

# ATTACHMENT E

## CONDITIONS OF APPROVAL

### ZONE FILE #2024-006

### MULLER TENTATIVE PARCEL MAP

PLANNING DIVISION – COMMUNITY SERVICES (530) 666-8803

1. The project shall be developed in compliance with all adopted Conditions of Approval for Zone File #2024-006. The Applicant shall be responsible for all costs associated with implementing the Conditions of Approval as approved by the Yolo County Planning Commission.
2. The Parcel Map for the project shall be filed and recorded, at the Applicant's expense, with the Department of Community Services. The Parcel Map shall be recorded within two years from the date of approval by the Yolo County Planning Commission, or the Tentative Parcel Map shall become null and void, without any further action in accordance with the State Subdivision Map Act.
3. The Applicant shall pay fees, under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4, at the time of the filing of Notice of Determination, to cover the cost of review of the environmental document by the California Department of Fish and Wildlife. The total amount for 2024 is \$2,966.75 (\$2,916.75 for state filing fee, plus \$50 Clerk-Recorder processing fee).
4. 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.
5. 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.
6. 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.

PUBLIC WORKS DIVISION – COMMUNITY SERVICES (530) 666-8436

7. Where necessary, the Applicant shall dedicate easements to the County for road and utility purposes on the south side of the existing right-of-way for County Road (CR) 19, and on the west side of CR 94B, to provide at least total half-street easements of thirty feet along all County Road frontages. If such easement already exists, display and reference on the certificate of compliance/parcel map.

8. Show all existing easements on Tentative Parcel/Subdivision Map. Applicant may refer to Title Report exceptions, if available.
9. If subdivided parcels are sold off in the future, recordation of an access easement may be required.

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

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10. The Parcel Map submitted for recordation shall have the Parcel Map Number (PM #5250) indelibly printed on it. Said PM #5250 shall be prepared to conform to the Subdivision Map Act and as provided for final maps in Section 8-1.502 of the Yolo County Code including all certificates specified in Section 8-1.502(e).

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

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11. 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.
12. 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 Tentative Parcel Map 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: <https://www.yolohabitatconservancy.org/>
  - The newly created parcel is identified as Parcel 1 on Tentative Parcel Map #5250 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 any building or grading permits to establish a 2.5-acre homesite on Parcel 1.
13. Prior to the issuance of any building or grading permits on Parcel 2, the in-lieu mitigation fee for 2.5 acres shall continue to be as required per Condition of Approval #7 (ZF 2008-064) for the previously-filed Parcel Map (#4965), approved by the Yolo County Board of Supervisors on November 10, 2009. The Swainson's hawk mitigation fee shall be subject to those fees currently set by the Yolo Habitat Conservancy and collected at the time of building or grading permit for a new homesite.
14. 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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15. 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.
16. 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.
17. 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.

#### ENVIRONMENTAL HEALTH - COMMUNITY SERVICES (530) 666-8646

##### 18. Hazardous Materials

- Handling hazardous materials in quantities equal to or greater than 55-gallons for liquids, 500-pounds for solids, or 200-cubic feet for compressed gases, requires a Hazardous Materials Business Plan (HMBP) to be completed and submitted to YCEH by submitting to the California Environmental Reporting System (CERS) web site (<http://cers.calepa.ca.gov/>). For assistance with CERS, please visit our web site at <https://www.yolocounty.org/government/general-governmentdepartments/community-services/environmental-healthdivision/hazardous-materialsprogram/california-environmental-reporting-system-cers> or call YCEH at (530) 666-8646 and ask to speak to a Hazmat Specialist. If a facility only generates below reportable quantities of hazardous waste, it is not required to submit a HMBP in CERS, but the facility will be regulated by the YCEH Hazardous Materials (CUPA) program. Please contact the YCEH office and ask to speak to a Hazmat Specialist.
- Prior to the installation, upgrade, or repair of Underground Storage Tanks (USTs), a UST Installation Packet (Underground Storage Tank Program Application Packet for Installations, Modifications, and Repairs) shall be completed and submitted on paper to YCEH. This packet requires that the applicant update facility information including UST forms online in CERS. For assistance with CERS or questions about the UST Installation Packet, please call YCEH at (530) 666-8646 and ask to speak to a Hazmat Specialist. The forms for the UST Installation Packet are also available at: <https://www.yolocounty.org/government/general-governmentdepartments/community-services/environmental-health-division/forms-applicationspage#> underground. In addition, a UST operating permit shall be obtained from YCEH.

ACKNOWLEDGEMENT of CONDITIONS OF APPROVAL for ZONE FILE #2024-006. I hereby concur with the conditions of approval as set forth above.

Signature of Owner/Authorized Agent:

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Thomas Muller

\_\_\_\_\_  
Date

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Louie Muller

\_\_\_\_\_  
Date