



CITY OF SACRAMENTO
APPROVED
BY THE CITY COUNCIL

MAR 3 1987

DEPARTMENT OF PLANNING AND DEVELOPMENT
1231 "I" Street Sacramento, Ca. 95814

OFFICE OF THE CITY CLERK

Administration
Room 300 449-5571
Building Inspections
Room 200 449-5716
Planning
Room 200 449-5604

February 23, 1987

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT: 1. Environmental Determination
2. Zoning Ordinance Amendment relating to Bed and Breakfast Inns (M86-107)

LOCATION: Citywide

SUMMARY

The proposed Zoning Ordinance Amendment would increase the number of guest rooms for a bed and breakfast inn in the Residential Office (R-0) zone to 14 rooms subject to Planning Commission approval. The Zoning Ordinance Amendment would also make changes to the existing bed and breakfast inn definition. The City Planning Commission and staff recommend adoption of the amendment by the City Council.

BACKGROUND INFORMATION

Presently the Zoning Ordinance allows a bed and breakfast inn, defined as a dwelling containing not more than seven guest rooms, to locate in the R-2A, R-5 and R-0 zones subject to special permit review and approval and by right in the C-1, C-2 and C-3 zones. On December 4, 1986, the owner of the Driver Mansion Inn requested that the Planning Commission consider allowing bed and breakfast inns in office and commercial zones to have up to 14 guests rooms (Exhibit A). The Commission directed staff to investigate a possible Zoning Ordinance Amendment for bed and breakfast inns.

Planning staff contacted the Superintendent of the City Building Division who indicated that if a bed and breakfast inn has six or more guest rooms or has ancillary gatherings, the inn would fall under Hotel Building Code requirements. A proposed amendment to increase the number of guest rooms would not be in conflict with Building Code requirements as most of the existing bed and breakfast inns in the City are following Hotel Building Code requirements.

Staff finds that in the C-1, C-2 and C-3 zones a bed and breakfast inn and a hotel are both permitted uses, and regulated under Hotel Building Code standards. It is, therefore, unnecessary to amend the Zoning Ordinance for these zones as the use is permitted whether it is called a Bed and Breakfast Inn or Hotel.

Staff also finds in the Central City area there are several R-0 zoned properties which are located in primarily non-residential areas. Staff has no opposition to bed and breakfast facilities in the R-0 zone having more than seven guest rooms for these non-residential areas. Staff recommends that the maximum number of guest rooms be limited to 14 guest rooms.

In reviewing the Zoning Ordinance definitions, staff noted that the Bed and Breakfast Inn definition does not place a time limit on temporary night-to-night lodging. Staff, therefore, recommends that the words "not to exceed 14 consecutive days" be added to the definition in order to clearly distinguish a Bed and Breakfast Inn from a Rooming and Boarding House. Staff contacted bed and breakfast inn managers in the City and found that rarely, if ever, does a guest stay more than 14 consecutive days. The inn managers had no objections to this amendment.

VOTE OF THE PLANNING COMMISSION

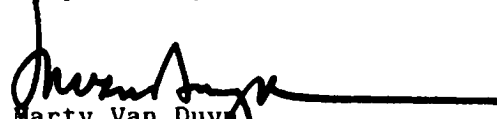
On January 22, 1987, by a vote of seven ayes, one absent and one abstain, the Planning Commission voted to recommend adoption of the Zoning Ordinance Amendment.

RECOMMENDATION

The Planning Commission and staff recommend that the City Council:

1. Ratify the Negative Declaration.
2. Adopt the attached Zoning Ordinance Amendment.

Respectfully submitted,


 Marty Van Duyen
 Planning Director

FOR CITY COUNCIL INFORMATION
 WALTER J. SLIPE
 CITY MANAGER

MVD:AG:tc
 attachments

March 3, 1987
 City Wide

M86-107

ORDINANCE NO. 87-018

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTION 2-E-28 AND 22-E-78 OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, RELATING TO BED AND BREAKFAST INNS (M86-107)

APPROVED
BY THE CITY COUNCIL

MAR 3 1987

OFFICE OF THE
CITY CLERK

Be it enacted by the Council of the City of Sacramento:

Section 1: Section 2-E-28-C is hereby added to the comprehensive Zoning Ordinance (Ordinance No. 2550, Fourth Series, as amended) to read as follows:

C. In the R-2-A, R-2-B, R-3, R-3-A, R-4, R-4-A and R-5 zones a bed and breakfast inn shall contain no more than seven (7) guest rooms. In the R-0 zone the number of guest rooms may be increased to a maximum of fourteen (14) rooms if the Planning Commission or City Council determines that the land uses surrounding the bed and breakfast use are predominately non-residential uses and the required parking is provided.

