

CONDITIONS OF APPROVAL & MITIGATION MONITORING AND REPORTING PROGRAM

For Use Permit UP-20;10-2 and Zone Change ZC-20;10-1 Hoover Hideout

APPLICANT: Thomas and Barbara Jean Hoover

PROJECT LOCATION: 43300 State Highway 88 Pioneer, CA 95666; primary encroachment is located 1.5 miles west of Mormon Emigrant Trail; specific project site is approximately two miles east of Highway 88 via private access easement (APN 026-060-018).

PROJECT DESCRIPTION: Request for a Zone Change from the R1A, Single Family Residential and Agricultural District, to the PD, Planned Development District for APN 026-060-018 (ZC-20;10-1); and a Use Permit (UP-20; 10-2) for an event venue and vacation rental. Events are to take place from June through October (Peak Season), with up to 220 attendees (including staff) with two events per week, up to 35 events annually. Events are 4-5 days, with up to 175 total days allocated to events per year. APN 026-060-018 **See Extended Project Description (attached).

ENVIRONMENTAL DOCUMENT: Mitigated Negative Declaration

PLANNING COMMISSION APPROVAL DATE: May 9, 2023

BOARD OF SUPERVISORS APPROVAL DATE: June 13, 2023

NOTICE OF DETERMINATION DATE: July 3, 2023

NOTE A: It is suggested the project applicant contact the Environmental Health, Public Works, and Planning Departments and any other agencies involved prior to commencing these requirements. Improvement work shall not begin prior to the review and submission of the plans and the issuance of any applicable permits by the responsible County Department(s). The Inspector must have a minimum of 48 hours' notice prior to the start of any construction.

NOTE B: Information concerning this project can be obtained through the Amador County Planning Department, 810 Court Street, Jackson, CA 95642 (209) 223-6380.

CONDITIONS OF APPROVAL

- ✓ 1. **California Department of Fish And Wildlife (CDFW) Fees:** No permits shall be issued, fees paid, or activity commence, as they relate to this project, until such time as the Permittee has provided the Planning Department with the Department of Fish and Wildlife Filing Fee for a Notice of Determination or a Certificate of Fee Exemption from Fish and Wildlife. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
- ✓ 2. This Use Permit is granted for the use(s) described (see attached application) on the condition that the establishment, maintenance, or operation of the proposed use(s) will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use(s) or be detrimental or injurious to property and improvements or the general welfare of the County. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 3. Applicant shall submit signed conditions to the Planning Department. The issuance of this Use Permit is expressly conditioned upon the permittee's compliance with all the provisions contained herein and if any of the provisions contained herein are violated, this Use Permit may be subject to revocation proceedings as set forth in Amador County Code. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
- ✓ 4. **Events and Occupancy:** All events shall not exceed the frequencies applied for in the Use Permit, consisting of: 35 events annually, with up to two events per week from June through October (Peak Season). Events shall not exceed 5 days, and there shall not be more than 175 total days allocated to events per year. No more than 35

days (one day per ‘event’) may have more than 25 people on site per year. The number of persons on site at any one time shall not exceed maximum occupancy of the building or outside grounds and events shall abide by the population limits of the Use Permit application: up to 220 attendees at any one time. THE AMADOR COUNTY PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

- ✓ 5. Building Permits : The permittee shall acquire all necessary building permits for all facilities and any related equipment. Construction and location shall be substantially the same as submitted plans and as stated in the approved project description. THE PLANNING DEPARTMENT AND THE AMADOR COUNTY BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.
- X 6. Food Service: T he applicant shall comply with California Health and Safety Code Chapter 10.1, §114328 (Catering) and §114328.1 (Host Facilities) regarding all food or beverage service to the satisfaction of the Environmental Health Department. This may include additional approval of permits to operate within Amador County. Any food sales or food service by Hideout Owners or employees not otherwise provided by a licensed and permitted caterer would require the appropriate retail food facility permit from Amador County Environmental Health, and only Permitted Food Service Providers shall provide food or beverage service to the public. A hood ventilation system shall be installed above all cooking appliances. THE ENVIRONMENTAL HEALTH DEPARTMENT, BUILDING DEPARTMENT, AND AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION.
- ✓ 7. Waste Disposal: The applicant must maintain solid waste disposal service sufficient to serve the intended use. This shall consist of a minimum of weekly service by a permitted waste-services provider and provision of a 4-yard dumpster (or greater) during peak season. THE WASTE MANAGEMENT DEPARTMENT SHALL MONITOR THIS CONDITION.
- X 8. Fire Code Deviation: Prior to activation of the Use Permit, the Applicant shall obtain an approved Deviation from the Community Development Agency, for all development as proposed through Deviation _____. The Use Permit shall not be activated until all conditions of the Deviation have been met. THE AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION.
- X 9. Property Owner Indemnification: The project applicant shall be required to formally defend and indemnify other property owner(s) whose property(ies) is/are utilized for the permitted uses, against any harms. This includes utilization of the access easement to the project property and any other uses or activities related to the proposed uses. PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION
- ✓ 10. Fire Inspection: T he applicant shall be required to have an annual fire department inspection by AFPD. This inspection shall take place sometime within each calendar year prior to the facility opening for summer service (peak season). AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION
- ✓ 11. Fire Protection Services: To mitigate the impact on fire protection services, in accordance with Amador County Ordinance No. 1640 (County Code 17.14.020)4, the developer shall participate in the annexation to the County’s Community Facilities District No. 2006-1 (Fire Protection Services), including execution of a “waiver and consent” to the expedited election procedure, the successful completion of a landowner-vote election authorizing an annual special tax for fire protection services, to be levied on the subject property by means of the County’s secured property tax roll, and payment of the County’s cost in conducting the procedure. THE AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION.
- ✓ 12. Parking: The applicant shall ensure that no traffic associated with the events center or associated commercial operations shall park along the easement road to the property or along Highway 88. The applicant shall provide a minimum of 37 parking spaces and 2 standard and 1 van-accessible permanent ADA parking spaces. The permanent parking spaces shall have an all-weather, non-combustible surface. The area(s) utilized for overflow parking shall be maintained to mitigate for fire risk and dust through industry-standard best-management fire-safe and dust reduction practices, which may include, but are not limited to: mowing, watering dirt, applying gravel, paving, removing and clearing away all flammable vegetation and other combustible growth pursuant to

