

ANALYSIS:

The applicants are requesting approval to operate a one bedroom, one bathroom bed and breakfast inn within their residence in Mokelumne Hill. The existing two bedroom, two and a half bath residence located at 8345 Stevenson Street was constructed in 1994. The proposed parcel is zoned Single Family Residential with a Design Review combining district (R1-DR) and located in the Historic Center (HC) land use designation (LUD). The intent of the R1 zone is to provide land for single-family residential neighborhoods with houses on individual parcels. Calaveras County Code Section 17.24.030 allows a bed and breakfast in the R1 zone with a CUP, therefore, approval of a CUP is required to operate such a business. The purpose of a CUP is to provide the general public with an opportunity to review a proposed land use that is generally consistent with the purpose of the base zoning district, but has the potential to cause conflicts with neighboring land use and zoning. A bed and breakfast inn is defined as a business which involves "accommodations in five or fewer guest rooms potentially with meals available but limited exclusively for guests of the inn" (CCC Section 17.06.0350). The applicants are proposing to rent one guest room on the ground floor of the residence.

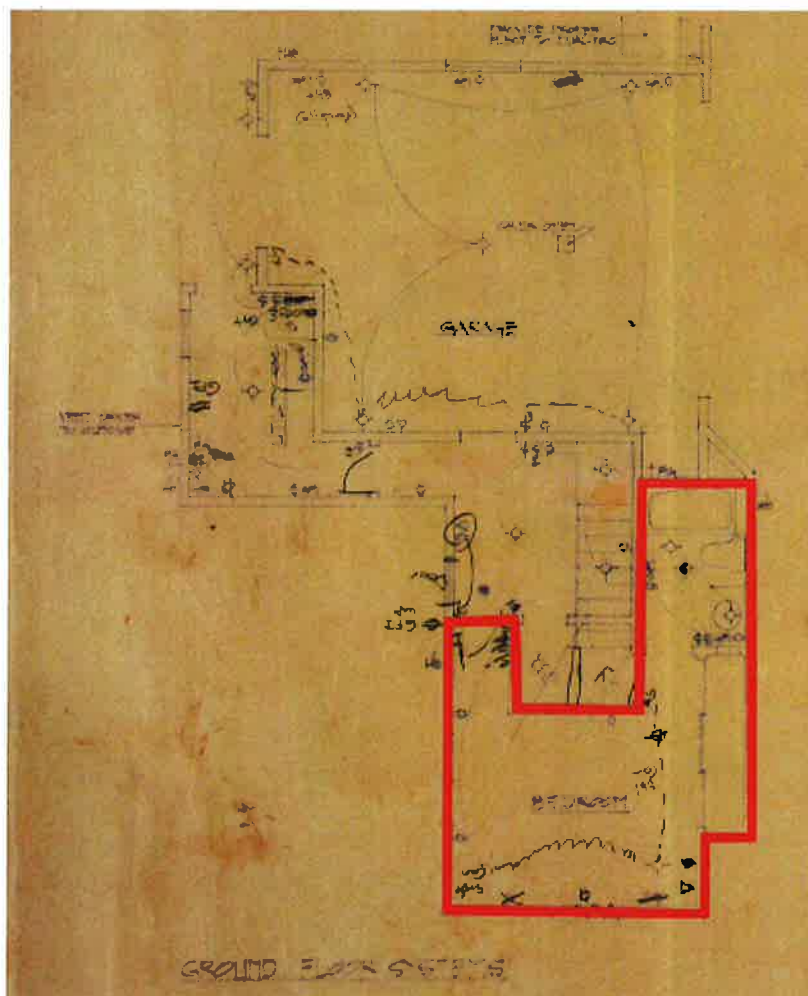


Figure 2 – Ground Floor Plans (Rental Area Outlined)

The CUP is a discretionary permit and shall be reviewed consistent with Title 17. The Design Review combining district does not apply to this project as it regulates architectural design and aesthetics, not uses. This project requires no alteration or addition to the existing structure. The R1 zone is consistent with the HC LUD. The County General Plan describes HC as a mix of residential and visitor-serving uses that preserve and protect the historic core of existing communities. Typical uses include both commercial and residential uses, public and quasi-public uses, and similar uses in support of the community at a scale and with a design that reflects the surrounding structures and lots. The proposed use would occur within an existing residence located a block from a main commercial area in Mokelumne Hill. The permitting process for the bed and breakfast allows the operation of this business while giving the opportunity to mitigate impacts to neighbors through permit conditions. Mokelumne Hill has an adopted Community Plan, however there is no economic element and none of the plan policies relate to this project specifically.

