

FINDINGS

Special Use Permit S15-0016/Reverie Retreat Center Planning Commission/February 9, 2017

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received during the public review process. The Mitigated Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this project.
- 1.2 Public Resources Code Section 21081.6 requires the County to adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The approved project description and conditions of approval, with their corresponding permit monitoring requirements, are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The project is consistent with General Plan policy 2.2.1.2.

The Rural Residential (RR) land use designation establishes areas for residential and agricultural development. Typical uses include single-family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres.

Rationale: The El Dorado County General Plan designates the subject site as Rural Residential. The site is proposed for use retreat facility to include farm-to-fork agricultural production and recreation. This use is allowed with a Conditional Use permit and the proposal is consistent with the intent of the Rural Residential land use designation.

2.2 The project is consistent with General Plan policy 2.2.1.3.

Policy 2.2.1.3 says that the General Plan shall provide for the following range of population densities in the respective land use designation based upon the permitted range of dwelling units per acre and number of persons per acre as shown in Table 2-2 below.

TABLE 2-2 LAND USE DENSITIES AND RESIDENTIAL POPULATION RANGES			
Land Use Designation	Units Per Acre	Persons Per Housing Unit¹	Persons Per Acre
Multifamily Residential	5 – 24	2.3	11.5 - 55.2
High-Density Residential	1 – 5	2.8	2.8 - 19.6
Medium-Density Residential	1 – 0.2	2.8	2.8
Low-Density Residential	0.20 - 0.1 ³	2.8	0.56 - 0.28
Rural Residential	0.1 – 0.025	2.8	0.28 - 0.07
Agricultural Lands	0.05	2.8	0.14
Natural Resource	0.025 – 0.00625	2.8	0.07 - 0.0175
Commercial	20/10 ²	2.3	46/23
Research & Development	-	-	-
Industrial	-	-	-
Open Space	-	-	-
Public Facilities	-	-	-
Tourist Recreational	-	-	-
Notes:			
¹ 1990 U.S. Census			
² Maximum of 20 units per acre in Community Regions; maximum of 10 units per acre in Rural Centers			
³ Policy 5.2.3.5 requires an average of 5-acre minimum parcels if ground water dependent. Parcel may be subdivided to create one new parcel not less than 4.5 acres in size under this policy as allowed by Title 16.44.120(L).			

Rationale: The site contains a single-family dwelling, a guest house, a cabin, and several sheds and other outbuildings. The proposed project would not result in additional dwelling units, as the existing residence and guest house would be retained on site, and housing would be available only for employees and owners. The cabins and campsites are for recreational use only and would not constitute additional dwelling units. The RR zone requires densities that do not exceed 0.1 to 0.025 units per acre. The number of units, at one unit per 32.01 acres, or 0.03 units per acre, complies with the density requirements for the Rural Residential zone.

2.3 The project is consistent with General Plan policy 2.2.1.4.

The population densities described in Policy 2.2.1.3 are representative of land use designations permitting residential use which are considered permanent population. These population densities are not to be construed to apply to recreational facilities, campgrounds, or other transitory populations.

Rationale: As noted above, the cabins and campsites are for recreational use only and would not constitute additional dwelling units. The RR zone requires densities that do not exceed 0.1 to 0.025 units per acre, however, the campsites and cabins would not factor into this density calculation, in accordance with this General Plan policy.

2.4 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.

Rationale: The site contains a single-family dwelling, a guest house, a cabin, and several sheds and other outbuildings. The site plan (Exhibit F) shows that existing and proposed buildings comply with setbacks, with the majority of the development area occurring at the center of the parcel and away from the surrounding properties. Conditions of approval are included to reduce potential noise, light, and traffic impacts to neighboring residents. As conditioned, the project would not be incompatible with the adjoining land uses.

2.5 The project is consistent with General Plan Policy 5.1.2.1.

General Plan Policy 5.1.2.1 requires a determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The site is currently served by public water via Georgetown Divide Public Utility District (GDPUD). The Division of Environmental Management, GDPUD, and Garden Valley Fire Protection District (GVFPD) reviewed the application for this use. The Potable Water Demand Estimate for the project, conducted by Cal State Engineering, Inc, estimated that the total water demand would be 2,310 gallons per day. GDPUD determined that the development could be served; however, the current residential account would need to become a commercial account. The project would generate an increase in solid waste, and would be required to comply with county recycling standards and follow CalGreen requirements during operation. The GVFPD provides fire protection services to the site and will require on-site road improvements for emergency vehicle access and adequate water for fire protection.

