

**COUNTY OF EL DORADO PLANNING AND BUILDING
DEPARTMENT
ZONING ADMINISTRATOR
STAFF REPORT**



Agenda of: December 5, 2018
Item: 4.a.
Staff: Evan Mattes

MINOR USE PERMIT

FILE NUMBER: S18-0004/Jobbins Winery

APPLICANT: Charles and Renee Jobbins

OWNER: Same as applicant

REQUEST: Minor Use Permit request to allow the construction and operation of a winery with on-site sales, including a 1,250 square foot (sf) new tasting room, and 3,150 sf wine producing building. No special events are being requested.

LOCATION: North side of Idlewild Road, at the intersection with Perry Creek Road, in the Fair Play area, Supervisorial District 2. (Exhibit A)

APN: 094-080-13 (Exhibit B)

ACREAGE: 17.14 acres

GENERAL PLAN: Rural Residential (RR)/ Agricultural District Overlay (Exhibit C)

ZONING: Rural Lands Ten-Acres (RL-10) (Exhibit D)

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

RECOMMENDATION: Staff recommends the Zoning Administrator take the following actions:

1. Adopt the Mitigated Negative Declaration, based on the Initial Study prepared by staff; and
2. Approve Minor Use Permit S18-0004 based on the Findings and subject to the Conditions of Approval as presented.

EXECUTIVE SUMMARY

Approval of this Minor Use Permit would allow for an agricultural wine producing accessory structure, and a tasting room to be constructed and operated in the Fairplay area. Wineries and tasting rooms are allowed through the approval of a Minor Use Permit on Rural Land zoned parcels within an Agricultural District. Staff has determined that the proposed project is consistent with the El Dorado County General Plan policies and Zoning Ordinance requirements, as discussed in the Findings.

PROJECT BACKGROUND

The Zoning Administrator previously heard this project at a public hearing on July 18, 2018. At that hearing the project applicant requested that the project be analyzed as a categorically exempt project from the California Environmental Quality Act (CEQA). The Zoning Administrator motioned to continue the project off-calendar, instructing staff to further analyze the necessary CEQA document and potential impacts to Tribal Cultural Resources. Since the July 18, 2018 hearing planning staff has determined that the project is not exempt from CEQA thereby requiring further environmental analysis.

PROJECT INFORMATION

Site Description: The site is located on the northeastern corner of the intersection of Idlewild Road and Perry Creek Road in the Fairplay area. The project is surrounded to the north, east and south by Rural Land Ten-Acres (RL-10) zoned properties, with Residential Estate Five-Acres (RE-5) and Limited Agriculture Ten-Acres (LA-10) zoned parcels to the west and southwest. The Fairplay Rural Center is located directly east of the project site. The parcel lies at approximately 2,500 feet above mean sea level with an elevation range from approximately 2,390 to 2,600 feet above mean sea level. The parcel is currently undeveloped and is characterized by oak woodland north of Idlewild Road and recently planted vineyard south of Idlewild Road. A site visit conducted by the United Auburn Indian Community on July 16, 2018 identified Native American cultural resources within the project vicinity.

Project Description: The project proposes the construction of a new 3,150 square foot (sf) agricultural building, consisting of wine production and storage, and a 1,250 sf tasting room. A parking lot consisting of seven parking spaces and one accessible parking space would serve the tasting room (Exhibit F). All structures are proposed to be located north of Idlewild Road and would not impact any oak trees. Approximately 5.11 acres (4,640 vines) of grapes have been planted on the south side of Idlewild Road (Exhibit G).

The project would take access off of Idlewild Road, an existing privately maintained road. An eight foot high deer fence is proposed along the property lines and Idlewild Road. Two employees are anticipated to work at the project site, with one full time employee to assist in the winery operations and one part-time employee to assist in the tasting room. No special events are proposed as part of this project. If special events are requested in the future a revision to this Minor Use Permit would be required.

The 3,150 sf agricultural building would consist of a grape crushing area, a press, wine case and barrel storage and wine tanks. The project would have the capacity to produce a maximum of 5,000 cases of wine annually, with at least 50 percent of grapes being produced within El Dorado County. Onsite retail sales would occur within the tasting room. The project has a General Plan Use Designation of Rural Residential which allows for agricultural uses, such as wineries, and single dwelling unit development.

In addition to the winery the project applicant proposes the construction of a new 1,900 sf single-family residence with a 550 sf car port, a 1,200 sf secondary dwelling unit, which are uses allowed by right within the RL-10 zoning designation and does not require the approval of a Minor Use Permit.