The subject parcel is surrounded by primarily single-family residences to the north, south, west, and immediately east. One street over to the east on Main Street are a variety of commercial businesses and public services.

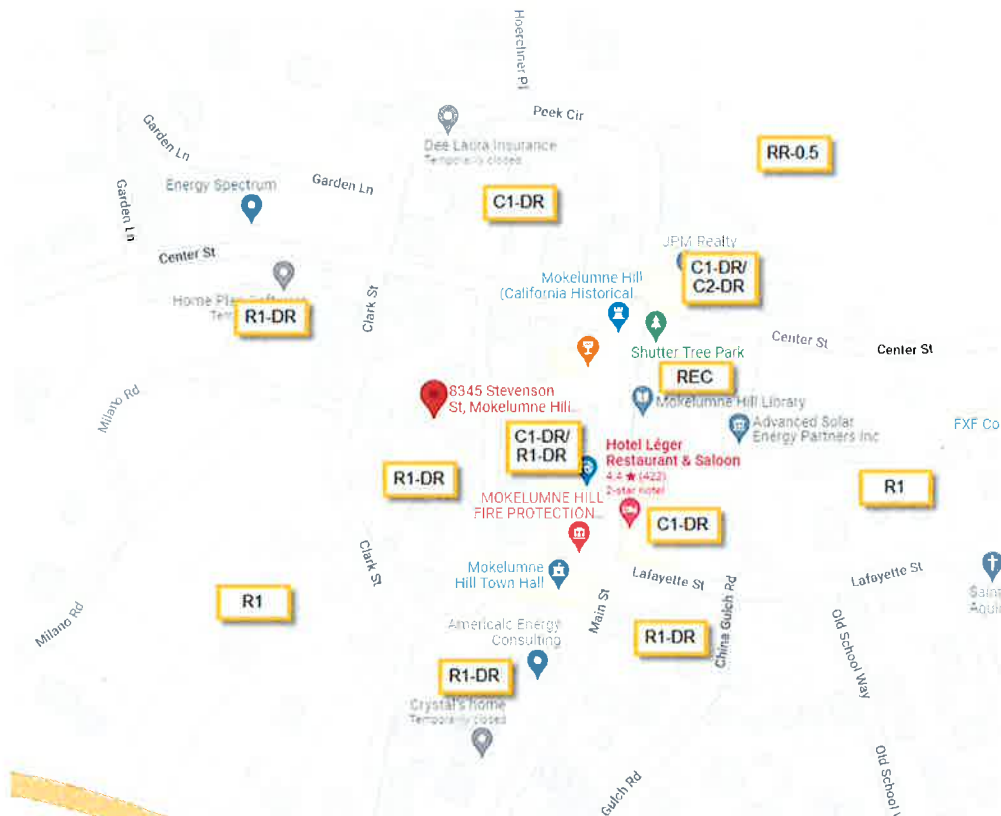


Figure 3 – Surrounding Zoning

Although this project does not require alterations or additions to the existing structure, there is a partial change in use. Pursuant to Section 17.70.040, a bed and breakfast inn requires one parking space for each unit, plus additional parking equal to ten percent

1



The parcel is within the Mokelumne Hill Fire District. The parcel is serviced by the Calaveras Public Utility District and the Mokelumne Hill Sanitary District. Direct access is from Stevenson Street, a County maintained road.

The application was circulated to various County departments, local public agencies, and property owners within 300 feet requesting comments relative to the request for a CUP. During the 30 day review period, a memo from the Environmental Management Agency was received stating water and wastewaters services must continue to be provided by public purveyors. Additionally, the Environmental Management Agency requires that the applicant receive a Food Facility Permit prior to operation of the bed and breakfast. The Building Department conditioned the permit limiting the bed and breakfast to 5 or fewer rooms and requiring the owner to reside in the residence. No other comments were received.

ENVIRONMENTAL REVIEW:

Pursuant to California Environmental Quality Act (CEQA) guidelines, the project is exempt per California Code of Regulations (CEQA Guidelines) §15303, which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. In this case, no exterior alterations are occurring. The applicant is requesting to one bedroom and one bathroom in an existing residence for the proposed bed and breakfast. A Notice of Exemption will be submitted upon final approval of the permit.

CONCLUSION:

In conclusion, the project as proposed conforms to applicable goals and policies of the County General Plan and the Mokelumne Hill Community Plan. As proposed, General Plan implementation measure LU-5C encourages the expansion of home occupations and rural home businesses while minimizing the impacts to neighbors. The project is found to be compatible with the surrounding land uses and zoning in the general vicinity, and there were no objections to the approval of this CUP from any landowner within 300 feet of the project location. The subject property is adequate in land area to accommodate the proposed use, and was found to have safe and adequate access with no site improvements required beyond striping of parking spaces.

