



**COUNTY OF EL DORADO
PLANNING AND BUILDING DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**

Date: August 19, 2026

Staff: Lela Shelley

CONDITIONAL USE PERMIT

FILE NUMBER: CUP25-0017/Pollock Pines Sidewalk Sale

APPLICANT/AGENT: Joey Deleon (Pearl Road Products)

OWNER: Dean Valencia

REQUEST: Conditional Use Permit to allow daily operation of outdoor retail sales, with portable planters as an alternative landscape plan.

LOCATION: Located on the north side of Pony Express Trail, approximately 100 feet northwest of the intersection with North Street, in the Pollock Pines area (Exhibit A).

SUPERVISOR DISTRICT: 5

APN: 101-261-028 (Exhibit B)

ACREAGE: 0.12 acres

GENERAL PLAN: Commercial (C) (Exhibit C)

ZONING: Commercial Limited - Design Control (CL-DC) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines (Existing Facilities).

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Find Conditional Use Permit CUP25-0017 Exempt under Section 15301 of the CEQA Guidelines; and
2. Approve Conditional Use Permit CUP25-0017, based on the Findings and subject to the Conditions of Approval as presented.

REGULATORY AUTHORITY

The project is the result of an open code enforcement case for unpermitted outdoor retail sales. El Dorado County Zoning Ordinance (Zoning Ordinance) Section 130.67.050 (Code Enforcement – Subsequent Permits) states that where a structure or use of a lot is not in compliance with the provisions of Title 130, a permit may only be issued when such permit would bring the illegal structure or use into compliance. Approval of Conditional Use Permit (CUP) CUP25-0017 would enable the use to be considered in compliance with the continued operation of outdoor retail sales.

Operation of indoor retail is allowed by right in the CL zone, and outdoor retail sales are allowed with the issuance of a CUP. According to Zoning Ordinance Section. 130.52.021 (B), the Zoning Administrator or the Commission shall have the review authority of the original jurisdiction for CUP applications. The Zoning Administrator was determined to be the appropriate review authority based on the nature and complexity of this application and the policy issues raised by the project.

PROJECT DESCRIPTION

A CUP request for continuation of the daily operation of outdoor retail sales within the existing front paved area to include temporary folding tables and portable planters that are moved to an indoor location each evening. No exterior alterations or additions to the existing building are proposed with this CUP.

BACKGROUND/HISTORY

The project parcel is developed for commercial use and includes an existing building of approximately 2,000 square feet, which was built in the 1940's. The existing parking lot has asphalt paving and is surrounded by mature pine trees native to the area. Two (2) large trash dumpsters are provided for waste pickup. Project applicants have a parking agreement with neighboring parcel owners for the neighboring church, across North Street, to allow use of their parking lot for sidewalk sale customer parking. The existing parking spaces at the church are abundant and comply with parking requirements for the church.

EXISTING CONDITIONS/SITE CHARACTERISTICS

The project site is located on the north side of Pony Express Trail, approximately 100 feet northwest of the intersection with North Street, within the Pollock Pines Rural Center. The parcel is zoned CL-DC and carries a General Plan designation of Commercial (C).

Surrounding properties to the north and west are also zoned CL-DC. The parcel to the east is zoned Commercial Community-Design Control (CC-DC) which includes the church, with a transportation corridor to the south for Pony Express Trail. Multi-Residential zoned parcels are across the road to the south.

STAFF ANALYSIS

General Plan Consistency: The project is consistent with all applicable General Plan policies including policies as discussed in Section 2.0 of the Findings section below.

Zoning Ordinance Consistency: Staff has determined that the proposed project, as conditioned, is consistent with all applicable standards and requirements of Title 130 of the Zoning Ordinance. The project has been analyzed in accordance with all applicable development standards for the CL-DC zone district. Further details are discussed in the Findings section.

