

CONDITIONS OF APPROVAL

Conditional Use Permit S16-0009/Planned Development Revision PD06-0016-R/JS West Propane Planning Commission/September 14, 2017

Proposed revisions to the existing conditions of approval under PD06-0016 shall be indicated in the ~~strikeout~~/underline format.

1. Project Description

The Conditional Use Permit and Planned Development Revision is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below. 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 proposes the construction and maintenance of two 30,000 gallon propane tanks and the construction of one 6,221.5 square foot office/warehouse. Previous project site approvals included a zone change from Industrial-Design Community (I-DC) to Industrial-Planned Development, a parcel map creating five parcels ranging in size from 0.49 acres to 1.95 acres, and a Development Plan for six warehouse/office buildings. The proposed Planned Development Revision would reduce the size of the approved 11,700 square foot warehouse/office building to 6,221.5 square feet and the addition of two 30,000 gallon propane storage tanks. There would be no employees associated with the construction of the two propane tanks, except when refilling vehicles, during which there would be a maximum of two employees. The proposed office/warehouse would have a maximum of seven on-site employees and 12 off-site employees. The storage and handling of hazardous material, such as propane storage, requires the approval of a Conditional Use Permit within the Light Industrial-Planned Development (IL-PD) zoning designation. The site will require connection into El Dorado Irrigation District sewage and water facilities. No tree removal is proposed as the project would require minor tree trimming. The project proposes uses consistent with the IL-PD zoning designation. (Exhibit F).

~~The project, as approved, consists of the following:~~

~~A zone change from Industrial Design Community (I DC) to Industrial Planned Development (I PD), a Development Plan for a development, shared parking, landscaping and lighting. A Parcel Map to subdivide the 4.87 acre site into five lots ranging in size from 0.49 acres to 1.95 acres. The following table provides proposed parcel details:~~

Parcel Number	Parcel Size (acres)	Building (sq. ft.)
1	0.94	F: 11,700 6,221.5
2	0.86	E: 11,250
3	0.64	D: 11,250
4	0.49	C: 7,200
5	1.95	A: 9,520 & B: 5,084

Development Plan: The Development includes two phases. Phase 1 of the warehouse/office development has been developed with three buildings, parking, lighting and landscaping on Parcels 4 and 5 above. Phase 2 shall include three new warehouse/office buildings, parking, lighting and landscaping, as shown under Parcels 1 through 3 above. Phases ~~1 and 2~~ shall have a ~~combined~~ building area of ~~56,004~~ 2,8721.5 square feet.

~~Phase 1 parking shall include 35 parking spaces for 21,804 square feet. Parking shall be provided as follows:~~

Phase 1			
Use	Sq. Ft.	Parking Required	Parking Provided
Office	5,479	22 spaces (1:250)	25 spaces
Warehouse	14,930	7 spaces (1:2,000)	7 spaces
Detail Bay	1,395	3 spaces (3:bay)	3 spaces
Totals	21,804	32 spaces	35 spaces

Phase 2 parking shall include ~~47~~ 49 parking spaces for ~~34,200~~ 28,721.5 square feet. Uses for Phase 2 have not been designated; therefore based on the proposed parking, office and warehouse uses could be designated as follows:

Phase 2			
Use	Sq. Ft.	Parking Required	Parking Provided
Office	8,550	34 spaces (1:250)	34 spaces
Warehouse	25,650 <u>20,171.5</u>	13 spaces (1:2,000) <u>1,000 and 1:3,000 after first 10,000 square feet</u>	13 spaces
Totals	21,804 <u>28,721.5</u>	47 spaces	47 <u>49</u> spaces

Parking shall be reviewed during the building permit issuance to determine adequate availability for each proposed use.

A shared parking and maintenance agreement would be incorporated into the Covenants, Conditions, and Restrictions (CC&Rs) for the project.

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 (such as Landscape Plans) must be submitted for review and approval and shall be implemented as approved by the County.

2. 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, as provided in Section 66474.9(b) of the Government Code.
3. Prior to issuance of a grading 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. The applicant shall also schedule an inspection by Planning Services if deemed necessary prior to issuance of a grading permit for verification of compliance with applicable conditions of approval.
4. In the event a heritage resource or other item of historical or archaeological interest is discovered during grading and construction activities, the project proponent shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place and determine its significance. If the find is determined to be significant and authenticated, the archaeologist shall determine the proper method(s) for handling the resource or item. Grading and construction activities may resume after the appropriate measures are taken or the site is determined not to be of significance.
5. In the event of the discovery of human remains, all work is to stop and the County coroner shall be immediately notified pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. If the remains are determined to be Native American, the Coroner must contact the Native American Heritage Commission within 24 hours. The treatment and disposition of human remains shall be completed consistent with guidelines of the Native American Heritage Commission.