RECOMMENDATION:

Staff recommends approval of Conditional Use Permit 2022-011 to allow the operation of a one bedroom, one bathroom bed and breakfast inn at 8345 Stevenson Street, Mokelumne Hill, APN: 018-007-032, in the R1-DR zone.

ATTACHMENTS:

1. Draft Resolution 2022-006

2. Notice of Exemption
3. Site and Floor Plans

**COUNTY OF CALAVERAS, STATE OF CALIFORNIA
PLANNING COMMISSION**

RESOLUTION NO. 2022-006

**>>A RESOLUTION APPROVING CONDITIONAL USE PERMIT 2022-011 TO
OPERATE A BED AND BREAKFAST INN AT 8345 STEVENSON STREET IN
MOKELUMNE HILL**

WHEREAS, the Planning Department of the County of Calaveras received an application from Patricia and David Koolhoven requesting a Conditional Use Permit (CUP) to operate a one-bedroom, one bathroom bed and breakfast inn at their primary residence in Mokelumne Hill located on property zoned Single Family Residential with a Design Review combining district (R1-DR); and

WHEREAS, the proposed project is located on real property in the unincorporated portions of the County of Calaveras, more particularly described as APN: 018-007-032 and located at 8345 Stevenson Street, a portion of Section 12, T05N, R11E, MDM; and

WHEREAS, a Notice of Exemption was prepared pursuant to the California Environmental Quality Act (CEQA) guidelines, Article 19, Section 15303; and

WHEREAS, during a noticed public hearing on June 9, 2022, the Planning Commission considered all of the information presented to it, including its staff report, information presented by the project proponent, presented at the meeting; therefore

BE IT RESOLVED, that the Planning Commission approves CUP 2022-011, based on the following findings:

1. The project was processed consistent with the requirements of CEQA, California Public Resources Code §21000 et seq. On the basis of the whole record, there is no substantial evidence that the project as designed could have a significant effect on the environment.

Evidence: Pursuant to CEQA guidelines, the project is exempt per California Code of Regulations (CEQA guidelines) §15303(c), which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. In this case, no exterior alterations are proposed. The applicant is requesting to use one bedroom and one bathroom in an existing residence for the proposed bed and breakfast.

2. The proposed use is consistent with the county's General Plan, any applicable community or special plan, and the provisions of Title 17.

Evidence: The parcel is zoned Single Family Residential with a Design Review combining district (R1-DR), designated by the County General Plan as Historic Center, and is located within the Mokelumne Hill Community Plan area. The intent of the R1 zone is to provide land for single-family residential neighborhoods with houses on individual parcels. Calaveras County Code Section 17.24.03 allows a bed and breakfast in the R1 zone with the approval of a CUP. The DR combining district does not apply to this project as it regulates architectural design and aesthetics, not uses. The proposed bed and breakfast will be located in an existing structure, requiring no alterations or new development. The existing R1-DR zoning of the subject parcel is consistent with Historic Center land use designation. Typical uses include both commercial and residential uses, public and quasi-public uses, and similar uses in support of the community at a scale and with a design that reflects the surrounding structures and lots. General Plan implementation measure LU-5C encourages the expansion of home occupations and rural home businesses while minimizing the impacts to neighbors. The permitting process for the bed and breakfast allows the operation of this business while giving the opportunity to mitigate impacts to neighbors through permit conditions. Mokelumne Hill has approved community plan policies, but there is no economic element. Further review of the policies found that none specifically apply to this project.

3. The subject property is adequate in land area to accommodate the proposed project, its required parking area, access, landscaping, and site improvements.

Evidence: The proposed bed and breakfast will use one bedroom and one bathroom in an existing residence. No development is proposed. The parcel is large enough to accommodate three parking spaces as required by Title 17.70.040 regulations for this use.

4. The proposed land use is compatible with neighboring land use and zoning.

Evidence: The neighboring properties consist of single-family residences to the north, south, west, and immediately east. The proposed bed and breakfast is one block east of Main Street which is comprised of commercial businesses and public services. A bed and breakfast is a permitted use with approval of a conditional use permit in the R1-DR zone. Circulation of the application did not reveal concerns from the neighboring residential community or other commercial property owners within 300 feet of the subject property.

5. The public and private roads providing access to the subject property meet necessary standards to provide safe and adequate access or have been amended by conditions of project approval to satisfy the access requirements.

