

# **COMMUNITY DEVELOPMENT SERVICES**

## PLANNING AND BUILDING DEPARTMENT

http://www.edcgov.us/DevServices/

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

tahoebuild@edcgov.us

Agenda of: February 8, 2018

TO: Planning Commission

FROM: Evan Mattes, Assistant Planner

DATE: January 2, 2018

SUBJECT: S10-0009/Villa Florentina Bed & Breakfast; Revocation or County Mandated

Modification of Permit

#### Recommendation:

Staff recommends that the Planning Commission modify Special Use Permit S10-0009/Villa Florentina Bed & Breakfast to remove Conditions of Approval 1.c, 3 and 4, and to modify Condition of Approval 1.d, which would remove the use of 20 special events per calendar year of up to 189 guests and amplified music.

### **Background**

In 2011, Special Use Permit S10-0009 was approved to allow operation of Bed and Breakfast Inn and special events on the 3.57-acre lot. The approved operation includes the following

- a. Three guest rooms contained within the 4,032 square foot primary residence. The occupancy includes six guests excluding owners.
- b. A 1,584 square foot detached garage accommodating owner and guest parking and two bathroom facilities for Special Events.
- c. A total of 20 annual Special Events with a maximum of 189 guests.
- d. The site includes a total of 63 parking spaces. Five covered parking spaces are within the garage for the owner and guests and 58 additional parking spaces are provided along the driveway and drive aisle between the rows of olive trees.
- e. A1-foot by 6-feet non-internally illuminated sign.

The special events portion of the operation was approved to be held from April through October annually, limited within the hours of 9:00 AM to 9:30 PM with amplified music to terminate by 9:30 PM. The owner/applicant would reside on site and operate the inn. There would be no employees, except those assisting during special events. Special Events would be held at the site for up to 189 guests for a maximum of 20 events per calendar year.

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.

#### **Staff Analysis:**

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.

With the Planning Commission determination that the Special Events conducted on the site are not compliant with Special Use Permit S10-0009 and the property owner not providing acoustical studies for departmental review, Planning Staff is recommending that the Special Use Permit S10-0009/Villa Florentina be modified to remove the use of 20 special events per calendar year of up to 189 guests and amplified music. The special use permit would still allow for the operation of a bed and breakfast consisting of three guest rooms within the 4,032 square foot primary residence.

Under this modification the property owner would still be allowed to operate a Bed and Breakfast Inn without the ancillary use of special events. The property owners would continue to be subject to the Conditions of Approval, as revised, and El Dorado County Zoning Ordinance Section 130.40.170.D (Bed and Breakfast Inns).

#### SUPPORT INFORMATION

#### **Attachments to Staff Memo:**

Findings
Modified Conditions of Approval

Exhibit A......S10-0009 Approved Site Plan

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