

**P-C20-0004/Spencer Parcel Map Amendment** – As Approved by the Board of Supervisors  
December 15, 2020

**Conditions of Approval**

**Planning Services**

1. The subject map amendment is based upon and limited to compliance with the project description, Exhibit G, and the Conditions of Approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Amend recorded Subdivision Map D-007A to reduce an existing non-buildable setback on the northern property line from 20 feet to 10 feet.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and Conditions of Approval herein. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and Conditions of Approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

2. **Hold Harmless Agreement:** In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action, as provided in *Section 66474.9(b)* of the *California Government Code*.

The applicant shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a map amendment, which action is brought within the time period provided for in *Section 66499.37*.

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

3. **Notice of Exemption Fee:** A \$50.00 administration fee is required by the County Recorder to file the Notice of Exemption. This fee shall be made payable to El Dorado County and shall be submitted to Planning Services upon project approval.

### **Surveyor**

4. It is hereby directed that the property owners shall submit a “Certificate of Correction” affecting SD D-07. The certificate shall be prepared and submitted by an appropriately licensed professional, to the County Surveyor, pursuant to the Subdivision Map Act and County Code, for review. Then upon approval by the County Surveyor the “Certificate of Correction” shall be recorded in the County Recorder’s Office. The property owners are responsible for all associated processing and recording fees.

### **Transportation**

5. Prior to recording of the Certificate of Correction the applicant shall execute a hold harmless and indemnification agreement protecting the County from liability arising as a result of the approval of this setback reduction. The form of said document shall be reviewed and approved by the County Counsel, and once approved, shall be recorded with the El Dorado County Recorder’s Office. An official copy shall be sent to the Department of Transportation, South Lake Tahoe office.