Evidence: The site is accessed by an existing encroachment off Stevenson Street. The application was submitted to the County Public Works Department in addition to the Mokelumne Hill Fire District. Neither agency expressed concerns about access or roads standards. Staff presumes the lack of comments relative to the proposed project implies that the existing access is safe and adequate, and no

conditions are applied to this permit for improvements to the existing roadways or existing encroachments.

6. Conditions of project approval are necessary for protection of the public health, safety, and welfare, and to reduce or eliminate potential environmental effects.

Evidence: This permit is conditioned to ensure that applicable permitting is in place for the operation of a bed and breakfast inn within a residence.

BE IT FURTHER RESOLVED, that the Planning Commission approves Conditional Use Permit 2022-009 based on the following conditions:

I. GENERAL CONDITIONS

- I-1. This approval is for a Conditional Use Permit (CUP) to operate a one-bedroom, one bathroom bed and breakfast inn within an existing residence located at 8345 Stevenson Street in Mokelumne Hill. All conditions of approval set forth herein must be complied with for this permit to be considered valid.
- I-2. The Applicant(s) and Owner(s); and their Heirs, Successors, and Assigns shall abide by all terms of the Indemnification Agreement, dated March 25, 2022, and on file in the Planning Department's records for 2022-011.
- I-3. This Conditional Use Permit will expire if not validated prior to December 31, 2023.
- I-4. This Conditional Use Permit is subject to all applicable county regulations or plans whether such requirements are specified as a condition of project.

II. PLANNING

- I-1. Pursuant to Chapter 17.70.060, every paved parking area shall be clearly marked, and such marking shall be maintained in a visible and orderly manner.

III. ONSITE WASTEWATER DEPARTMENT

- II-1. Application indicates that the subject parcel has sewer services through Mokelumne Hill Sanitary District. The applicant must continue to maintain proper and approved sewage disposal.

IV. ENVIRONMENTAL HEALTH DEPARTMENT

- IV-1. Application indicates that the subject parcel is serviced by a public water purveyor. Water provided to members of the public, at this Bed and Breakfast, shall be sourced from the public water purveyor.
- IV-2. All food service shall comply with Section 113700 et. seq. of the California Health and Safety Code.

IV-3. The applicant must submit food facility plans and fees for a Bed and Breakfast. The plans must be approved prior to the issuance of a Building Permit. A Food Facility Permit will be required from the Environmental Health Department prior to operating the Bed and Breakfast.

V. BUILDING DEPARTMENT

V-1. Owner must reside in the dwelling to comply as a bed and breakfast.

V-2. There shall be no more than 5 total sleeping units or the building must be converted into a R2 occupancy through the tenant improvement process.

Approved by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on June 9, 2022, on a motion by Commissioner _____ and seconded by Commissioner _____.

AYES:

NOES:

ABSTAIN:

ABSENT:

Chair, Planning Commission

ATTEST:

Katherine Stefani,
Planner I

The project files are available for public review in the Planning Department, County of Calaveras, Government Center, 891 Mountain Ranch Road, San Andreas, CA. 95249, between the hours of 8:00 a.m. and 4:00 p.m.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Calaveras

Government Center, 891 Mountain Ranch Road

San Andreas, CA 95249

From: (Public Agency): _____
Calaveras County Planning Department
891 Mountain Ranch Road, San Andreas, CA 95249

(Address)

Project Title: Project 2022-011 Conditional Use Permit

Project Applicant: Patricia and David Koolhoven

Project Location - Specific:

8345 Stevenson Street, Mokelumne Hill; APN: 018-007-034

Project Location - City: Mokelumne Hill Project Location - County: Calaveras

Description of Nature, Purpose and Beneficiaries of Project:

The applicant is requesting approval of an Conditional Use Permit to operate a one (1) bedroom bed and breakfast within an existing residence in Mokelumne Hill.

Name of Public Agency Approving Project: Calaveras County Planning Department

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Section 15303
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The proposed project is exempt from CEQA guidelines per section 15303 which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. In this case, no exterior alterations are occurring. The applicant is requesting to use one bedroom and one bathroom in an existing residence for the proposed bed and breakfast.

