

**COUNTY OF LAKE
DESIGN REVIEW
CROSS DEVELOPMENT
CONDITIONS OF APPROVAL
AND
MITIGATION MEASURES
DOLLAR GENERAL - MIDDLETOWN
Expires if not used by: August 25, 2016**

Pursuant to the approval of the Lake County Planning Commission on **August 25, 2016**, there is hereby granted to **Cross Development, Dollar General - Middletown, Design Review to allow construction of a new retail store** on property located at **20900 S. State Highway 29, Middletown, Ca** being Assessors Parcel Numbers **024-501-18**, subject to the following terms and conditions.

CONDITIONS:

A. GENERAL

1. The Planning Commission shall act as the Design Review authority on this project. All exterior elements, lighting, and trash storage areas shall be installed in accordance to the conditions of approval and approved plans and maintained for the life of the project unless modified herein by the Planning Commission. The Community Development Director or authorized representative may approve in writing, minor modifications that do not result in increased environmental impacts.
2. The use hereby permitted shall substantially conform to the *site plan, landscaping plans dated July 27, 2016 and building elevation (including signage) dated November 9, 2016, except as modified herein*, and any conditions of approval imposed by the Design Review Authority. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts.
3. Should any archaeological materials be discovered during construction of the new store, or installation of landscaping or irrigation all activity shall be halted in the vicinity of the find(s), and a qualified archaeologist shall be retained to evaluate the find(s) and recommend mitigation measures, if necessary, subject to the approval of the Community Development Department.
4. All other applicable requirements of UP 15-08 shall remain in effect as previously approved.

B. GLARE AND HEAT

1. A lighting plan shall be submitted and approved by staff prior to occupancy. All lighting shall be directed downwards onto the project site and not onto adjacent roads or properties. Lighting equipment shall be consistent with that which is recommended on the website: www.darkskyorg and provisions of section 21.41.8 of the Zoning Ordinance.

C. PEDESTRIAN CORRIDOR

1. Prior to occupancy, the truck pull in area in the front of the building shall be redesigned by adding a change of pattern and or material for the paved area with a stamped concrete design to set that area apart from the sidewalks and parking areas.
2. Prior to occupancy, a minimum of two park benches shall be added, one for each of side of the retail store. A planter box shall be planted below the metal trellis for climbing vines and or plants.

D. TIMING & MITIGATION MONITORING:

1. The permit holder 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.

2. Prior to issuance of development permits, the applicant shall enter into a mitigation monitoring inspection agreement with the Planning Division and an annual mitigation monitoring fee shall be paid until all conditions are met.
3. This permit shall be null and void if not used within a two year period, or if the use is abandoned for a period of two (2) years.
4. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

MITIGATIONS:

E. PARKING

1. All handicap parking areas, routes of travel (pedestrian paths, walkways and sidewalks), building access and bathrooms shall meet American with Disabilities Act (ADA) requirements and be subject to review and approval stamp of a CASp, Certified Accessibility Access Specialist.
2. Construction, circulation, access and pedestrian improvements including sidewalks to the site shall be provided. Minor modifications not resulting in increased environmental impact may be approved in writing by the Community Development Director.
3. All twenty-three (23) parking spaces and (two handicapped) as shown on the submitted site plan shall be provided. A minimum of one van accessible parking stall sixteen (14) feet in width and twenty (20) feet in length is required per the Lake County Zoning Ordinance. All accessible parking shall meet the requirements of the State Building Code. Up to three compact parking spaces 7.5 feet in width and 16 feet in length (7.5x16) can be provided by the permit holder to replace the required 9x20 standard parking spaces if necessary.
4. A minimum of one (1) post or rail type bicycle rack or similar device shall be provided. The bicycle rack shall be located near the entrance of the building and shall not interfere with vehicular or pedestrian circulation and be designed to provide for locking of the bicycle to the rack.
5. An area within the parking lot shall be required for the storage of shopping carts. These storage areas shall be specifically marked as such and shall be constructed in a manner to physically contain the carts and not interfere with vehicular or pedestrian circulation.
6. Prior to occupancy, the driveway and parking areas shall be surfaced with asphalt or other appropriate pavement material with the exception of the access which shall be constructed to the Caltrans Commercial Road Approach Standards. All necessary commercial encroachment permits shall be obtained from the California Department of Transportation.
7. An encroachment permit shall be obtained from the California Department of Transportation(Caltrans) for all sidewalks and or pedestrians routes located within the State right of way.
8. Prior to occupancy, S. State Highway 29 shall be improved with curb, gutter, sidewalk and Highway improvements shall be installed in accordance with the requirements of the California Department of Transportation. The improvements shall be contained within the existing right of way and be constructed to California Department of Transportation.
9. Unloading and Loading area(s) identified on the site plan shall be kept clear to allow for adequate vehicle backup space.

F. LANDSCAPING

1. All landscaping and irrigation plan shall be submitted installed and maintained for the life of the project as shown on the submitted plans. Additional landscaping shall be provided along the rear side of the building along the west property line prior to occupancy. All Landscaping shall be consistent with the regulations and standards of Section 41.9 of the Lake County Zoning Ordinance and the Model Water Efficient Landscaping Ordinance

(Government Code Section 65591 Et. Seq).

2. A six foot high wooden fence or masonry wall shall be constructed along the entire southern and property lines of the parcel and maintained for the life of the project.
3. The existing Valley Oak trees located on the property shall be maintained for the life of the project, unless removal is required for safety reasons by California Department of Transportation.
4. If any Valley Oak trees five inches in diameter or larger is removed, tree(s) shall be replanted at a ratio of five to one and shall be maintained for five years. If trees die, they too shall be replanted and maintained for five years. Every practical effort shall be made to minimize impacts to all viable oak trees during development of this property. A replacement plan shall be submitted to the Community Development Department prior to planting.
5. Landscaping shall be provided within the walkway area identified with striped markings on the site plan near the buildings entrance.
6. All undeveloped areas as shown on the landscape plan shall be maintained in aggregate base and kept free of weeds for the life of the project.

G. PERIPHERALS

1. Prior to occupancy, a Trash Enclosure area shall be provided, consistent with Ordinance 2650 of the Lake County Code.

**Robert Massarelli, Director
COMMUNITY DEVELOPMENT DEPARTMENT**

Prepared by: MD

By: _____
Danae Bowen, Office Assistant III

ACCEPTANCE

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

Date: _____

Applicant or Authorized Agent

Printed Name of Authorized agent

