

**COUNTY OF EL DORADO PLANNING AND BUILDING  
DEPARTMENT  
PLANNING COMMISSION  
STAFF REPORT**



**Agenda of:** May 10, 2018  
**Staff:** Evan Mattes

**CONDITIONAL USE PERMIT**

**FILE NUMBER:** S16-0008/Leaning Tree Lodge

**APPLICANT:** Cara Nelson

**REQUEST:** Conditional Use Permit request for a Bed & Breakfast Inn within an existing single-family dwelling and detached “bunkhouse”, consisting of five guest rooms with a maximum occupancy of 10 people, excluding owners. Special Events, including amplified sound, are also requested for up to 150 guests for a maximum of 12 events per calendar year from 4 P.M. to 10 P.M. with amplified music occurring until 9:45 P.M.

**LOCATION:** North side of Leaning Tree Road approximately 400 feet west of the intersection with Lone Star Mine Road, in the Camino area, Supervisorial District 3 (Exhibit A).

**APN:** 048-121-65 (Exhibit B)

**ACREAGE:** 10.61 acres

**GENERAL PLAN:** Low Density Residential (LDR) (Exhibit C)

**ZONING:** Residential Estate Five-Acres (RE-5) (Exhibit D)

**ENVIRONMENTAL DOCUMENT:** Negative Declaration

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

1. Adopt the Negative Declaration based on the Initial Study prepared by staff; and

2. Approve Conditional Use Permit S16-0008 based on the Findings and subject to the Conditions of Approval as presented.

## EXECUTIVE SUMMARY

Approval of this Conditional Use Permit would allow for the establishment of a new Bed and Breakfast Inn within an existing five bedroom single-family residence, including a “bunkhouse”. The bunkhouse currently serves as a recreation room, above a detached garage. Special Events have been requested as ancillary uses to the Bed and Breakfast use. No construction or changes to the existing single-family residence are proposed. Staff has determined that the proposed project is consistent with the Residential land use designation and RE-5 zone, as well as other applicable El Dorado County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

## PROJECT INFORMATION

**Site Description:** The subject property is located in the RE-5 Zone. The 10.6 acre property has a small hill and sits along the southern end of a large pond. Currently a single-family dwelling unit and two residential accessory structures currently exist on the property (Exhibit E). The two residential accessory structures consist of a workshop and a detached garage with a recreation room on the second floor. The project site is surrounded by large residential-zoned parcels on all sides. Access to the site is provided by Leaning Tree Lane, a privately maintained road. Water is provided to the site through a connection to El Dorado Irrigation District and sewer is through an onsite septic system.

**Project Description:** The applicant is requesting a Conditional Use Permit to allow for the operation of a Bed and Breakfast Inn within an existing single-family dwelling, consisting of five rooms for rent. Four of the bedrooms within the single-family residence would be available to rent with the fifth room being the bunkhouse. The Bed and Breakfast would not accommodate more than ten guests at a time. The operation of the Bed and Breakfast would include the use of twelve special events per year. Two bathrooms located within the primary dwelling and the bunkhouse located above the detached garage, are available to guests. Portable toilets and handwashing stations will be available for special events. The owner will reside on-site and operate the Inn. There would be no employees, except those assisting during Special Events. All parking will be provided onsite through the construction of a new parking lot. No additional construction or modification is proposed on the existing on-site structures.

As requested, Special Events will be held at the site for up to 150 guests for a maximum of 12 events per calendar year. Amplified sound will be limited to 4 P.M to 9:45 P.M, with all guests not staying at the Bed and Breakfast to exit the premises by 10:00 PM. The applicant has submitted an Amplified Music Compliance Plan (Exhibit K) to show owner compliance with the El Dorado County Noise Ordinance and Conditions of Approval.

## STAFF ANALYSIS

**Environmental Review:** Staff has prepared an Initial Study (Exhibit L). Staff has determined

that there is no substantial evidence that the proposed project would have a significant effect on the environment, and a Negative Declaration has been prepared and a notice of Determination (NOD) will be filed. A \$50.00 filing fee for the NOD is required and shall be filed within five working days from the project approval.

The filing the NOD begins the statute of limitations time period for when litigation may be filed against the County's action of the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the County.

In accordance with California Fish and Wildlife Code Section 711.4, the project is subject to the current fee after approval, but prior to the County filing the notice of Determination of the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The fee is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost managing and protecting the State's fish and wildlife resources.

## SUPPORT INFORMATION

### Attachments to Staff Report:

Findings  
Conditions of Approval

Exhibit A.....Location Map  
Exhibit B.....Assessor’s Parcel Number Map  
Exhibit C.....General Plan Land Use Map  
Exhibit D.....Zoning Map  
Exhibit E.....Aerial Map  
Exhibit F.....Site Plan  
Exhibit G.....Floor Plan  
Exhibit H.....Acoustical Analysis  
Exhibit I.....On-Site Transportation Study  
Exhibit J.....El Dorado County Fire Department Comments  
Exhibit K.....Amplified Music Compliance Plan  
Exhibit L.....Proposed Negative Declaration and Initial Study