



# City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

Donald Rust  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

---

## City of Oroville PLANNING COMMISSION

CHAIR: Damon Robison  
VICE-CHAIR: Carl Durling  
MEMBERS: Adonna Brand; Randy Chapman; Wyatt Jenkins; Michael Britton; Justin McDavitt

---

## SPECIAL PLANNING COMMISSION MEETING AGENDA

Thursday, March 16, 2017 at 7:00 p.m.  
MEETING AGENDA

OROVILLE CITY HALL  
1735 MONTGOMERY STREET, OROVILLE, CA 95965  
ALL MEETINGS ARE RECORDED

*This meeting may be broadcast remotely via audio and/or video conference at the following address:  
Cota Cole, LLP, 2261 Lava Ridge Court, Roseville, California 95661.*

---

### ADMINISTRATIVE AGENDA

---

1. CALL TO ORDER

2. ROLL CALL

Commissioners Adonna Brand, Michael Britton, Randy Chapman, Wyatt Jenkins, Justin McDavitt, Vice Chairperson Carl Durling, Chairperson Damon Robison

3. PLEDGE OF ALLEGIANCE

4. INSTRUCTIONS TO INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the Chairperson will remind persons in the audience who wish to address the Commission on a matter that is on the agenda to fill out one of the cards located in the lobby and hand it to the clerk of the meeting. The

Chairperson will also remind persons in the audience that under Government Code Section 54954.3, the time allotted for each presentation may be limited.

5. **PUBLIC COMMENTS**

This is an opportunity for members of the public to address the Planning Commission on any subject relating to the Planning Commission, but not relative to items on the present agenda. The Planning Commission reserves the right to impose a reasonable limit on time afforded to any individual speaker.

6. **CORRESPONDENCE**

None

7. **APPROVAL OF MINUTES**

Approve the minutes of the January 26, 2017 regular Planning Commission meeting.

---

**REGULAR AGENDA**

---

8. **PUBLIC HEARINGS**

- 8.1 **ZC 17-01: Expansion of Existing Medical Marijuana Land Use Regulations to Apply to Recreational and Medical Marijuana** – The Oroville Planning Commission will conduct a public hearing to review and consider forwarding a recommendation to the Oroville City Council to amend Chapter 17 of the Oroville Municipal Code (Zoning Ordinance) to expand the existing land use regulations regarding medical marijuana to apply to recreational and medical marijuana.

Staff Report: Luis A. Topete, Associate Planner

**Staff Recommendation:**

**Adopt Resolution No. P2017-05** – A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FORWARDING A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT AMENDMENTS TO TITLE 17 OF THE OROVILLE MUNICIPAL CODE TO EXPAND EXISTING LAND USE REGULATIONS REGARDING MEDICAL MARIJUANA TO APPLY TO RECREATIONAL AND MEDICAL MARIJUANA

- 8.2 **UP 17-03: Temporary Fire Station Barracks and Apparatus Bay** –The Oroville Planning Commission will review and consider approving Use Permit No. 17-03 for Butte County Department of General Services to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of

General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code.

Staff Report: Luis A. Topete, Associate Planner

**Staff Recommendation:**

**Adopt Resolution No. P2017-06** – A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 17-03 FOR TEMPORARY FIRE STATION BARRACKS AND APPARTUS BAY TO BE LOCATED AT 2279 DEL ORO AVENUE (APN: 031-040-039) UNTIL CONSTRUCTION OF FIRE STATION 63 IS COMPLETE

**9. REGULAR BUSINESS**

- 9.1 TSM 05-11 (Nelson 56): Two Year Extension** – The Oroville Planning Commission will review and consider approving a two-year extension to Tentative Subdivision Map No. 05-11, also known as Nelson 56.

Staff Report: Luis A. Topete, Associate Planner

**Staff Recommendation:**

**Adopt Resolution No. P2017-04** – A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A TWO YEAR EXTENSION TO TENTATIVE SUBDIVISION MAP NO. 05-11, ALSO KNOWN AS NELSON 56

- 9.2 Planning Commission Review of Public Works Projects** - The Oroville Planning Commission will review and consider sending a recommendation to the City Council for the Planning Commission to review and comment on certain public works projects.

Staff Report: Luis A. Topete, Associate Planner

**Staff Recommendation:**

Provide staff direction.

**10. DISCUSSION ITEMS**

None

**11. DIRECTOR'S REPORT**

A verbal report may be given by the Community Development Director.

**12. COMMISSION REPORTS**

Reports by commission members on information they have received and meetings they have attended which would be of interest to the Commission or the public.

**13. ADJOURNMENT**

Adjourn to Thursday, April 27, 2017 at 7:00 P.M. in the Oroville City Council Chambers.

Respectfully submitted by,



Donald Rust, Director  
Community Development Department

**\*\*\* NOTICE \*\*\***

*If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact Donald Rust, Director for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should telephone or otherwise contact Donald Rust, Director as soon as possible and preferably at least 24 hours prior to the meeting. Donald Rust, Director may be reached at 530-538-2433, or at e-mail [rustdl@cityoforoville.org](mailto:rustdl@cityoforoville.org), or at the following address: City of Oroville Planning and Development Services Department, 1735 Montgomery Street, Oroville, CA 95965.*

**\*\*\* NOTICE \*\*\***

*Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the City Council by filing with the Zoning Administrator within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the City of Oroville must be submitted at the time of filing. The Oroville City Council may sustain, modify or overrule this decision.*



**CITY OF OROVILLE  
PLANNING COMMISSION MEETING MINUTES  
JANUAR 26, 2017 – 7:00 PM**

---

These minutes detail the action which was taken related to each particular agenda item and do not reflect any discussion that may have occurred. For information regarding what was discussed related to a particular item, if anything, you can obtain a copy of the audio recording for this meeting by sending an email to [cityclerk@cityoforoville.org](mailto:cityclerk@cityoforoville.org) or by calling the Clerk's office at 530-538-2535.

---

The agenda for the January 26, 2017 meeting of the Oroville Planning Commission was posted on the bulletin board at the front of City Hall and in the City Council Chambers, and on the City of Oroville's website located at [www.cityoforoville.org](http://www.cityoforoville.org), on Monday, January 23, 2016, at 10:15 a.m.

---

## **ADMINISTRATIVE AGENDA**

---

### **1. SPECIAL BUSINESS**

#### **Oath of Office for New Planning Commissioner**

Damon Robison, Planning Commission Chairperson, administered the oath of office for the new Planning Commissioner Justin Shane McDavitt.

### **2. CALL TO ORDER**

The January 26, 2017 meeting of the Oroville Planning Commission was called to order by Chairperson Robison at 7:05 p.m.

### **3. ROLL CALL**

Present: Commissioners Britton, Jenkins, McDavitt, Chairperson Robison

Absent: Commissioner Brand (e), Chapman (e), Vice Chairperson Durling (e)

#### **Staff Present:**

---

Donald Rust, Acting City Administrator  
Dawn Nevers, Assistant Planner

Luis Topete, Associate Planner

---

### **4. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairperson Robison.

### **5. RECOGNITION OF INDIVIDUALS WISHING TO SPEAK ON AGENDA ITEMS - None**

### **6. PUBLIC COMMENT - None**

7. **CORRESPONDENCE** - None

8. **APPROVAL OF MINUTES**

A motion was made by Commissioner Britton, seconded by Commissioner Jenkins, to:

**Approve the minutes of the December 29, 2016 regular Planning Commission meeting.**

The motion was passed by the following vote:

Ayes:	Commissioners, Britton, McDavitt Jenkins, Chairperson Robison
Noes:	None
Abstain:	None
Absent:	Commissioner Brand, Chapman, Vice Chairperson Durling

---

**REGULAR AGENDA**

---

9. **PUBLIC HEARINGS**

9.1 **UP 17-01: Quick-Service Drive Thru Restaurant** – staff report

The Oroville Planning Commission reviewed and considered approving Use Permit No. 17-01 for the operation of a quick-service drive thru restaurant at 2161 Feather River Boulevard (APN: 035-240-029). The drive thru is part of a two phased project that also includes the development of apartment units on the east side of the property. The subject property has a zoning designation of Corridor Mixed Use (MXC) and a General Plan land use designation of Mixed Use. Per the City of Oroville Municipal Code, the proposed apartment units and restaurant are uses that are permitted by right, subject to a zoning clearance. However, all drive thru establishments require approval of a conditional use permit in an MXC zone. **(Luis A. Topete, Associate Planner)**

Chairperson Robison opened the Public Hearing.

Hearing no public comment, Chairperson Robison closed the public hearing.

Mark Mendez, the applicant, answered questions for the commission.

Following discussion, a motion was made by Commissioner Jenkins, seconded by Commissioner Britton, to:

Adopt Resolution No. P2017-01: **A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 17-01 PERMITTING A QUICK-SERVICE DRIVE THRU RESTAURANT AT 2161 FEATHER RIVER BOULEVARD (APN: 035-240-029)**

The motion was passed by the following vote:

Ayes: Commissioners Britton, Jenkins, McDavitt, Chairperson Robison  
Noes: None  
Abstain: None  
Absent: Commissioner Brand, Chapman, Vice Chairperson Durling

**9.2 UP 17-02: Expansion of Graphic Packaging International, Inc. – staff report**

The Oroville Planning Commission reviewed and considered approving Use Permit No. 17-02 for the phased construction of 350,000 square feet of new building space which will require 13.6 acres of airport property to be leased for a non-aeronautical use. The project is located within the boundaries of the Oroville Municipal Airport at 525 Airport Parkway (APN: 030-260-039) and has a zoning designation of Airport Business Park (ABP) and a General Plan land use designation of Airport Business Park. Per the City of Oroville Municipal Code, all manufacturing facilities greater than 40,000 square feet in an ABP zone require the approval of a conditional use permit. **(Luis A. Topete, Associate Planner)**

Chairperson Robison opened the Public Hearing.

Hearing no public comment, Chairperson Robison closed the public hearing.

