

COUNTY OF LAKE  
MAJOR USE PERMIT, UP 18-24  
INITIAL STUDY, IS 18-24  
LOT LINE ADJUSTMENT, LLA 20-04

HUTTOPIA SIX SIGMA GLAMPING PROJECT

CONDITIONS OF APPROVAL

Expires if not used by: January 14, 2023

Pursuant to the approval of the Lake County **Planning Commission on January 14, 2021**, there is hereby granted to **Huttopia Six Sigma Glamping Project (UP 18-24)** to allow for the development of facilities associated with a glamping destination, including lodging units (tents and cabins), employee housing, central facilities, swimming pool, on-site water and sewer, and other support facilities and to allow for the **Lot Line Adjustment (LLA 20-04)** to change the lot lines and create three contiguous parcels on property located at 13372 Spruce Grove Road, Lower Lake, CA 95457; and further described as APNs: 012-012-69 and 012-012-25 and a distinct lease parcel, subject to the following terms and conditions.

**A. GENERAL CONDITIONS:**

1. The use hereby permitted shall substantially conform to the ***Project Description and Operations Plan and the Development Plans*** and any conditions of approval imposed by the **Major Use Permit** and Review Authority for the ***Huttopia Six Sigma Glamping Project***. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts. Applicant shall be in substantial conformance with the following:
3. 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. **Prior to operation**, the applicant shall obtain permits as may be required from each agency and provide copies to the Community Development Department.
4. The Lot Line Adjustment (LLA 20-04) shall not be recorded until UP 18-24 has been adopted.
5. The permit holder is responsible for ensuring that all project workers are informed of, understand, and agree to abide by the approved plans and project conditions.
6. All construction shall be reviewed and approved by a *California-Licensed Professional Civil Engineer or Architect*, and be constructed to those specifications, subject to review and approval of the Community Development Department.
7. The permit holder shall comply and maintain necessary permits from the Lake County Environmental Health Department regarding the California Retail Food Code and Health and Safety Regulations. The applicant shall contact the Department of Environmental Health at (707) 263-1163 for further information.
8. **Prior to operation of any food facility**, the permit holder shall submit three (3) sets of complete and supporting documents to the Department of Environmental Health for review and approval, including maintaining the necessary permits. The permit holder shall submit a copy of said permit to the Community Development Department within thirty (30) days of obtaining such permit.
9. **Prior to occupancy**, all structure(s) shall meet accessibility standards. Please contact the Community Development Department - Building Division for more information.

10. **Prior to operation and/or occupancy**, all accessible compliant parking areas, routes of travel, building access and/or bathrooms shall meet all California Building Code Requirements.
11. **Prior to operation and/or occupancy**, all employees shall have access to restrooms and hand-wash stations. The restrooms and hand wash stations shall meet all accessibility requirements.
12. **Prior to building permit final**, the permit holder shall adhere to all requirements of Chapter 13 of the Lake County Code, including but not limited to adherence with the Hazardous Vegetation requirements.
13. **Prior to building permit final**, the permit holder shall adhere to all 2016 California Fire Code, including 4290 and 4291 of the Public Resource Code regulations and/or requirements. The applicant shall contact the Community Development Department – Building Division at (707) 263-2382 for further information.
14. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place or harborage for pest.
15. Any outdoor storage shall be maintained in an orderly manner and shall not create a fire, safety, health and/or sanitary hazard.
16. This permit shall be null and void if not used by **January 14, 2023** or if the use is abandoned for a period of two (2) years.

**B. AESTHETICS:**

1. **Prior to obtaining the necessary permits and/or approvals for any phase**, a Lighting Plan shall be submitted to the Community Development Department for review and approval. All lighting shall be shielded and directed downwards onto the project site and not onto adjacent roads or properties. Lighting equipment shall be consistent with that which is recommended on the website: [www.darksky.org](http://www.darksky.org) and provisions of section 21.41.8 of the Zoning Ordinance. In addition, security lighting shall be motion activated. (*Mitigation Measure AES-1*)
2. **Prior to obtaining the necessary permits and/or approvals for any phase**, the permit holder shall submit Signage Plan to the Community Development Department for review and approval. All signage shall be in accordance with Section 21-45.11 or 21-45.12 of the Zoning Ordinance.

