

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *al*

BOARD AGENDA # *C-2

Urgent Routine

AGENDA DATE July 14, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval and Acceptance of the Subdivision Improvements for Valley Lexus Vesting Tentative Parcel Map 2004-30, in North Modesto

STAFF RECOMMENDATIONS:

1. Find that all street improvements including the storm drain system required for Vesting Tentative Parcel Map No. 2004-30 have been constructed to the satisfaction of Stanislaus County.
2. Accept all street improvements including the storm drain system required by Vesting Tentative Parcel Map No. 2004-30 for maintenance by Stanislaus County within the proposed development and the Galaxy Way and Spyles right-of-way in the north Modesto area.

FISCAL IMPACT:

The maintenance of the public roads and storm drainage will be the fiscal responsibility of the Department of Public Works. All Department of Public Works inspection fees have been paid.

BOARD ACTION AS FOLLOWS:

No. 2009-483

On motion of Supervisor Chiesa, Seconded by Supervisor Grover

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval and Acceptance of the Subdivision Improvements for Valley Lexus Vesting Tentative Parcel Map 2004-30, in North Modesto

DISCUSSION:

The Valley Lexus Vesting Tentative Parcel Map is an 3-lot subdivision located on Galaxy Way and Spyres Way, fronting McHenry Avenue in the north Modesto area. All improvements required by the conditions of approval have been installed to Stanislaus County standards. Since the improvements have been installed prior to recording the final map, a Subdivision Improvement Agreement is not required. The road improvements for Galaxy Way and Spyres Way require Stanislaus County Board of Supervisors approval prior to the recording of the final parcel map or occupancy/final inspection of any building permit, whichever would occur first.

A condition to establish a County Service Area (CSA) for storm drainage was not required for this development application when the conditions of approval were developed. A similar development proposal, now, would be required to develop a drainage CSA per the Department of Public Work's current policy.

POLICY ISSUES:

The Board should consider if the recommended actions are consistent with the Board's priorities of providing a safe community, and healthy community, and a well-planned infrastructure system.

STAFFING IMPACT:

There is no staffing impact associated with this item.

AH/LB/FV/RM/JL:lc
(H:\Services\2008BoardItems\valleylexus\ValleyLexusBOSacceptance7-14-09)

Consultants

Architect's
Signature



Project Title

VALLEY
LEXUS

McHENRY AVENUE
MCELESTO, CA



Sheet Title

OVERALL
SITE PLAN

Prepared by: [Signature]
Checked by: [Signature]
Date: [Signature]

