

S08-0025-R-2/Shingle Springs Subaru Shop Remodel – As approved by the Planning Commission on October 11, 2018

Conditions of Approval

Planning and Building Department

1. Special Use Permit S08-0025-R-2 incorporates and supersedes S85-0047, DR91-0002, S08-0025, and S08-0025-R-2. 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 F.....Plan Set (4 pages)

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 enlarging an existing 4,839 square foot automotive service shop to 13,890 square feet. Revisions include including 16 new service bays, an expanded breakroom and a new drive aisle.

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:

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

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 any 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 archeological 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 any 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.

7. All signage shall conform to Chapter 130.16 of the County Zoning Ordinance. The applicant shall ensure that all signage is properly maintained at all times. Any maintenance problems shall be addressed immediately.
8. The conditions imposed run with the use of the land and the conditions are binding on each owner.
9. There shall be no automobile repair performed outside the structures identified for this purpose on the general site plan.

10. 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.
11. 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. 10, the applicant shall take immediate action to reduce the noise level to that level set out in the previous condition.
12. Exterior lighting shall be located and designed to prevent glare onto adjacent properties.
13. Structures and facilities shall be reviewed by the El Dorado County Fire Protection District for compliance with fire code requirements.
14. No banners, flags, or portable signs other than those authorized by the Planning Division may be used.
15. Customer parking spaces shall be clearly marked and aisle widths shall be maintained.
16. Unloading of new vehicles shall be restricted to the road easement on the north side of the project site.
17. All landscaped areas shall be maintained.
18. Any future expansions will require review and approval through the special use permit revision process, incorporating design review-into the approval.