

Amended Conditions of Approval  
(TM14-07/P16-0290)

1. Comply with all applicable Federal, State, County and City codes, regulations and adopted standards and pay all applicable fees.
2. Comply with all requirements of TM46-04 and, pursuant to Section 15164 of the State CEQA Guidelines, the project shall be subject to all applicable mitigation measures identified in the approved Addendum/ Initial Study (IS6-07) to previously-certified SEIR1-05 for the project and in the City-adopted "Findings and Mitigation Monitoring/ Reporting Program for the Destinations Unit 4 Tentative Map and Planned Development Permit Project."
3. The owners, developers and/or successors-in-interest (ODS) shall be responsible for the establishment of CC&Rs for the maintenance of landscaping, structures and walls/fences on the private properties and common areas within the subdivision area. The CC&Rs shall be subject to review and approval by the City Attorney and the Community Development Director prior to their recordation. The ODS shall be responsible for recordation of the CC&Rs and payment of recording expenses prior to or in conjunction with the recordation of any Final Map for this subdivision. The City shall be declared to be a third-party beneficiary of the CC&Rs and shall be entitled, without obligation, to take appropriate legal action to enforce the CC&Rs.
4. Any significant modifications to the final design plans for single-family residences and proposed masonry walls constructed within the project site shall be subject to review and approval by the Community Development Director for consistency with the approved by the Community Development Director for consistency with the approved PD4-07 and the City wide Design Guidelines prior to the issuance of any building permit in the subdivision area.
5. In order to minimize any adverse financial impact on the COS associated with the development and/or use of the subject site, the ODS agrees that it will not challenge or protest any applicable fees associated with the development of the site, but if such fees are amended or modified, the ODS agrees to pay such fees as they may be amended or modified from time to time.
6. The ODS shall be responsible for the City's legal and administrative costs associated with defending any legal challenge of the approvals for this project or its related environmental document.
7. All walls/fences, private street system, open space area and landscaping within the subdivision area shall be maintained by a homeowners' association. If the homeowners' association defaults, the City reserves the right to form a mandatory maintenance district.
8. Prior to recordation of any Final Map, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2, and approve an assessment

providing for the subdivision's proportionate share of the costs to maintain any public parks within the service area for this subdivision or serving this subdivision. The ODS may request to annex to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2 provided the subdivision is within the service area of a park for which a zone of the Stockton Consolidated Landscape Maintenance District 96-2 has already been formed.

9. Prior to recordation of any Final Map, the ODS shall form a new zone of the Stockton Consolidated Landscape Maintenance District 96-2 that includes the entire subdivision. The entire subdivision may be considered for annexation to an existing zone of the Stockton Consolidated Landscape Maintenance District 96-2, provided the type, intensity and amount of the improvements to be maintained are similar to improvements in the zone to which annexation is proposed. Formation/annexation shall result in an assessment being approved that shall be levied on all properties in the subdivision to ensure that all property owners pay their proportionate share of the costs of maintaining, in perpetuity, and if necessary replacement at the end of the useful life of improvements including but not limited to publicly accessible common area landscaping, landscaping in the right-of-way, landscape medians and all "improvements" serving or for the special benefit of this subdivision.
10. All landscaped areas on the site shall comply with applicable requirements of the Stockton Municipal Code. Landscaping and irrigation plans for the entire subdivision area and public streets shall be submitted to the Community Development Department, Planning Division, for review and approval by the Community Development Director and the City Landscape Architect prior to the issuance of any residential building permits. Landscaped areas, including a timed/automatic irrigation system, shall be installed at the time the masonry walls along public streets are constructed and be maintained by the homeowners' association.
11. All walls shall be located on private property and a separate maintenance easement shall be recorded for such walls. Such easement shall be sufficient to allow for regular maintenance (i.e. graffiti removal) and shall include the width of the support footing as it extends from both sides of the wall.
12. Any on-site wells and septic tanks shall be abandoned and destroyed prior to recordation of any final map. Standard for abandonment and destruction shall be as required by San Joaquin County Department of Environmental Health.
13. The ODS must participate in the establishment of a maintenance entity, prior to the recordation of a Final Map, acceptable to the City to provide funding for the operation, maintenance, and replacement costs of the non-potable water system.
14. The ODS must execute a Maintenance Agreement with the City prior to the recordation of a Final Map. The ODS must remain the responsible party to provide funding for the operation, maintenance, and replacement costs of the proposed treatment devices for Eight Mile Road.

