



City of Manteca
Development Services Department
Conditions of Approval
September 16, 2021

Project File Number: **SDN 21-67**
Project Name: **239 North Walnut Tentative Parcel Map**
Project Address: **239 North Walnut Avenue, Manteca, CA 95337**
Project APN: **217-600-10**
Property Owner: **Marini Construction, c/o James Marini, 11230 E. Venture Way,
Manteca, CA 95336**
Project Applicant: **J.B. Anderson Land Use Planning, c/o Roman Acosta, 139 S.
Stockton Ave., Ripon, CA 95366**

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 239 North Walnut Tentative Parcel Map (dated October 10, 2020) on file with the City of Manteca, Development Services Department, Planning Division.

This project was determined to be exempt from California Environmental Quality Act (CEQA) per Article 19, 15315, Class 15, "Minor Land Divisions," because this project consists of the division of property into four or fewer parcels and the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

City of Manteca Development Services Department:

This Tentative Parcel Map dated October 10, 2020 is approved subject to the following Conditions:

1. **Acceptance of Tentative Parcel Map.** Unless the Subdivider formally objects to these conditions prior to approval of the Tentative Parcel Map by the Planning Commission, the Subdivider is bound by, to comply with, and to do all things required of or by the Subdivider 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 Tentative Parcel Map.** This Tentative Parcel Map approval shall automatically expire on **September 16, 2023 or 24 months from and after the date of issuance.** The date of issuance is the date this Tentative Parcel Map is approved by the Planning Commission. Prior to the expiration date the applicant may apply for an extension not to exceed three years.

3. **Vested Rights.** This approval does not vest Subdivider'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 Developer 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 Subdivider'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 developer 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. **Conformance with Subdivision Ordinance.** The final map shall comply with all of the requirements for final maps in Chapter 16 of the Manteca Municipal Code and shall show and contain all of the data required by Section 16.13.020.
9. **Substantial Conformance.** Site development plans shall be in substantial conformance to the approved tentative map/site plan and must be submitted, in English units, to the City Engineering Department for review and approval. Maps shall be prepared, wet signed and sealed by a civil engineer, land surveyor, or architect registered in the State of California and licensed to prepare final maps and/or site development plans.
10. **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.
11. **Structure Conformance.** Applicant shall ensure all future homes and/or structures will be built in compliance with the City's Zoning Ordinance.

12. **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.
13. **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.
14. **Failure to Comply.** Should the project be found, at any time, not to be in compliance 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 to be violated.
15. **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.
16. **Limits of Approval.** Approval of this application does not constitute approval of any other entitlement or any other necessary permit, license, or approval.
17. **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 Tentative Parcel Map shall be subject to revocation if the subject use is conducted in such a manner as to cause a nuisance.
18. **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.
19. **Design Requirements Required Prior to Building Permit Issuance:**
 - a. Construction plans shall show a dimensional relief border around all windows and doors.
 - b. A masonry wall with a minimum height of 7 feet will be required to screen the residential use from the existing adjacent commercial zone.
 - c. Each lot will require at least 30 percent open space.
 - d. Complete landscape plans by a certified landscape architect shall be submitted for review approval by the Development Services Director.

- e. Landscape plans shall clearly show that no line of sight/visibility issues will be created.

Engineering Division Conditions

General

- 20. Developer shall provide easements, requested by the respective utility companies, within the subdivision and shall show said easements on the Parcel Map.
- 21. Developer shall dedicate ten-foot (10') wide public utility easements on all street frontages for underground facilities and appurtenances, upon approval and recordation of the Parcel Map.
- 22. Submit Parcel Map to the Community Development Department for checking, approval and recordation. The Parcel Map shall be prepared by, or under the direction of, a registered civil engineer authorized to practice surveying or licensed land surveyor. The Parcel Map shall be based upon a field survey. Any existing easements affecting this Tentative Parcel Map shall be shown on the Parcel Map and shall be referenced to the property lines and corners. The Parcel Map review fee and a title report dated within six months of the Parcel Map submittal must also be submitted with the Parcel Map.
- 23. Developer shall submit said Parcel Map to the San Joaquin County Surveyor's Office concurrently with submittal to the City for checking. Fees for map checking by the San Joaquin County Surveyor's Office are the responsibility of the Applicant.
- 24. The Parcel Map shall include the following note: This map is drafted in accordance with City of Manteca Tentative Parcel Map No. SDN 19-09.
- 25. The Parcel Map shall be prepared in accordance with the Subdivision Map Act and San Joaquin County's Guide to the Preparation of Maps.
- 26. 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.
- 27. Developer shall provide easements, requested by the respective utility companies, within the subdivision and shall show said easements on the final subdivision map. 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.
- 28. Developer shall dedicate ten-foot (10') wide public utility easements on all street frontages.
- 29. 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.
- 30. Prior to the start of construction, all survey monuments that have the possibility of being damaged, destroyed or covered over during the course of construction for this project, shall be located and referenced by a licensed land surveyor and a corner record or record of survey shall be filed with the county surveyor. Survey monuments which are damaged, destroyed or covered over during the course of construction must be re-set at the original location with a

