery building. Use permit conditions may impose stricter limitations if
- 187 residential development on adjoining parcels is in close proximity to the
- 188 new small winery use;
- 189 g. General assembly or entertaining shall be prohibited. All private wine
- 190 marketing events shall be held within the confines of the on-site
- 191 residential unit, the production area of the small winery building, or
- 192 outside or except as previously defined;
- 193 h. The establishment of on-premises wine sales shall be determined through
- 194 the use permit process. If wine sales are to be allowed, they shall be
- 195 restricted only to wine that is produced on the premises. No merchandise
- 196 shall be sold;
- 197 i. The hours of sales shall be by appointment only as reviewed during the
- 198 use permit process;
- 199 j. There can be no advertising in publications produced for general
- 200 distribution for private wine marketing events and all attendees shall be
- 201 specifically invited to participate in the private wine marketing event by
- 202 the small winery owner/operator;
- 203 k. All the requirements of CMC Title 19 shall be met;
- 204 l. Notwithstanding CMC 17.14.040, buildings and structures used for
- 205 winery operations shall be located at least 50 feet from the front lot line,
- 206 and 20 feet from any side lot line, and 50 feet from any dwelling on an
- 207 adjacent lot, not including perimeter fencing;
- 208 9. Large scale winery operations producing up to 4,000 cases of wine annually;
- 209 provided, that the following guidelines have been considered prior to the required
- 210 use permit approval:
- 211 a. The parcel size is four acres or more.
- 212 b. The parcel is established with a principal residence and the winery shall
- 213 be subordinate to the primary residential use.
- 214 c. Only one winery shall be permitted on-site.
- 215 d. The winery conducts limited public tours, provides wine tasting, sells
- 216 wine-related items or holds social events of a public nature with a use
- 217 permit.
- 218 e. Noise shall be restricted to a decibel level of 55 dba at property

- 219 boundaries.
- 220 f. A minimum of 30 percent of the wine produced on-site shall originate
- 221 from fruit grown on the parcel with modifications only approved through
- 222 the use permit process.
- 223 g. The number and frequency of wine-related events shall be strictly limited
- 224 and reviewed during the use permit process. Wine-related events are
- 225 limited to a maximum of four events per calendar year. The maximum
- 226 number of guests allowed at any wine marketing event shall be
- 227 determined during the use permit process. This maximum capacity shall
- 228 be posted in a conspicuous place in the winery building. Use permit
- 229 conditions may impose stricter limitations if residential development on
- 230 adjoining parcels is in close proximity to the winery use.
- 231 h. All wine-related events shall be held within the confines of the on-site
- 232 residential unit, the production area of the small winery building, or
- 233 outside.
- 234 i. The establishment of on-premises wine sales shall be determined through
- 235 the use permit process. If wine sales are to be allowed, they shall be
- 236 restricted only to wine that is produced on the premises.
- 237 j. The hours of sales shall be by appointment only as reviewed during the
- 238 use permit process.
- 239 k. There can be no advertising in publications produced for general
- 240 distribution for private wine marketing events and all attendees shall be
- 241 specifically invited to participate in the private wine marketing event by
- 242 the small winery owner/operator.
- 243 l. All the requirements of CMC Title 19 shall be met.
- 244 m. Notwithstanding CMC 17.14.040, buildings and structures used for
- 245 winery operations shall be located at least 50 feet from the front lot line,
- 246 and 20 feet from any side lot line, and 50 feet from any dwelling on an
- 247 adjacent lot, not including perimeter fencing.

248 10. Bed and breakfast inns and facilities, in accordance with Chapter 17.35 CMC;

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- 250 C. Allowed Accessory Uses. Any accessory building, corral, coop, hutch, pen, garage,
- 251 stable, storage shed or similar structure, provided, that no accessory building shall be
- 252 constructed prior to the construction of a main building, or on a lot separate from the
- 253 main building.
- 254 D. Prohibited Uses. Uses not specified in subsections (A) through (C) of this section are
- 255 prohibited. (Ord. 625 § 2, 2005; Ord. 599 § 4, 2004; Ord. 579 § 2, 2001).

256 **17.14.030 Height limit of buildings and structures.**

257 Height limit of buildings and structures in an R-R district shall be 25 feet. See additional height

258 requirements in Chapter 17.38 CMC. (Ord. 460 § 6, 1991; Ord. 339 § 1, 1978).