The project has been distributed for review to applicable agencies as part of the Conditional Use Permit Process. Comments and mitigation measures have been incorporated as conditions of approval from Planning Services, Agricultural Commission, Air Quality Management District, CALFIRE and Environmental Management.

ENVIRONMENTAL REVIEW

Staff has prepared an Initial Study (Exhibit H). Staff has determined that with mitigation measures incorporated there is no substantial evidence that the proposed project should have a significant effect on the environment, therefore a Mitigated Negative Declaration has been prepared and a Notice of Determination (NOD) will be filed. Mitigation Measures include on-site tribal monitors during ground disturbance activities. A \$50.00 filing fee for the NOD is required and the NOD must be filed within five working days from the project approval.

The filing of the NOD begins the statute of limitations time period for when litigation may be filed against the County's action on the project. If the NOD is filed the statute of limitations ends 30 days from its filing. If no NOD is filed, it ends 180 days from the date of final action by the county.

In accordance with California Fish and Wildlife (CDFW) Code Section 711.4, the project is subject to the current CDFW fee after approval, but prior to the County filing the Notice of Determination of the project. This fee plus the \$50.00 filing fee, is to be submitted to Planning Services and must be made payable to El Dorado County. The fee is forwarded to the State Department of Fish and Wildlife and is used to help defray the cost of managing and protecting the State's fish and wildlife resources.

SUPPORT INFORMATION

Attachments to Staff Report:

Findings
Conditions of Approval

Exhibit A.....Location Map
Exhibit B.....Assessor’s Parcel Map
Exhibit C.....General Plan Map
Exhibit D.....Zoning Map
Exhibit E.....Aerial Map
Exhibit F.....Site Plan, Elevations and Grading Plan
Exhibit G.....Vine Contract
Exhibit H.....Proposed Mitigated Negative Declaration and Initial
Study

FINDINGS

Minor Use Permit S18-0004/Jobbins Winery Zoning Administrator/December 5, 2018

1.0 CEQA FINDINGS

- 1.1 El Dorado County has considered the Mitigated Negative Declaration together with the comments received and considered during the public review process. The Negative Declaration reflects the independent judgment of the County and has been completed in compliance with CEQA and is adequate for this proposal.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based, are in the custody of the Department of Planning and Building at 2850 Fairlane Court, Placerville, CA.

2.0 GENERAL PLAN FINDINGS

2.1 The proposed use is consistent with General Plan Policy 2.2.1.2.

“The purpose of the Rural Residential (RR) land use designation is to establish areas for residential and agricultural development. These lands will typically have limited infrastructure and public services and will remain for the most part in their natural state. This category is appropriate for lands that are characterized by steeper topography, high fire hazards, and limited or substandard access as well as “choice” agricultural soils. The RR designation shall be used as a transition between LDR and the Natural Resource (NR) designation. Clustering of residential units under allowable densities is encouraged as a means of preserving large areas in their natural state or for agricultural production. Typical uses include single-family residences, agricultural support structures, a full range of agricultural production uses, recreation, and mineral development activities. The allowable density for this designation is one dwelling unit per 10 to 160 acres. This designation is considered appropriate only in the Rural Regions.”

Rationale: The project is consistent with the Rural Residential (RR) land use descriptions defined by General Plan Policy 2.2.1.2. The project proposes a winery in a new agricultural wine producing building and a tasting room. The RR designation supports agricultural activities and production uses. This use is consistent with the intent of the Rural Residential land use designation.

2.2 The proposed use is consistent with General Plan Policy 2.2.5.2.

“All applications for discretionary projects or permits including, but not limited to, General Plan amendments, zoning boundary amendments, tentative maps for major and minor land divisions, and special use permits shall be reviewed to determine consistency with the policies of the General Plan. No approvals shall be granted unless a finding is made that the project or permit is consistent with the General Plan. In the case of General Plan amendments, such amendments can be rendered consistent with the General Plan by

modifying or deleting the General Plan provisions, including both the land use map and any relevant textual policies, with which the proposed amendments would be inconsistent.”

Rationale: The project has been reviewed in accordance with General Plan Policy 2.2.5.2 and has been found to be consistent with all applicable policies of the General Plan. As conditioned, the proposal is consistent with the intent of the General Plan, as determined within the General Plan Findings.

2.3 The proposed use is consistent with General Plan Policy 2.2.5.21.

General Plan Policy 2.2.5.21 requires that “development projects be located and designed in a manner that avoids incompatibility with adjoining land uses.”

