

**EL DORADO COUNTY DEVELOPMENT SERVICES
PLANNING COMMISSION
STAFF REPORT**



Agenda of: December 11, 2008
Item No.: 9.c
Staff: Aaron Mount

SPECIAL USE PERMIT

FILE NUMBER: S07-0027/ Eden Vale Inn

APPLICANT: Mark Hamlin

REQUEST: Special use permit to allow an eleven room bed and breakfast inn consisting of a 5,599 square foot main residence, a 1,200 square foot second residence, a 400 square foot guest house, a 2,308 square foot special event/guest activity building, and 18 special events a year with 12 limited to 50 people and 6 limited to 125 people.

LOCATION: On the west side of Springvale Road, approximately 1,000 feet north of the intersection with Lotus Road in the Gold Hill area, Supervisorial District IV. (Exhibit A)

APN: 102-140-88

ACREAGE: 10.01 acres

GENERAL PLAN: Rural Residential (RR) (Exhibit B)

ZONING: Estate Residential Ten-acre (RE-10) (Exhibit C)

ENVIRONMENTAL DOCUMENT: Categorically exempt pursuant to Section 15301 and 15303 of the CEQA Guidelines.

SUMMARY RECOMMENDATION:

Staff recommends the Planning Commission take the following actions:

1. Find that the project is Categorically Exempt pursuant to CEQA Guidelines Section 15301 and 15303; and
2. Conditionally approve Special Use Permit S07-0027 subject to the conditions in Attachment 1, based on the findings in Attachment 2.

BACKGROUND: The proposed Special Use Permit, S07-0027, was submitted on October 30, 2007 and deemed complete November 26, 2007. The project description at time of submittal was for a bed and breakfast to include eight guest rooms. It was determined by staff that the proposal was not consistent with the Bed and Breakfast Interim Guidelines adopted by the Planning Commission on July 24, 1997 as the guidelines limited a bed and breakfast that was not an historic residence to five guestrooms. Planning staff at the time was working on a draft Bed and Breakfast ordinance that was adopted by the Board of Supervisors on April 29, 2008. Subsequent to the adoption of the new Bed and Breakfast Ordinance the applicant revised the project to its current iteration which is consistent with the newly adopted ordinance. The inclusion of special events was added to the project description by the applicant on November 5, 2008..

STAFF ANALYSIS

Project Description: The applicant is requesting a Special Use Permit for a bed and breakfast inn with 11 guest rooms and one special event building. As shown in the table below, guest rooms would be contained in the 5,559 square foot primary residence, a 1,200 square foot second residence, and a 400 square foot guest house. A 2,308 square foot guest activity/special events building, of which only 1,444 square feet will be used for events, is proposed and would contain bathrooms. A total of 18 special events per year have been requested with 12 limited to 50 people and 6 limited to 125 people. An existing outdoor kitchen would be available for special events and is located between the main and second residence. Three to five employees will be retained for innkeeping, cleaning, cooking, and maintenance. A sign 3 feet by 2 feet is proposed and is consistent with the zone district sign size requirements.

The following table corresponds to the site plan, Exhibit F (Building A is the primary residence, building B is the second residence, building D is the proposed special events building, and building E is the proposed guest house):

Bldg.	Guest	Phase	Bldg.	ADA	Anticipated	Description	Plan
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	Rooms		Permit	Accessible	Completion Date		Sheets
A	2	I	#167780	YES 2 nd Main Floor	2008	Primary Residence 2 nd & 3 rd Floors, owners' quarters and two Guest Rooms on main (ground level) floor.	1 of 7 3 of 7 4 of 7
A	3	II	#172013 **	NO	2009	1 st floor Guest Rooms	2 of 7
B	2	III	#171047	NO	2010	Second Residence and Garage, Currently Framed	5 of 7 Room #'s 401 & 402
B	2	IV		NO	Unknown	Second Residence Addition	5 of 7 Room #'s 403 & 404
E	2	V		NO	Unknown	Guest House	1 of 7
D	N/A	VI		YES	Unknown	Guest Activity Building	1 of 1
Total	11	6 phases				5 total buildings	

** This permit will be revised to add, within the existing square footage, Guest Room #100 for a total of 3 on the first floor.