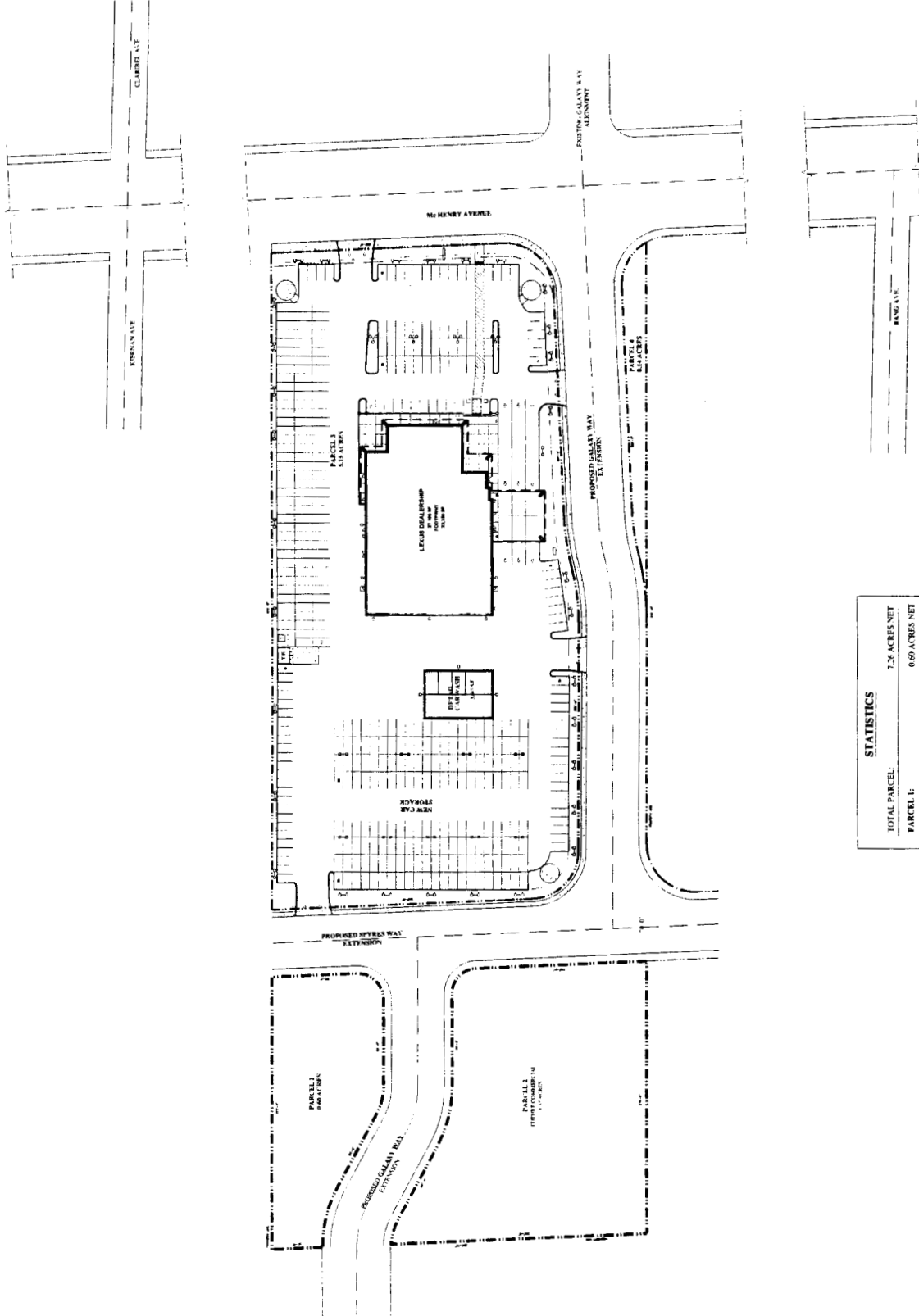
Revisions

Job Number
Date
Drawn
Checked
Sheet

SD1

Rauschenbach
Marvelli
Becker

277 West Ave - Second Floor - Sacramento, CA 95825
916.488.8500 FAX 916.488.8596



OVERALL SITE PLAN
SCALE: 1" = 40'

STATISTICS	
TOTAL PARCEL	7.26 ACRES NET
PARCEL 1:	0.60 ACRES NET
PARCEL 2:	1.37 ACRES NET
PARCEL 3:	5.15 ACRES NET
PARCEL 4:	0.14 ACRES NET
PARCEL 5:	0.00 ACRES NET
NEW DEALERSHIP BUILDING:	27,000 SQ FT
NEW CAR PARKING:	247 STALLS
CUSTOMER PARKING:	13 STALLS
SERVICE PARKING:	16 STALLS



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10th Street, Suite 3400, Modesto, CA 95354
Phone: 209.525.6330 Fax: 209.525.5911

April 18, 2007

Dennis E. Wilson
Horizon Consulting Services
P.O. Box 1448
Modesto, CA 95353

**SUBJECT: REZONE APPLICATION NO. 2004-11, PARCEL MAP APPLICATION NO. 2004-30
- VALLEY LEXUS
APN: 046-011-014**

Dear Applicant:

On Tuesday, **April 17, 2007** the Stanislaus County Board of Supervisors approved the above-entitled request subject to the attached amended Development Standards/Schedule.

Please be advised that approval of your application contains a condition which reads as follows: "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." A copy of documents to be recorded is attached for your convenience. Please contact the Clerk-Recorder's Office to obtain a recorded copy at a later date.

Feedback from our customers is very important to us to help us improve our application process. As a recent project applicant or applicant representative, we are asking for your assistance. The focus of this survey is to measure customer service with regard to the process and not the outcome of the project. Please take a moment and complete the enclosed survey and return to our office at your earliest convenience.

