



# CONDITIONAL USE PERMITS

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City Council

December 4, 2017



# RECOMMENDATION

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# Recommended Action

Receive report and provide direction to staff.

# BACKGROUND

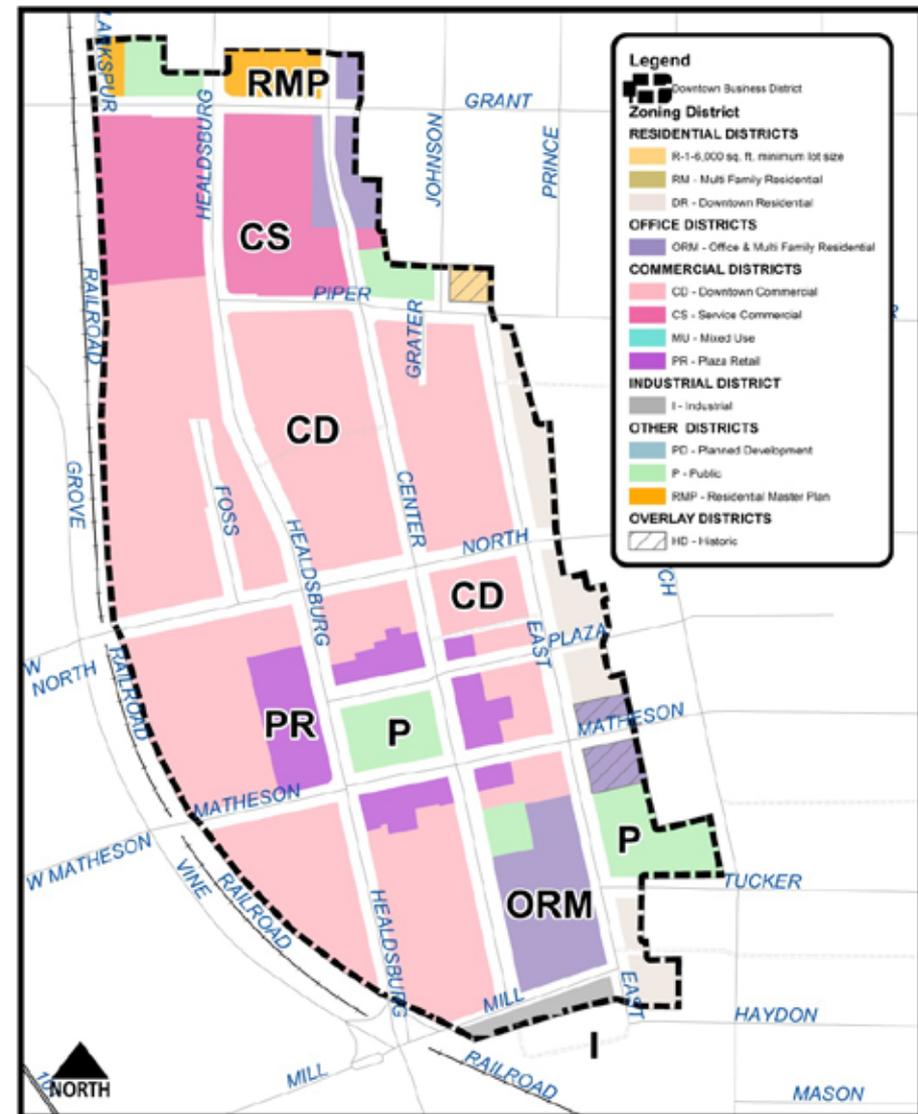
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# Background-Land Use 101

- Land uses in the City are permitted as of right; with a conditional use permit, or not permitted at all
- A conditional use, which requires a Conditional Use Permit, is allowed in a zoning district, subject to certain criteria are met.