Site Description: The subject parcel is at an average elevation of 1,000 feet above mean sea level. Improvements include a 5,599 square foot main residence, a 728 square foot second residence, and a 2,950 shop and storage structure. Vegetation is dominated by annual grassland with a concentration of tree canopy in the south east corner of the property. The project site contains a 1/3 acre pond and an intermittent stream crosses the property from the north east corner to the south west corner. Site access is provided via Springvale Road off of Lotus Road, both county maintained roads.

Adjacent Land Uses:

	Zoning	General Plan	Land Use/Improvements
Site	RE-10	RR	Single family residences, accessory structures
North	RE-10	RR	Single family residences, undeveloped
South	RE-10	RR	Single family residence
East	RE-10	RR	Single family residence, undeveloped
West	RE-10	RR	Single family residence

Discussion: The proposed special use permit, as conditioned, is consistent with residential development on adjacent parcels.

Project Issues

Discussion items for this project include consistency with the adopted Bed and Breakfast Inn Ordinance, water system and fire safety, and water and septic improvements.

Bed and Breakfast Inn Ordinance: Section 17.14.220 of the Zoning Ordinance, Bed and Breakfast Inns, was adopted by the Board of Supervisors on April 29, 2008. The ordinance states that *bed and breakfast inns shall be considered an expanded home occupation in residential and agricultural districts and shall only be authorized by approval of a special use permit based on the standards provided herein.*

A discussion of the project’s consistency with the Bed and Breakfast Ordinance is outlined in the table below:

Section 17.14.220.C Standards	Consistency
<p>17.14.220.C.1 The bed and breakfast inn can provide up to a maximum of 20 guestrooms, which shall be contained within the primary and secondary residential units and guest house only, in compliance with the development standards of the applicable residential or agricultural zone districts.</p>	<p>Consistent. As proposed, the project is consistent with Section 17.14.220.C1, Section 17.70.110, RE-10 development standards, and Section 17.15.020, Second Residential Units Development Standards. Specifically the applicant is proposing 11 guest rooms to be contained in the 5,559 square foot primary residence, a 1,200 square foot second residence, and a 400 square foot guest house.</p> <p>A 2,308 square foot special events building is proposed which would contain a bathroom only. This would be considered an accessory structure consistent with the RE-10 development standards.</p>
<p>2. The property owner shall reside in either the</p>	<p>Consistent: The project proposes to have a</p>

