

December 5, 2024

MEMO TO: Stanislaus County Planning Commission

FROM: Department of Planning and Community Development

**SUBJECT: TIME EXTENSION FOR VESTING TENTATIVE MAP NO. PLN2020-0120 –
ISSACO ESTATES**

PROJECT DESCRIPTION

This is a request for a one-year time extension to extend the life of the subject vesting tentative map. The subject project allows for the subdividing of four parcels totaling 3.1± acres into eleven lots of at least 8,000 square feet each in the Rural Residential (R-A) zoning district. The project site is located at 3317 and 3331 Story Road, between East Monte Vista Avenue and Kristi Drive, in the Community of Denair. The project was approved by the Planning Commission on September 16, 2021, and was accepted by the Board of Supervisors on September 28, 2021. The Board Report for the approved project can be found at the following web address: <https://www.stancounty.com/bos/agenda/2021/20210928/D01.pdf>.

DISCUSSION

On September 16, 2024, Sam David, the project applicant, submitted a request for a one-year time extension to record the approved tentative map (see Attachment A – *Applicant's Time Extension Request, received September 16, 2024*). The extension will provide the additional time needed for the applicant to fulfill conditions of approval needed for recording of the final map. The proposed time extension was referred out to relevant agencies, including those agencies that requested development standards be placed on the approved project; however, no responses expressing opposition to the extension were received.

In accordance with Section 20.40.010 – Filing Time Limit, of the Stanislaus County Subdivision Ordinance, final maps for a tentative map shall be filed for recording within 24 months after conditional approval or in conjunction with any extension provided by state law; however, upon written application by the subdivider, filed prior to the expiration time limit, the Planning Commission may extend the time limit for filing the final map for a period not to exceed an additional 12 months from the date of approval. State law allows the local jurisdiction discretion to extend the life of a map for a period not to exceed six years. The Planning Commission approved a previous 12-month time extension for the subject tentative map on November 2, 2023, extending the life of the map to September 28, 2024. As requested, approval of this time extension request would extend the life of the map for an additional 12 months, until September 28, 2025. If approved, the map could be extended for an additional four years.

ENVIRONMENTAL REVIEW

Under California law, a request for time extension of a project that previously was subject to review under the California Environmental Quality Act (CEQA) may be exempt from CEQA or may be evaluated under the provisions that may trigger subsequent or supplemental CEQA review (under Public Resources Code Section 21166 and CEQA Guidelines Section 15162). A Negative Declaration was adopted for this project on September 28, 2021. In order to trigger additional review when the project was previously approved with a Negative Declaration, a new significant environmental effect not previously evaluated must be identified. No new significant environmental effects have been identified and accordingly additional environmental review is not required for approval of the time extension (see Attachment C – *Environmental Review Referrals*).

RECOMMENDATION

1. Find there is no evidence of any significant changes involving this project since the time it was originally approved, which could trigger a significant environmental effect.
2. Grant a one-year time extension allowing for the final map to be recorded no later than September 28, 2025, with all approved Conditions of Approval remaining in effect.

PROPERTY OWNER AND REPRESENTATIVE INFORMATION

Applicant: Sam David, Solaria Technologies, LLC
Property Owner: Solaria Technologies, LLC
Agent: Jim Freitas, Associated Engineering

Contact Person: Emily DeAnda, Associate Planner, (209) 525-6330

Attachments:
Attachment A - Applicant's Time Extension Request, received September 16, 2024
Attachment B - Conditions of Approval for Vesting Tentative Subdivision Map No. PLN2020-0120 – Issaco Estates
Attachment C - Environmental Review Referrals
Attachment D - Levine Act Disclosure Statement

9/16/2024

To Whom it may concern,

I would like to extend the map recording on Issaco Estates in Denair, CA (Story Rd.) to complete the requirements.

Thank you,



Sam David

CONDITIONS OF APPROVAL

VESTING TENTATIVE SUBDIVISION MAP APPLICATION NO. PLN2020-0120 ISSACO ESTATES

Department of Planning and Community Development

1. Pursuant to Section 711.4 of the California Fish and Game Code (effective January 1, 2020), 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 **\$2,537.25**, 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 **December 3, 2020**.
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. 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.
5. 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.
6. The recorded parcel map shall contain the following statement:

"All persons purchasing lots within the boundaries of this approved map should be prepared to accept the inconveniences associated with the agricultural operations, such as noise, odors, flies, dust, or fumes. Stanislaus County has determined that such inconveniences shall not be considered to be a nuisance if agricultural operations are consistent with accepted customs and standards."

