



CORRECTED
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TO: Planning Commission Agenda of: August 24, 2017

FROM: Evan Mattes, Assistant Planner

DATE: August 22, 2017

RE: S10-0009/Villa Florentina Bed & Breakfast; Revocation or County Mandated Modification of Permit

Recommendation:

Staff recommends that the Planning Commission find that there is substantial evidence that the Special Events conducted on the site are not in compliance with the Conditions of Approval for Special Use Permit S10-0009/Villa Florentina Bed & Breakfast and direct that a hearing be set to modify or revoke Special Use Permit S10-0009.

Background:

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.

Staff Analysis:

Sound studies were provided to Planning Staff on August 9, 2017. The studies were conducted during weddings on May 13, May 20, June 03, and June 10. With the exception of the May 20 event there was no indication if the study took place during a wedding event. Furthermore, the owner provided only raw data for the sound studies, without analysis, equipment location, sound description or the name of an acoustical analyst conducting the study. After reviewing the submitted materials Planning Staff found the studies to be inadequate for the purposes of this analysis.

In addition, since the March 23, 2017 hearing it has come to staff's attention that the owner may not be living on-site, with the inn being operated by an on-site manager instead. This would be a

violation of El Dorado County Zoning Ordinance section 130.40.170.D.3, which states that the Bed and Breakfast owner shall reside in either the primary or secondary dwelling unit on-site. The Special Use Permit S10-0009 describes the Bed and Breakfast being owner occupied, with the owner operating the inn, and that there would be no employees, except those assisting during Special Events.

The ~~Development Services Division~~ Planning and Building Department recommends that the Planning Commission find that a violation of the Conditions of Approval exists and direct that a hearing be set to modify or revoke S10-0009.

SUPPORT INFORMATION

Attachments to Staff Memo:

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| Exhibit A..... | S10-0009 Approved Site Plan |
| Exhibit B | Final Findings and Conditions of Approval for S10-0009 as approved by Planning Commission on March 24, 2011 |
| Exhibit C..... | Planning Commission March 23, 2017 Minute Order |
| Exhibit D..... | Planning Commission Meeting March 23, 2017 Staff Memo |
| Exhibit E | Original S10-0009 Sound Studies Dated October 18, 2010 |
| Exhibit F | Sound Data Submitted August 9, 2017 |