<p>primary or secondary residential unit on site.</p>	<p>1,419 square foot private innkeeper's quarter in the main residence.</p>
<p>3. Meal service shall be limited to registered guests and shall consist of breakfast and light snacks as a portion of the overall room rate in compliance with the California Retail Food Codes enforced by the County</p>	<p>Consistent: The project proposal and conditions of approval are consistent with this section.</p>
<p>4. One, non-internally illuminated sign shall be permitted based on the applicable zone district standard set forth in Chapter 17.16 unless greater sign area is authorized under the special use permit. The design of the sign shall be reviewed by the approving authority for architectural compatibility with the existing or proposed structure(s).</p>	<p>Consistent: A sign proposal has been submitted that is consistent with the RE-10 zone district requirements for size (17.70.090.D). The proposed sign would be 3 feet by 2 feet and illuminated from the ground. Exhibit G is an elevation of the sign. A condition has been added that states external lights used to illuminate a sign shall be shielded and directed downward in order to prevent light from shining on to the adjacent roadway. This would bring the lighting into consistency with Section 17.14.170.C.1 of the Zoning Ordinance.</p>
<p>5. Bed and breakfast inns shall have direct access to a maintained road in conformance with Department of Transportation standards. The entrance, parking area and walkways shall be illuminated pursuant to Chapter 17.14.170 and kept free of obstructions or hazards of any type.</p>	<p>Consistent: The project site is accessed from Springvale Road, which is a County maintained road. Rescue Fire and DOT have reviewed on-site and off-site access and have no issues.</p> <p>A condition of approval has been proposed to require fully cut shielded lighting consistent with this section and 17.14.170.</p>
<p>6. Kitchens shall be clean, well-maintained and comply with accepted standards of sanitation and hygiene by conforming to the requirements of the applicable El Dorado County Environmental Health Department permit.</p>	<p>Consistent: Environmental Health would require permitting and inspections of the kitchen facilities.</p>
<p>7. Bed and breakfast inns shall provide off-street parking at a ratio of one space per each guest room, plus two spaces required for the principal dwelling. Guest parking shall be subject to the following:</p> <ul style="list-style-type: none"> a. No guest parking shall be permitted within the required front or side yard setback. b. Tandem parking, meaning two cars parked one behind the other, may be allowed. Denser parking lot configurations may be allowed if valet parking is required. c. Guest parking shall be designed so as to prohibit the backing of vehicles directly into any 	<p>Consistent: The submitted site plan shows a total of 16 designated parking spaces and ample room for additional parking spaces for special events for a total of 76 spaces as shown on Exhibit L. Consistent with ADA requirements the project is conditioned to pave handicap accessible parking spaces. As conditioned, all parking meets the required development standards.</p>

<p>public right of way in order to exit any parking space. d. The parking area provided for a bed and breakfast inn may have a gravel surface.</p>	
<p>8. A bed and breakfast inn consisting of five or fewer guestrooms shall be considered a single residential dwelling unit or lodging house for the purpose of building codes, unless additional standards are required by the California Codes, as amended and adopted by El Dorado County. Six or more guestrooms within one building shall be subject to further requirements under the California Codes.</p>	<p>Consistent: Each building containing guestrooms will contain five or fewer rooms. The proposed project has been reviewed by Building Services to ensure it meets all applicable building codes.</p>
<p>9. Bed and breakfast inns within Agricultural Districts as identified on the General Plan land use maps or adjacent to land zoned Exclusive Agriculture (AE), Planned Agriculture (PA), Select Agriculture (SA), Residential Agriculture 20, -40, -60, -80, -160), or Timberland Production Zone (TPZ) districts must be reviewed by the Agricultural Commission for compatibility with surrounding agricultural land uses prior to action by the approving authority.</p>	<p>Consistent: The project parcel is not within an Agricultural District nor is it within an agricultural zone district.</p>
<p>10. The operation of a bed and breakfast inn shall be subject to Title 3.28 (Transient Occupancy Tax) and Title 5.08 (Business License Requirements) of the El Dorado County Code. The business license shall be posted in a conspicuous place on the premises prior to operation of the business.</p>	<p>Consistent: The project is conditioned to obtain a business license before initiation of use.</p>
<p>11. The special use permit may authorize limited ancillary activities such as weddings, receptions, fund raisers or similar events attended by non-guests, subject to conditions of approval that include, but are not limited to, restrictions upon the frequency and time of holding events, duration thereof, and the maximum number of persons attending. Food preparation, except for the aforementioned breakfast and light snacks, shall not be permitted to occur in the bed and breakfast inn. Unless expressly authorized in the special use permit, such ancillary activities are prohibited. A temporary use permit for an ancillary activity may be processed in situations where special</p>	<p>Consistent: A total of 18 special events per year have been requested with 12 limited to 50 people and 6 limited to 125 people. Section 17.14.210.C11 allows by SUP such ancillary activities. The subject parcel at 10.01 acres provides ample room for events and additional parking in excess of those required for the B&B Inn itself would be provided. Planning has requested that parking be provided at a ratio of 2.1 persons per parking space for a total of 59 additional parking spaces. The submitted site plan shows a total of 76 possible parking spaces as shown on Exhibit L. The site is accessed by a county maintained road and DOT has determined that the project proposal would not have a</p>

