

Conditions of Approval

1. Project Description

The Conditional Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below.

The project proposes a private school, teaching organic farming skills to disabled youths, operating Monday through Friday from 8:30 AM to 5:00 PM, up to 50 students and 20 staff. The project is proposed to be built in three phases. Project facilities will include five buildings, 2 signs, a market training building, an open gazebo (Phase 1), a greenhouse (Phase 2), a general training building, and a caretaker residence (Phase 3). Farm workers/students will be brought to the property by shuttle vans, while staff will arrive in private automobiles. Agricultural activities will include the cultivation of lavender, flowers/herbs (Phase 1), pumpkins (Phase 2), Christmas trees (Phase 2 & 3) and vegetables (Phase 3) as well as the grazing of alpacas (Exhibit G). The project will result in small amounts of on-site value-added agriculture. The site is currently served by a private well and proposes the construction of a new septic system. No tree removal is proposed as the project would detail minor tree trimming. Of the 56.8 acres on the parcel the project site will disturb no more than 3 acres (Exhibit F).

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 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 special use permit may commence until all of the conditions of approval have been complied with in full, except as applied to project phasing.
3. Any proposed changes to the approved site plan shall be submitted to the Development Services Director for review and approval. Minor changes may be approved by the Development Services 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 this Conditional Use 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 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 Development Services 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).
 - Landscaping shall be required for all parking.
6. Any 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 Development Services Division. A lighting plan shall be submitted for review and approval by the Development Services Division.
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.

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.

9. 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.

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 “nonunique archeological resource”.

10. 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 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

NEW Parking shall be limited to on-site, to the proposed parking as shown in the project exhibits. No parking is to occur along Brandon Road or within the project driveway.

NEW Any proposed project revisions shall be reviewed by the Agricultural Commission.

NEW The project shall conform to the noise standards set forth by Chapter 130.37 of the El Dorado County Zoning Ordinance to include Table 130.37.060.1.

Mitigation Measures

NEW Mitigation Measure BIO-1: If construction activities will occur during the nesting season (February to August), 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.

- 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. This mitigation measure shall be noted on the Final Map, in a notice of restriction that shall be recorded on the property and future grading and residential construction plans. If a pre-construction survey is required, the Development Services Division shall verify the completion of survey prior to issuance of grading permit.

Monitoring Responsibility: El Dorado County Development Services Division.

NEW **Historic and Archeological Resources.** A cultural resource study of the site was conducted by Historic Resource Associates in April of 2016. According to the North Central Information Center (NCIC) staff, one archaeological study has been conducted within ¼ mile of the property. Additionally one prehistoric resource and two historic resources have been identified as occurring within ¼ mile of the project site. As a result of surrounding prehistoric and historic resources, a field survey was conducted by an Archaeologist. The field survey identified one cultural resource, a single prehistoric milling cupule, on the southern end of the parcel outside of the project development area. With the incorporation of Mitigation Measure CUL-1, impacts would be less than significant.

- Mitigation Measure CUL-1: Ground disturbance shall be avoided within 10 meters of the cultural site and shall be marked on all plans. Protective construction fencing shall be placed around the site during all construction

activities. If archaeological remains are exposed during ground construction, work within 5 meters of the radius of the find(s) must be halted and a qualified archaeologist retained to evaluate the findings.

- Monitoring Requirement: The applicant shall conduct all construction activities outside the boundary of P1, as identified in the figures in the Cultural Resources Study (Historic Resource Associates, November 2016). This mitigation measure shall be noted on future grading and residential construction plans. Development Services Division shall verify the inclusion of this requirement on the Final Map, in a notice of restriction that shall be recorded on the property, and future grading and residential construction plans.

Monitoring Responsibility: El Dorado County Development Services Division.

Transportation Division

12. The applicant shall conduct brush clearing, tree trimming and relocation or removal of the existing fence near the project access driveway so as to maximize available distance. An encroachment permit shall be obtained from El Dorado County Transportation Division prior to any work within the County right of way.
13. A Type W2-2 Intersection Warning Sign shall be installed on eastbound Brandon Road approximately 350 feet west of the project driveway. Sign Placement shall conform to Caltrans Standards Plans RS-1 and RS-2 for wood post signs. The exact location of the sign shall be approved by the Transportation Division.
14. The applicant 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 Exceptions) from the Transportation Division and pay all applicable fees prior to filling of the final map.

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 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).*

15. 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.

16. All regulatory permits or agreements between the Project and any State or Federal Agency shall be provided to the County with the Project Improvement Plans. These project conditions of approval and all regulatory permits shall be incorporated into the Project Improvement Plans.

