

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2010-14**

A RESOLUTION APPROVING CONDITIONAL USE PERMIT AMENDMENT (U 2010-05), AMENDING THE PREVIOUSLY APPROVED CONDITIONAL USE PERMIT (U 95-3), ALLOWING NO ON SITE MANAGER AND TWO (2) ADDITIONAL BED AND BREAKFAST UNITS ON THE PROPERTY CURRENTLY ESTABLISHED WITH THE "PINK MANSION", A SIX (6) UNIT BED AND BREAKFAST FACILITY, LOCATED AT 1415 FOOTHILL BOULEVARD (APN 011-300-011) WITHIN THE "R-1-10", SINGLE FAMILY RESIDENTIAL DISTRICT

1
2 **WHEREAS**, Toppa Epps and Leslie Sakai-Epps, are the property owners of the
3 subject property for which this application is proposed; and
4

5 **WHEREAS**, On July 20, 2010 an application was received from Toppa Epps and
6 Leslie Sakai-Epps, property owners, requesting authorization to expand their existing 6-
7 unit bed and breakfast facility to 8-units by converting the existing detached
8 owner/managers unit and attached storage room to guest units; and
9

10 **WHEREAS**, the Planning Commission considered the requests at its regular
11 meeting of September 8, 2010. Prior to taking action on the application, the Planning
12 Commission received written and oral reports by the staff, and received public
13 testimony; and
14

15 **WHEREAS**, this action has been reviewed for compliance with the California
16 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
17 pursuant to Section 15332 of the CEQA guidelines; and
18

19 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.070 has made
20 the following Conditional Use Permit findings for the project:
21

- 22 1. The proposed development, together with any provisions for its design and
23 improvement, is consistent with the General Plan, any applicable specific plan
24 and other applicable provisions of the Zoning Code including the finding that the
25 use as proposed is consistent with the historic, rural, small-town atmosphere of
26 Calistoga.
27

28 Response: The property has been used for a bed and breakfast inn for at least
29 23 years. The guest rooms are within an existing single-family residence and
30 detached cottage, and no alterations to the exterior are proposed. In accordance
31 with General Plan policies, the project will be operated so as to be compatible
32 with adjacent residential uses, periodic inspections will be conducted to ensure
33 compliance with conditions of approval, and no net loss of housing will occur.
34

- 35 2. The site is physically suitable for the type and density of development.
36

37 Response: As determined by the Planning Commission and City Council during
38 its initial review of the original use permit, the site is physically suitable for the

39 use. There is sufficient landscaping and open space on all sides of the property.
40 The intensity of the use is not such that would adversely affect the residential
41 neighborhood.

- 42
43 3. The proposed development has been reviewed in compliance with the California
44 Environmental Quality Act (CEQA) and the project will not result in detrimental or
45 adverse impacts upon the public resources, wildlife or public health, safety and
46 welfare.

47
48 Response: This project is exempt from CEQA under Section 15332.

- 49
50 4. Approval of the use permit application will not cause adverse impacts to
51 maintaining an adequate supply of public water and an adequate capacity at the
52 wastewater treatment facility.

53
54 Response: The City's water system and wastewater treatment facility is
55 adequate to serve this project, no additional impact is anticipated.

- 56
57 5. Approval of the use permit application shall not cause the extension of service
58 mains greater than 500 feet.

59
60 Response: Approval of this use permit application shall not cause the extension
61 of service mains greater than 500 feet.

- 62
63 6. An allocation for water and/or wastewater service pursuant to Chapter 13.16
64 CMC (Resource Management System) shall be made prior to project approval.
65 Said allocation shall be valid for one year and shall not be subject to renewal.

66
67 Response: The property has sufficient water and wastewater resources
68 allocation to support the proposed use. No further allocation is warranted.

- 69
70 7. The proposed development presents a scale and design which are in harmony
71 with the historical and small-town character of Calistoga.

72
73 Response: The bed and breakfast inn use occurs within an existing single-family
74 dwelling and detached cottage located on the property; no exterior changes are
75 proposed.

- 76
77 8. The proposed development is consistent with and will enhance Calistoga's
78 history of independent, unique, and single location businesses, thus contributing
79 to the uniqueness of the town, which is necessary to maintain a viable visitor
80 industry in Calistoga and to preserve its economy.