Lead Agency
Contact Person: Katherine Stefani, Planner I Area Code/Telephone/Extension: (209) 754-6394

If filed by applicant:

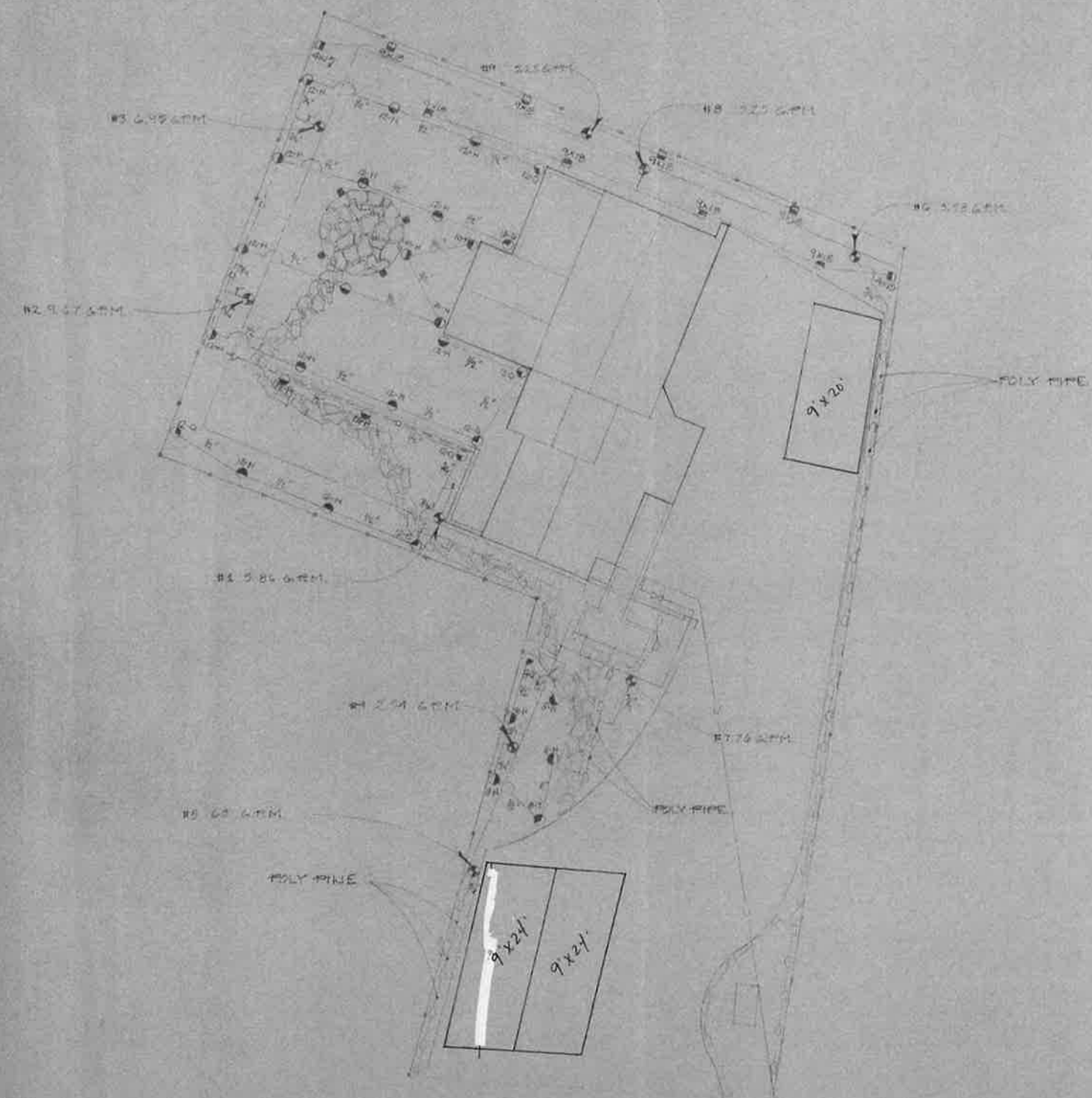
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: _____ Date: _____ Title: Planner I