new monument and monument box and another corner record or record of survey shall be filed with the county surveyor. All work in this condition shall be done by a licensed land surveyor. Prior to approval of a Final Map for any phase of the project the following shall be submitted by the developer and approved by the Engineering Department:

- 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,
- g. Joint Trench Intent plans, and
- h. Dedication of required rights-of-way and easements to the City.

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).

31. Joint trench utility installation shall be in accordance with Manteca Municipal Code Chapter 13.34 and City Standards.
32. Subdivider shall install a benchmark on the North American Vertical Datum of 1988 vertical control system with this project. Final location shall be approved by the City Engineer and shown on the Improvement Plans. Developer shall obtain a benchmark from the City of Manteca and it shall be punched with the elevation, datum reference and benchmark number, which will be assigned by the City. A corner record shall be filed with the San Joaquin County Surveyor's Office and shall include the language that the benchmark is being added to the City of Manteca Vertical Control Network.
33. Per City of Manteca Resolution No. R2016-235, which approved the City's Park Acquisition & Improvement Fee Update, the Developer shall pay the applicable adopted park fees.
34. Improvements which will be dedicated to the City must use a benchmark on the City of Manteca Vertical Control Network to establish the elevations of the improvements. The benchmark used shall be noted on the Improvement Plans.

Streets

35. Cross sections for roadways that are included in the City's adopted Public Facilities Implementation Plan (PFIP), Transportation Element shall be in accordance with that document. Unless otherwise detailed in these conditions, cross sections for roadways that are not included in the PFIP in accordance with the City of Manteca Standard Plans. An encroachment permit is required for all work within the public right-of-way.
36. Soils R-value tests shall be performed from representative soils within the proposed subdivision. A geotechnical report shall be submitted to the City Engineer with calculations determining the street pavement structural design. Design shall conform to City of Manteca Resolution R-5633, "Street Structural Design Policy".

37. Where offsite property acquisition is required by these conditions, if the developer has made good faith efforts to obtain the ROW, which can be shown to the City in writing, and is unable to come to an agreement with the property owner, the City will make a determination to remove this condition or begin its own negotiations with the property owner.
38. Existing driveways which are not to be used by this project shall be removed and replaced with sidewalk, vertical curb and gutter.
39. Developer shall contact the local post office for direction regarding placement of mail receptacles or any other type of mail delivery proposed.
40. Developer shall relocate existing mailboxes, per the direction of the City Engineer and the United States Postal Service. Mailboxes shall be constructed in conformance with the standards of the United States Postal Service.
41. Street lights along the project's frontage shall maintain an average foot candle coverage of 0.40, with a minimum allowable foot candle at any location of 0.07 within the public right-of-way. Electrolier photometric plan, showing the foot candle coverage, shall be submitted with the Improvement Plans showing this requirement is met with the existing street lights. If not, the project shall install street lights or modify the existing street lights so this requirement is met.
42. If Developer installs electrolier poles other than the City's standard cobra head fixture on a galvanized pole, the Developer shall supply the City with one extra complete light fixture and pole, per phase/unit of the project. If applicable, this will be a condition of final acceptance of the subdivision.
43. The thickness of all sidewalks installed with the project shall be six inches (6").
44. 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.
45. Accessibility ramps installed or modified with this project shall be in compliance with the latest revision of the California Building Code, Chapter 11B.