Rationale: The project site is surrounded by rural land uses to the east, north and south (Rural Land/Agricultural Land, RL-10). The site to the west on the opposite side of Perry Creek Road is zone Residential Estate Five-Acres (RE-5) within the Fair Play Rural Center and supports single family residential uses. There is an existing vineyard immediately east of the property. Conditions of approval limiting the use of the facility and wine sales are included to maintain compatibility with the surrounding area. Agriculture is considered compatible with the surrounding RR designated areas. All structures are located on the northern side of Idlewild Road and would comply with all applicable setbacks.

2.4 The proposed use is consistent with General Plan Policy 5.1.2.1.

General Plan Policy 5.1.2.1 requires a “determination of the adequacy of the public services and utilities to be impacted by that development.”

Rationale: The project would not substantially increase the need for public services or utilities since the production of wine does not require the use of public services, as the project proposes the use of solar panels for electricity and water will be recycled and applied for irrigation. The approximate number of employees is anticipated to be a maximum of two workers, of which one will be part-time. The project would not generate a substantial increase in solid waste, as any organic matter that is generated as a result of the grape crush would be returned to the field. The property is currently serviced by three wells, with two being located south of Idlewild Road and one located north of Idlewild Road.

2.5 The proposed use is consistent with General Plan Policy 5.2.1.2.

General Plan Policy 5.2.1.2 requires that “adequate quantity and quality of water for all uses, including fire protection, be provided with proposed development.”

Rationale: The site is currently served by Pioneer Fire Protection District for fire protection. The project was reviewed by the Pioneer Fire Protection District and CalFire. No comments or concerns about the project were provided by these agencies regarding water quality or quantity. Currently there are three private wells and four 5,000 gallon water tanks onsite. Two additional 5,000 gallon water storage tanks are proposed for this project.

2.6 The proposed use is consistent with General Plan Policy 6.2.3.2.

Policy 6.2.3.2, Adequate Access for Emergencies, requires that the applicant “demonstrate that adequate access exists, or can be provided to ensure that emergency vehicles can access the site and private vehicles can evacuate the area.”

Rationale: The Transportation Department and Long Range Planning reviewed the application materials and site plan for adequate access for emergencies. The project was required to address the adequacy of vehicle parking for anticipated demand, vehicle types, and zoning requirements. It was determined that an onsite transportation review was required and that the proposed project would result in minimal added trips. Also, the roads serving the development have sufficient capacity to accommodate any added traffic without resulting in unacceptable levels of service. Two new points of access along Idlewild Road are proposed with one existing point of access to remain. The project is in compliance with the General Plan Policy.

2.7 The proposed use is consistent with General Plan Policy 8.1.4.1.

Policy 8.1.4.1 requires that the Agricultural Commission “review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority that the proposed use:

- A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities; and
- B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected; and
- C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.”

Rationale: The subject parcel designation is of agricultural use. The Agricultural Commission reviewed the proposed project and made a recommendation to approve. The project was recommended for approval at a 4-0 decision with the condition that staff verify the planting and maintaining of the vineyard until production occurs. The project complies with the General Plan Policy.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 130.21.

The Rural Lands zone is intended to identify those lands that are suitable for limited residential development based on topography, access, groundwater or septic capability, and other infrastructural requirements. This zone may be applied where resource-based industries in the vicinity may impact residential uses. Although agricultural uses are allowed, these lands generally do not support exclusive agricultural use.

Rationale: The parcel is zoned Rural Lands Ten-Acres (RL-10). The Zone matrix of allowed uses and permit requirements establishes those uses that are permitted and those that require approval by Conditional/Minor Use Permit. Detached Single-unit Dwellings and Agricultural Accessory Structures are allowed by right. When an RL-10 parcel is located within an Agricultural District, the establishment of a winery with a tasting room is allowed by Minor Use Permit, with reference to Table 130.40.400.1 (Wineries Allowed Uses Matrix).

The project has been analyzed in accordance with Zoning Ordinance Section 130.21.030 (Development Standards) for minimum lot size, dimensions, building height, and building setbacks. The project, as proposed, is consistent with the Zoning Ordinance because the project will comply with building setbacks and other applicable standards.

3.2 The proposed use is consistent with Chapter 130.35, Parking and Loading.

This Chapter contains standards for off-street parking requirements for residential and non-residential uses.

