

CONDITIONS OF APPROVAL

Design Review Permit DR21-0005/Barsotti Warehouse Office Planning and Building Department Director/September 15, 2021

Planning Services:

1. This Design Review Permit approval is based upon and limited to compliance with the project description, the Conditions of Approval set forth below, and the following Exhibits:

Exhibit F	-	Site Plans
Exhibit G	-	Building Elevations and Design
Exhibit H	-	Landscape Plans
Exhibit I	-	Lighting Plans
Exhibit J	-	Improvement Plans

Any deviations from the project description, conditions, or exhibits shall 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.

The project description is as follows:

A Staff Level Design Review Permit, DR21-0005, to allow the construction and operation of a 22,800 square foot warehouse and office for the Barsotti Juice Company. The project includes associated improvements for landscaping, lighting, and parking. The scope of work would occur on the southern 7.8-acres portion of the 15.43-acre parcel. The warehouse portion of the building would represent the majority of square footage at approximately 21,233 square feet, and the office areas would be approximately 1,567 square feet total and includes the main office, a smaller office, lobby area, accounting room, file storage room, two restrooms, server room, break room, and janitor closet. Site improvements include 20 standard 9-ft x 18-ft parking spaces, two Americans with Disabilities Act (ADA) parking spaces, one Electric Vehicle Approved (EVA) parking space, six truck loading/unloading stalls, and trash enclosures. New 6-ft chain link fencing would be installed to secure the perimeter of the developed area (not the entire parcel). Project signage would be building signage only identifying the address. Landscaping is designed to utilize drought-tolerant species and would be consistent with the County's Model Water Efficiency Model (MWELo) program. The proposed lighting would include building lighting with wall luminaire, designed to be consistent with Zoning Ordinance Chapter 130.34 (Outdoor Lighting) to be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Access to the project site is from Business Drive at the intersection with Trade Way. This portion of Business Drive is not a County-maintained roadway and an encroachment permit is not required. Proposed grading would occur at the project entrance driveway, warehouse/office building pad, on-site circulation isles, an open area to the north of the

warehouse/office building, and stormwater improvements. There would be five types of surface paving used: Type 1 (3" AB on compacted subgrade), Type 2 (3" AC over 6" AB on compacted subgrade), Type 3 (8" PCC with #4 bars at 12" O.C.E.W. over 6" AB on compacted subgrade), Type 4 (4" PCC with #3 bars at 24" O.C.E.W. over 4" AB on compacted subgrade), and Type 5 (8" Class II AB on compacted subgrade). For utilities improvements, a Facilities Improvement Letter (FIL) from the El Dorado Irrigation District (EID) was included with requirements for improvements to connect to public water/sewer service. The project would have approximately 12 employees. Business hour operations would be from 7:00am-5:00pm.

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 exhibits and the COA below. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved exhibits and COA hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

2. Landscaping: The final landscape and irrigation plans shall be substantially consistent with the Landscape Plans (Exhibit H), and comply with Zoning Ordinance Chapter 130.33 (Landscaping Standards) and the County MWEL. The applicant shall install and maintain the landscaping in accordance with the approved final landscape plan in perpetuity.
3. Lighting: All outdoor lighting shall be substantially consistent with the Lighting Plans (Exhibit I), and comply with Zoning Ordinance Chapter 130.34 (Outdoor Lighting), and be fully shielded pursuant to the IESNA full cut-off designation. Any light fixture that does not have a specification sheet submitted with the building permit that specifically states that fixture meets the full cutoff standards, shall require a fixture substitution that meets that requirement.
4. Parking: Parking shall be improved consistent with Zoning Ordinance Chapter 130.35 (Parking and Loading), and shall conform to the approved Site Plans (Exhibit F) to provide 20 standard 9-ft x 18-ft parking spaces, two ADA parking spaces, one EVA parking space, and six truck loading/unloading stalls.
5. Signage: All signage installed as part of the project shall be consistent with Zoning Ordinance Chapter 130.36 (Signs), and with the approved signage shown in the Improvement Plans (Exhibit J).
6. Condition Compliance: Prior to issuance of any building permit or commencement of any use authorized by this permit the applicant shall provide a written description, together with appropriate documentation, showing conformance of the project with each condition imposed as part of the project approval.

