

**COUNTY OF LAKE
TANTI USE PERMIT 01-28
Expires April 25, 2004**

Pursuant to the approval of the Lake County Planning Commission on April 25, 2002, there is hereby granted to **Mark Tanti**, Lakeport, CA 95453, a **use permit to allow construction of a warehouse and storage facility**, located at **131 Soda Bay Road, Lakeport, CA**, being Assessor Parcel No. **008-019-69 & 70**, subject to the following terms and conditions:

A. General

1. The use hereby permitted shall substantially conform to the project description and the approved site plan of the staff report dated April 25, 2002. Minor alterations that do not result in increased environmental impacts may be approved in writing by the Community Development Director. Other modifications may be approved through the minor use permit process.
2. Prior to issuance of development permits, the developer shall enter into a mitigation monitoring inspection agreement with the County of Lake. This agreement shall provide for reimbursement to the County for the actual cost of inspection and monitoring, limited to staff time and mileage. An annual mitigation monitoring fee shall be remitted until all conditions are met.
3. Any monumentation disturbed during site construction shall be replaced and a corner record filed.
4. Prior to issuance of building permits, all mitigations required by Use Permit UP 00-13 and Design Review DR 01-02 related to air quality and wetlands restoration for construction of Phase I and II mini storage shall be completed.

B. Roadway and Traffic Improvements

1. For each successive phase of construction, the permit holder shall submit an occupancy plan for the Department of Public Works to determine if a left turn lane is warranted. If required, the permit holder shall construct a left-turn lane at the intersection of Soda Bay Road, and that portion of Soda Bay Road adjacent to the site shall be improved to collector road standards. Inspection, engineering and other costs incurred by the County of Lake shall be borne by the permit holder and shall be paid to the Director of Public Works prior to final approval of any improvement work. The permit holder shall submit to the Department of Public Works an engineer's cost estimate and improvement plans prepared by a Registered Civil Engineer and a signed engineering/inspection agreement for road construction and drainage improvements with stipulated deposit of 2% of the engineer's cost estimate prior to plan review.
2. All encroachments onto the County road shall be constructed to County commercial standards, capable of two-way traffic, prior to issuance of building permits. All necessary encroachment permits shall be obtained from the Department of Public Works prior to any work within the County right-of-way.
3. All truck travel areas including the encroachment, driveway, parking and loading areas shall be surfaced with concrete or asphaltic concrete surfacing. All paving surfaces are to be maintained in good condition by the permit holder.
4. A minimum of 28 parking spaces shall be provided on the site, to be designated with concrete bumpers, landscape rock, railroad ties, or other wheelstop barriers. This shall include at least one handicapped accessible parking space. All automobile parking surfaces shall be maintained with minimum of double chip seal surfacing.
5. All buildings shall maintain a 10' setback from the 50' easement (APN 008-019-70) which serves the adjoining parcel unless the applicant can legally demonstrate that this road easement has been formally abandoned.

C. Hazardous Materials

1. Prior to issuance of building permits, a Hazardous Material Disclosure Statement Business Plan, that includes an inventory of hazardous materials and emergency response procedures, shall be submitted for approval to the Environmental Health Department. Any uses requiring wastewater disposal shall be reviewed by Special Districts prior to approval of connection to sewage disposal systems.

2. The storage and transfer of all fuels and hazardous materials shall take place in a manner that conforms to state regulations, and shall be subject to the requirements of the Lakeport Fire Protection District, Building Division, and Uniform Fire Code. Outdoor hazardous material storage must be at least 100 feet from all existing wells.

D. Water Resources

1. Prior to issuance of grading and building permits, engineered on site drainage plans shall be submitted to the Water Resources Division for review and approval.
2. Outdoor storage, building site and vehicular travel areas shall not encroach into the buffer zone along wetlands and the unnamed tributary to Manning Creek. The setback area along the creek shall be 20 feet from the edge of wetlands and other waters of the US.
3. No site disturbance shall be permitted within the wetland, waterway and buffer zone. No materials such as, but not limited to, dirt, gravel, or debris shall be permitted to migrate into the creek.