Public Resources Code Section 4291(a), and other forms of maintenance. Single specimens of trees or other vegetation may be retained, provided they are well spaced, well pruned, and create a condition that avoids spread of fire to other vegetation or to a building or structure. THE TRANSPORTATION AND PUBLIC WORKS SHALL MONITOR THIS CONDITION.

- ✓ 13. **Overflow Parking:** The applicant shall provide a minimum of 130 overflow parking spaces as proposed by the applicant. The permanent parking spaces shall have an all-weather, non-combustible surface. The area(s) utilized for overflow parking shall be maintained to mitigate for fire risk and dust through industry-standard best-management fire-safe and dust reduction practices, which may include, but are not limited to: mowing, watering dirt, applying gravel, paving, removing and clearing away all flammable vegetation and other combustible growth pursuant to Public Resources Code Section 4291(a), and other forms of maintenance. Single specimens of trees or other vegetation may be retained, provided they are well spaced, well pruned, and create a condition that avoids spread of fire to other vegetation or to a building or structure. In the case that any of the proposed parking areas are seasonally inundated, other parking shall be designated to avoid damage to sensitive habitats (see Mitigation Measure(s) 20-25). Avoidance measures shall include restricting access to areas by usage of temporary or permanent signage, fencing, or other demarcation to avoid disturbance to the flooded area(s). THE PLANNING DEPARTMENT AND BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 14. **Amplified Music:** As stated in the Use Permit Application, indoor and/or outdoor live or amplified music shall be permitted Tuesday and Saturday from 6:00 p.m. to 2:00 a.m. during “Peak Season” (June-October). Any outdoor amplified music other than that which is associated with scheduled events within the permitted hours, shall fall under County Code Section 9.44.010 Public Nuisance Noise and the Amador County General Plan Noise Element and be considered relative to expected noise associated with residential uses. Consistent with Table N-3 under the Amador County General Plan, exterior noise levels other than that which is associated with scheduled events, shall not exceed 60 dB at the property line. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION
- ✓ 15. **Generator Usage:** The applicant shall obtain and maintain all required permitting for use of the generators on-site to serve the proposed uses. THE AMADOR AIR DISTRICT AND AMADOR COUNTY BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION
- ✓ 16. **Zone Change and General Plan Consistency:** The approval of the Use Permit UP-20;10-2 is contingent on the subsequent Board of Supervisors approval of the Zone Change ZC-20;10-1. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

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- X 17. **Outdoor Advertising (AES-1):** In order to reduce visual impact to nearby properties, the HideOut shall be allowed to have signage consistent with Amador County Sign Code Section 19.3.010(E)(3) regarding “recreational facilities,” consisting of “one appurtenant sign not exceeding four feet by eight feet in dimension, no more than two faces, unless a larger sign area is granted by use permit.”

Any advertising structure visible to the National Highway System (NHS) is subject to the provisions of the California Outdoor Advertising Act outlined in Business and Professions Code Section 5200 et seq. Any advertising structure that displays off-premise commercial copy visible from the NHS will require a permit from the Office of Outdoor Advertising (ODA). Any advertising structure that only advertises goods and services available on-premise will not require a permit from ODA, provided it adheres to the provisions of Business and Professions Code Section 5272 and 5274 and California Code of Regulations 2243 and 2246. Each of the proposed advertising structures should refrain from operating in any of the conditions outlined in Business and Professions Code Section 5403. For questions related to the ODA permit application process please visit our website at: <http://www.dot.ca.gov/trafficops/oda/>.”

THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION

- ✓ 18. Commercial Light and Glare (AES-2): Any lighting installations must be compliant with County regulations, and be conditioned to incorporate measures to reduce light and reflectance pursuant to Amador County General Plan Mitigation Measure 4.1-4. This includes measures to reduce light and reflectance including limitation of all installed lighting with this project to full-cutoff, fully-shielded fixtures directed downwards with color correlative temperature (CCT) less than or equal to 3000K. Motion sensors and automatic shutoffs shall be used to limit all lighting fixtures in use after facility is closed to the public or after 10:00 p.m. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 19. Air Quality Best Management Practices (BMPs)(AIR-1): Permittee shall meet requirements that may be deemed necessary by the Air District based upon site conditions and operations. The project shall require that idling times for delivery vehicles be limited to a maximum of 5 minutes to reduce operational emissions of criteria pollutants per General Plan Mitigation Measure 4.3-2a. AMADOR AIR DISTRICT SHALL MONITOR THIS REQUIREMENT.
- ✓ 20. Special-Status Species, Animals (BIO-1): Special-status animal species should be avoided to the maximum extent practicable. If complete avoidance is infeasible, project impacts will need to be quantified and actions taken to reduce the impacts to a less-than-significant level through the utilization of industry-standard BMPs which may include preservation and enhancement of on and/or off-site populations, transplanting individuals to a preservation area, or other actions, subject to the approval of CDFW, USFWS, or CNPS. Prior to ground disturbing activity, a Biological Resource Analysis shall be prepared to document the presence of any special status species, and the project site plan shall be modified to avoid disturbance to those species as determined necessary by the County and CDFW, USFWS, or CNPS according to BMPs at the time of disturbance. 30-days prior to any ground disturbing activity, the Biological Resource Analysis shall be also distributed to the project notification list on file, as well as CDFW. In the case that Special-status animal species are located in the vicinity of any circumstances of the project so that there may be potential impacts to the species in question, the County shall require the applicant implement BMPs to reduce or mitigate impacts to the species to less than significant levels which shall include the following:
- Moving out of Harm's Way: For any circumstances of this project which may introduce disturbances to natural habitats that support native species, in order to avoid direct mortality to those species, a qualified biologist who is approved by CDFW to handle Southern long-toed salamander (*Ambystoma macrodactylum sigillatum*, SSC), or other special status species, may be retained to be onsite prior to and during all project-related activities to move out of harm's way special status species or other wildlife of low or limited mobility, that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far a necessary to ensure their safety.
 - Passive Relocation and Entrapment Prevention: During the course of ground disturbing activities, at the end of each workday, an escape ramp should be placed at each end of any open excavation to allow wildlife that may become trapped to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than thirty (30) degrees. A qualified biologist or construction monitor should survey the project area to ensure wildlife incidentally trapped due to project activities are allowed to escape prior to project commencement.
 - Tree Roosting Bats: If roost trees are removed during the colder months, bats may be in hibernation and unable to escape. To avoid potential impacts to both maternity colonies and hibernating bats, CDFW recommends that tree removal be scheduled either in the spring between approximately March 1 (or when evening temperatures are above 45°F) and April 15, or in fall between approximately September 1 and October 15 (or prior to evening temperatures dropping below 45°F and the onset of rainfall greater than one-half inch in 24 hours). If bats must be captured or relocated, a qualified biologist should capture injured bats by hand-capture or other methods approved by CDFW. CDFW does not authorize the use of mist nets or harp traps as capture techniques.

THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

- ✓ 22. Ground Disturbance Timing for Nesting Birds (BIO-2): To avoid impacts to nesting bird species or birds protected under the Migratory Bird Treaty Act, all ground disturbing activities conducted between February 1 and September 1 must be preceded by a pre-construction survey for active nests, to be conducted by a qualified biologist. This survey should be conducted within two weeks prior to any construction activities. The purpose of this survey is to determine the presence or absence of nests in an area to be potentially disturbed. If nests are found, a buffer depending upon the species and as determined by a qualified biologist in consultation with the California Department of Fish and Wildlife and shall be demarcated with bright orange construction fencing. CDFW typically recommends a minimum of a 500-foot radius for migrating birds and a ½ mile radius for nesting raptors. Any vegetation clearing should be schedule outside of the avian nesting season (February 1 through August 31) or survey should be conducted immediately prior to vegetation removal. If active nests are found, vegetation removal should be delayed until the young fledge. No ground disturbing or other construction activities shall occur within this buffer until the County-approved biologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Nesting bird surveys are not required for ground disturbing activities occurring between September 2 and January 31. The project proponent's responsibility to comply with Fish and Game Code Sections 3503, 3503.5, and 3513, regardless of the time of year. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 23. Special-Status Species, Plants- (BIO-3): Special-status plant populations should be avoided to the maximum extent practicable. If complete avoidance is infeasible actions must be taken to reduce the impacts to a less-than-significant level through the utilization of industry-standard BMPs which may include preservation and enhancement of on and/or off-site populations, transplanting individual plants to preservation area, installation of construction buffers, or other actions, subject to the approval of CDFW, USFWS, or CNPS. Prior to any construction activity, a biological and/or rare plant survey may be required to be conducted to determine if there are any special-status plants within the project area and which may potentially be disturbed. If special-status species are identified, avoidance zones may be established around plant populations to clearly demarcate areas for avoidance. Where avoidance is infeasible, and the plant subject to removal or potential damage from construction, the project applicant shall develop and implement preservation measures pursuant to State and Federal regulation which shall provide for no net loss of habitat and shall include, but is not limited to, relocation of the affected plants, replanting, and monitoring of relocated and planted specimens, or any other BMPs or conservation practices established by CDFW or USFWS. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 24. Plant Survey (BIO-4): Prior to any construction or ground-disturbing activity on site within the project area, a biological and/or rare plant survey shall be conducted to determine if there are any special-status plants within the project area which may potentially be disturbed. Surveys shall be timed according to the blooming period for the target species, and known reference populations will be visited prior to surveys to confirm the species is blooming where known to occur. If special-status species are identified, avoidance zones may be established around plant populations to clearly demarcate areas for avoidance. Avoidance measures and buffer distances may vary between species, and the specific avoidance zone distance will be determined in coordination with the appropriate resource agencies. For individual specimens, highly visible temporary construction fencing shall be placed at least 10 ft. away from the drip line of the plant. No construction activity or grading would be permitted within the buffer zone. Where avoidance is infeasible, and the plant subject to removal or potential damage from construction, the project applicant shall develop and implement protection measures pursuant to State and Federal regulation which shall provide for no net loss of habitat and shall include, but is not limited to, relocation of the affected plants, replanting, and monitoring of relocated and planted specimens. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 25. Wetland and Riparian Habitat (BIO-5): Complete avoidance of wetlands is conservatively recommended to ensure compliance with wetland laws. Site development shall implement erosion control plans, and best management practices (BMPs) that prevent the discharge of sediment into nearby drainage are found, a buffer depending upon the species and as determined by a qualified biologist in consultation with the California Department of Fish and Wildlife and shall be demarcated with bright orange construction fencing. The

demarcated boundary should be placed after consultation with CDFW to ensure that special-status species (Specifically SNLYF, See BIO-6) are fully avoided, or fully mitigated to maintain California Endangered Species Act (CESA) compliance. If maintenance work is scheduled to occur in or around the pond, the projects may require notification with CDFW. Relating to the pond and waterways on site, the following mitigations include:

- a. On-site Pond Stocking Prohibited: The applicant shall not transport any fish within Tragedy Creek to or from the pond;
- b. Lake and Streambed Alteration: The property has hydrologically connected features. Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:
 - i. Substantially divert or obstruct the natural flow of any river, stream, or lake;
 - ii. Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
 - iii. Deposit debris, waste or other materials where it may pass into any river, stream or lake.

Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

If upon review of an entity's notification, CDFW determines that the project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the environmental document should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the project may avoid or reduce impacts to fish and wildlife resources. Notifications for projects involving (1) sand, gravel or rock extraction, or (2) timber harvesting operations must be submitted using paper notification forms. All other LSA Notification types must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information about LSA Notifications, paper forms and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

- ✓ 26. No ground disturbing or other construction activities shall occur within this buffer until the County and CDFW approved biologist has confirmed that there is no unmitigated impact to existing riparian or wetland habit. The pond shall be maintained to prevent adverse impacts to species within the habitat consistent with BMPs established by CDFW and USFWS. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 27. Critical Habitat Preservation and Species Protection for the Sierra Nevada Yellow-Legged Frog (*Rana sierrae*)(SNLYF) (BIO-6): If any ground-disturbing activity, new construction, or programmatic changes have the potential to affect any wetland or riparian habitats, drainage, or otherwise have the capacity to affect surface waters or other noted habitat types within this critical habitat area for SNLYF, additional consultation shall be required and prescriptive actions must be taken to reduce impacts to SNLYF habitat(s) on site. Consultation shall consist of population analysis, recording, and monitoring, along with prescribed actions to reduce and/or prevent impacts to existing populations within the project area. These actions may include industry-standard BMPs and any approved mitigations consistent with the BMPs include under the State or Federal guidelines or management plans specific to SNLYF. Activities specifically noted to negatively impact the SNLYF include,

but are not limited to: invasive species predation/out-competition, disease(particularly Chytrid fungus [*Batrachochytrium dendrobatidis*, *Bd*]), climate change, small or isolated populations, predation, grazing/livestock, surface water diversion or damming, roads and timber harvest, fire and fire management activities, and recreation (especially outside protected areas and in locations where motorized use occurs near extant SNYLF habitat) (USFWS 2014). 30-days prior to any ground disturbing activity, the Biological Resource Analysis shall be also distributed to the project notification list on file and CDFW.

If it is determined the Project may have the potential to result in "take," as defined in the Fish and Game Code, section 86, of a CESA-listed species, then Amador County Planning Department (County) should disclose that an incidental take permit (ITP) or a consistency determination (Fish & G. Code, §§ 2080.1 & 2081) may be needed prior to starting construction activities. If impacts to listed species are expected to occur even with the implementation of these measures, should be proposed to fully mitigate the impacts to CESA-listed species (Cal. Code Regs., tit. 14, § 783.2, subd. (a)(8)). If the County does not pursue CESA authorization and encounters any CESA-listed species during project activities, work should be suspended, and CDFW notified. Work should not re-initiate until the County has consulted with CDFW and can demonstrate compliance with CESA.

THE PLANNING DEPARTMENT, CDFW, AND USFWS SHALL MONITOR THIS CONDITION.

28. Historic and Cultural Resources (CULTR-1) (CULTR-2): In the event the permittee encounters any historic, archaeological, paleontological, or tribal resource (such as chipped or ground stone, fossil-bearing rock, large quantities of shell, historic debris, building foundations, or human bone) during any construction undertaken to comply with these conditions, permittee shall stop work immediately within a 100 ft. radius of the find and retain the services of a qualified professional for the purpose of recording, protecting, or curating the discovery as appropriate. The qualified professional shall be required to submit to the Planning Department a written report concerning the importance of the resource and the need to preserve the resource or otherwise reduce impacts of the project. The permittee shall notify the Amador County Planning Department of the find and provide proof to the Planning Department that any/all recommendations and requirements of the qualified professional have been complied with. Additionally in the case that human remains are discovered on site, the following steps must be taken in accordance with Amador County General Plan Mitigation Measure 4.5-15 Cultural Resources, per Section 7050.5 of the California Health and Safety Code. The Amador County Coroner shall, within two working days:
- i. Determine if an investigation of cause of death is required;
 - ii. Determine if the remains are most likely that of Native American origin, and if so suspected, the coroner shall notify the California Native American Heritage Commission (NAHC) within 24 hours of making his or her determination.
 - iii. The descendants of the deceased Native Americans shall make a recommendation to the operator/ permittee for the means of handling the remains and any associated grave goods as provided in Public Resources Code (PRC) Section 5097.98.
 - iv. The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American.
 - v. The descendants may, with the permission of the landowner or their representative, inspect the site of the discovered Native American remains and may recommend possible treatment or disposition within 24 hours of their notification.
 - vi. Whenever the NAHC is unable to identify a descendent, or the descendent identified fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendent and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.

29. Grading for Access (GEO-1): A condition of approval for this project includes that the Applicant make all necessary improvements to comply with County Code 15.30 Fire and Life Safety, or otherwise make

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improvements to ensure adequate emergency access to the satisfaction of the County. This includes ensuring slope stability and alternative routes to ensure adequate access in emergency conditions. If standard 15.30 requirements cannot be met, a Deviation may be required, subject to approval by AFPD. THE BUILDING DEPARTMENT, AMADOR FIRE PROTECTION AGENCY, AND CALTRANS SHALL MONITOR THIS CONDITION.