Sincerely,

Kirk Ford
Assistant Director

Enclosure

cc: Rauchenback, Marvelli, & Becker
VIA EMAIL:
Dennis Wister, Building Permits Division
Ron Cherrier, Dept. of Public Works
Ken Slamon, Stanislaus Fire Prevention Bureau
Moua Lee, Dept. of Public Works

B.E. Fitzpatrick Development, Inc.

Norma Canapi, Dept. of Public Works
Chuck Kincaid, Dept. of Public Works
David Gein, Dept. of Public Works
CalTrans

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- 2007-0051885-00

Tuesday, APR 24, 2007 09:26:09
Ttl Pd \$0.00 Nbr-0002316360
OKS/R1/1-13

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): B.E. Fitzpatrick Development, Inc.

Project Site Address: 4701 McHenry Ave (Ste. Rte. 108) south of Kiernan Avenue (Ste. Rte. 219), Modesto.

Assessor's Parcel Number(s): 046-011-014

General Plan Designation: PI (Planned Industrial)

Zoning District: A-2-10

Community Plan Designation: Not Applicable

Project Name/Description: **Rezone Application No. 2004-11 and Parcel Map Application No. 2004-30 - Valley Lexus** - Request to rezone 9.07 acres from A-2-10 (General Agriculture) to PD (Planned Development) to allow a new automobile dealership, and as yet unspecified commercial uses at the rear of the property. The property is to be split into 4 parcels sized from 0.18 to 4.67 acres with the auto dealership occupying the largest parcel.

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.

April 18, 2007
Dated _____

A handwritten signature in black ink, appearing to read 'Kirk Ford'.

Kirk Ford
Assistant Director

ATTACHMENTS:

1. Development Standards / Development Schedule
2. Project Area Map (For Illustrative Purposes Only)

3
2

As Amended by the Planning Commission

March 15, 2007

As Amended by the Board of Supervisors

April 17, 2007

DEVELOPMENT STANDARDS

REZONE APPLICATION NO. 2004-11 AND PARCEL MAP APPLICATION NO. 2004-30 VALLEY LEXUS

Department of Public Works

1. The recorded parcel map shall be prepared by a licensed land surveyor or a registered civil engineer.
2. All existing non-public facilities and/or utilities that do not have lawful authority to occupy the road right of way shall be relocated onto private property upon the request of the Department of Public Works.
3. All structures not shown on the tentative parcel map shall be removed prior to the parcel map being recorded.
4. Road right-of-way shall be deeded to Stanislaus County to provide for:
 - A. 62 feet of right-of-way west of the centerline of Mc Henry Avenue, or as required to comply with Caltrans requirements for State Route 108 along the frontages of Parcel "3" and "4";
 - B. 70 feet of right-of-way for the new road extensions of Galaxy Way and Spyres Way as shown on the revised tentative parcel map; and,
 - C. The chord of a 35 foot radius shall be provided at all intersections unless a different standard is required by the City of Modesto or Caltrans.

The right-of-way to be dedicated shall be shown on the final parcel map to be recorded.

5. 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 all road right-of-ways. The P.U.E. shall be shown on the final parcel map.
6. Prior to final inspection and/or occupancy of any structure, street improvements shall be installed consistent with the City of Modesto standards and Caltrans standards (on State Route 108). This shall include the extension of Galaxy Way and Spyres Way, as shown on the revised tentative parcel map, and full frontage improvements along Mc Henry Avenue. More specifically, these improvements shall include, but not be limited to, concrete curb and gutter, sidewalks, street pavement, street lights, drainage facilities, pavement markings, and road signs. A sidewalk shall be installed along all road frontages of Parcel "3" and along the south side of Galaxy Way between Mc Henry Avenue and Spyres Way.
7. The installation of the required sidewalks adjacent to the frontages of Parcel "1" and "2" may be deferred until development of the parcels occur with the property owner signing a Street Improvement Agreement for each parcel. The sidewalks for these parcels shall be required as a condition of building permit issuance when each parcel is developed.