E. Air Quality/Noise

1. The developer shall minimize vehicular and fugitive dust during construction and on-going operations by use of water, paving or other acceptable dust palliatives.
2. No on-site burning of construction materials shall be permitted. Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of preferably by grinding and composting. Areas of bare soil shall be watered or stabilized so as not to contribute to wind or water erosion.
3. All construction equipment shall be operated to avoid excessive noise and shall be required to retain originally installed mufflers for noise suppression. Back-up beepers shall be adjusted to the lowest allowable levels.
4. Equipment such as generators and air compressors shall be located to minimize noise impacts to surrounding residents. Should substantive noise complaints be received, the Planning Division may impose additional mitigation measures or require reduced hours of operation.
5. The developer shall obtain a grading permit, if required by the grading ordinance, prior to expansion of uses on the site. All grading activities shall be conducted between April 10th and October 10th of any given year. Exceptions may be granted by the grading authority and the Community Development Director based on dry soil conditions and expected weather patterns.
6. The permit holder shall submit an updated serpentine dust mitigation plan for review and approval to the Lake County Air Quality Management District before construction activities commence.

F. Fire protection

1. Prior to issuance of building permits, the permit holder shall submit for approval by the Lakeport Fire District a site development plan that includes descriptions of all required fire protection mitigation measures, including water storage, access and fire extinguishers. This shall include a detailed plan of on site water storage for fire suppression. Storage size, design and location shall be approved by the Lakeport Fire Protection District.
2. Prior to the issuance of occupancy permits, the permit holder shall install a key box entry method at the main gate (Knox Box) that allows 24-hour emergency access to all locks on the premises, located on a metal or concrete post and set back at least 30 feet from the property line, subject to approval by the Fire District. The property address number shall also be posted at this main gate. Water storage for fire suppression and fire extinguishers shall be installed in locations approved by the Lakeport Fire Protection District. All other Fire District requirements shall be met prior to issuance of certificates of occupancy.

G. Aesthetics

1. Prior to issuance of building permits for each phase of construction, the permit holder shall submit to Design Review Committee for review and approval detailed plans including the following information:
 - a. Detailed building plans, including elevations. Plans shall include colors, materials and finishes and incorporate specific architectural features such as eaves, trim, and color schemes which

are consistent with existing building on the site. Construction plans and calculations shall be stamped and signed by a California licensed architect or engineer, and submitted along with energy code compliance documents.

- b. A detailed site plan prepared by a design professional, showing exact location and type of signage, parking and landscaping, with a minimum of 5% of driveway and parking areas to be landscaped, consistent with zoning ordinance section 41.9. The sizes and types of landscape plants shall be included on the plans. Barriers such as concrete curbing, railroad ties, or decorative rock shall be used to separate parking areas from landscaping. The southern fence line shall include a 5' landscaped buffer.
 - c. Location, type and intensity of exterior lights. All exterior lighting shall be shielded and directed away from adjacent properties or roads, in conformance with the performance standards of zoning ordinance section 41.8.
 - d. An occupancy plan including specific uses, numbers of employees, hours of operation and parking to be provided for each use.
2. Landscaping shall be installed and maintained along the east and south fence lines of the property. Landscaping along the front (east) portion of the lot within 20 feet of driveways shall be maintained so as to provide a clear view to drivers entering Soda Bay Road. This shall include trimming any hedges or bushes so they do not extend to a height greater than three feet from ground level.

H. Cultural Resources

1. Should any archaeological materials be discovered during the development of this property, all activity shall be halted in the vicinity of the find(s), and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director.

I. Timing and expiration

1. The Planning Commission may revoke the permit in the future if the Commission finds that the use to which the permit is put is detrimental to the health, safety, comfort or welfare of the public, or causes a nuisance.
2. The permittee shall permit the County of Lake or representative(s) or designee(s) to make periodic inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
3. This permit shall be null and void if not used by April 25, 2004, or if the use is abandoned for a period of two (2) years.
4. This permit shall be valid for an indefinite time period unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code prior to that date, or unless an extension is approved by the Planning Commission.

**Community Development Department
Mary Jane Fagalde, Interim Director**

Prepared By: _____

By: _____
Kristine Edgmon, Secretary

ACCEPTANCE

I have read and understand the foregoing Use Permit and agree to each and every term and condition thereof.

Date: _____

Applicant or Authorized Agent