Section 2: Section 22-A-78 of the comprehensive Zoning Ordinance (Ordinance No. 2550, Fourth Series, as amended) is hereby amended to read as follows:

78. Bed and Breakfast Inn. A dwelling, including on-site accessory structures, containing a single dwelling unit in which the inn owner or manager resides; and in which, for compensation, temporary night-to-night lodging not to exceed fourteen consecutive days with or without meals being provided.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

Attachments
M86-107

City Wide

Sacramento City Planning Commission
VOTING RECORD

MEETING DATE
January 22, 1987

ITEM NUMBER
31 B

PERMIT NUMBER
M 86-107

ENTITLEMENTS

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- LOT LINE ADJUSTMENT
- ENVIRONMENTAL DET.
- OTHER Amend Sec. 2-24.22-A of
Gening Ord. re. Body Breakfast
Dinos

STAFF RECOMENDATION

Favorable Unfavorable

Correspondence

Petition

LOCATION

PROPOSERS

NAME	ADDRESS

OPPOSERS

NAME	ADDRESS

MOTION#

YES NO MOTION SECOND

MOTION#	YES	NO	MOTION	SECOND
Chinn	✓			
Ferris	<u>absent</u>			
Goodin	✓			
Hollick	✓			
Holloway	<u>absent</u>			
Otto	✓			✓
Ramirez	✓		✓	
Walton	✓			
Ishmael	✓			

MOTION

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE
- TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
- TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER _____

City Planning Commission
Sacramento, California

Members in Session:

- Subject: A. Environmental Determination
- B. Zoning Ordinance Amendment Relating to the Regulation of Bed and Breakfast Inns

Location: City-wide

Summary: The proposed Zoning Ordinance Amendment would increase the number of guest rooms for a bed and breakfast inn in the Residential Office (R-0) zone to 14 rooms subject to Planning Commission approval. The Zoning Ordinance Amendment would also make changes to the existing Bed and Breakfast Inn definition. Staff recommends that the Planning Commission recommend adoption of the attached Zoning Ordinance Amendment to the City Council.

Background Information: Presently the Zoning Ordinance allows a bed and breakfast inn to locate in the R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-5 and R-0 zones subject to special permit approval and by right in the C-1, C-2 and C-3 zones. The special permit may authorize ancillary social gatherings in the residential and R-0 zones; the gatherings are allowed by right in the commercial zones. The Zoning Ordinance defines a Bed and Breakfast Inn as:

A dwelling, including on-site accessory structures, containing a single dwelling unit in which the inn owner or manager resides; and containing not more than seven (7) guest rooms; and in which, for compensation, temporary night-to-night lodging with or without meals is provided.

On December 4, 1986 the owner of the Driver Manson Inn requested that the Planning Commission consider allowing bed and breakfast inns in office and commercial zones to have up to 14 guest rooms (Exhibit A).

The Planning Commission directed staff to investigate a possible Zoning Ordinance Amendment. Planning staff contacted the City Building Division to determine if a change in the number of guest rooms would be in conflict with the Building Code. The superintendent of the Building Division indicated that a bed and breakfast inn with five (5) or less guest rooms and no ancillary gatherings would fall under Residential Building Code requirements. If the inn has six (6) or more guest rooms, the structure would fall under Hotel Building Code requirements. If the bed and breakfast inn has ancillary gatherings it would fall under Hotel Building Code requirements regardless of the number of guest rooms. The proposed amendment to increase the number of guest rooms, therefore, would not be in conflict with Building Code requirements as most of the existing bed and breakfast inns are following Hotel Code requirements.

Staff also contacted several cities to see if their Zoning Ordinances regulated the number of guest rooms in a bed and breakfast inn. The regulations varied from a limit of two rooms to no restrictions on the number of guest rooms. Some cities, such as San Francisco, regulate bed and breakfast inns the same as hotels and motels.

Staff finds that in the C-1, C-2 and C-3 zones a bed and breakfast inn and a hotel are both permitted uses, and regulated under Hotel Building Code standards. It is, therefore, unnecessary to amend the Zoning Ordinance for these zones as the use is permitted whether it is called a Bed and Breakfast Inn or Hotel.

Staff also finds in the Central City area there are several R-0 zoned properties which are located in primarily non-residential areas. Staff has no objection to bed and breakfast facilities in the R-0 zone having more than seven guest rooms. As this is still a transitional zone between residential and non-residential uses, however, staff recommends that the maximum number of guest rooms be limited to 14 guest rooms.

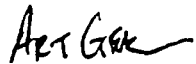
In reviewing the Zoning Ordinance definitions, staff noted that the Bed and Breakfast Inn definition does not place a time limit on temporary night-to-night lodging. Staff, therefore, recommends that the words "not to exceed 14 consecutive days" be added to the definition in order to clearly distinguish a Bed and Breakfast Inn from a Rooming and Boarding House. Staff contacted several bed and breakfast inn managers in the City and found that rarely, if ever, does a guest stay more than 14 consecutive days. The inn managers had no objections to this amendment.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed Zoning Ordinance Amendment will not have a significant adverse effect on the environment and has filed a negative declaration.