259 **17.14.040 Lot area requirements.**

260 Lot area requirements in an R-R district are as follows:

- 261 A. Minimum lot size shall be:
- 262 1. Eighty thousand (80,000) square feet if both on-site water and wastewater
- 263 disposal are proposed;
- 264 2. Forty thousand (40,000) square feet if either on-site water or wastewater disposal
- 265 is proposed;
- 266 3. Twenty thousand (20,000) square feet if City water and wastewater services are

- 267 provided.
- 268 B. Minimum lot width shall be 100 feet.
- 269 C. Minimum lot depth shall be 200 feet.
- 270 D. Setbacks for main buildings shall be:
- 271 1. Front yard: 20 feet;
- 272 2. Side yard, corner lot, 15 feet; interior lot, 10 feet, except that the following uses
- 273 require 20-foot setback from side interior lot line: recreational and educational
- 274 uses and their necessary facilities, public buildings, public utility substations,
- 275 hospitals, schools, churches, temples, golf, swimming, tennis, polo, civic or
- 276 country clubs, parking lots, parks, fairgrounds or playgrounds;
- 277 3. Rear yard: 20 feet;
- 278 4. Setbacks for accessory buildings and structures from the property lines shall be
- 279 five feet except that no accessory building or structure shall be allowed in the
- 280 required front or street side yard unless otherwise provided for in CMC
- 281 17.38.050.
- 282 E. For parking requirements, see Chapter 17.36 CMC.
- 283 F. Maximum coverage of lot by structures, including accessory structures, shall be 30
- 284 | percent. (Ord. 544 § 3, 1998).

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Chapter 17.16
R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

287 **Sections:**

288 **17.16.020 Uses allowed.**

289 **17.16.030 Height limit of buildings and structures.**

290 **17.16.040 Lot area requirements.**

291 **17.16.020 Uses allowed.**

292 Uses allowed in a R-1 and R1-10 district are as follows:

293 A. Uses Allowed without Use Permit.

294 1. Single-family dwellings;

295 2. Second dwelling units in accordance with Chapter 17.37 CMC;

296 3. Home occupations in accordance with Chapter 17.21 CMC;

297 4. Uses determined by the Planning Commission to be similar in nature, as provided
298 by the procedures in Chapter 17.02 CMC.

299 B. Uses Requiring Use Permits.

300 1. Repealed by Ord. 599;

301 2. Bed and breakfast inns and facilities, in accordance with Chapter 17.35 CMC;

302 32. Churches, public or private schools;

303 43. Public buildings, public utility substation, parking lots;

304 54. Temporary subdivision sales offices in conjunction with an approved
305 subdivision;

306 65. Private recreational facilities for which a membership charge may be made but
307 which are not open to the general public;

308 76. Geothermal activity (exploration, development, and use);

309 87. Similar uses determined by the Planning Commission to be similar in nature as
310 provided for according to the procedures in Chapter 17.02 CMC.

311 C. Allowed Accessory Uses. Accessory buildings and uses, whose use is clearly incidental
312 and subordinate to the main use, including a garage, storage shed or similar structure;
313 provided, that no accessory building or use shall be constructed or established prior to the
314 construction of a main building, or on a lot separate from the main building.

315 D. Prohibited Uses. Uses not specified in subsections (A) through (C) of this section are
316 prohibited. (Ord. 599 § 5, 2004).

317 **17.16.030 Height limit of buildings and structures.**

318 Height limit of buildings and structures in an R-1 district shall be 25 feet.

319 **17.16.040 Lot area requirements.**

320 Lot area requirements in a R-1 district are as follows:

321 A. Minimum lot area and minimum lot dimensions in an R-1 district shall be:

322 1. Corner lots, 7,000 square feet;

323 2. Interior lots, 6,000 square feet;

324 3. Lot width: interior, 60 feet; corner, 70 feet;

325 4. Lot depth, 100 feet.

326 B. Minimum lot area requirements in an R-1-10 district shall be:

327 1. Corner lots, 12,000 square feet;

328 2. Interior lots, 10,000 square feet;

329 3. Lot width: interior, 100 feet; corner, 120 feet;

330 4. Lot depth, 100 feet.

- 331 C. Notwithstanding the above, developments meeting the City's affordable housing program
332 can have lot sizes as small as 5,000 square feet and lot widths of 50 feet.
- 333 D. Setbacks for main buildings shall be:
- 334 1. Front yard, 20 feet;
- 335 2. Side yard, each interior side of the lot shall be not less than one-half the height of
336 the building; provided, that:
- 337 a. The side yard for a one-story building shall not be required to be more
338 than five feet unless, the building height exceeds 15 feet, in which case
339 the side yard shall be not less than one-half the height of the building;
- 340 b. No side yard shall be less than five feet nor be required to be more than
341 15 feet;
- 342 c. Corner lot shall be not less than 15 feet;
- 343 d. Reverse corner lot shall be not less than 20 feet;
- 344 3. Rear yard, 20 feet.
- 345 E. For parking requirements, see Chapter 17.36 CMC.
- 346 F. Setbacks for Accessory Buildings and Structures.
- 347 1. Setbacks for accessory buildings and structures from the property lines shall be
348 five feet except that no accessory building or structure shall be allowed in the
349 required front or street side yard unless otherwise provided for in CMC
350 17.38.050.
- 351 2. Notwithstanding subsection (F)(1) of this section, for garages and carports
352 opening onto a street the minimum distance between the opening of such garage
353 or carport and the lot line shall be 20 feet.
- 354 G. Maximum coverage of lot by structures including accessory structures shall be 30
355 percent. (Ord. 544 § 3, 1998).

