

Z02-0009/PD02-0002/S03-0007

(Note: Deletions of conditions are shown as ~~striketrough items~~ and additions are shown as underlined items.)

Findings

1. The total building area of the revised site plan does not exceed the original approval. Original approval allowed 121,500 square feet, and the revised site plan provides 100,000 square feet.
2. No new environmental impacts that were not evaluated in the original mitigated negative declaration will result from the changes to the site plan and conditions of approval.
3. The revised site plan is substantially the same as the original site plan except for the modified design of the mini-storage buildings as a result of the February 15, 2005, settlement agreement between the County, FALU, and Sundance.
4. Incorporated by reference are the findings approved for PD02-0002 from the approval date of March 30, 2004.

Mitigation Measures

1. All buildings shall be painted or utilize earth tone colors and materials designed to match or blend in with the existing surrounding vegetation on the property. All roofing materials shall also be colored to match or blend in with the existing vegetation on the property.
2. The applicant shall provide a minimum 5-foot-wide landscaping strip along all property lines and in front of or behind the proposed perimeter wall containing shrub or tree species that will grow vertically in order to provide visual screening of the site from adjacent residential properties. The applicant shall provide a minimum of one 5-gallon or equivalent shrub and one 15-gallon or equivalent tree alternating every 5 feet along all property lines. The size and species of the shrubs and trees shall be shown on a final landscaping plan, which shall be approved by the Planning Director prior to approval of any building permits for the site.
3. The proposed project shall comply with any applicable requirements of the **El Dorado County Air Pollution Control District Rule 502: General Conformity Rule**, which requires compliance with the State and National Ambient Air Quality Standards.
4. The project shall adhere to the provisions of **District Rule 223**, and the applicant shall submit a **Fugitive Dust Prevention and Control Plan** to the APCD prior to any grading activities on the site, and the applicant shall implement the Fugitive Dust Mitigation Measures listed in Table C.4, Appendix C-1, Page 3, 4, and 5,

and Table C-5, Page 5, in the Air Quality Management Department's "Guide to Air Quality Assessment."

5. The project shall adhere to the provisions contained in El Dorado County Ordinance No. 4548. No grading or excavation activities may take place on site until an Asbestos Hazard Dust Mitigation Plan has been submitted to and approved by the El Dorado County Air Pollution Control District.
6. Asphalt surfacing of site access and parking areas shall conform with **El Dorado Air Pollution Control Rule 224: Cutback and Emulsified Paving Materials**, which prohibits the atmospheric discharge of volatile organic compounds caused by the use, manufacture, mixing, storage, and/or application of cutback or emulsified asphalt.
7. Pursuant to **El Dorado County Air Pollution Control District Rule 501.3(A): Authority to Construct**, the applicant shall receive authorization for construction (Authority to Construct) from the Air Pollution Control District prior to commencement of grading and construction activities on the site.
8. Pursuant to **El Dorado County Air Pollution Control District Rule 501.3(B): Permit to Operate**, the project proponent shall obtain a written permit from the Air Pollution Control Officer prior to the issuance of a building permit.
9. In no case shall daily emissions of ROG, NO_x, and PM₁₀ exceed 82 lbs/day during any construction and grading activities on the site.
10. A minimum of 30 days prior to initiating any construction activities during raptor nesting season (February 1 to July 31), a qualified biologist shall survey the project site and areas beyond the site limits but within 0.25 mile of any proposed grading and areas for nesting raptors. If nesting raptors are found during the survey, no grading or tree removal will occur within 500 feet of any active nest until the young have fledged (as determined by a qualified biologist), or until the project proponent receives written authorization from the California Department of Fish and Game to proceed. If no raptor nests are found during the survey, grading and tree removal may proceed with no further mitigation except as specified for the project.
 - a. Should construction lapse for 30 days or more between February 1 and July 31, the area shall be re-surveyed as outlined above before construction activities resume.
 - b. If construction activities are required in subsequent years, nesting raptor surveys as outlined above shall be completed in the month of January for each New Year of construction.
 - c. All nesting raptor surveys shall be completed following the California Department of Fish and Game's guidelines for wildlife surveys, and

completed copies of the surveys shall be submitted to the Planning Department and the California Department of Fish and Game.

