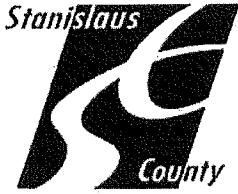


Recording Requested By And For The Benefit Of  
And, When Recorded, Mail To:



County of Stanislaus  
Department of Planning and  
Community Development  
1010 Tenth Street, Suite 3400  
Modesto, CA 95354



Stanislaus, County Recorder  
Lee Lundrigan Co Recorder Office  
**DOC- 2018-0082466-00**  
Friday, NOV 30, 2018 14:50:03  
Ttl Pd \$0.00 Rcpt # 0004205613  
OLD/R1/1-10

Space Above Reserved for Recorder's Use

**NOTICE OF ADMINISTRATIVE CONDITIONS AND RESTRICTIONS**

PLEASE TAKE NOTICE that the COUNTY OF STANISLAUS approved the land use development described below subject to administrative conditions and restrictions, copies of which are attached to this notice and incorporated herein by reference. The conditions and restrictions affect development of the property or parcels described below and are binding upon the named landowners and their successors in interest.

- Property Owner(s): Frank and Dan'l Verdone
- Project Site Address: 4827 Nunes Road, south of Norma Way and west of Washington Road, in the Community of Keyes.
- Assessor's Parcel Number(s): 045-071-006
- General Plan Designation: Low Density Residential (LDR)
- Zoning District: R-1 US (Single-Family Residential Urban Services)
- Community Plan Designation: Low Density Residential & Commercial

Project Name/Description: **General Plan Amendment and Vesting Tentative Subdivision Map Application No. PLN2017-0013 – Gold Star Investments, LLC** - Request to create 28 residential lots ranging in size from 5,100± to 8,500± square feet and a 4± acre remainder lot from a 9.54± acre site, located in the R-1 US (Single Family Residential – Urban Services) zoning district. The request also includes an amendment to a portion of the Keyes Community Plan from Commercial to Low-Density Residential. The subdivision proposes to connect to the neighboring residential subdivision, approved but not yet developed, "Keyes 19 South" drainage basin, located adjacent to the southeast corner of the proposed subdivision. However, if the neighboring subdivision improvements fail to be constructed prior to this project, an independent stormwater retention basin has been designed replacing two of the proposed lots, resulting in a 26 residential lot creation.

The undersigned duly authorized officer of Stanislaus County declares that the foregoing is true and correct under penalty of perjury under the laws of the State of California.

Nov. 27, 2018  
Dated

Miguel Galvez, Deputy Director  
Stanislaus County, Planning and  
Community Development Department

- ATTACHMENTS:
1. Conditions of Approval
  2. Project Area Map (For Illustrative Purposes Only) ✓

10JC

As Amended by the Board of Supervisors

November 6, 2018

As Recommended by the Planning Commission

September 6, 2018

---

NOTE: Approval of this application is valid only if the following conditions are met. This permit shall expire unless activated within 18 months of the date of approval. In order to activate the permit, it must be signed by the applicant and one of the following actions must occur: (a) a valid building permit must be obtained to construct the necessary structures and appurtenances; or, (b) the property must be used for the purpose for which the permit is granted. (Stanislaus County Ordinance 21.104.030)

---

## CONDITIONS OF APPROVAL

### **GENERAL PLAN AMENDMENT AND VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2017-0013 GOLD STAR INVESTMENTS, LLC**

#### Department of Planning and Community Development

1. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2017), the applicant is required to pay a California Department of Fish and Wildlife (formerly the Department of Fish and Game) fee at the time of filing a "Notice of Determination." Within five (5) days of approval of this project by the Planning Commission or Board of Supervisors, the applicant shall submit to the Department of Planning and Community Development a check for **\$2,337.75**, made payable to **Stanislaus County**, for the payment of California Department of Fish and Wildlife and Clerk Recorder filing fees.

Pursuant to Section 711.4 (e) (3) of the California Fish and Game Code, no project shall be operative, vested, or final, nor shall local government permits for the project be valid, until the filing fees required pursuant to this section are paid.

