

FINAL CONDITIONS OF APPROVAL

**Conditional Use Permit CUP22-0014/Planned Development Revision PD-R22-0004/
Sienna Ridge Quick Quack – As Approved by the Planning Commission on
November 9, 2023**

1. Approval of Conditional Use Permit CUP22-0014 and Planned Development Revision PD-R22-0004 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

Exhibit F.....Preliminary Grading Plans

Any deviations from the project description, exhibits, or Conditions of Approval 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 and Planned Development Revision 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 three standard parking stalls, one ADA compliant stall, and 12 vacuum accessible parking stalls - of which one is ADA compliant. There will be additional site improvements including an encroachment from Sienna Ridge Drive and a secondary encroachment onto Bass Lake Road via reciprocal access right, waste disposal area, landscaping, and outdoor lighting. 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). 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 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 Permit and Planned Development Revision, or the permits become 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 Decision (NOD) 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 Conditional Use Permit or Planned Development Revision.

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 (Assessor's Parcel Number 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 Planned Development Revision, the El Dorado County General Plan, Title 130 of the County Ordinance Code (Zoning Ordinance), and all applicable standards in place at such time.
7. **Hours of Operation:** The hours of operation for the drive-through facility shall be limited to 7:00 a.m. to 9 p.m. daily.
8. **Noise Reduction Measures:** To ensure that El Dorado County noise standards are not exceeded, the project shall ensure that several noise attenuation measures, as described within Exhibit I, are implemented into the project for the duration of the car wash use. These measures are as follows:
 - a. Each of the 12 sonny blowers shall be located approximately five (5) feet inside the car wash exit tunnel and a sonny silencer package;
 - b. The project shall incorporate an eight (8) foot tall Concrete Masonry Unit (CMU) enclosure around the vacuum turbine pumps; and
 - c. An acoustic liner (quiet fiber acoustic perforated metal panels or equivalent) shall line 15 feet of the exit of the tunnel going from the exit to the entrance.
 - d. The applicant agrees to an acoustical analysis by a qualified acoustical consultant with third party review by a County retained expert at the expense of the applicant. This analysis shall be conducted prior to issuance of a final certificate of occupancy. The applicant shall set the tunnel up to operate as it would under normal business use.

An additional sensitive receptor site on Bronzewing Place shall include a backyard and second story interior analysis.

A final certificate of occupancy shall not be issued until the additional acoustical analysis shows compliance with all applicable County noise thresholds. Should the acoustical analysis find the operation to exceed any applicable County noise thresholds, the applicant shall take immediate action to reduce the level of noise reaching neighboring properties and retest as soon as those measures are in place.

Air Quality Management Department (AQMD)

9. **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 Services Division. Dust control measures shall comply with the requirements of AQMD Rule 223, Fugitive Dust – General Requirements and Rule 223.1 – Construction, Bulk Material Handling, Blasting, Other Earthmoving Activities and Trackout Prevention.
10. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
11. **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).
12. **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).
13. **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.

All self-propelled diesel-fueled engines greater than 25 horsepower shall follow the CARB Regulation for In-Use Off-Road Diesel Fueled Fleets (Section 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR)). The full text of the regulation can be found at ARB's website here: <http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm>. An applicability flow chart can be found here: http://www.arb.ca.gov/msprog/ordiesel/faq/applicability_flow_chart.pdf. Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.

