

P-E19-0001/Ponte Palmero – As approved by the Planning Commission on March 26, 2020

Conditions of Approval

(The following are the original Conditions of Approval for A11-0004/Z11-0005/P11-0004/PD11-0003 Ponte Palmero as approved by the Board of Supervisors.)

1. **Project Description:** The Tentative Parcel Map and Planned Development Permit are based upon and limited to compliance with the project description, the hearing exhibits marked Exhibits I through P, 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.

The project consists of the following:

- A. Commercial Tentative Parcel Map subdividing the 19.87-acre site into five lots consisting of three commercial parcels (Limited Commercial-Planned Development-zoned Parcels 1 through 3) and two open space parcels (Open Space-zoned Parcels 4 and 5). The parcel sizes range from 1.17 acres to 9.47 acres; and
- B. Planned Development Permit establishing an official Development Plan for the proposed Ponte Palmero community care facility consisting of three buildings (one per each commercial lot) consisting of: a 50,510 square foot, 44-unit community care facility (Parcel 3), a 53,690 square foot, 46-unit assisted living facility (Parcel 2), and a 11,450 square foot clubhouse (Parcel 1). The community care facility will be served by 205 off-street parking stalls, public utilities and associated amenities.

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.

Planning Services

2. **Mitigation Monitoring Reporting Program (MMRP):** The applicant shall implement the mitigation measures in the adopted Mitigation Monitoring Reporting Program detailed in Chapter 4 of Exhibit S. The table below details the specific implementation timing and verification of compliance of the measures.

Mitigation Measures	Timing and Verification of Mitigation Measures
<p>4.3-1(a):Special-Status Plant Conservation, Salvage, Seed Collection of Propagation</p> <p>4.3-1(c): Preservation of Habitat for Special-Status Plants</p> <p>4.3-2(a):Blainville’s Horned Lizard Pre-Construction Surveys and Exclusion Fencing</p> <p>4.3-2(c): Workers Environmental Awareness Program</p> <p>4.3-2(d): Nesting Bird Avoidance</p> <p>4.3-2(b): Biological Monitor</p> <p>4.3-4: Wildlife Movement Corridor Protection (Noise Measures)</p> <p>4.6-1: Construction Noise Measures</p> <p>CUL-1: Archeological I Resource CUL-2: Paleontological Resource</p>	<p>Incorporate as a note on Grading Permit/Improvement Plan subject to review and verification by the Community Development Services-Planning Department</p>
<p>4.3-1(b) and 4.3-1(c): Payment of the Ecological Preserve Fee (Chapter 130.71)</p>	<p>The required fee shall be remitted prior to issuance of building permit, subject to verification by Community Development Services-Planning Department</p>
<p>4.3-3: Implement Mitigation Measure 4.3-1(a) through (c).</p> <p>4.3-5: Implement Mitigation Measures 4.3-1(a) through (c), 4.3-2(a) through 4.3-2(d), and 4.3-4.</p>	<p>See details of measures</p>

4.3-4: Wildlife Movement Corridor Protection (Outdoor Lighting)	Conformance with this measure shall be verified during review and prior to issuance of building permit, subject to verification by the Community Development Services-Planning Department
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3. **Human Remains:** 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 Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Sections 5097.94 and 5097.98). This requirement shall be noted on grading plans and shall be verified prior to issuance of grading permits.

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 archaeologist shall make recommendations on the measures to be implemented to protect the discovered resources, including but not limited to the excavation of the finds and evaluation of the finds, in accordance with Section 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.

4. **Tentative Map Expiration:** This tentative map shall expire 36 months from the date of approval unless a timely extension is filed. The Development Plan shall expire concurrent with the Tentative Map.
5. **Meter Award Letter:** A meter award letter or similar document shall be provided by the water purveyor prior to recordation of the final map for of the subdivision.
6. **Hold Harmless:** 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, as provided in Section 66474.9(b) of the California Government Code.

The applicant 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 subdivision, which action is brought within the time period provided for in Section 66499.37.

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

Transportation Department- Specific Conditions

7. **Encroachment Permit:** The applicant shall obtain an approved encroachment permit for access on to Ponte Morino Drive using County Design standard 103C.
8. **Secondary Access:** The DISM [Section 3 A. 9. & 12] states and therefore the applicant shall be required to verify and/or provide a secondary access to this site or an acceptable alternative. Secondary off-site accesses shall meet the requirements of El Dorado County Standard Plan 101C and the 2007 CA Fire Code with a 20-foot wide roadway capable of supporting 40,000 pounds. These off-site improvements shall be completed to the satisfaction of the Department of Transportation or the applicant shall obtain an approved improvement agreement with security, prior to the filing of the parcel map.