**C. AIR QUALITY:**

1. **Prior to construction and operation**, all roads, trails and access routes shall be paved and/or adequately surfaced to prevent dust generation. The primary access roads and parking area shall be constructed, surfaced, and maintained with an all-weather surface of asphaltic concrete, concrete, or other approved all-weather surface approved by the review authority to minimize dust impacts to the public, visitors, and road traffic. All areas subject to semi-truck/trailer traffic shall be paved to prevent fugitive dust generation. Grading and re-graveling roads should utilize water trucks if necessary, reduce travel times through efficient time management and consolidating solid waste removal/supply deliveries to further reduce dust. (*Mitigation Measures AQ-1*).
2. No white rock for road surfacing shall be used. (*Mitigation Measure AQ-1*).
3. Vegetation that is removed for development shall be properly disposed. The applicant shall chip vegetation and spread the material for erosion control. The burning of vegetation, construction debris, demolition, and/or waste material is prohibited (*Mitigation Measure AQ-2*).

4. Dust control measures shall be implemented to minimize fugitive dust emissions from the project site for all project aspects. Dust control measures may consist of approved chemical, structural, or mechanical methods and shall be reapplied at the necessary intervals to prevent wind erosion. *(Mitigation Measure AQ-3)*.
5. Construction activities that involve pavement, masonry, sand, gravel, grading, or other activities that could produce airborne particulate shall be conducted with adequate dust control measures. If the applicant fails to maintain adequate dust controls, a Dust Mitigation Plan may be required.
6. All mobile diesel equipment used for construction and/or maintenance shall be compliant with State registration requirements. Portable and stationary diesel powered equipment shall meet the requirements of the State Air toxic Control Measures for CI engines as well as Lake County Noise and Emission Standards. *(Mitigation Measure AQ-4)*
7. Construction and/or work practices that involved masonry, gravel, grading activities, vehicular and fugitive dust shall be management by use of water or other acceptable dust palliatives to maintain two inches of visibly-moist soil in the project area and to ensure that dust does not leave the property.
8. **Prior to any grading and/or ground disturbance**, base rock shall be placed during any initial grading to help minimize dust generation from vehicle traffic and development. Regular palliative treatment may be considered as an alternative to paving while being developed.
9. **Prior to any ground disturbance and/or construction**, all construction equipment shall be maintained, and in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition.
10. The permit continue to shall minimize fugitive dust during the day to day operations of the commercial use through the use of water, paving or other acceptable dust palliatives.
11. If a diesel generator is utilized onsite for primary power or for backup use, the permit holder shall submit an application to Lake County Air Quality Management District **prior to beginning construction activities and prior to generator use**. Mobile diesel equipment used for construction and maintenance shall be conducted in accordance with State registration requirements, and all equipment units must meet Federal, State, and local requirements.
12. The burning of vegetation is prohibited. Vegetative waste from development activities shall be composted or chipped as a means of disposal.

**D. BIOLOGICAL RESOURCES:**

1. **This use permit approval shall not become effective, operative, vested or final until** the applicants submit the California Department of Fish & Wildlife filing fee as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee shall be submitted to the Community Development Department within five (5) days of approval of the mitigated negative declaration.
2. The removal of trees suitable to use by pallid bats, such as trees with hollows and/or shedding bark, shall not occur unless a survey for signs of bats has been conducted. The survey shall be conducted by a qualified biologist with local knowledge of sensitive bat species within fourteen days prior to tree removal. If pallid bats, or other bats with sensitive regulatory status, are discovered during the surveys, a buffer of 50-feet should be established on recommendation of the surveying biologist. *(Mitigation Measure BIO-1)*