AGENCY COMMENTS:

The request for a CUP was distributed for review to affected departments and agencies including, but not limited to, the El Dorado County Building Division, El Dorado County Environmental Management Department (EMD), El Dorado County Department of Transportation (DOT), El Dorado County Air Quality Management District (AQMD), El Dorado County Surveyor's Office, El Dorado Irrigation District (EID), Pacific Gas and Electric (PG&E), and the El Dorado County Fire Protection District (EDCFPD). Agency comments have been included in the Conditions of Approval. The Pollock Pines Design Review Committee opted not to meet regarding this project, as no development is proposed as part of this project.

ENVIRONMENTAL REVIEW:

This project is Categorically Exempt from the requirements of CEQA pursuant to Section 15301 (Existing Facilities, Class 1). This Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing of former use. No further environmental analysis is necessary. The proposed operation of outdoor retail sales will be carried out within an existing paved parking lot.

Filing of a Notice of Exemption is required in accordance with CEQA Guidelines Section 15062(d) to initiate a 35-day statute of limitations on legal challenges to the County's decision that the project is exempt from CEQA. The applicant shall submit a \$50.00 recording fee to the Planning Division for the County Recorder to file the Notice of Exemption. If the fee is not received and the notice is not filed, an 180-day statute of limitations will apply.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings
Conditions of Approval
Exhibit A.....Vicinity Map
Exhibit BAssessor’s Parcel Map
Exhibit CLand Use Designation Map
Exhibit D.....Zoning Map
Exhibit ESite Plan

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FINDINGS

Conditional Use Permit CUP25-0017/Pollock Pines Sidewalk Sale Zoning Administrator/August 19, 2026

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the Staff Report and evidence in the record, the following Findings can be made:

1.0 CEQA FINDINGS

- 1.1 Conditional Use Permit (CUP) CUP25-0017 has been found Categorically Exempt pursuant to Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines. The proposed outdoor retail sales involve negligible or no expansion of an existing or former use. Furthermore, the project does not qualify for any of the exceptions to the Categorical Exemptions found in CEQA Guidelines Section 15300.2.

Exception (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The exception does not apply to Class 1 exemptions; therefore, this exception does not apply.

Exception (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The proposed project does not anticipate further development. Therefore, this exception does not apply.

Exception (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. There are no unusual circumstances at the location of this proposed project; therefore, this exception does not apply.

Exception (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to

improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR). The proposed project is not within a scenic highway corridor; therefore, this exception does not apply.

Exception (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The proposed project is not located on a hazardous waste site; therefore, this exception does not apply.

Exception (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The location of the proposed project on the subject site does not include historical resources. Therefore, this exception does not apply.

- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in custody of the Planning and Building Department, Planning Division at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

2.1 The proposed use is consistent with General Plan Policy 2.1.2.3.

To meet the commercial and service needs of the residents of the Rural Centers and Rural Regions, the predominant land use type within Rural Center shall be commercial and higher density residential development.

Rationale: Operation of the sidewalk sales provides a convenient shopping opportunity for nearby residents. This outdoor commercial retail is consistent with this policy with the issuance of this CUP.

2.2 The project is consistent with General Plan Policy 2.2.1.2.

The purpose of the land use designation Commercial (C) is to provide a full range of commercial retail, office, and service uses to serve the residents, businesses, and visitors of El Dorado County.

Rationale: Indoor retail is allowed by right, and issuance of this CUP would allow outdoor retail during daylight hours to serve the residents, businesses, and

visitors to the Pollock Pines Rural Center; therefore, the project is consistent with this policy.

2.3 The project is consistent with General Plan Policy 2.2.5.2.

General Plan Policy 2.2.5.2 requires that all applications for discretionary projects or permits shall be reviewed to determine consistency with the policies of the General Plan.

Rationale: Staff has prepared this section on General Plan findings to document the project's consistency with the policies of the General Plan.

2.4 The project is consistent with General Plan Policy 2.2.5.18.

General Plan Policy 2.2.5.18 requires standards in the form of setbacks and other requirements to be added to the Zoning Ordinance to buffer incompatible uses (e.g., commercial adjacent to residential)

Rationale: The tables and outdoor retail materials will be completely cleaned up and put away each evening; therefore, the temporary nature of this project proposal is consistent with this policy.