- X 30. Wastewater Disposal (GEO-2): In accordance with Health and Safety Code 5411 and Amador County Code 14.12.140, wastewater from any residence, place of business, or other building or place where persons reside, congregate, or are employed, must be discharged to an approved method of wastewater treatment and disposal. ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.

- X 31. On-site Sewage Disposal (GEO-3, GEO-4): The Hideout Septic Analysis and as-built report dated November 2022 from the Owner’s Engineer included recommendations included under Condition 26 for the Sewage Disposal Permit #12814 to serve the “Manager’s Area” consisting of 4-5 long-term RV spaces. An Onsite Sewage Disposal Permit from the Amador County Environmental Health Department is required for all existing and future uses, and Environmental Health shall observe the repairs and construction and final the permit when construction and repairs have been completed to the satisfaction of the County. Where, for either of the two on-site sewage disposal systems, a future change in the character of use is proposed in accordance with an activity allowed under the zoning designation, the applicant will be required to retain the services of a qualified professional to review the existing OWTS and the proposed use(s) and submit a report to the Department certifying that the existing OWTS may be expected to provide acceptable service for the proposed use or to specify any modifications, expansion replacement or treatment that would be needed for such certification to be possible. All future new or replacement sewage disposal systems to be constructed on the project parcel, shall be designed by a qualified professional to serve the intended use. The system shall be designed under permit from the Amador County Environmental Health Department and said system shall comply with Chapter 14 of the Amador County Code and the On-site Wastewater Treatment System Regulations adopted pursuant to Code. Sewage Disposal Permit #08455 has been approved by ACEH for service of a six-bedroom home (“The Lodge”). Sewage Disposal Permit #12814 shall be required to be approved for the “Manager’s Area.” ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.

- X 32. Septic Analysis Engineering Recommendations (GEO-4): Consistent with the recommended actions described in the “Hideout” Septic Analysis conducted by Jesse Shaw, PE Civil Engineering (2022), including the following:
 - i. Applicant shall add one-hundred feet (100 ft.) of three foot by three foot (3x3 ft.) trenching to primary area;
 - ii. Applicant shall re plumb inlet force main to dump fifty percent (50%) of flow to the upper four (4) lines, and fifty percent (50%) of flow to the lower four (4) lines;
 - iii. Applicant shall, with Environmental Health’s oversight, evaluate, repair, and/or replace all “d-boxes” to equalize distribution to the maximum extent possible.
 THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.

- X 33. Hazardous Materials Business Plan (HAZ-1): A Hazardous Materials Business Plan permit and Hazardous Waste Generator Permit is required for any propane greater than 1000 gallons and any product oil or fuels over 55 gallons stored at one time on the property. A generator permit is required when generating any hazardous waste, such as waste oil, used oil filters, or conaminated fuels. The Hideout Owner or Manager shall be required to schedule an appointment with Amador County Environmental Health Department to register online and apply for the required permits. These permits shall be required to be issued prior to any activity which requires storage of the subject materials on-site. THE AMADOR COUNTY ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.

- X 34. Hazardous Materials Upset and Release (Unified Program Compliance) (HAZ-2): Storage of hazardous materials shall be subject to applicable regulations established in the Health and Safety Code Section 25503.5. The applicant shall be required to establish a Hazardous Materials Business Plan, monitored by the County Environmental Health Department. The applicant shall at all times be in full compliance with the regulatory standards of the Unified Program regarding hazardous materials business plan requirements, hazardous waste generation, treatment or storage, aboveground petroleum storage, and underground tanks. If a hazardous materials business plan is required, the emergency response portion shall include a plan for the evacuation of visitors in the event of a hazardous materials incident. ENVIRONMENTAL HEALTH SHALL MONITOR THIS CONDITION.
- X 35. Emergency Contingency Plan (HAZ-3): In coordination with the County and Fire Protection District, the applicant shall develop and maintain an emergency contingency plan which shall, at a minimum, indicate and describe in detail the backup fire suppression equipment that will be available to emergency responders that may be used in the event of a fire. The applicant shall also provide a map or plan identifying the locations of nearby existing dry fire hydrants relative to the site. The applicant shall also provide a description of the contents of the containers to retain on file with the plan, and supply a schedule for when there would be individuals on-site performing standard maintenance of the site. Any specialized fire response manuals or technical guidelines applicable to the project shall be included in the plan. The emergency contingency plan shall address all reasonably foreseeable emergencies which could occur at the project site. The plan shall include protocol for notification of adjacent landowners in the event that shelter in place and/or evacuation is necessary. AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION
- ✓ 36. Fire Evacuation and Safety Plan (HAZ-4): The HideOut facility management team shall implement a "Fire Evacuation and Safety Plan" in accordance with Section 404 of the California Fire Code, which shall include evacuation maps within each building with bedrooms. A minimum of one HideOut staff member shall be the designated "crowd control manager" and shall be trained on CPR/First Aid, and responsible for contacting the emergency responders if an emergency incident were to occur, as well as direct guests and first responders as necessary. A detailed Fire Evacuation and Safety Plan shall be made available in the HideOut office and online for guests upon request. This plan shall include records of routine drills and training. The HideOut Staff shall meet with each Rental Party and review safety protocol upon renter's arrival. Evacuation drills shall take place in accordance with Section 405 of the California Fire Code, 2019 Edition and Title 19, Division 1. AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION.
- ✓ 37. Drainage and Grading (HYD-1): Prior to the issuance of permits for site-specific development, drainage and grading permits shall be prepared by a licensed civil engineer and submitted to the Amador County Building Department for approval. Drainage plans shall demonstrate that new development would not increase peak storm flows and that adequate capacity exists downstream to accommodate increased stormwater volume. All site-specific development shall implement appropriate stormwater runoff best management practices (BMPs) and design features to protect receiving water quality consistent with Amador County standards, and any required National Pollution Discharge Elimination System (NPDES) permits administered by the State Water Resources Control Board (SWRCB) must be obtained prior to project execution. AMADOR COUNTY BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.
- X 38. Water Supply (HYD-2): A public water system requires State Water Board, Division of Drinking Water Public Water permit(s) if water is to be made available at the facility to at least twenty-five (25) people, sixty (60) days out of the year or serves fifteen (15) service connections. The frequency of events and numbers of guests do not meet this threshold therefore a Public Water System would not be required for this project to permit the existing uses. If the facility in the future is determined to meet or exceed this threshold, a State Water Board, Division of Drinking Water Public Water System Permit would be required. A permit is required from Amador County Environmental Health for a State Small Water System, required under Title 22, Chapter 14, Article 3, Section 64211 of the California Health and Safety Code. This permit must be obtained prior to the commercial