Following discussion, a motion was made by Commissioner Britton, seconded by Commissioner Jenkins, to:

**Adopt Resolution No. P2017-02: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 17-02, APPROVING THE PHASED CONSTRUCTION OF 350,000 SQUARE FEET OF NEW BUILDING SPACE WHICH WILL REQUIRE APPROXIMATELY 13.6 ACRES OF AIRPORT PROPERTY TO BE LEASED FOR A NON-AERONAUTICAL USE**

**Adopt Resolution No. P2017-03: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION ADOPTING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR USE PERMIT NO. 07-02, FOR THE PHASED CONSTRUCTION OF 350,000 SQUARE FEET OF NEW BUILDING SPACE WHICH WILL REQUIRE APPROXIMATELY 13.6 ACRES OF AIRPORT PROPERTY TO BE LEASED FOR A NON-AERONAUTICAL USE**

The motion was passed by the following vote:

Ayes: Commissioners Britton, Jenkins, McDavitt, Chairperson Robison  
Noes: None  
Abstain: None  
Absent: Commissioner Brand, Chapman, Vice Chairperson Durling

## 10. REGULAR BUSINESS

### 10.1 Planning Commission Review of Public Works Projects – staff report

The Oroville Planning Commission reviewed and considered sending a recommendation to the City Council for the Planning Commission to review and comment on certain public works projects. (Luis A. Topete, Associate Planner)

Following Discussion, a motion was made by Commissioner Britton, seconded by Commissioner McDavitt, to:

**Continue this item to the next regularly scheduled Planning Commissioner meeting.**

The motion was passed by the following vote:

Ayes: Commissioners Britton, Jenkins, McDavitt, Chairperson Robison  
Noes: None  
Abstain: None  
Absent: Commissioner Brand, Chapman, Vice Chairperson Durling

## 11. DISCUSSION ITEMS

- The Commission requested staff to bring an item to the January, 2017, regular meeting of Planning Commissioners Academy (Memo)
  - o Commissioner McDavitt requested to attend the Academy.
  - o Commissioners expressed their desire to attend the September Planning Commissioner training as well.
- APA California Conference (September 23 – 26, 2017)
  - o Commissioners expressed their desire to attend

## 12. DIRECTOR'S REPORT

Community Development Director, Don Rust, reported on the following:

- Walmart Super Center update
- February 24<sup>th</sup> – South Oroville Community Improvement Association Dinner
- Carl's Jr. to occupy the existing Arby's
- Developer, Main & Main out of Chico, CA, preparing for repurpose of existing Walmart.
- Community outreach conducted for overlay of Richter Tract.
- Las Plumas Lumber site, continued discussions for extension of Veatch Street to Cal Oak Road.

## 13. CHAIRPERSON/COMMISSIONERS REPORTS - None



14. **ADJOURNMENT**

The meeting was adjourned at 7:56 p.m. A regular meeting of the Oroville Planning Commission will be held on Thursday, February 23, 2017, at 7:00 p.m.

---

Donald Rust, Secretary

---

Damon Robison, Chairperson





# City of Oroville

**Donald Rust**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

March 16, 2017

**ZC 17-01: Expansion of Existing Medical Marijuana Land Use Regulations to Apply to Recreational and Medical Marijuana** - The Oroville Planning Commission will conduct a public hearing to review and consider forwarding a recommendation to the Oroville City Council to amend Chapter 17 of the Oroville Municipal Code (Zoning Ordinance) to expand the existing land use regulations regarding medical marijuana to apply to recreational and medical marijuana.

**APPLICANTS:** City of Oroville  
Planning Division  
1735 Montgomery Street  
Oroville, CA 95965

**LOCATION:** Citywide

**GENERAL PLAN:** N/A

**ZONING:** N/A

**FLOOD ZONE:** N/A

#### ENVIRONMENTAL DETERMINATION:

- General Rule Exemption; Title 14, CCR, §15061(b)(3)
- Minor Alterations in Land Use Limitations; Title 14, CCR, §15305

#### REPORT PREPARED BY:

Luis A. Topete, Associate Planner  
Community Development Department

#### REVIEWED BY:

Donald Rust, Director  
Community Development Department

## **RECOMMENDED ACTIONS:**

City staff recommends that the Planning Commission take the following actions:

1. **HOLD** a public hearing to review and consider forwarding a recommendation to the Oroville City Council to amend Chapter 17 of the Oroville Municipal Code (Zoning Ordinance) to expand the existing land use regulations regarding medical marijuana to apply to recreational and medical marijuana; and
2. **ADOPT** the General Rule Exemption; Title 14, CCR, §15061(b)(3) and Class 5 Categorical Exemption – Minor Alterations in Land Use Limitations, Title 14, CCR, Section 15305, as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) Statute and Guidelines (**Attachment A**); and
3. **ADOPT** Resolution No. P2017-05 (**Attachments B**).

## **SUMMARY**

The Planning Commission will conduct a public hearing to review and consider forwarding a recommendation to the Oroville City Council to amend Chapter 17 of the Oroville Municipal Code (Zoning Ordinance) to expand the existing land use regulations regarding medical marijuana to apply to recreational and medical marijuana.

## **DISCUSSION**

On November 8, 2016, the majority of California voters passed Proposition 64 – The Control, Regulate and Tax Adult Use of Marijuana Act (Prop 64). The proposition became law immediately. California now joins several states including Washington, Oregon, and Colorado where the personal possession and use of marijuana is decriminalized. Prop 64 permits adults 21 years of age and over to possess and grow specified amounts of marijuana for recreational use. Prop 64 does not alter the Compassionate Use Act (Prop 215) or the Medical Marijuana Regulation and Safety Act (MMRSA).

Prop 64 prohibits state licensing authorities from issuing a license to a commercial nonmedical marijuana business if operation of the business violates a local ordinance of the jurisdiction in which the business will operate. This means that a city wishing to regulate or prohibit nonmedical marijuana businesses will need to do so before the state begins issuing licenses, which is anticipated to be in late 2017, either by enacting a nonmedical marijuana ordinance or by amending an existing medical marijuana ordinance to include nonmedical marijuana within its scope. Prop 64 does not require state agencies to issue licenses until January 1, 2018.

The City of Oroville has existing regulations that prohibit marijuana dispensaries, medical cannabis delivery and commercial processing, and regulations related to the cultivation of medical marijuana within the City limits. As much of the existing language in the City's

municipal code regarding the regulation of marijuana specifies that the regulations apply to “medical” marijuana, the intent of this proposed code amendment is to include and/or delete language, where appropriate, to expand the applicability of the regulations to recreational and medical marijuana.

## **ENVIRONMENTAL REVIEW**

This project has been determined to be exempt from the California Environmental Quality Act (CEQA) as follows:

### General Rule Exemption; Title 14, CCR, §15061(b)(3)

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

### Minor Alterations in Land Use Limitations; Title 14, CCR, §15305

Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

The City’s Zoning Ordinance already has regulations that prohibit marijuana dispensaries, medical cannabis delivery and commercial processing, and regulations related to the cultivation of medical marijuana within the City limits. As much of the existing language in the City’s municipal code regarding the regulation of marijuana specifies that the regulations apply to “medical” marijuana, the intent of this proposed code amendment is to include and/or delete language, where appropriate, to expand the applicability of the regulations to recreational and medical marijuana.

## **FISCAL IMPACT**

Pursuant to Public Resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville – Community Development Department within five working days of approval of this project.

## **PUBLIC NOTICE**

The meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall (**Attachment C**).

## **ATTACHMENTS**

A – Notice of Exemption

B – Resolution No. P2017-05

C – Newspaper Notice



# City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

Donald Rust  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

## NOTICE OF EXEMPTION

<b>TO:</b>	Butte County Clerk 25 County Center Drive Oroville CA, 95965	<b>FROM:</b>	City of Oroville 1735 Montgomery Street Oroville, CA, 95965
------------	--	--------------	---

Project Title: ZC 17-01: Expansion of Existing Medical Marijuana Land Use Regulations to Apply to Recreational and Medical Marijuana

Project Location – Specific: Citywide

Project Location – City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: On November 8, 2016, the majority of California voters passed Proposition 64 – The Control, Regulate and Tax Adult Use of Marijuana Act (Prop 64). The City of Oroville has existing regulations that prohibit marijuana dispensaries, medical cannabis delivery and commercial processing, and regulations related to the cultivation of medical marijuana within the City limits. As much of the existing language in the City's municipal code regarding the regulation of marijuana specifies that the regulations apply to "medical" marijuana, the intent of this code amendment is to include and/or delete language, where appropriate, to expand the applicability of the regulations to recreational and medical marijuana.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying out Project: City of Oroville

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
  - General Rule Exemption; Title 14, CCR, §15061(b)(3)
  - Minor Alterations in Land Use Limitations; Title 14, CCR, §15305
- Statutory Exemption: State code number:

Reasons why project is exempt: This project has been determined to be exempt from the California Environmental Quality Act (CEQA) as follows:

*General Rule Exemption; Title 14, CCR, §15061(b)(3)*

A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

*Minor Alterations in Land Use Limitations; Title 14, CCR, §15305*

Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.

The City's Zoning Ordinance already has regulations that prohibit marijuana dispensaries, medical cannabis delivery and commercial processing, and regulations related to the cultivation of medical marijuana within the City limits. As much of the existing language in the City's municipal code regarding the regulation of marijuana specifies that the regulations apply to "medical" marijuana, the intent of this proposed code amendment is to include and/or delete language, where appropriate, to expand the applicability of the regulations to recreational and medical marijuana.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?  Yes  No

Lead Agency Contact Person: Luis A. Topete

Telephone: (530) 538-2408

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant



**RESOLUTION NO. P2017-05**

**A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FORWARDING A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT AMENDMENTS TO TITLE 17 OF THE OROVILLE MUNICIPAL CODE TO EXPAND EXISTING LAND USE REGULATIONS REGARDING MEDICAL MARIJUANA TO APPLY TO RECREATIONAL AND MEDICAL MARIJUANA**

**WHEREAS**, on November 8, 2016, the majority of California voters passed Proposition 64 – The Control, Regulate and Tax Adult Use of Marijuana Act (Prop 64); and

**WHEREAS**, the City of Oroville has existing regulations that prohibit marijuana dispensaries, medical cannabis delivery and commercial processing, and regulations related to the cultivation of medical marijuana within the City limits; and

**WHEREAS**, as much of the existing language in the City’s municipal code regarding the regulation of marijuana specifies that the regulations apply to “medical” marijuana, the intent of this proposed code amendment is to include and/or delete language, where appropriate, to expand the applicability of the regulations to recreational and medical marijuana; and

**WHEREAS**, whenever the public health, safety and welfare warrant it, the City Council may by ordinance amend, supplement or change the regulations that the Zoning Ordinance establishes for the zoning of property, provided that the Zoning Ordinance shall be consistent with the General Plan; and

**WHEREAS**, amendments to the Zoning Ordinance may be initiated by resolution of the Planning Commission; and

**WHEREAS**, at a noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the action described herein, and also considered City staff’s report regarding the action.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION** as follows:

**SECTION I. CEQA Review:**

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15061(b)(3) “General Rule Exemption” and Section 15305 “Minor Alterations in Land Use Limitations.”

**SECTION II.** The Planning Commission hereby forwards a recommendation to the City Council to amend the following section of Chapter 17.16 as follows:

**17.16.105 ~~Medical~~ Marijuana Cultivation.**

A. **Purpose and Intent.** It is the purpose and intent of this section to require that ~~medical~~ marijuana be cultivated only in appropriately secured, enclosed, and ventilated structures, so as not to be visible to the general public, to provide for the health, safety and welfare of the public, to prevent odor created by marijuana plants from impacting adjacent properties, and to ensure that marijuana grown for recreational and/or medical purposes remains secure and does not find its way to non-patients, individuals under the age of 21 years old, or illicit markets. Nothing in this section is intended to impair any viable legal defense available to a person using or in possession of recreational and/or medical marijuana pursuant to the Compassionate Use Act (Health and Safety Code Section 11362.5), the Medical Marijuana Program Act (Health and Safety Code Section 11362.7 et seq.), or the Control, Regulate and Tax Adult Use of Marijuana Act (Prop 64). Nothing in this section is intended to authorize the cultivation, possession, or use of marijuana for ~~non-medical purposes~~ in violation of state or federal law.