Water

46. Improvements shall be constructed in conformance with the latest version of the City Water Master Plan.
47. Water mains installed in stubbed streets shall extend to the property line and shall have a blowoff per City Std. Plan No. W-7.
48. A minimum ten foot (10') separation, from outside of pipe to outside of pipe, shall be maintained between water mains and parallel sanitary sewer, storm drain, and irrigation lines.

49. Existing wells within the boundary of the proposed development which are not approved for use by the City, shall be abandoned in accordance with San Joaquin County Public Health Services requirements.
50. Existing wells within the boundary of the proposed development which are not approved for use by the City, shall be abandoned in accordance with San Joaquin County Public Health Services requirements. Use of existing irrigation wells as landscape irrigation wells will be evaluated on a case-by-case basis and shall be approved by the Public Works Director. If conversion of the existing on-site irrigation wells are approved for use as landscape irrigation wells, or for use as construction water, the proposed improvements shall be in strict accordance with City of Manteca plans, standards and specifications and in accordance with the requirements of the San Joaquin County Health Department.
51. Existing service connections to the City's water mains which will not be used by this project shall be abandoned, as directed by the City of Manteca.

Storm Drainage

52. Improvements shall be constructed in conformance with the latest edition of the Storm Drain Master Plan, the City's Post-Construction Manual and City Standards.
53. 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 groundwater depth.
54. This project shall submit calculations, per Chapter 3, Section 3.1 of the City's Storm Drain Master Plan, showing attenuation of the storm drain flows for this project is not required.
55. All drain inlets shall be marked "No Dumping - Drains to River". Drain markers shall be purchased from the City of Manteca at cost plus 15% administrative charge, and installed by the Developer prior to acceptance of the improvements.
56. All storm drain piping shall be located within the paved street area.
57. 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.
58. 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. Two paper copies and an electronic copy of the Project Stormwater Plan shall be provided to the City of Manteca.
59. Developer shall develop a hydromodification management plan to ensure the post-project stormwater runoff flow rate shall not exceed estimated pre-project flow rate for the 2-year,

24-hour storm. The hydromodification management plan shall be incorporated into the Project Stormwater Plan.

60. Developer shall develop and submit an Operations and Maintenance Plan that identifies the operations, maintenance, and inspection requirements of all stormwater treatment and baseline hydromodification control measures identified in the approved Project Stormwater Plan. City of Manteca approval of the preliminary Operations and Maintenance Plan is precedent to issuance of any building, grading, or construction permits. Two paper copies and an electronic copy of the Maintenance Plan shall be provided to the City of Manteca.
61. City of Manteca approval of the final Operations and Maintenance Plan and recordation of the Maintenance Access Agreement is precedent to first building final inspection for this project. Two paper copies and an electronic copy of the final Operations and Maintenance Plan shall be provided to the City of Manteca.
62. Post-Construction Management Practices shall conform to the City's adopted Multi-Agency Post Construction Stormwater Standards Manual.
63. Where conflict between standards arises, the standard most-protective to water quality, to public health and safety, and against flooding shall be utilized.
64. Prior to any land disturbing construction activities occurring on a project, Developer shall meet the requirements of NPDES. For sites exceeding 1 acre of disturbance area that are deemed non-exempt, contractor shall prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) and apply for a permit under the California General Construction NPDES permit. SWPPP shall be prepared and signed by a Qualified SWPPP Developer (QSD) certified by the State Water Resources Control Board. All modifications to SWPPP shall be implemented by a QSD in responsible charge for the project. The SWPPP shall be implemented under the supervision of a Qualified SWPPP Practitioner (QSP). For permit information, contact the State Water Resources Control Board (SWRCB) at:

State Water Resources Control Board
PO Box 1977, Sacramento, CA 95812-1977
Attn: Storm Water Permitting Section
Telephone: (916) 341-5537

To log in to the SWRCB Storm Water Multiple Application and Report Tracking System (SMARTS) to enter site information and apply for permit, please contact the City of Manteca Engineering Department to establish a project and authorize data entry access.

All other sites shall conform to the City of Manteca Standards, the California Green Building Standards, and Section E.10 of the NPDES permit 2013-0001-DWQ. All construction involving land disturbing activities shall submit for approval an Erosion Control and Sedimentation Plan (ESCP) prepared and signed by a QSD. All ESCP treatment measures and BMPs must be maintained at all times until construction is completed and the site is stabilized as defined under the Construction General NPDES permit.