Transportation Department Standard Conditions

9. **Easements:** All applicable existing and proposed easements shall be shown on the project plans.
10. **Signage:** The applicant shall install all necessary signage such as stop signs, street name signs, and/or "not a county maintained road" road sign as required by the Department of Transportation prior to the filing of the map. The signing and striping shall be designed and constructed per the latest version of the Manual Uniform Traffic Control Devices (MUTCD) and the California Supplement.
11. **Common Fence/Wall Maintenance:** The responsibility for, and access rights for, maintenance of any fences and walls constructed on property lines shall be included in the Covenants Codes and Restrictions (CC&Rs).
12. **Water Quality Stamp:** All new or reconstructed drainage inlets shall have a storm water quality message stamped into the concrete, conforming to the Storm Water Quality Design Manual for the Sacramento and South Placer Regions, Chapter 4, Fact Sheet SD-1. All stamps shall be approved by the El Dorado County inspector prior to being used.
13. **Construction Hours:** Construction activities shall be conducted in accordance with the County Health, Safety, and Noise Element and limited to the daylight hours between 7:00 a.m. and 7:00 p.m. on any weekday, and 8:00 a.m. and 5:00 p.m. on weekends and federal holidays.
14. **DISM Consistency:** The developer shall obtain approval (as modified by these conditions herein) of project improvement plans and cost estimates consistent with the Subdivision Design and Improvement Standards Manual (dated May 1986, revised May

- 1990), from the County Department of Transportation, and pay all applicable fees prior to filing of the final map.
15. **Import/Export Grading Permit:** Any import, or export to be deposited or borrowed within El Dorado County, shall require an additional grading permit for that offsite grading.
 16. **Grading Permit / Plan:** If more than 250 cubic yards of earth movement are required for improvements, the applicant shall submit a site improvement/grading plan prepared by a professional civil engineer to the Department of Transportation for review and approval. The plan shall be in conformance with the County of El Dorado “*Design and Improvement Standards Manual*”, the “*Grading, Erosion and Sediment Control Ordinance*”, the “*Drainage Manual*”, the “*Off-Street Parking and Loading Ordinance*”, and the State of California Handicapped Accessibility Standards. All applicable plan check and inspection fees shall be paid at the time of submittal of improvement plans. The improvements and grading shall be completed to the satisfaction of DOT prior to occupancy clearance.
 17. **Grading Plan Review:** Grading and improvement plans shall be prepared and submitted to the El Dorado County Resource Conservation District (RCD) and the Department of Transportation. The RCD shall review and make appropriate recommendations to the County. Upon receipt of the review report by the RCD, the Department of Transportation shall consider imposition of appropriate conditions for reducing or mitigating erosion and sedimentation from the project. Grading plans shall incorporate appropriate erosion control measures as provided in the El Dorado County Grading Ordinance and El Dorado County Storm Water Management Plan. Appropriate runoff controls such as berms, storm gates, detention basins, overflow collection areas, filtration systems, and sediment traps shall be implemented to control siltation, and the potential discharge of pollutants into drainages.
 18. **RCD Coordination:** The timing of construction and method of revegetation shall be coordinated with the El Dorado County Resource Conservation District (RCD). If grading activities are not completed by September, the developer shall implement a temporary grading and erosion control plan. Such temporary plans shall be submitted to the RCD for review and recommendation to the Department of Transportation. The Department of Transportation shall approve or conditionally approve such plans and cause the developer to implement said plan on or before October 15.
 19. **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) to, and receive approval from the El Dorado County Department of Transportation. 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.

20. **Drainage Study / SWMP Compliance:** The applicant shall provide a drainage report at time of improvement plans or grading permit application, consistent with the Drainage Manual and the Storm Water Management Plan, which addresses storm water runoff increase, impacts to downstream facilities and properties, and identification of appropriate storm water quality management practices to the satisfaction of the Department of Transportation.

The Drainage Study must demonstrate the subject property has adequate existing and proposed storm drainage facilities. At a minimum, the drainage study, plans, and calculations shall include the following:

- The site can be adequately drained;
- The development of the site will not cause problems to nearby properties, particularly downstream sites;
- The on-site drainage will be controlled in such a manner as to not increase the downstream peak flow more than the pre-development 10-year storm event or cause a hazard or public nuisance. Detention shall be required if said condition is not met or demonstrate that there are no downstream impacts.
- The ultimate drainage outfall of the project.

Pursuant to Section 1.8.3 of the Drainage Manual, the report shall be prepared by a Civil Engineer who is registered in the State of California. A Scoping Meeting for the required drainage study between County staff and the engineer shall occur prior to the first submittal of improvement plans. The engineer shall bring a watershed map and any other existing drainage system information to the Scoping Meeting. The improvements shall be completed to the approval of the Department of Transportation prior to the filing of the final map or the applicant shall obtain an approved improvement agreement with security.

21. **Drainage (Cross-Lot):** Cross lot drainage shall be avoided. When concentrated cross lot drainage does occur or when the natural sheet flow drainage is increased by the project, it shall be contained within dedicated drainage easements and included in the County Service Area Zone of Benefit (ZOB), Home Owners Association, or other entity acceptable to the County. Any variations shall be approved by the County Engineer. This drainage shall be conveyed via closed conduit or v-ditch, to either a natural drainage course of adequate size or an appropriately sized storm drain system within the public roadway. The site plans shall show drainage easements for all on-site drainage facilities. Drainage easements shall be provided where deemed necessary prior to the filing of the final map.

