

CONDITIONS OF APPROVAL

**Conditional Use Permit S18-0012/Planned Development PD18-0002/EDH Folsom Self-Storage
Planning Commission/October 24, 2019**

Planning Services

1. Project Description
 - a. The Conditional Use Permit and Planned Development permit are based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below.
 - b. The project proposes phased construction (Exhibit S) and operation of a self-storage facility consisting of 13 storage buildings totaling 149,000 square feet and a two story manager office and apartment (Exhibit F). Starting with construction phase two, approximately 230 outdoor RV and boat parking spaces would be introduced. These spaces would be gradually replaced with indoor storage over phase three and four (Exhibit S). The final project configuration does not include any outdoor storage. A monument sign is proposed to be constructed with a wooden water tower design at the north east corner of the project site. Approximately 64 percent or six acres of the 9.55 acre site are anticipated to be built out with structures or hard scape improvements. The rest of the site would be landscaping and open space in the form of the preserved wetland swale at the center of the site.
 - c. 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 permits and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.
 - d. 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 conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.
2. No activity authorized by this Conditional Use permit or Planned Development permit may commence until all of the conditions of approval have been complied with in full.

3. Any proposed changes to the approved site plan shall be submitted to the Planning and Building Department Director for review and approval. Minor changes may be approved by the Director. Major changes will require approval by the Planning Commission.
4. In Compliance with County Code Section 130.22.250, implementation of the project must occur within 24 months of approval of these permits, otherwise the permits become null and void. It is the responsibility of the applicant to monitor the time limit and make diligent progress toward implementation of the project and compliance with conditions of approval.
5. The applicant shall meet all parking lot construction standards as outlined in Resolution 202-2015. Parking areas shall conform to the site plan (Exhibit F) and requirements under Section 4.7 of the Parking and Loading Standards. The improvement/grading plan provided to Planning and Building Department shall contain information showing compliance with the above standards.
 - All proposed signs and structures must be kept out of the County right-of-way.
 - Parking lot dimensions shall conform to requirements under the El Dorado County Standard Plans Manual, Standard Plan RS-90.
 - Every parking and loading stall shall be accessible from the drive aisle without displacement of other vehicles.
 - Every parking stall and drive aisle shall have a minimum of eight feet vertical clearance.
 - All parking areas shall be graded to provide adequate drainage of all surface areas into an on-site drainage improvement or stormwater drainage system, in compliance with the gradient standards in the Land Development Manual (LDM).
6. Lighting fixtures and their locations shall conform to the lighting plan, lighting inventory, and design certification (Exhibits M1-M4). All proposed building or parking lot lighting fixtures shall be designed and located so that no light and glare shall spill over property lines and adversely impact adjoining properties 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 the Planning and Building Department.
7. The applicant shall submit to Planning Services a \$50.00 recording fee and the current Department of Fish and Wildlife fee prior to filing of the Notice of Determination by the County. Please submit check for the total amount to Planning Services and make the check payable to El Dorado County. No permits shall be issued until said fees are paid.
8. 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.

- a. 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.
 - b. The following shall be incorporated as a note on the grading/improvement plans: In the event archeological resources are discovered during grading and construction activities, the applicant shall ensure that all such activities cease within 50 feet of the discovery until an archaeologist can examine the find in place. If the find is determined to be a “unique archaeological resource”, contingency funding, and a time allotment sufficient to allow recovering an archaeological sample or to employ one of the avoidance measures may be required under the provisions set forth in Section 21083.2 of the Public Resources Code. Construction work could continue on other parts of the project site while archaeological mitigation takes place.
 - c. If the find is determined to be a “unique archeological resource”, the archaeologist shall determine the proper method(s) for handling the resource or item in accordance with Section 21083.2(b-k). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken or the site is determined a “non-unique archeological resource”.
9. In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The Coroner shall make their determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the Coroner of the discovery or recognition of the human remains. If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated

with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

The following conditions are the identified mitigation measures from the prepared initial study.

10. Mitigation Measure Bio-1: If construction activities will occur during the nesting season (February to September), a preconstruction survey for the presence of special-status bird species or any nesting bird species shall be conducted by a qualified biologist within 500 feet of proposed construction areas. If active nests are identified in these areas, the California Department of Fish and Wildlife (CDFW) and/or the United States Fish and Wildlife Service (USFWS) shall be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site.
 - i. Monitoring Requirement: The applicant shall conduct all construction activities outside the nesting season or perform a pre-construction survey and the necessary avoidance measures prior to initiation of construction activities. If a pre-construction survey is required, the Planning and Building Department shall verify the completion of survey prior to issuance of grading permit.
 - ii. Monitoring Responsibility: Planning Services, El Dorado County Planning and Building Department
11. Mitigation Measure Bio-2: The applicant shall conduct a preconstruction survey for American badger within 14 days prior to the start of any grading or ground disturbance. If American badgers or their dens are found, an additional survey shall be conducted within 24 hours prior to ground disturbance. Construction shall not begin until a qualified biologist determines that the badger has left the project area on its own accord. Maternity dens shall be avoided during kit-rearing season (February to July). If avoidance of the den is not feasible, the badger shall be passively relocated by slowly excavating the burrow by hand no more than four inches at a time, under the supervision of the biologist after the kit-rearing season.
 - i. Monitoring Requirement: Planning Services shall verify the completion of survey prior to issuance of grading permit.
 - ii. Monitoring Responsibility: Planning Services, El Dorado County Planning and Building Department
12. Mitigation Measure Bio-3: The applicant shall obtain a CWA Section 404 permit and Section 401 certification and submit verification of compliance to the Planning Division.

