



PLANNING AND BUILDING DEPARTMENT

PLANNING DIVISION

http://www.planning .building@edcgov.us

PC 4-9-20
Item# 3
2 pages

PLACERVILLE OFFICE:

2850 Fairlane Court, Placerville, CA 95667

BUILDING

(530) 621-5315 / (530) 622-1708 Fax

bldgdept@edcgov.us

PLANNING

(530) 621-5355 / (530) 642-0508 Fax

planning@edcgov.us

LAKE TAHOE OFFICE:

924 B Emerald Bay Road

South Lake Tahoe, CA 96150

(530) 573-3330

(530) 542-9082 Fax

TO: Planning Commission Agenda of: April 9, 2020

FROM: Tom Purciel, Associate Planner Item No.: 3

DATE: April 8, 2020

RE: CUP19-0010/Poor Reds BBQ Live Music; Recommended Amendments to
Conditions of Approval

Due to concerns regarding amplified noise during live music events at the restaurant, and in order to ensure that noise concerns are adequately addressed by the applicant, staff recommends amendments to two conditions of approval as follows:

RECOMMENDED AMENDMENTS TO CONDITIONS OF APPROVAL

Planning Services

1. This Conditional Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Conditional Use Permit CUP19-0010 allows up to ~~35~~25 live music events per year for Poor Red's restaurant patrons, from March to November, in an existing semi-enclosed outdoor dining patio. Amplified music for each event shall be limited to the hours of 6:00 pm to 10:00 pm on weekdays and 12:00 pm to 10:00 pm on weekends and holidays. Event sound system speakers will be located on the north edge of the outdoor dining patio and be oriented to face south, toward the restaurant seating in the center of the patio, as shown and described in Appendix B-1 of Exhibit G (Environmental Noise Assessment, Noise Survey Photographs). No signage or event materials are proposed as part of the project.

This Conditional Use Permit (CUP) shall be reviewed by the Planning Commission after the second full year of operation following conditional use permit approval. At this two-year review, the permit holder shall provide the Planning Commission with the following: 1) sound engineer's noise level readings during at least three typical-sized events taken at a distance of 50 feet from the speakers showing noise levels during both daytime and evening hours. Said noise level readings shall demonstrate amplified noise remains below maximum noise thresholds approved by the Planning Commission; 2) a written log of all public comments or complaints received associated with live music

events, and 3) the number of restaurant patrons at each live music event. This information shall be delivered to the Planning Division no later than May 31, 2022.

By operation of this condition, it is the intent of County to reserve the right to modify or add new conditions, as warranted, for this CUP. The applicant shall pay a fee determined by the Planning and Building Department Director to cover the cost of processing this 2-year review.

Exhibit LSite Plan

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

4. Restaurant management shall procure a sound level meter and monitor sound levels during each event to ensure the average and maximum sound output of the amplified music and speech is limited to an average of 75 dB at a position 50 feet in front of the speakers. A sound engineer shall be on-site to take sound readings and train restaurant management in appropriate methods of taking sound readings during peak attendance of at least three typical-sized events and during both daytime and evening hours. Records of measured sound levels during each event, including readings taken by a sound engineer, shall be documented and recorded in a log kept on the premises. A copy of this log shall be submitted to the Planning Division no later than May 31, 2022 consistent with Condition of Approval No. 1. Log entries for event dates subsequent to May 31, 2022 shall be made available to County staff upon request.