2. Developer shall pay all Public Facilities Impact Fees and Fire Facilities Fees as adopted by Resolution of the Board of Supervisors. The fees shall be payable at the time of issuance of a building permit for any construction in the development project and shall be based on the rates in effect at the time of the vesting date of **November 27, 2017**.
3. The applicant/owner is required to defend, indemnify, or hold harmless the County, its officers, and employees from any claim, action, or proceedings against the County to set aside the approval of the project which is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action, or proceeding to set aside the approval and shall cooperate fully in the defense.
4. All exterior lighting shall be designed (aimed down and toward the site) to provide adequate illumination without a glare effect. This shall include, but not be limited to, the use of shielded light fixtures to prevent skyglow (light spilling into the night sky) and the installation of shielded fixtures to prevent light trespass (glare and spill light that shines onto neighboring properties).
5. Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002, prior to construction, the developer shall be responsible for contacting the California Regional Water

Quality Control Board to determine if a "Notice of Intent" is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.

6. The Department of Planning and Community Development shall record a Notice of Administrative Conditions and Restrictions with the County Recorder's Office within 30 days of project approval. The Notice includes: Conditions of Approval/Development Standards and Schedule; any adopted Mitigation Measures; and a project area map.
7. Should any archeological or human remains be discovered during development, work shall be immediately halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be historically or culturally significant, appropriate mitigation measures to protect and preserve the resource shall be formulated and implemented. The Central California Information Center shall be notified if the find is deemed historically or culturally significant.
8. Prior to the issuance of building permits for a dwelling, the owner/developer shall pay a fee of \$339.00 per-dwelling to the County Sheriff's Department.
9. Prior to the recording of the final map, a final tree planting plan shall be approved by the Director of Planning and Community Development or his/her designee. The final tree planting plan shall meet all requirements of State or Local Ordinance. The trees shall be planted prior to the issuance of any certificate of occupancy for each dwelling.
10. Prior to the issuance of a building permit for the first home of each parcel, the owner/developer shall submit a landscaping plan for the entire parcel, to be reviewed and approved by the Planning Department. The landscaping plan shall meet all requirements of State or Local Ordinance. Fences and landscaping adjacent to roadways shall be in compliance with the County's "Visibility and Obstructions at Public Intersections" Ordinance.
11. Prior to recording of the final map, the 10-foot Ingress/Egress easement, located on the western boundary of the proposed subdivision, shall be abandoned and removed from the final map, or shall be shown on the final map as an abandoned easement.

#### Department of Public Works

12. The final map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
13. Prior to the final map being recorded, all existing structures not shown on the tentative map shall be removed.
14. Prior to the recording of the final map, the new parcels shall be surveyed and fully monumented.
15. Prior to recording, or on the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 30-feet of right-of-way south of the centerline of Norma Way.

16. Prior to recording, or on the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 50 feet of right-of-way for Tanya Way, Street "B" and Street "C", as labeled on the tentative map.
17. Prior to the recording, or on the final map, road right-of-way shall be dedicated to Stanislaus County to the chord of a 15-foot flow line radius to fit the back of the required improvements located at the corners of Tanya Way and the two intersections with Street "B" and Street "C".
18. Prior to the recording, or on the final map, road right-of-way shall be dedicated to Stanislaus County to the chord of a 25-foot flowline radius to fit the back of the required improvements at the corners located at Tanya Way and Norma Way.
19. Prior to the recording of the final map, a complete set of improvement plans that are consistent with the Stanislaus County Standards and Specifications and the tentative map shall be submitted and approved by Stanislaus County Public Works. The improvement plans shall include, but not be limited to street lights, curb, gutter, and sidewalk, water, sewer, storm drainage, pavement, pavement markings, road signs, and handicap ramps. North American Vertical Datum shall be used. If available, 1988 data shall be used. The submittal of the improvement plans shall be 1 set on 2' by 3' bond paper with a set of plans in PDF format.
20. All facilities in the public right-of-way shall meet current ADA (Americans with Disabilities Act) Standards.
21. Prior to the recording of the final map and approval of the improvement plans, written authorization shall be reviewed and approved by Public Works and Planning concerning the storm drainage basin. It is the intention of the project to utilize and expand the proposed basin located on the neighboring subdivision Keyes 19 for storm water runoff. If it is determined that there is not sufficient capacity to serve both projects, the basin will be modified as needed utilizing the adjoining lots on the Norma Way Subdivision. The written authorization shall be recorded and reflected on the final map for the Norma Way Subdivision.
22. Prior to the improvement plans being approved, **the location of the irrigation structure located near the northeastern corner of the project site, shall be verified. If it is verified to be located on the project site,** a treatment for the irrigation structure at the northeast of the property shall be submitted and approved by Stanislaus County Public Works and the Turlock Irrigation District. This treatment must be aesthetically pleasing but not affect the function of the structure.
23. A geotechnical report shall be provided as per Stanislaus County Public Works Standards and Specifications.
24. Prior to the start of importing, exporting or otherwise moving any dirt, a grading permit shall be obtained from the Department of Public Works. Public Works will review and approve the grading and drainage calculations. The grading and drainage plan shall include the following information:
  - The grading and drainage plan shall comply with the National Pollutant Discharge Elimination System (MS4 Phase II NPDES Permit) General Permit and Stanislaus County storm water treatment and quality standards.

