

**COUNTY OF LAKE  
5400 Gaddy Lane, LN, LP / Lori Koester  
TENTATIVE PARCEL MAP; PM 19-02  
CONDITIONS OF APPROVAL**

**EXPIRES March 26, 2022**

Pursuant to the approval of the Lake County Planning Commission on **March 26, 2020**, there is hereby granted to **5400 Gaddy Lane, LN, LP / Lori Koester** approval of a **tentative parcel map to create 2 parcels**, on property located at **5400 Gaddy Lane, Kelseyville, CA**, being **Assessor Parcel No. 024-071-69** subject to the following conditions:

**A. General Conditions**

1. The Parcel Map hereby approved by the Planning Commission conforms to the Community Development Department Parcel Map Application and Initial Study requirements based on the tentative parcel map dated 'received August 16, 2019' and prepared by Walsh Engineering, San Luis Obispo, CA. Minor alterations that do not result in increased environmental impacts may be approved in writing by the Community Development Director.
2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency
3. **Prior to recordation of the final map**, all parcel corners and angle points shall be monumented, subject to the approval of the County Surveyor.
4. When submitting the parcel map to the County Surveyor, two blue line prints shall be submitted, showing mathematical closures on the exterior boundary of the parcels before division, each parcel, and any easements which may be pertinent to the map.
5. All existing and proposed easements shall be shown and clearly labeled on the final parcel map, and there shall be indicated on the map the acreage or square footage for each parcel created, being shown to the nearest .01 of an acre.
6. A final parcel map shall not be recorded if development has occurred on the property that would be inconsistent with the Zoning Ordinance or other applicable code should the map be recorded. The building that is encroaching into the Sayre Road right of way may be excepted if the applicant / owner obtains a Temporary Encroachment Permit from the County.
7. The configuration of the final parcel map may include minor amendments, provided that all proposed parcels comply with the zoning ordinance and general plan, and the modification does not result in any increased environmental impact. Any modification shall be subject to approval by the Community Development Director and the Department of Public Works.
8. **Prior to recordation of the final parcel map**, all taxes due shall be paid, and all estimated taxes for the subject property shall be pre-paid to the County Tax Collector.
9. Within 60 days after the receipt of the parcel map, the County Surveyor shall examine it and notify the surveyor or engineer responsible for the preparation of the map, of any necessary corrections or changes to be made. After said correction or changes have been made, the original tracing or film may be returned to the County Surveyor, together with the appropriate recording fee, for acceptance by the County Surveyor and recordation.
10. A reproducible copy of the final map shall be provided to the Planning Divisions within 30 days of the recordation of the final map.

**Attachment 3**

11. All previous approved conditions of approval in Minor Use Permit, MUP 18-13, Initial Studies, IS 19-16 and IS 18-08, and Development Review Permit, DR 18-03 shall remain in full effect.
12. This permit shall be null and void if not used by March 26, 2022, or if the use is abandoned for a period of two (2) years.

**B. Air Quality**

1. Work practices shall minimize vehicular and fugitive dust to reduce the impact of fugitive dust emissions to a less than significant level in staging areas, work areas, and adjoining roads by use of water, paving or other acceptable dust palliatives to ensure that dust does not leave the property. Access to project areas shall be limited to authorized vehicles. (Mitigation Measure AQ-1)
2. Vehicles and equipment shall be well maintained and in compliance with State emission requirements. The permit holder shall obtain all necessary for any diesel generators or diesel engines installed as operating, support, or emergency backup equipment for the Lake County Air Quality Management District. (Mitigation Measure AQ-2)
3. Vegetation that is removed for any development must be properly disposed. The permit holder shall chip vegetation and spread the material for erosion control. (Mitigation Measure AQ-3)
4. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. (Mitigation Measure AQ-4)

**C. Biological and Cultural Resources**

1. **This tentative map approval shall not become effective, operative, vested or final** until the California Department of Fish and Game filing fee authorized by Section 711.4 of the Fish and Game Code is submitted by the property owner to the County Clerk. Said fee shall be paid within 30 days of planning commission approval. Failure to pay said fee by the specified deadline shall result in this tentative map automatically becoming null and void
2. During site preparation and/or tree removal/trimming during the spring bird nesting season (February through July), a pre-construction survey shall be conducted by a qualified professional two (2) weeks prior to removing/trimming any trees. (Mitigation Measure BIO-1)
  - If active nest (with eggs of living young) are found, no activity shall be permitted that may disturb and/or remove the active nest until the young birds are able to leave the nest and forge on their own.
  - If eggs and/or young are present, the nest shall be left until the young birds leave.
  - Setback buffers for the nest will vary depending on the species and shall be determined in consultation with a California Department of Fish and Wildlife approved Biologist.
3. Any tree/vegetation removal and/or ground disturbance activities shall begin during the avian non-breeding (September 1 - February 28) season shall adhere to the following: (Mitigation Measure BIO-2)
  - If construction is to begin within the avian breeding season (March 1 - August 31) then a migratory bird and raptor survey shall be conducted within the project area, including the oak woodlands, by a qualified biologist.
  - A qualified biologist shall: Conduct a survey for all birds protected by the MBTA and CFWC no later than fifteen (15) days prior to construction activities; map all nests located within 300 feet of construction areas; develop buffer zones around active nests as recommended by a qualified biologist.