6. No activity authorized by this conditional use permit may commence until all of the conditions of approval have been complied with in full, except as applied to project phasing.
7. Any proposed changes to the approved site plan shall be submitted to the Planning and Building Department Director for review and approval. Minor changes may be approved by the Planning and Building Department Director. Major changes will require approval by the Planning Commission.
8. In Compliance with Section 130.22.250, implementation of the project must occur within 24 months of approval of this Conditional 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.
9. Any proposed building or parking lot lighting fixtures shall be designed and located so that no light and glare shall spill over property lines and adversely impact adjoining properties and be fully shielded in compliance with the Community Design Standards-Outdoor Lighting Standards. Should final, installed lighting be non-compliant with these requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of the Planning and Building Department. A lighting plan shall be submitted for review and approval by the Planning and Building Department.
10. The applicant shall submit to the Planning Department a \$50.00 recording fee and the current California Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. Please submit check for the total amount to the Planning Department and make the check payable to El Dorado County. No permits shall be issued until said fees are paid.

Development Plan

- ~~6~~11. All site improvements shall conform to Exhibit E Site Plan, F1-F6 Building Elevations, G1 & G2 Preliminary Landscape Plans, H1 & H2 Pre and post Phase II Oak Canopy, I Sign Plan, and J1 & J2 Lighting Plan.
- ~~7~~12. Construction activities shall be limited to the hours of 7 a.m. to 7 p.m. during weekdays and 8 a.m. to 5 p.m. on Saturday. Exceptions are allowed if it can be shown that construction beyond these times is necessary to alleviate traffic congestion and safety hazards. Planning Services shall verify this requirement is placed on the Grading Plans prior to issuance of a grading permit.

Parcel Map

- ~~8. All fees associated with the Tentative Parcel Map shall be paid prior to filing the Parcel Map.~~
- ~~9. This Tentative Parcel Map shall expire in 36 months from date of approval unless a timely extension has been filed.~~
- ~~1013. Domestic water shall be supplied by a public entity to the property being divided, and a current Facility Improvement Letter or similar assurance from the water purveyor shall be submitted to the County Surveyor at the time of filing of the Parcel Map. The applicant shall provide Development Services with a water meter award letter for each parcel to be developed prior to issuance of a building permit.~~
- ~~11. At time of filing the Parcel Map, CC&Rs shall be submitted and reviewed by Planning Services.~~

County Surveyor

- ~~12. All Survey monuments shall be set prior to filing the Parcel Map.~~
- ~~13. Prior to filing the Parcel Map, a letter to the County Surveyor will be required from all agencies that have conditions placed on the map. The letter shall state that all conditions placed on the Parcel Map have been met.~~
14. Addressing, including Suite Number Assignments, must be coordinated through the El Dorado County Surveyor's Office.
15. All boundary monuments disturbed during project construction shall be reset by a Professional Land Surveyor or Qualified Engineer. A Corner Record or Record of Survey for the reset monuments shall be filed as defined in the California Land Surveyors Act.

El Dorado County Fire Protection District

- ~~14. Applicant shall submit a \$300.00 site plan review fee.~~
- ~~15. Minimum fire flow shall be 1,500 gpm @ 20 psi for 2 hours.~~
- ~~14~~ 16. Additional fire hydrants will be required for this project. The Fire District will determine hydrant locations prior to issuance of a building permit.
17. Minimum required fire flow for this project shall be 750 gallons per minute with a minimum residual pressure of 20 psi for a duration of 10 minutes. The project shall be required to install master stream appliances for the protection of the proposed LP-Gas

tanks, plumbed underground to remote fire department connections (FDCs) accessible to fire apparatus. The master stream appliances shall be sized in accordance with the 2012 edition of NFPA Standard 15.

18. “No Smoking” signs shall be provided in accordance with Section 6107.2, 2013 CFC.
19. Portable fire extinguishers shall be provided in accordance with Section 6108.2, 2013 CFC.
20. All Commercial and Public occupied building shall install a Knox Box and building keys including, but not limited to, main entry doors, utility closets, roof accesses, alarm panels, fire sprinkler locks and all other keys required by the fire code official for emergency access. It is recommended, but not required, that residential buildings also add a Knox Box and main front door key for improved emergency access.
21. Fire lanes shall be marked in accordance with Section 22500.1, California Vehicle Code and Section 503.3, 2013 California Code.

Transportation Division

- ~~17. The developer shall obtain an encroachment permit and construct a modified Std. Plan 103G driveway for the access connection onto Commodity Way. This work must be substantially complete, as determined by the Department of Transportation, prior to occupancy of any unit of this project.~~
- ~~18. The applicant shall provide a reciprocal access and parking agreement, guaranteeing access for all parcels involved in this parcel map to use all access points from Commodity way and Business Drive, prior to the filing of the map.~~
- ~~19. All applicable existing and proposed easements shall be shown on the project plans.~~
- ~~20. The proposed project must form an entity for the maintenance of any shared or common area including: private roadways, parking facilities, landscaping, signs and drainage facilities. If there is an existing entity, the property owner shall modify the document if the current document does not sufficiently address maintenance of the roadways, parking facilities, landscaping, signs, and drainage facilities of the current project. DOT shall review the document forming the entity to ensure the provisions are adequate prior to filing of the parcel map.~~
- ~~21. The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Conditions and Restrictions (CC&Rs).~~

- ~~22. All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.~~
- ~~23. The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.~~
- ~~24. The developer shall enter into a Parcel Map Improvement Agreement (PMIA) with the Department of Transportation for onsite roadway, drainage infrastructure, grading, etc. The developer shall complete the improvements to the satisfaction of DOT or provide security to guarantee performance of the PMIA as set forth within the County of El Dorado Subdivision Division Ordinance, prior to filing of the map. This condition shall appear as a note on the recorded parcel map.~~
2523. Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
- ~~26. A commercial grading permit is required for the project. The applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the DOT and/or Development Services (whichever is applicable) for review and approval. The plan shall be in conformance with the County of El Dorado "*Design and Improvement Standards Manual*", the "*Grading, Erosion and Sediment Control Ordinance*", the "*Drainage Manual*", the "*Off Street Parking and Loading Ordinance*", and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of the DOT and/or Development Services (whichever is applicable) or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.~~
- ~~27. Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation or Development Services (whichever is applicable). The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.~~

- ~~28. The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation or Development Services (whichever is applicable) shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.~~
- ~~29. At the time of the submittal of the grading or improvement plans, the applicant shall submit a soils and geologic hazards report (meeting the requirements for such reports provided in the El Dorado County Grading Ordinance) to, and receive approval from the El Dorado County Department of Transportation or Development Services (whichever is applicable). Grading design plans shall incorporate the findings of detailed geologic and geotechnical investigations and address, at a minimum, grading practices, compaction, slope stability of existing and proposed cuts and fills, erosion potential, ground water, pavement section based on TI and R values, and recommended design criteria for any retaining walls.~~
- ~~30. The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation or Development Services (whichever is applicable).
The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:~~
- ~~• The site can be adequately drained;~~
 - ~~• The development of the site will not cause problems to nearby properties, particularly downstream sites;~~
 - ~~• The on site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.~~
 - ~~• The ultimate drainage outfall of the project.~~

~~Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. The improvements shall be completed to the approval of the Department of Transportation or Development Services (whichever is applicable), prior to the filing of the parcel map or the applicant shall obtain an approved improvement agreement with security.~~

- ~~31. Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements, and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the parcel map.~~
- ~~32. Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and or on the final map.~~
- ~~33. At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.~~
- ~~34. Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.~~
3524. The applicant shall pay the traffic impact mitigation fees in effect at the time a building permit is deemed complete.
25. The applicant shall obtain an encroachment permit from the Transportation Department and shall construct the access encroachments to Commodity Way to the provisions of County Design Std 103G, Modified as shown on the site plan.
- The applicant shall obtain an encroachment permit for construction of the storm drain connection to the existing public storm drain system I Commodity Way.
26. The project shall construct post construction storm water mitigation measures to capture and treat the 85th percentile 24 hour storm event as outlined in the CA Phase II MS4 Permit and the County's West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan, prior to connection to the public storm drain system in Commodity Way.

27. Upon completion of the Storm Water improvements, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Transportation Department with the final drainage report, in PDF format and the record drawings in TIF format.

Environmental Health Division

28. The facility will be required to submit the following documents into CERS (California Environmental Reporting System) prior to operation.
- a. Business activities form.
 - b. Owner/operator information form.
 - c. Hazardous materials inventory for all reportable chemicals.
 - d. A completed CERS consolidated contingency plan.
 - e. A facility site map.