



**City of Manteca  
Development Services Department**

**Conditions of Approval  
Residential Care Facility  
Conditional Use Permit UPJ 23-82  
May 2, 2024**

**Project File Numbers:** UPJ 23-82

**Project Name:** Residential Care Facility

**Project Address:** 505 & 509 E. Center Street Manteca, CA 95336

**APN:** 223-110-07 & 223-110-39

**Project Applicant:** Center Street LLC, 2721 Magazine Ln., Tracy, CA 95336

**Property Owners:** Center Street LLC, 2721 Magazine Ln., Tracy, CA 95336

NOTE: This list of conditions is not intended to be all-inclusive or a comprehensive list of City regulations. All conditions are referenced to the Residential Care Facility Plan Set (dated 01/08/24) on file with the City of Manteca, Development Services Department, Planning Division.

**City of Manteca Development Services Department: Planning Division**

1. **Acceptance of Conditions.** Unless the applicant formally objects to these conditions prior to approval by the Planning Commission, the applicant is bound by, must comply with, and must do all things required of or by the applicant pursuant to all of the terms, provisions, and conditions of these Conditions of Approval. All costs associated with compliance with the conditions shall be at the owner/developer's expense.
2. **Expiration of Approval.** This approval for a Conditional Use Permit shall automatically expire on **May 2, 2026, or 24 months from and after the date of issuance.** The date of issuance is the date these entitlements are approved by the Planning Commission. Prior to the expiration date, the applicant may apply for an extension not to exceed one year.
3. **Vested Rights.** This approval does not vest applicant's rights regarding future development. All ordinances, resolutions, rules, regulations and official policies governing design, improvement and construction standards and specifications

applicable to the project and public improvements to be constructed by the applicant shall be those in force and effect at the time the applicable plan or permit approval is granted.

4. **Vesting Fees.** This approval does not vest applicant's rights regarding the payment of any development impact fees, exactions and dedications, processing fees, inspection fees, plan checking fees or charges, or any other fee or charge that could have been legally imposed by the City when the original application was deemed complete. All fees and charges shall be paid at the rate in effect at the time such fees are customarily due.
5. **Fees.** The applicant shall pay all applicable processing fees, permit fees, City development fees, fire fees, school fees, drainage fees, habitat conservation fees and other public entity fees in effect at the time of the issuance of the applicable permit.
6. **Outside Agency Fees.** It is the responsibility of the owner/developer to contact all outside agencies and pay applicable fees associated with this project.
7. **Conformance to Plans.** This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, Planning Commission and/or City Council as affirmed to by the applicant. Any variation from these plans, proposals, supporting documents or presentations is subject to review and approval prior to implementation.
8. **Subsequent Development.** All activities undertaken in accordance with this approval shall comply with the City's General Plan and Municipal Code. In cases of conflict between the City's Municipal Code or map-specific conditions of approval, the governing priority shall be, to the extent legally permitted, as follows: 1) Municipal Code regulations; 2) project-specific conditions; 3) standard conditions. The applicant shall comply with all regulations and code requirements of the Development Services Director, City Engineer, Building Official, Fire Chief, the Police Chief and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final maps, site plans, public improvement plans, grading plans and building plans.
9. **Structure Conformance.** Applicant shall ensure all structures will be built in compliance with the City's Zoning Ordinance.
10. **Utility Companies.** The applicant is responsible for contacting all appropriate utility companies to obtain agreements for extension and/or relocation of services necessary for the proposed development.
11. **Other Requirements.** The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
12. **Failure to Comply.** Should the project be found, at any time, not to comply with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting documents or presentations to staff, Planning Commission or City Council, as

modified by the Conditions of this Approval, then the terms of this Approval shall be considered violated.

13. **Indemnification.** The applicant shall indemnify and hold harmless the City, its council members and commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs and fees, including without limitation attorneys' fees, incurred by the City and/or awarded to any plaintiff in any action related to or arising out of the City's approval of this project or subdivision Map or any environmental or other documentation related to this project or subdivision Map. The applicant further agrees to provide a defense for the City in any such action.
14. **Limits of Approval.** Approval of this application does not constitute approval of any other entitlement or any other necessary permit, license, or approval.
15. **Compliance with Local and State Laws.** The subject use shall be conducted in full compliance with all local and state laws. No part of this approval shall be construed to permit a violation of any part of the Manteca Municipal Code. This Site Plan & Design Review and Minor Use Permit shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance.
16. **Erosion Prevention.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site, either wind or water, during the construction and operation of the project covered by this approval.
17. **Location of Conditions.** All conditions of approval for this project shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Planning Manager must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.
18. **Roof mounted screening.** Applicant/developer shall ensure all roof mounted equipment shall remain screened from public street view.
22. **Site Conditions.** The site shall be maintained in a neat and clean manner free of weeds, trash and debris.
23. **Landscaping.** Required planting areas shall be permanently maintained by water, clearing debris and litter, weeding, pruning, insect control, and replacement of plant materials and irrigation equipment as needed to preserve the health and appearance of plant materials. All landscaping shall be maintained in such a manner as to not restrict designated pedestrian access. All trees, shrubs, and plants which, due to accident, damage, disease, or other cause, fail to show a healthy growth shall be replaced, in kind, pursuant to the approved landscape plans within 30 days from the identified damage date. (MMC 17.48.060.A)