# Downtown Zoning Map

- Hotels are allowed by right (Land Use Code 20.08.145) in the downtown CD and PR Districts
- Hotels are currently not allowed in the CS District (Service Commercial)



Zoning Designations within the Downtown Business District

Map Date: 12/1/2017

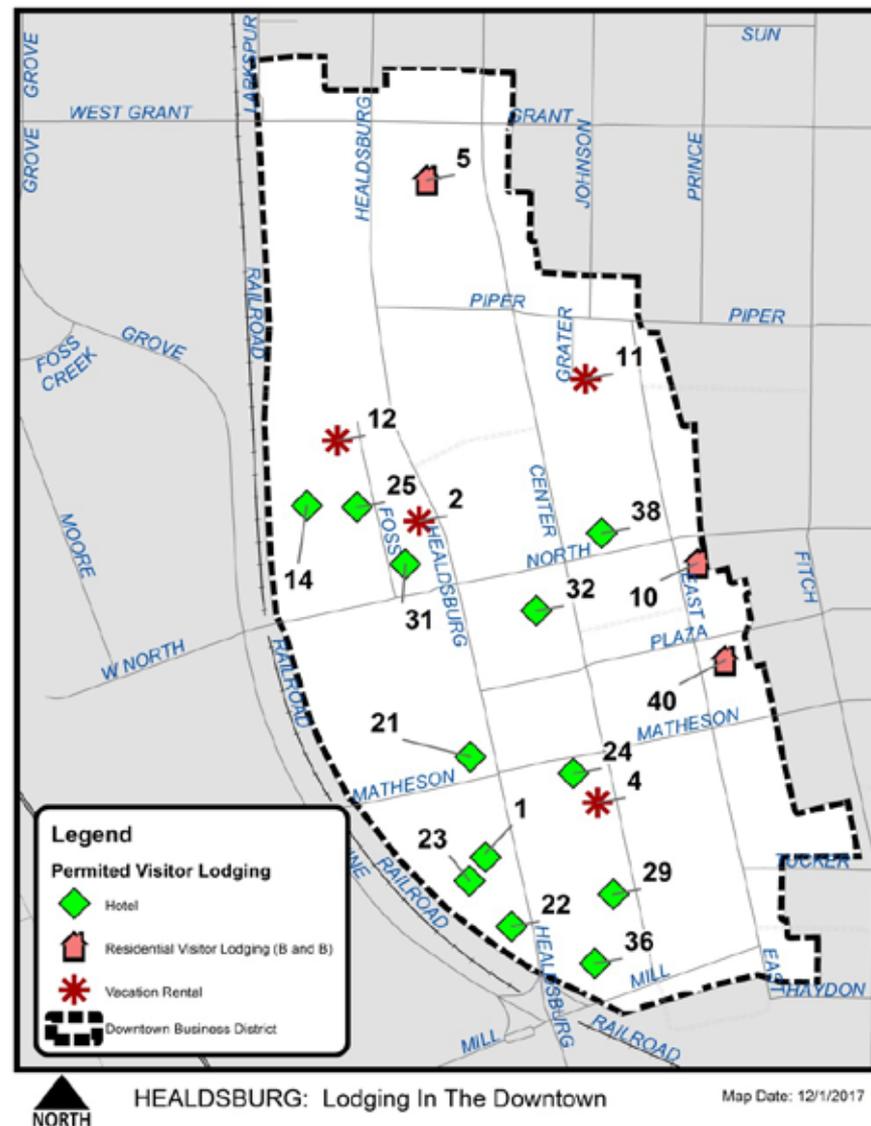
## Existing Downtown Lodging

Key	Rooms	Business
1	3	235 Healdsburg Ave - Deas
2	2	All Seasons Vacation Suites
4	1	Bacchi - Ivy House
5	3	Bella Luna Inn
10	2	Carney
11	2	Cypress House
12	2	Dietz
14	6	Duchamp
21	55	Healdsburg Hotel
22	36	Healdsburg Hotel 2
23	39	Healdsburg Hotel 3 (Under Const.)
24	12	Healdsburg Inn
25	3	Healdsburg Modern Cottage
29	3	Inspirato (Wheelman House)
31	16	Les Mars
32	1	Loft Healdsburg
36	2	Rockpile Hotel
38	5	Single Thread
40	3	Wine Country Hostel
	196	

