

CONDITIONS OF APPROVAL & MITIGATION MONITORING AND REPORTING PROGRAM

Use Permit UP-23;12-1 Chipotle Martell Drive-Thru 'Chipotlane' and Outdoor Seating

APPLICANT

Callie Huff, Green River Holdings, LLC
837 Jefferson Blvd.
West Sacramento, CA 95691

PROJECT LOCATION

South of the intersection of Industry Blvd. and Old Mill Ln., Martell, CA 956850 (APN 044-450-020).

PROJECT DESCRIPTION

UP-23;12-1 Chipotle Martell, requesting a Use Permit for outdoor seating and a drive-through/take-out 'Chipotlane' in the M, Manufacturing, zoning district with the I, Industrial, General Plan designation. The property is 0.897 acres and located within the Martell Business Park.

ENVIRONMENTAL DOCUMENT: Negative Declaration

PLANNING COMMISSION APPROVAL DATE:

NOTICE OF DETERMINATION DATE:

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. 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. THE PLANNING DEPARTMENT SHALL MONITOR THIS REQUIREMENT.
2. Fish And Wildlife 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.
3. 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 SHALL MONITOR THIS CONDITION IN CONJUNCTION WITH THE BUILDING DEPARTMENT.
4. Waste Disposal: The applicant must maintain solid waste disposal service sufficient to serve the intended use. THE WASTE MANAGEMENT DEPARTMENT SHALL MONITOR THIS CONDITION.

5. Drive-Thru “Chipotle”: If there are proposed operational changes to the in-line ordering or drive-thru mechanics of the project as described by the project application (15-minute window for online or in-app orders only), the changes must be presented to the Planning Department and reviewed as deemed necessary by the Department. If changes proposed are determined to be beyond the scope of the project as approved as to warrant further review, a Use Permit Amendment may be required to evaluate impacts of those changes. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
6. Access and Encroachments: The property must maintain a primary access onto a County road 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 Department of Transportation and Public Works. THE AMADOR COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS OR CALTRANS SHALL MONITOR THIS CONDITION.
7. Water Service: Prior to approval of any building permits, the developer shall obtain a “Wholesale Water Will Serve Commitment” from the Amador Water Agency sufficient to serve the intended use(s) of the development. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
8. Wastewater Service: Prior to approval of any building permits, the developer shall obtain a “Wastewater Will Serve Commitment” from the Amador Water Agency sufficient to serve the intended use(s) of the development. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
9. Westover Field Airport Land Use Plan: Consistent with the Westover Field Airport Land Use Plan (ALUP) regulations for maximum occupancies within Proposed Safety Zone 3, the maximum non-residential occupancy for “eating and drinking” uses is 70 people per acre, which translates into a 63-person occupancy limit for the 0.9-acre project site. THE AMADOR COUNTY BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.
10. Aviation Easement: Prior to activation of the Use Permit, the project applicant shall be required to execute an aviation easement, acceptable to the County, in favor of Westover Field Airport. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
11. Commercial Light and Glare: 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.
12. Air Quality Best Management Practices (BMPs): 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 construction equipment and vehicles be limited to a maximum of 5 minutes to reduce operational emissions of criteria pollutants per General Plan Mitigation Measure 4.3-2a. THE AMADOR AIR DISTRICT SHALL MONITOR THIS REQUIREMENT.

13. Historic and Cultural Resources: If at any time during the implementation of this use permit any historical, archaeological, or paleontological resources are discovered at the project site, the operator/permittee shall immediately cease all such activities within 100 ft. of the find and notify the Amador County Planning Department. A qualified archaeologist shall be contracted by the operator/permittee to assess the significance of the find and prepare an evaluation, avoidance, or mitigation plan, as appropriate, which shall be implemented prior to resuming activities permitted by the use permit, consistent with the Amador County General Plan EIR Mitigation Measures 4.5. and Program D-6. THE PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
14. Historic and Cultural Resources (CULTR-1) (CULTR-2) (TRI-1): 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.
- PLANNING DEPARTMENT SHALL MONITOR THIS CONDITION.
15. Hazardous Materials Upset and Release: The applicant shall always 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. THE ENVIRONMENTAL HEALTH DEPARTMENT SHALL MONITOR THIS CONDITION.

- 16. Grading Permits and Erosion Control: 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. THE AMADOR COUNTY BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.

- 17. Fire and Life Safety: The project applicant/permittee shall comply with Chapter 15.30 Fire and Life Safety Ordinance. THE BUILDING DEPARTMENT SHALL MONITOR THIS CONDITION.

Amador County
Planning Commission Chairperson

Date

Project Applicant

Date