

Conditions of Approval

Planning Services:

1. This Design Review approval is based upon and limited to compliance with the project description, the Conditions of Approval set forth below.

Any deviations from the project description, conditions, or exhibits shall 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 consists of the following:

- a. Re-facing of existing 2,209 square-foot restaurant building, including new siding, roofing, and other design details occurring throughout the shopping center, including aluminum storefront, terracotta colored brick, neutral painted wood elements, and red/red or gray/gray concrete tile or tile consistent with roofing materials used throughout the shopping center (Exhibits E, F) as depicted in exhibits.
- b. Signs on the north, south, east, and west-facing façades, not exceeding 50 square feet total, to include:
 - i. Front Entry Tower: 14.19-square-foot bell logo
 - ii. Right Side Entry Tower: 14.19-square-foot bell logo
 - iii. Rear Tower: 8.83-square foot bell logo; 10.65-square-foot Commercial Sign (Existing)
- c. Removal of approximately 96 square-feet of landscape area for the purpose of improving wheelchair access to the building and improving on-site pedestrian circulation.

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. The final project lighting plans shall be substantially consistent with Exhibits E-1 through F. All street lights and outdoor lighting shall conform to Chapter 130.34 and the Outdoor

Lighting Standards. Should 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 Development Services.

3. Landscaping shall substantially comply with the proposed landscape plan (Exhibit E-1) and the Landscaping and Irrigation Standards for drought tolerance, irrigation, water-efficiency, and maintenance.
4. In compliance with Section 130.22.250 of the Zoning Ordinance, implementation of the project must occur within 24 months of approval of this Design Review 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.
5. 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 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 subdivision, which action is brought within the time period provided for in Section 66499.37.

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

6. The construction plans for the Village Square Commercial Center shall comply with the architectural and site design elements as presented in this Design Review application (Exhibits-E-1 through F). The colors and materials selected for this project shall comply with those identified on Exhibit C- 1 and C- 2 (elevations approved DR91- 05, Exhibit H).
7. All roof-mounted mechanical equipment shall be screened from view by use of architecturally compatible screens, walls and other elements.
8. When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected surfaces shall be restored to match the adjacent portion of the structure. This requirement does not apply to routine maintenance.
9. All permanent signs shall be constructed of quality materials such as metal, concrete, natural stone, wood, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation

due to other elements. Signs shall be up-kept to maintain appearances as proposed and shall be maintained in good working order.

10. The person erecting a sign and the owner of the premises shall maintain any legally required clearance from communications, electric, and other public facilities. A sign may not be constructed, erected, installed, maintained, or repaired in any manner that conflicts with a rule, regulation, or order of the California Public Utilities Commission pertaining to the construction, operation, and maintenance of public utilities facilities.
11. As displayed on the site plan (Exhibit E-1), the applicant shall provide for a pedestrian circulation system within the project which includes walkways and crossings providing access to the buildings and to the public sidewalk in the El Dorado Hills Boulevard right-of-way, when constructed. Wherever possible, the pedestrian circulation system shall be a walkway which is separated from the roadways in the project.
12. A road improvement agreement or an encroachment permit will be required for all work in the public right-of-way.
13. A County grading permit is required for all site grading as may be required by the County Grading Ordinance. The grading permit shall include an erosion control plan, storm water drainage system design and grading/earth work plans.
14. Provisions shall be made for a bus turnout adjacent and/or near to the central commercial structure and will be exclusively signed for use of public transit when and if the appropriate transit authority determines a turnout is needed in this commercial center.
15. Concrete curb and gutters shall be required on all internal roadways.