RECOMMENDATION: Staff recommends that the Commission take the following actions:

- A. Ratify the Negative Declaration; and
- B. Recommend adoption of the attached Zoning Ordinance Amendment and forward to City Council for adoption.

Respectfully submitted,



Art Gee,
Principal Planner

AG:sg

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE AMENDING SECTION 2-E-28 AND 22-E-78

OF THE COMPREHENSIVE ZONING ORDINANCE,

ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED,

RELATING TO BED AND BREAKFAST INNS

(M86-107)

Be it enacted by the Council of the City of Sacramento:

Section 1 Section 2-E-28-C is hereby added to the comprehensive Zoning Ordinance (Ordinance No. 2550, Fourth Series, as amended) to read as follows:

C. In the R-2-A, R-2-B, R-3, R-3-A, R-4, R-4-A and R-5 zones a bed and breakfast inn shall contain no more than seven (7) guest rooms. In the R-0 zone the number of guest rooms may be increased to a maximum of fourteen (14) rooms if the Planning Commission or City Council determines that the land uses surrounding the bed and breakfast use are predominately non-residential uses and the required parking is provided.

Section 2 Section 22-A-78 of the comprehensive Zoning Ordinance (Ordinance No. 2550, Fourth Series, as amended) is hereby amended to read as follows:

78. Bed and Breakfast Inn. A dwelling, including on-site accessory structures, containing a single dwelling unit in which the inn owner or manager resides; ~~and in which, for compensation, temporary night-to-night lodging not to exceed fourteen consecutive days with or without meals is provided.~~ and in which, for compensation, temporary night-to-night lodging not to exceed fourteen consecutive days with or without meals is provided.

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THE DRIVER MANSION INN

EXHIBIT A
CITY PLANNING DIVISION

NOV 12 1986

RECEIVED

November 11, 1986

William Ishmael, Chairman
SACRAMENTO CITY PLANNING COMMISSION
1231 "I" Street, Room 200
Sacramento, CA 95814

RE: TEXT AMENDMENT CHANGE/
BED AND BREAKFAST
DEFINITION SECTION OF ZONING ORDINANCE

Dear Mr. Ishmael:

I am the owner of the Driver Mansion Inn - an exclusive Bed and Breakfast Inn located at 2019 21st Street in Sacramento. At present, the maximum number of guest rooms allowable at any Bed and Breakfast Inn in Sacramento, regardless of its location, is seven (7). This is based on the definitional limitation set forth in the Sacramento Zoning Ordinance.

This limitation is unrealistically low for Inns that are located in zones that allow office and commercial use. Therefore, I want to officially request that the Zoning Ordinance be changed to allow up to 14 Bed and Breakfast Inn rooms in zones that allow for office and commercial use and that the seven (7) room limitation be applied to all other zones (i.e., residential). This request is based on the following:

1. The seven (7) room limitation was originally established because the first Bed and Breakfast Inns in Sacramento were located in residential areas. Therefore, in order to mitigate against the problems of a commercial business in a residential neighborhood (parking, traffic, noise, etc.), the limitation of 7 rooms was established. No one considered the appropriate number of allowable rooms for a commercial area since the City was not faced with that situation at that time.
2. Properties located in areas zoned for office and commercial use would not be adversely affected by raising the number of allowable rooms. For example, the Driver Mansion Inn is located in a R/O zone on 21st Street. It is located on heavily travelled commercial thoroughfare into Downtown Sacramento and accross the street from a 90,000 square foot office building with 300 parking

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spaces. The Sacramento Bee is two blocks away and the Inn is surrounded by commercial development.

Bed and Breakfast Inns are extraordinarily low intensity uses, i.e., few traffic trips to and from the Inn. Therefore, in areas already zoned commercial and office, there would be absolutely no adverse impact on the area.

- 3. The Bed and Breakfast industry is rapidly expanding and Sacramento has a tremendous need for more Bed and Breakfast rooms in areas that are not residential. In addition, all major business and tourist areas throughout California (San Francisco, Wine Country, Monterey Peninsula, Mendocino, Santa Barbara, etc.), allow for Inns with an excess of approximately 15 rooms.
- 4. All Bed and Breakfast Inns must still obtain a special use permit. Therefore, the City can still regulate and place use conditions upon any Inn that opens. Operating controls and conditions can thus be effectively maintained even though the number of rooms would be slightly higher.
- 5. Given the extraordinary high costs of Victorian renovation, it is economically imperative to allow additional rooms where the location and particular property warrant. To be limited to seven rooms on larger properties in commercial/office areas would be to make such projects commercially impossible.

I hope that the Sacramento Planning Commission will recommend to the City Council to have the Zoning Ordinance revised as set forth above. If you have any questions, please do not hesitate to contact me.

Very truly yours,

Richard L. Kann
RICHARD KANN

CC: Art Gee
Will Weitman