<p>events are not authorized under the special use permit for the bed and breakfast inn. Applicable conditions shall be imposed, as determined necessary by the approving authority, which restrict the number of people attending and offset other related impacts, in order to maintain the residential character of the surrounding neighborhood.</p>	<p>significant effect on the counties circulation system.</p> <p>No amplified music has been proposed and hours of the events have been conditioned consistent with General Plan Policies for noise levels in a rural region (Table 6-2) which would require events to end by 10:00 P.M.</p> <p>With incorporation of conditions limiting the duration of events and use of amplified music, the project would be consistent with this section</p>
<p>12. New construction proposed on a bed and breakfast inn site, including buildings not necessarily proposed for bed and breakfast inn use, or exterior remodeling of the building(s) to be used for guest accommodations, is subject to architectural review by the approving authority as part of the special use permit process. This determination will be based on compatibility with neighborhood building style, building materials and any historic style indigenous to the area.</p>	<p>Consistent: Exhibits have been included showing elevations and pictures of the proposed and existing structures. Staff has found that the proposed structures would be consistent with neighborhood building style, building materials, and any historic style indigenous to the area.</p>

Fire safety and water supply: The application was reviewed by the Rescue Fire Protection District. The project parcel is not supplied by domestic water and therefore an adequate fire flow could not be established. The parcel does contain a 625,000 gallon pond which the fire district has approved for use as a private hydrant system. In addition, the primary and second residences are conditioned to install sprinklers.

Water and septic improvements: The project sites wastewater disposal is by individual septic systems. As the project will be built in phases, Environmental Health will review septic system requirements when additional building permits are obtained. The use as a bed and breakfast would require an Annual Food Facility Operating Permit issued by Environmental Health. As the project is served by well water, periodic water testing would be required under Cal Code requirements. If the site will serve at least 25 individuals daily at least 60 days out of the year a permit for a Public Water System would need to be obtained.

General Plan

The project has been reviewed in accordance with the applicable El Dorado County 2004 General Plan policies identified below and it has been determined that the project is consistent with the General Plan.

Policy 10.1.7.4 states that *home occupations shall be encouraged and permitted to the extent that they are compatible with adjacent or surrounding properties*. Ordinance Number 4770, states that Bed and Breakfast Inns shall be considered an expanded home occupation in residential and agricultural districts. As conditioned the project is consistent with the Rural Residential land use designation and the RE-10 Zone District development standards. Special events have been limited by the frequency and time of holding events, duration thereof, and the maximum number of persons attending. Therefore, the project would be compatible with adjacent or surroundings properties as all adjacent properties are within the same land use designation and zone district.

As proposed, the project complies with policies 7.1.2.1, 7.3.3.4, and 7.4.4.4, grading on slopes in excess of 30 percent, conservation of water resources, and oak tree canopy retention and replacement. The project does not propose any grading on slopes over 30 percent, no trees are proposed to be removed, and all proposed structures are at least 50 feet from the intermittent stream that crosses the subject parcel.

The project as proposed and modified through conditions is consistent with policies TC-Xe and TX-Xf concerning traffic impacts. As the project is by ordinance an expanded home occupation, the Department of Transportation determined that the project would not be required to submit a traffic study and that the potential traffic generation by the project would have an insignificant effect on local roads.

Findings of consistency with the General Plan are provided in Attachment 2.

ZONING

Development Standards: The proposed Bed and Breakfast Inn is required by Section 17.14.220.C.1 to be consistent with the development standards of the applicable residential zone district. As outlined in Section 17.70.110 and Chapter 17.15 of the Zoning Ordinance, a parcel within the RE-10 Zone District is by right allowed to have a primary residence of any size, a 1,200 square foot second residence, a 400 square foot guest house, and accessory and agricultural structures. The proposed project is consistent with the ordinance. Consistent with the Bed and Breakfast Inn ordinance, a commercial kitchen may be added to the primary or second residential units at a future time.

Special Use Permit: A Special Use Permit (SUP) application is required for the proposed project pursuant to Section 17.14.220 of the Zoning Ordinance, Bed and Breakfast Inns. Based on consistency with the General Plan, compatibility with adjacent land uses, and less than significant environmental impacts, findings for conditional approval of the SUP are included in Attachment 2.

The Special Use Permit findings are required by Section 17.22.540 of the Zoning Ordinance:

1. The issuance of the permit is consistent with the general plan;

Discussion: As discussed in the General Plan and Project Issues sections of the staff report the project is consistent with the General Plan as conditioned.

2. The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood; and

Discussion: The addition of the condition limiting Special events by the frequency and time of holding events, duration thereof, and the maximum number of persons attending as well as no amplified music, will ensure that the project would not have a significant impact on the neighborhood and that special events would be ancillary to the use of the Bed and Breakfast Inn as an expanded home occupation.

3. The proposed use is specifically permitted by special use permit pursuant to this Title.

Discussion: As discussed above, the use is specifically permitted by Section 17.14.220 of the Zoning Ordinance, Bed and Breakfast Inns.

ENVIRONMENTAL REVIEW

This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301 and 15303 of the CEQA Guidelines. As conditioned the project is consistent with the residential development standards of the RE-10 Zone District for the existing and proposed structures which require only ministerial permits. The use as a Bed and Breakfast is by ordinance an expanded home occupation. Pursuant to Resolution No. 240-93, a \$50.⁰⁰ processing fee is required by the County Recorder to file the Notice of Exemption.

SUPPORT INFORMATION

Attachments To Staff Report:

Attachment 1	Conditions of Approval
Attachment 2	Findings
Exhibit A	Vicinity Map
Exhibit B	General Plan Land Use Map
Exhibit C	Zoning Map
Exhibit D	Bed and Breakfast Ordinance 17.14.220
Exhibit E	Applicant's Project Plan Overview
Exhibit F	Site Plan
Exhibit G	Sign Elevation
Exhibit H1-3	Primary Residence Floor Plans
Exhibit I1-2	Second Residence Floor Plans
Exhibit J1-2	Primary and Second Residence Elevations
Exhibit K	Guest Activity Building Floor Plan and Elevations
Exhibit L	Parking Plan
Exhibit M	Conceptual Tree Canopy/Parking Detail

ATTACHMENT 1

CONDITIONS OF APPROVAL

File Number S07 – 0027/ Eden Vale Inn
December 11, 2008 Planning Commission Hearing

Planning Services

1. This special use permit approval is based upon and limited to compliance with the approved project description, the Planning Commission exhibits marked F-M, dated December 11, 2008, and Conditions of Approval set forth below. 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 project description is as follows:

Request for a special use permit for a Bed and Breakfast Inn with 11 guest rooms as follows.

- a. Guest rooms are to be contained in the following structures; five guest rooms in the 5,599 square foot primary residence, four guest rooms in the 1,200 square foot second residence, and two guestrooms in the 400 square foot guest house. A commercial kitchen may be added to the main residence but shall have a separate entrance consistent with Environmental Health requirements.
- b. A 2,308 square foot guest activity/special events building with bathrooms. The building shall be limited to use for guest activities and special events only.
- c. A total of 18 special events per year with 12 limited to 50 people and 6 limited to 125 people.
- d. A maximum of three to five employees shall be retained for innkeeping, cleaning, and cooking.
- e. 13 gravel parking spaces and 3 paved ADA accessible spaces. 60 unimproved spaces shall be provided for special events.
- f. A 3 foot by 2 foot non-internally illuminated sign. Said sign shall be down illuminated only.
- g. Use of an existing outdoor kitchen for special event use only.

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.