11. Show a defined 50-foot non-disturbance setback on each side of the centerline of Evans Creek and the other site drainages on the final development plan and improvement and grading plans submitted to the Planning Department for approval. Grading, filling, and construction activities within the setback width will be minimized to the greatest extent possible, and no buildings or permanent parking areas will be allowed within the defined setback area. No healthy vegetation or trees shall be removed within the defined setback area. Dead, weakened, or diseased trees or vegetation may be removed, but only after review by a licensed arborist, El Dorado County, and any other responsible agency.
12. For wetlands to be preserved on the project site, the project proponent shall establish a 50-foot non-building and non-disturbance setback from the edge of the wetland(s). The setback area shall be shown on the plans/recorded maps and shall be clearly marked in the field using brightly colored flagging or temporary construction fencing. Limited ground disturbance, grading (grade cuts or fills), impervious surfaces, or landscaping within the setback area shall be allowed only as shown on the approved grading and improvement plans. In no case shall activity result in the discharge of fill material to protected wetlands.
13. With the exception of oak trees specifically identified for removal, all other oak trees on the project site having a minimum diameter of 6 inches (in the case of multi-stemmed trees this measurement will include all stems at breast height) or greater at breast height shall be preserved and protected as follows:
 - a. A circle having a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs may not be removed or cut back to alter the dripline. Removal of limbs for project purposes does not change the dripline.
 - b. In order to avoid damage to the oak trees and their root systems, highly visible temporary fencing, or other similar protective barrier shall be installed around the driplines of the oak trees to be preserved within 50 feet of any ground disturbing activity prior to initiating any grading or construction activity on the site. Barriers may be temporarily moved during construction to accommodate site work in the driplines of oak trees to be retained.
 - c. All grading and construction activities shall be limited to the greatest extent possible to planned road and parking lot alignments and building envelopes. Limited ground disturbance, grading (grade cuts or fills), impervious surfaces, or landscaping under the canopy or within the defined dripline of any preserved oak tree shall be allowed only as shown on the approved grading and improvement plans. In the case where grading or ground disturbances affect a preserved oak tree, and the tree weakens and dies within five years of the completion of construction, the

affected tree shall be replaced on an inch-for-inch basis consistent with the measure above and become part of the five-year monitoring program.

- d. No signs, ropes, cables, or other devices may be attached to preserved oak trees.
 - e. No vehicles, equipment, mobile home/temporary office facilities, or materials shall be placed under the canopy or within the dripline of any preserved oak tree.
 - f. Construction shall not alter drainage patterns so that water collects or stands within the dripline of any preserved oak tree.
14. No mechanized trenching shall be allowed within the driplines of oak trees. In the case it is necessary to install underground utilities or complete trenching within the dripline of an oak tree it shall be completed by hand. In the event the tree weakens and dies within five years of the completion of construction, the affected tree shall be replaced on an inch-for-inch basis consistent with the measures above and become part of the five-year monitoring program.
15. The construction or placement of impervious materials within the driplines of oak trees in developed areas shall be minimized wherever possible. Where feasible, porous materials shall be used and/or a piped aeration system shall be installed under the supervision of a licensed arborist. In the case where impervious materials are placed under the dripline of a preserved oak tree and that tree weakens and dies within five years of the completion of construction, the affected tree shall be replaced on an inch-for-inch basis consistent with the mitigation measures above and become part of the five-year monitoring program.
16. Landscaping under the canopy or within the dripline of preserved oak trees shall be limited to non-plant materials such as wood chips, organic mulch, non-compacted decomposed granite, or other acceptable material (including live vegetation) as approved by the Planning Department. No spray irrigation shall be permitted. Landscaped materials and irrigation shall be kept a minimum of two feet from the base of the trunk. If vegetation is to be included in landscaping under the canopy or within the dripline of preserved oak trees, the project proponent must include on the project-landscaping plan a list of species and a schematic of the irrigation system. The landscaping plan will be subject to review by the Planning Department.
17. 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 appropriate measures are taken or the site is determined not to be of significance.

18. In the event of 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 the Guidelines of the Native American Heritage Commission. The project grading plans shall include this mitigation in the plans. The Planning Department shall review the grading plans prior to issuance of a grading permit.

Conditions of Approval

1. The Special Use Permit and Development Plan as approved, allows the following:

~~Building A - 40' X 235' (46 Storage Units) Building B - 30' X 235' (49 Storage Units)
Building C - 40' X 235' (50 Storage Units) Building D - 40' X 235' (50 Storage Units)
Building E - 30' X 235' (30 Storage Units) plus a 30' X 65' Office / Managers Residence
Building F - 30' X 240' (48 Storage Units) Building G - 40' X 240' (48 Storage Units)
Building H - 40' X 240' (48 Storage Units) Building I - 30' X 240' (48 Storage Units)
Building J - 40' X 240' (48 Storage Units) Building K - 30' X 180' (35 Storage Units)
Building L - 40' X 240' (48 Storage Units) Building M - 30' X 240' (48 Storage Units)
Building N - 30' X 240' (48 Storage Units) Building O - 40' X 240' (48 Storage Units)~~