8. A complete set of off-site street improvement plans shall be approved by the City of Modesto, Caltrans (for State Route 108) and the Department of Public Works prior to the parcel map being recorded or prior to the issuance of any building permit, whichever occurs first. National Geodetic survey vertical (elevation) datum shall be used. If available, 1988 datum shall be used.
9. A Grading and Drainage Plan that meets county standards shall be approved by this Department prior to the issuance of any building permit.
10. An erosion control plan shall be included in the improvement plans that provides mitigation measures for erosion and sedimentation control. These measures shall prevent dirt and debris from the project from getting into the road right-of-ways and the drainage system. The plan shall be implemented during all phases of development including, but not limited to, grading and building construction. The plan shall also address long term mitigation measures.
11. All driveway widths and locations shall be approved by the City of Modesto and Stanislaus County Department of Public Works on Galaxy Way and Spyres Way, and by Caltrans on State Route 108.
12. An encroachment permit shall be obtained from the Department of Public Works prior to the start of any road improvements. An encroachment permit shall be obtained from Caltrans for work within State Route 108 (Mc Henry Avenue) right-of-way.
13. Prior to the parcel map being recorded, the subdivider shall enter into a "Subdivision Improvement Agreement" with Stanislaus County and post the required certificates of insurance and acceptable financial guarantees unless all of the required improvements have been accepted by the Board of Supervisors prior to the final parcel map being recorded.
14. An acceptable Engineer's Estimate shall be provided so that the amounts of the bonds or financial guarantees can be provided.
15. Prior to the Department of Public Works doing any plan review or inspections associated with the development, the subdivider shall sign a "Subdivision Processing/Inspection Agreement" and post a \$7,500 deposit with Public Works.
16. In order to mitigate traffic impacts for Parcel "3" (Valley Lexus development), the subdivider shall pay a fair share contribution of \$16,000 for the future signalization of the Galaxy / Mc Henry intersection. The fair share amount for Parcel "3" is 4% of the cost of the future signal (\$400,000 estimate) based on project trip generation, as stated in the "Site Traffic Impact Analysis for Valley Lexus Modesto, California", prepared by KDAnderson & Associates, Inc., revised November 29, 2006.

The developer(s) of Parcels "1" and "2" will be responsible for mitigating traffic impacts by paying their fair share contribution towards the future signalization prior to building permit issuance based on this traffic impact analysis.

17. A Grading Permit shall be obtained from this Department prior to the start of importing, exporting or otherwise moving any dirt.
18. Prior to the approval of the off-site improvement plans, the subdivider shall file a Notice of Intention (NOI) with the California Regional Water Quality Control Board and a Waste Discharge Identification Number must be obtained and provided to the Department of Public Works.
19. All road improvements shall be constructed and accepted by the Stanislaus County Board of Supervisors prior to occupancy and/or final inspection of any building or prior to the recording of the final parcel map, whichever occurs first.
20. There shall be no parking, loading or unloading of vehicles on the roads fronting or within the development. All loading or unloading of vehicles shall be done on private property and not within the county or Caltrans right-of-way. If necessary, no parking signs will be installed at the developer's expense.
21. The subdivider shall furnish the Department of Public Works three copies of a soils report for the area being subdivided. The report shall also include: (a) sufficient R-value test to establish appropriate road sections, and (b) sufficient test to establish the percolation rate for the storm drain system. The report shall be signed by a California registered civil engineer.
22. All existing irrigation lines within the area to be subdivided shall be removed or relocated into easements along lot lines. The irrigation lines shall be reinforced at road crossings and driveways. All irrigation lines or structures which are to be abandoned shall be removed. All work shall be done in accordance with the requirements of the Department of Public Works and the Modesto Irrigation District.
23. All roads shall have a fog seal applied prior to acceptance by Stanislaus County.
24. All street lights shall be installed on steel poles. The subdivider shall deposit the first year's operating and maintenance cost of the street lights with the Department of Public Works prior to the issuance of any building permit or the recording of the final parcel map, whichever occurs first.
25. Prior to the final parcel map being recorded or prior to final and/or occupancy of any building, whichever occurs first, the entire parcel being subdivided shall be annexed to the North Mc Henry Lighting District. The developer shall provide all necessary documents and pay all fees associated with the annexation process.
26. A set of Record Drawings as specified in the County standards and electronically scanned files for each sheet in a PDF format at 300 dpi grayscale resolution shall be provided to and approved by the Department of Public Works prior to acceptance of the road improvements.