2.5 The project is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that development projects be located and designed in a manner that avoids incompatibility with adjoining land uses that are permitted by the policies in effect at the time the development project is proposed. Development projects that are potentially incompatible with existing adjoining uses shall be designed in a manner that avoids incompatibility or shall be located on a different site.

Rationale: The project site exists and is fully developed. The sidewalk sales will occur within the existing paved parking lot. The addition of planter boxes and protective fencing reduces potential conflicts with adjoining properties. Approval of this CUP application would allow the retail sales to be conducted outside on an ongoing basis. Therefore, the project has been located and designed to be compatible with adjoining land uses.

2.6 The project is consistent with General Plan Policy 5.1.2.1.

General Plan Policy 5.1.2.1 requires determination of the adequacy of the public services and utilities to be impacted by that development.

Rationale: The project was distributed to the El Dorado County Department of Transportation (DOT), Pacific Gas and Electric (PG&E), El Dorado Irrigation District (EID), and El Dorado County Fire Protection District (EDCFPD) for review. No issues or concerns were raised regarding the adequacy of public services and utilities to serve this project. Therefore, this project is consistent with this policy.

2.7 The project is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.

Rationale: The proposed project is located on a parcel that is fully developed. The site is currently served by EDCFPD for fire protection and EID for water service. No issues or concerns were raised regarding the adequacy of public services and utilities to serve this project. No substantial changes are anticipated with regard to the demand for potable or emergency water by this project. Therefore, the proposed project is consistent with this policy.

2.8 The project is consistent with General Plan Policy 5.7.2.1.

General Plan Policy 5.7.2.1 (Fire Protection in Rural Regions and Rural Centers) requires the responsible fire protection district to review the application and determine the ability to provide protection services.

Rationale: EDCFPD currently provides fire protection service to the project site. There will be no changes to the current site water supply associated with this project. EDCFPD reviewed the proposal and provided conditions that have been incorporated into the project. Therefore, the site will remain in compliance with this policy.

2.9 The project is consistent with General Plan Policy 6.2.3.2.

General Plan Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.

Rationale: The project was distributed to DOT and EDCFPD for review. No issues or concerns were raised regarding the adequacy of site access, and conditions have been incorporated into the project. There will be no changes to site access. Therefore, the project is consistent with this policy.

2.11 The project is consistent with General Plan Policy 7.4.4.4.

General Plan Policy 7.4.4.4 requires all new non-exempt development projects that would result in impacts to oak resources must adhere to the standards of the Oak Resources Management Plan (ORMP).

Rationale: No oak trees are proposed to be removed as part of the proposed project. Therefore, the project is consistent with this policy.

2.12 The project is consistent with General Plan Policy TC-Xa.

Traffic from residential development projects of five (5) or more units or parcels of land shall not result in, or worsen, Level of Service (LOS) F (gridlock, stop-and-go) traffic congestions during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.

Rationale: The project will not create residential units; therefore, this policy does not apply.

The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at LOS F without first getting the voter's approval.

Rationale: This is not applicable as the project is not requesting any modifications to Table TC-2.

The County shall not create an Infrastructure Financing District unless allowed by a 2/3rds majority vote of the people within that district.

Rationale: This is not applicable as the project is not requesting the County create an Infrastructure Financing District.

Before giving approval of any kind to a residential development project of five (5) or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project in order to protect the public's health and safety as provided by state law to assure that safe and adequate roads and highways are in place as such development occurs.

Rationale: The project will not create units or parcels of land for residential development.

2.13 The project is consistent with General Plan Policy TC-Xb.

Policy TC-Xb ensures that potential development in the County does not exceed available roadway capacity.

Rationale: This policy is not applicable as this policy refers to the County preparing a Capital Improvement Program (CIP), preparing a Traffic Impact Fee (TIF) Program, and monitoring traffic volumes.

2.14 The project is consistent with General Plan Policy TC-Xc.

Policy TC-Xc directs that developer-paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development.