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Chapter 17.18
R-2 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

359 **Sections:**

360 **17.18.020 Uses allowed.**

361 **17.18.030 Height limit of buildings and structures.**

362 **17.18.040 Lot area requirements.**

363 **17.18.050 Design review.**

364 **17.18.020 Uses allowed.**

365 Uses allowed in an R-2 district are as follows:

366 A. Uses Allowed without Use Permit.

367 1. Single-family dwellings;

368 2. Second dwelling units in accordance with Chapter 17.37 CMC;

369 3. Duplexes and triplexes;

370 4. Home occupations in accordance with Chapter 17.21 CMC;

371 5. Uses determined by the Planning Commission to be similar in nature, as provided
372 by the procedures in Chapter 17.02 CMC.

373 B. Uses Requiring Use Permits.

374 1. Repealed by Ord. 599;

375 2. Bed and breakfast inns and facilities with greater than two units, in accordance
376 with Chapter 17.35 CMC;

377 32. Child care nurseries;

378 43. Churches, public or private schools;

379 54. Public buildings, public utility substations;

380 65. Parking lots within 500 feet of C-DD zone;

381 76. Mobile home parks;

382 87. Private recreational facilities for which a membership charge may be made, but
383 which are not open to the general public;

384 98. Geothermal activity (exploration, development and use);

385 109. Uses determined by the Planning Commission to be similar in nature as provided
386 for according to the procedures in Chapter 17.02 CMC.

387 C. Allowed Accessory Uses. Accessory buildings and uses whose use is clearly incidental
388 and subordinate to the main use, including a garage, storage shed or similar structure;
389 provided, that no accessory building or use shall be constructed or established prior to the
390 construction of a main building, or on a lot separate from the main building;

391 D. Prohibited Uses. Uses not specified in subsection (A) through (C) of this section are
392 prohibited. (Ord. 599 § 6, 2004).

393 **17.18.030 Height limit of buildings and structures.**

394 Height limit of buildings and structures in an R-2 district shall be 25 feet. (Ord. 460 § 12, 1991;
395 Ord. 339 § 1, 1978).

396 **17.18.040 Lot area requirements.**

397 Lot area requirements in an R-2 district shall be as follows:

398 A. Minimum lot area and minimum lot dimensions in an R-2 district shall be:

399 1. Corner lots, 7,000 square feet;

400 2. Interior lots, 6,000 square feet;

- 401 3. Lot width: interior, 60 feet; corner, 70 feet;
 402 4. Lot depth, 100 feet;
 403 5. Notwithstanding the above, developments meeting the City's affordable housing
 404 program may have lot sizes as small as 5,000 square feet and lot widths of 50
 405 feet.
- 406 B. Maximum Lot Density. On all lots, no more than one dwelling unit for each 3,000 square
 407 feet of net land area, except that rental units that meet the City's affordable housing
 408 guidelines may have one dwelling unit for each 1,000 square feet of net land area.
- 409 C. Setbacks for main buildings shall be:
- 410 1. Front yard, 20 feet;
 411 2. Side yard, on each side of an interior lot shall be not less than one-half the height
 412 of the building; provided, that:
- 413 a. The side yard for a one-story building shall not be required to be more
 414 than five feet unless the building height exceeds 15 feet, in which case
 415 the side yard shall be not less than one-half the height of the building;
 416 b. No side yard shall be less than five feet nor be required to be more than
 417 15 feet;
 418 c. Side yard, corner lot, shall be not less than 15 feet;
 419 d. Side yard, reverse corner lot 20 feet.
- 420 D. Parking requirements, see Chapter 17.36 CMC.
- 421 E. Setbacks for Accessory Buildings and Structures.
- 422 1. Setbacks for accessory buildings and structures from the property lines shall be
 423 five feet except that no accessory building or structure shall be allowed in the
 424 required front or street side yard unless otherwise provided for in CMC
 425 17.38.050.
- 426 2. Notwithstanding subsection (E)(1) of this section, for garages or carports opening
 427 onto a street, the minimum distance between the opening of such garage or
 428 carport and the front or side lot line, shall be 20 feet.
- 429 F. Fences, hedges or walls, see Chapter 17.52 CMC. (Ord. 544 § 3, 1998).

