

# ATTACHMENT E

## CONDITIONS OF APPROVAL ZONE FILE #2023-0007 FOUR CORNERS PARCEL MAP WAIVER

### PLANNING DIVISION – COMMUNITY SERVICES (530) 666-8803

1. The project shall be developed in compliance with all adopted Conditions of Approval for Zone File #2023-0007. The Applicant shall be responsible for all costs associated with implementing the Conditions of Approval as approved by the Yolo County Planning Commission.
2. Upon approval of the Parcel Map Waiver by the Planning Commission, the requirements for filing a (final) Parcel Map shall be waived and the Department of Community Services shall issue a Certificate of Compliance. Within twelve (12) months of issuance of the Certificate of Compliance, the Applicant shall be required to record, at the Applicant's expense, the Certificate of Compliance, including the map exhibit and legal descriptions, with the County Recorder's office. If the Certificate of Compliance is not recorded within twelve months, approval of the Parcel Map Waiver shall become null and void, without any further action in accordance with the State Subdivision Map Act.
3. The Applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.
4. The County shall promptly notify the Applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the Applicant of any claim, action, or proceeding, or the County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to the action. The County may require that the Applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.
5. Failure to comply with the **CONDITIONS OF APPROVAL** as approved by the Planning Commission may result in the following:
  - Non-issuance of future building permits;
  - Legal action.

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6. Where necessary, the Applicant shall dedicate to the County an easement for road and utility purposes on the west side of the existing right-of-way for County Road 97 to provide at least a total half-street easement of thirty feet along all County Road 97 frontage. If such easement already exists, display and reference said easement on the certificate of compliance/parcel map.

### **PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLIANCE:**

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7. According to the process set forth in Title 8, Chapter 1, Section 8-1.304 of the Yolo County Code, the map waiver shall not become operative unless and until the certificate of compliance or conditional certificate of compliance is recorded in the Office of the County Recorder prior to expiration of the approval. After approval of the map waiver, the Planning Director shall indicate on a separate document all conditions that, according to proof supplied by the Applicant, have been satisfied. If all conditions that are required to be satisfied prior to the recording of the certificate of compliance or conditional certificate of compliance have not been satisfied, the Planning Director shall not sign and record the certificate of compliance or conditional certificate of compliance. If all conditions that are required to be satisfied prior to the recording of the certificate of compliance or conditional certificate of compliance have been satisfied, the Planning Director shall prepare and sign the certificate of compliance or conditional certificate of compliance, including applicable legal descriptions and sketches provided by the Applicant, and shall transmit it to the County Recorder. When recorded, the certificate of compliance or conditional certificate of compliance shall have the same force and effect as a recorded parcel map.

**PRIOR TO ISSUANCE OF ANY BUILDING PERMIT:**

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8. Any future development on the newly created parcels shall comply with the County's Zoning Regulations for the Agricultural Zones contain in Articles 3 and 4 of Chapter 2, Title 8, Yolo County Code of Ordinances.
9. The Applicant/Property Owner shall comply with the Yolo County Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP) Section 4.2.1.2, Private Projects under the Discretionary Authority of Permittees, for any new homesite proposed for development on the newly created parcel (Parcel 1) following the approval of a Parcel Map Waiver by the Planning Commission. The new homesite shall be considered a 2.5-acre disturbance for the purposes of determining appropriate land cover fees. The requirements will include the submittal of the Yolo HCP/NCCP application for coverage, the associated application fee, and any land cover and mitigation fees, which will be determined at the time of payment. Fees and application materials can be found online: [Yolo Habitat Conservancy](#)
  - The newly created parcel is identified as Parcel 1 on Tentative Parcel Map #5237 and will be subject to the HCP/NCCP and associated fees mentioned above.
  - The requirements described above shall be met prior to the issuance of a building permit to establish a 2.5-acre homesite on Parcel 1.
10. Section 7050.5 of the California Health and Safety Code states that when human remains are discovered, no further site disturbance shall occur until the County coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to this or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

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11. All building plans for development on any of the parcels subject to this project shall be submitted to the Community Services Department for review and approval in accordance with County building standards prior to the commencement of any construction.
12. Any new construction shall comply with the provisions of Chapter 4, Flood Protection, of Title 8 of the Yolo County Code, for building within a designated flood plain, as applicable.
13. The Applicant shall pay all appropriate fees prior to the issuance of building permits, including, but not limited to School and Fire District fees, County Facility and Service Authorization (FSA) fees, and Environmental Health fees.