

PD15-0003/El Dorado Hills Memory Care (The Pavilions) – As approved by the Planning Commission on June 9, 2016

Conditions of Approval

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (Date and Signature)</u>
On-Going			
<p>The Planned Development Permit is based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits F through O, 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.</p> <p>The project consists of the following:</p> <p>1. Planned Development Permit for the Phase 1 construction and operation of a memory care facility with a total of 36 beds within a 27,613 square feet building served with on-site parking, landscaping, and pedestrian walkway.</p> <p>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 be consistent with the formal action taken on this plan, subject to the conditions of approval and mitigation measures approved for the project.</p>	On-Going	Planning Services Division	
<p>2. In accordance with Section 130.54.060.A of the El Dorado County Zoning Ordinance, this Planned Development Permit shall expire 24 months from the date of approval unless a timely extension is filed.</p>	On-Going	Planning Services Division	

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3.	<p>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.</p> <p>The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, or employees from any claim, action, or proceedings against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning the above project request which action is brought within the time period provided for in Section 66499.37.</p> <p>County shall notify the applicant of any claim, action, or proceeding and County will cooperate fully in the defense.</p>	On-Going	Planning Services Division	
4.	<p>The applicant shall submit to Planning Services a \$50.00 recording fee and the applicable California Department of Fish and Game fee prior to filing of the Notice of Determination by the County. No building permit shall be issued until said fees are paid.</p>	On-Going	Planning Services Division	
Prior To or In Conjunction With Improvement Plans and/or Grading Plan Approval				
5.	<p>In the event that previously unknown cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds, in accordance with §</p>	Improvement Plans	Planning Services Division	

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	15064.5 of the CEQA Guidelines. Cultural resources could consist of, but are not limited to, stone, bone, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. A note stating the above shall be placed on the Improvement Plans.			
6.	If human remains are encountered during earth-disturbing activities within the project area, all work in the adjacent area shall stop immediately and the El Dorado County Coroner's office shall be notified. If the remains are determined to be Native American in origin, both the Native American Heritage Commission (NAHC) and any identified descendants shall be notified by the coroner and recommendations for treatment solicited (CEQA Guidelines § 15064.5; Health and Safety Code § 7050.5; Public Resources Code §§ 5097.94 and 5097.98). A note stating the above shall be placed on the Improvement Plans.	Improvement Plans	Planning Services Division	
7.	Fugitive Dust: The project construction will involve grading and excavation operations, which will result in a temporary negative impact on air quality with regard to the release of particulate matter (PM10) in the form of dust. The project shall adhere to the regulations and mitigation measures for fugitive dust emissions during the construction process. In addition, a Fugitive Dust Mitigation Plan (DMP) Application with appropriate fees shall be submitted to and approved by the AQMD prior to start of project construction. (Rules 223 and 223.1)	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	
8.	Paving: Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	AQMD	

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9.	<p>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 Questions on applicability should be directed to ARB at 1-866-634-3735. ARB is responsible for enforcement of this regulation.</p>	<p>Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>AQMD</p>	
10.	<p>Open Burning: Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).</p>	<p>Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>AQMD</p>	
11.	<p>New Point Source: Prior to construction/installation of any new point source emissions units (e.g., emergency standby engine, etc.), 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)</p>	<p>Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>AQMD</p>	
12.	<p>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,</p>	<p>Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>AQMD</p>	

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	year of equipment, daily hours of operations of each piece of equipment.			
13.	On-Site Road Improvements: The applicant shall construct an encroachment onto Green Valley Rd and Cambria Way. The driveway encroachments shall be constructed per County Standard 103G modified to comply with current ADA requirements.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	
14.	Off-site Road Improvements: The applicant shall construct sidewalk and Curb & Gutter on Francisco Drive. Sidewalk constructed outside of the right of way shall be contained within a pedestrian easement. The applicant will construct sidewalk on the North side of Cambria Way. The sidewalk shall be 5.5-feet wide from back of curb. The applicant shall also construct ADA compliant curb ramps at the Southwest corner of Francisco Drive and Green Valley Rd. The applicant shall also construct an ADA compliant curb ramp at the intersection of Cambria Way and Francisco Dr. on the Northwest corner. The applicant shall construct all curb ramps per Caltrans Standard Plan A88A, or current revised standard plan in effect when the improvement plans are submitted for review to the County.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	
15.	<p>Consistency with County Codes and Standards: The developer shall obtain approval of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (as may be modified by these Conditions of Approval or by approved Design Waivers) from the Transportation Division and pay all applicable fees.</p> <p>Additionally, the project improvement plans and grading plans shall conform to the County Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street</p>	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	

