

Conditions of Approval

1. This Conditional Use Permit is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked:

Exhibit ESite Plan Sheet Set

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 would constitute a violation of permit approval.

The project description is as follows:

A Conditional Use Permit request for the development and ongoing operation of a new automatic 3,596-square-foot Quick Quack Car Wash facility. The car wash is proposed to include two (2) stacking lanes leading to one (1) car wash tunnel lane, employee lounge, office, closet, and restroom. Additional supporting equipment will be housed within an equipment room, electrical room, and quarterback station. The plan proposes four (4) standard parking stalls, one (1) ADA compliant stall, and 15-vacuum accessible parking stalls- of which one (1) is ADA compliant. There will be additional site improvements including a trash enclosure, exterior lighting, and landscaping. Electricity/utility services are provided by Pacific Gas & Electric (PG&E). The project site takes water and sanitation service from El Dorado Irrigation District (EID). The project as proposed would result in no expected cut or fill and no trees are proposed for removal at this time.

The development, use, and maintenance of the property, the size, shape 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.

Planning Services Division

2. **Permit Implementation:** In Compliance with County Code Section 130.54.060, implementation of the project must occur within 24 months of approval of this Conditional Use/Planned Development Revision Permit, or 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. **Notice of Exemption (NOE) Recording Fee:** The applicant shall submit to the Planning Services Division a \$50.00 recording fee for the County Recorder to file the Notice of Exemption. Checks shall be payable to El Dorado County. No permits shall be issued, or parcel map filed until said fees are paid.
4. **Archeological Resources:** 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 (2) working days from the time the person responsible for the excavation, or in 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, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

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.

5. **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 Parcel Map.

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

6. **Change in Ownership:** In the event of any change of ownership of the subject parcel (APN 117-210-052) 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 Conditional Use Permit, the El Dorado County General Plan, Zoning Ordinance, and all applicable standards in place at such time.

Department of Transportation (DOT)

7. **Vehicular Site Distance:** To ensure adequate site distance is provided to vehicular traffic, vegetation should not exceed 24-inches in height in the landscaping areas adjacent to the car wash exit and shopping center entrance/exit.
8. **Site Access:** Design site improvements and landscaping such that objects within sight triangles do not exceed 18-inches in height in order to avoid obstructing sight distance between site driveways and adjacent drive aisles.
9. **Consistency with County Codes and Standards:** Comply with all County Codes and Standards, including, but not limited to, the County *Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-street Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).*
10. **Regulatory Permits and Documents:** Incorporate all regulatory permits and agreements between the project and any State or Federal Agency into the Project Improvement Plans prior to the start of construction of improvements.

Improvement plans for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, but grading/construction of improvements may not proceed until the appropriate permits or agreements are obtained and the grading/improvement plans reflect any necessary changes or modifications in order to ensure compliance with said permits or agreements.

Incorporate the Project conditions of approval into the Project Improvement Plans when submitted for review.

Office of the County Surveyor

11. All boundary monuments disturbed during project construction shall be reset by a Professional Land Surveyor or Qualified Engineer as defined by Section 8771 of the California Business and Professions Code (Land Surveyors Act).

Air Quality Management District (AQMD)

12. **Fugitive Dust:** The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction if a Grading Permit is required from the Building Dept. (Rules 223 and 223.1)
13. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
14. **Open Burning:** Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
15. **Construction Emissions:** During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall follow the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)).
16. **New Point Source:** Prior to construction/installation of any new point source emissions units (e.g., tub grinders, conveyors, etc.), Authority to Construct applications shall be submitted to the AQMD. Submittal of applications shall include facility diagram(s), equipment specifications and emission factors. (Rule 501 and 523).
17. **Portable Equipment:** All portable combustion engine equipment with a rating of 50 horsepower or greater shall be registered with the California Air Resources Board (CARB). A copy of the current portable equipment registration shall be with said equipment. The applicant shall provide a complete list of heavy-duty diesel-fueled equipment to be used on this project, which includes the make, model, year of equipment, daily hours of operations of each piece of equipment.

Diamond Springs – El Dorado Fire Protection District

18. **Annexation:** Community Facilities District (CFD) approval of subject project is conditioned on meeting the public safety and fire protection requirements of the County of El Dorado General Plan, which shall include provision of a financing mechanism for said services. The financing mechanism shall include inclusion within, or annexation into, a Community Facilities District established under the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 et seq.), established by the Diamond Springs – El Dorado Fire Protection District for the provision of public services permitted under Government Code Section 53313, including fire suppression services, emergency medical services, fire prevention activities and other services (collectively Public Services), for which proceedings are under consideration, and as such, shall be subject to the special tax approved with the formation of such CFD with the Tract's inclusion or annexation into the CFD.
19. **Fire Flow:** The potable water system with the purpose of fire protection for this commercial structure shall provide a minimum fire flow of 1500 gallons per minute at a minimum residual pressure of 20 psi for a two-hour duration.
20. **Fire Hydrants:** The development shall install Dry Barrell Fire Hydrants conforming to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants for the development shall not exceed 300 feet. Final hydrant locations shall be approved by the Fire District prior to building and/or grading permit issuance.
21. **Addressing:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property, as per El Dorado County Standard B-001.
22. **Building and Fire Plans:** Building and alarm plans shall be reviewed and approved by the fire department prior to building permit issuance.
23. **Post Development Noise Analysis:** Prior to final occupancy, a soft opening shall include a noise analysis which confirms the noise levels as disclosed within the noise analysis submitted for review of the proposed development. If the soft opening noise analysis confirms the noise levels at or below that which was disclosed within the noise analysis submitted for review of the proposed development, then no additional measures would be required. If the soft opening noise analysis should confirm that noise levels are greater than the noise levels as disclosed within the noise analysis submitted for review of the proposed development, then additional noise attenuation measures would be required prior to being eligible for a final occupancy permit.