Rationale: This policy is not applicable as this policy directs how the County will pay for building the necessary road capacity.

2.15 The project is consistent with General Plan Policy TC-Xd.

LOS for County-maintained roads and state highways within the unincorporated areas of the County shall not be worse than LOS E in the Community Regions or LOS D in the Rural Centers and Rural Regions except as specified in Table TC-2. The volume to capacity ratio of the roadway segments listed in Table TC-2 shall not exceed the ratio specified in that table. LOS will be as defined in the latest edition of the Highway Capacity Manual (Transportation Research Board, National Research Council) and calculated using the methodologies contained in that manual. Analysis periods shall be based on the

professional judgement of the DOT which shall consider periods including, but not limited to, Weekday Average Daily Traffic (ADT), AM Peak Hour, and PM Peak hour traffic volumes.”

Rationale: The project is within the Pollock Pines Rural Center and will not worsen, as defined in General Plan Policy TC-Xe, LOS for any County-maintained road or State highway.

2.16 The project is consistent with General Plan Policy TC-Xe.

For the purposes of this Transportation and Circulation Element, “worsen” is defined as any of the following number of project trips using a road facility at the time of issuance of a use and occupancy permit for the development project:

- A. A two-percent increase in traffic during the a.m. peak hour, p.m. peak hour, or daily, or
- B. The addition of 100 or more daily trips, or
- C. The addition of ten or more trips during the a.m. peak hour or the p.m. peak hour.

Rationale: The project as proposed would not worsen traffic operations and is therefore consistent with this policy. This project will generate fewer than ten-trips during the AM and PM peak hours, and fewer than 100-daily-trips. The project as proposed would not worsen traffic operations and is therefore consistent with this policy.

2.17 The project is consistent with General Plan Policy TC-Xf

At the time of approval of a tentative map for a single family residential subdivision of five (5) or more parcels that worsens (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to maintain or attain LOS standards detailed in this Transportation and Circulation Element based on existing traffic plus traffic generated from the development plus forecasted traffic growth at ten-years from project submittal; or (2) ensure the commencement of construction of the necessary road improvements are included in the County’s 10-year CIP.

For all other discretionary projects that worsen (defined as a project that triggers Policy TC-Xe [A] or [B] or [C]) traffic on the County road system, the County shall do one of the following: (1) condition the project to construct all road improvements necessary to

maintain or attain LOS standards detailed in this Transportation and Circulation Element; or (2) ensure the construction of the necessary road improvements are included in the County's 20-year CIP.

Rationale: The project will not create five (5) or more residential units and will not result in LOS worse than LOS E as described in TC-Xd.

2.18 The project is consistent with General Plan Policy TC-Xg.

Each development project shall dedicate right-of-way, design and construct or fund any improvements necessary to mitigate the effects of traffic from the project. The County shall require an analysis of impacts of traffic from the development project, including impacts from truck traffic, and require dedication of needed right-of-way and construction of road facilities as a condition of the development. This policy shall remain in effect indefinitely unless amended by voters.

Rationale: The project, as proposed, would not worsen traffic conditions.

2.19 The project is consistent with General Plan Policy TC-Xh.

All subdivisions shall be conditioned to pay the traffic impact fees in effect at the time a building permit is issued for any parcel created by the subdivision

Rationale: This project does not create a subdivision. Therefore, this policy does not apply.

2.20 The project is consistent with General Plan Policy TC-Xi.

General Plan TC-Xi directs the County to coordinate and work with other agencies to plan for the widening of U.S. Highway 50.

Rationale: This policy is not applicable to the project as it is direction to the County to coordinate with other agencies, and the project does not include any U.S. Highway 50 capacity enhancements.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Chapter 130.22, Commercial Zones.

The proposed project site is located within the Commercial Limited (CL) zoning designation.