27. All parcels shall be surveyed and fully monumented.
28. Stanislaus County will not issue any final inspection and/or Certificate of Occupancy for any structures until all the required road improvements have been completed and accepted by the Stanislaus County Board of Supervisors.

Department of Planning and Community Development

29. This project is to be constructed and operated as described in the application information submitted including submittals modifying the project in accordance with other laws and ordinances. New uses not a part of Valley Lexus, as are listed in Exhibit "H", for Parcels "1" and "2" shall be subject to first obtaining a Staff Approval and also the approval of the City of Modesto.
30. Should the area of Parcels "1" and/or "2" parcels be used for Valley Lexus parking, no Staff Approval is required but the lot must be approved in design, materials, and layout by the County Director of Planning and Community Development. Landscaping and any signs shall comply with Modesto standards.
31. All exterior lighting shall be designed (aimed down and towards the site) to provide adequate illumination without a glare effect.
32. Hours of exterior construction on the site shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Saturday.
33. Construction of the project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District.
34. Trash bins shall be kept in trash enclosures constructed of materials compatible with the architecture of the development. Trash enclosures shall be placed in locations as approved by the refuse collecting agency and the Planning Director.
35. The applicant, or subsequent property owner, shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety. Any dead trees shall be replaced with a similar variety of a 15-gallon size or larger.
36. All businesses operating on-site shall obtain and maintain a valid business license. Application may be made with the Planning Department. (Section 6.04 of the Stanislaus County Ordinance Code)
37. The developer shall pay all applicable Public Facilities Impact Fees and Fire Protection Development/Impact Fees as adopted by Resolution of the Board of Supervisors. For the Public Facilities Impact Fees, the fees shall be based on the Guidelines Concerning the Fee Payment Provisions established by County Ordinance C.S. 824 as approved by the County Board of Supervisors, and shall be payable at the time determined by the Department of Public Works.

38. The applicant 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.
39. Pursuant to Section 404 of the Clean Water Act, prior to construction, the developer shall be responsible for contacting the US Army Corps of Engineers to determine if any "wetlands," "waters of the United States," or other areas under the jurisdiction of the Corps of Engineers are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from the Corps, including all necessary water quality certifications, if necessary. Written evidence of compliance with this condition shall be presented to and deemed satisfactory by the Director of Planning and Community Development prior to issuance of any building permit or recordation of the parcel map, whichever comes first.
40. Pursuant to Section 1600 and 1603 of the California Fish and Game Code, prior to construction, the developer shall be responsible for contacting the California Department of Fish and Game and shall be responsible for obtaining all appropriate stream-bed alteration agreements, permits or authorizations, if necessary. Written evidence of compliance with this condition shall be presented to and deemed satisfactory by the Director of Planning and Community Development prior to issuance of any building permit or recordation of the parcel map, whichever comes first.
41. 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 Pollution Prevention Plan shall be submitted to the Stanislaus County Department of Public Works. Written evidence of compliance with this condition shall be presented to and deemed satisfactory by the Director of Planning and Community Development prior to issuance of any building permit or recordation of the parcel map, whichever comes first.
42. Pursuant to the federal and state Endangered Species Acts, prior to construction, the developer shall be responsible for contacting the US Fish and Wildlife Service and California Department of Fish and Game to determine if any special status plant or animal species are present on the project site, and shall be responsible for obtaining all appropriate permits or authorizations from these agencies, if necessary. Written evidence of compliance with this condition shall be presented to and deemed satisfactory by the Director of Planning and Community Development prior to issuance of any building permit or recordation of the parcel map, whichever comes first.
43. 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.