- Construction activity shall be prohibited within the buffer zones until the young have fledged or the nest fails. Nests shall be monitored at least twice (2) per week and a report submitted to the California Department of Fish & Wildlife monthly. If construction activities stop for more than ten (10) days then another migratory bird and raptor survey shall be conducted no later than fifteen (15) days prior to the continuation of construction activities.
  - If active nest are found during then construction buffer shall be determines by a qualified biologist and no construction shall occur within the buffer until the biologist has determined that the young have fledged.
4. Prior to any development and/or construction during the avian nesting season (February through July), the permit holder shall have a pre-construction survey performed by a qualified biologist. (Mitigation Measure BIO-3)
    - If active nests (with eggs or living young) are found, no activity shall be permitted that might disturb and/or remove the active nests until the young birds are able to leave the nest and forage on their own. Empty nests may be removed.
    - If eggs or young are present, the nests shall be left until the young birds leave and buffer determined by the qualified biologist. Setback buffers for the nests will vary depending on the species affected and the location of the nest. Buffer zones shall be determined on a case by case basis in consultation with a California Department of Fish and Wildlife approved biologist.
  5. If archaeological or cultural resources are uncovered during construction and/or project development work at the place of discovery shall be halted immediately until a qualified archaeologist can evaluate the finds [CEQA Guidelines §15064.5(f)]. Additionally, Should any archaeological, paleontological, or cultural materials be discovered during development, all activity shall be halted in the vicinity of the find(s), and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. The protection of human remains, shall follow California Public Resource Codes, Sections 5097.94, 5097.98, and 5097.99. (Mitigation Measure CUL-1)

#### **D. Geology and Soils**

1. Prior to any ground disturbance, the permit holder shall submit *Erosion Control and Sediment Plans* to the Water Resource Department and the Community Development Department for review and approval. Said Erosion Control and Sediment Plans shall protect the local watershed from runoff pollution through the implementation of appropriate Best Management Practices (BMPs) in accordance with the Grading Ordinance. Typical BMPs include the placement of straw, mulch, seeding, straw wattles, silt fencing and the planting of native vegetation on all disturbed areas. No silt, sediment or other materials exceeding natural background levels shall be allowed to flow from the project area. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. Vegetative cover and water bars shall be used as permanent erosion control after development. (Mitigation Measure GEO-1)
2. Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Director. The actual dates of this defined grading period may be adjusted according to weather and soil conditions at the discretion of the Community Development Director. (Mitigation Measure GEO-2)
3. The permit holder shall monitor the site during the rainy season (October 15 -May 15), including post-installation, application of BMPs, erosion control maintenance, and other improvements as needed. (Mitigation Measure GEO-3)
- 4.
5. All future development and/or grading shall submit Engineered Drainage Plans and Calculations, including an Operation and Maintenance Plan shall be submitted to the

Lake County Water Resources Department for review and approval prior to building permit submittal. Said plans shall include a detention basin and detention basin shall be maintained for the life of the project. The applicant shall contact the Water Resource Department at (707) 263-2344 for further details. (Mitigation Measure GEO-4)

6. The permit holder shall adhere to all the requirements in the Geotechnical Engineering Investigation; Prepared by Krazan & Associates, INC – Geotechnical Engineering Division dated December 21, 2017 (KA Project NO. 032-17033). (Mitigation Measure GEO-5)