operation of the facility. AMADOR COUNTY ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS REQUIREMENT.

- X 39. Swimming Pond (HYD-3): Use of the existing natural pond as a recreational “swimmable” pond shall require periodic water quality sampling and notification and correction of existing hazards. “No Diving” signs shall be required on all decks, platforms, promontories, or other similar features that could potentially facilitate diving. The pond or lake must be sampled weekly, and guests should be required to shower prior to entering the pond, and shall be prohibited from entering the pond with outside products to ensure compliance with Mitigation Measures BIO-1, BIO-5, and BIO-6. The water sample results must be submitted to the Environmental Health Department at least every two weeks for review. Testing for Total Coliform, Fecal Coliform Bacteria, and Enterococcus Bacteria or Escherichia coli is required. Water quality and sampling procedure must comply with the standards outlined in the State Water Board, Draft Guidance for Fresh Water Beaches. If swimming in the pond or lake is prohibited, posted “No Swimming” signs shall be required at all locations on site where a potential entry to the pond is indicated. ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 40. Impacts to Surrounding Land Uses (LAN-1): Applicant shall be required to preserve existing natural landscape to the best extent possible for screening of parking and event gathering areas, implementation of noise limitations under Mitigation Measure NOI-1, and strict limitation of events including number of guests and associated traffic, event frequencies and durations, and event types and locations on site. With the implementation of these mitigation measures, there is a less than significant impact with mitigations incorporated. PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION
- ✓ 41. Noise (amplified music):(NOI-1). The applicant and all uses under the Use Permit must comply with County Code Section 9.44.010 Public Nuisance Noise and the Amador County General Plan Noise Element. Consistent with Table N-3 under the Amador County General Plan, exterior noise levels shall not exceed 60 dB at the property line during regular hours of operation, and not exceed 75 dB at the property line during scheduled events. PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 42. Noise (construction) (NOI-2): Per GPMM 4.11, all construction equipment shall be properly maintained per manufacturers’ specifications and fitted with the best available noise suppression devices (e.g., mufflers, silencers, wraps); all impact tools will be shrouded or shielded; and all intake and exhaust ports on power equipment will be muffled or shielded. All equipment employed during the project shall maintain appropriate setback distances from residences to reduce vibration levels below the recommended FTA and Caltrans guidelines of 80 VdB and 0.2 in/sec PPV, respectively when located within 500 feet and 300 feet of impact pile drivers, and within 70 feet and 45 feet of large bulldozers (and other heavy-duty construction equipment). Noise levels generated by the project shall not exceed 65 decibels at the nearest property line. PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
- ✓ 43. Emergency Landline/Satellite Phone (PUB-1): In accordance with Section 510 of the California Fire Code, Emergency Responder radio coverage is required regardless of location and topography. To ensure adequate communication capability with emergency responders, the property owner shall keep and maintain an active landline and/or a satellite phone system to be used for contact with Emergency Service Providers. This line shall be maintained at all times that the facility is utilized for commercial services, and the phone number shall be provided to the local emergency service providers (Amador County Fire Protection District and Amador County Sheriffs/California Highway Patrol). All HideOut Guests shall be informed of the location of HideOut staff and shall be able to utilize the emergency phone directly. THE AMADOR COUNTY FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION.
- ✓ 44. Fire Detection and Response (PUB-2): The HideOut Owner shall adhere to the following requirements as set forth by the Amador Fire Protection District and comply with all applicable State Fire and Safety Codes. This may include, but not be limited to the following:

- i. The HideOut shall be required to keep and maintain operational fire extinguishers to the satisfaction of AFPD. Extinguishers will be inspected yearly and locations will be coordinated with AFPD.
- ii. The Hideout has only one building (“The Dancehall”) on site that can accommodate more than 100 persons during an event. The application lists this building as having two primary entrances/exits (rolling barn doors) with three (3) exits built into them in the event that they are closed. Fire extinguishers shall be located at each exit and additional extinguishers provided as directed by AFPD. These fire extinguishers will be serviced once a year and installed prior to commercial operations. Additionally, the property owner/applicant shall be required to install an Occupancy Load sign within the “Dancehall” building.
- iii. In accordance with the California Fire Code, Section 903.1.2.1, all structures where the consumption of alcohol is in use and the determined occupancy load exceed 100 persons; the building shall be protected by an approved automatic fire sprinkler system subject to the approval of the fire department.
- iv. Smoke and Carbon Monoxide (CO) detectors shall be required in all buildings to the satisfaction of Amador County Fire Department.
- v. Emergency Exit signage shall be required within all structures utilized for the commercial uses of the property.
- vi. All rooms utilized for sleeping purposes shall be required to have a placard indicating ingress and egress to the outside. Additionally, all buildings utilized for sleeping shall have a maximum occupancy limit of 10, which shall be posted visibly to the satisfaction of AFPD,
- vii. The minimum required fire flow for protection of these premises as a commercial use is 1,500 gallons per minute (gpm) with 20 pounds (lbs) residual water pressure for two hours in accordance with the adopted California Fire Code. This water supply is based on the structure’s combustibility and construction, and being that none of the buildings are protected by an automatic fire sprinkler system. A plan shall be required to be submitted to AFPD and require sufficient fire suppression infrastructure to the satisfaction of AFPD as a condition of approval for this use permit.
- viii. A fire watch program will be implemented for The Hideout if a planned event is expecting to have over 250 guests which includes the wedding party. The fire watch program will consist of a staffed AFPD engine with two personnel for the entire length of the event or when determined by AFPD. A fire department permit will be required to ensure this policy is enforced. AFPD shall be notified 14 days prior to the scheduled event for staffing arrangement purposes.
- ix. In accordance with the Health and Safety Code, Section 13143, all assembly type businesses are mandated to be routinely inspected by the authority having jurisdiction. Here in Amador County, inspections are done annually. The applicant will coordinate with AFPD to schedule an annual inspection prior to the start of scheduled events in June of each year.
- x. All staff members, paid or volunteer, are required to have and maintain their CPR and First Aid certification.
- xi. Prior to any events, the Property owner shall be required to purchase and maintain a defibrillator on site. During any events, a staff member trained on the use of a defibrillator shall be present on-site.

AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION

X 45. Highway Encroachment (TRA-1): The property must maintain primary access onto CA State Highway 88 and obtain all necessary encroachment permits (Chapter 12.10) and grading permits (Chapter 15.40) required for the proposed uses, as regulated by the Amador County Building Department and Caltrans by the following mitigations:

- i. The applicant must obtain and maintain a commercial encroachment permit from Caltrans consistent with the commercial use of the property prior to activation of the Use Permit. If any construction related activities encroach into the California Department of Transportation (Caltrans) Right of Way (ROW), including installation of signs, the project proponent must apply for an Encroachment Permit to the Caltrans Encroachment Permit Office.
- ii. All California Environmental Quality Act (CEQA) documentation, with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies will include an analysis of potential impacts to any cultural sites, historic properties, biological resources, hazardous waste

locations, scenic highways, and/or other environmental resources within Caltrans ROW, at the project site(s).

- iii. If there is any work off the paved roadway surface in Caltrans ROW, then a Lead Compliance Plan must be completed by a Certified Industrial Hygienist and the plan must be approved by Caltrans, prior to the start of any construction related activities.
- iv. Evidence of consultation with local Native American tribes and interested parties will need to be presented within the technical documents for approval of encroachment in the Caltrans ROW.
- v. If there are impacts to protected water resources within Caltrans ROW, Caltrans will need to see the correspondence with the permitting authorities (California Department of Fish and Wildlife (CDFW), United States Army Corps of Engineers, and Regional Water Quality Control Board.
- vi. There are mature trees within and/or near Caltrans ROW that could provide suitable nesting habitat. If any work occurs on Caltrans ROW, pre-con bird surveys are required between February 1 and September 30 of any given year, prior to the start of any construction related activities.
- vii. If the encroachment is to take place on a property other than that which is owned by the project applicant, the the property owner or permittee shall be required to submit formal documentation acknowledging the right of the permittee to submit on behalf of the property owner.
- viii. Any new driveways or existing driveways utilized for this project shall be built or upgraded to current Caltrans standards (See Highway Design Manual (HDM) Section 205.4 Driveways in Rural Areas).

THE PLANNING DEPARTMENT AND CALTRANS SHALL MONITOR THIS CONDITION,

✓ 46. Access and Road Maintenance (TRA-2): The property owner may enter into a road maintenance agreement with a majority of the property owners utilizing the road; or in the event a road maintenance agreement already exists, the applicant shall provide the county with proof they have renegotiated the terms of the agreement to include the new proposed use(s). If the majority of the owners of the road do not enter into a new or renegotiated agreement, the applicant must maintain the entire length of road utilized for the project. THE PLANNING DEPARTMENT, TRANSPORTATION AND PUBLIC WORKS DEPARTMENT, BUILDING DEPARTMENT, AMADOR FIRE PROTECTION DISTRICT, AND SURVEYOR'S OFFICE SHALL MONITOR THIS CONDITION.

✓ 47. Fire and Life Safety (TRA-3): The project applicant/permittee shall comply with Chapter 15.30 Fire and Life Safety Ordinance, including ensuring adequate fire access. According to the California Fire Code, Section 503.1.1, all structures shall be within 150 feet from a fire department access road. An access road is defined in the International Fire Code of at least 20 ft. clear widths within 150 feet from structures. As this has been determined by AFD to not be met through the proposed development, the development require a deviation subject to the approval of the AFD and the Community Development Agency prior to activation of the Use Permit and commencement of the proposed uses. Deviation Approval is contingent on the Property Owner operating, maintaining, and implementing the following:

- i. Average of 20 ft.-wide road width minimum for 95% of the road (as proposed).
- ii. Areas identified as having road width under 20 ft. shall have turnouts on both sides and clear visibility from both directions.
- iii. Maintain adequate width for emergency service vehicles with turnouts even in areas meeting or exceeding 20-ft. width. The road presently keeps and maintains 100+ turnouts and shall continue to maintain existing turnouts.
- iv. Staff shall utilize radio control systems to provide traffic control over the lakeside hill and along the entire roadway accessing the property during high traffic events or in emergencies. In the event that AFD determines this method of traffic control is insufficient, the Property Owner may be required to supplement traffic control with signal lighting as determined necessary by AFD. If installation of this lighting is to include ground-disturbing activity, the applicant shall be required to apply for a Use Permit Amendment to evaluate the changes.