El Dorado Hills Fire Department

14. **Fire Hydrants:** Approved fire hydrants capable of providing the required fire flow for the protection of any and all structures shall be located along the fire apparatus access roadway. Fire hydrant quantities and locations shall be in accordance with the California Fire Code, as amended locally. The required fire hydrants shall be installed and operational prior to any combustible construction (including foundations).
15. **Fire Access Roadway Width:** Fire access roadways shall be of not less than 20 feet of unobstructed width, 13 feet 6 inches of vertical clearance, and minimum turning radii of 40 feet inside and 56 feet outside dimension on the improvement plans. The access roadway shall extend to within 150 feet of all portions of the exterior walls of the first story of any proposed building. The use of turf-block or Grass-Crete or similar alternate road surfaces is not approved for installation in fire apparatus access roadways.
16. **Fire Access Roadway Standards:** Fire access roadways shall be built to bear a minimum of 75,000 pounds and meet County Department of Transportation (DOT) standards for roadways. A report, prepared by a registered geotechnical or California licensed Civil engineer, verifying the ability of the road to bear the required minimum weight, shall be submitted with any plan indicating construction of roadway. Verification of constructed roadway shall be provided by a registered geotechnical or California licensed Civil engineer prior to final inspection of the project.
17. **Fire Access Roadways Bridges:** Where a bridge or elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with American Association of State Highway and Transportation Officials (AASHTO) Highway Bridges (HB)-17.
18. **Fire Access Roadway Name:** When a road is required, it shall be named in accordance with the requirements identified by the County Surveyor's Office. An approved street sign shall be placed at the entrance onto the road.

19. **Fire Lane Identification:** Fire lane identification shall be provided along required fire access roadways. Fire land identification shall be in accordance with the El Dorado County Regional Fire Protection Standard #B-004 and the California Vehicle Code. Vehicle parking is prohibited on any street less than 30 feet in width. Vehicle parking is permitted on both sides of streets 40 feet or more in width. Roadway widths shall be measured between the gutter-line or edge of pavement on opposites sides of the road. Identification of fire apparatus access roadways may be required on private roads.
20. **Road and Driveway Improvement Timing:** All essential road and driveway improvements shall be complete and meet all of the requirements of California Code of Regulations (CCR) Title 14 and the California Fire Code.
21. **Traffic Calming Devices:** Traffic calming measures and gates along fire access roads are prohibited unless approved by the El Dorado Hills Fire Department.
22. **Natural Hazard Disclosure:** The project proponent/owner-operator shall provide a Wildfire Hazard Real Estate Disclosure to all future property owners regarding this risk.
23. **Defensible Space Setback:** All parcels shall provide a minimum 30-foot setback for all buildings from all property lines and/or the center of a road in accordance with CCR Title 14 – Section 1276 (Setback for Structure Defensible Space).
24. **Community Facilities District:** In order to maintain certain services provided by the Department, which are impacted by the proposed development, including, but not limited to, fire protection and suppression, ambulance response services, emergency response services, administrative fees of the Department, and any other services permitted under the Mello-Roos Community Facilities Act of 1982, as amended, commencing with Section 53311 of the Government Code (the “Act”), as well as costs of administration, operating, and reporting, the Developer shall elect and provide for one (1) of three (3) financing options. The developer can (i) form a new Community Facilities District (“CFD”) subject to the review and approval of the Department, (ii) make a deposit and annex into any existing and approved Department CFD, or (iii) make a lump-sum payment for the present value of an annuity authorized by the Department. If the developer chooses to create a new CFD or annex into an existing El Dorado Hills Fire Department CFD, the creation of the new CFD or the annexation into the existing El Dorado Hills Fire Department CFD shall be completed concurrently with final approval, as determined jointly by the Department and the County, of all land use entitlements requested by the landowner/applicant/developer.
25. **Plan Submittal:** The applicant shall meet the following: Civil Site Plans and Architectural Plans shall be submitted and approved prior to final building permit being issued. Fire Sprinkler and Fire Alarm plans shall be submitted prior to final building permit being issued. Please note: El Dorado Hills Fire Department does not allow deferred submittals for Fire Sprinkler or Fire Alarm plans.

26. **Addressing:** All parcels shall be provided with an approved address number as issued by the County Surveyor's Office. Approved numbers or addresses shall be placed on all new or existing buildings in such a position as to be easily read from the street or road fronting the property. The minimum size of the numbers shall not be less than eight (8) inches and shall be mounted immediately adjacent to a light source and shall also contrast with their background.

County Surveyor's Office

27. **Boundary Monuments:** 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).

Planning Commission (Planning Department)

28. In coordination and under agreement of the Department of Transportation, explore and construct -if warranted- a crosswalk or other equivalent pedestrian safety features at Sienna Ridge and Luzon Way to be paid for by the applicant.