**24. Design Requirements Prior to Building Permit Issuance:**

- a) Prior to issuance of a Certificate of Occupancy, the applicant shall ensure that the site is developed in accordance with the plans dated 01/08/24. Development of the site shall not be modified by the applicant/developer or by any City Department or Division without prior express written approval by the designated approving authority as stipulated in Section 17.10.060 (C) of the City of Manteca Municipal Code. If any structure(s) landscaping, parking, or other features of the approved plans are installed, constructed or removed or site improvements otherwise deviate from what was shown or illustrated on these approved plans, that shall render this entitlement modified. All modifications shall be brought into conformance with the approved site plan at the sole expense of the applicant/developer. When modifications have taken place, a Certificate of Occupancy shall not be granted until either: a) the site has been brought into conformance with these approved plans; or, b) the applicant/developer files an application for the appropriate amendment and that application has been approved.
- b) All conditions of approval for this project shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Deputy Director - Planning must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.

25. **Signage.** Signage is not approved as part of this application. A separate sign plan shall be reviewed by the Planning Department prior to issuance of a Building Permit.

26. **Site Lighting.** Prior to building permit issuance, the final illumination photometric must show there is zero light spillover (level of 0.0) at the property lines to the east and south.

27. **Landscape.** Prior to building permit issuance, the final landscape plan must show compliance with all standards and regulations of the landscape ordinance.

- a. A climbing vine shall be planted along the CMU block wall to soften its appearance.

28. **Masonry wall.** A masonry wall is a requirement when a commercial use is adjacent to a residential use.

### **City of Manteca Development Services Department, Building Division**

1. At least one accessible route shall be provided within the boundary of the site from accessible parking spaces and accessible passenger loading zone; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. CBC Section 1110A.1.1
2. Group R-2.1 occupancies are not permitted in non-fire-resistance-rated construction. CBC Section 435.4.1
  - Verify the construction type of the existing building.
3. Group R-2.1, residential care facility for the elderly (RCFE) shall comply with CBC Section 420.
4. The Developer shall submit a certification prepared by a licensed land survey or registered civil engineer to the Chief Building Official, certifying that the building location (setbacks) is pursuant to the approved plans prior to receiving a foundation inspection.
5. Developer shall provide bike parking spaces in accordance with California Green Building Standards Code 4.106.9 for number and distance to the entrance.
  - Provide permanently anchored bicycle racks within 100 feet of the visitor's entrance, readily visible to passers-by, for 5 percent of visitor motorized vehicle parking capacity with a minimum of one two-bike capacity rack.
6. The project shall comply with the more restrictive of the outdoor potable water reduction requirements of the California Green Building Standards Code 4.304 and the Manteca Water Efficient Landscape Ordinance. Please note this on the plans.
7. At time of building permit submittal, the developer shall incorporate all Conditions of Approvals from all departments and imprint into the submittal set of construction documents/plans.

### **City of Manteca Public Works Department, Engineering Division**

#### **General**

1. All improvements shall comply with the City of Manteca Standard Plans and Specifications. Improvement plans shall be submitted to the City Engineer for approval. An encroachment permit is required for all work within the public right-of-way.
2. Developer shall provide easements, requested by the respective utility companies, within the project. Any existing facilities within or adjacent to the project that are affected by this project shall be relocated and placed underground at the Developer's expense.

3. During all construction phases, Developer shall comply with City Laws regarding dust control. Developer shall also comply with San Joaquin Valley Unified Air Pollution Control District Regulation VIII (Fugitive Dust Prohibitions) in an effort to reduce the amount of fine particulate matter (PM10) entrained into the ambient air from man-made sources.
4. Prior to or with the Building Permit plan set the following shall be submitted. Review and approval of these items by the Engineering Department must occur prior to or with the issuance of the first building permit associated with this project.
  - a. On-site grading and drainage plan,
  - b. On-site utility (sanitary sewer, water and storm drain) plan,
  - c. Off-site improvement plan,
  - d. Erosion control plans,
  - e. Stormwater Pollution Prevention Plan (SWPPP),
  - f. Documentation, as required in the Post-Construction Stormwater Standards Manual, showing compliance with WQO NPDES 2013-0001-DWQ,

The plans specified in (a), (b) and (c) above shall be prepared by a Registered Civil Engineer.

