

TM-R20-0001/PD-R20-0008/Serrano Village J3B Minor Revision (Lot 66) – As approved by the Planning Commission on March 11, 2021

Conditions of Approval

1. This Tentative Subdivision Map Amendment and Planned Development Revision is based upon and limited to compliance with the project description, Conditions of Approval set forth below, and the hearing exhibits marked:

Exhibit G.....Site Plans

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 would constitute a violation of permit approval.

The project description is as follows:

A request for a Revision to an approved Tentative Subdivision Map and Planned Development Permit for Serrano Village J3B (TM01-1376/PD01-0003) revising Condition of Approval No. 39 to allow a reduction in the 250-foot separation between residences to allow for a pool, spa, and landscape screen within the 250-foot radius distance between residences. The existing 50-foot setback from the rear property line would still apply. No structures would be allowed in the existing 50-foot setback from the property line and no other additional structures or buildings other than the proposed pool, spa, and landscape screening would be allowed within the 250-foot separation between residences. The reduction would apply to Serrano Village J3B Lot 66 only.

The development, use, and maintenance of the property, the size, shape and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. 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.

Planning Services

2. **Archeological Resources:** In the event of the discovery of human remains, all work shall cease and the County coroner shall be immediately notified pursuant to subdivision(c) of Section 7050.5 of the Health and Safety Code and Section 5097.98 of the Public Resources Code. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or in his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and if the coroner

recognizes the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendant of the deceased Native American.

Upon the discovery of the Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in Section 5097.98 of the Public Resources Code, with the most likely descendants regarding their recommendations. The descendants shall complete their inspection and make their recommendation within 48 hours of their notification by the Native American Heritage Commission. The recommendation may include the scientific removal and nondestructive analysis of human remains and items associated with Native American burials or other proper method(s) for handling the remains in accordance with Section 5097.98(b-h). Any additional costs as a result of complying with this section shall be borne by the project applicant. Grading and construction activities may resume after appropriate measures are taken.

3. **Indemnity:** 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.

The developer and land owner 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 this Tentative Subdivision Map Amendment and Planned Development Revision.

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

4. COA No. 39; TM01-1376/PD01-0003: The four (plus or minus) acre lots adjacent to Green Springs Ranch will have a limited building area for both the principal structure and all ancillary structures, such as gazebos, pools, cabanas, barns and the like. The purpose of the limited building area is to create a minimum 250-foot separation between residences with Green Springs Ranch existing as of August 2, 2001, and those buildings to be built on the four (plus or minus) acre lots. Except for the area along the west border of the Peak, Annis, and Sedlak parcels that shall have a minimum 100-foot building setback, the minimum common property line setback shall be 50 feet. At the time of recordation of a map creating the four (plus or minus) acre lots, the building setbacks illustrated on the approved map shall prevail for all structures. For Serrano Village J3B Lot 66 only, the 250-foot separation between residences would be reduced to allow for a pool, spa, and landscape screening that

infringes into the 250-foot distance between residences as proposed on the project plans of September 10, 2019, and no other structures would be allowed within the 250-foot separation between residences. This reduction in the 250-foot distance between residences for Serrano Village J3B Lot 66 would not apply to any other parcel and would not affect or limit the common property line setback of 50-feet from the rear property line.

5. A Certificate of Correction to reflect the revised setback to 50 feet shall be obtained from the County Surveyor prior to issuance of the building permit for the pool/spa.