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



LEGEND

- 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-104

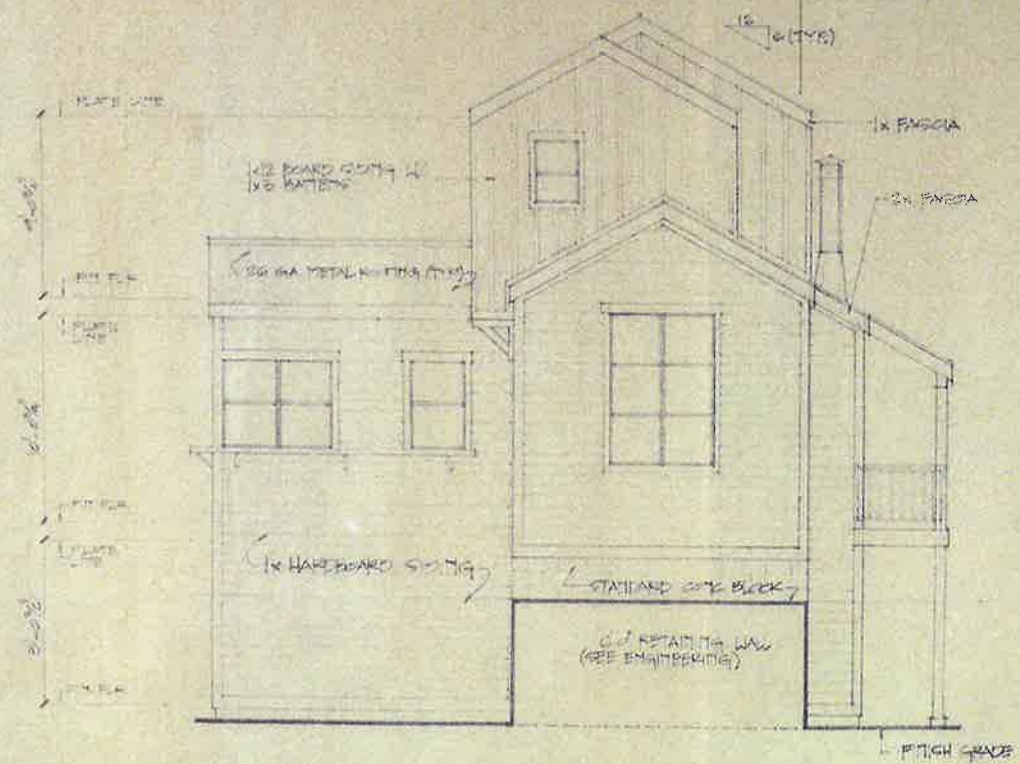
BEASURE LOSS BREAK DOWN THROUGH WORST VALVE

AT 4:47 PM	
LOSS THROUGH METRE	3.7 PSI
LOSS THROUGH MAINLINE	1.4 PSI
LOSS THROUGH ELEVATION	1.0 PSI
LOSS THROUGH LATEX ROLL VALVE	0.0 PSI
LOSS THROUGH BACK FLOW	0.0 PSI
LOSS THROUGH ELECTRIC VALVE	0.0 PSI
LOSS THROUGH FRICTIONS	0.0 PSI
MEASURABLE THROUGH HEAD	0.0 PSI
TOTAL MEASURED LOSS	6.1 PSI
THERE IS A CUSHION OF	19.7 PSI
PRECIPITATION RATE OF WORST VALVE	0.0 PSI

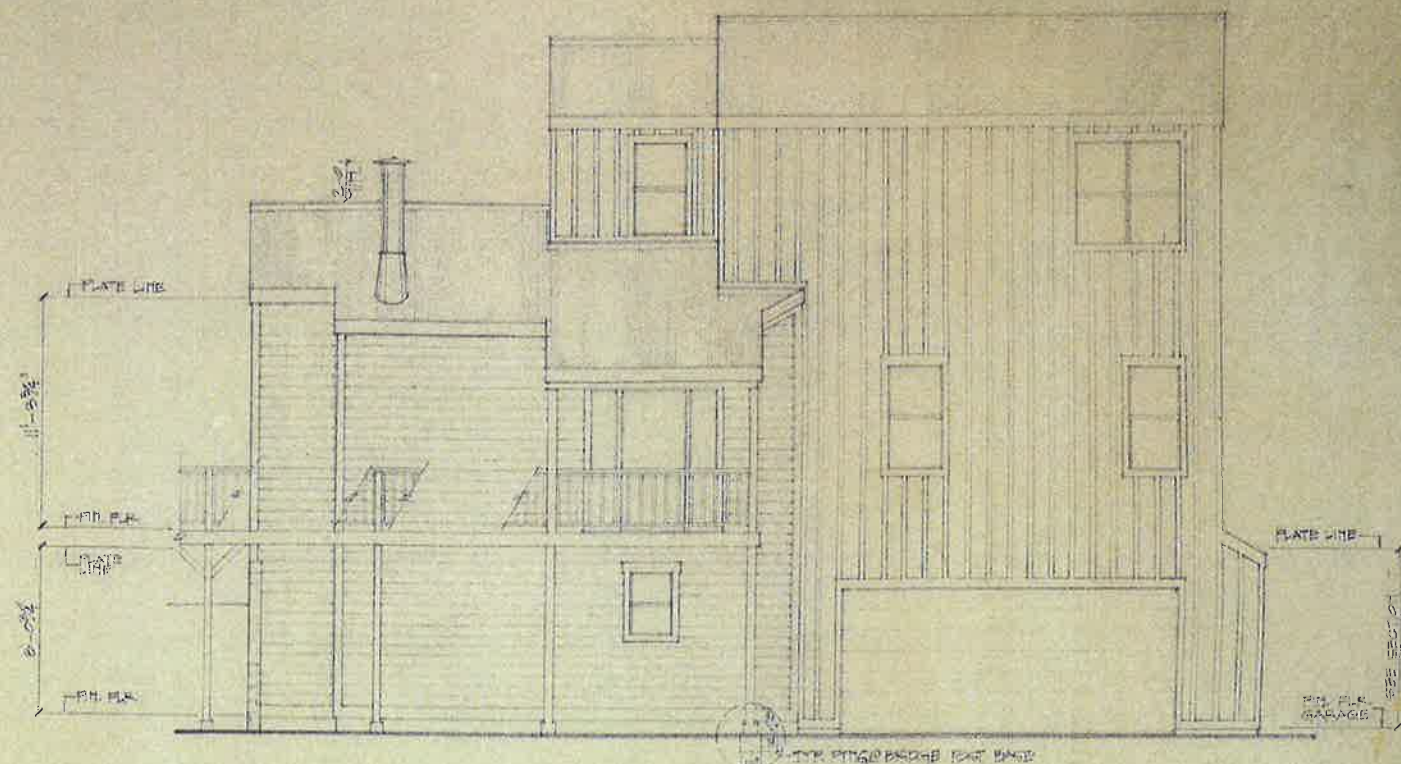
NOTES:

Stevenson Street

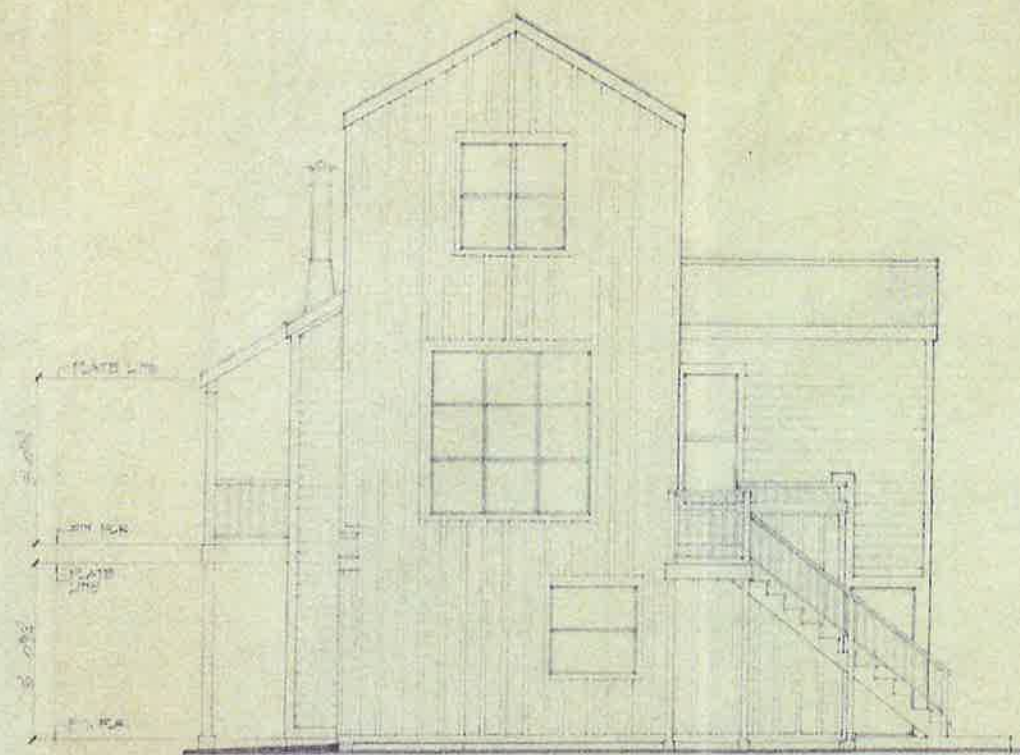
TED GISH & BRENDA NASSER		
SCALE: 1/2" = 1'	APPROVED BY:	DATE: 12/1/85
DATE: 12/1/85		REVISION: 1
8945 STEVENSON RD 352 MARTINE HILL CA 94245		
THE FRSG HOLDG.		DATE: 12/1/85