- The grading, drainage, and associated work shall be accepted by Stanislaus County Public Works prior to a final inspection or occupancy, as required by the grading permit.
  - The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.
  - The grading plan shall show that the lowest finished floor elevation within the subdivision will be at least 12 inches above the high water elevation of the 100-year flood.
25. Prior to the approval of the improvement plans, the fence separating the commercial portion of the existing lot from the residential subdivision shall be shown on the improvement plans as an 8 foot masonry wall per Stanislaus County Zoning Code.
26. Prior to the Department of Public Works reviewing any plan or inspections associated with the subdivision, the subdivider shall sign a "Subdivision Processing/Inspection Agreement" and post a \$5,000 deposit with Public Works.
27. An Engineer's Estimate shall be provided for the subdivision improvements so the amount of the bond/approved financial security can be determined if a Subdivision Improvement Agreement is required. The Engineer's Estimate shall be wet stamped and signed by a licensed civil engineer.
28. Prior to the final map being recorded, the subdivider shall either:
- a. Sign a 'Subdivision Improvement Agreement' and post the required certificates of insurance and subdivision bonds or approved security with the Department of Public Works; or
  - b. Construct all subdivision improvements and have the improvements accepted by the Stanislaus County Board of Supervisors.
29. Prior to any work being done in the Stanislaus County road right-of-way, an Encroachment Permit shall be obtained.
30. All new utilities shall be underground and located in public utility easements. A 10-foot wide public utility easement (P.U.E.) shall be located adjacent to the right-of-way of Tanya Way, Norma Way, Street "B", and Street "C". The P.U.E. shall be shown on the Final map.
31. Prior to the recording of the final map, a will serve letter shall be provided for both the water and sewer connections to the Keyes Community Services District.
32. Prior to the final map being recorded, the Keyes Community Services District shall provide a letter to the Department of Public Works stating the District will maintain the new street lights. All street lights shall be installed on steel poles.
33. Prior to recording of the final map, a county service area (CSA) shall be annexed into the Keyes CSA to provide funds to ensure future maintenance of the storm drainage system and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the annexation of the CSA. As part of the annexation, a formula or method for the calculation of the annual assessment shall be approved. The annexation process may take up to 5 to 6 months or more and will require LAFCO approval. Please contact Public Works at (209) 525-4130 for additional information regarding CSA annexation requirements.

34. Prior to the acceptance of the subdivision improvements, the lot grades shall conform to the approved grading plan. Written certification by a civil engineer or geotechnical engineer is required by the Department of Public Works.
35. Prior to acceptance of the subdivision improvements, all existing irrigation lines within the area to be subdivided shall be removed. All work shall be done in accordance with the requirement of the Department of Public Works and the Turlock Irrigation District.
36. Prior to acceptance of the subdivision improvements as specified in the County standards, a set of Record Drawings (mylars), and electronically scanned files for each sheet in a PDF format shall be provided to and approved by the Department of Public Works. The Record Drawings shall be on 3 mil mylar with each sheet signed and stamped by the design engineer and marked "Record Drawing" or "As-Built."
37. Prior to the acceptance of the subdivision improvements, one bench mark (brass cap) shall be established within the subdivision on a brass cap and the elevation shall be shown on the Record Drawing. A completed Bench Mark card shall be furnished to the Department of Public Works Survey Department. This will include the bench loop with the vertical datum.
38. Prior to the acceptance of the subdivision improvements, street monuments and covers shall be installed to County standards.
39. Prior to the end of the one-year maintenance period, all public roads shall have a fog seal applied prior to the final acceptance by Stanislaus County.

#### Department of Parks and Recreation

40. Prior to issuance of any building permits for a dwelling, the property owner/developer shall pay a per-dwelling fee in the amount of \$2,050 per dwelling to the Department of Parks and Recreation.

#### Department of Environmental Resources

42. The applicant shall determine, to the satisfaction of the Department of Environmental Resources (DER), that a site containing (or formerly containing) residences or farm buildings, or structures, has been fully investigated (via Phase I study, and if necessary, Phase II study) prior to the issuance of a grading permit. Any discovery of underground storage tanks, former underground storage tank locations, buried chemicals, buried refuse, or contaminated soil shall be brought to the immediate attention of DER.