- i. **Monitoring Requirement:** Planning Services shall verify the applicant has obtained the required permit and certification prior to issuance of grading permit.
 - ii. **Monitoring Responsibility:** Planning Services, El Dorado County Planning and Building Department
13. **Mitigation Measure Bio-4:** The applicant shall obtain a Section 1600 Lake and Streambed Alteration (LSA) Agreement from the California Department of Fish and Wildlife and submit verification of compliance to the Planning Division.
 - i. **Monitoring Requirement:** Planning Services shall verify the applicant has obtained the LSA Agreement prior to issuance of grading permit.
 - ii. **Monitoring Responsibility:** Planning Services, El Dorado County Planning and Building Department
14. **Mitigation Measure Bio-5:** All Oak resources protection best management practices (BMPs) prescribed below shall be implemented prior to approval of any grading or building permit. The root protection zone (RPZ) is roughly one-third larger than the drip line (or outermost edge of the foliage based on the longest branch).
 - Install high visibility fencing around the RPZ. Fencing shall be four-feet high and bright orange with steel t-posts spaced 8 feet apart.
 - Do not grade, cut, fill or trench within the RPZ.
 - Do not store oil, gasoline, chemicals, other construction materials, or equipment within the RPZ.
 - Do not store soil within the RPZ.
 - Do not allow concrete, plaster, or paint washout within the RPZ.
 - Do not irrigate within the RPZ or allow irrigation to filter into the RPZ.
 - i. **Monitoring Requirement:** Planning Services shall verify the installation of protective fencing prior to issuance of any grading or building permit. The Building shall monitor ongoing BMPs during inspections.
 - ii. **Monitoring Responsibility:** El Dorado County Planning and Building Department.
15. **Mitigation Measure Trans-1:** The applicant shall construct an 11-foot wide dedicated right turn lane, a five foot wide bike lane, a two foot wide bike buffer zone, Caltrans A2-6 curb and gutter, and an 8-foot wide Portland Cement concrete sidewalk along Green Valley Road from Shadowfax Lane to Sophia Parkway. The new lane shall conform to the existing right turn lane approaching Sophia Parkway.

- i. Monitoring Requirement: Upon completion of the required improvements the applicant shall provide as-built plans to the County Engineer.
- ii. Monitoring Responsibility: El Dorado County Department of Transportation

Department of Transportation

16. Offer to dedicate, in fee, a strip of right of way along the project frontage along Green Valley Road, sufficient to contain the frontage improvements, plus 6 inches behind the sidewalk. Also offer any appurtenant slope, drainage, pedestrian, public utility, or other public service easements as determined necessary by the County. The offer(s) will be accepted by the County.
17. Obtain an encroachment permit from DOT and construct the Main Driveway access onto Green Valley Road to the provisions of County *Standard Plan 103-G*, Modified to conform to current accessibility guidelines.

If the cost of the frontage improvements exceeds the amount stated in County Ordinance Code Sec. 12.08.155, "Road improvement / encroachment agreements" enter into a Road Improvement Agreement with the County for this work.

Obtain an encroachment permit from DOT and construct the Emergency Only Driveway access onto Shadowfax Lane as shown on the approved site plan, and to the provisions of County Standard Plan 103-C.

18. Where sidewalks are provided, include pedestrian ramps with truncated domes conforming to Caltrans Standard Plan A88A, including a 4 foot sidewalk/landing at the back of all ramps. Alternate plans satisfying the current accessibility standards may be used, subject to review and approval by County.
19. Ensure the project improvement plans and grading plans conform to the County *Grading, Erosion and Sediment Control Ordinance, Grading Design Manual, the Drainage Manual, Storm Water Ordinance (Ord. No. 5022), Off-Street 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)*.
20. Construct post construction storm water mitigation measures to capture and treat the 85th percentile 24 hour storm event as outlined in the CA Phase II MS4 Permit and the County's [West Slope Development and Redevelopment Standards and Post Construction Storm Water Plan](#). Show detention and/or retention facilities on the project improvement plans to fully mitigate any increased runoff peak flows and volumes in accordance with the County Drainage Manual.