Rationale: Section 130.35.030 - Off-Street Parking and Loading Requirements requires a winery to include one Off-Street Vehicle Parking per 2,000 square feet of active use area (AUA); plus one Off-Street Vehicle Parking per 5,000 square feet of storage. Additionally, tasting rooms are required to provide one space per 300 sf of AUA and one bus/limo parking for the 20,000 sf of winery/tasting room.

The project proposes a 1,250 sf tasting room which would necessitate four parking spaces, the 3,150 sf wine producing building would necessitate two spaces and one limo/bus parking space. The project will provide eight parking spaces for winery operations with an overflow parking area, which can accommodate limo/bus parking.

3.3 The proposed use is consistent with Chapter 130.37, Noise Standards.

Chapter 130.37, Noise Standards, requires that noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table 130.37.060.1 for noise-sensitive uses.

Rationale: Noise levels are not expected to exceed maximum levels as there is no outdoor amplified noise proposed. Noises associated with the project, such as fruit harvesting, will consist of typical agricultural and residential noise. Noise generated during operation and any construction will be required to comply with the noise standards establish within the Zoning Ordinance.

3.4 The proposed use is consistent with Section 130.40.400.E.1 – General Winery Provisions.

Section 130.40.400.E.1 – General Winery Provisions requires that no more than 50 percent of the fruit processed shall be imported from outside El Dorado County.

Rationale: The majority of grapes to be processed by the winery will come from the onsite vineyard. The project has been conditioned to comply with this provision. (Condition of Approval 3)

3.5 The proposed use is consistent with Section 130.40.400.E.2 – Tasting Facilities.

Section 130.40.400.E.2 – Tasting Facilities requires that the tasting facilities shall be clearly related and subordinate to the primary operation as a production facility. Retail sales of wine fruit products shall be limited to the produced, vented, cellared, or bottled by the winery operator or grown on the winery lot or custom crushed at another facility for the winery operator.

Rationale: The project has been conditioned to comply with this provision. (Condition of Approval 4)

3.6 The proposed use is consistent with Section 130.40.400.G.5 – Access Standards.

Section 130.40.400.G.5 – Access Standards requires that direct access from a non-county maintained road, regardless of whether the road is located on or off-site shall require an Administrative Permit following a recommendation by the Agricultural Commission, when located within an Agricultural District. The winery owner will be required to participate in a private road maintenance entity, annex into a road zone of benefit, or otherwise pay a fair share for road maintenance as determined by the review authority.

Rationale: The project proposes to take access from a non-county maintained road within an Agricultural District. The driveway for the tasting room and wine producing building is located approximately 400 feet away from the

intersection with Perry Creek Road, a County maintained road. Access for the property, via Idlewild Road, is situated entirely onsite. As the project requires a Minor Use Permit, which is a higher level of permitting than an Administrative Permit, and received a recommendation from the Agricultural Commission this requirement has been met. As there is no zone of benefit within the project site, the property owner is obligated to provide their fair share for road maintenance.

4.0 MINOR USE PERMIT FINDINGS

4.1 The issuance of the permit is consistent with the General Plan.

Rationale: As discussed above in Section 2.0, General Plan Findings, the Minor Use Permit is consistent with the applicable policies and requirements in the El Dorado County General Plan.

4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the surrounding area.

Rationale: The use will not conflict with surrounding uses. The proposed use will comply with the Development Standards of the RL zone district. The proposed use is consistent with the surrounding land uses which include large lot rural lands, agriculture, and undeveloped commercial uses. The project is not expected to result in any changes to the current condition of the site. As conditioned, the project is not anticipated to result in significant environmental, visual, or noise impacts to the surrounding area.

4.3 The proposed use is specifically permitted by Minor Use Permit.

Rationale: Wineries are specifically permitted by Minor Use Permit pursuant to Section 130.40.400. The subject property is located in the RL-10 zone district. Section 130.21.02 Wineries Allowed Uses Matrix and permit requirements establishes those uses that require approval by a Minor Use Permit. This application meets the requirement for a Minor Use Permit.

CONDITIONS OF APPROVAL

Minor Use Permit S18-0004/Jobbins Zoning Administrator/December 5, 2018

Planning Department

1. **Project Description:** This Minor Use Permit is based upon and limited to compliance with the project description, the Site Plan (Exhibit E), and the Conditions of Approval set forth below.

The project description is as follows:

A Minor Use Permit to operate a Winery consisting of:

- a. Wine production and storage to occur within a new 3,150 square foot accessory building;
- b. Wine tasting and sales to occur within a new 1,250 square foot commercial building; and
- c. No special events

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 grading, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below.