Environmental Health Division

17. All Septic systems must be installed with a building permit.
18. If water is supplied for drinking water from an onsite source it will be considered a public water supply and a ~~permit~~-State permit must be applied for and the system must meet public water supply requirements. This permit can be applied for once the planning approval has occurred.
19. State Law mandates that a minimum of 50% of the waste materials generated from Construction and Demolition projects must be diverted from being landfilled by being recycled or reused on site.
20. Placement of garbage and recycling enclosure: The franchise waste hauler for the location of the project is El Dorado Disposal. It is recommended that El Dorado Disposal is contacted before construction to discuss placement of the trash and recycling enclosures.
21. Mandatory Commercial Recycling (MCR): AB 341 (Mandatory Commercial Recycling- "MCR") requires all businesses that generate 4 cubic yards of solid waste or more per week to recycle.
22. Mandatory Commercial Organics Recycling (MORe) for businesses: AB 1826 (Mandatory Commercial Organics Recycling - "MORe") implements statewide commercial organics waste recycling and is being phased in based on amounts of organic and solid waste generated by facilities starting April 2016 - 2019 and on through 2021 if applicable. The law requires that businesses arrange for recycling service for the following types of organic wastes: food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper. The franchise waste hauler for the location of the facility is El Dorado Disposal.

County Surveyor

23. The roads serving the development shall be named by filing a completed Road Name Petition, with the County Surveyors Office. Proof of any signage required by the Surveyor's Office will need to be provided to the County Surveyor's Office.
24. Applicant will be required to coordinate with the County Surveyor's Office to ensure that all buildings on the subject parcel are addressed in compliance with County Code, Chapter 110.04. Compliance is required with 30 days of approval.

Air Quality Management District

25. Energy efficient designs, such as photovoltaics, and passive heating, cooling, and lighting, shall be incorporated into the development.
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 start of project construction if a Grading Permit is required from the Building Department. (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. 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)
32. 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.

El Dorado Hills Fire Department

33. Fire Flow: The potable water system with the purpose of fire protection for this commercial development shall provide a minimum fire flow of 1,500 gallons per minute with a minimum residual pressure of 20 psi for a two-hour duration. This requirement is based on a commercial building 11,300 square feet or less in size, Type V-B construction. 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.
34. Underground Private Fire Mains: After installation, all rods, nuts, bolts, washers, clamps, and other underground connections and restraints used for underground fire main piping and water supplies, except thrust blocks, shall be cleaned and thoroughly coated with a bituminous or other acceptable corrosion retarding materials. All private fire service mains shall be installed per NFPA 24, and shall be inspected, tested and maintained per NFPA 25.
35. Sprinklers: The building(s) shall have fire sprinklers installed in accordance with NFPA 13 (commercial use) or NFPA 13D(residential use), including all Building Department and Fire Department requirements. Buildings which have the capacity of storage above 12 feet in height will need to have the sprinkler system(s) designed to accommodate the appropriate high-pile storage.
36. Hydrants: This development shall install Dry Barrel Fire Hydrants which conform to El Dorado Irrigation District specifications for the purpose of providing water for fire protection. The spacing between hydrants in this development shall not exceed 300 feet. The exact location of each hydrant on private roads and on main county maintained roadways shall be determined by the Fire Department.
37. Hydrant Visibility: 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 and State Fire Safe Regulations.
38. Fire Department Access: Approved fire apparatus access roads and driveways shall be provided for every facility, building, or portion of a building. The fire apparatus access roads and driveways shall comply with the requirements of Section 503 of El Dorado Hills County Water District Ordinance 36 as well as State Fire Safe Regulations as stated below (but not limited to):
 - a. All roadways shall be a minimum of 20 feet wide, providing tow ten (10) foot traffic lanes, not including shoulder and striping.

- b. Each dead-end road shall have a turnaround constructed at its terminus.
 - c. Where maximum dead-end road lengths are exceeded, there shall be a minimum of two access roadways allowing for the safe access of emergency apparatus and civilian evacuation concurrently.
 - d. The fire apparatus access roads and driveways shall extend to within 150 feet of all portions of each facility and all portions of the exterior of the first story of the building as measured by an approved route around the exterior of the building or facility.
 - e. Driveways and roadways shall have unobstructed vertical clearance of 15' and a horizontal clearance providing a minimum 2' on each side of the required driveway or roadway width.
 - f. Depending on final heights of each building, the final layout of fire apparatus access roads shall be determined and approved by the fire code official with consideration of whether a ladder truck or ground ladders would be used for firefighting operations.
39. Roadway Surface: Roadways shall be designed to support the imposed load of fire apparatus weighting at least 75,000 pounds and provide all-weather driving conditions. All-weather surfaces shall be asphalt, concrete or other approved driving surface. Project proponent shall provide engineering specifications to support design, if request by the local authority having jurisdiction (AHJ).
40. Roadway Grades: The grade for all roads, streets, private lands and driveways shall not exceed 16%. If paved or concrete, grades may be allowed up to 20%.
41. Traffic Calming: This development shall be prohibited from installing any type of traffic calming device that utilizes a raised bump/dip section of roadway. All other proposed traffic calming devices shall require approval by the fire code official.
42. Turning Radius: The required turning radius of a fire apparatus access road/driveway shall be determined by the fire code official. Currently it is a 40 foot inside and 56 outside turning radius.
43. Gates: All gates shall meet the El Dorado Hills Fire Department Fate Standard B-002.
44. Fire Access During Construction: In order to provide this development with adequate fire and emergency medical response during construction, all access roadways and fire hydrants systems shall be installed and in service prior to combustibles being brought

