

Conditions

Planning Services

1. This rezone, parcel map and development plan is based upon and limited to compliance with the project description, the Planning Commission hearing exhibits marked Exhibits A-I and 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:

Zone change from Commercial (C) to Commercial-Planned Development (C-PD);

Development Plan to allow the creation of 5 lots with less than the minimum parcel width of 50 feet, each to retain the existing nonconforming single-family residential use; and

Tentative parcel map to create five commercial parcels ranging in size from 5,429 to 7,122 square feet on a 0.84-acre parcel.

Approval of the Development Plan would permit minimum parcel widths as follows:

- Parcel 1: 32 feet
- Parcel 2: 42 feet
- Parcel 3: 44 feet
- Parcel 4: 40 feet
- Parcel 5: 42 feet

The approval of the Development Plan permits the residential uses to remain. Any proposal to change the residential use of any of the five buildings to commercial requires the submittal of an application for a revision to the approved Development Plan.

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 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 (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.

Parcel Map Conditions

2. All Development Services fees shall be paid prior to clearance recording the parcel map.
3. This tentative parcel map shall expire within 36 months from date of approval unless a timely extension has been filed.
4. 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 subdivision, 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.

5. The applicant shall submit Covenants, Conditions, and Restrictions (CC&Rs) to the Development Services Department for review and approval prior to filing of the parcel map. Said CC&Rs shall provide for the maintenance and operation of the common septic system and any common areas.

El Dorado County Surveyor

- 5 6. All survey monuments shall be set prior to filing the parcel map.
- 6 7. The road serving the development shall be named by filing a completed Road Name Petition with the County Surveyor's Office prior to filing the Parcel Map.
- 7 8. Prior to filing the parcel map, a letter to the County Surveyor shall be required from all agencies that have conditions place on the map. The letter shall state that "all conditions placed on the map by (that agency) have been satisfied. The letter is to be sent to the County Surveyor and copied to the Consultant and the Applicant.