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	Parking and Loading Ordinance, all applicable State of California Water Quality Orders, the State of California Handicapped Accessibility Standards, and the California Manual on Uniform Traffic Control Devices (MUTCD).			
16.	Soils Report: 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), and receive approval from the Transportation Division. 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.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	
17.	Regulatory Permits and Documents: All regulatory permits or agreements between the Project and any State or Federal Agency shall be provided to the Transportation Division with the Project Improvement Plans. These project conditions of approval and all regulatory permits shall be incorporated into the Project Improvement Plans.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	
18.	Electronic Documentation: Upon completion of the improvements required, and prior to acceptance of the improvements by the County, the developer will provide a CD to the Transportation Division with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Transportation Division	
19.	In order to enhance nighttime visibility, each hydrant shall be painted with safety white enamel and marked in the roadway with a blue reflective marker as specified by the Fire Department.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs	El Dorado Hills Fire Department	

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		First		
20.	All fire apparatus access roads shall be an asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 70,000 pounds. No access roads shall exceed a grade of 16%.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
21.	No entrances shall be gated on this project. The Cambria entrance shall be modified to accommodate fire apparatus turning radius of 40' inside/56' outside turning radius.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
22.	The only authorized parking will be in the designated parking spaces shown on the plans. All curbs shall be painted red with the words "No Parking - Fire Lane."	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
23.	This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
24.	The landscape plans shall not have any tree planted that will impede a 15' vertical clearance when fully grown adjacent to the main driveways surrounding the building. If the property is not fully landscaped, all weeds located on the property shall be cleared down to 2" by June 1st each year.	Improvement Plan Submittal or Prior to Issuance of Grading Permit(s) Whichever Occurs First	El Dorado Hills Fire Department	
25.	Mitigation Measure BIO-1 (Migratory Bird and Raptor Species): Pre-construction nesting bird surveys, in accordance with USFWS and CDFW protocols, shall be conducted by a qualified biologist within 14 days of initiation of any construction during the nesting season (end of February through end of August). During the survey, the qualified wildlife biologist shall inspect all trees in and immediately adjacent to the impact area for raptor and migratory bird nests. If the survey does not identify any nesting raptor species on or near the	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Planning Services Division	

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	<p>construction site, further mitigation is not required. However, should any raptor species be found nesting on or near the construction site (within 500 feet of construction activities), the project applicant, in consultation with El Dorado County and CDFW, shall avoid all birds of prey or migratory bird nest sites located in the construction area during breeding season while the nest is occupied with adults and/or eggs or young. The occupied nest shall be monitored by a qualified wildlife biologist to determine when the nest is no longer used. Avoidance shall include the establishment of a no disturbance buffer zone around the nest site. The size of the buffer zone shall be determined in consultation with El Dorado County and CDFW. Highly visible temporary construction fencing shall delineate the buffer zone. If a legally-protected species nest is located in a tree designated for removal, the removal shall be deferred until after August 31, or until the adults and young are no longer dependent on the nest site, as determined by a qualified biologist.</p>			
26.	<p>Mitigation Measure BIO-2 (Bat Species): Pre-construction bat surveys, in accordance with CDFW protocols, shall be conducted on-site by a qualified bat biologist within 14 days of any tree removal that will occur during the breeding season (April through August). Pre-construction surveys are not required for tree removal activities scheduled to occur during the non-breeding season, as determined by a qualified bat biologist. If pre-construction surveys indicate that no roosts of special-status bats are present, or that roosts are inactive or potential habitat is unoccupied, no further mitigation is required. If roosting bats are found, exclusionary measures approved by CDFW and USFWS shall be installed by a qualified bat biologist. Once the bats have</p>	<p>Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First</p>	<p>Planning Services Division</p>	

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	been excluded, tree removal may occur. If these actions do not result in exclusion, a qualified biologist in possession of an applicable Department of Fish and Wildlife Memorandum of Understanding should consult with CDFW to determine appropriate relocation methods.			
27.	Mitigation Measure BIO-3 (Western Pond Turtle): Pre-construction western pond turtle surveys, in accordance with CDFW protocols, shall be conducted by a qualified biologist prior to any work within or adjacent to the creek. Any turtles found within the immediate work area shall be relocated within the same stream channel by a qualified biologist holding all required permits.	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Planning Services Division	
28.	Mitigation Measure BIO-4 (Indirect Impact to Riparian Areas): A Lake and Streambed Alteration Agreement, pursuant to Fish and Wildlife Code Section 1600 et seq, shall be obtained by the applicants, from the California Department of Fish and Game for the stream crossing and any other activities affecting the bed, bank, or associated riparian vegetation of any stream on the site. Appropriate mitigation measures shall be developed in coordination with CDFW in the context of the agreement process. These measures shall include construction measures detailed in the June 3, 2016 memorandum prepared by Madrone Ecological Consulting.	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Planning Services Division	
29.	Mitigation Measure BIO-6 (Oak Canopy): The applicant shall submit a Landscape Plan as part of Improvement Plan detailing the applicable construction and replanting provisions associated with the preserved, removed, and replanted oak trees as part of Phase 1 facility construction, consistent with the Oak Canopy Analysis, Preservation, and Replacement Plan for El Dorado Hills Memory Care Revised Phase I (Pavilions) letter (dated April 20, 2016). An Oak Canopy Replanting Agreement the	Improvement Plan Approval or Prior to Issuance of Grading Permit(s) Whichever Occurs First	Planning Services Division	