B. **Definitions.** For the purposes of this section, the following definitions shall apply as defined in Section 17.04.060, unless the context clearly indicates otherwise. If a word is not defined in this title, the common and ordinary meaning of the word shall apply.

- Authorized Grower
- Bedroom
- Child Care Center
- Cultivation
- Detached, Fully-Enclosed and Secure Structure
- Enforcement Officer
- Indoors
- Immature Marijuana Plant
- Legal Parcel
- Mature Marijuana Plant
- Outdoor
- Premises
- Primary Caregiver
- Qualified Patient
- Rear Yard
- Residential Structure
- School
- Solid Fence

C. **Cultivation of ~~Medical~~ Marijuana.** The following regulations shall apply to the cultivation of ~~medical~~ marijuana within the city:

1. No person, other than a qualified patient, primary caregiver, or individual over the age of 21 may engage in cultivation of ~~medical~~ marijuana. It is hereby declared to be unlawful and a public nuisance for any person or persons owning, leasing, occupying, or having charge or possession of any legal parcel or premises within any zoning district in the city to cultivate ~~medical~~ marijuana except as provided for in this section.
2. **Residency Requirement.** Either a qualified patient, primary caregiver or individual over the age of 21 shall reside full-time on the premises where the ~~medical~~ marijuana cultivation occurs.

3. **Outdoor Cultivation.** It is unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any legal parcel or premises within any zoning district in the city to cause or allow such parcel or premises to be used for the outdoor cultivation of marijuana plants.
4. **Residential Structure Cultivation.** It is unlawful and a public nuisance for any person to cultivate ~~medical~~-marijuana inside any residential structure or building without a ~~medical~~-marijuana cultivation permit issued by the city police chief or his/her designee, as provided herein.
5. **Cultivation in Nonresidential Zones.** Cultivation of ~~medical~~-marijuana is prohibited in all agricultural (except agricultural-residential), commercial, office, industrial, open space, special purpose, mixed use, and other nonresidential zoning districts.
6. **Proximity to Schools, Child Care Centers, and Parks.** It is unlawful and a public nuisance to cultivate ~~medical~~-marijuana on any legal parcel or premises within 250 feet of any school, child care center, or public park. The 250 feet shall be measured from the closest property line of the school, child care center, or park to the closest property line of the cultivation parcel.
7. **Cultivation Area.** It is hereby declared to be unlawful and a public nuisance for any person(s) owning, leasing, occupying, or having charge or possession of any legal parcel or premises within any zoning district in the city to cultivate ~~medical~~-marijuana within a detached structure equal to or less than 120 square feet in size.
8. **Indoor Cultivation in Residential Zones.** The indoor cultivation of ~~medical~~ marijuana in a residential zone shall only be conducted within a detached, fully-enclosed and secure structure greater than 120 square feet in size or within a residential structure conforming to the following minimum standards:
  - a. Any detached structure, regardless of square footage, constructed, altered or used for the cultivation of ~~medical~~ marijuana must have a valid building permit duly issued by the building official. The building official shall consult with the planning director and police chief in consideration of any building permit application seeking a building permit for the construction or alteration of any structure to be used for ~~medical~~-marijuana cultivation.
  - b. Indoor grow lights shall not exceed 1,200 watts and shall comply with the California Building, Electrical and Fire Codes as adopted by the city. Gas products (including, without limitation, CO<sub>2</sub>, butane,

propane, and natural gas), or generators shall not be used within any detached structure used for the cultivation of ~~medical-marijuana~~.

- c. Any detached, fully-enclosed and secure structure or residential structure used for the cultivation of ~~medical-marijuana~~ must have a ventilation and filtration system installed that shall prevent marijuana plant odors from exiting the interior of the structure and shall comply with the California Building Code. The ventilation and filtration system must be approved by the building official and installed prior to commencing cultivation within the detached, fully-enclosed and secure structure or residential structure.
- d. A detached, fully-enclosed and secure structure used for the cultivation of marijuana shall be located in the rear yard area of a legal parcel or premises, maintain a minimum 10-foot setback from any property line, and the area surrounding the structure must be enclosed by a solid fence at least 6 feet in height.
- e. Adequate mechanical or electronic security systems approved by the building official and police chief must be installed in and around the detached structure or the residential structure prior to the commencement of cultivation.
- f. ~~Medical-Marijuana~~ cultivation occurring within a residence shall be cultivated in an area no larger than 50 square feet, regardless of how many qualified patients, primary caregivers or individuals over the age of 21 are residing at the premises.
- g. Cultivation of marijuana shall not take place in the kitchen, bathrooms, or bedrooms being utilized by any person for sleeping purposes in any building.
- h. Cultivation of marijuana shall not take place on any carpeted surface.
- i. ~~Medical-Marijuana~~ cultivation for sale is prohibited.
- j. ~~Medical-Marijuana~~ cultivation may not occur in both a detached structure and inside a residence on the same parcel.
- k. The authorized grower shall take measures to prevent persons under 18 years of age from accessing medical marijuana cultivation areas, whether in a detached building or in a residence.

#### **D. Cultivation Permit.**

1. Prior to commencing any ~~medical~~-marijuana cultivation, the person(s) owning, leasing, occupying, or having charge or possession of any legal parcel or premises where ~~medical~~-marijuana cultivation is proposed to occur must obtain a ~~medical~~-marijuana cultivation permit from the police chief or his or her designee. The following information will be required with the initial permit application and subsequent permit extensions:
  - a. A notarized signature from the owner of the property consenting to the cultivation of ~~medical~~-marijuana at the premises on a form acceptable to the city.
  - b. The name of each person, owning, leasing, occupying, or having charge of any legal parcel or premises where ~~medical~~-marijuana will be cultivated.
  - c. The name of each qualified patient, primary caregiver or individual over the age of 21 who participates in the ~~medical~~-marijuana cultivation.
  - d. A copy of a current valid medical recommendation or county issued medical marijuana card for each qualified patient and primary caregiver identified as required above.
  - e. The physical site address of where the ~~medical~~-marijuana will be cultivated with a drawing and detailed description of where on the property the marijuana will be cultivated.
  - f. A signed consent form, acceptable to the city, authorizing City staff, including the police department, authority to conduct an inspection of the detached, fully-enclosed and secure structure or area of the residence used for the cultivation of ~~medical~~-marijuana upon 24 hours' notice.
2. The initial permit shall be valid for no more than 2 years and may be extended in increments of 2 years.
3. To the extent permitted by law, any personal or medical information submitted with a ~~medical~~-marijuana cultivation permit application or permit extension shall be kept confidential and shall only be used for purposes of administering this section.
4. The police chief, or his or her designee, may, in his or her discretion, deny any application for a ~~medical~~-marijuana cultivation permit, or extension thereof, where he or she finds, based on articulated facts, that the issuance of such permit, or extension thereof, would be detrimental to the public health, safety, or welfare. The police chief shall deny an application for a

medical-marijuana cultivation permit, or extension thereof, which does not demonstrate satisfaction of the minimum requirements of this section. The denial of any permit application, or permit extension, shall be subject to appeal pursuant to Section 17.56.100.

5. The city council shall establish a fee or fees required to be paid upon filing an application for permit(s) as provided by this section, which fees shall not exceed the reasonable cost of administering this section.
- E. **Enforcement.** Violations of this section shall constitute a public nuisance and may be enforced pursuant to the provisions of Sections 17.56.060 and 17.56.070.
- F. **Appeals.** Any person aggrieved by any of the requirements of this section may appeal in so far as such appeals are allowed pursuant to Section 17.56.100.

**SECTION III.** The Planning Commission hereby forwards a recommendation to the City Council to amend the following section of Chapter 17.08 as follows:

**17.08.120 Marijuana Dispensaries.**

- A. Pursuant to Government Code Section 65858, and notwithstanding any other provision of this code, the establishment, development, construction, maintenance, or operation of a marijuana dispensary is hereby prohibited, and is not a permitted use in any of the following zoning districts, even if located within an otherwise permitted use: Urban Reserve 10 Acres (UR-10), Urban Reserve 5 Acres (UR-5), Agricultural Residential (RA), Rural Residential 1 Acre (RR-1), Rural Residential 20,000 Square Feet (RR-20), Rural Residential 10,000 Square Feet (RR-10), Large-Lot Residential (RL), Single-Family Residential (R-1), Medium-Density Residential (R-2), High-Density Residential (R-3), Urban-Density Residential (R-4), High-Density Residential/Professional (RP), Neighborhood Commercial (CN), Limited Commercial (C-1), Intensive Commercial (C-2), Highway Commercial Corridor (CH), Commercial Light Manufacturing (CLM), Office (OF), Downtown Mixed-Use (MXD), Neighborhood Mixed-Use (MXN), Corridor Mixed-Use (MXC), Airport Business Park (ABP), Light Industrial (M-1), Intensive Industrial (M-2), Public or Quasi-Public Facilities (PQ), and Open Space (OS). No person shall establish, develop, construct, maintain, or operate a marijuana dispensary, and no application for a building permit, use permit, variance, or any other entitlement authorizing the establishment, development, construction, maintenance, or operation of any marijuana dispensary shall be approved by the City of Oroville or any officer or employee thereof in any of the above districts.
- B. **Prohibition of Medical-Cannabis Delivery and Commercial Processing.**

1. All deliveries of ~~medical-cannabis~~ are expressly prohibited within the City of Oroville. No person shall conduct any deliveries that either originate or terminate within city limits.
  2. All commercial processing of ~~medical-cannabis~~ is expressly prohibited within the City of Oroville.
- C. **Permit or License Issuance.** The city shall not issue any permit, license, or other entitlement for any activity prohibited by the Oroville Municipal Code for which a state license is required under the Medical Marijuana Regulation and Safety Act MMRSA or the Control, Regulate and Tax Adult Use of Marijuana Act.
- D. **Public Nuisance.** Any use or condition caused, or permitted to exist, in violation of any provision of this section shall be, and hereby is declared to be, a public nuisance and may be summarily abated by the ~~district~~ City pursuant to Code of Civil Procedure Section 731 or any other remedy available to the ~~district~~ City.
- E. **Civil Penalties.** In addition to any other enforcement permitted by this section, ~~district~~ City Council ~~counsel~~ may bring a civil action for injunctive relief and civil penalties, as permitted by law, against any person or entity that violates this section. In any civil action brought pursuant to this section, a court of competent jurisdiction may award reasonable attorneys' fees and costs to the prevailing party.
- ~~F. **CEQA.** This section is exempt from CEQA pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations in areas with an average slope of less than 20% that do not result in any changes in land use or density, and Section 15061(b)(3), which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The district's zoning provisions already prohibit all uses that are being expressly prohibited by this section. Therefore, this section has no impact on the physical environment as it will not result in any changes.~~
- G. **Severability.** ~~If any subsection, subdivision, sentence, clause, phrase or portion of this section is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section. The board of directors hereby declares that it would have adopted the ordinance codified in this section and each subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.~~
- H. **Effective Date.** ~~The urgency ordinance codified in this section shall take effect immediately from and after the date of its adoption, January 5, 2016.~~

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 16<sup>th</sup> of March, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
DONALD L. RUST, SECRETARY

\_\_\_\_\_  
DAMON ROBISON, CHAIRPERSON





# City of Oroville

*Donald Rust*  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### NOTICE OF PUBLIC HEARING BEFORE THE CITY OF OROVILLE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Oroville will hold a public hearing on the projects described below. Said hearing will be held at **7:00 p.m. on Thursday, March 16, 2017** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.

