

CONDITIONS OF APPROVAL

Design Review Permit Revision DR-R24-0001/Carson Road ARCO Canopy Extension Planning Commission/June 12, 2025

Planning Division

1. Project Description

This Design Review 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 E.....Proposed Site Plan

Design Review Permit Revision to increase the existing overhead canopy and a ground-level concrete slab by 720 square feet, add one (1) additional fuel dispenser, remove 14 square feet of existing landscaping and replace with 18 square feet of landscaping, and remove and relocate one (1) air and water dispenser.

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 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 and the hearing exhibits above 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. **Landscaping:** The final landscape and irrigation plans shall comply with Zoning Ordinance Chapter 130.33, Landscaping Standards and Model Water Efficient Landscape Ordinance (MWELo). The applicant shall install and maintain the landscaping in accordance with Exhibit E.
3. **Lighting:** All outdoor lighting shall conform to the Outdoor Lighting Standards of the Community Design Standards and Chapter 130.34 – Outdoor Lighting of the Zoning Ordinance and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Any light fixture that does not have a specification sheet submitted with the building permit that specifically states that fixture meets the full cutoff standards, shall require a fixture substitution that meets that requirement.

Light fixtures mounted under gas station or convenience store pump area canopies shall meet full cut-off requirements. Light fixtures shall not be mounted on the roof or sides (fascia) of the canopy and the fascia of the canopy shall not be illuminated in compliance with Chapter 130.36, Signs, of the Zoning Ordinance.

4. **Parking:** Parking shall be improved consistent with Chapter 130.35, Parking and Loading, of the Zoning Ordinance. Parking shall conform to the approved site plan.
5. **Condition Compliance:** Prior to issuance of any 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.
6. **Permit Implementation and Expiration:** In compliance with Chapter 130.54, Permit Implementation, Time Limits, and Extensions, of the Zoning Ordinance, implementation of the project must occur within 24 months of approval of this Design Review Permit Revision 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 the Conditions of Approval.
7. Any proposed changes to the approved site plan shall be submitted to the Planning and Building Department for review and approval. Minor changes may be approved by the Director.
8. **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 Design Review Permit Revision.

9. **Archaeological Resources:** The following shall be incorporated as a note on the improvement plans: In the event archeological resources are discovered during 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) of the Public Resources Code. 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 “non-unique archeological resource”.

9. **Human Remains:** In the event of the discovery of human remains, all work shall cease, and the County coroner shall be immediately notified pursuant to subsection (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 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) of the Public Resources Code. 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.

10. In the event of any change of ownership of the subject parcel (Assessor’s Parcel Number [APN] 043-550-062) 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 Design Review Permit Revision, the El Dorado County General Plan, Zoning Ordinance, and all applicable standards in place at such time.

Department of Transportation

11. An On-Site Transportation Review (OSTR) is on file.
12. Obtain an encroachment permit from the Department of Transportation and construct the access driveway to County Standard Plan 103G (modified).
13. The project shall pay Traffic Impact Mitigation Fees based upon new rentable space paid prior to issuance of grading, building and encroachment permits.

Department of Forestry and Fire Protection (CAL FIRE)

14. A Fire Safe Plan.
15. Roads and driveways, whether public or private, unless exempted under 14 CCR Sec. 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently and shall provide unobstructed traffic circulating during a wildfire emergency.
16. Roadways shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base. Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.
17. The grade for all roads, streets, private lanes and driveways shall not exceed 16 percent. Grade may exceed 16%, not to exceed 20%, with approval from AHJ.
18. The minimum turning radius for a turnaround shall be 40 feet, not including parking. If a hammerhead/T is used instead, the top of the "T" shall be a minimum of 60 feet in length.
19. All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified. (The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9. Addresses for residential buildings shall be reflectorized.
20. All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property. Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way. Address signs along one-way roads shall be visible from both directions. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.
21. Emergency water for Wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a Wildfire or defend property from a Wildfire. Water quantity and location will be determined by local jurisdiction. Water sources shall be identified with proper signage as outlined in the above referenced regulation.
22. All parcels shall provide a minimum 30-foot setback for all Buildings from all property lines and/or the center of a Road. Due to the reduced setbacks, conforming measures will be defined and required in the Fire Safe Plan for this project.

23. The Local Jurisdiction shall determine the need and location for Fuel Breaks in consultation with CAL FIRE:

Fuel Breaks, shall be located, designed, and maintained in a condition that reduces the potential of damaging radiant and convective heat or ember exposure to Access routes, Buildings, or infrastructure within the Development.

Fuel Breaks shall have at a minimum, one point of entry for fire fighters and any Fire Apparatus. The specific number of entry points and entry requirements shall be determined by the Local Jurisdiction, in consultation with the Fire Authority.