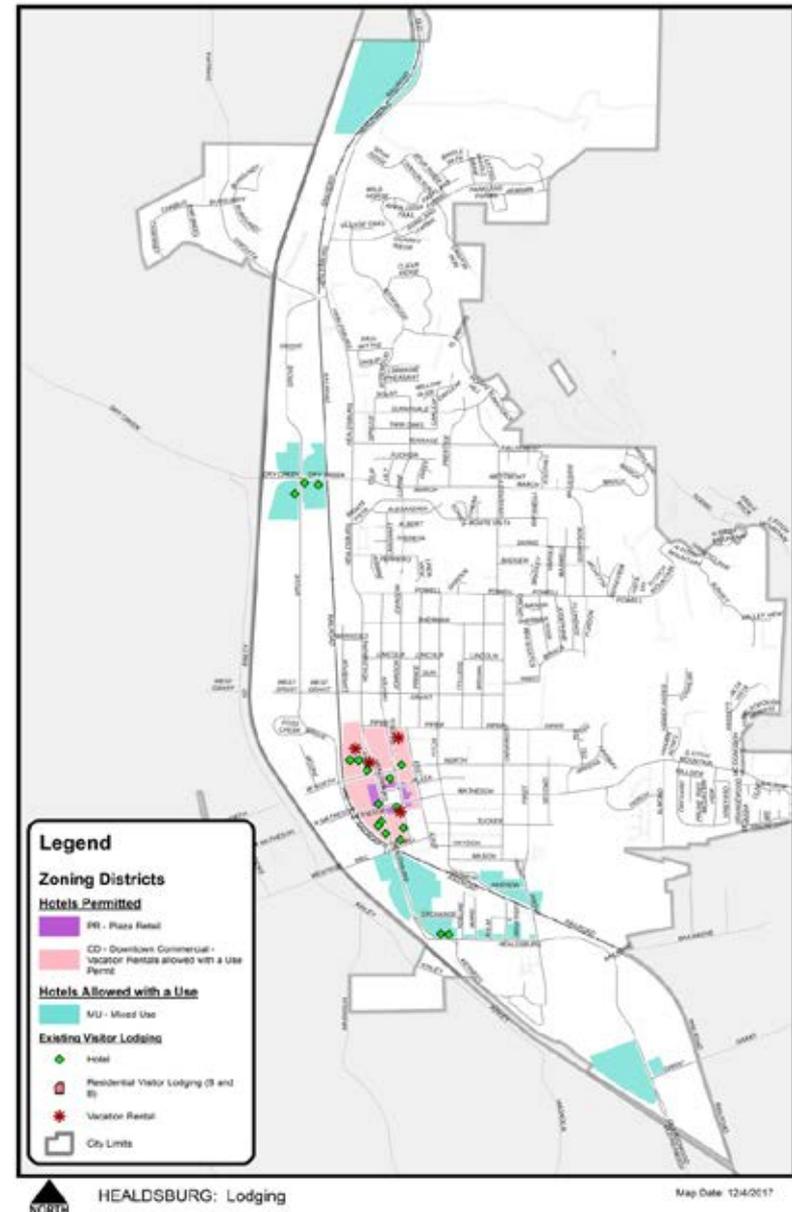
- 12 Hotels
- 3 Residential Visitor Lodging\*
- 4 Vacation Rentals\*\*