1. **ZC 17-01: Expansion of Existing Medical Marijuana Land Use Regulations to Apply to Recreational and Medical Marijuana** - The Oroville Planning Commission will conduct a public hearing to review and consider forwarding a recommendation to the Oroville City Council to amend Chapter 17 of the Oroville Municipal Code (Zoning Ordinance) to expand the existing land use regulations regarding medical marijuana to apply to recreational and medical marijuana.

Additional information regarding the projects described in this notice can be obtained from the Oroville Community Development Department at 1735 Montgomery Street, Oroville, CA. Anyone desiring to submit information, opinions or objections is requested to submit them in writing to the Community Development Department prior to the hearing. In accordance with Government Code Section 65009, if you challenge an action on these projects in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public meeting.

Posted/Published: **Monday, March 6, 2017**





# City of Oroville

Donald Rust  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

March 16, 2017

**UP 17-03: Temporary Fire Station Barracks and Apparatus Bay** – The Oroville Planning Commission will review and consider approving Use Permit No. 17-03 for Butte County Department of General Services to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code.

**APPLICANTS:** Butte County Department of General Services  
2081 2nd Street  
Oroville, CA 95965  
(530) 538-7926

**LOCATION:** 2279 Del Oro Avenue  
Oroville, CA 95965  
APN: 031-040-039

**GENERAL PLAN:** Public  
**ZONING:** Public or Quasi-Public (PQ)  
**FLOOD ZONE:** ZONE X: Areas determined to be outside the 0.2% annual chance floodplain.

### ENVIRONMENTAL DETERMINATION:

This action has been determined to be Categorical Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15303 "New Construction or Conversion of Small Structures."

### REPORT PREPARED BY:

Luis A. Topete, Associate Planner  
Community Development Department

### REVIEWED BY:

Donald Rust, Director  
Community Development Department

## RECOMMENDED ACTIONS:

City staff recommends that the Planning Commission take the following actions:

1. **HOLD** a public hearing and receive testimony on the proposed Use Permit No. 17-03 for Butte County Department of General Services to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) as described herein; and
2. **ADOPT** the Class 3 Categorical Exemption – New Construction or Conversion of Small Structures; CCR, Title 14, §15303 as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) Statute and Guidelines (**Attachment C**); and
3. **ADOPT** the recommended Findings for Use Permit No. 17-03 (**Attachment D**); and
4. **APPROVE** the recommended Conditions of Approval for Use Permit No. 17-03 (**Attachment E**); and
5. **ADOPT** Resolution No. P2017-06 (**Attachments F**).

## SUMMARY

The Oroville Planning Commission will review and consider approving Use Permit No. 17-03 for Butte County Department of General Services to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code.

## DISCUSSION

CAL FIRE has requested assistance in housing Butte County fire personnel (2 men) in an existing 14' x 68' (952 square foot) used mobile home currently parked and located in the Butte County facilities laydown yard behind the Old County Hospital. The project will include installation of water, power, sewer, internet service utilities, foundation system for the mobile home, and construction of a new 18' x 36' (648 square foot) apparatus bay (engineered garage) with a concrete foundation and installation of a separate sliding gate to house and service the fire engine while CAL FIRE is rebuilding the existing Fire Station 63 on Nelson Avenue. 40 yards of Class 2 gravel, placed at 4-6" for ingress/egress to Del Oro Ave/Mono Ave is proposed and will be compacted with a 6-ton vibratory roller as a new temporary gravel roadbed for the fire engine stored in the apparatus bay. The fire

personnel will dwell in the mobile home for approximately two years and service calls using the apparatus bay and new sliding gate entry and exit point in the facility laydown yard. Upon completion of the new Fires Station 63, the fire personnel will transfer back to the new station, the use of the mobile home will be discontinued, and the apparatus bay will be removed with the foundation and pad left to be utilized as a dry laydown area.

**ENVIRONMENTAL REVIEW**

This action has been determined to be Categorical Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15303 “New Construction or Conversion of Small Structures.” Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

**FISCAL IMPACT**

The total fees associated with this use permit request are as follows:

Item	Price	Tech Fee	Total	Paid
Use Permit	\$2,889.98	\$173.40	\$3,063.38	Yes
<b>Total</b>	<b>\$2,889.98</b>	<b>\$173.40</b>	<b>\$3,063.38</b>	<b>Yes</b>

Pursuant to Public Resources Code Section 21089, and as defined by the Fish and Wildlife Code Section 711.4, fees (\$50) are payable by the project applicant to file the Notice of Exemption with Butte County by the City of Oroville – Community Development Department within five working days of approval of this project. These fees will be paid for through the funds deposited.

**PUBLIC NOTICE**

A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property (**Attachment G**). Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register (**Attachment H**) and posted at City Hall.

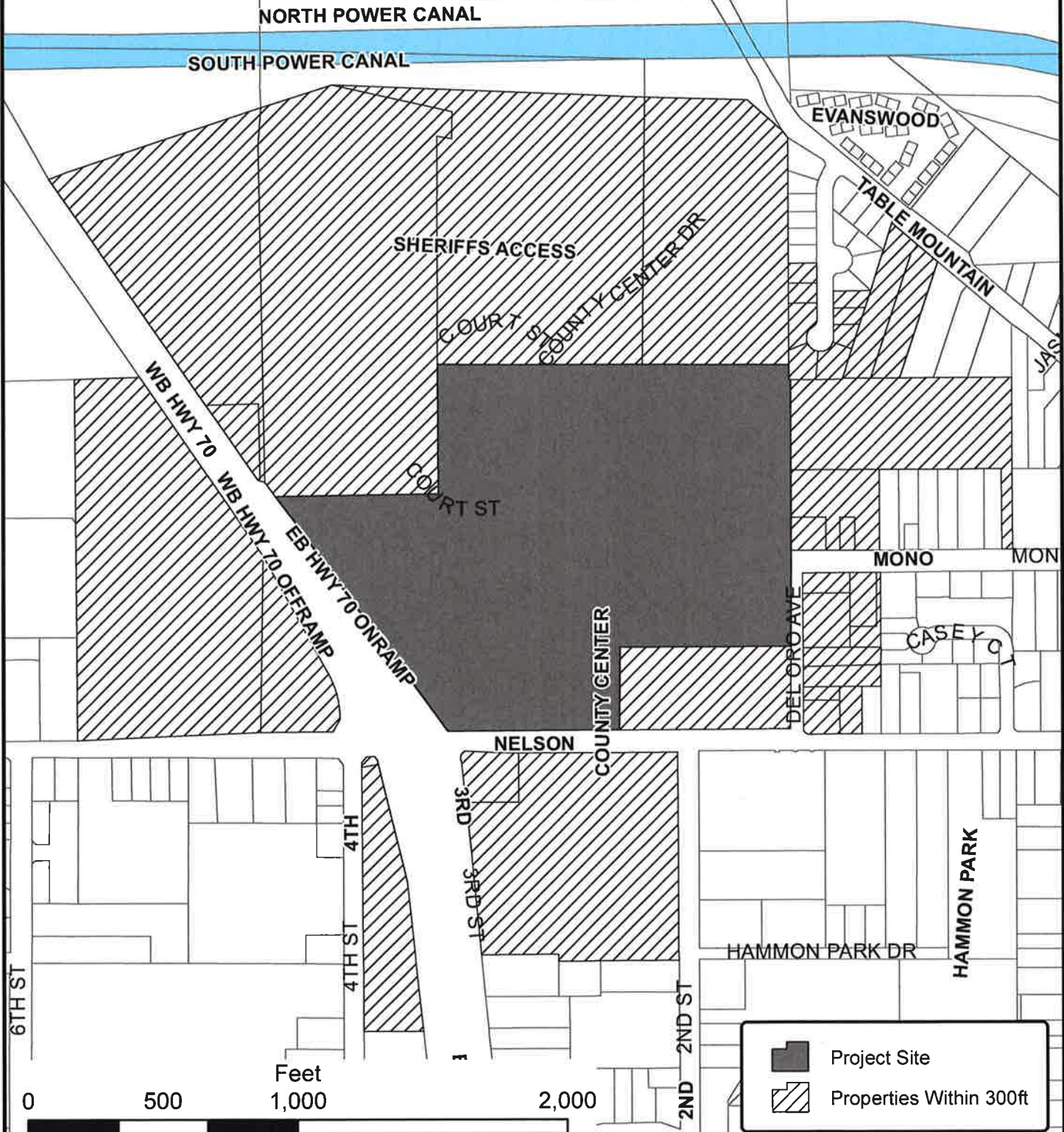
**ATTACHMENTS**

- A – Vicinity Map
- B – Drawings
- C – Notice of Exemption
- D – Findings
- E – Conditions of Approval
- F – Resolution No. P2017-06
- G – Property Owner Notice
- H – Newspaper Notice





