

## CONDITIONS OF APPROVAL

### **Special Use Permit Revision S78-0016-R/Tunnel Electric Planning Commission/March 12, 2015**

1. This Special Use Permit is based upon and limited to compliance with the project description, the Staff Report exhibits marked Exhibit E, 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, as approved and revised, consists of the following:

- a. A steel fabrication shop in an accessory building. This includes but is not limited to the use of power tools such as welding, machining, metal forming.
- b. Wiring of control panels and power distribution panels.
- c. Operation of a forklift for loading and unloading purposes.
- d. Storage of miscellaneous materials including steel, wire, and hardware within the shop building.
- e. Clerical operations in the shop office to manage on and offsite business operations.
- f. Meeting with clients at the shop office.
- g. Three employees that reside on the project parcel in addition to the property owner.
- h. An approximately 5,100 square foot workshop.

### **S78-0016 Conditions of Approval**

21. Development is to be consistent with the site plan (Exhibit E).
32. Operational hours from 7:00 A.M. to 5:00 P.M.
43. Structure to be painted earth colors.
4. The use is exclusively for the applicant, not to include employees, and not transferrable with the sale of the property.

### **Community Development Agency – Development Services Division-Planning**

5. All code enforcement cases shall be closed within six months of approval of this Special Use Permit. All building permits required by these code enforcement actions shall be fined within six months of approval of the Special Use Permit.
6. All storage of material related to this permit shall be stored indoors.
7. One commercial truck delivery or shipping trip per day shall be allowed to the project site.

8. Noise: If complaints about noise emanating from the site are received from multiple residences adjacent to the project parcel, the applicant shall be required to submit an acoustical analysis to Planning Services for review. If the analysis shows that noise levels within the active use areas are not consistent with the General Plan Noise Element the applicant shall be required to modify the noise sources in order to meet the required decibel levels.

9. Lighting: All outdoor lighting shall conform to Section 130.14.170 and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation.

Should final, installed 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.

10. Hold Harmless: 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.

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

### **Environmental Management Division**

11. Hazardous Materials: Applicant must comply with all regulations pertaining to storage of hazardous materials and hazardous waste, including, but not limited to, reporting to the California Environmental Reporting System (CERS), employee training and documentation of training, and disposal records for any hazardous waste generated at the facility.

12. Solid Waste: Provide sufficient space for both trash and recycling dumpsters. All solid waste, including animal waste must be stored in trash containers with tight fitting lids and hauled from the site at least once every seven days for proper disposal.

### **El Dorado County Air Quality Management District**

13. Surface Coating/Solvent Use: If the combined use of solvents and surface coating material will exceed one gallon per day, the applicant must stop use and apply for an Authority to Construct/Permit to Operate from AQMD. (Rule 501.1.J)

14. Point Source of Pollution: Any existing or proposed point source of emissions, e.g., emergency standby engine greater than 50hp, water or air heaters/boilers exceeding one MMBTU/hr, abrasive blasting operation, etc., must have a valid Permit to Operate. If so, or if the facility emits through any and all processes more than two lbs of pollutants per day, 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)
15. Asbestos Dust: Current county records indicate this subject property is located within the Asbestos Review Area. An Asbestos Dust Mitigation Plan (ADMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to project construction if a grading permit is required by the County or if the project moves more than 20 cubic yards of soil. (Rules 223 and 223.2). The project shall adhere to the regulations and mitigation measures for fugitive dust emissions asbestos hazard mitigation during the construction process. Mitigation measures for the control of fugitive dust shall comply with the requirements of Rule 223 and 223.2.
16. Paving: Any asphalt paving or road development shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
17. Painting/Coating: The project may involve the application of architectural coating, which shall adhere to AQMD Architectural Coatings (Rule 215).
18. Construction Emissions: During construction, all self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (ARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 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](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.
19. 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.