2. All site improvements shall conform to Exhibits F-J. All structures shall be consistent with the developments standards of the RE-10 zone district, Chapter 17.70, and Chapter 17.15, Second Residential Units on Single-Family Lots.
3. No amplified outdoor sound systems shall be used at the project site without a revision to this special use permit or a temporary use permit is obtained. Noise levels during special events shall not exceed the levels specified in Table 6-2 of the General Plan.
4. Outdoor special events shall end prior to 10 p.m.
5. If the site will serve at least 25 individuals daily at least 60 days out of the year a permit for a Public Water System shall be obtained. A letter from Environmental Management shall be submitted to Planning Services stating that all necessary permits have been obtained and approved.
6. The applicant shall obtain a business license prior to initiation of the use.
7. All outdoor lighting shall conform to §17.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. In addition, the following apply:
 - a. External lights used to illuminate a sign shall be shielded and directed downward in order to prevent light from shining on to the adjacent roadway.

Should final, installed lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.

8. Prior to issuance of certificate of occupancy of a building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval by phase and in accordance with county, State, and Federal law. The applicant shall also schedule an inspection by Planning Services prior to occupancy/issuance of a building permit or commencement of any use for verification of compliance with applicable conditions of approval.

9. 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, as provided in Section 66474.9(b) of the California Government Code.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or processing 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 variance, which action is brought within the time period provided for in Section 66499.37 of the California Government Code.

County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.

El Dorado County Department of Transportation

10. Gates: Pursuant to Article 2, Section 1273.11 of the SRA Fire Safe Regulations, All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. Additionally, gate entrances shall be at least two feet wider than the width of the traffic lane(s) serving that gate. This shall apply to the proposed main gate.
11. Second Access Point: The secondary access shall be gated and not used by the general public due to unsafe sight distance at the encroachment onto Springvale Road. However, this access may continue to be used by the landowner and emergency personnel.
12. Traffic Control: The applicant shall provide a Traffic Control and Parking Management Plan that indicates all measures to be used during special events. This plan shall include at a minimum:
 - a. Site Plan showing vehicular and pedestrian ingress/egress points and circulation of the events.
 - b. Name and contact information for person in charge of traffic control and parking responsible for responding to complaints on the days of the events.
 - c. Location of all traffic control personnel on a site plan or vicinity map.
 - d. Location of all traffic control and directional signs on a site plan or vicinity map.
 - e. Location of all parking lots, parking capacity of each, and the sequence of use.
 - f. Location of all shuttle stops and the proposed shuttle routes. (if applicable)
 - g. Emergency access ways.

This Traffic Control and Parking Management Plan shall be submitted to DOT for review and approval prior to issuance of the special use permit.

13. Construction Hours: Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
14. DISM Consistency: The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to initiation of the use.
15. Grading Permit / Plan: If more than 50 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “Design and Improvement Standards Manual”, the “Grading, Erosion and Sediment Control Ordinance”, the “Drainage Manual”, the “Off-Street Parking and Loading Ordinance”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of the Building Department prior to occupancy clearance.
16. Grading Plan Review: Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
17. RCD Coordination: The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
18. Soils Report: At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation. Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum,

grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.

19. NPDES Permit: At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
20. TIM Fees: The applicant shall pay the traffic impact fees in effect at the time a building permit is deemed complete

El Dorado County Department of Environmental Health

21. This project will be constructed in phases. The existing septic system is currently being utilized for the primary residence, the 1st floor guest rooms and the second guest house. Additional septic system construction permitting will be required when additional building permits are obtained.
22. Bed and Breakfast Inn establishments under the California Retail Food Code (CAL CODE), Section 113893, Restricted Food Service Facility, requires that you obtain and maintain an Annual Food Facility Operating Permit issued by Environmental Health prior to operating the Bed and Breakfast. Also, because this establishment is served by well water, periodic water testing will be required under CAL CODE requirements and includes a permit to operate a Food Facility Water System.
23. All refuse collection/storage areas (enclosures) shall include room for both trash and recycling dumpsters. The enclosures shall be accessible to service trucks.