# VICINITY MAP



	Project Site
	Properties Within 300ft

## CITY OF OROVILLE PLANNING DIVISION

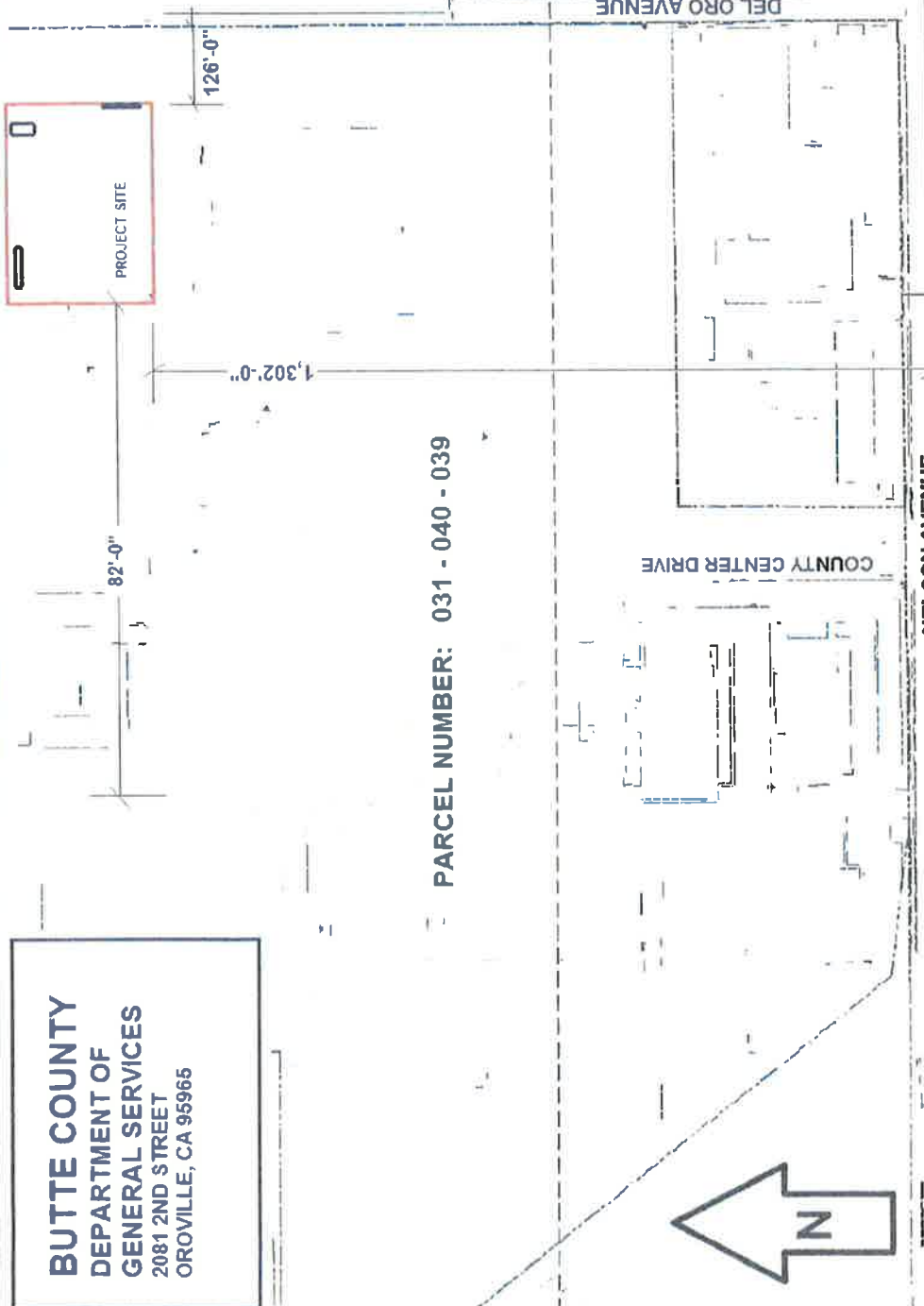
Applicant: Butte County Department of General Services		Project Title: Temporary Fire Station Barracks	
Project Location: 2279 Del Oro Avenue, Oroville, CA 95965			
General Plan: Public	Zoning Designation: Public or Quasi-Public (PQ)	Requested Entitlements: Use Permit No. 17-03	
TRAKiT # Project#: PL1702-003		Assessor's Parcel #: 031-040-039-000	

UP 17-03





**BUTTE COUNTY**  
**DEPARTMENT OF**  
**GENERAL SERVICES**  
 2081 2ND STREET  
 OROVILLE, CA 95965



**PARCEL NUMBER: 031 - 040 - 039**

**DRAWING INDEX**

SP-1	Rev 0	SITE PLAN
SP-2	Rev 0	SITE DRAINAGE PLAN
SP-3	Rev 0	SITE LAYOUT PLAN
SP-4	Rev 0	BUILDING PAD GRADING PLAN
SP-5	Rev 0	APPARATUS BAY RENDERING
SP-6	Rev 0	NEW GRAVEL ROADBED
SP-7	Rev 0	SLIDE GATE PLAN AND FOOTING DETAIL
F-1	Rev 0	FOUNDATION PLAN
F-2	Rev 0	FOOTING SECTIONS
F-3	Rev 0	FOUNDATION PIER PLAN
F-4	Rev 0	TIE-DOWN PLAN
E-1	Rev 0	ELECTRICAL SCHEMATIC
E-2	Rev 0	APP BAY ELECTRICAL AND LIGHTING PLAN
E-3	Rev 0	ONE LINE DIAGRAM AND GROUNDING PLAN
U-1	Rev 0	UTILITY TRENCH DETAILS
U-2	Rev 0	UTILITY SUPPORT DETAILS
U-3	Rev 0	WATER LINE DETAIL
U-4	Rev 0	SEWER LINE DETAIL

JANUARY 5, 2017

Project Address

FACILITIES LAYDOWN YARD  
 2279 Del Oro avenue, Suite F, Oroville, CA 96965

**DWG**

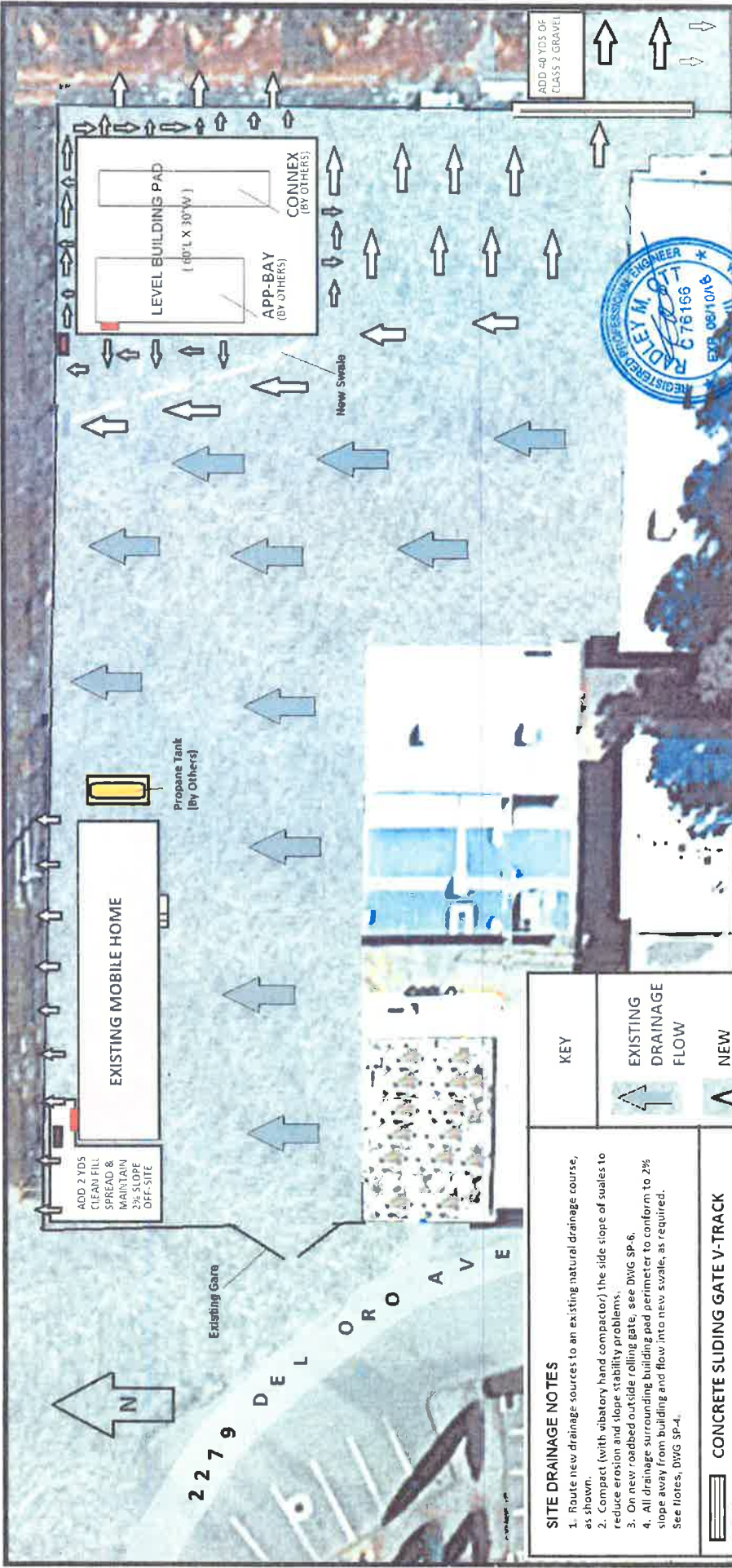
**SITE PLAN**

**REV**

**SP-1**

**FS63 BARRACKS RELOCATION PROJECT**

**0**



**SITE DRAINAGE NOTES**

1. Route new drainage sources to an existing natural drainage course, as shown.
2. Compact (with vibratory hand compactor) the side slopes of suales to reduce erosion and slope stability problems.
3. On new roadbed outside rolling gate, see DWG SP-6.
4. All drainage surrounding building pad perimeter to conform to 2% slope away from building and flow into new swale, as required. See notes, DWG SP-4.

- CONCRETE SLIDING GATE V-TRACK
- EXTERIOR CIRCUIT BREAKER BOX
- EXTERIOR 25A SUBPANEL ON 4X4 POST
- LP GAS TANK (by others)