Prior to issuance of the first grading or building permit for a project, a copy of the SWPPP or ESCP shall be submitted by the developer and approved by Authorized Signatory or Legally Responsible Person (LRP) for the City's NPDES program. Contact the City of Manteca Engineering Department to identify appropriate person for review and approval of plans and documents.

65. 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 is approved for project entitlements but may require further refinement for final approval, which is precedent to issuance of any building, grading, or construction permits.
66. 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.
67. Developer shall pay fair-share costs for storm drainage improvements, including improvements downstream to improve capacity or water quality treatments needed to conform to current Storm Drain Master Plan, City standards and support the development.

Sanitary Sewer

68. Improvements shall be constructed in conformance with the latest version of the City Wastewater Collection System Master Plan and City Standards.
69. A cleanout shall be located at the back of the sidewalk, adjacent to City right-of-way, where the sanitary sewer main enters the development. This manhole shall be the end of the City's maintenance responsibility for the sanitary sewer system.
70. Any existing septic tank(s) on the property that will not be approved by the City shall be abandoned in accordance with the permitting requirements of the San Joaquin County Environmental Health Department prior to issuance of the first building permit.
71. A preliminary sewer 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 wet weather flows showing pipe sizes and slopes for the entire development.

Information Technology Department Conditions

72. **Addressing.** 239 North Walnut Avenue will remain the address of the existing structure. 237 North Walnut Avenue will be the address of the new structure on Parcel 2. 902 and 906 Davis Street will be the new addresses for the duplexes on Parcel 1. 902 Davis Street will be the situs address for Parcel 1. 239 North Walnut Avenue will remain the situs address for Parcel 2.

Parks Department Conditions

73. **Park Fees.** Parcel Owner shall comply with current policy and pay Park Acquisition and Improvement Fees.
74. **Landscaping Plans.** Landscaping submitted with the improvement plans shall be reviewed and approved by the Parks and Recreation and Development Services Departments. The following conditions shall be reflected in the plans:
 - a. New trees shall be planted outside of the Public Right- of- Way (ROW).
 - b. For continuity on North Walnut and Davis Street, it is requested that the tree variety match the existing theme trees on the adjacent parcels (These are believed to be Crape Myrtle hybrid variety).

Public Works Water Department Conditions

75. **Water Meter.** Each parcel shall be served by a single water meter, located at back of sidewalk with a backflow prevention device.

Manteca Unified School District Conditions

76. **School Fees.** Developer shall contact Manteca Unified School District Facilities Planning regarding school fees and requirements and shall provide proof of payment or waiver of such fees to the Development Services Department.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan Conditions

77. This project is subject to the SJMSCP and is required to adhere to the SJMSCP permitting process.

South San Joaquin Irrigation District Conditions

78. Improvement plans showing specific details concerning drainage be shall be submitted for review to SSJID.

**ACKNOWLEDGEMENT OF TERMS AND CONDITIONS
MUST BE CERTIFIED BY A NOTARY PUBLIC**

The City reserves the right to withhold the finalization of the structure(s) and/or terminate City utility service (shut off water and sewer) until all conditions of the City approved site plan have been completed. Please contact the Community Development Department if you are unable to complete the site plan improvements prior to occupancy of the project.

For information on fees associated with the project, contact the Building Department at 209-456-8550. The fees associated with this project (payable at the time of building permit issuance) include, but are not limited to, the following:

Storm drainage fee, sewer connection fee, water connection fee, building permit fee (includes electrical, mechanical, plumbing, strong motion fee, and any other applicable building-related permit), park acquisition and improvement fee (bedroom tax), street tree fee, school district fee, government building facilities fee, traffic signal installation fee, major equipment purchase fee, and highway interchange fee. I, as the site plan applicant, or authorized agent for the site plan applicant, have read and understand the conditions of approval and requirements for this development project and the associated development fees. I, further, understand that this site plan runs with the ownership of the land and any transfer of ownership must include all uncompleted site plan requirements. I hereby acknowledge all conditions and requirements of the site plan approval.

Date

Authorized Signature

Date

Authorized Signature