

CONDITIONS OF APPROVAL

**Special Use Permit Revision S08-0025-R/Subaru Façade Remodel
Planning Commission/June 23, 2016**

Development Services Division - Planning Services

1. Special Use Permit S08-0025-R incorporates and supersedes S85-0047, DR91-0002, and S08-0025. The Special Use Permit Revision is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

- Exhibit G.....Site Plan, Sheet A1
- Exhibit H-1.....Proposed Elevations Color, Sheet A3
- Exhibit H-2.....Proposed Elevations, Sheet A3
- Exhibit ISign Plan
- Exhibit JColor and Materials Board
- Exhibit K.....Preliminary Grading Plan, Sheet C1

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 revision allowing a façade remodel of the existing Subaru dealership sales building, revision to existing building signage, a new monument sign, addition of a landscape planter, and minor parking lot improvements.

Existing on-site signage and proposed on-site and building signage shall be incorporated into this special use permit revision approval. The sign designs shall adhere to the approved sign plan (Exhibit I), approved elevations (Exhibits H-1 and H-2), and locations as shown on the Site Plan (Exhibit G). Project signage shall correspond to the table below:

<u>Sign</u>	<u>Elevation</u>	<u>Copy</u>	<u>Size (sf)</u>	<u>Height (ft)</u>
<u>Existing Pylon Sign</u>	<u>n/a</u>	<u>Subaru</u>	<u>90</u>	<u>25</u>
<u>N01</u>	<u>South</u>	<u>Subaru Logo</u>	<u>15.6</u>	<u>Wall Sign</u>
<u>N02</u>	<u>South</u>	<u>Subaru</u>	<u>34.2</u>	<u>Wall Sign</u>
<u>N03</u>	<u>South</u>	<u>Shingle Springs</u>	<u>14.2</u>	<u>Wall Sign</u>
<u>N04</u>	<u>East</u>	<u>Subaru Logo</u>	<u>5.03</u>	<u>Wall Sign</u>
<u>N05</u>	<u>East</u>	<u>Subaru</u>	<u>11.6</u>	<u>Wall Sign</u>
<u>N06</u>	<u>East</u>	<u>Service</u>	<u>15.5</u>	<u>Wall Sign</u>
<u>N09</u>	<u>Monument</u>	<u>Subaru Logo, Subaru</u>	<u>50.0</u>	<u>8</u>
<u>Existing Directional Signs</u>	<u>n/a</u>	<u>Directional Signage</u>	<u>8</u>	<u>4</u>
<u>Total Wall Signs</u>			<u>96.13</u>	

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. In Compliance with County Code Section 130.22.250, implementation of the project must occur within 24 months of approval of this special use 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. Prior to issuance 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.
4. The following shall be incorporated as a note on the grading/improvement plans:

In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding, and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.

If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “nonunique archeological resource”.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

5. The following shall be incorporated as a note on the grading/improvement plans:

In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

Planning Services shall verify the inclusion of this notation on the grading plans prior to the issuance of a grading permit.

6. 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 land owner 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 special use permit.

S08-0025

1. ~~This Special Use Permit is based upon and limited to compliance with the project description, Planning Commission hearing Exhibits E-G, dated March 26, 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:

~~This Special Use Permit shall allow a new free standing pole sign. The sign shall have The following dimensions:~~

Overall height: 25'9"	Pole width: 2'3"
Pole height: 17'2"	Sign width: 13'1"
Sign height: 7'5"	Sign size: 97 square feet

~~The sign shall read "Subaru" with the corporate logo above. The sign shall be internally illuminated and shall not include exposed LED lighting or moveable copy.~~

~~The existing on-site signage shall be incorporated into this Special Use Permit approval. Existing signage shall correspond to the table below:~~

Sign	Copy	Size (sf)	Height (ft)	Permit
A	Nissan	50sf	20ft	S04-15
B	Subaru	97	25ft 9in	S08-0025
C	Nissan	28sf	Wall sign	S88-14
D	Shingle Springs	As determined	Wall sign	By right
E & F	Directional Signs	12sf	4ft	By right
G	Directional Signs	4sf	4ft	By right
H	Parts	4sf	Wall sign	By right
I	Service	10sf	Wall sign	By right

~~Any additional signage or modification to existing signage shall require a revision to this Special Use Permit.~~

~~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 substantially 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 Plans) must be submitted for review and approval and shall be implemented as approved by the County. Minor modifications may be approved by the Development Services Director or designee; however major modifications shall constitute a revision to the Special Use Permit subject to review and approval by the Planning Commission.~~