#### Turlock Irrigation District

43. Prior to issuance of a grading or building permit, any improvements to this property which impact irrigation facilities shall be subject to the District's approval and meet all District standards and specifications. The operator/Owner is required to submit plans detailing the existing irrigation facilities, relative to the proposed site improvements. If it is determined that irrigation facilities will be impacted, the applicant will need to provide irrigation improvement plans and enter into an Irrigation Improvements Agreement for the required irrigation facility modifications.

An existing 30" RCP irrigation pipeline and irrigation control structure belonging to Improvement District 770 is located on the northeast corner of the subject property. The mainline exits north out of the box in 24" RCP crossing Norma Way before continuing to the west. Unless the downstream parcels abandon from the improvement district, these facilities must remain. Additionally, there is a dirt ditch within an irrigation easement exiting the box to the south along the east boundary of the project, which only serves the subject property. This ditch shall be removed and the opening in the aforementioned control structure sealed.

44. The subject parcel is a member of Improvement District (ID) 770, known as the West Branch of the Herbert Hatch. District Standards require that properties that will no longer irrigate or have direct access to water must apply for abandonment of the parcel(s) from the improvement district(s).
45. Developed property adjoining irrigated ground must be graded so that finished grading elevations are at least 6 inches higher than irrigated ground. A protective berm must be installed to prevent irrigation water from reaching non-irrigated properties. Stub-end streets adjoining irrigated ground must have a berm installed at least 12" above the finished grade of the irrigated parcel(s).
46. A 13-foot Public Utility Easement (PUE) must be dedicated along all street frontages. It appears a slightly wider PUE will be required around the aforementioned irrigation control structure at the NE corner of the project.

#### Building Permits Division

47. Building permits are required and the project must conform with the California Code of Regulations, Title 24.

#### Local Agency Formation Commission (LAFCO)

48. Prior to connection and annexation to the Keyes Community Services District for water and sewer services, LAFCO review and approval shall be required.
49. LAFCO's review of a subsequent annexation application for the proposal makes LAFCO a Responsible Agency pursuant to the California Environmental Quality Act (CEQA). As a Responsible Agency, LAFCO will rely upon the environmental document prepared by Stanislaus County, as Lead Agency, during its review of the annexation proposal. Therefore, the environmental document should include relevant information regarding sufficient water supplies (quantity and quality) and available sewer capacity to serve the project. Additionally, should it be determined during the environmental review that the proposal will have an impact to agricultural lands, preparation of a Plan for Agricultural Preservation will be required, consistent with LAFCO policy, that identifies a method or strategy to minimize the loss of agricultural lands.

#### San Joaquin Valley Air Pollution Control District

50. The proposed project may be subject to Air District permits. Prior to ground disturbance or issuance of a grading or building permit, the developer shall contact the District to determine if any District rules or permits are required.

51. Regulation VIII (Fugitive PM10 Prohibitions) - The Project will be subject to Regulation VIII. The project proponent is required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in District Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*. Information on how to comply with Regulation VIII can be found online at: [http://www.valleyair.org/busind/comply/PM10/compliance\\_PM10.htm](http://www.valleyair.org/busind/comply/PM10/compliance_PM10.htm)

**Central Valley Regional Water Quality Control Board**

54. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a "Notice of Intent" (Pursuant to State Water Resources Control Board Order 99-08-DWQ and National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002), is necessary, and shall prepare all appropriate documentation, including a Storm Water Pollution Prevention Plan (SWPPP). Once complete, and prior to construction, a copy of the SWPPP shall be submitted to the Stanislaus County Department of Public Works.
55. Prior to construction, the developer shall be responsible for contacting the California Regional Water Quality Control Board to determine if a Phase I and II Municipal Separate Storm Sewer System (MS4) Permit, an Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit, or Waste Discharge Requirement (WDR) permits are required.