3. Removal of trees suitable to use by pallid bats shall occur outside hibernation and roosting seasons and shall be restricted to between September 15<sup>th</sup> and October 15<sup>th</sup> or February 15<sup>th</sup> and April 1<sup>st</sup>. *(Mitigation Measure BIO-1)*
4. All construction related activities within the project area, including vegetation removal shall occur outside the White-Tailed Kite nesting season (February 15 through August 31). If construction during the nesting season cannot be avoided during nesting period, the applicant shall complete a pre-construction nest survey conducted by a qualified biologist within two (2) weeks of disturbance. If an active nest of a sensitive species is found, a construction buffer shall be established around nest in consultation with a CDFW Staff. Said buffer shall remain in place until fledging is completed and/or until a qualified biologist has determined that the nesting effort has failed. *(Mitigation Measure BIO-2)*
5. To avoid potential impacts to the yellow warbler and the yellow-breasted chat, construction within 50 feet of willow thicket habitat shall not occur during breeding season (February 15<sup>th</sup> through August 31<sup>st</sup>), unless surveys have been conducted and mitigation, as described above, has been implemented. *(Mitigation Measure BIO-3)*
6. The project shall use all avoidance measures such as not to disturb migratory birds during construction or development. The permit holder shall include performance-based protection measures to protect and avoid all nests protected under the Migratory Bird Treaty Act and Fish and Game Code. Should project activities cause nesting birds or raptors to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, construction or other development activities shall be pulled back to stop the agitated behavior by the migratory bird or behavior. The exclusionary buffer shall remain in place until the chicks have fledged or are otherwise no longer dependent on the nest as determined by a qualified biologist.
7. Conflicts between human and wildlife shall be minimized to avoid incidental take of sensitive species. Measure shall be taken to ensure bear and human conflict is minimized, including ensuring food, trash, pet food, or bird food is inaccessible to bears.
8. No trees greater than 6-inches in diameter shall be removed without prior consultation with County staff. *(Mitigation Measure BIO-4)*
9. Trails, foundations, roadways, etc., shall avoid excavation beneath the driplines of established oak trees. Excavation shall be limited for trail construction and shall implement erosion control Best Management Practices where necessary. *(Mitigation Measure BIO-5)*
10. Pets shall be kept indoors at night and dogs shall remain on a leash or under direct supervision. *(Mitigation Measure BIO-6)*
11. Use of overhead lighting shall be avoided. *(Mitigation Measure BIO-6)*
12. Restrooms shall be readily available throughout the resort to minimize inadvertent scent marking by the public. *(Mitigation Measure BIO-6)*
13. Night-time noise, including amplified music, shall be subject to a curfew. *(Mitigation Measure BIO-6)*
14. **Prior to commencement of activities within the bed or bank of the creek**, a Streambed Alteration Agreement shall be obtained from the California Department of Fish and Wildlife. All the conditions of such permit shall be adhered to throughout the course of the project to reduce the impact to a less than significant level. *(Mitigation Measure BIO-7).*
15. **Prior to commencement of activities within possible waters of the US**, the Army Corps of Engineers shall be notified and any necessary permits shall be

obtained in conjunction with Section 404 of the Clean Water Act. Additionally, a Water Quality Certification shall be obtained from the Central Valley Regional Water Quality Control Board. *(Mitigation Measure BIO-7)*.

16. Any project improvements and/or development that results in the discharge of dredged and/or fill material into potential jurisdictional areas on the project sites shall obtain the necessary permits, as required, from applicable agencies, which included but is not limited to the U.S Army Corps of Engineers Nationwide Permit; Regional Water Quality Control Board pursuant to Sections 404 and 401 of the Clean Water Act respectively; California Department of Fish and Wildlife – 1601 Stream Alteration. *(Mitigation Measure BIO-7)*.
17. All work shall incorporate erosion control measures consistent with Lake County Grading Regulations and HCD Regulations, including preparation and implementation of an Erosion Control Plan approved by HCD. *(Mitigation Measure BIO-8)*
18. **Prior to construction**, the project shall obtain coverage under the State Water Resources Control Board (SWRCB) Construction General Permit (CGP) Order 2009-0009-DWQ and prepare a Storm Water Pollution Prevention Plan (SWPPP) for the project site. *(Mitigation Measure BIO-8)*
19. If tree planting is proposed, California native species shall be used and a Planting Plan, including number and species, shall be submitted to the California Department of Fish and Wildlife.
20. The permit holders shall ensure that their livestock fences are maintained to prohibit animals from escaping.
21. The applicant shall adhere to all requirements in the Biological Resource Assessment with Botanical Survey and Delineation of Waters of the U.S for the Huttopia Project and Six Sigma Winery dated July 23, 2018 prepared by: Northwest Bio-Survey.