7. A final landscaping plan, including a tree planting plan and landscaping west of the masonry block wall shall be approved by the Director of Planning and Community Development or his/her designee prior to the recording of the final map. The Parks and Recreation Department shall be consulted prior to approval of the final landscape plan. The final landscaping plan shall meet all requirements of State or Local Ordinance and all requirements of California Code of Regulations Title 23 Division 2, Chapter 2.7. Model Water Efficient Landscape Ordinance. The trees associated with the tree planting plan shall be planted prior to the issuance of any certificate of occupancy for a dwelling.

Department of Public Works

8. The final map shall be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying in California.
9. Prior to the final map being recorded, all existing structures not shown on the tentative map shall be removed.
10. Prior to the recording of the final map, the new parcels shall be surveyed and fully monumented.
11. Prior to recording of the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 50-feet of right-of-way for Norman Court.
12. Prior to recording of the final map, road right-of-way shall be dedicated to Stanislaus County to provide for a 30-foot half width west of the centerline of Story Road. The existing half width of Story Road is 25 feet wide.
13. Prior to recording of the final map, road right-of-way shall be dedicated to Stanislaus County to provide for 85 feet on Santa Fe Avenue east and north of the Burlington Northern and Santa Fe Railroad right-of-way. The existing right-of-way of Santa Fe Avenue is 50 feet wide.
14. 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 streetlights, curb, gutter, and sidewalk, positive storm drainage (storage, percolation, and treatment), pavement, pavement markings, road signs, and handicap ramps. A positive storm drainage system, conforming to County standards, shall be installed. Prior to, or in tandem with submission of the improvement plans, 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, (b) should include slope stability, (c) backfill recommendations, (d) retaining wall recommendations, (e) cut/fill transitions, and (f) sufficient test boring to log the soil strata, determine the static water level, and the percolation rate of the infiltration gallery. The boring shall be made at the location of the proposed storm drain infiltration gallery. The report shall be signed by a California registered civil engineer or registered geotechnical engineer.
15. An Engineer's Estimate shall be provided for the subdivision improvements so the amount of the bond/financial security can be determined if a Subdivision Improvement Agreement

- is required. The Engineer's Estimate shall be stamped and signed by a licensed civil engineer.
16. 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 with the Department of Public Works; or
 - b. Construct all subdivision improvements and have the improvements accepted by the Stanislaus County Board of Supervisors.
 17. Street improvements on Santa Fe Avenue, Norman Court, and Story Road, shall be consistent with the vesting tentative map and the accepted improvement plans.
 18. Prior to any plan review or inspections associated with the development, the subdivider shall sign a "Subdivision Processing/Inspection Agreement" and post a \$10,000 deposit with Public Works.
 19. A grading, drainage, and erosion/sediment control plan for the project site shall be submitted for any building permit that will create a larger or smaller building footprint. The grading and drainage plan shall include the following information:
 - a. The plan shall contain drainage calculations and enough information to verify that runoff from project will not flow onto adjacent properties and Stanislaus County road right-of-way, except for the storm drain infiltration gallery proposed for Santa Fe Avenue. Public Works will review and approve the drainage calculations.
 - b. For projects greater than one acre in size, the grading drainage and erosion/sediment control plan shall comply with the current State of California National Pollutant Discharge Elimination System (NPDES) General Construction Permit. A Waste Discharge Identification Number (WDID) and a copy of the Notice of Intent (NOI) and the project's Storm Water Pollution Prevention Plan (SWPPP) shall be provided prior to the approval of any grading, if applicable.
 - c. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for review of the grading plan.
 - d. The applicant of the grading permit shall pay the current Stanislaus County Public Works weighted labor rate for all on-site inspections. The Public Works inspector shall be contacted 48 hours prior to the commencement of any grading or drainage work on-site.
 - e. The storm drain infiltration gallery proposed for Santa Fe Avenue shall be designed for H-20 traffic loading.
 20. 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.