44. Any required landscaping plan shall be reviewed by the Stanislaus County Agricultural Commissioner's Office prior to installation of any landscaping and include plant species and identification of the plant's origin. Said review is necessary to help stop the spread of the Glassy-winged Sharpshooter, an injurious insect to agriculture, which can enter our County on the leaves of landscape plants.
45. The final landscaping plan, consistent with County Ordinance Section 21.102, and final sign program, indication location size, height and message, shall both be approved by the City of Modesto and the Stanislaus County Director of Planning & Community Development prior to issuance of any building permit.
46. 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.
47. The project site shall install infrastructure on site now to allow connection to sewer service when it becomes available from the City of Modesto.
48. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2007), the applicant is required to pay a Department of Fish and Game filing fee at the time of recording 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 payment to the Department of Planning and Community Development as follows:

An **\$1,800.00** check made payable to "**California Department of Fish and Game**" for the Fish and Game filing fee; and
A **\$57.00** recording fee made payable to "**Stanislaus County Clerk/Recorder**".

Total amount due and payable within 5 days of approval is **\$1,857.00**.

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.

City of Modesto

49. The applicant shall be required to submit Landscape and Irrigation plans, prepared by a Licensed Landscape Architect, to the City of Modesto's Parks, Recreation and Neighborhoods Department for approval. The landscape plan shall meet current City of Modesto landscape standards for commercial parking lots, including a shade tree coverage (appears to need a minimum 22 shade trees in the employees/customer parking area), perimeter wall landscaping (including vines along Claratina frontage) and screen landscaping.

50. City of Modesto Standard 6.07A requires fire hydrant spacing and distribution in non-residential zones to be 300 feet and not to exceed 150 feet from a street frontage to a fire hydrant.
51. Street light locations are to be approved by the City Engineer.
52. Full street improvements shall be constructed in accordance with Modesto standards. All driveways should be constructed ~~and located~~ consistent with City of Modesto requirements.
53. Automatic fire sprinkler systems are required for buildings exceeding 5,000 square feet. Hydrants will be required within 90 feet of a Fire Department Connection. Fire access roads shall be 20 feet wide and capable of supporting a 0-ton fire apparatus.
54. Improvement plans shall be prepared by a California-licensed civil engineer and in accordance with City of Modesto standards.
55. Dedication by parcel map of a 10-foot Public Utility Easement (PUE) and a 6-foot planting Easement within the PUE is required along the street frontage of each lot.
56. The project constructors shall implement pre- and post- construction best management practices (BMP) to minimize pollutants from entering the storm system.

Department of Environmental Resources (DER)

57. On-site wastewater disposal system (OSWDS) shall be by individual primary and secondary wastewater treatment units, operated under conditions and guidelines established by Measure X.
58. The engineered on-site wastewater disposal system design shall be designed for the maximum occupancy of an office building.
59. The OSWDS designed system shall provide 100% expansion area. Any portion of the drainfield of the onsite wastewater installed under pavements is to be doubled.
60. Existing on-site wells and/or septic tanks shall be destroyed under permit from DER in accordance with all laws and policies.

Modesto Irrigation District (MID)

61. In conjunction with related site/road improvement requirements, existing overhead and underground electric facilities *within or adjacent to the proposed project* shall be protected, relocated or removed as required by the District's Electric Engineering Department. Appropriate easements for electric facilities shall be granted as required.
62. Relocation or installation of electric facilities shall conform to the District's Electric Service Rules.

63. Costs for relocation and/or under grounding the District's facilities at the request of others will be borne by the requesting party. Estimates for relocating or under grounding existing facilities will be supplied upon request.
64. MID does not allow construction of buildings over existing high voltage cables.
65. A 15' MID easement is required on Parcel "1" adjacent to the overhead electrical facilities to maintain necessary clearances.
66. A 10' PUE is required along all existing and proposed street frontages.
67. Existing electric service to the individual parcels is not available at this time. Customer should contact the District's Electrical Engineering Department to arrange for electric service to the project. Additional easements may be required with development of this property.
68. There are abandoned irrigation facilities on the applicant's property which must be removed. The pipeline in the parcel north of the applicant's property must be plugged to MID standards.

Department of Transportation (Caltrans)

69. Any work within State right-of-way will require an encroachment permit. The use of California State Highways for other than normal transportation purposes may require written authorization from Caltrans in the form of an encroachment permit. The application must include the environmental document prepared for the project that addresses Caltrans right-of-way. At a minimum, documentation of cultural, biological and hazardous waste studies within Caltrans right-of-way is required.
70. The driveway access on SR 108 / McHenry Avenue should be built to Caltrans Highway Design Manual Standards. Any work within State right-of-way will require an encroachment permit.
71. Fair share fees should be collected towards the future installation of the traffic signal at SR 108/Galaxy Way intersection. (See Public Works Condition # 16).

San Joaquin Valley Air Pollution Control District

72. Project to comply with the following rules from the SJVAPCD:
 - Regulation VIII (Fugitive PM10 Prohibitions)
 - Rule 2010 Permits Required
 - Rule 4002 National Emission Standards for Hazardous Air Pollutants
 - Rule 4102 (Nuisance)
 - Rule 4601 (Architectural Coatings)
 - Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving, & Maintenance operations)
 - Rule 9510 Indirect Source Review

Department of Environmental Resources - Hazardous Materials Division

73. Applicant should contact the Department of Environmental Resources regarding appropriate permitting requirements for hazardous materials and/or wastes. Applicant and/or occupants handling hazardous materials or generating hazardous wastes must notify the Department of Environmental Resources relative to the following: (Calif. H&S Division 20)
- A. Permits for the underground storage of hazardous substances at new or the modification of an existing tank facilities.
 - B. Requirements for registering as a handler of hazardous materials in the County.
 - C. Submittal of a Hazardous Materials Business Plan (HMBP) by handlers of materials in excess of 55 gallons or 500 pounds of a hazardous material or of 200 cubic feet of compressed gas.
 - D. Generators of hazardous waste must notify the Department relative to the: (1) quantities of waste generated; (2) plans for reducing wastes generated; and (3) proposed waste disposal practices.
 - E. Permits for the treatment of hazardous waste on-site will be required from the Hazardous Materials Division.
 - F. Handling of hazardous materials may require preparation of a Risk Management Program, which must be implemented prior to operation of the facility. The list of acutely hazardous materials can be found in SARA, Title III, Section 302.

Building Permit Division

74. The proposed development shall comply with current adopted Title 24 Building Codes.

Salida Fire Protection District / Stanislaus Fire Prevention Bureau

75. This project will be subject to CEQA Fire Service Impact Mitigation Fees as adopted by the District board of Directors and currently in place at the time of issuance of construction permits.
76. All buildings constructed shall meet the District's requirements for on-site water for fire protection and/or fire hydrants and hydrant locations, blue reflective street hydrant markers, sprinkler and alarms systems, key-box rapid entry systems, adherence to all applicable codes and ordinances, etc.
77. All buildings of 5,000 square feet and greater shall be required to have fire sprinklers.
78. The project shall meet fire apparatus access standards. Two ingress/egress accesses meeting the requirements listed within the California Fire Code, Section 902.

REZ 2004-11 & PM 2004-30
Development Standards
March 15, 2007
Page 10

As Amended by the Planning Commission

March 15, 2007

As Amended by the Board of Supervisors

April 17, 2007

79. All traffic signals installed and/or retrofitted due to proposed project shall meet the District's requirements listed within the California Fire Code, Section 902.
80. Prior to, and during, combustible construction, the District shall approve provisions for serviceable fire vehicle access and fire protection water supplies.

Stanislaus County Environmental Review Committee (ERC)

All ERC requirements are listed in these Development Standards under the individual agencies which requested them.

