

CONDITIONS OF APPROVAL

Conditional Use Permit CUP19-0004/Kelli's Love For Labs Dog Kennel Planning Commission/January 23, 2020

Planning Services

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

Approval of Conditional Use Permit CUP19-0004 allows a private dog kennel, operated as an expanded home occupation, for purposes of keeping and breeding the property owner's AKC-registered Labrador Retriever dogs, and sale of puppies under four months of age. There will be a maximum of 10 adult dogs on site. Dogs will be secured in a fenced, approximately 60' x 100' outdoor dog run with no climb fencing during daylight hours and housed indoors in portions of an existing residence and attached garage between the hours of 7:00 pm and 7:00 am daily. Customers for puppy sales shall be by appointment only on weekdays between the hours of 11:00 am and 7:00 pm. Puppy sales shall be limited to no more than six months per calendar year. Up to two employees may be allowed. No signs are proposed as part of the project.

Prior to operation, the applicant will obtain an appropriate kennel license from the County Animal Services Division and a County business license from the Treasurer-Tax Collector's office. Access to the project site will be from Newtown Road, a County-maintained roadway, via a private residential driveway. To ensure adequate vehicular and emergency vehicle access is available at the project site, the applicant will be required to obtain a DOT encroachment permit and pave the existing residential driveway encroachment consistent with Standard Plan 103C (with modifications for existing driveway alignment) within one year of project approval.

Exhibit G.....Site Plan

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 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. **Permit Expiration:** Pursuant to Zoning Ordinance Section 130.54.060.A, implementation of the project shall occur within 24 months of approval of this 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. **Legal Indemnity/Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the land owner agrees 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 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 conditional use permit.

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

4. **Business License:** Prior to operation, the applicant shall obtain a business license from the County Treasurer-Tax Collector's office.

Department of Transportation (DOT):

5. Within one year of project approval, the applicant shall obtain an encroachment permit and pave the existing residential driveway encroachment consistent with Standard Plan 103C, modified to conform to the existing driveway alignment.

Environmental Management Department – Environmental Health Division

6. Waste and wastewater from the kennel operation shall be disposed of in a manner that avoids pollution of surface water or groundwater resources to the satisfaction of the Environmental Health Division.

El Dorado County Animal Services Division

7. Within 30 days of approval of this Conditional Use Permit, the applicant shall obtain an appropriate kennel license from Animal Services. Said license shall comply with all applicable provisions of Title 6 (Animals) of the County Ordinance Code.