21. 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 Norman Court and Story Road. The P.U.E. shall be shown on the final map.
22. An Encroachment Permit shall be obtained for any work done in Stanislaus County road right-of-way.
23. All public roads shall have a fog seal applied prior to the end of the one-year maintenance period and final acceptance by Stanislaus County.
24. 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 requirement of the Department of Public Works and the Turlock Irrigation District. If a private irrigation line crossed public road right-of-way, a Road Maintenance Agreement shall be taken out with the Department of Public Works.
25. All streetlights shall be installed in compliance with County Public Works Standards and Specifications.
26. Prior to the final map being recorded, the subdivider shall deposit the first year's operating and maintenance cost of the streetlights with the Department of Public Works. Since the project already falls into the Denair Lighting District, the funds shall be deposited into that account.
27. Prior to recording of the final map, a final design for an 8-foot-high masonry block wall along Santa Fe Avenue frontage, and a landscaping plan for landscaping along the west side of the masonry block wall, shall be approved by the Department of Public Works and by the Director of Planning and Community Development or his/her designee. The Parks and Recreation Department shall be consulted prior to approval of the final landscape plan.
28. Prior to recording of the final map, a county service area (CSA) shall be formed to provide funds to ensure future maintenance and eventual replacement of the storm drainage system, block wall, and any landscaped areas. The developer shall provide all necessary documents and pay all fees associated with the formation of the CSA. As part of the formation, a formula or method for the calculation of the annual assessment shall be approved.
29. 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.
30. Prior to 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. North American Vertical Datum shall be used. If available, 1988 data shall be used.

31. Prior to acceptance of the improvements, street monuments and covers shall be installed to County standards.
32. The required subdivision improvements shall be accepted by the Board of Supervisors. No final inspection and/or occupancy permit will be issued unless the required subdivision improvements have been accepted by the Board of Supervisors.

Department of Environmental Resources

33. Prior to final of any building permit, if an existing onsite wastewater treatment system (OWTS) or water well is encountered, the applicant shall contact the Department of Environmental Resources for guidance, and submit for, and secure any required permits for the destruction of any existing OWTS or water well on the subject properties.
34. Prior to recording of the final map, a current Will-Serve letter is required to be provided from the Denair Community Services District for water and sewer services to serve the development.

Building Permits Division

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

Department of Parks and Recreation

36. Park in-lieu fees will be required prior to the issuance of any building permit for a dwelling at a rate of \$2,050.00 per single-family dwelling unit.

Denair Community Services District

37. The owner/developer shall enter into an Agreement to construct and pay for necessary infrastructure to enable the District to provide water and sewer services to the project. The Agreement will require the infrastructure be constructed to District specifications, and that security be given to the District to guarantee performance and payment for the infrastructure, and that all current connection fees be paid in full prior to issuance of a formal Will-Serve letter.

Turlock Irrigation District

38. The District shall review and approve all maps and plans on the project. Any improvements to the subdivision which impact irrigation facilities shall be subject to the District's approval and shall meet all District standards and specifications.
39. The applicant shall provide irrigation improvement plans and enter into an Irrigation Improvements Agreement for any required irrigation facility modification. There is a District Board approved time and material fee associated with this review.
40. There is an existing 30" diameter irrigation pipeline located parallel to, and approximately 15 feet south of proposed Lot 1. This pipe flows into the north-south concrete lined ditch located within the proposed project, which runs through proposed Lot 1 and 2. The southern portion of the ditch along the west boundary of proposed Lot 1 is currently being

utilized by the adjacent parcel (APN 024-025-004) to deliver irrigation water westerly from the ditch through small distribution pipes that flow into the adjacent pasture. While this concrete lined ditch must be removed in its entirety within the limits of the subdivision, the developer will be responsible for modifying and extending the 30" pipeline westerly to restore irrigation service to the pasture.

41. Work on irrigation facilities can only be performed during the non-irrigation season.
42. 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.
43. A 10-foot Public Utility Easement must be dedicated along all street frontages.
44. The owner/developer must apply for a facility change for any pole or electrical facility relocation. Facility changes are performed at developer's expense.
45. The front building setback is to be a minimum of 15-feet from the property line and a minimum of 15-feet from the back-of-sidewalk to enable the safe placement of utilities.
46. All improvements required by the Turlock Irrigation District shall be accepted prior to recording of the final map, and shall be completed in tandem with other required subdivision improvements.