2.6 The project is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: Domestic water is supplied by an on-site domestic water system and by the Georgetown Divide Public Utility District via its existing distribution main in Spanish Flat Road. Based on the Potable Water Demand estimate prepared by Cal State Engineering, GDPUD determined that the site could be served with the construction of the retreat center, but that the account would change from a residential account to a commercial account, and may require a larger meter. The site is currently served by Garden Valley Fire Protection District for fire protection. GVFPD will require on-site road improvements for emergency vehicle access and adequate water for fire protection.

2.7 The project is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The Transportation Division and Long Range Planning Division reviewed the application materials and site plan for adequate access for emergencies. The project was required to address the adequacy of vehicle parking for anticipated demand, vehicle types, and zoning requirements. It was determined that a traffic study was not required, since the proposed use would generate minimal trips. Also, the roads serving the development have sufficient capacity to accommodate any added traffic without resulting in unacceptable levels of service. On-site circulation was approved through review of the site plan, which allows for sufficient access, parking, and maneuvering space. An encroachment permit is required for access to Spanish Flat road. No additional site access or improvements to the existing roads are required. The project is in compliance with the General Plan Policy.

2.8 The project is consistent with General Plan Policy 8.1.4.1.

Policy 8.1.4.1 requires that the County Agricultural Commission review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority that the proposed use:

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and

Rationale: The project application was reviewed by the El Dorado County Agricultural Commission on December 15, 2016 for compliance with the General Plan. After review of the site plan for the project and consideration of the surrounding land uses, it was determined that the

site naturally buffers the Agricultural Lands (AL) to the north and west from all planned developments, due to topography and heavy vegetation. The Agricultural Commission found that the proposed retreat center will be compatible and will not conflict with agricultural activities off-site.

- B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and

Rationale: The site is not zoned for agricultural land. The site and land to the south and east of the site is zoned RL-10, properties to the east and west of the site are zoned Open Space (OS) and the land to the north is zoned RL-20. No change in zoning is proposed. To the north and west of the site, parcels have a land use designation of Agricultural Lands. The proposed project would result in the development of the interior of the site, with the areas near the parcel boundaries undeveloped. This would allow for 200-foot agricultural setbacks adjacent to the AL lands. The site is not currently used for agriculture, and the facility proposed an agricultural component. The proposed project would not interfere with agricultural uses off-site, and the Agricultural Commission found that the project would not create an island effect.

- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.

Rationale: No change in land use designation or zone is proposed, and the project does not include any changes to the size or configuration of the property. There is adequate space to accommodate the 200-foot setback between the site and the parcels to the north and west, which are designated by the General Plan as Agricultural Lands (AL). The Agricultural Commission found that any buffering effect currently provided by the site would not be affected by the addition of the proposed development.

2.9 The project is consistent with General Plan Objective 9.3.8.

In accordance with Goal 9.3 for greater opportunities to capitalize on the recreational resources of the County through tourism and recreational based businesses and industries, Objective 9.3.8 is the expansion and development of additional Federal, State, and private overnight camping facilities including recreational vehicles and tent camping within the County while requiring appropriate mitigation of adverse environmental impacts.

Rationale: This project would result in the development of a Retreat Center and campground in the Kelsey area. The development would include up to 35 small cabins or camping cabins and up to 10 tent campsites. According to the applicant, the goal of the project is to establish an affordable, accessible and aesthetically inviting agriculture-based retreat where guests restore their equilibrium through the experience of visiting a natural setting. As detailed throughout this staff report and in the Initial Study (Exhibit J), the project would introduce no significant environmental impacts. The project is in compliance with the General Plan Objective.

3.0 ZONING FINDINGS

3.1 The project is consistent with Title 130.

The Rural Lands (RL) zone is intended to for those lands that are suitable for limited residential development based on topography, access, groundwater or septic capability, and other infrastructural requirements. Commercial support activities that are compatible with the available infrastructure may be allowed within this zone to serve the surrounding rural and agricultural communities. Although agricultural uses are allowed, these lands generally do not support exclusive agricultural use. This zone is applied to those lands to allow uses which supplement the agricultural use. For special setback purposes, the RL zone is not considered to be an agricultural or timber zone.