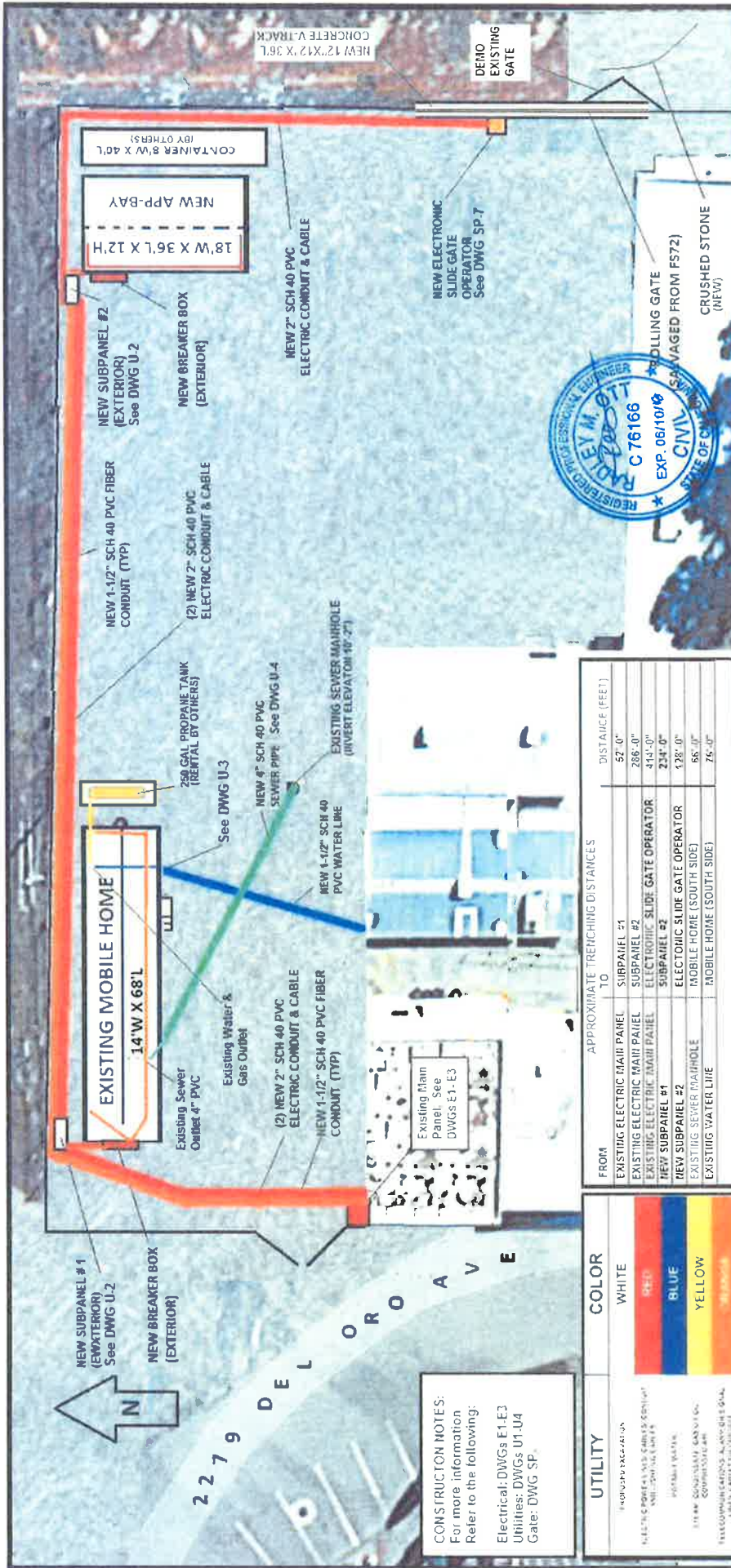
**KEY**

	EXISTING DRAINAGE FLOW
	NEW DRAINAGE FLOW
	SWALE

DWG	SITE DRAINAGE PLAN		REV
SP-2	FS63 BARRACKS RELOCATION PROJECT		0
			JANUARY 5, 2017







**CONSTRUCTION NOTES:**  
 For more information  
 Refer to the following:  
 Electrical: DWGs E1-E3  
 Utilities: DWGs U1-U4  
 Gate: DWG SP.

FROM	TO	APPROXIMATE TRENCHING DISTANCES	DISTANCE (FEET)
EXISTING ELECTRIC MAIN PANEL	SUBPANEL #1		52'-0"
EXISTING ELECTRIC MAIN PANEL	SUBPANEL #2		286'-0"
EXISTING ELECTRIC MAIN PANEL	ELECTRONIC SLIDE GATE OPERATOR		414'-0"
NEW SUBPANEL #1	SUBPANEL #2		234'-0"
NEW SUBPANEL #2	ELECTRONIC SLIDE GATE OPERATOR		178'-0"
EXISTING SEWER MAINHOLE	MOBILE HOME (SOUTH SIDE)		66'-0"
EXISTING WATER LINE	MOBILE HOME (SOUTH SIDE)		74'-0"

UTILITY	COLOR
INDUSTRY REGULATION	WHITE
ELECTRIC POWER AND CABLES (SCHEDULE 40, 40A, 40B, 40C, 40D, 40E, 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, 40O, 40P, 40Q, 40R, 40S, 40T, 40U, 40V, 40W, 40X, 40Y, 40Z)	RED
TELEPHONE	BLUE
TELEVISION	YELLOW
TELEPHONE CABLES, AIR AND GAS LINES (SCHEDULE 40, 40A, 40B, 40C, 40D, 40E, 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, 40O, 40P, 40Q, 40R, 40S, 40T, 40U, 40V, 40W, 40X, 40Y, 40Z)	GREEN
TELEPHONE CABLES (SCHEDULE 40, 40A, 40B, 40C, 40D, 40E, 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, 40O, 40P, 40Q, 40R, 40S, 40T, 40U, 40V, 40W, 40X, 40Y, 40Z)	PURPLE

DWG	SITE LAYOUT PLAN	JANUARY 5, 2017	REV
SP-3	FS63 BARRACKS RELOCATION PROJECT		0

JANUARY 5, 2017



CONTRACTOR TO PLACE SPOIL OR NEW ROAD BED OUTSIDE ROLLING GATE. SPREAD AND COMPACT USING 6' LIFTS AND THREE PASSES OF A 6 TON VIBRATORY ROLLER ON EACH LIFT.

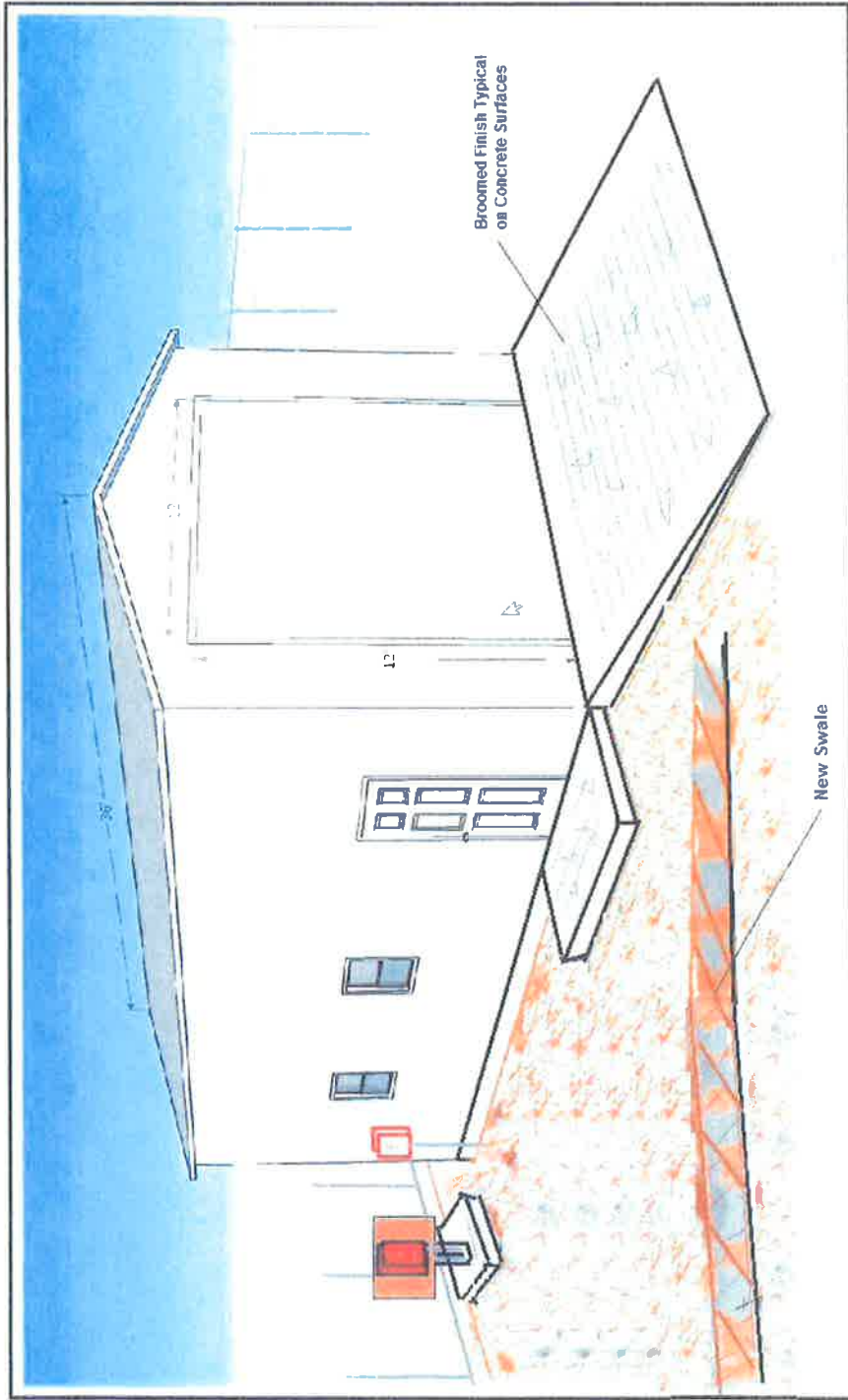


**GENERAL NOTES:**

1. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS AND DETERMINE QUANTITIES.
2. CONTRACTOR TO DETERMINE LOCATION OF HIGH POINT OF EXISTING GROUND ON FOUNDATION PERIMETER.
3. CONTRACTOR TO SET TOP OF FOOTING 4" TO 6" ABOVE FOUNDATION HIGH PINT AND SET BOTTOM OF FOOTING AT LEAST 12" BELOW FINISH GRADE.
4. CONTRACTOR TO SUBMIT LAYOUT PLAN TO PM AND AWAIT APPROVAL PRIOR TO EXCAVATION.
5. CONTRACTOR TO ENSURE MIN. 2% POSITIVE DRAINAGE AWAY FROM FOUNDATION USING SWALES.

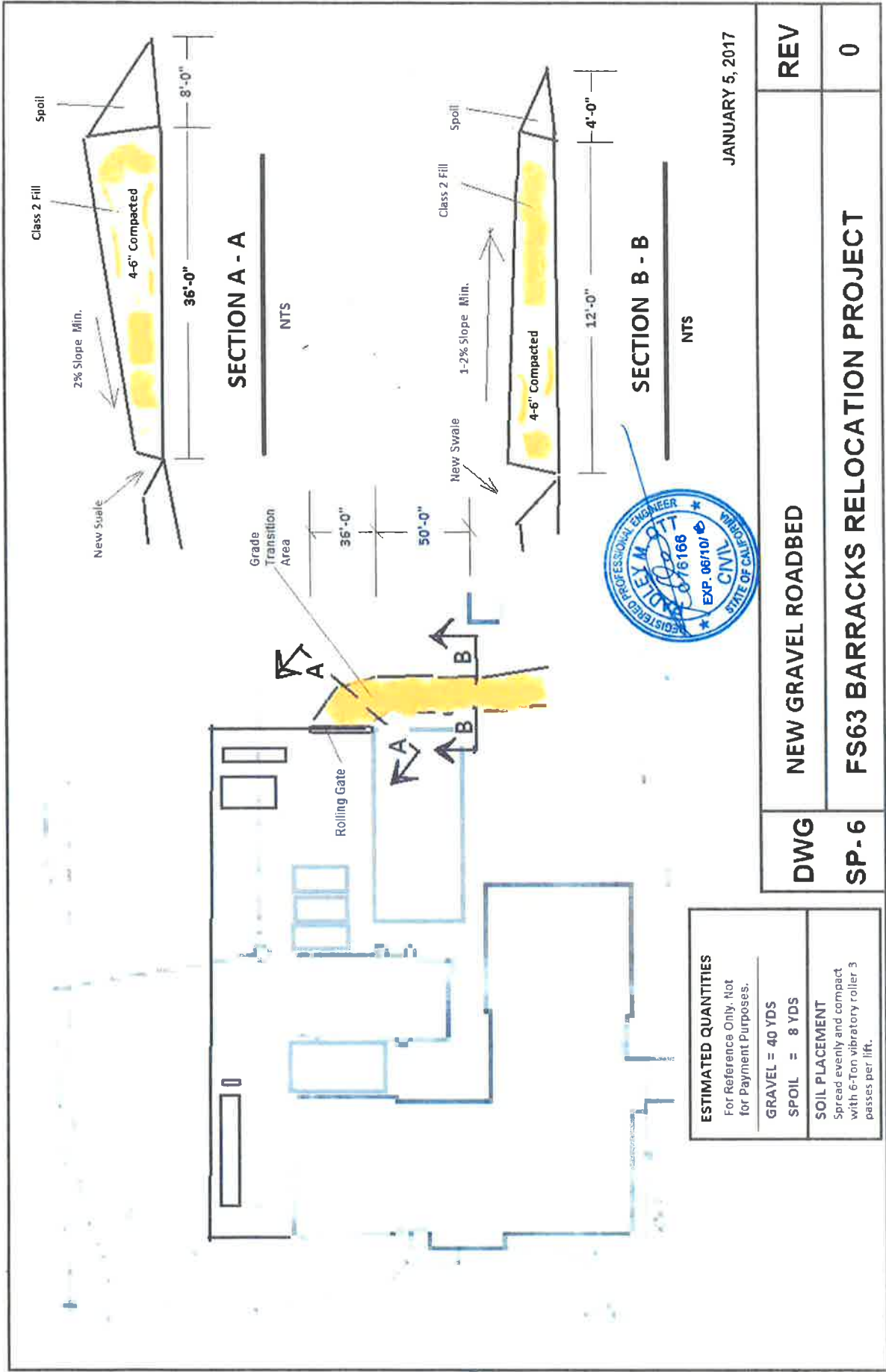
<b>DWG</b>	<b>BUILDING PAD GRADING PLAN</b>	<b>REV</b>
<b>SP-4</b>	<b>FS63 BARRACKS RELOCATION PROJECT</b>	<b>0</b>