Rationale: Table 130.22.020 specifies that establishing and operating outdoor retail sales in the CL zone shall be permitted through issuance of a CUP. Although indoor retail sales are allowed by right, this project proposes operation of outdoor sidewalk sales, thus necessitating the need for a CUP. This application fulfills the requirements of Title 130.22

3.2 The proposed use is consistent with Title 130.40.220 B (1-5).

The project has been reviewed in accordance with section 130.40.220 B (1-5) of the County Zoning Ordinance, Permanent Outdoor Retail Sales. Outdoor Retail Sales such as can be conducted subject to certain standards listed 1-5 within this section.

Rationale: Sales will be conducted distinctly and separate from parking and loading areas, walkways and landscaping. The sales area has been included when reviewing parking requirements under Zoning Ordinance Section 130.35.030 (Parking and Loading). There is no lighting or signage proposed with this project, and a landscape alternative has been proposed due to the parking lot being paved already. The proposed landscape alternative will help screen the sales area, although no residential zone parcels are adjacent to the sides and rear property lines. The surface of the sales area exists as concrete and paving to maintain a dust free condition. The project is consistent with this section.

3.3 The project is consistent with 130.35 Off-street parking and loading.

Section 130.35 of the Zoning Ordinance establishes off-street parking and loading requirements for commercial developments.

Rationale: The submitted site plan demonstrates compliance with the County's Parking and Loading requirements. There are two (2) existing asphalt parking stalls adjacent to the existing commercial building. The project applicants have

an agreement with the neighboring parcel owner of the adjacent church to allow use of their parking lot for sidewalk sale customer parking.

3.4 The project is consistent with Chapter 130.33 Landscaping Standards.

Landscaping standards are provided in Chapter 130.33 and in the Community Design Standards-Landscaping and Irrigation Manual. 1.5(D) of the Community Design Standards-Landscaping and Irrigation Manual allows an alternative landscape plan to be considered when unique circumstances apply to the site that make compliance with the standards of this Chapter infeasible. Consideration shall be given to adjacent land uses, the nature of the change, existing site conditions, and the suitability of the proposed alternative. The review authority must find that the alternative provides comparable buffering and shading and otherwise meets the intent of the Community Design Guidelines and Standards and Landscaping and Irrigation Standards.

Rationale: The entire proposed sales area is comprised of existing asphalt paving; therefore, the request for alternative landscaping includes rolling planter boxes that will be moved indoors each evening, along with the tables and sales items. There are multiple large trees in the area that provide shade to the space, so the rolling planter boxes will provide some screening and act as a safety barrier from the road(s).

4.0 DESIGN REVIEW FINDINGS

4.1 Design Review – Community Combining Zone (DC)

The project site is within a Design Review-Community (DC) Combining Zone. This project is exempt from the design review process since no development is being proposed and there are no exterior changes proposed to the existing structure.

5.0 CONDITIONAL USE PERMIT FINDINGS

5.1 The issuance of the permit is consistent with the General Plan.

Rationale: The proposed use is consistent with the policies and requirements of the General Plan as discussed in the General Plan section of the Staff Report. The proposed use is consistent with all applicable policies as set forth in Finding 2.0 above.

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

Rationale: This project was distributed to EDCFPD and the El Dorado County Emergency Medical Services for review. As conditioned, the project is not anticipated to result in effects that would be detrimental to the public health, safety and welfare, or injurious to the neighborhood.

5.3 The proposed use is specifically permitted by Conditional Use Permit.

Rationale: The proposed outdoor retail sales use is specifically allowed in the CL zone with approval of a CUP.

CONDITIONS OF APPROVAL

Conditional Use Permit CUP25-0017/Pollock Pines Sidewalk Sale Zoning Administrator/August 19, 2026

Planning Division

1. This Conditional Use Permit (CUP) is based upon and limited to compliance with the project description, project exhibit labeled Exhibit E, and Conditions of Approval set forth below:

Exhibit ESite Plan

The project description is as follows:

The proposed project includes a CUP request for continuation of the daily operation of outdoor retail sales within the existing front paved area to include temporary folding tables and portable planters that are moved to an indoor location each evening. The existing commercial building will retain its original structure and will house the tables and products for sale inside each night.