Rationale: The parcel is zoned Rural Lands Ten-Acre (RL-10). The Agricultural, Rural Lands, and Resource Zone Districts Zone matrix of allowed uses and permit requirements establishes those uses that are permitted and those that require approval by a Conditional Use Permit in the RL zone district. The matrix includes Commercial uses such as Commercial kitchens, dining facilities, health resort and retreat centers, Residential-type uses including single-unit dwellings and Employee housing, and Recreation-type uses including campgrounds and picnic areas, which are specifically permitted by Conditional Use Permit pursuant to Section 130.21.020.

The project has been analyzed in accordance with Zoning Ordinance Section 130.21.030 (Development Standards) for minimum lot size, dimensions, height, and building setbacks. Setbacks for non-agricultural structures must be a minimum of 30 feet, with a maximum height of 45 feet. Agricultural structures cannot exceed 50 feet in height and must be set back a minimum of 50 feet from the property lines. According to the proposed site plan, all proposed and existing structures meet these requirements. The project, as proposed, is consistent with the Zoning Ordinance because the project will comply with building setbacks and other applicable design standards. Parking and loading were analyzed

according to the use type, and the proposed parking would be sufficient for the proposed uses (see Finding 3.6).

3.2 The project is consistent with Chapter 130.16.

The proposed signs for the project must comply with the Chapter 130.16 of the Zoning ordinance, Signs. The project includes a proposed monument sign, which are freestanding signs (130.16.040(A)(2)).

Rationale: One monument sign is tentatively proposed for the entrance to the site as part of Phase I of the development. The sign would not exceed 12-square-foot in size and is proposed for the south side of Spanish Flat Road, within the parcel boundary. Although the placement of the sign is shown on the site plan, the design of the sign is yet to be determined. Sign design would be determined along with the design of the buildings and other proposed development on site. In accordance with subsection 130.16.080 of the Zoning Ordinance, a sign permit will be required for the sign, if proposed. The design would be reviewed for compliance with all regulations for monument signs, including those for sign illumination, compatibility with the materials and colors of on-site structures, sign size and placement.

3.3 The project is consistent with Chapter 130.40.100: Specific Use Regulations: Campgrounds and Recreational Vehicle Parks.

Section 130.40 of the Zoning Ordinance contains regulations applicable to certain specified uses that may be allowed, either by right or by discretionary permit, in a number of different zones. This Chapter provides appropriate standards for the design, location, and operation of the specific uses consistent with the General Plan. Development Standards apply to Campgrounds and recreational vehicle (RV) parks under 130.40.100 (D).

1. Minimum Area and Density. The minimum area of a campground or RV park shall be three acres. At least 50 percent of the total site shall be left in its natural state or be landscaped. The remaining 50 percent of land is eligible for development. The maximum number of campsites, RV spaces, dormitory rooms or cabins shall not exceed 9 sites per developable area and each individual campsite or RV space shall be no less than 1,000 square feet. The average overnight population per campsite, RV space, or cabin shall not exceed four persons.

Rationale: The area of the site is 32 acres in total. Development of the campground area and the other retreat center improvements are proposed to be located in the southeast quadrant of the site, with the most northern and western portions of the site to be left undeveloped. The campsite area is proposed to be approximately 5 acres, with each individual campsite occupying at least 1,000 square feet. The total number of proposed campsites, including cabins and tent spaces, is 45. If half the land were to be developed, per the

development standard, 16 acres maximum would be available for campsites, or approximately ten developable areas of 1.5 acres each. With each developable area allowing up to 9 sites, a total of 90 individual campsites would be the maximum allowed per the development standards. At 45 sites, the proposed project meets the standards for proposed number of campsites. Occupancy for the campsite as a whole would be restricted to an overnight population to not exceed 75 guests.

2. Fencing. A fence, wall, landscaping screen, earth mound or other screening approved by the Director, or otherwise required by this Title, shall be required as needed for public safety.

Rationale: The site is large and currently heavily forested, with the retreat center uses proposed for the interior of the site. Because of the proposed layout, no fencing or landscaping is necessary surrounding the camping area.

3. Access. Campground and recreational vehicle park access roads shall have clear and unobstructed access to a public roadway. There shall be no direct access from an individual campsite, RV space, dormitory room or cabin to a public roadway.

Rationale: Access to the site is provided by Spanish Flat Road, a County-maintained public road. The private driveway leads north and then west into the site to the proposed spa facility, food service and teaching kitchen, yoga and conference facility, and facility parking. The campground area is beyond these other components of development to the west. There is no direct access from the campsites or cabins to the public roadway.