15. Design and install a 12-inch waterline and appropriately-sized storm drainage along the project's frontage on Eight Mile Road.
16. To comply with SB5 200-year floodplain requirements, the building pads of all new residential dwelling units shall be constructed to an elevation of no lower than three feet below the elevation of the projected 200-year floodplain as determined by the City.

In addition, the following information is provided to the ODS for inclusion in the design and layout of the project, as applicable and warranted:

1. A soils report shall be required prior to the issuance of a building permit.
2. All existing overhead utility distribution facilities shall be placed underground in accordance with Stockton Development Code, Section 16-355.240. Any relocation or under-grounding of existing overhead utility lines will be at the property owner's expense. Any existing overhead utility lines shall be shown on the map.
3. The installation of any above ground utility structures within the City right-of-way is subject to City approval.
4. City of Stockton Standard Plan and Specifications require looped water systems or two points of connection for developments of 25 units or more. Water connection on Olive Grove Drive is one connection, and a second connection is required from Eight Mile Road.
5. Per Stockton Municipal Code Section 16-630.030, a tentative map shall include public utility easements. Identify on the tentative map the public utility easements for the domestic water and sanitary sewer within private streets.
6. Identify the point of connection to the City's storm drainage utility system on Olive Grove Drive.
7. The property owner is required to file a Notice of Intent (NOI) with the State Water Resources Control Board prior to commencement of construction activity. Upon receipt of the completed NOI the property owner will be sent a receipt letter containing the Waste Discharger's Identification Number (WDID). The City requires Waste Discharger's Identification Number (WDID) from the State of California Water Resources Control Board to be submitted prior to issuance of a Grading Permit or plan approval. An Erosion Control plan is also required to be incorporated into the

project plans and/or grading plans prior to approval. The SWPPP is required to be available on site.

8. This project must comply with the Stockton Municipal Code regarding the Storm Water Quality Control Criteria Plan and as outlined in the City's Phase 1 Storm Water NPDES permit issued by the California Water Quality Control Board, Central Valley Region as those documents may be modified from time to time. The ODS must create a zone within the Stockton Consolidated Storm Drainage Maintenance Assessment District No. 2005-1, prior to the recordation of a Final Map, to provide funding for the operation, maintenance, and replacement costs of the storm water best management practices. In addition, the ODS shall be responsible for the costs of forming the Assessment District, including, but not limited to, the City-selected Assessment District Council, Engineer's Report, Proposition 218 vote, and noticing requirements.
9. The ODS shall comply with any and all requirements, and pay all associated fees, as required by the City's Storm Water Pollution Prevention Program as set forth in its NPDES Storm Water Permit.
10. The ODS should coordinate with PG&E early in the development of their project plans to promote the safe and reliable maintenance and operation of existing utility facilities. Any proposed development plans should provide for unrestricted utility access and prevent interference with PG&E easements.
11. The installation of new gas and electric facilities and/or the relocation of existing PG&E facilities will be performed in accordance with common law or rules and tariffs as authorized by the California Public Utilities Commission.
12. No vegetation shall be planted on bicycle/pedestrian paths built or any other alteration shall be allowed on the right-of-way without a permit to do so from the State Reclamation Board on project channels or a permit from San Joaquin County Flood Maintenance on non-project channels.

**Note:** It is suggested that the following measures be considered during on-site construction:

During construction:

1. A licensed, uniformed security guard should be present during the evening hours on weekdays (Monday through Friday), and 24 hours per day on weekends and holidays, when the developer is not on site.
2. The entire area must be fenced and inaccessible to the public after hours, and on weekends and holidays until residents begin occupying the new homes. The fence should be well-maintained as needed during the project.
3. The entire area must be well lighted throughout the night, every night, so as to clearly illuminate the majority of the lots and the entire street within the

project area.

4. Appliances, such as stoves, microwaves, refrigerators, etc., should not be installed until the day a new owner completes the final walkthrough of the residence. If installed earlier, the residence must remain securely locked after hours and on weekends and holidays.
5. Cabinetry and other valuable items should be kept off site prior to installation. Once installed, the residence must be securely locked.

After Construction:

6. Installation of security cameras with recording capability is recommended for access points, as well as the exterior and interior of the project.