The alternative to the landscaping design standards consists of portable planters on wheels (minimum of 10) to be placed within the allowed use area consistent with Department of Transportation obstruction permit. No signs, parking, or exterior lighting are being proposed as part of this project. Additionally, no ground disturbing activities, including grading or tree removal, are requested as part of this project.

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.

Any 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. **Permit Implementation:** Pursuant to Zoning Ordinance Section 130.54.060.A, implementation of the project shall occur within 24 months of approval of this permit, otherwise the permit becomes null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with Conditions of Approval.
3. **Indemnity:** 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.

The developer and landowner 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 a CUP.

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

4. **Change in Ownership:** In the event of any change of ownership of the subject parcel or any change in primary or accessory use, it is the responsibility of the future property owners to ensure all changes are consistent with this CUP, the El Dorado County General Plan, Zoning Ordinance, and all applicable standards in place at such time.

El Dorado County Department of Transportation (DOT)

5. Prior to approval of the CUP, the applicant shall obtain an Obstruction Permit from DOT. The permit shall be valid for one (1) year. The applicant shall obtain an Obstruction Permit each year that they operate under this CUP.
6. The retail operation may encroach into the northerly 20 feet of the Pony Express Trail Right-of-Way.
7. The retail operation shall not encroach into the Right-of-Way of North Street.

El Dorado County Environmental Management Department (EMD)

8. Contact EMD in the future if sales operations expand into retail food sales. An annual health permit may or may not be required depending on the type of foods sold and square footage of area assigned to retail food sales.

El Dorado County Fire Protection District (EDCFPD)

9. All outdoor retail activities, including tables, displays, and merchandise, shall be arranged and operated to maintain unobstructed pedestrian circulation and emergency access within the parking area and along all required access routes.
10. A minimum 4-foot clear pedestrian path of travel shall be maintained within the parking area where pedestrian circulation is required, free of obstructions.
11. Fire apparatus access roads, fire lanes, drive aisles, required emergency access routes, and required access to adjacent properties, including the neighboring church, shall not be obstructed at any time by merchandise, tables, vehicles, or temporary fixtures.
12. Outdoor retail activities shall not reduce, obstruct, or interfere with required on-site parking spaces, fire access areas, or vehicle circulation.
13. Outdoor retail activities shall not obstruct or interfere with fire apparatus access, emergency vehicle circulation, occupant egress, or required exit pathways serving the neighboring church property.
14. All tables, displays, and merchandise shall be temporary in nature and shall be removed daily at the close of business.
15. Temporary canopies or tents 400 square feet or less, open on all sides, may be used without separate Fire Marshal review.
16. Any tent, canopy, or membrane structure exceeding 400 square feet, any tent with sidewalls, or any connected or combined tents treated as a single structure shall require separate review and approval by the Fire Marshal prior to installation.
17. Permanent or semi-permanent structures, including enclosed tents, fencing, enclosures, or storage units, are prohibited unless specifically reviewed and approved by the Fire Marshal.
18. No merchandise, equipment, or temporary structures shall be placed or stored in a manner that blocks exits, pedestrian circulation routes, emergency access routes, or access to adjacent properties.

19. Open flames, candles, fire pits, open-flame heaters, or fuel-fired appliances are prohibited as part of the outdoor retail operation.
20. Electrical equipment, if used, shall be listed and in good condition. Extension cords shall be approved for outdoor use and arranged to prevent tripping hazards and damage.
21. Combustible materials shall be arranged to prevent excessive accumulation and shall not be placed against buildings, electrical equipment, or ignition sources.
22. A minimum 2A:10B portable fire extinguisher shall be readily accessible during outdoor retail operations.
23. The business address shall remain clearly visible from the adjacent public roadway at all times.
24. This approval is limited to the use described. Any expansion or change in area, intensity, hours, layout, or configuration shall require EDCFPD review and approval.
25. Failure to maintain required fire access, parking, or life-safety clearances, including those serving the neighboring church property, may result in immediate suspension of outdoor retail operations until corrected.
26. All operations shall comply with the California Fire Code as adopted and locally amended.