81
82 Response: The small-scale bed and breakfast inn is independently owned and
83 operated.

- 84
85 9. The proposed development complements and enhances the architectural
86 integrity and eclectic combination of architectural styles of Calistoga.

37
38 Response: The bed and breakfast inn is within an existing Victorian style single-
39 family dwelling and detached California style bungalow; no exterior changes to
40 the dwellings are proposed.
41

42 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
43 Commission that based on the above findings, the Planning Commission approves the
44 proposed project, subject to following Conditions of Approval:
45

46 1 The use hereby permitted shall substantially conform to the project description
47 submitted by the applicant and the site plan dated July 20, 2010, except as noted in
48 the permit conditions. This use permit allows an eight (8) unit bed and breakfast
49 facility with no on site manager.
50

51 The conditions listed below are particularly pertinent to this conditional use permit
52 amendment and shall not be construed to permit violation of other laws and
53 policies not so listed. In addition, all other previously approved permits and
54 conditions of approval (i.e. Use Permit 86-4 and Use Permit 95-3) shall remain
55 valid under the provisions and duration of this permit unless modified herein.
56

57 2 This permit shall be null and void if not used within a one year period, or if the use
58 is abandoned for a period of one hundred and eighty (180) days. This permit shall
59 be valid until it expires or is revoked pursuant to the terms of this permit and/or
60 Chapter 17.40 of the Calistoga Municipal Code. Minor modifications which do not
61 increase environmental impacts may be approved in writing by the Planning and
62 Building Director.
63

64 3 The Planning Commission may revoke the use permit pursuant to Section 17.40
65 of the Calistoga Municipal Code in the future if the Commission finds that the use
66 to which the permit is put is detrimental to the health, safety, comfort or welfare of
67 the public, or causes a nuisance.
68

69 4 The owner(s) shall permit the City of Calistoga or representative(s) or
70 designee(s) to make periodic inspections at any reasonable time deemed
71 necessary in order to assure that the activity being performed under authority of
72 this permit is in accordance with the terms and conditions prescribed herein.
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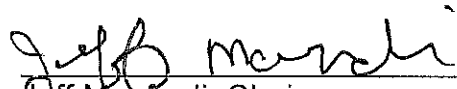
74 5 This use permit does not abridge or supercede the regulatory powers or permit
75 requirements of any federal, state or local agency, special district or department
76 which may retain regulatory or advisory function as specified by statute or
77 ordinance. The applicant shall obtain permits as may be required from each
78 agency.
79

80 6 Prior to occupancy of the new units, a building permit and/or occupancy certificate
81 shall be obtained. Upon building permit issuance all appropriate fees shall be
82 paid.
83

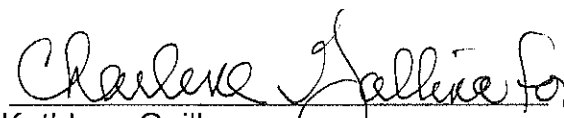
- 34 7 This Conditional Use Permit shall be administratively reviewed every (3) months
35 during the first year (and on a semi-annual basis thereafter) to determine whether
36 the use has resulted in a detrimental or adverse impact to the surrounding
37 neighborhood. A report of staff's investigation shall be submitted via
38 memorandum to the Planning Commission. Should it be determined that
39 violation of the Conditions of this Use Permit have occurred or there is evidence
40 of impact on the surrounding neighborhood, staff shall bring the Use Permit back
41 to the Planning Commission for reconsideration.
42
- 43 8 Prior to occupancy of the new units, the applicant shall submit for review and
44 approval by the Planning & Building Director the proposed Pink Mansion's Guest
45 Rules and Regulations and posting area locations, including but not limited to the
46 hours of use for the common areas, designated guest and staff parking spaces,
47 and manager and emergency contact information. Upon approval, such rules
48 and regulations shall be posted for guest viewing.
49
- 50 9 Prior to occupancy of the new units, the applicant shall post directional signage
51 for guest and employee parking at the property's entrance.
52

53 **PASSED, APPROVED AND ADOPTED** on September 8, 2010 by the following
54 vote of the Calistoga Planning Commission:
55

56 **AYES: MANFREDI, CREAGER, AND KITE**
57 **NOES: MOYE**
58 **ABSENT: COATES**
59 **ABSTAIN: NONE**
60



Jeff Manfredi, Chairman

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