COUNTY BUILDING DEPARTMENT AND AMADOR FIRE PROTECTION AGENCY SHALL

MONITOR THIS CONDITION.

- ✓ 48. Wastewater Systems (UTL-1): Where, for either existing on-site wastewater disposal system, a future change in the character of use is proposed in accordance with an activity allowed under the RIA designation for any of the proposed parcels, the applicant will be required to do the following: Retain the services of a qualified professional to review the existing OWTS and the proposed use(s) and submit a report to the Department certifying that the existing OWTS may be expected to provide acceptable service for the proposed use or to specify any modifications, expansion replacement or treatment that would be needed for such certification to be possible. All future new or replacement wastewater disposal systems to be constructed on the project parcel, shall be designed by a qualified professional to serve the intended use. The system shall be designed under permit from the Amador County Environmental Health Department and said system shall comply with Chapter 14 of the Amador County Code and the On-site Wastewater Treatment System Regulations adopted pursuant to Code. ENVIRONMENTAL HEALTH SHALL MONITOR THIS CONDITION
- ✓ 49. Fire Protection Infrastructure (WLF-1): The HideOut Owner shall build, install, and maintain the following:
 - i. A 2-inch high-pressure water system that will pump water directly from the lake and will supply two (2) hydrants. This system will allow HideOut Personnel to be the first responders until Fire Crews can arrive. The hydrants will be approximately 150 ft. away from the main structures so that they are fully accessible should a fire start in one of the buildings. This system will be installed before May 2025.
 - ii. Two (2), four-foot (4 ft.) dry-barrel fire hydrants for the use of the Fire Crews, located on each side of the lake.
 - iii. The HideOut shall keep and maintain water faucets and hoses around the property and close to existing buildings for staff and first responders. There must be a minimum of 2 faucets per building fed from our 3,000 gallon storage tank via ¾ in. piping. AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS REQUIREMENT. The Hideout shall keep and maintain a minimum of 24 fire extinguishers on site, and shall provide additional fire extinguishers as requested by AFD. Fire extinguishers shall be inspected yearly and locations shall be subject to approval by AFD.
 - iv. The HideOut has only one building on site that can accommodate more than one-hundred (+100) persons during an event. This building is referred to as "The Dancehall" and is normally open on two long sides but can be enclosed by means of rolling barn doors. Should these doors be closed, there are three (3) emergency exits built into them. Fire extinguishers are located at each exit and additional extinguishers shall be provided as directed by AFD.
 - v. During emergencies, any contact with Fire Response Crews shall be through the satellite phone system maintained by the HideOut Operators. HideOut staff are present and available twenty-four (24) hours a day during any event or rental.
 - vi. A Fire Evacuation and Safety Plan shall be developed and implemented by the HideOut. This plan shall include evacuation maps within all buildings with bedrooms and HideOut staff will be trained on CPR and First Aid. The Fire Evacuation and Safety Plan will be available in the HideOut office for guests upon request. The HideOut shall meet with each Rental Party to review safety protocol upon guest arrival.

THE BUILDING DEPARTMENT AND AMADOR FIRE PROTECTION AGENCY SHALL MONITOR THIS CONDITION.

- X 50. Evacuation Tests/Drills(WLF-2): The HideOut Operator shall annually conduct at least one (1) Calfire-designed-and-conducted evacuation test to determine time required for 50, 100, and 150 vehicles to reach Highway 88 in the event of an emergency situation (ex. Wildfire) with the assumption of incoming emergency response vehicles. Alternatively, a qualified fire prevention expert (as determined by the County) may provide analysis of the existing site conditions relative to evacuation of 50, 100, and 150 vehicles (and 200 persons, approximately,) including approximate evacuation times. If current site improvements/infrastructure are determined inadequate to support the evacuation of some (or all) vehicles or guests, within evacuation times required for safety as determined by AFD or Calfire, then the HideOut shall not host events in excess of that determined threshold until a satisfactory analysis or test

determines adequate evacuation times for all guests. This may include requiring additional infrastructure or programmatic changes, to the satisfaction of the fire prevention authority. AMADOR FIRE PROTECTION DISTRICT SHALL MONITOR THIS CONDITION

✓ 51. Conditional Use Permit Activities Monitoring and Reporting (CUM-1): Permittee shall, for as long as this Conditional Use Permit is active, monitor its conditionally permitting uses and report said monitoring results to the Planning Department. Specifically, by the 30th day of January following each calendar year during which conditionally permitted uses were undertaken, provide to the Planning Department a report containing the following information:

- i. The number of and type of events conducted during the calendar year, and the date each event was conducted;
- ii. The number of guests attending each event;
- iii. Vehicular parking conditions observed during each event (i.e. adequacy of parking conditions, and how any parking problems were addressed);
- iv. Amplified sound conditions for each event (i.e. when amplified sound began, whether it was indoors or outdoors, when amplified sound was terminated and/or moved indoors, etc.);
- v. Days and hours of operation;
- vi. A log of complaints received about permitted activities, if any;
- vii. A letter certifying that to the best of the permittee's knowledge and belief, all activities permitted by the Conditional Use Permit were undertaken in conformance with the Conditions of Approval.


THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.



 Amador County
 Board of Supervisors Chairperson

6/29/23

 Date



 Project Applicant

7-3-23

 Date