JANUARY 5, 2017

DWG	APPARATUS BAY RENDERING	REV
SP-5	FS63 BARRACKS RELOCATION PROJECT	0



**ESTIMATED QUANTITIES**  
For Reference Only. Not  
for Payment Purposes.

GRAVEL = 40 YDS

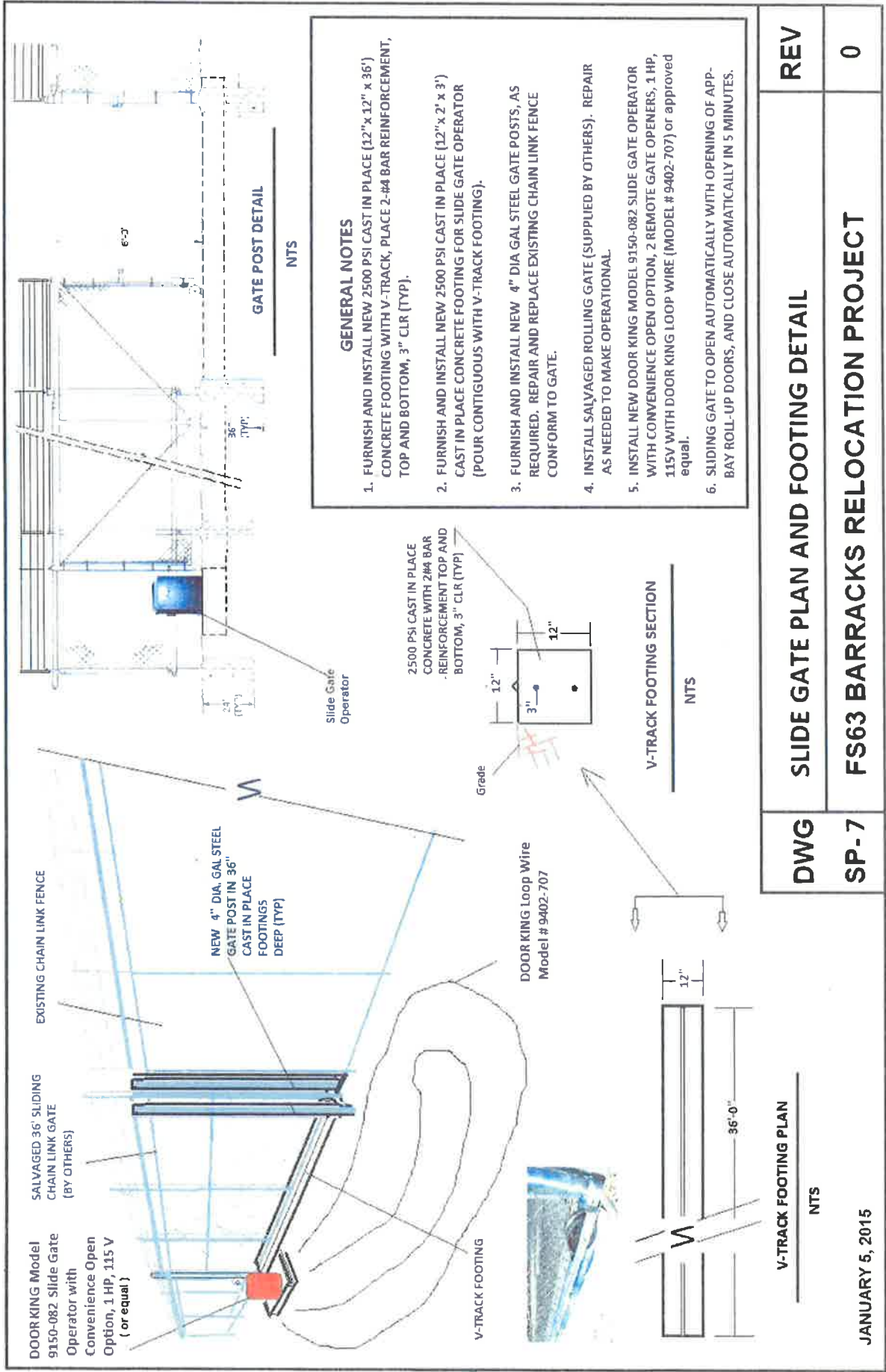
SPOIL = 8 YDS

**SOIL PLACEMENT**

Spread evenly and compact  
with 6-Ton vibratory roller 3  
passes per lift.

JANUARY 5, 2017

<b>DWG</b>	<b>NEW GRAVEL ROADBED</b>	<b>REV</b>
<b>SP-6</b>	<b>FS63 BARRACKS RELOCATION PROJECT</b>	<b>0</b>



- GENERAL NOTES**
1. FURNISH AND INSTALL NEW 2500 PSI CAST IN PLACE (12" x 12" x 36') CONCRETE FOOTING WITH V-TRACK, PLACE 2-#4 BAR REINFORCEMENT, TOP AND BOTTOM, 3" CLR (TYP).
  2. FURNISH AND INSTALL NEW 2500 PSI CAST IN PLACE (12" x 2' x 3') CAST IN PLACE CONCRETE FOOTING FOR SLIDE GATE OPERATOR (POUR CONTIGUOUS WITH V-TRACK FOOTING).
  3. FURNISH AND INSTALL NEW 4" DIA GAL STEEL GATE POSTS, AS REQUIRED. REPAIR AND REPLACE EXISTING CHAIN LINK FENCE CONFORM TO GATE.
  4. INSTALL SALVAGED ROLLING GATE (SUPPLIED BY OTHERS). REPAIR AS NEEDED TO MAKE OPERATIONAL.
  5. INSTALL NEW DOOR KING MODEL 9150-082 SLIDE GATE OPERATOR WITH CONVENIENCE OPEN OPTION, 2 REMOTE GATE OPENERS, 1 HP, 115V WITH DOOR KING LOOP WIRE (MODEL # 9402-707) or approved equal.
  6. SLIDING GATE TO OPEN AUTOMATICALLY WITH OPENING OF APPROPRIATE BAY ROLL-UP DOORS, AND CLOSE AUTOMATICALLY IN 5 MINUTES.

<b>DWG</b>	<b>SLIDE GATE PLAN AND FOOTING DETAIL</b>	<b>REV</b>
<b>SP-7</b>	<b>FS63 BARRACKS RELOCATION PROJECT</b>	<b>0</b>

JANUARY 5, 2015

**STRUCTURAL NOTES:**

**CONCRETE:**  
CONCRETE SHALL HAVE A MINIMUM SPECIFIED COMPRESSIVE STRENGTH OF 3500 PSI AT 28 DAYS

**COVER OVER REINFORCING STEEL**  
MINIMUM CONCRETE COVER OVER REINFORCING BARS SHALL BE 3 INCHES

**REINFORCING STEEL**

THE REINFORCING STEEL SHALL BE MINIMUM GRADE 40.  
REINFORCING BARS BE BENT IN THE SHOP OR THE FIELD PROVIDED:  
1. ALL REINFORCEMENT IS BENT COID.  
2. THE DIAMETER OF THE BEND, MEASURED ON THE INSIDE OF THE BAR IS NOT LESS THAN SIX BAR DIAMETERS AND  
3. REINFORCING BARS ARE BENT TO THE SPECIFIED BEND RADIUS.  
BENT REINFORCEMENT SHALL BE REINFORCED IN CONCRETE SHALL NOT BE FIELD BENT.  
CELLS SHALL BE PARTIAL BARBED IN CONCRETE SHALL BE PERMITTED TO BE BENT AT A SLOPE OF NOT GREATER THAN 1:4 VERTICAL TO HORIZONTAL.  
DISPLACEMENT TO BE NOT GREATER THAN 1/4" OF VERTICAL OR HORIZONTAL

**FOUNDATION**

MINIMUM ALLOWABLE SOIL BEARING DESIGN IS 1500 PSF  
**ANCHORAGE AND SPECIAL INSPECTION**  
SPECIAL INSPECTION REQUIRED FOR ALL EXPOSED WORK. ANY DEVIATION FROM SPECIFIED CONNECTION SHALL BE FIRST APPROVED IN WRITING BY THE DESIGN ENGINEER AND THE BUILDING OFFICIAL PRIOR TO INSTALLATION.