Building A - 11,800 square feet
Building B - 16,000 square feet
Building C - 12,343 square feet
Building D - 11,500 square feet

Building E - 7,810 square feet
Building F - 12,000 square feet
Building G - 10,200 square feet
Building H - 10,848 square feet
Manager's Office 2,670 square feet

~~All of the proposed storage buildings (except the office/residence) will be metal pre-fabricated structures. All of the buildings will be painted with earth tone colors with colors consistent with Exhibit A of the Settlement Agreement. The site will be surrounded by a 10' high combination wall/fence fencing consistent with Exhibit A of the Settlement Agreement. The total number of storage units = 666 units. and the total square footage of buildings = approximately 121, 500 square feet. The total square footage of the proposed project shall be a maximum of 100,000 square feet.~~

2. ~~All site improvements shall conform to Exhibits D, E, F, G, H, I, and J, as attached.~~

All improvements shall conform to Exhibits A, B, C, D, and E as attached and shall also conform to the Settlement Agreement and Exhibit A provided as Attachments 1 and 2 respectively.

3. The hours of operation of the mini-storage facility shall be limited to the hours of 8:00 a.m. to 7:00 p.m., Monday through Thursday and Sunday, and 8:00 a.m. to 10:00 p.m. on Friday and Saturday.
4. The applicant shall submit a site improvements and grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plans shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*,” the “*Grading, Erosion and Sediment Control Ordinance*,” and the State of California Handicapped Accessibility Standards. A commercial grading permit is required.
5. The applicant shall be subject to a grading permit fee commensurate with the scope of the proposed project prior to the commencement of any work on the site.
6. The applicant shall be subject to the El Dorado County traffic fee program(s). Said fee(s) shall be due upon the issuance of a building permit.
7. Development of this parcel will be prohibited until full funding of the Green Valley Road/Miller Road Intersection Signalization Improvement Project is secured. Should development occur after funding is secured, occupancy of said development will be prohibited until said Green Valley Road/Miller Road Intersection Signalization Improvement Project is constructed, or alternative improvements are identified and constructed or secured to the satisfaction of the Department of Transportation.
8. The applicant shall provide a soils report at the time of grading permit application, addressing at a minimum, grading practices, compaction, slope stability of existing and proposed cut and fills, erosion potential, ground water, and pavement section based on TI and R values. The report shall include recommended design criteria for all retaining walls. Any dirt import/export to be deposited within El Dorado County shall require an additional grading permit.
9. Provide a drainage report at time of grading permit application addressing storm water runoff increases, impacts to downstream facilities and properties to the satisfaction of the Department of Transportation. A final drainage plan shall be prepared by the developer identifying the improvements needed to address the impacts as identified in the final drainage plan. Improvements to address any significant impacts shall be included in the report and in the project design. The report shall include water quality facilities (BMP’s), grassy swales, etc. The report shall discuss the necessity of storm water detention, either from increased flow rates or to prevent water quality degradation. The project shall include any recommended detention facilities in the construction design. Paved surface storm drainage shall include facilities to separate oils and grits from storm water in accordance with the recommendations of the Storm Water Quality Task Force’s *California Storm Water Best Management Practices Handbook* (1993). Flows

through landscaped areas or grassy swales are the preferred approach to storm water quality enhancement.

10. The storm drainage system shall incorporate water quality enhancement facilities. Flow through grassy swales, weekly parking lot sweeping are examples of water quality facilities. Best Management Practices and source control shall be included in the project description and drainage plans.
11. The applicant shall obtain a minimum of a 60 foot right-of-way for Hidden Acres Drive along the frontage of the project from Green Valley Road to the northerly proposed driveway access and reconstruct Hidden Acres Drive along this project frontage to Standard Plan 101A, with the following improvements:
 - a. One half of a 40 foot road width plus 12 feet width on the opposite side
 - b. Curb, gutter and 6 foot sidewalk on the east side.
 - c. Extra width on Hidden acres Drive at Green Valley Road for a left-turn lane onto Green Valley Road.
12. As specified in these conditions of approval, the applicant is required to perform off-site improvements. If it is determined that the applicant does not have or cannot secure sufficient title or interest of such lands where said off-site improvements are required, the County shall, at the applicant's expense acquire by negotiation or commence proceedings to acquire an interest in the land which will permit the improvements to be made, including proceeding for the immediate possessing of the property. Where the applicant is required to make improvements on land which neither the applicant nor the County has sufficient title or interest to make such improvements, the applicant shall submit to the Planning Director for approval:
 - a. A legal description prepared by a civil engineer or land surveyor of the land necessary to be acquired to complete the off-site improvements.
 - b. Improvement plans prepared by a civil engineer of the required off-site improvements.
 - c. An appraisal prepared by a professional appraiser of the cost of land necessary to complete the off-site improvements.
 - d. Prior to issuance of the commercial grading permit, the applicant shall enter into an agreement pursuant to Government Code Section 66462.5 to complete the required off-site improvements including the full costs of acquiring any real property interests necessary to complete the required improvements.