**E. CULTURAL RESOURCES:**

1. Should any cultural, archaeological or paleontological materials be discovered during any ground disturbing activities, all activity shall be halted within one hundred (100) feet of the find(s) until further evaluation can be made by the Tribal Cultural Advisor in determining their significance and appropriate treatment or disposition. A Monitoring and Treatment Plan shall be created by the archaeologist if the find is deemed significant as defined by CEQA or other applicable law. The Plan shall be developed in coordination with the Tribal Cultural Advisor and all subsequent finds shall be subject to this Plan unless otherwise mutually agreed upon between the applicant and the Tribe. No work shall commence within the buffered area until the Monitoring and Treatment Plan has been adopted by the applicant in accordance with applicable law. *(Mitigation Measure CUL-1)*
2. If any human remains are encountered, all activity shall be halted immediately and the Lake County Sherriff's Department, Middletown Rancheria, and the Community Development Department shall be contacted. *(Mitigation Measure CUL-2)*
3. **Prior to the initiation of ground disturbance activities**, all on-site personnel of the project shall receive resource sensitivity training, up to 8 hours, as advised by a project Tribal Cultural Advisor designated by the tribe. *(Mitigation Measure CUL-3)*

**F. GEOLOGY & SOILS:**

**Commented [MI1]:** Placeholder to add other CUL MMs/COAs based on what the tribe and applicant agree upon

1. **Prior to any ground disturbance**, the permitted 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 vineyard installation.
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.
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.
4. **Prior to any grading activities and/or road building**, the permit holder shall submit and obtain a Grading Permit from the Community Development if greater than fifty (50) cubic yards of soil are moved.
  - *The project design shall incorporate appropriate BMPs consistent with County and State Storm Water Drainage Regulations to the maximum extent practicable.* The project design 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. BMPs typically include scheduling of activities, erosion and sediment control, operation and maintenance procedures and other measures in accordance with Chapters 29 and 30 of the Lake County Code
5. If development/grading activities are greater than one (1) acre of new development, the project shall require coverage under a Construction General Permit for Storm Water Management, including a Storm water Pollution Prevention Plan (SWPPP). Said plans shall be submitted to the Community Development Department and the Lake County Department of Water Resources for review and approval, **prior to the issuance of any permits**. The applicant shall contact the Central Valley Regional Water Quality Control Board at (916) 464-4812 for further information.
6. **Prior to the issuance of any building permit**, applicant contact the Central Valley Water Board and the US. Army Core of Engineers and obtain the necessary permits. The applicant shall submit a copy of said permits to the Community Development Department. The applicant shall contact the Central Valley Regional Water Quality Control Board at (916) 464-4812 and the Army Core of Engineers at (916) 557-5269 for further information. Said permits, include but is not limited to the following:
  - *Antidegradation Implementation Policy*
  - *Construction Storm Water General Permit*
  - *Phase I and II Municipal Separate Storm Sewer System (MS4) Permits*
  - *Industrial Storm Water General Permit*
  - *Clean Water Act Permits*
  - *Waste Discharge Requirements – Discharges to Waters of the State*
  - *Dewatering Permit*
  - *Regulatory Compliance for Commercially Irrigated Agriculture*
  - *National Pollutant Discharge Elimination System (NPDES) Permits*