4. Trash Collection Areas. Trash collection areas shall be adequately distributed and enclosed by a six foot high landscape screen, solid wall or fence, which is accessible on one side. Bear resistant garbage can containers are required in accordance with Subsection 130.30.030.C.3.g (Bear Resistant Garbage Can Containers).

Rationale: A trash enclosure is noted on the site plan, near the parking area and restroom/shower building. A condition of approval has been included to ensure that the trash area will be surrounded by a six foot screen, wall, or fence and will be consistent with the requirements for bear resistant garbage facilities (Condition 12).

5. Parking. The campground and recreational vehicle park shall provide off street parking spaces for each campsite and guest parking in accordance with Chapter 130.35 (Parking and Loading).

Rationale: The proposed development would provide adequate parking in accordance with Chapter 130.35, as detailed below under Findings 3.6 and 3.7.

6. Signs. Campground and recreational vehicle park entrance signs shall comply with the provisions under Chapter 130.16 (Signs).

Rationale: The proposed development would include signage in accordance with Chapter 130.16, as detailed in Finding 3.2.

7. Water Supply and Sewage Disposal. The County Environmental Health Division shall determine that adequate water supply and/or septic capability is available to serve the project.

Rationale: The County Environmental Health Division reviewed the application and provided comments regarding water supply and waste disposal. A private septic system and GDPUD water would serve the development. The Potable Water Demand Estimate for the project, conducted by Cal State Engineering, Inc, estimated that the total water demand would be 2,310 gallons per day, which can be accommodated by GDPUD.

8. Commercial Use. The construction of a structure within the campground or recreational vehicle park that is under the ownership or control of the park and can provide commercial use to the public shall be reviewed by the county for potential impacts on local services under the Conditional Use Permit.

Rationale: The proposed project includes a commercial kitchen and dining facilities, as well as a health resort and retreat center, which are considered commercial uses. These uses are allowed in the RL zone with a Conditional Use Permit. The kitchen and food facilities are not proposed to be open to the public, but would serve the overnight guests. The site is surrounded by agriculture and large-lot single family residential uses, with no restaurants or other commercial food facilities in the vicinity. The commercial uses are not anticipated to impact local services in the surrounding area.

9. Length of Stay. The maximum length of stay in any campground or recreational vehicle park shall not exceed 30 days.

Rationale: The description of the proposed facility says that Reverie Retreat will offer a variety of one-day and week-long programs and events. Condition 10 specifically requires that policies for occupancy for the campsite be restricted to no more than 30 days.

10. Structures and Recreational Facilities. The following standards apply to structures on the site, apart from the personal residence of the property owner or caretaker:

- a. Structures are limited to restrooms/showers and one clubhouse which may contain one commercial kitchen facility.

- b. The total area of the structures or portions of structures intended for sleeping that may include restrooms/showers shall be limited to an average of 300 square feet per structure. Structures intended for sleeping may not include any kitchen facilities.
- c. Campgrounds may include minor accessory recreational uses or structures such as swimming pools and tennis courts.

Rationale: The proposal includes one 600-square-foot bathroom and shower facility, with the potential for future restroom facilities near the campsites as-needed. The sleeping cabins would not include kitchen or restroom facilities and would measure approximately 115-square-feet per structure and would not contain any kitchen or restroom facilities. A 400-square-foot guest house is to be converted to a spa facility for use by guests. An existing 600-square foot cabin which would be converted into a kitchen facility, which would serve guests and provide space for teaching experiences such as processing agricultural products. These facilities comply with the requirements for recreational structures and comply with this subsection of the zoning ordinance.

3.4 The project is consistent with Chapter 130.40.070: Specific Use Regulations: Lodging Facilities.

Section 130.40 of the Zoning Ordinance contains regulations applicable to certain specified uses that may be allowed, either by right or by discretionary permit, in a number of different zones. This Chapter provides appropriate standards for the design, location, and operation of the specific uses consistent with the General Plan. Special standards for Health Resort and Retreat Centers are included in the Zoning Ordinance under 130.40.170 (E).

1. Health resorts and retreat centers shall be considered an expanded home occupation in residential zones and may be a compatible use in Agricultural, Rural Lands and Resource Zones, Commercial and Special Purpose zones.