2. **Signs:** Any signage for the winery shall meet the requirements of County Code Chapter 130.16 (Signs).
3. **El Dorado County Fruit:** No more than 50 percent of the fruit processed as part of wine operations shall be imported from outside El Dorado County.
4. **Tasting Facilities:** Retail sales of wine fruit products shall be limited to the produced, vented, cellared, or bottled by the winery operator or grown on the winery lot or custom crushed at another facility for the winery operator.
5. **Noise:** Noise associated with winery operations shall be limited to a time-averaged level of 50 dBA and maximum of 60 dB from 7 a.m. to 7 p.m., and an average of 45 dBA and maximum of 55 dBA from 7 p.m. to 10 p.m., measured at a point 100 feet away from the nearest residence, consistent with Chapter 130.37 of the Zoning Ordinance.

6. **Lighting:** 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.

7. **Archaeological Resources:** The following shall be incorporated as a note on the grading/improvement plans: In the event archaeological 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".

8. **Human Remains:** 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

9. **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.

El Dorado County shall notify the applicant of any claim, action, or proceeding and shall cooperate fully in the defense.

10. **Fish and Wildlife Fee:** 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 or parcel map filed until said fees are paid.

Mitigation Measures

11. Mitigation Measure TRI-1: Native American Monitors from the Shingle Springs Band of Miwok Indians shall be invited to monitor the vegetation grubbing, stripping, grading, or other ground-disturbing activities in the project area to determine the presence or absence of any cultural resources. The Native American Representatives and Native American Monitors have the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted, or slowed if such sites or objects are identified within the direct impact area, only a Native American Representative can recommend appropriate treatment of such sites or objects.

Monitoring Requirement: Mitigation Measure shall be incorporated into all building and grading plans and evidence of onsite monitoring shall be submitted to the County prior to finaling of grading and building permits.

Monitoring Responsibility: El Dorado County Planning and Building Department.

Surveyor

12. **Addressing:** Addressing, including building number assignments, must be coordinated through El Dorado County Surveyor's Office. Please do not post any Building Numbers until they are approved through the Surveyors' Office.

Agricultural Commission

13. **Vineyard:** The property owner shall coordinate with the El Dorado County Agricultural Department to verify the planting and maintaining of the vineyard until production occurs.

Air Quality Management

14. **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 (PM 10) 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 Dept. (Rules 223 and 223.1)
15. **Paving:** Project construction may involve road development and shall adhere to AQMD Cutback and Emulsified Asphalt Paving Materials (Rule 224).
16. **Painting/Coating:** The project construction may involve the application of architectural coating, which shall adhere to AQMD Rule 215 Architectural Coatings.
17. **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)). Questions on applicability should be directed to ARB at 1-866- 634-3735. ARB is responsible for enforcement of this regulation.
18. **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)
19. **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 operations or each piece of equipment.

CalFire

20. **Roads:** All roads shall be a minimum road width of 20 feet per the California Fire Code unless increased road width is required by DOT. All roads shall be constructed with an approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds.
21. **Driveways:** Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart. Driveways should be 12 feet wide with 14 feet of unobstructed horizontal clearance and 15 feet of unobstructed vertical clearance.
22. **Wildland Fire Safe Plan:** A Wildland Fire Safe Plan shall be developed prior to issuance of building permits by a qualified consultant to address mitigation that need to be developed to ensure the safety of the public as well as fire fighter who may be called upon to respond to wildland fires and other emergencies within the project area.

Environmental Management

23. **Construction and Demolition Debris Recycling:** A minimum of 65 percent of the waste materials generated from covered Construction and Demolition projects must be diverted from being landfilled by being recycled or reused onsite.
24. **Mandatory Commercial Recycling:** Commercial facilities that generate at least four cubic yards of solid waste per week must recycle. The facility is in unincorporated El Dorado County. This is a non-mandatory waste service area, which means businesses and residents have the option to self-haul their waste (at least once every seven days) and recycling to the El Dorado Disposal (EDD) Material Recovery Facility or subscribe to waste and recycling service provided by EDD, the franchise waste hauler for this area.
25. **Mandatory Commercial Organics Recycling (MORE):** Businesses must arrange for organics recycling service for the following types of organic wastes: food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper.
26. **Hazardous Materials:** Under the CUPA program, if the operation will involve the storage of reportable quantities of hazardous materials (55 gallons/liquid, 500 lbs/solid, 200 cubic feet/compressed gas), a hazardous materials business plan for the site must be submitted to the County of El Dorado Community Development Services / Environmental Management Department via CARS (California Environmental Reporting System) and applicable fees paid.