The items in (d), (e) and (f) above shall be prepared by a Qualified SWPPP Developer (QSD).

5. The Engineering elements for this project shall be reviewed and finalized during the Building Permit review process. Designs/layouts of utilities and roadway elements presented with the proposed Site Plan are preliminary to support its approval and are not being approved with this action.

## Site

6. Any new on-site parking area pavement surface drainage slope shall be as follows: Minimum cross-slope on asphalt concrete is 2% or concrete is 1% with a maximum of 5%. Concrete valley or curb gutters shall have a minimum slope of 0.25%. The pavement slope in ADA areas shall be in accordance with the California Building Code, Chapter 11B.
7. Provide City Standard Refuse/Recycling Enclosures on-site at the locations shown on the site plan. Sizing shall be in accordance with City Standards.
8. The refuse enclosure shall be graded so there is no storm drain or other flow run-on or run-off from the enclosure area. The enclosure area shall have a connection to the storm drain system, in compliance with the City's Post-Construction Manual.
9. On-site curbing shall conform to City of Manteca Standard ST-35, "Parking Area Curbs".
10. Developer shall ensure no buildings are constructed across property lines.

11. Landscape planting at driveway entrances/exits shall be maintained to a maximum height of three and one-half feet (3.5').
12. Egress points from this project to public right-of-way shall be stop controlled. Developer shall install signage and striping at egress points on the project's property to meet this condition.

### **Streets**

13. Developer shall remove and replace the existing sidewalk, curb and gutter along the Center Street frontage of this project which is dilapidated, cracked or creates a tripping hazard. Sidewalk installed with this project shall be six inches (6") thick.
14. The existing curb and gutter along the street frontages of this project will be inspected prior to the final inspection of the site work building permit, once construction traffic is limited to project's proposed driveway. The Developer shall remove and replace damaged or dilapidated sections of the curb and gutter, as instructed by the City.
15. Driveway(s) and accessibility ramps installed with this project shall be in compliance with the latest revision of the California Building Code, Chapter 11B and Caltrans Standard Plans, detail A88A.
16. The ramp at North Garfield shall be updated to current ADA standards and in accordance with the California Building Code, Chapter 11B.

### **Water**

17. Improvements shall be designed and constructed in conformance with the latest version of the City Water Master Plan.
18. The City's Water Master Plan and User Rate Charges are currently being analyzed and updated by HydroScience. The update of the Master Plan is anticipated to be completed in late 2023. The Water Master Plan will identify improvement projects that need to be engineered and constructed for both the distribution system and the treatment systems. As the needed projects, both distribution and treatment, are identified, and associated costs estimated, user rates, connection charges, and Public Facilities Implementation Plan (PFIP) fees will likely increase. New development projects will have to pay the following fees, as adopted by the City Council, that are in place at the time of development/permit issuance: (1) User Rate Charges, (2) Connection Charges, and (3) PFIP fees.
19. Developer may install a separate water meter for the landscape irrigation system. The meter shall be installed at an accessible location within the public utility easement, adjacent to the City's ROW or waterline maintenance and access easement. Piping and appurtenances downstream of the water meter are private and will be maintained by the Property Owner. Irrigation water from the potable system shall be protected with a reduced pressure backflow device.

## **Storm Drainage**

20. A preliminary storm drainage plan shall be submitted to the City Engineer for approval concurrently with the first improvement plan submittal. The plan shall be accompanied by calculations for peak flows, total runoff, pipe sizes, detention basin volume and evidence of historical groundwater depth.
21. Developer shall incorporate appropriate site design measure(s) and submit the results of the Post-Construction Runoff Standards Manual. The City of Manteca approval of the proposed measures is precedent to issuance of any building, grading or construction permits.
22. Developer shall develop and submit a Project Stormwater Plan that identifies the methods to be employed to reduce or eliminate stormwater pollutant discharges through the construction, operation and maintenance of source control measures, low impact development design, site design measures, stormwater treatment control measures, and hydromodification control measures. Design and sizing requirements shall comply with the 2015 Post- Construction Stormwater Standards Manual. City of Manteca approval of the Project Stormwater Plan is precedent to issuance of any building, grading, or construction permits. An electronic copy of the Project Stormwater Plan shall be provided to the City of Manteca
23. It is recognized that the design and calculations which have been submitted thus far to demonstrate this project's compliance with the City's Post-Construction Stormwater Standards Manual are approved for project entitlements but may require further refinement for final approval, which is precedent to issuance of any building, grading, or construction permits.
24. Bioretention areas which are adjacent to the City sidewalk shall include a one-foot (1') wide flat area behind the sidewalk prior to the start of the bioretention area side slope.