### MITIGATION MEASURES

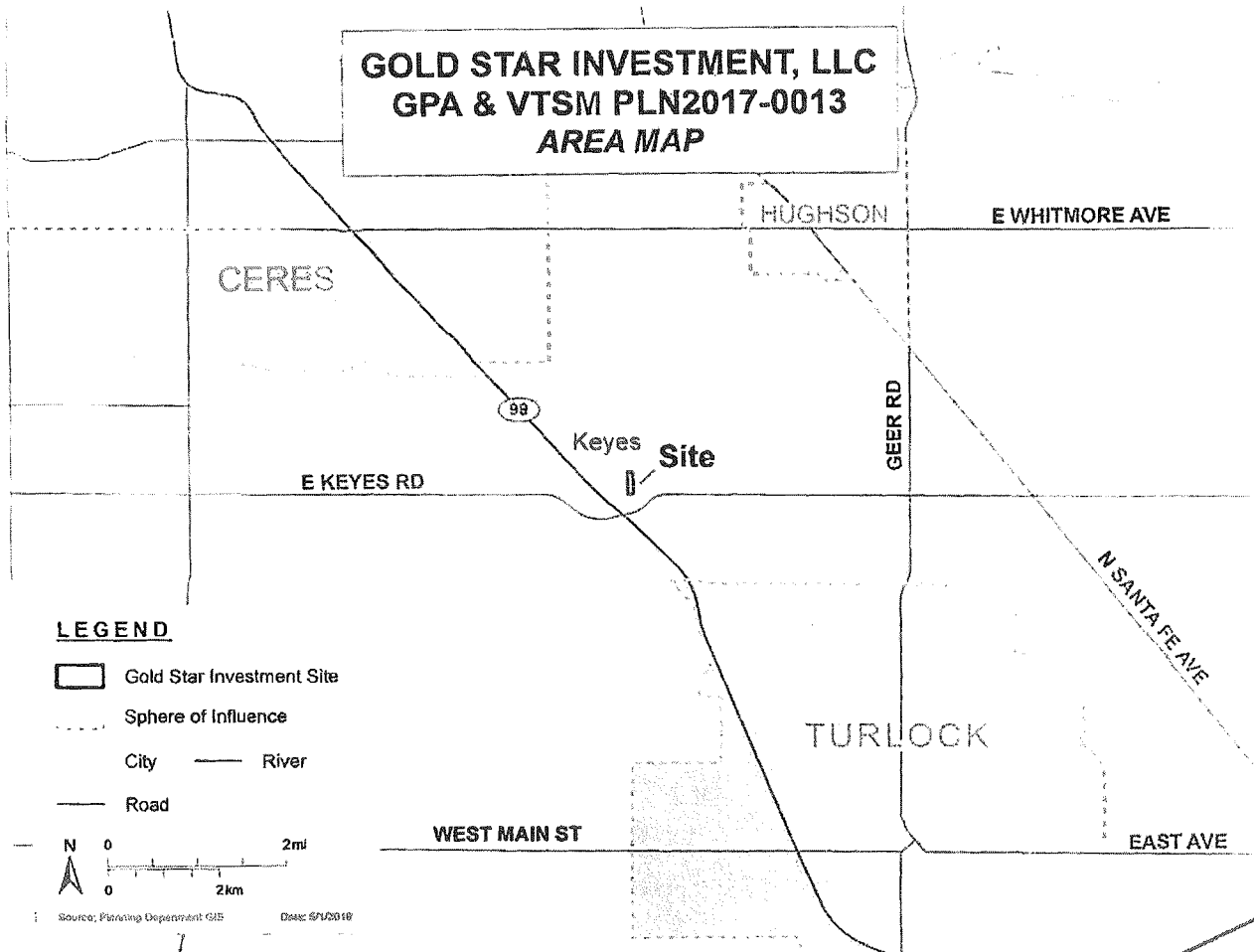
(Pursuant to California Public Resources Code 15074.1: Prior to deleting and substituting for a mitigation measure, the lead agency shall do both of the following: 1) Hold a public hearing to consider the project; and 2) Adopt a written finding that the new measure is equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.)

1. Prior to issuance of any building permit for a single-family dwelling, the applicant shall pay the Keyes Community Plan Mitigation Funding Program fees for Low Density Residential (R-1) per the Keyes Community Plan Adopted on April 18, 2000. The fees were calculated in 2003 at \$178.92 per dwelling. With the fees adjusted for inflation using the Engineering News-Record index, the April 2017 fees are \$293.43 per dwelling.

\*\*\*\*\*

*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right-hand corner of the Conditions of Approval/Development Standards; new wording is in bold, and deleted wording will have a ~~line through it~~.*

**GOLD STAR INVESTMENT, LLC  
GPA & VTSM PLN2017-0013  
AREA MAP**



**LEGEND**

- Gold Star Investment Site
- Sphere of Influence
- City
- River
- Road



Source: Planning Department GIS Date: 5/1/2018

ATTACHMENT 2

FOR ILLUSTRATIVE PURPOSES ONLY