430 **17.18.050 Design review.**

431 Multifamily developments shall require design review in accordance with the provisions of
 432 Chapter 17.06 CMC.

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Chapter 17.19
R-3 RESIDENTIAL/PROFESSIONAL OFFICE DISTRICT

436 **Sections:**

437 **17.19.010 Purpose and intent.**

438 **17.19.020 Uses allowed.**

439 **17.19.025 Height limit of buildings and structures.**

440 **17.19.030 Lot area requirements.**

441 **17.19.040 Design review.**

442 **17.19.010 Purpose and intent.**

443 The intent of the R-3/professional office district is to increase the diversity and affordability of
444 housing stock in Calistoga by providing housing close to the downtown services and the
445 convenient accessibility to light professional office uses for residents and the businesses located
446 in the downtown, while ensuring that care is taken to preserve the character of existing
447 neighborhoods.

448 **17.19.020 Uses allowed.**

449 Uses allowed in a R-3 district are as follows:

450 A. Uses Allowed without Use Permit.

- 451 1. One-family dwellings, duplexes, triplexes;
- 452 2. Home occupations in accordance with Chapter 17.21 CMC;
- 453 3. Second dwelling unit in accordance with Chapter 17.37 CMC;
- 454 4. Similar uses determined by the Planning Commission to be similar in nature as
455 provided for according to the procedures in Chapter 17.02 CMC.

456 B. Uses Requiring Use Permits.

- 457 1. Two separate one-family structures;
- 458 2. Multiple-family dwelling units;
- 459 3. Bed and breakfast inns and facilities with greater than two units, in accordance
460 with Chapter 17.35 CMC;
- 461 ~~43.~~ Child care services;
- 462 ~~54.~~ Churches, public or private schools;
- 463 ~~65.~~ Public buildings, public utility substations,
- 464 ~~76.~~ Parking lots within 500 feet of a C-DD zone;
- 465 ~~87.~~ Professional offices, clinics and health care facilities;
- 466 ~~98.~~ Geothermal activity (exploration, development and use);
- 467 ~~109.~~ Similar uses determined by the Planning Commission to be similar in nature as
468 provided for according to the procedures in Chapter 17.02 CMC.

469 C. Allowed Accessory Uses. Accessory buildings and structures; provided, that no accessory
470 building shall be constructed prior to the construction of the main building; nor on a lot
471 separate from the main building. Accessory structures for the use of storage or parking
472 such as garages or carports shall be limited to one story in height. Accessory structures
473 such as recreation rooms, laundry facilities, and the like shall observe the same height
474 restrictions as a main structure.

475 D. Prohibited Uses. Uses not specified in subsections (A) through (C) of this section are
476 prohibited.

477 **17.19.025 Height limit of buildings and structures.**

478 Height limit of buildings and structures in an R-3 district shall be 25 feet.

479 **17.19.030 Lot area requirements.**

480 Lot area requirements in an R-3 district shall be as follows:

- 481 A. Minimum lot area shall be:
- 482 1. Corner lots, 7,000 square feet;
- 483 2. Interior lots, 6,000 square feet;
- 484 3. Except that affordable housing projects may have lot sizes as small as 5,000
- 485 square feet.
- 486 B. Minimum lot width shall be:
- 487 1. Corner lots, 70 feet;
- 488 2. Interior lots, 60 feet;
- 489 3. Except that affordable housing projects may have lot widths as small as 50 feet.
- 490 C. Minimum lot depth shall be:
- 491 1. Corner lots, 100 feet;
- 492 2. Interior lot, 100 feet.
- 493 D. Minimum lot density shall be:
- 494 1. On all lots, no more than one dwelling unit for each 2,000 square feet of net land
- 495 area, except that developments that meet the City's affordable housing program
- 496 may have one dwelling unit for each 1,000 square feet of net land area.
- 497 E. Maximum coverage of lot by structures shall be 40 percent.
- 498 F. Minimum setbacks for main buildings shall be:
- 499 1. Front yard, 15 feet;
- 500 2. Side yard, interior, five feet; side yard, corner or reverse corner lot, 15 feet;
- 501 3. Rear yard, 10 feet for one-story buildings and 15 feet for two-story buildings.
- 502 G. Minimum setbacks for accessory buildings shall be:
- 503 1. Garages or carports opening onto a street the minimum distance between the
- 504 opening of such garage or carport and the lot line, shall be 20 feet;
- 505 2. Setbacks for accessory buildings and structures from the property lines shall be
- 506 five feet except that no accessory building or structure shall be allowed in the
- 507 required front or street side yard unless otherwise provided for in CMC
- 508 17.38.050.
- 509 H. Parking requirements, see Chapter 17.36 CMC. (Ord. 544 § 3, 1998; Ord. 460 § 17, 1991;
- 510 Ord. 407 § 1, 1985).

511 **17.19.040 Design review.**

512 Multifamily developments shall require design review in accordance with Chapter 17.06 CMC.