## **Sanitary Sewer**

25. Improvements shall be designed and constructed in conformance with the latest version of the City Wastewater Collection System Master Plan and City Standards.
26. The City's Sewer Master Plan and User Rate Charges are currently being analyzed and updated by Stantec. The update of the Master Plan is anticipated to be completed in late 2023. The Sewer Master Plan will identify improvement projects that need to be engineered and constructed for both the collection system and the Wastewater Quality Control Facility (WQCF). As the needed projects, both collection and at the WQCF are identified, and associated costs estimated, user rates, connection charges, and Public Facilities Implementation Plan (PFIP) fees will likely increase. New development projects will have to pay the following fees, as adopted by the City Council, that are in place at the time of development/permit issuance: (1) User Rate Charges, (2) Connection Charges, and (3) PFIP fees.



## City of Manteca Fire Department

### Fire Department Conditions of Approval:

1. Fire Department Access:
  - A diagram showing proposed “Fire Lane” shall be submitted for approval to the Office of the Fire Marshal. Fire Lanes shall be marked in accordance with California Fire Code (Appendix D103.6 SIGNS and Manteca Fire Code 15.24
2. Fire Hydrants: Plans and specifications for fire hydrant systems shall be submitted for review and approval prior to construction.
  - Fire hydrants shall be installed around all buildings at a maximum spacing of 300 feet in accordance with the City of Manteca Standards and California Fire Code. Corners should be utilized for hydrant locations when possible.
  - Hydrants subject to vehicular damage shall be protected in an approved manner and not be obstructed by vehicles or other obstructions.
  - Provide 15 feet of clearance on either side of fire hydrant from stopped or parked vehicles.
  - Additional fire hydrants may be required to meet the minimum spacing requirement of hydrants within 90 feet of Fire Department Connections, (FDC) for Fire Sprinkler Systems.
  - The on-site fire protection system (fire hydrants and associated water mains) shall be installed prior to the issuance of building permits.
  - Total Fire Flow (appendix B of CFC) shall be calculated and submitted as part of the permit submittal.
3. Underground piping for the fire sprinkler shall be approved by the Fire Department prior to permit issuance.
4. Fire Suppression Systems: All buildings must be protected by an approved monitored automatic sprinkler system in accordance to NFPA 13, CFC, CBC, and Manteca Municipal Code Section 15.24.
  - Fire Alarm/Sprinkler monitoring shall be point ID.
5. Fire Suppression Approval. Plans and specifications for fire suppression systems shall be submitted for review and approval prior to construction. If work differs from approved plans, a set of “as built” shall be submitted to the Fire Department prior to final inspection.
6. Plans proposed to be listed as deferred submittals shall be clearly labeled on the cover building permit plan submittal cover sheet.

7. Inspections. Fire protection systems (fire hydrants, water mains, etc.) shall be installed, tested and approved by the City prior to the issuance of any building permits. The Fire Department shall witness all system and acceptance tests. Please provide 24-hour notice prior to any system or acceptance tests.  
209-456-8340
8. A Fire Department approved “key lock box” shall be properly installed near the main entrance. A 3200 series lock box(s) can be order online directly from KNOXBOX.COM. Contact the Office of the Fire Marshal at [FireMarshal@mantecafire.org](mailto:FireMarshal@mantecafire.org) for additional information.
9. All above ground gas meters, regulators, and piping exposed to vehicular damage shall be protected in an approved manner.
10. Trash enclosures/dumpsters shall not be allowed within 5 feet of any combustible walls, openings, or combustible roof eaves, unless protected by an automatic fire sprinklers.
11. Operations that require operational permits (High Piled Storage, Hot Work, Compressed Gas, Battery Storage and all others listed in CFC 105) shall be identified on the plan submittal.
12. All above comments shall be listed in the Building Permit Plan Submittal in a section designated for Fire Comments. Additionally, the Authority Having Jurisdiction should be listed as:

Authority having Jurisdiction:

City of Manteca Fire Department,  
Office of the Fire Marshal  
Fire Inspector II Luis “Art” Salas  
1154 S. Union Road, Manteca CA 95337  
[Firemarshal@Mantecafire.org](mailto:Firemarshal@Mantecafire.org)

### **City of Manteca Parks Department**

1. Trees along N. Garfield Avenue and E. Center Street shall be planted outside of the City right-of way.
2. All landscaping at back of walk/curb shall be the responsibility of the Owner.