\*Requires a CUP in CD and CS zones

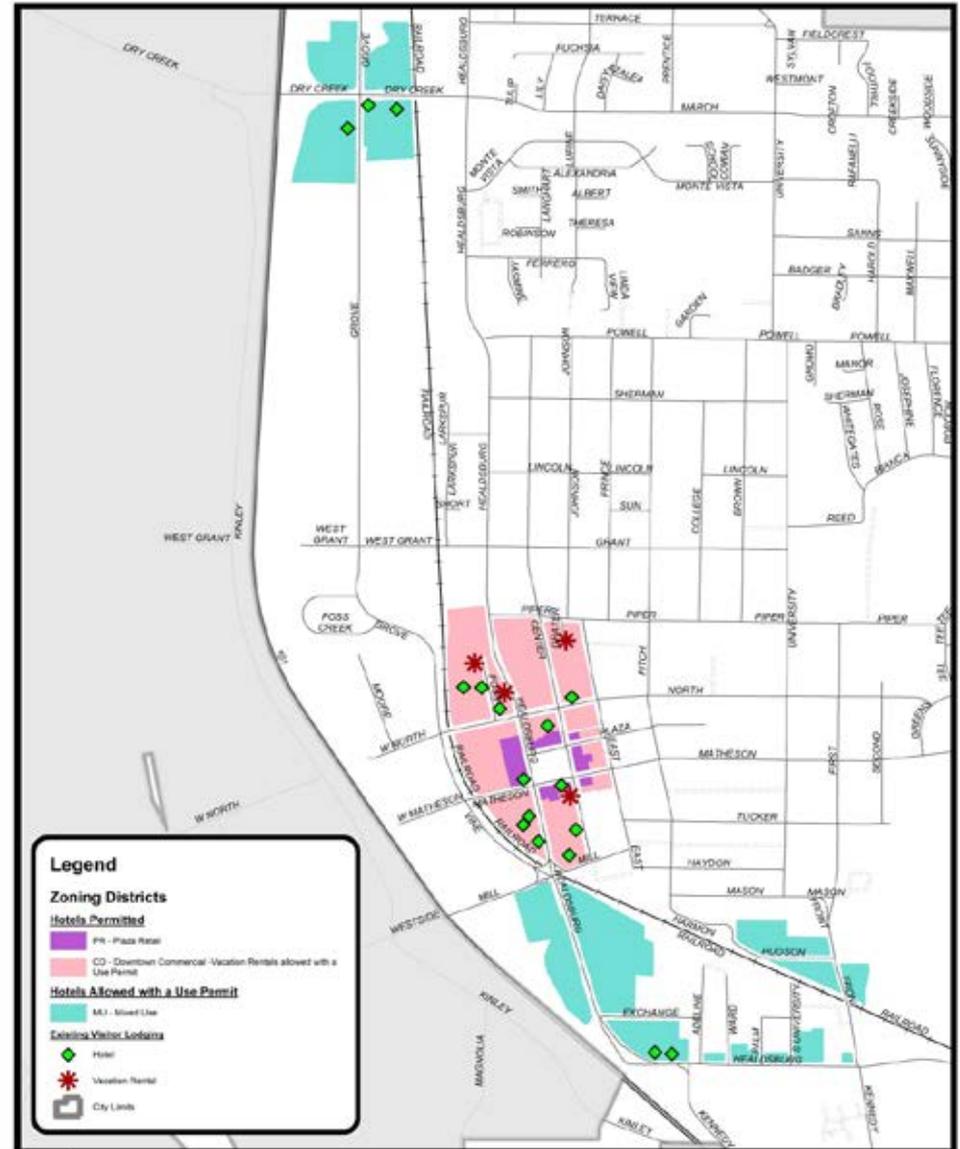
\*\*Only allowed in CD zone with CUP



# Areas Where Hotels Permitted as of Right and With CUP



# Areas Where Hotels Permitted as of Right and With CUP



HEALDSBURG: Lodging Downtown

Map Date: 12/4/2017

# Background-What does a CUP do?

- Allows for staff to consider the proposal and evaluate compatibility with the surrounding land uses
- Allows for staff to establish “Conditions of Approval” which would minimize the operational impacts of the use

# Background-What does a CUP do?

- Allows for the use entitlement to be revoked should the use not be maintained and operated as conditioned
- Requires that all CUPs must have findings made as part of the staff report analysis to determine if there are any public, health, safety or welfare impacts from operation.



# CUP Findings

## **20.28.165 Findings (CUP)**

A. The Zoning Administrator and Planning Commission, as appropriate, shall make the following findings before granting a conditional use permit:

1. The proposed location and operation of the conditional use is in accord with the Healdsburg general plan and any applicable planned development, specific or area plan.

2. The proposed location and operation of the conditional use is consistent with the applicable development standards of this land use code.

3. The proposed location of the conditional use and the conditions under which it would be operated and maintained will not be detrimental to public health and safety or materially injurious to uses, properties or improvements in the vicinity.



# Background-What does a CUP not do?

A CUP does not:

- Regulate exterior design
- Regulate lot coverage or zoning development standards
- Automatically prohibit certain land uses such as hotels

# REGULATING HOTELS DOWNTOWN

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# Regulating Hotels Downtown-What are the guiding principles from General Plan and Zoning?

## GENERAL PLAN: Downtown Commercial Designation

*Encourage broad range of commercial and office uses, such as hotels, retail, restaurants and personal services when compatible with the overall purpose and character of the designation.*

# Purpose of PR (Plaza Retail District)

## Land Use Code 20.08.120 Special Purpose of Plaza Retail District:

- A. Encourage ground floor retail uses and second floor commercial and office uses which are compatible with pedestrian oriented shopping.
- B. Promote uses that are harmonious with the special character of the Plaza, which are small scale in nature, and which would not function effectively in another commercial district.
- C. Promote special architectural and streetscape design elements that blend with other existing plaza design elements.