7. Indemnity: 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.

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 Design Review. The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

8. Permit Implementation: In compliance with Chapter 130.54 - Permit Implementation, Time Limits, and Extensions of the Zoning Ordinance, implementation of the project must occur within 24 months of approval of this Design Review Permit otherwise the permit becomes 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 COA.

9. Archeological Resources: 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 his or her determination within two working days from the time the person responsible for the excavation, or in 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, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). The NAHC will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

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 NAHC. 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.

El Dorado County Fire Protection District (Fire District) and/or Cameron Park Fire Department:

10. The applicant shall submit final improvement plans to the Fire District and/or Cameron Park Fire Department for their review and approval at the time of building permit submittal.

El Dorado Irrigation District (EID):

11. The project shall adhere to the requirements from EID pertaining to improvements for connection to public sewer and/or water services, as applicable.

Air Quality Management District (AQMD):

12. Fugitive 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 (FDP) 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 Dept. (Rules 223 and 223.1). Also, the project may involve surfacing outdoor area in gravel, surfacing operations shall comply with the 17CCR § 93106 Asbestos Air Toxics Control Measures for Surfacing Applications that prohibits using any aggregate material extracted from property where any portion of the property is located in a geographic ultramafic rock area or any aggregate material that may contain an asbestos content equal or more than 0.25%.
13. Painting/Coating: The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
14. Open Burning: Burning of wastes that result from "Land Development Clearing" must be permitted through the AQMD. Only dry vegetative waste materials originating from the property may be disposed of using an open outdoor fire (Rule 300 Open Burning).
15. 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, year of equipment, daily hours of operation of each piece of equipment.
16. All self-propelled diesel-fueled engines greater than 25 horsepower shall be in compliance with the California Air Resources Board (CARB) Regulation for In-Use Off-Road Diesel Fueled Fleets (§ 2449 et al, title 13, article 4.8, chapter 9, California Code of Regulations (CCR). Questions on applicability should be directed to CARB at 1-866-634-3735. CARB is responsible for enforcement of this regulation.

17. 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).

Environmental Management Department (EMD):

18. Solid Waste Division - Construction and Demolition (C&D) Debris Recycling: 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. Please visit the El Dorado County's Construction and Demolition Debris Recycling Ordinance Program information and requirements. If there are any questions please contact EMD at (530) 621-5300.
19. AB 341 - Mandatory Commercial Recycling (Non-Residential): State Law requires that all non-residential dwellings that generate at least two cubic yards of solid waste per week to have a recycling program for common recyclable materials such as bottles, cans, and paper.
20. AB 1826 - Mandatory Commercial Organics Recycling (Non-Residential): State Law requires that all non-residential dwellings that generate at least two cubic yards of solid waste per week to have an organics recycling program for the following types of organic wastes: green waste, landscape and pruning waste, non-hazardous waste, food waste and food-soiled paper.
21. Trash and Recycling Enclosures: Cal Green 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. Please contact any questions about this provision to the County Building Services.

County Surveyor's Office:

22. 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).
23. Addressing assignments must be coordinated through the El Dorado County Surveyor's Office. Please do not post any Address Numbers until they are approved through the Surveyor's Office.
24. Any easement abandonment must be coordinated through the El Dorado County Surveyor's Office.

El Dorado County Stormwater Coordinator, West Slope:

25. The County is subject to the State of CA Phase II MS4 Permit and thus the County's post construction water quality requirements follow those outlined in that Permit in Section E.12. Projects typically qualify as a "Regulated" project under the MS4 Permit/West Slope Development and Redevelopment Standards and Post Construction Stormwater Plan Requirements if improvements (i.e., parking lots, rooftops, driveways, etc.) create or replace 5,000 sf or more of impervious surface. Regulated Projects are required to provide treatment of stormwater from the 85th percentile/24-hour storm event prior to the water leaving the site or entering a waterbody. An Erosion and Sediment Control Plan will need to be included in the plan submittal. If the project will disturb an acre or more of land, the Legally Responsible Person (LRP) is required to obtain Construction General Permit (CGP) coverage through the State Water Resources Control Board. The CGP requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).