- ~~2. The sign design shall adhere to the approved sign plan (Exhibit F) and located as shown on the Site Plan (Exhibit G). No other site modifications are approved as part of this Special Use Permit approval.~~
- ~~3. The existing Subaru monument sign shall be removed prior to installation of the new pole sign. The applicant shall make applications and pay appropriate fees for the removal of the existing sign prior to issuance of a building permit for the new pole sign.~~
- ~~4. Prior to issuance of any permits, the applicant shall pay all Development Service fees.~~
- ~~5. Prior to issuance 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. The applicant shall also schedule an inspection by Planning Services prior to issuance of a building permit for verification of compliance with applicable conditions of approval.~~
67. All signage shall conform to Chapter 130.16 of the County Zoning Ordinance. The applicant shall ensure ~~the sign~~ that all signage is properly maintained at all times. Any maintenance problems shall be addressed immediately.
- ~~7. The placement of the proposed sign shall not be placed in the existing right of way and shall not restrict sight distance along Wild Chaparral Drive.~~
- ~~8. 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 land owner 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 Special Use Permit.~~

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

~~DR91-02~~

- ~~1. Project shall meet the required fire flow, as established by the El Dorado County Fire Protection District.~~
- ~~2. Existing planter which connects to existing service bays shall be reduced by five feet in width, to provide and maintain a 20 foot access between existing service bays and proposed new service bays.~~
- ~~3. Requires "Knox Box" (key box) in accordance with El Dorado County Fire Protection District requirements.~~
- ~~4. Requires Building Permit from El Dorado County Building Division: (site plans, complete blueprints and soils report required).~~

~~S85-0047~~

- ~~1. The applicant shall secure permits from the El Dorado County Building and Environmental Health Divisions of the Community Development Department prior to construction.~~
- ~~2. The location of structures and uses shall conform with the approved site plan.~~
- ~~3. Any modifications of the site plan or uses shall be approved by the Zoning Administrator.~~
- ~~4. The use shall be started and diligently pursued within one (1) year from the date of approval of this special use permit or this permit shall be declared null and void.~~
58. The conditions imposed run with the use of the land and the conditions are binding on each owner.
- ~~6. This permit shall not become effective until the applicant processes a merger Parcel map through the County Surveyor per the "20 3/4" procedure of the Subdivision Map Act.~~
79. There shall be no automobile repair performed outside the structures identified for this purpose on the general site plan.
810. Noise levels attributable to the operation shall not exceed 60 dBA average Leq., measured at a point which is 50 feet from any residence in question in the direction of operations.

911. Upon receipt of a valid complaint, the operator of the automobile dealership shall reduce the volume of any intercom system to a level acceptable to the neighboring property owners. Should the neighboring property owners and the operator of the dealership not come to an agreement on an acceptable level, a noise monitoring program shall be conducted by an approved qualified person. If noise measurement results indicate that the noise level exceeds the level set out in Condition No. 8, the applicant shall take immediate action to reduce the noise level to that level set out in the previous condition.
- ~~1012.~~ Exterior lighting shall be located and designed to prevent glare onto adjacent properties.
- ~~1113.~~ Structures and facilities shall be reviewed by the ~~Shingle Springs Fire~~ El Dorado County Fire Protection District for compliance with fire code requirements ~~with written confirmation of acceptance before clearance and occupancy is authorized by the Building Division.~~
- ~~12.~~ All parking areas, drive isles, automobile display, and storage areas shall be surfaced with a minimum of two (2) inches of asphaltic concrete over four (4) inches of aggregate base (Section 17.18.030 (A), El Dorado County Code).
- ~~13.~~ The road easements of the east and west project boundaries and the easement on the north side of the project site shall be improved as shown on the typical road improvement cross section of the grading plan. Road improvements on the west project boundary shall be to a point at least 600 feet from West Chaparral Drive.
- ~~14.~~ The drainage plan shall be reviewed and approved by the Public Works Department prior to issuance of a Building Permit.
- ~~15.~~ Signs shall be established in conformance with the C, Commercial, Zone District regulations and Chapter 17.16 of the County Code.
- ~~1614.~~ No banners, flags, or portable signs other than those authorized by the Planning Division may be used.
- ~~1715.~~ Customer parking spaces shall be clearly marked and aisle widths, as required in Section 17.18.020 of the El Dorado County Code, shall be maintained.
- ~~1816.~~ Unloading of new vehicles shall be restricted to the road easement on the north side of the project site.
- ~~19.~~ The landscaping plan shall be revised to provide the addition of trees along the east side of the parts building and in the perimeter planter along the northern portion of the western easement.
- ~~20.~~ All landscaped areas shall be maintained and an irrigation system plan submitted for the approval of the Zoning Administrator.

- ~~21~~17. Any future expansions will require review and approval through the special use permit revision process, incorporating design review process into the approval.
- ~~22.~~ The encroachment permits for improvements for curb cuts and other ingress/egress shall be subject to the approval of the Public Works Department.