#### **E. Hydrology and Water Quality**

1. Before any future grading activities, the developer or its contractor shall prepare a SWPPP for all proposed development. The objectives of the SWPPP are to identify pollutant sources from construction activities that may affect the quality of storm-water discharge, implement practices to reduce pollutants in storm-water runoff from the project site, and protect receiving water quality. The SWPPP shall identify and implement BMPs. (Mitigation Measure HYDRO-1)
2. All construction on Lot 1 shall be consistent with the April 11, 2018 Storm-Water Control Plan prepared by Walsh Engineering. (Mitigation Measure HYDRO-2)
  - Owners shall educate management staff of storm water pollution prevention practices, onsite inlets shall be designed to have their tributary area drain to self-retaining area or bio retention area prior to discharging off site via overland release.
  - Landscaping shall be maintained using minimum or no pesticides.
  - Plaza, sidewalks and parking lots shall be regularly swept to regularly prevent accumulation of litter and debris. Collect debris from pressure washing to prevent entry into the storm drain system. Collect wash water containing any cleaning agent or degreaser and discharge to the sanitary sewer not to a storm drain.
  - Bio-retention facility shall be maintained by removing soil or debris blocking planter inlets or overflows, trash shall be removed that collects near the inlets or gets caught in vegetation. Plants shall be cut or pruned for health and to ensure flow into inlets and across the surface of the facility. Plants shall be removed and replanted as necessary, replanting shall maintain the design surface elevation and minimize introduction of soil, and weeds shall be controlled by manual methods and soil amendment.
3. All future development that is within a designated flood zone shall adhere to all Federal, State and local agency requirements, including Chapter 25 (Flood Plain Management) of the Lake County Code. (Mitigation Measure HYDRO-3)
4. Prior to any future development, Engineered Drainage Plans and Calculations, including an Operation and Maintenance Plan for the detention basin shall be submitted to the Lake County Water Resources Department for review and approval. The detention basin shall be maintained for the life of the project. All new construction shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system and Clear Lake. Typical BMPs include scheduling of activities, temporary erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 and 30 of the Lake County Code. The applicant shall contact the Water Resource Department at (707) 263-2344 for further details. (Mitigation Measure HYDRO-4)
5. All current and/or future developed located within a flood zone shall adhere to all Federal, State and local agency requirements, including Chapter 25 (Floodplain Management) of the Lake County Code. (Mitigation Measure HYDRO-5)
6. Project design shall incorporate Best Management Practices (BMP's) as described in the California Stormwater Quality Association Stormwater Best Management Handbooks, including the Construction Handbook and the New Development and

Redevelopment Handbooks. Handbooks are available for purchase or download at <http://www.camphandbooks.com>.

7. Prior to construction, an operation and maintenance plan for post construction BMP's shall be submitted to and approved by the Public Works and the Community Development Department. In conjunction with submittal of the operation and maintenance plan, a method of financing and performance maintenance agreement or other means acceptable may be required to assure the perpetual and effective operation and maintenance of water quality and flow control facilities.

#### **E. Land Use**

1. The final map shall contain the following notes:
  - All approved conditions of approval for Minor Use Permit, MUP 18-13 and Development Review Permit, DR 18-03 shall remain in effect.
  - Prior to recording the final map, the property frontage along Gaddy Lane shall be improved with curb, gutter and sidewalk. Improvement plans shall be submitted to the Lake County Department of Public Works for review and approval.
  - All current and/or future developed located within a flood zone shall adhere to all Federal, State and local agency requirements, including Chapter 25 (Floodplain Management) of the Lake County Code
2. Prior to any development and/or building permit submittal, Engineered Drainage Plans and Calculations, including an Operation and Maintenance Plan for the detention basin shall be submitted to the Lake County Water Resources Department for review and approval. The detention basin shall be maintained for the life of the project.
  - All new construction shall incorporate Best Management Practices (BMPs) to the maximum extent practicable to prevent or reduce discharge of all construction or post construction pollutants into the County storm drainage system and Clear Lake. Typical BMPs include scheduling of activities, temporary erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapter 29 and 30 of the Lake County Code. The applicant shall contact the Water Resource Department at (707) 263-2344 for further details.

#### **F. Public Services, Recreation and Utilities / Service Systems**

1. All utilities required to serve the properties shall be installed underground and stubbed to each new lot, including electricity, telephone, cable television consistent with the requirements of the serving entity. All utility lines shall be contained within the boundaries of the proposed lots or utility easements shown on the final map such that private easements are not required to access utility lines.
2. All connections of LACOSAN shall be made in accordance with the rules, regulations, policies, procedures and ordinances in effect at the time of the application. The permit holder shall contact Special District at (707) 263-0119 for further information.
3. **Prior to recordation of the final map**, the permit holder shall pay all Quimby Park Improvement Fees. For further information, please contact the Lake County Public Services at (707) 262-1618.

#### **G. Transportation / Traffic**

1. A ten (10) foot wide strip of the subject site along State Street shall be dedicated as pedestrian right-of-way and public utility easement **concurrently with or prior to recordation of the final map**.
2. All street elevations shall be shown on the final map.

- 3. **Prior to recording of final map**, property frontage along Gaddy land shall be improved with curb, gutter and sidewalk. A signed Engineering and Inspection Agreement shall be submitted to the Lake County Department of Public Works, along with a 2% deposit of the Engineers estimate for the frontage improvements. Said improvement plans shall be submitted to the Lake County Department of Public Works for review and approval.

**H. Compliance and Monitoring**

- 1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
- 2. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
- 3. **Prior to issuance of building permits**, the permit holder shall pay the Annual Compliance Monitoring Fee of \$760.00 to the Community Development Department until all conditions of approval are met.
- 4. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
- 5. This approved map shall expire on March 26, 2022 unless an extension with fee has been granted consistent with the subdivision ordinance and the Subdivision Map Act.

Scott DeLeon  
Interim Community Development Director

Prepared by: EJP

By: \_\_\_\_\_  
Danae LoDolce, Office Assistant III

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Acceptance

I have read and understand the foregoing Conditionals of Approval and agree to each and every term and condition thereof.

Date: \_\_\_\_\_  
Signature of applicant or authorized agent

\_\_\_\_\_  
Printed name of applicant or authorized agent