onto the site as specified by the Fire Department, Standard B-003. A secondary means of egress shall be provided prior to any construction or the project can be phased.

45. Fire Service Components: Any Fire Department Connection (FDC) to the sprinkler system and all Fire Hydrant(s) outlets shall be positioned so as not to be obstructed by a parked vehicle.
46. Funding Mechanism for Emergency Fire Access Components: The property owner shall be responsible to ensure the maintenance of emergency access roadways, gates, vegetative clearances, and other fire access components.
47. Wildland Fire Safe Plan: This development shall be conditioned to develop, implement, and maintain a Wildland Fire Safe Plan that is approved by the Fire Department as complying with the State Fire Safe Regulations. The Wildland Fire Safe Plan shall be approved by the Fire Department prior to issuance of building permits.
48. Fencing: Lots that back up to wildland open space shall be required to use non-combustible type fencing.
49. Knox Box and Keys: All Commercial and Public occupied building shall install a Knox Box and building keys including, but not limited to, main entry doors, utility closets, roof accesses, alarm panels, fire sprinkler locks and all other keys required by the fire code official for emergency access. It is recommended, but not required, that residential buildings also add a Know Box and main front door key for improved emergency access.
50. Parking and Fire lanes: All parking restrictions as stated in the current California Fire Code and the current El Dorado hills County Water District Ordinance shall be in effect. All streets with parking restrictions will be signed or marked with red curbs as described in the El Dorado County Regional Fire protection Standard titled "No Parking-Fire Lane". All curbs in the parking lot(s) that are not designated as parking spaces will be painted red and marked every 25 feet "No Parking-Fire Lane". This shall be white letters on a red background. There shall be a designated plan page the shows all Fire lanes as required by the El Dorado County Regional Fire Protection Standard B-004 "No Parking-Fire Lane" and the fire code official.
51. Setbacks: Any parcels greater than one acre shall conform to State Fire Safe Regulations requirements for setbacks (minimum 30' setback for buildings and accessory buildings from all property lines).
52. Vegetative Fire Clearances: Prior to June 1st each year, there shall be vegetation clearance around all EVA's (Emergency Vehicle Access), buildings, up to the property line as stated in Public Resources Code Section 4291, Title 19 as referenced in the CA Fire Code, and the conditioned Wildland Fire Safe Plan.

53. Trail Systems and Land-Locked Access: If the project decides on designing a trail-type system or contains/abuts to land locked open space, the project shall be conditioned to provide emergency vehicle access (EVA) points as required by the fire code official. Gates may be installed and locked with a low priority KNOX lock. The street curbs adjacent to the trail access point shall be painted red. All trails and minimum vegetation clearance (the wildfire safe plan will likely require additional clearance on these paths). The purpose of the requirement is to allow access for ambulances and smaller fire apparatus in case of emergency.
54. Knox Key Shunt: A Knox Key Shunt system shall be installed to terminate power to all back-up power generators.
55. Addressing: Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property, as per El Dorado County Standard B-001.
56. Landscaping: The landscaping plan shall be reviewed by the Fire Department to ensure that trees, plants, and other landscaping features proposed to be adjacent to the Fire Apparatus Access roads, Fire and Life Safety Equipment, and near address locations on buildings and monuments will not impede fire apparatus access or visual recognition.
57. Building and Fire Plans: Building, fire sprinkler and fire alarm plans shall be reviewed and approved by the fire department prior to respective permit issuance. The plans shall provide the use and occupancy classification for each building for future comments in regards to fire sprinklers, fire alarms, exiting, occupant loads and other fire and life safety features. There shall be a designated plan page that shows all Fire Lanes as required by the El Dorado County Regional Fire Protection Standard B-004 "No Parking-Fire lane" and the fire code official.