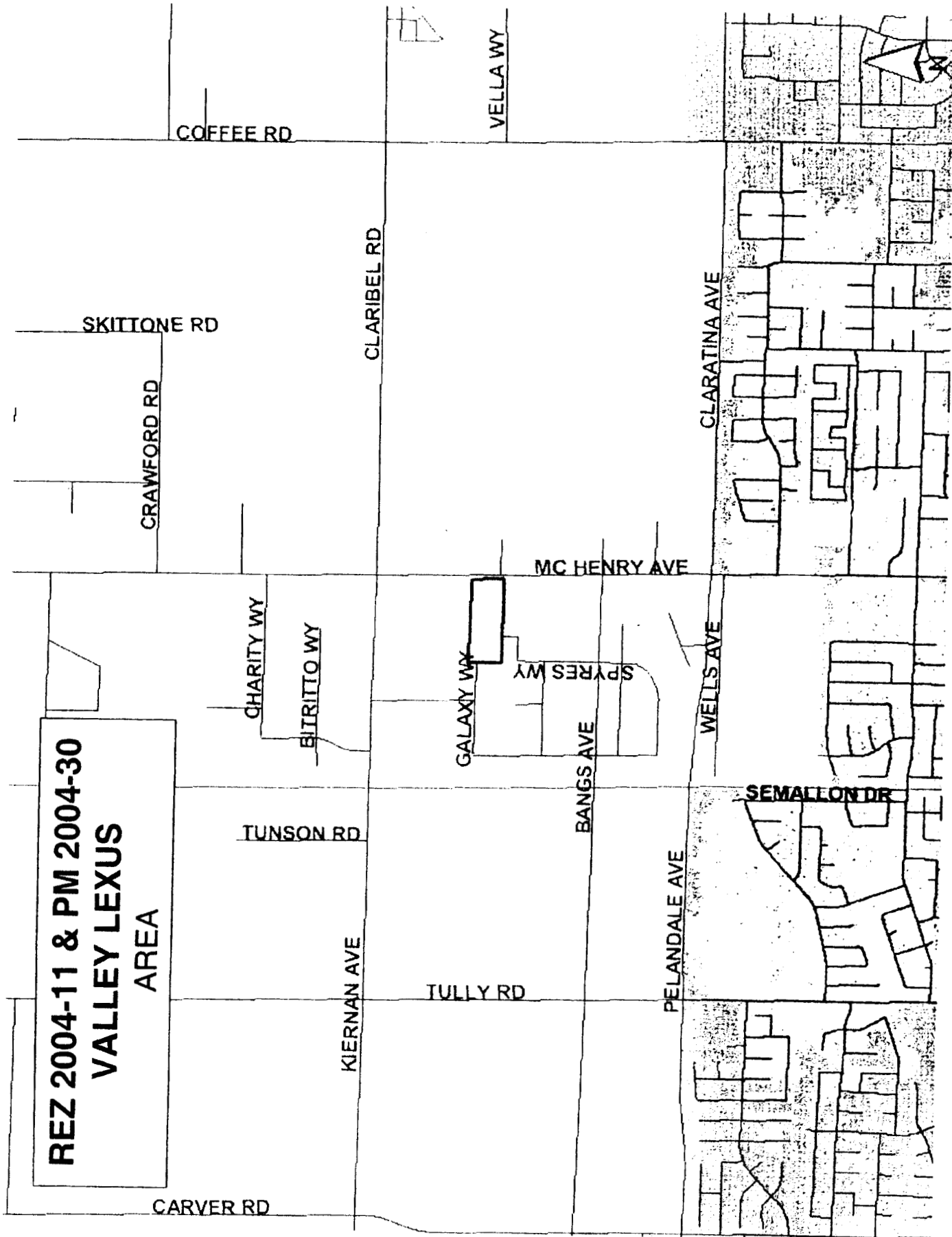
*Please note: If Conditions of Approval/Development Standards are amended by the Planning Commission or Board of Supervisors, such amendments will be noted in the upper right hand corner of the Conditions of Approval/Development Standards, new wording is in **bold**, and deleted wording will have a ~~line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

As Amended by the Board of Supervisors
April 17, 2007

DEVELOPMENT SCHEDULE

REZONE APPLICATION NO. 2004-11 VALLEY LEXUS

- ~~1. Construction of the automobile agency portion of the project to begin construction by February 1, 2008 and be completed within one year.~~
- ~~2. Construction on the Parcel "1" and "2" portion of the project to begin construction by February 1, 2009 and be completed within one year.~~
- 1. Construction of the automobile agency portion of the project to begin construction by February 1, 2009 and be completed within one year.**
- 2. Construction on "Parcel "1" and "2" portion of the project to begin construction by February 1, 2010 and be completed within one year.**



**REZ 2004-11 & PM 2004-30
VALLEY LEXUS
AREA**