**AGGREGATE BASE (AB)**

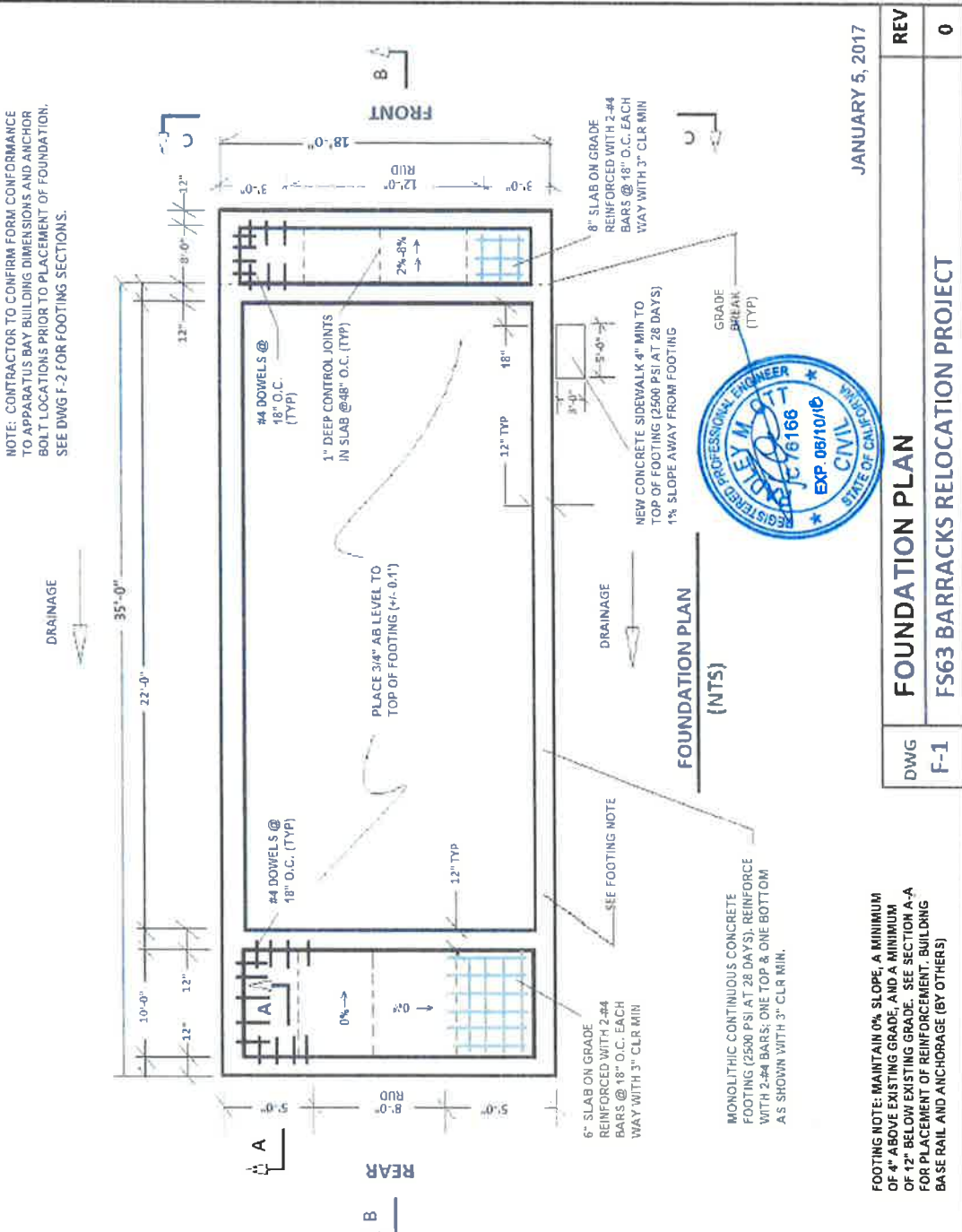
**2B MATERIAL SPECIFICATION**  
AGGREGATE MUST BE CLEAN AND CONSIST OF ANY COMBINATION OF THE FOLLOWING  
1. BROKEN STONE  
2. CRUSHED GRAVEL  
3. NATURAL TIGHT-SURFACED GRAVEL  
4. SAND  
5. PROCESSED RECLAIMED ASPHALT CONCRETE  
AGGREGATE GRADATION MUST COMPLY WITH CALTRANS CLASS 3 AB GRADATION STANDARDS AND BE WITHIN THE PERCENTAGE PASSING LIMITS FOR 3/4" SIEVE SIZE.  
SIEVE SIZE 3/4" PERCENT PASSING 13-17% MAXIMUM  
FOR OPERATING RANGE 90-100  
CONTRACT COMPLIANCE 87-100

THE AGGREGATE QUALITY CHARACTERISTICS MUST COMPLY WITH CALTRANS QUALITY REQUIREMENTS 87-100 IN THE FOLLOWING

- RESISTANCE (WAVE MARK) FOR OPERATING RANGE 75
- CONTACT COMPACTANCE 75
- SAND EQUIVALENT 75
- FOR OPERATING RANGE 75
- CONTACT COMPACTANCE 75
- DENSITY INDEX 75
- FOR OPERATING RANGE 75
- CONTACT COMPACTANCE 75

**SCAFFOLDING AND COMPACTING**

SCAFFOLDING SHALL BE 9-12 INCHES AND REMOVE ANY UNSUITABLE LIFT MATERIAL. COMPACTOR SHALL BE TO APPROXIMATELY 85% DENSITY SPREAD AND COMPACT THE AB IN AT LEAST 4 LIFTS OF APPROXIMATELY EQUAL THICKNESS USING AT LEAST 2 PASSES OF A VIBRATORY ROLLER OR 5000 LIFT. THE COMPACTED THICKNESS OF ANY ONE LIFT MUST NOT EXCEED 6-9 FOOT



NOTE: CONTRACTOR TO CONFIRM FORM CONFORMANCE TO APPARATUS BAY BUILDING DIMENSIONS AND ANCHOR BOLT LOCATIONS PRIOR TO PLACEMENT OF FOUNDATION. SEE DWG F-2 FOR FOOTING SECTIONS.

JANUARY 5, 2017

DWG	F-1	REV	0
-----	-----	-----	---

**FOUNDATION PLAN**  
**FS63 BARRACKS RELOCATION PROJECT**

**FOOTING NOTE: MAINTAIN 0% SLOPE, A MINIMUM OF 4" ABOVE EXISTING GRADE, AND A MINIMUM OF 12" BELOW EXISTING GRADE. SEE SECTION A-A FOR PLACEMENT OF REINFORCEMENT. BUILDING BASE RAIL AND ANCHORAGE (BY OTHERS)**





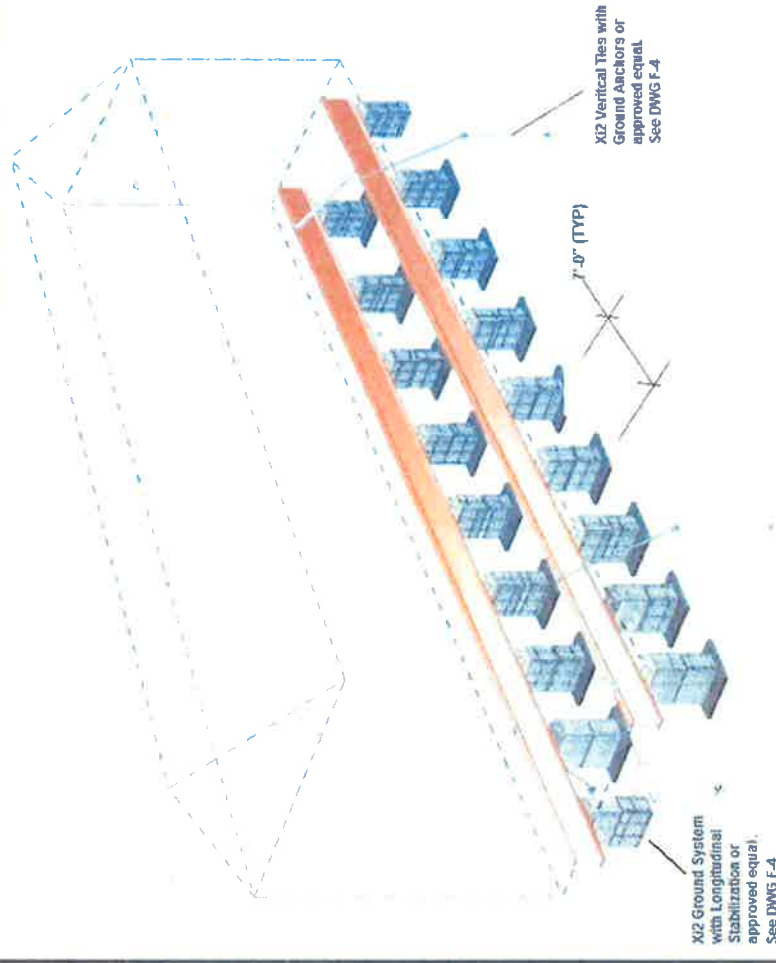
## SUPPORT PIERS

- The bases of all piers must be equal or less in size than the foundation pad
- All piers must have a Level foundation pad
- Maximum load shall not to exceed 8,000 lbs
- Each support or pier must have a minimum vertical concentrated load failure rating of 15,000 lbs
  - > Provide Nine (9) pier supports per I-beam frame.
  - > Foundation Pier Pads may be 16" x 16" x 5/8" Treated Plywood, or 16" x 18" x 3/4" ABS Foundation Pads, or 20" x 20" x 3.5" Precast Concrete Pads

## CMU BLOCKS

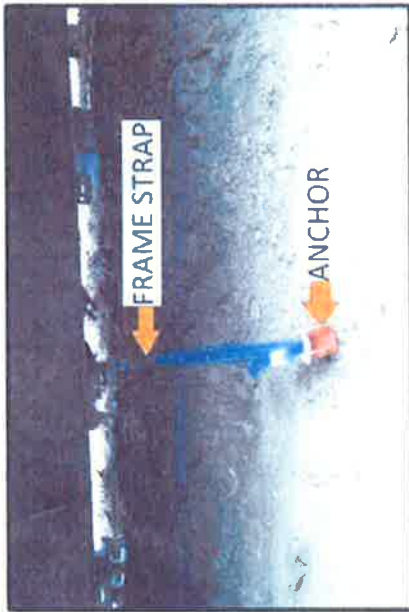
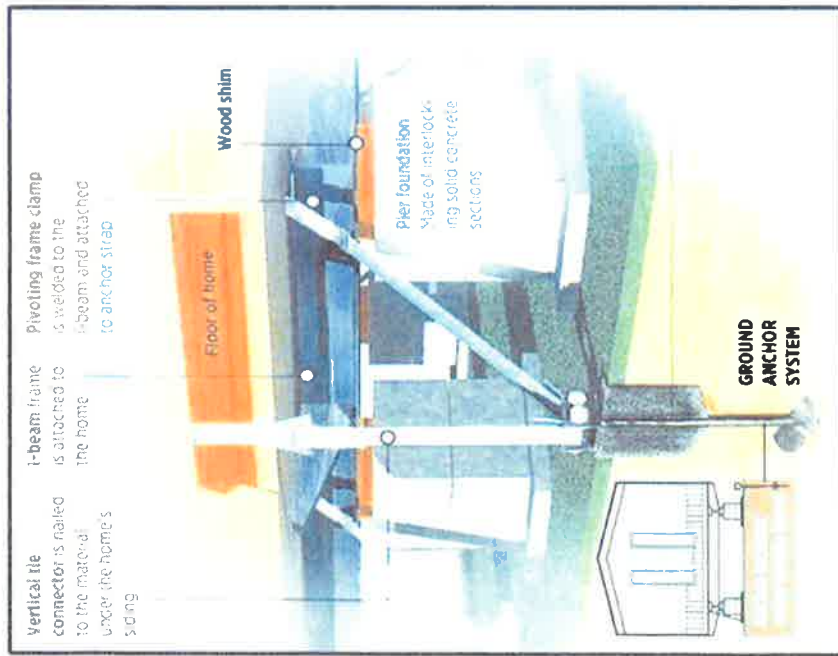
When using CMU blocks for pier supports

- Use open or closed concrete blocks 8x8x16 inches conforming to ASTM C-90
- Stack CMU blocks perpendicular to the I-beam frame
- