

DEVELOPMENT SERVICES DEPARTMENT

County of
EL DORADO

<http://www.co.el-dorado.ca.us/devservices>

PLANNING
SERVICES



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MEMORANDUM

DATE: January 24, 2008 Agenda of: February 14, 2008
TO: Planning Commission Item #: 14.b.
FROM: Pierre Rivas, Principal Planner, Planning Services
SUBJECT: **Planning Commission Determination**
Special Use Permit S07-0025 / Swan Cove Wedding Gardens
3180 Ponderosa Road, Shingle Springs
Assessor's Parcel Number 070-210-02

REQUEST

Planning Commission determination is sought for the proposed Swan Cove Wedding Gardens project (S07-0025) as to whether a Special Use Permit can be processed for the requested use in the Estate Residential Five-Acre Zone District (RE-5). The project site is located on the west side of Ponderosa Road approximately 1.5 miles north of the intersection with Meder Road in the Shingle Springs area.

RECOMMENDATION

Staff recommends that the Planning Commission: (1) Find that a wedding facility is not a use authorized by the zoning ordinance in the RE-5 Zone District and the special use permit application should not have been accepted for consideration; and (2) direct staff to refund the applicant applicable application fees.

BACKGROUND

The 7.71 acre lot is zoned RE-5 and designated LDR by the General Plan. The property is developed with a single-family dwelling.

The applicants were issued a business license on March 3, 2006 for "Weddings and Related Services." Planning Services approved the business license application on March 3, 2006 for "wedding planning services and needs" as a home occupation. The notation made by the

approving planner states: "Use consistent with RE-5. Business by appointment only parties of four or less." Meaning, the applicants were wedding planners providing consultation services and not providing for a wedding venue at the premises.

A complaint was filed (C-181692) on June 21, 2007 alleging that weddings were taking place at the residence on a commercial basis. An investigation revealed that the applicants were indeed running a commercial wedding operation at the residence and advertising over the internet.

The applicants submitted a special use permit application on August 22, 2007 to allow for a wedding facility accommodating up to 200 guests without a reception or up to 150 guests with a reception on premises.

PROJECT DESCRIPTION

The proposed project consists of:

Outdoor wedding ceremonies and receptions with a maximum of 200 persons for wedding ceremonies and maximum of 150 persons for wedding ceremonies with a reception.

The outdoor venue will be operated from April 15 through November 1. Hours of operation to be; Monday through Thursday 4 PM to sunset, for appointments to show the gardens to potential customers and to have one hour wedding rehearsals, Friday's 4 PM to 10 PM, for one hour wedding rehearsals and or wedding ceremony with a reception, and Saturday and Sunday 10 AM to 11 PM, for one hour wedding rehearsals and or wedding ceremony with reception. Ceremony and reception music, in the garden area, will be off by 10PM.

No information was provided regarding the number of weddings to take place per day.

Equipment to be used includes: ADA portable restrooms, chairs to accommodate guests during ceremony, tables and chairs for receptions, outdoor tent in case of rain, and possibility of limousine and horse drawn carriage drop off and pick up. Caterers are to be self contained, no commercial kitchen is available.

DISCUSSION

The proposed wedding facility is not listed as a use allowed by special use permit in the RE-5 Zone District as specified in Section 17.28.200 of the Zoning Ordinance. The Ordinance reads as follows:

17.28.200 Uses requiring special use permit. The following uses are allowed only after obtaining a special use permit therefor from the planning commission:

- A. The packing and processing of agricultural or wood products and the necessary buildings and structures required therefor where the nature of the product is changed;*
- B. The mining or drilling of minerals or petroleum;*
- C. The construction of schools, churches, cemeteries, parks, nonprofit membership clubs or associations, golf courses or public utility structures;*
- D. Reserved;*

E. Other sign sizes and applicable general provisions itemized in Chapters 17.14, 17.16 and 17.18;

F. Airports, heliports, landing strips and their accessory uses and structures where they do not constitute a nuisance to adjacent properties;

G. Home occupations not listed in subsection C of Section 17.28.190 which require special consideration such as the use of power tools, accessory building, noise and will not change the residential character of the premises or adversely affect the other uses permitted in a residential are;

H. Kennel, as defined in subsection 18 of Section 6.04.020;

I. Community care facilities, as defined in Section 17.06.050(H). (Ord. 4214 §7, 1992; Ord. 4002 §2, 1989; Ord. 3606 §14, 1986; Ord. 3440 §1, 1984; Ord. 3419 §5, 1984; Ord. 3364 §16, 1983; prior code §9412.2(d))

The RE-5 zone district does not authorize commercial wedding facilities either by right or by SUP. Commercial weddings on limited basis have been allowed in the RE-5 or RE-10 districts (by special use permit) as an accessory use to a Bed and Breakfast establishment consistent with the *Interim Guidelines for Bed and Breakfast*.

October 15, 2007

Aaron Mount
El Dorado County Planning Department
2850 Fair Lane Court
Placerville, CA 95667

OCT 15 PM 3:46
RECEIVED
PLANNING DEPARTMENT

Re: Swan Cove Wedding Gardens SO7 0025



Dear Aaron,

Attached please find a copy of the advertisement invitation sent to all the neighbors in the area except for us. Five families attended the event. This attempt to "talk" to the neighbors, it is much too late. Since the invitation implies there is already a working business, it sounds more like an advertisement. We are very disturbed the owners continue to "do business" as we understood they promised not to do so until the application was approved. We feel this is just one more example of their total disregard for rules and regulations.

In addition to the copy of the invitation, I am attaching petitions signed by 26 residents/14 parcels in the neighborhood. It is a clear indication of the strong opposition to the proposed commercial business. All the signers of the petition are asking to be notified of the Planning Commission hearing where this request is to be considered. The 500 feet requirement is inadequate considering all the parcels that will actually be affected. The noise from their last wedding was heard up to ¼ mile away. I will also be informing residents on Maverik, Arabian and Welker Lanes about the potential precedent of commercial intrusion in a designated residential area and will keep you informed of any additional people requesting notification of the hearing.

Please attach this to the file showing opposition to the application.

Thank you,



Bob and Maria Brugger

Cc: Ron Briggs
Larry Oppel
Pierre Rivas
Greg Fuz

You're invited to an open house at:

Swan Cove Wedding Gardens

3180 Ponderosa Rd

Presented by:

Corene Becker and Ranel Gosling

Our Family has owned this property and lived in this area for over 35 years. Our Mother passed away some time ago yet my sister and I feel her memory lives on in the beautiful gardens she created. To honor her we want to share these beautiful gardens with others by making them available for weddings.

We welcome you to come by with your family and friends so you can find out what we are all about.

When: October 14th Sunday, 2PM-6PM

**Where: 3180 Ponderosa Rd
Shingle Springs.**

Please stop by anytime between 2PM and 6PM rain or shine for appetizers & refreshments. We look forward to meeting you and your family, Hope to see you on Sunday the 14th of October.

PS: If you can not make it and have questions, please feel free to give us a call at: (916) 337-4254 or (916) 223-1300

PETITION AGAINST SWAN COVE WEDDING GARDENS

Renel Gosling/Corene Becker, Owner/Operators
3180 PONDEROSA ROAD
SHINGLE SPRINGS

12/22/16 PM 3:09
RECEIVED
PLANNING DEPARTMENT

Special Use Permit Application Number # SO - 07 - 25
Zoning Enforcement File # 181692

We the undersigned are opposed to the granting of a Special Use Permit for Swan Cove Wedding Gardens operating at 3180 Ponderosa Road in our neighborhood. This area is zoned for Estate Residential Five-Acre (RE5). Only those operations stated in the zoning code should be permitted. Any commercial business requiring a Special Use Permit is detrimental to our lives and to the integrity of the General Plan, and must be denied.

- | NAME | ADDRESS |
|--------------------------|--|
| 1. <u>SUSAN QUILLEN</u> | <u>2981 CARLSON DR.</u>
<u>SHINGLE SPRINGS CA. 95682</u> |
| 2. <u>ARTHUR QUILLEN</u> | <u>2981 CARLSON DR</u>
<u>SHINGLE SPRINGS CA 95682</u> |
| 3. <u>RANDALL WRIGHT</u> | <u>2961 CARLSON DR.</u>
<u>SHINGLE SPRINGS CA 95682</u> |
| 4. <u>MARY WRIGHT</u> | <u>2961 CARLSON DRIVE</u>
<u>SHINGLE SPRINGS, CA. 95682</u> |
| 5. <u>CHRIS DENNIS</u> | <u>3001 CARLSON DR</u>
<u>SHINGLE SPRINGS CA 95682</u> |
| 6. <u>RANDALL DENNIS</u> | <u>3001 CARLSON DR</u>
<u>SHINGLE SPRINGS CA 95682</u> |
| 7. _____ | _____ |

PETITION AGAINST SWAN COVE WEDDING GARDENS
Renel Gosling/Corene Becker, Owner/Operators
3180 PONDEROSA ROAD
SHINGLE SPRINGS

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NAME	ADDRESS
1. Kathleen McPherson	3460 Ponderosa Rd. Shingle Springs 95682
2. Pat Johnson	3460 Ponderosa Rd. Shingle Springs CA 95682
3. Julie McPherson	3460 Ponderosa Rd. Shingle Springs CA 95682
4. Dan McPherson	3460 Ponderosa Rd. Shingle Springs CA 95682
5. Verma Goodwin	3241 Ponderosa Rd. Shingle Springs, CA 95682
6. George Goodwin	3241 Ponderosa Rd. Shingle Springs, CA 95682
7. [Signature]	3220 CARV HILL RD SHINGLE SPRINGS CA 95682

8. Pat Stefan 3220 CAVU HILL RD
SHINGLE SPRINGS CA 95682

9. Maria Bugger 3220 Ponderosa Road
Shingle Springs, Ca 95682

10. Robert E Bugger 3220 Ponderosa Road
Shingle Springs, Ca 95682

11. Alison Dorkey 3170 PONDEROSA RD
shingle springs CA 95682

12. _____

13. _____

14. _____

15. _____

16. _____

PETITION AGAINST SWAN COVE WEDDING GARDENS
Renel Gosling/Corene Becker, Owner/Operators
3180 PONDEROSA ROAD
SHINGLE SPRINGS

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NAME	ADDRESS
1. ### Brett Norberry	3170 Ponderosa Rd Shingle Springs Ca 95682
2. Larry Hartnett A. Hartnett	3221 CAVU HILL RD Shingle Springs, CA 95682
3. Frankie Hartnett	3221 CAVU HILL RD FRANKIE HARTNETT'S SHINGLE SPRINGS, CA 95682
4. Frank Brugger FRANK BRUGGER	3266 PONDEROSA RD. SHINGLE SPRINGS, CA. 95682
5. Darlene Brugger Darlene Brugger	3266 Ponderosa Rd Shingle Springs Ca 95682
6. Joanne Reiker PAUL REIKER	4030 Ponderosa Rd Shingle Springs Ca 95682
7. _____	_____

PETITION AGAINST SWAN COVE WEDDING GARDENS

Renell Gosling/Corene Becker, Owner/Operators

3180 PONDEROSA ROAD

SHINGLE SPRINGS

Special Use Permit Application# 507-0025

Zoning Enforcement File #181692

We the undersigned are opposed to the granting of a special use permit for Swan Cove Wedding Gardens to operate at 3180 Ponderosa Road in our neighborhood. This area is zoned for Estate Residential Five-Acre (RE5) and only those operations as stated in the zoning code should be permitted. Any commercial business requiring a Special Use Permit is detrimental to us and to the integrity of the General Plan, and must not be allowed.

Name

Address

1. Roy Cochran

3141 Ponderosa Rd.
Shingle Springs, Ca 95682

mailing address

2. Catherine J. Smith

3186 Ponderosa Rd.

P.O. Box 1551K
Shingle Spr., Ca
95682

3. [Signature]

3186 PONDEROSA RD SHINGLE SPRING 95682

4. _____

5. _____