**G. HAZARDS & HAZARDOUS MATERIALS**

1. If the operation includes storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. The Plan shall be renewed and updated annually or if quantities increase. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site. *(Mitigation Measure HAZ-1)*
2. The storage or staging of potentially hazardous materials shall be located at least 100 feet from any existing water well or water way. These materials shall not be allowed to leak onto the ground or contaminate surface waters. *(Mitigation Measure HAZ-2)*
3. Staging areas and development areas shall be cleared of dried vegetation or other materials that could serve as fire fuel. Brush and other dried vegetation shall be mowed and appropriately cleared. The contractor shall keep these areas clear of combustible materials in order to maintain a firebreak, to the extent feasible. *(Mitigation Measure HAZ-3)*
4. Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order, including vehicles and heavy equipment. *(Mitigation Measure HAZ-3)*
5. The permit holder shall operate in full compliance with fire safety rules and regulations and instruct all workers that the project involves working adjacent to flammable vegetation. *(Mitigation Measure HAZ-4)*
6. Vehicles and equipment shall be maintained and operated in a manner to prevent hot surfaces, sparks, or any other heat sources from igniting grasses, brush, or other highly combustible material. *(Mitigation Measure HAZ-5)*
7. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.
8. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state, and federal regulations.
9. All hazardous waste shall not be disposed of on-site without review or permits from Environmental Health Department, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material.
10. Collected hazardous or toxic materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.
11. Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from the creek; vehicles and equipment shall receive proper and timely maintenance.

12. The project design shall incorporate appropriate BMPs consistent with County and State storm water drainage regulations to prevent or reduce discharge of all construction or post-construction pollutants and hazardous materials offsite or into the creek. The site shall be monitored during the rainy season (October 15-April 15) and erosion controls maintained.
13. The applicant shall submit an Emergency Evacuation Plan to the Community Development Department, the Lake County Sheriff's Office and the South Lake Fire Protection District within sixty (60) days of project approval for review and approval.
14. Vehicles and equipment shall be maintained and operated in a manner to prevent hot surfaces, sparks or any other heat sources from igniting grasses, brush or other highly combustible material.
15. Hazardous waste (including industrial waste) shall be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from EHD, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.
16. Industrial Wastewater or any other classification of waste shall not be disposed on-site without review or permits from the Environmental Health Division, the Regional Water Quality Control Board and/or the Air Quality Board.
17. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.
18. Any waste detrimental to a public sewer system and/or a sewage treatment plant, shall not be discharged into a public sewer system unless they have been pretreated to the degree required Lake County Special Districts. The permit holder may contact the Lake County Special District at (707) 263-0119 for specifics.
19. All employees and/or staff member shall be properly be trained in and wear Personnel Protective Equipment in accordance with all Federal, State and local regulations regarding handling any Biological and Chemical agents.
20. Trash enclosures shall comply with Section 9-6 of the Lake County Code, *Refuse Enclosures Required for Commercial Industrial Uses*.
21. If the project generates greater than four cubic yards or more of commercial solid waste per week, the permit holder shall arrange for a recycling service.

#### **H. HYDROLOGY & WATER QUALITY**

1. **Prior to operation**, the applicant shall obtain all necessary federal, state and local agency permits and shall submit a copy of said permit (s) to the Community Development Department within 30 days of obtaining the permits. (*Mitigation Measure HYD-1*)
2. The applicant shall continue to maintain all required permits from the State Water Resource Control Board – Division of Drinking Water and sub it written verification to the Community Development Department. If permit(s) areas updated and/or modified, applicant shall provide a copy to the Community Development Department within sixty (60) days permits issuance.
3. **Prior to issuance of any permits**, Engineered Storm-water Management and Drainage Plans and Calculations, shall be submitted to the Lake County Water Resources Department for review and approval. All new construction shall incorporate Best Management Practices (BMP's) 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. BMP's 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.

