

CONDITIONS OF APPROVAL

Conditional Use Permit Revision CUP-R20-0059/Enchanted April Acres Planning Commission/March 10, 2022

Planning Services

1. The project as approved shall allow the following modifications (Exhibit G):

A Revision to Special Use Permit S10-0001 Enchanted April Farm Bed and Breakfast consisting of the following: 1) discontinue the Bed and Breakfast within the 3,177-square foot primary residence; 2) convert the use of the three (3) existing accessory structures (8-ft x 12-ft Tack Sheds) into rentable campsites for overnight sleeping accommodations for up to six (6) guests total, with nine (9) parking spaces. Guests would have access to the existing bathroom and shower within an existing barn structure. All of the other uses and special events approved with the original permit would remain unchanged. Access to the project site is from the private driveway located off Salmon Falls Road, a County-maintained roadway. The property is fully developed with pastures, landscaping, pond, garden, parking, and fencing. No new grading or construction is proposed. There would be one (1) 4-ft x 6-ft (24 square feet) non-internally illuminated sign located at the project entrance on Salmon Falls Road. An updated Business License would be required. The project is subject to the Transient Occupancy Tax (TOT).

A permit or authorization that is not exercised within 24 months from the effective date shall expire and become null and void. The permit or authorization shall be deemed exercised when the applicant has commenced actual construction or alteration under an active building permit and at least one inspection has been conducted and approved by a Building official, or in cases where a building permit is not required, has substantially commenced the approved activity or allowed use on the site in compliance with the conditions of approval.

2. Indemnity: In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action. The developer and landowner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Conditional Use Permit revision. The County shall notify the applicant of any claim, action, or proceeding, and County shall cooperate fully in the defense.
3. Archeological Resources - Tribal Cultural Resources (standard): In the event of the discovery of human remains, all work shall cease within 100 feet of the find and the County Coroner shall be immediately notified pursuant to subdivision(c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code.

The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or in his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American. Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices and tribal values, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are in place.

Building Services

4. The project shall be subject to the requirements of Building Services, as applicable. A building permit may be required to convert each Tack Shed into a rentable campground structure for overnight sleeping accommodations (no kitchen/no bathroom in the units).

Environmental Management Department

5. The El Dorado County Local Agency Management Plan (LAMP) and Onsite Wastewater Treatment Systems Manual (OTWS Manual) require septic systems to be sized on the number of bedrooms. Using the three (3) Tack Sheds as bedrooms for guests would increase the total number of bedrooms from six (6) bedrooms to nine (9) bedrooms. An updated septic system design shall be reviewed for approval by Environmental Management Department.
6. Any future improvements to the existing well shall be reviewed for approval by Environmental Management Department.
7. If the project provides food (breakfast, lunch, etc.) to guests renting the campground structures, a health permit would be required, per the requirements of the California Retail Food Code.

El Dorado County Fire Protection District

8. The project shall be subject to the requirements of the El Dorado County Fire Protection District, as applicable, including review of improvement plans associated with any building permits to convert the existing Tack Sheds into rentable campsite structures.