- e. In addition to the agreement, the applicant shall provide a cash deposit, letter of credit, or other acceptable surety in an amount sufficient to pay such costs including legal cost subject to the approval of County Counsel.
13. Provide a Class I Bike Trail within the County right-of-way easement along the south side of Green Valley Road. The improvements for the Bike Trail shall be incorporated into the improvement plans. The improvement shall be approved by the Planning Department as well as the Department of Transportation.
14. The on-site drive aisles shall be a minimum of 24 feet wide for two way travel and 12 feet for one-way travel or to standards as approved by the local fire protection agency. Appropriate pavement markings and signage shall be provided.
15. The developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit a Notice of Intent (NOI) to the State Water Quality Control Board (WQCB) for any project that will have a cumulative disturbance of one (1) acre or more. As a receipt of the NOI, the WQCB provides a Waste Discharge Identification (WDID) letter and number. The developer will provide a copy of the WDID to the Department of Transportation prior to scheduling of any pre-construction meeting, and will have the SWPPP available onsite at all times.
16. The proposed development shall connect to both public water and sewer capable of providing the required flows to serve the project needs as determined by the El Dorado Irrigation District and the Diamond Springs/El Dorado Fire Protection District.
17. All on-site lighting shall comply with the provisions of Section 17.14.170 of County Code.
 - a. Parking lot and any outdoors security lighting shall be side and top shielded to prevent any light or glare from leaking onto adjacent properties or roadways (street lights for illumination of public roads are excluded from this provision).
 - b. External lights used to illuminate a sign or side of a building or wall shall be shielded in order to prevent light from shining off the surface to be illuminated.
 - c. No outdoor floodlights shall project above 20° below the horizontal plane.
 - d. Lighting for outdoor display areas shall be turned off within 30 minutes after the closing of the business. No more than 50% of the parking lot lighting may remain on during hours of non-operation. Security lighting shall be designed with motion-sensor activation.

18. ~~All on-site signage shall comply with the provisions of Chapter 17.16 of County Code. Any future on-site freestanding or monument signs will required an amendment of the Development Plan.~~

Any signage shall comply with the Settlement Agreement and Exhibit A.

19. The rental space contract shall contain a provision stating that no hazardous, flammable, or explosive materials, liquids, or substances may be stored in any of the storage units on the site.
20. The Development Plan does not become effective until the Board of Supervisors approves the rezone.
21. The development plan and special use permit shall expire in 36 months, subject to the definition and extension provisions contained in Section 17.22.250 of the County Code.
22. The applicant shall convey to a public entity or otherwise grant to the County development rights, in a form acceptable to County Counsel, whether by conveyance of a conservation easement, recordation of a declaration of restrictions or by other document acceptable to the County Counsel to those portions of the property on which improvements for the shelf storage facility shall not be constructed, consisting of approximately eleven (11) acres. If the conveyance is not made directly to the County, then at County's request the County shall be named as a beneficiary of any such conveyance or agreement. The terms of the conveyance or grant of development rights shall provide that the property so restricted shall be maintained as a preserve area and in its natural state and that the oak trees thereon shall remain unless removal is required due to damage or disease. The portion of the property subject to these restrictions shall be shown on a diagram, sketch or similar document submitted prior to rehearing on the Project (the "Diagram"). The conveyance shall be made before any building permit for the Project is issued.
23. The applicant shall grant to the County an easement for the purposes of maintaining a pedestrian trail though that portion of the property maintained as a preserve area as shown on the Diagram. The precise description of the easement shall be drawn and the easement granted prior to issuance of any building permit for the Project. This pedestrian trail shall be located in a manner to facilitate the planned trail system extending from Wild Oak Park, through the Francisco Oaks subdivision providing access to the State Park at Brown's Ravine. Petitioner shall cooperate with the adjoining property owners and provide assistance to the County in attempting to obtain required easements to complete the pedestrian trail from adjoining property owners.