4. The permit holder shall use BMPs to prevent erosion and ensure that sediment and silt exceeding the natural background level does not enter any nearby streams and water courses. The natural background level is the level of erosion that currently occurs from the area in a natural, undisturbed state. BMPs may include the placement of straw, mulch, seeding, straw wattles, silt fencing and planting of native vegetation on all disturbed areas.
5. **Prior to the issuance of any permits**, the applicant shall submit verification that all development activities either are less than one (1) acre or greater than one (1) of new disturbance.
  - *If development activities are greater than one (1) acre of new development, the project will require coverage under a Construction General Permit for Storm Water Management, including a Storm water Pollution Prevention Plan (SWPPP). Said plans shall be submitted to the Community Development Department and the Lake County Department of Water Resources for review and approval, **prior to the issuance of any permits**.*
6. **Prior to the issuance of any permits**, the applicant shall obtain and maintain all required permits from the Central Valley Regional Water Quality Control Board. The applicant shall contact the Central Valley Regional Water Quality Control Board for details and submit written verification to the Community Development Department within 30 days of permit(s) issuance.
  - If permit(s) are not required, the applicant shall obtain written verification from the Central Valley Regional Water Quality Control Board and submit the verification to the Community Development Department.
7. Any development shall maintain a minimum of a thirty (30) foot setback from top of bank for all waterways located on project parcels.
8. The permit holder shall comply with all the requirements of the Lake County Environmental Health Division for wells and/or onsite waste management systems.

**I. NOISE:**

1. All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work. Contractors shall implement noise-reducing measures during construction when occupied residences or other sensitive receptors are located within 500 feet. (*Mitigation Measure NOI-1*)
2. The proposed project shall comply with the noise standards identified in Section 41.11 of the Zoning Ordinance. If noises generated from the project exceed the below standards during construction or operational phases, noise generating activities shall cease until noise attenuation measures are implemented. (*Mitigation Measure NOI-2*)
  - 55 dBA between the hours of 7:00am to 10:00pm and 45 dBA between the hours of 10:00pm to 7:00am adjacent to residential districts; and
  - 60 dBA between the hours of 7:00am to 10:00pm and 55 dBA between the hours of 10:00pm to 7:00am adjacent to commercial districts at the property lines.
3. No use shall generate ground vibration which is perceptible without instruments beyond the lot line. Ground vibrations caused by motor vehicles, aircraft, temporary construction work, or agricultural equipment are exempt from these standards.

**J. TRANSPORTATION AND TRAFFIC:**

1. **Prior to the issuance of building permits**, the permit holder shall obtain all necessary encroachments permits from the Department of Public Works and/or Caltrans regarding road improvements, development, and/or any work within a right-of-way. The applicant shall submit a copy of said permit to the Community Development Department within thirty (30) days of obtaining such permit.
2. Any structures and/or private facilities are not authorized within the public right-of-way.
3. Any signs or landscaping installed along the project frontage with Spruce Grove shall be low-lying or set back. (*Mitigation Measure TRAF-1*)
4. The permit holders shall advise patrons to follow all speed limit signs on Spruce Grove Road.
5. If the use of shuttle services occurs, those services shall be appropriate dust control methods and travel an appropriate speed on graveled roads to minimize dust generation.
6. Gates shall not be constructed across driveways and/or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes. A Knox box is required on all gated entrances.
7. **Prior to building permit final**, the permit holder shall meet and maintain all access requirements and/or regulations as defined in 14 California Code of Regulations (CCCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements.

**K. UTILITIES and SERVICE SYSTEMS:**

1. Devices which generate electromagnetic interference shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located. Public utilities shall comply with all applicable state and federal regulations.

**L. WILDFIRE**

1. If a wildfire occurs at the project site, the site is to be inspected post-fire to evaluate downslope landslide hazards. Areas where hazards are identified to exist shall be closed until slopes have stabilized.

**M. MITIGATION MONITORING AND EXPIRATION:**

1. This use permit approval shall not become effective, operative, vested or final until the applicant the California Department of Fish & Wildlife filing fee shall be submitted as required by California Environmental Quality Act (CEQA) statute, Section 21089(b) and Fish and Game Code Section 711.4. The fee should be submitted to the Community Development Department within five (5) days of approval of the mitigated negative declaration.
2. 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.
3. 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.

- 4. **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.
- 5. **Prior to building permit final**, the permit holder shall submit a summary response in writing establishing compliance with the approved conditions of approval, including dates of compliance and referencing documents and/or other evidence of compliance to the Community Development Department for review and approval, including scheduling an inspection with the Community Development Department to ensure all conditions of approval have been met.
- 6. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

Scott DeLeon  
Community Development Director

By: \_\_\_\_\_  
Trish Turner, Office Assistant

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