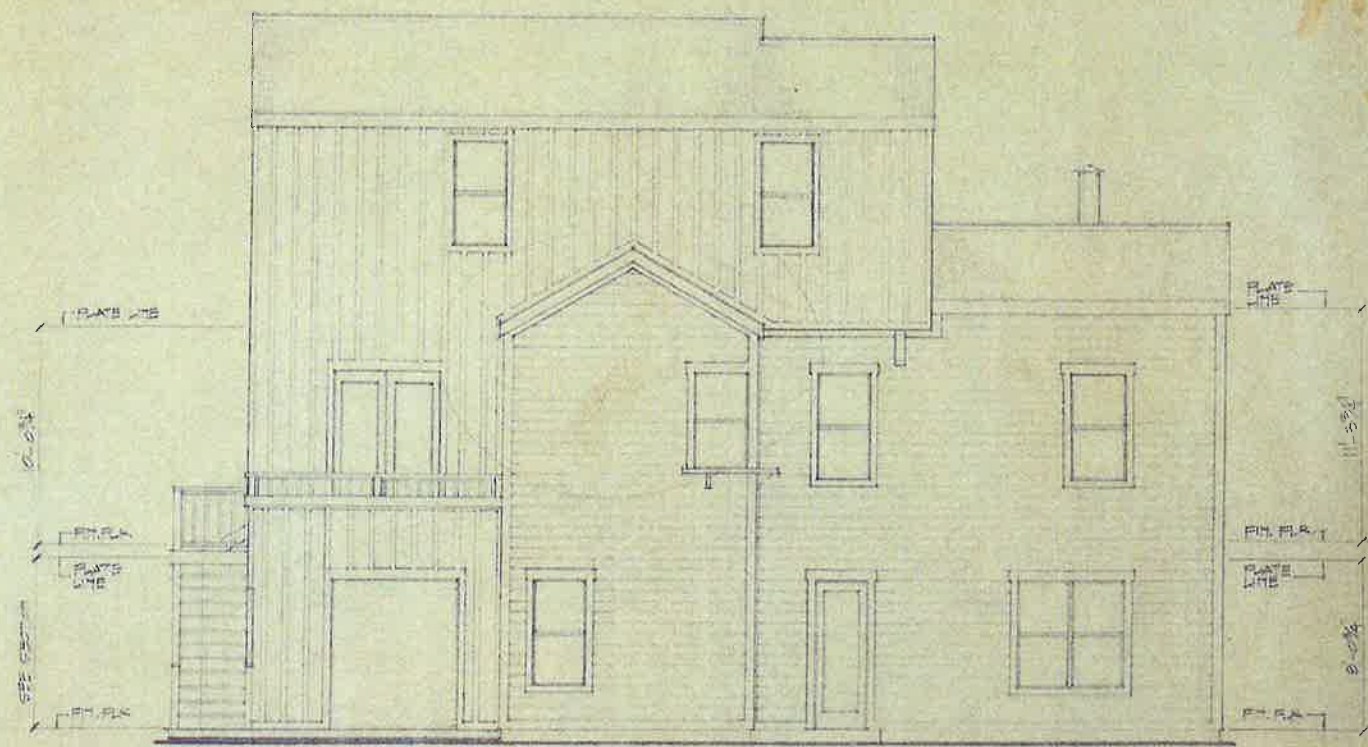
EAST ELEVATION
1/2" = 1'-0"



NORTH ELEVATION
1/2" = 1'-0"



WEST ELEVATION
1/2" = 1'-0"



SOUTH ELEVATION
1/2" = 1'-0"

Rental Entrance

BLUE OAK DESIGNERS/BUILDERS
11515 S. 28TH ST.
TULSA, OK 74134
(918) 436-1001

HL MARY MORAN RESIDENCE
2840 S. 15TH ST.
TULSA, OK 74134

15075

DATE
7/28/12

ELEVATIONS

15075

Hand-drawn floor plan of a bedroom and bathroom area. The plan includes a large bedroom labeled "M. BEDROOM" with dimensions 16'-0" by 12'-9". A closet is located adjacent to the bedroom with dimensions 6'-6" by 11'-3". A dressing area is labeled "DRESSING" with dimensions 8'-0" by 1'-9". A bathroom is labeled "M. BA" with dimensions 9'-0" by 5'-0". A shower area is labeled "SHOWER" with dimensions 5'-0" by 6'-0". The plan also shows a linen closet, a closet, and a closet. Dimensions are provided for various sections and overall room sizes. A red stamp "RECEIVED" is visible on the right side of the plan, dated "MAR 29 2022".

Calaveras County
Planning Department