



# COMMUNITY DEVELOPMENT SERVICES

## PLANNING AND BUILDING DEPARTMENT

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TO: Planning Commission Agenda of: February 8, 2018

FROM: Evan Mattes, Assistant Planner Item No.: 4

DATE: February 7, 2018

RE: S10-0009/Villa Florentina Permit Revocation or County Mandated Modification

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The purpose of this memorandum is to provide the Planning Commission with an expanded discussion on the history of noise non-compliance S10-0009, Villa Florentina.

Since May 9, 2016, and throughout the fall 2016 wedding season, the County has received repeated confidential complaints from neighboring residents regarding non-compliance with the special use permit Conditions of Approval for Special Events being conducted on the site. These complaints include excessive noise, incorrect location of sound systems, operation outside of the allowed hours of operation, and location of special event activities.

In response to those complaints, Planning Staff has continually corresponded with the property owner throughout the 2016 fall wedding season to seek compliance for the Special Events with the Conditions of Approval for S10-0009. This correspondence included three requests for compliance letters (Attachment A) from Planning Staff to the property owner dated August 1, 2016; October 12, 2016; and November 4, 2016 and a teleconference to discuss noise standards and conditions of approval violations in an effort to help bring the project into compliance.

On March 23, 2017 the Planning Commission held a hearing to determine if there was substantial evidence that the Special Events conducted on the site are not in compliance with Conditions of Approval for Special Use Permit S10-0009. At the hearing it was agreed upon by the proprietor, Adam Anderson, and the members of the Planning Commission, that sound studies for four special events would be submitted to Planning Staff by July 3, 2017. The hearing was continued off calendar until August 24, 2017.

Raw sound data, without analysis, was received by Planning Staff on August 8<sup>th</sup>, 2017. The submitted data was determined to be insufficient. On August 24, 2017, the Planning Commission held a hearing to determine whether the operation was in compliance with the special use permit. Based on the submitted noise evaluation of the sound, it was determined that the Special Events, such as weddings, conducted on the site were not in compliance with the use permit. The Planning Commission directed the Planning Staff to schedule a hearing to modify or revoke Special Use Permit S10-0009 and for the owners/operators to adhere to the original conditions of approval.

Following the August 24, 2017 Planning Commission meeting Planning Staff requested additional acoustical studies analyzed by a qualified professional to be submitted by October 23, 2017. No analyzed studies were submitted to Planning Staff.

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