If it is determined a Fuel Break is required, the prescription for such fuel break will be determined in a Wildfire Safe Plan or other means.

24. California Public Resource Code (PRC) 4291 requires 100 feet of defensible space to the property line around structures to protect residents, first responders, and property.
25. Disposal, including chipping, burying, burning or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

California Department of Transportation (Caltrans)

26. Any projector work, including access modification and drainage work, that takes place along or within the State's right of way (ROW) requires an encroachment permit issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to Encroachment Permits Offices as indicated:

Hikmat Bsaibess
California Department of Transportation
District 3, Office of Permits
703 B Street
Marysville, CA 95901
D3encpermit@dot.ca.gov

El Dorado County Storm Water Coordinator West Slope:

27. The County is subject to the State of California's Phase II MS4 Permit and thus the County's post construction water quality requirements follow those outlined in that Permit in Section E.12. Projects typically qualify as "Small" or "Regulated/Hydromodification" projects under the MS4 Permit / West Slope Development and Redevelopment Standards and Post Construction Stormwater Plan Requirements if improvements (i.e., parking lots, rooftops, driveways, etc.) create or

replace 2,500 sf or more of impervious surface (including offsite improvements). Qualifying projects are required to provide treatment of stormwater prior to the water leaving the site or entering a waterbody. Submittal requirements for all projects are provided at <https://www.eldoradocounty.ca.gov/Land-Use/Planning-and-Building/Tahoe-Planning-and-Building-Division-Stormwater-Unit/West-Slope-Development-and-Redevelopment-Standards>. Additional County Stormwater Management Plan (SWMP) also apply for fuel dispensing areas (refer to Section 4.5, lines 250 - 264).

An Erosion and Sediment Control Plan will need to be included in the plan submittal. If the project will disturb over one acre of land, the Legally Responsible Person (LRP) is required to obtain Construction General Permit (CGP) coverage through the State Water Resources Control Board (SWRCB). The CGP requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). CGP requirements can be found at the following link: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html

FILE NUMBER DR 87-0006 R
ORIGINAL CONDITIONS OF APPROVAL

Planning Services:

1. The project, as approved, shall consist of the following:
 - a.
 1. One re-facing of the existing six (6) foot by twenty-five (25) foot OAH pole sign.
 2. One, 46.7 square foot double-sided monument sign to be a maximum of 6 feet tall.
 - b. Sign copies shall be internally illuminated.
2. Proposed sign shall be subject to issuance of a building permit from the El Dorado County Building Department. The existing 6' x 6' x 25' tall sign with the "76" copy and the existing 20 square-foot by 8 foot tall price sign shall be removed prior to building permit final.
3. All site improvements shall conform to Exhibit E.
4. The proposed signs shall be placed outside of all road rights-of-way and clear of vehicular sight distance obstruction.
5. All wall mounted signs that were approved by prior building permits can remain. All wall signs can remain for 30 days after this permit is approved if the owner submits an application for a sign permit with Building Services, but shall be replaced by permanent signs in order to comply with El Dorado County Zoning Ordinance Chapter 17.16.030. If a sign permit is not obtained within 30 days from the approval of this permit, the subject sign shall be subject to removal. All directional signs defined by Ordinance Code 17.16.020 can remain. All other signs that were not subject to any issued sign permit shall

be removed prior to issuance of a building permit to that subject business. The “Wine Country” banner on the north face of the mini-mart building shall be replaced by a permanent sign of the same size as the one on the south face of the building or smaller within 30 days of the approval of this permit or shall be removed.

6. The boundary line adjustment shall be recorded for the project site prior to the issuance of a building permit.
7. An encroachment permit from the County Department of Transportation shall be obtained for the entry legal sign, or the sign shall be relocated within the property boundary.
8. All signs must be in conformance with the Sign Ordinance (El Dorado County Code 17.16).
9. EID shall review and approve the location of the monument sign in order to assure it is not constructed within their easement all plans. Notice of approval shall be received by Planning Services via fax, phone or letter by mail prior to the issuance of a building permit.
10. The parking plan shall be revised so that all parking areas are located within the property boundary lines.
11. All lighting shall be shielded and directed so that no light so directed off site and 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.
12. All modifications to plans that are required by the conditions of approval shall be submitted for review by Planning Services.
13. All modifications to approved plans after the issuance of a building permit must be submitted to Planning Services for approval prior to the execution.
14. Pursuant to Resolution No. 240-93, a \$35.00 processing fee is required by the County Recorder to file the Notice of Exemption.

El Dorado County Air Quality Management District:

15. Burning of wastes that result from “Land Development Clearing” must be permitted through the El Dorado County Air Quality District. Only vegetative waste materials may be disposed of using an open outdoor fire.
16. The project construction will involve the application of architectural coating, which shall adhere to District Rule 215 Architectural Coatings.