22. **Drainage Easements:** Pursuant to Section 4.D of the DISM, the site plans shall show drainage easements for all on-site drainage courses and facilities and shall be included on all improvement plans and / or on the final map.
23. **NPDES Permit:** At the time that an application is submitted for improvement plans or a grading permit, and if the proposed project disturbs more than one acre of land area (43,560 square feet), the applicant shall file a "Notice of Intent" (NOI) to comply with the Statewide General NPDES Permit for storm water discharges associated with construction activity with the State Water Resources Control Board (SWRCB). This condition is mandated by the Federal Clean Water Act and the California Water Code. A filing form, a filing fee, a location map, and a Storm Water Pollution Prevention Plan (SWPPP) are required for this filing. A copy of the Application shall be submitted to the County, prior to building permit issuance, and by state law must be done prior to commencing construction.
24. **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 DOT with the drainage report, structural wall calculations, and geotechnical reports in PDF format and the record drawings in TIF format.
25. **TIM Fees:** The applicant shall pay the traffic impact mitigation fees at issuance of building permit.

Air Quality Management District

26. **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 the start of project construction if a Grading Permit is required from the Building Dept. (Rules 223 and 223.1)
27. **Paving:** Project construction will involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
28. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
29. **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).

30. **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.
31. **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.
32. **New Point Source:** Prior to construction/installation of any new point source emissions units (e.g., 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)

County Surveyor's Office

33. **Monuments:** All survey monuments shall be set prior to the filing of the Parcel Map or the developer shall have the surety of work to be done by bond or cash deposit. Verification of set monuments or amount of bond or deposit to be coordinated with the Surveyors Office.
34. **Addressing:** Situs addressing for the project shall be coordinated with the Cameron Park Fire Department and County of Surveyor's Office prior to filing the Parcel Map.
35. **Parcel Map:** Prior to filing the Parcel Map, a letter will be required from all agencies that have placed conditions on the map. The letter will state that "all conditions placed on P11-0004 by the agency have been satisfied. The letter is to be sent to the County of Surveyor and copied to the Applicant.

Cameron Park Fire Department

36. **Access:** Fire department road access shall extend around all portions of the building or within a 150' of any portion, be a minimum of 20' wide and meet El Dorado County DOT standards. All access roads shall be installed prior to combustible materials being stored on site. There shall be 2 points of access to the site and adequate turn-around

provided. All Fire lanes and appurtenances shall be marked with red curbs and signs stating "No Parking" these will be identified during civil plan review.

37. **Gates:** All gates shall meet the same standards for width but shall be activated by a low priority Knox key (available from the El Dorado County Sherriff's office) and by remote (frequency will be provided by this office) and must be equipped with a keep open feature. In accordance with Appendix D (2013 C.F.C.) and the El Dorado County standards.
38. **Fire Flow and Hydrants:** The required Fire Flow is 6,250 gpm. All of the buildings are required to be equipped with fire sprinklers and installed in accordance with NFPA standard 13 and Chapter 9 of the C.F.C 2013 edition. Considering a 50% reduction for fire sprinklers, the required fire flow is 3,125gpm for a four-hour duration with a 20psi residual pressure. The project will require multiple hydrants located around the access to the buildings and within 50 feet of the fire department connection for each building. The location of the fire hydrants and the fire department connections will be determined during civil plan review. The fire flow is based on type V-B construction that includes a complete fire sprinkler system, the fire flow may be adjusted up or down when actual construction plans are evaluated. 2013 C.F.C and El Dorado county standards.
39. **Automatic Fire Sprinklers:** An approved NFPA 13 compliant automatic sprinkler system shall be installed throughout and in an approved manner and monitored by the alarm system. The Backflow Check valve and or water supply control valve for the sprinkler system shall be monitored. Riser rooms shall be of an approved size and shall be appropriately marked. An Inspector test drain shall be located at the farthest point of each system. 2013 C.F.C, NFPA 13, El Dorado County Standards.
40. **Alarm System:** An approved / monitored occupant notification system will be required in all buildings compliant with NFPA 72 standards.
41. **Fire Extinguishers:** Fire Extinguishers shall be installed in an approved manner and in accordance with NFPA 10 and Title 19 Section 906.
42. **Addressing:** Each building shall be addressed according to the El Dorado County Regional Fire Protection Standards for addressing. This will include addresses on all sides used for common access.
43. **Knox Box:** A knox box shall be installed in an approved location on each building and shall be monitored (supervisory) by the fire alarm. There shall be a horn strobe above the knox box for identification and location during alarm. The owner shall supply a master key for each building and all access points to be stored in the Knox Box.

44. **Fees:** The Cameron Park Fire Department will collect an Impact Mitigation Fee of \$1.49 per Sq Ft for commercial buildings. This shall be collected by El Dorado County upon approval of the building permit. Fees are also collected for plan review and inspections and shall be collected at the time of service.