21. Prepare and submit a Geotechnical Report with the Project Grading or Improvement plans for review by the County Engineer. Incorporate the findings of the Report into Grading and Improvement Plans. The El Dorado County Grading Design Manual contains standards for content and scope of Geotechnical Reports; however, the County Engineer may require additional or specialized information.
22. Include a storm water quality message stamped into the concrete on new or reconstructed drainage inlets, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. Obtain approval of proposed message from County Engineer prior to construction.
23. Incorporate all regulatory permits and agreements between the project and any State or Federal Agency into the Project Grading and Improvement Plans prior to the start of construction of improvements.

Grading or Improvement plans for any phase may be approved prior to obtaining regulatory permits or agreements for that phase, but grading/construction of improvements may not proceed until the appropriate permits or agreements are obtained and the grading/improvement plans reflect any necessary changes or modifications to reflect such permits or agreements.

Project conditions of approval shall be incorporated into the Project Improvement Plans when submitted for review.

24. Upon completion of the required improvements, provide As-Built Plans to the County Engineer in TIFF format, and provide final Drainage and Geotechnical reports and structural wall calculations to the County Engineer in PDF format.

Environmental Management Department

25. State Law mandates that a minimum of 65% of the waste materials generated from covered Construction and Demolition projects must be diverted from being landfilled by being recycled or reused on site.
26. AB341-Mandatory Commercial Recycling: State law requires all non-residential and multi-family dwellings with 5 or more units that generate at least 4 cubic yards of solid waste per week to have a recycling program for common recyclable materials such as bottles, cans, and paper.
27. AB 1826-Mandatory Commercial Organics Recycling: This state law implements organic waste recycling. The law requires that all non-residential entities have an organics recycling program for the following types of organic wastes: green waste, landscape and pruning waste, nonhazardous wood waste, food waste and food-soiled paper.

28. Trash and Recycling Enclosures-CalGreen Section 5.410.1: Recycling by occupants, requires that new projects provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive.
29. This is a mandatory waste service area, businesses and residents must subscribe to waste service from the franchise waste hauler. Before the facility opens the applicant shall contact El Dorado Disposal to set up waste and recycling service.

County Surveyor

30. Addressing, including suite number assignments, must be coordinated through the EL Dorado County Surveyor's Office. Do not post any suite numbers until they are approved through the Surveyor's Office.
31. A Record of Survey map is required per Section 8762 of the California Land Survey Act.
32. All boundary monuments disturbed during project construction shall be reset by a Professional Land Surveyor or Qualified Engineer as defined by Section 8771 of the California Business and Professions Code (Land Surveyors Act).

Air Quality Management District

33. 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 if a Grading Permit is required from the Building Services. (Rules 223 and 223.1)
34. Paving: Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
35. Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
36. Open Burning: Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials may be disposed of using an open outdoor fire (Rule 300 Open Burning).

37. 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.
38. New Point Source: Prior to construction/installation of any new point source emissions units (i.e., gasoline dispensing facility, 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)
39. Portable Equipment: All portable combustion engine equipment with a rating of 50 horsepower or greater shall be under permit from the California Air Resources Board (CARB). A copy of the current portable equipment permit 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.
40. Electric Vehicle Charging: One & Two-Family Residential: Consistent with the Residential Mandatory Measures identified in the 2016 Cal Green Building Code §4.106.4.1, all one and two-family residential dwellings and townhomes shall have, at a minimum, a listed raceway to accommodate a dedicated 208/240V branch circuit for future electric vehicle supply equipment (EVSE) for each dwelling unit. The raceway shall not be less than 1 inch inside diameter, shall be securely fastened at the main panel, and terminate in close proximity to the proposed location of the charging end of the equipment. Raceways shall be installed from the electrical service panel to the designated parking areas at the time of initial construction. The service panel shall provide capacity to install a minimum 40A dedicated branch circuit. Please refer to Cal Green Building Stds Code §4.106.4 for specific requirements.
41. Electric Vehicle Charging – Non-Residential: The commercial portion of the project shall comply with the Non-Residential Mandatory Measures identified in the 2016 Cal Green Building Code §5.106.5.3 concerning installation of electric vehicle supply equipment (EVSE). Plans shall include; the location(s) and type of EVSE, a listed raceway capable of accommodating a 208/240-volt dedicated branch circuit originating at a service panel with sufficient capacity to accommodate a minimum 40A dedicated circuit, and terminating in a suitable enclosure in close proximity to the proposed location of the charging equipment. Plans shall include wiring schematics and electrical calculations to verify the electrical system has sufficient capacity to simultaneously charge electric vehicles at their full rated amperage (Level 2 EVSE). Raceways shall be installed from

the electrical service panel to the designated parking areas at the time of initial construction. Please refer to Cal Green Building Stds Code §5.106.5.3 for specific requirements