Rationale: The parcel is zoned Rural Lands Ten-Acre (RL-10). The Agricultural, Rural Lands and Resource Zone Districts Zone matrix of allowed uses and permit requirements establishes those uses that are permitted and those that require approval by a Conditional Use Permit in the RL zone district. The matrix includes Commercial uses such as Commercial kitchens, dining facilities, health resort and retreat centers, Residential-type uses including single-unit dwellings and Employee housing, and Recreation-type uses including campgrounds and picnic areas, which are specifically permitted by Conditional Use Permit pursuant to Section 130.21.020. Commercial support activities that are compatible with the available infrastructure may be allowed within the Rural Lands (RL) zone.

2. Prior to action by the review authority, lots adjacent to or within Agricultural zoning must be reviewed by the Ag Commission for compatibility with surrounding agricultural uses prior to action by the review authority.

Rationale: The site is not zoned for agricultural uses, but bordered to the north and west by agricultural lands. The application for the project was sent to the Agricultural Commission for review. The Commission determined that the retreat center would not be incompatible with the surrounding agricultural uses.

3. Meals may be served to registered day use or overnight guests, only. There are no limitations on the number of meals or the times at which they are served.

Rationale: The proposed project includes a commercial kitchen and dining facilities, as well as a health resort and retreat center, which are considered commercial uses. These uses are allowed in the RL zone with a Conditional Use Permit. The kitchen and food facilities are not proposed to be open to the public, but would serve the overnight guests. The site is surrounded by agriculture and large-lot single family residential uses, with no restaurants or other commercial food facilities in the vicinity. The commercial uses are not anticipated to impact local services in the surrounding area.

4. The Health Resort and Retreat Center may provide up to a maximum 20 guestrooms within one or more structures, in compliance with the development standards of the applicable residential or agricultural zones.

Rationale: The proposed project site is in the RL-10 zone. The structures associated with the retreat center would comply with the development standards associated with this zone, as analyzed in Finding 3.1 thought 3.8. No guestrooms within the retreat center are proposed, as guests would stay at the adjacent campsites and cabins. These uses are allowed in the RL zone with a Conditional Use Permit.

3.5 **The project is consistent with Chapter 130.40.080: Specific Use Regulations: Animal Raising and Keeping.**

Section 130.40 of the Zoning Ordinance contains regulations applicable to certain specified uses that may be allowed, either by right or by discretionary permit, in a number of different zones. This Chapter provides appropriate standards for the design, location, and operation of the specific uses consistent with the General Plan. Special standards for Animal Raising and keeping are included in the Zoning Ordinance under 130.40.080.

Rationale: The site is zoned Rural Lands 10-Acre. Subsection 130.40.080(A)(4), Applicability: Exceptions, states that the Animal Raising and Keeping

standards do not apply to the raising and keeping of animals in: (1) Agricultural zones: Limited Agricultural (A), Planned Agricultural (PA), and Agricultural Grazing (AG); and, (2) Rural Lands zones (RL); and (3) Resource zones: Forest Resources (FR), and Timber Production (TPZ). The raising and keeping of animals is allowed by right and not subject to the provisions of the Conditional Use Permit.

3.6 The project is consistent with Chapter 130.35: Off-Street Parking and Loading.

Section 130.35 of the Zoning Ordinance establishes off-street parking requirements by use.

Rationale: This Conditional Use Permit request proposes a number of uses. For this reason, parking requirements are calculated based upon a combination of uses. When parking requirements for a use are not specifically listed in the Municipal Code, parking requirements are determined by applying demand factors for the most similar use or activity listed in the code. The Reverie Retreat project's uses include one-day events, multi-day retreats & workshops during which guests stay at the site, and short-duration special events. In all cases attendance is limited to 75 guests (40 guests for Phase 1), and in all cases guests are expected to stay at the site for the duration of the event (i.e. one inbound trip and one outbound trip). The owners' Campgrounds or RV parks are required to have at least one parking space per campsite and one per every 3 day-use visitors. Ski facilities, which are recreation facilities for day-use, require 1 space per every 2.7 users. Movie theatres require 1 space per 3 seats, and Churches or other places of public assembly require 1 space per 4 seats. Up to 40 guests are proposed for Phase I, indicating that at least 20 parking spaces are required. For Phase II, up to 75 visitors for either/or day-us or overnight stays would be accommodated at the site, for a total of 33 spaces. Of these, two accessible spaces are required. According to the site plans provided as part of the On-site transportation review report, the total number of parking spaces meets the minimum number required for the facility and residential parking.