# Purpose of CD (Downtown Commercial District)

## Land Use Code 20.08.125 Special Purpose of Downtown Commercial District:

- A. Maximize the efficiency of the city's retail district by limiting or prohibiting uses that break the continuity of commercial frontage or are incompatible with an attractive pedestrian shopping area.
- B. Foster use of vacant buildings by permitting certain conditional uses.

# Regulating Hotels Downtown-What Criteria is Applicable in a CUP?

If a CUP process was to be required for new hotels in the CD and PR Districts, staff would consider the following criteria which might be applicable:

- Whether the location is suitable for the proposed development based on its size and scope, physical constraints associated with the property
- Whether adjacent land uses would be impacted by the development.



# Regulating Hotels Downtown-What Criteria is Applicable in a CUP?

- Whether or not the use would fulfill a need a within the City and promote its goals and interests, such as accommodating a desirable mix of uses and employment opportunities to serve the needs of the community.
- Whether there is an undue concentration of uses in the immediate area or community.



# Regulating Hotels Downtown-What Criteria is Applicable in a CUP?

- Whether or not the use would include any specific amenities recommended in the adopted City standards for consideration of the use; e.g., a bike share program, pedestrian enhancement, shuttle service or complementary ancillary uses that serve needs of visitors as well as residents.
- Whether the use would have a positive or negative affect on the vibrancy and mix of uses in the area.





# CUP Process



- Conditional use permit request and fee filed with Planning Department
- Staff review to determine if proposal is appropriate and compatible with proposed location
- Staff prepares report and makes recommendation of approval or denial to Planning Commission based on findings in Land Use Code
- Legal notice of hearing published in paper, sign posted on property and property owners within 300 feet noticed 10 days prior to hearing
- Planning Commission is the final decision making body
- Decision may be appealed to City Council within 10 days



## Recent Hotel Development Downtown-H3

On December 9, 2014, a Design Review Application and Variance was approved for a 39 room hotel. Conditions of approval to help mitigate the use included:

- *Moving of food, laundry, or other deliveries between the hotel properties shall not occur along Healdsburg Avenue, but rather the pathway connecting the two properties to the rear of the proposed structure.*
- *The mechanical parking system shall be operational prior to issuance of a Certificate of Occupancy and shall be maintained in good operating conditions.*





# Recent Hotel Development Downtown-H3

- *An employee of the hotel with knowledge and training on the use of the automated parking system shall be on site at all times.*
- *Trash collection shall occur as often as necessary to limit the impacts on pedestrians and adjacent properties. In the event that trash is not being collected in a timely manner, and/or begins to build up within or outside of the trash room, the hotel operator shall increase the frequency of trash collection to the satisfaction of the City of Healdsburg.*
- *All proposed lighting shall not shine or cause glare onto adjacent properties. Downspray lighting shall be used for all building-mounted lighting.*





# Recent 122 Room Hotel Development Requiring a CUP: 110 Dry Creek

- *No weddings or special events shall occur on the premises without the approval of an amended conditional use permit due to the additional parking impacts it would create. Special events are defined as non-business meetings (conducted by guests or non-guests of the hotel) and social related events. The business use of the meeting room is to be exclusively for registered hotel guests. Violation may result in CUP revocation.*
- *In the event that trash is not being collected in a timely manner, and/or begins to build up within or outside of the trash room, the hotel operator shall increase the frequency of trash collection*
- *Prior to the issuance of a Certificate of Occupancy, security cameras shall be installed in the hotel parking areas to deter crime.*



## Recent 122 Room Hotel Development Requiring a CUP: 110 Dry Creek

- *Prior to issuance of a Certificate of Occupancy, all facades of rooms designed for sleeping that have a direct line of sight to the railroad line shall be designed and built to achieve a combined minimum Sound Transmission Class (STC) rating of 42. The combined window and wall assemblies must be designed and constructed in a manner that ensures that no gaps are permitted around windows and all protrusions or openings are properly sealed.*
- *All hotel parking spaces shall be clearly labeled and signs shall be posted that unauthorized non-hotel parking is subject to fines and towing. Self parking hotel guests shall be given a placard for their dashboard during the time of their stay.*

# Recommended Action

Receive report and provide direction to staff.

# QUESTIONS?