San Joaquin Valley Air Pollution Control District

47. 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.
48. Any construction resulting from this project shall comply with standardized dust controls adopted by the San Joaquin Valley Air Pollution Control District (SJVAPCD) and may be subject to additional regulations/permits, as determined by the SJVAPCD.

Central Valley Regional Water Quality Control Board

49. Prior to ground disturbance or issuance of a grading or building permit, the Central Valley Regional Quality Control Board shall be consulted to obtain any necessary permits and to implement any necessary measures, including but not limited to Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permits, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Permit (Water Quality Certification), Waste Discharge Requirements, Low or Limited Threat General NPDES Permit, and any other applicable Regional Water Quality Control Board permit.

*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~~.*

SUMMARY OF RESPONSES FOR ENVIRONMENTAL REVIEW REFERRALS

PROJECT: TE FOR VTM APPLICATION NO. PLN2020-0120 - ISSACO ESTATES

REFERRED TO:			RESPONDED		RESPONSE			MITIGATION MEASURES		CONDITIONS	
	2 WK	PUBLIC HEARING NOTICE	YES	NO	WILL NOT HAVE SIGNIFICANT IMPACT	MAY HAVE SIGNIFICANT IMPACT	NO COMMENT NON CEQA	YES	NO	YES	NO
COMMUNITY SERVICES DIST: DENAIR	X	X	X				X		X		X
CA RWQCB CENTRAL VALLEY REGION	X	X		X							
IRRIGATION DIST: TURLOCK	X	X		X							
SAN JOAQUIN VALLEY APCD	X	X		X							
STAN CO BUILDING PERMITS DIVISION	X	X		X							
STAN CO DER	X	X	X		X				X	X	
STAN CO PARKS AND RECREATION	X	X		X							
STAN CO PUBLIC WORKS	X	X		X							
STAN CO PUBLIC WORKS - SURVEY	X	X		X							
SURROUNDING LAND OWNERS		X		X							

**COUNTY OF STANISLAUS CAMPAIGN CONTRIBUTION DISCLOSURE FORM
PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

Application Number: _____
Application Title: Issaco Estates
Application Address: _____
Application APN: _____

Was a campaign contribution, regardless of the dollar amount, made to any member of a decision-making body involved in making a determination regarding the above application (i.e. Stanislaus County Board of Supervisors, Planning Commission, Airport Land Use Commission, or Building Code Appeals Board), hereinafter referred to as Member, during the 12-month period preceding the filing of the application, by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist?

Yes No

If no, please sign and date below.

If yes, please provide the following information:

Applicant's Name: _____
Contributor or Contributor Firm's Name: _____
Contributor or Contributor Firm's Address: _____

Is the Contributor:

The Applicant	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
The Property Owner	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
The Subcontractor	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
The Applicant's Agent/ Lobbyist	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Note: Under California law as implemented by the Fair Political Practices Commission, campaign contributions made by the Applicant and the Applicant's agent/lobbyist who is representing the Applicant in this application or solicitation must be aggregated together to determine the total campaign contribution made by the Applicant.

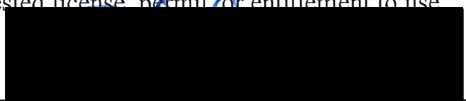
Identify the Member(s) to whom you, the property owner, your subcontractors, and/or agent/lobbyist made campaign contributions during the 12-month period preceding the filing of the application, the name of the contributor, the dates of contribution(s) and dollar amount of the contribution. Each date must include the exact month, day, and year of the contribution.

Name of Member: N/A
Name of Contributor: _____
Date(s) of Contribution(s): _____
Amount(s): _____

(Please add an additional sheet(s) to identify additional Member(s) to whom you, the property owner, your subconsultants, and/or agent/lobbyist made campaign contributions)

By signing below, I certify that the statements made herein are true and correct. I also agree to disclose to the County any future contributions made to Member(s) by the applicant, property owner, or, if applicable, any of the applicant's proposed subcontractors or the applicant's agent or lobbyist after the date of signing this disclosure form, and within 12 months following the approval, renewal, or extension of the requested license, permit or entitlement to use

11/19/2024
Date


Signature of Applicant

Print Firm Name if applicable

Sam David
Print Name of Applicant