

S15-0005/Comroe Saluki Kennel – As approved by the Planning Commission on September 8, 2016

Conditions of Approval

1. This Special Use Permit is based upon and limited to compliance with the project description and conditions of approval.

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.

Approval of the Special Use Permit authorizes a non-commercial kennel to house a maximum of 12 dogs within the primary dwelling, 864 square-foot kennel, and secure yards. All operations will be carried out by the owners of the parcel. Any improvements or modifications to the site or structures that would change the activities conducted or the capacity allowed would require review by Development Services.

2. Project improvements shall be completed in conformance with the plans submitted and in conformance with the conditions of approval herein and shall substantially comply with Exhibit F. Minor variations are allowed, however, any major changes in the design of buildings, location of buildings, access ways, and parking shall require review and approval by the Planning Services prior to project modifications.
3. For the purposes of compliance with General Plan noise policies, all dogs shall remain within the single family dwelling or approved kennel buildings between the hours of 9:00 p.m. and 7:00 a.m.
4. No commercial boarding or grooming shall be conducted under this special use permit.
5. The kennel shall be licensed by the Animal Control Officer. Any changes to the kennel buildings, yards, fences, or other facilities are subject to approval by the Animal Control Officer. The area where the dogs are kept shall be subject to inspection by the Animal Control Officer at any reasonable hour of the day.
6. All outdoor lighting shall be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Should lighting be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.
7. The applicant shall be responsible for complying with all Conditions of Approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, nuisance complaints, and/or abandonment of the facility are ultimately the responsibility of the property owner.

8. A \$50.00 administration fee is required by the County Recorder to file the Notice of Exemption. This fee shall be made payable to El Dorado County and shall be submitted to Planning Services after the end of the ten working day appeal period of a final project
9. Pursuant to 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.
10. 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 applicant 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 by El Dorado County. The County shall notify the applicant of any claim, action, or proceeding and the County will cooperate fully in the defense.