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County shall be executed for the long term maintenance and preservation of any replacement trees and/or acorns planted.			
Prior To or In Conjunction With Building Permit			
30. The applicant shall acquire a Certificate of Correction for the modification of the access restriction recorded on the property along Green Valley Road.	Building Permit	County Surveyor	
31. A meter award letter or similar document shall be provided by the water purveyor prior to issuance of building permit.	Building Permit	Planning Services Division /EID	
32. Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.	Building Permit	AQMD	
33. Electric Vehicle Charging: All parking stalls reserved for employees shall include at a minimum a Level 1 (110-120V AC) electrical outlet near the vehicle for charging of plug-in electric vehicles (PEV). The project shall be designed with or pre-wired for Level 2 PEV charging infrastructure.	Building Permit	AQMD	
34. Solar/Photovoltaic Equipment: The proposed development shall incorporate solar photovoltaic equipment, or at a minimum, be pre-wired for the installation of roof-mounted solar photovoltaic systems in order to reduce the impact on the electrical grid and reduce emissions from electricity generation and other forms of energy consumption.	Building Permit	AQMD	
35. The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	AQMD	
36. Exterior Electrical Outlets: Electrical outlets shall be provided along the front and rear exterior walls of the building to allow for	Building Permit	AQMD	

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	the use of electric landscape maintenance tools.			
37.	The potable water system with the purpose of fire protection for memory care facility shall provide a minimum fire flow of 1,750 gallons per minute with a minimum residual pressure of 20 psi for a three-hour duration. This requirement is based on a structure 40,600 square feet or less in size, Type V-A construction. All structures shall be fire sprinklered in accordance with NFPA 13 and Fire Department requirements. This fire flow rate shall be in excess of the maximum daily consumption rate for this development. A set of engineering calculations reflecting the fire flow capabilities of this system shall be supplied to the Fire Department for review and approval.	Building Permit	El Dorado Hills Fire Department	
38.	This development shall install Mueller Dry Barrel fire hydrants or any other hydrant as approved by the El Dorado Irrigation District. This conforms to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants for this development shall not exceed 300 feet. The exact location of each hydrant shall be determined by the Fire Department.	Building Permit	El Dorado Hills Fire Department	
39.	A Knox Box is required for nighttime and afterhours access to the alarmed buildings. A Knox Key shunt system shall be installed to terminate power to generators.	Building Permit	El Dorado Hills Fire Department	
40.	In order to provide this development with adequate fire and emergency medical response during construction, both the Green Valley and the Cambria access roadways and fire hydrant systems shall be installed and in service prior to combustibles being brought onto the site as specified by the Fire Department, Standard B-003. All fencing that backs up to	Building Permit	El Dorado Hills Fire Department	

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	wildland open space shall be required to use non-combustible type fencing.			
41.	The covered section of the main entrance near the front doors of the building requires a minimum of 15' in height.	Building Permit	El Dorado Hills Fire Department	
42.	The applicant shall submit a Construction and Demolition Debris Recycling Acknowledgement Form And Debris Recovery Plan/Acknowledgement (Pre-Construction/Pre-Demolition form). Fillable forms are available at: http://www.edcgov.us/Government/EMD/SolidWaste/Construction_and_Demolition_Debris_Recycling.aspx	Building Permit	Environmental Management	
Prior To Certificate of Occupancy				
43.	A PDF electronic copy of all plans shall be provided to the fire department for electronic storage and use for engine company pre-fire planning.	Certificate of Occupancy	El Dorado Hills Fire Department	
44.	Addressing, including suite number assignments, shall be coordinated with and approved by the department.	Certificate of Occupancy	County of Surveyor	
45.	Addressing is required as described in the in accordance with the El Dorado Hills Fire Department Addressing of Buildings Standard B-001.	Certificate of Occupancy	El Dorado Hills Fire Department	