Rescue Fire Protection District

24. Buildings A and B shall be sprinkled, Buildings D and E may be required to be fire sprinkled and alarmed in accordance with N.F.P.A. and Fire Department standards. Two sets of engineered stamped fire sprinkler and alarm plans shall be submitted for review and approval by the Fire Department prior to construction.
25. With the lack of domestic water for fire protection, the Rescue Fire Department will allow a private hydrant system. The hydrant system shall be submitted for review and approval by the Fire District. A maintenance contract will be required with the private hydrant system.

Two hydrants may be required; the location of the fire hydrants shall be determined by the fire Department.

Prior to guest occupancy, documentation from a licensed engineer shall be provided to the Fire District by the applicant to demonstrate that the systems will meet the required fire flows.

26. The emergency entrance shall be 20 feet and provide an unobstructed vertical clearance of 15 feet along the entire length of the roadway and be capable of supporting a 40,000 pound load. Electric gates must comply with the Rescue Fire District standard. NO PARKING and FIRE LANE shall be posted on both sides of the emergency entrance gate. A Knox lock may be required if a gate is locked.
27. The main driveway shall provide a permanently maintained unobstructed horizontal clearance of 12 feet and an unobstructed vertical clearance of 14 feet 6 inches along the entire length of the roadway and be capable of supporting a 40,000 pound load. When buildings D and E are built the main driveway will require some turning radius adjustments.
28. The Rescue Fire District reserves the right to make amendments to the prior mentioned requirements, as deemed necessary and as conditions warrant. These conditions are time sensitive and are subject to change in the future, based on changes in technology and fire codes.

ATTACHMENT 2 FINDINGS

File Number S07 – 0027/ Eden Vale Inn
December 11, 2008 Planning Commission Hearing

1.0 CEQA Finding

- 1.1** This project has been found to be Categorical Exempt from the requirements of CEQA pursuant to Section 15301 and 15303 of the CEQA Guidelines. As conditioned the project is consistent with the residential development standards of the RE-10 Zone District for the existing and proposed structures which require only ministerial permits. The use as a Bed and Breakfast Inn is by ordinance an expanded home occupation.
- 1.2** The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department, Planning Services Division at 2850 Fairlane Court, Placerville, CA.

2.0 SPECIAL USE PERMIT FINDINGS

2.1 The issuance of the permit is consistent with the General Plan;

The proposed project has been analyzed for consistency with General Plan Policies 2.2.5.20 (General Plan Consistency Compliance), 7.1.2.1 (Soil Conservation), 7.3.3.4 (Conservation of Water Resources), 7.4.4.4 (Oak Woodland Resources), 10.1.7.4 (Home Occupations), and TC-Xe/TC-Xf (traffic Impacts) The proposed project, as conditioned, is consistent with these policies and consistent with the General Plan Land Use Designation of Rural Residential which allows for Bed and Breakfast Inns with a special use permit.

2.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood;

The proposed Bed and Breakfast Inn will comply, as conditioned, with the Development Standards of the RE-10 zone district. The proposed Special Use Permit, as conditioned, has been found to comply with the requirements of Chapter 17.22, Special Use Permits, and 17.14.220, Bed and Breakfast Inns, and the proposed use is not considered detrimental to the public health, safety and welfare, nor injurious to the neighborhood, based on the conclusions contained in the staff report.

2.3 The proposed use is specifically permitted by special use permit pursuant to this Title.

The proposed use, as conditioned, is specifically permitted by special use permit in a residential zone district pursuant to 17.14.220, Bed and Breakfast Inns, of the El Dorado County Code.

3.0 ADMINISTRATIVE FINDINGS

- 3.1 The proposed use, as conditioned, conforms to the Zoning Ordinance because the project meets all development standards for a Bed and Breakfast Inn in the RE-10 Zone District (17.70.110) and Second Residents on a Single Family Lot (17.15).