3.7 The project is consistent with the El Dorado County Parking and Loading Standards.

The El Dorado County Parking and Loading standards augment the portions of the Zoning Ordinance pertaining to parking and loading.

Rationale: The proposed use would require a parking plan to comply with the Parking and Loading Standards. The site plan, with a parking plan included, was reviewed by the County's Transportation Engineer and will not conflict with traffic flow. The project was required to address the adequacy of vehicle parking for anticipated demand, vehicle types, and zoning requirements, but did not require a traffic study because the use would

generate a minimal number of new trips. An Analysis of the on-site circulation is detailed in the On-site Transportation Review (Exhibit I) No reduction in the number of parking stalls was requested, no material or passenger loading/unloading areas are required, and no RV spaces are proposed or required. Parking Lot Design standards conform to the requirements in the Standards and are conditioned to comply with the requirements listed in the El Dorado County Standard Plans Manual and Land Development Manual. The parking and loading proposed for the site meets the minimum number and dimensions required under the parking and loading standards, and the proposed project is therefore consistent with the intent of the parking ordinance.

3.8 **The project is consistent with Chapter 130.37, Noise Standards.**

Chapter 130.37, Noise Standards, requires that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 130.37.060.1 for noise-sensitive uses.

Rationale: Noise levels are not expected to exceed maximum levels as a result of the project. A noise study was conducted by j.c. brennan & associates, Inc. for the project to analyze the existing noise environment in the area and the potential of the proposed project to generate noise levels exceeding the applicable El Dorado County exterior noise level standards at noise-sensitive receptors in the project area (Exhibit H). Noise would result from resort activities and amplified sound on-site. According to Table 130.37.060.1 and 130.37.060.2 in the El Dorado County Zoning Ordinance, non-transportation noise in Rural Regions is limited to a time-averaged level of 50dB during the day (7 a.m. to 7 p.m.), 45 dB in the evening (7 p.m. to 10 p.m.) and 40 dB at night (10 p.m. to 7 a.m.) at a point 100 feet away from the nearest off-site sensitive receptor. The design of the site situates the campground areas and the retreat center at the center of the site. The nearest residence is located along Spanish Flat Road, approximately 650 feet to the east of the proposed massage facility. Other proposed uses are further to the west, at a greater distance from the existing residence. The next-nearest noise-sensitive receptors are more than 1,000 feet from the proposed campground and other facilities. As detailed in the noise study, operation of the project is predicted to generate exterior noise levels of 38 dB Leq at the nearest residential uses. Maximum (Lmax) noise levels are predicted to be 10 dB higher than average (Leq) noise levels for these types of noise sources. Therefore, maximum noise levels associated with the project are predicted to be 48 dB Lmax at the nearest residential receptors. These noise levels would comply with the El Dorado County 40 dB Leq and 50 dB Lmax evening (7:00 p.m. to 10:00 p.m.) rural noise level standards for noise sources which consist primarily of speech or music. Noise generated during

operation and any potential future construction will be required to comply with the noise standards established in the Zoning Ordinance, and Mitigation Measures NOISE-1 and NOISE-2.

4.0 CONDITIONAL USE PERMIT FINDINGS

4.1 The issuance of the permit is consistent with the General Plan.

Rationale: As discussed above in Section 2.0, General Plan Findings, the Conditional Use Permit is consistent with the applicable policies and requirements in the El Dorado County General Plan.

4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.

Rationale: The use will not significantly conflict with surrounding uses. The proposed use will comply with the Development Standards of the RL-10 zone district. The proposed use is consistent with the surrounding land uses which include large lot single family residences, agriculture, and vacant land. As conditioned, the project is not anticipated to result in significant environmental, visual, or noise impacts to the surrounding residents.

4.3 The proposed use is specifically permitted by Conditional Use Permit.

Rationale: Health and Wellness retreats, campsites, full-service kitchens, and conference facilities are specifically permitted in the RL-10 (Rural Lands 10-Acre) Zone with a Special or Conditional Use permit pursuant to Section 130.21.020. The subject property is located in the RL-10 zone district. The Agricultural, Rural Lands and Resource Zone Districts matrix of allowed uses and permit requirements establishes those uses that are permitted and those that require approval by a Conditional Use Permit in the RL zone districts. The matrix includes commercial and recreational uses, specifically Health and Wellness retreats, campsites, full-service kitchens, and conference facilities, and processing of agricultural products, which are allowed with a Conditional Use Permit in the RL zones.