

ATTACHMENT 1 **CONDITIONS OF APPROVAL**

FILE NUMBER S07-0020

I. PROJECT DESCRIPTION

1. This special use permit is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits E and F, dated ~~January 8~~ April 23, 2009, 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:

Special use permit (SUP) to authorize an automotive service and repair facility, one single wide trailer, two duplexes (each with two units), six storage buildings, ~~four~~ one cargo containers, existing vacant café/bar, and a 12-foot tall sign with 32 square feet of display area advertising automotive service and repair facility. No grading or construction is proposed for the project. Domestic water will be supplied by an existing well and sewage disposal will be provided by existing septic facilities.

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 (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

II. PROJECT CONDITIONS OF APPROVAL

Planning Services

2. 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 Government Code.

The applicant 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 the project, which action is brought within the time period provided for in Section 66499.37.

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

3. Within ~~60~~ 120 days from the date of SUP approval, the applicant shall provide a written description, together with appropriate documentation, demonstrating conformance of the project with each condition imposed as part of the project approval. The applicant shall also schedule an inspection by Planning Services staff within ~~60~~ 120 days from the date of SUP approval for verification of compliance with applicable conditions of approval.
4. Within ~~60~~ 120 days from the date of SUP approval, an additional ~~24~~ 12 parking spaces shall be developed in compliance with Exhibit E. A total of ~~29~~ 20 off-street parking spaces shall be provided at all times while the automotive service and repair facility is in operation pursuant to 17.18.060 of the Zoning Ordinance. All on-site parking shall meet the parking lot design standards contained in Chapter 17.18 of the County Code. Prior to occupancy of the existing vacant café/bar or conversion of such use to another permitted use within the Commercial zone district, a Special Use Permit revision application shall be submitted to allow for further analysis of site parking requirements. If the applicant elects to utilize only one service bay and 547 square feet of the automotive building, a total of 13 off-street parking spaces shall be provided requiring the provision of an additional five parking spaces.

<u>Uses</u>	<u>Required Parking</u>
<ul style="list-style-type: none"> • Two duplexes (each with two units) • 547 square foot automotive service and repair facility (one service bay) • 2,750 square foot existing vacant Café/bar (approximately 25 fixed seats) 	<p>Eight unpaved spaces near the duplex units 5 spaces</p> <p>Parking requirements to be determined upon submittal of SUP revision application prior to occupancy as commercial use</p>

5. The Parking Lot Landscaping and Buffering Standards (Section 17.18.090, El Dorado County Zoning Ordinance) shall be incorporated into the site plan and final landscape plan and be approved by Planning Services within ~~60~~ 120 days from the date of SUP approval. The applicant shall submit a final landscape plan within ~~60~~ 120 days from the date of SUP approval which will be reviewed by planning staff at that time. Additionally, staff will make an on-site inspection to verify that the landscaping has been planted in compliance with the final landscape plan. Landscaping shall be planted within four months of final approval. All landscaping shall be maintained for the life of the project.
6. Trash containers for both residential and commercial uses are to be kept within the garage except for pick-up days or fully screened from public view by fencing and/or landscaping. The outside storage yard area is considered to be an appropriate location for a trash enclosure.

7. Within ~~60~~ 120 days from the date of SUP approval, all outdoor lighting shall conform to Section 17.14.170 of the County Code and be fully shielded pursuant to the Illumination Engineering Society of North America (IESNA) full cut-off designation, as determined by Planning Services.
8. Within ~~60~~ 120 days from the date of SUP approval, the two lift pads shown on the site plan shall be fully enclosed within a building or removed. Construction of an additional structure to enclose the lift pads may be approved by staff provided that the proposed structure(s) matches the existing automotive service building. All storage yards, water storage tanks, and automotive equipment shall be fully screened with fencing (wooden or chain link with brown slats) within ~~60~~ 120 days from the date of SUP approval as well. Within ~~60~~ 120 days from SUP approval, an updated site plan shall be submitted to Planning Services indicating the revised location of the water storage tank.
9. All unauthorized uses, such as the former service station, ~~four~~ three cargo containers and, trash shall be removed within ~~60~~ 120 days from the date of SUP approval.
10. The Pollock Pines Design Review Committee shall review and comment on the finalized sign design within ~~60~~ 120 days from the date of SUP approval.
11. Within ~~60~~ 120 days from the date of SUP approval, the applicant shall pay all Development Services fees.
12. All building code violations shall be addressed to the satisfaction of Code Enforcement no later than ~~60~~ 120 days from the date of S07-0020 final approval. Occupancy as an automotive service and repair facility is prohibited until this condition has been satisfied.
13. All abandoned vehicles at the site shall be abated to the satisfaction of the Sheriff's Department no later than ~~60~~ 120 days from the date of S07-0020 final approval. Occupancy as an automotive service and repair facility is prohibited until this condition has been satisfied.

Department of Transportation

14. The applicant shall not store vehicles or any other equipment associated with this special use permit within the County right-of-way.

El Dorado County Fire Protection District

15. A site inspection/review fee of \$150.00 shall be submitted to the El Dorado County Fire Protection District (EDCFPD) within ~~60~~ 120 days from the date of SUP approval.
16. Within ~~60~~ 120 days from the date of SUP approval, plans for the installation of an NFPA 72 fire alarm system for all floors and attic of the auto repair building shall be submitted to EDCFPD for review and approval.

17. Within ~~60~~ 120 days from the date of SUP approval, a 5,000 gallon water storage tank shall be installed to the satisfaction of the EDCFPD.
18. Within ~~60~~ 120 days from the date of SUP approval, the applicant shall submit building floor plans addressing all exiting and occupancy separation building code issues to the EDCFPD for review and approval.
19. Within ~~60~~ 120 days from the date of SUP approval, all fire extinguishers shall be replaced or serviced.
20. ~~All stored batteries shall be removed within 60 days from the date of SUP approval. All waste batteries shall be disposed of in accordance with Fire District regulations. No waste batteries shall be stored on site.~~
21. A knox box for the garage shall be installed to the satisfaction of the EDCFPD within ~~60~~ 120 days from the date of SUP approval.
22. A fire safe management plan, acceptable to the EDC FPD and CAL Fire, shall be prepared and implemented. A letter of compliance with this condition shall be submitted by the EDCFPD and CAL Fire to Planning Services within ~~60~~ 120 days from the date of SUP approval.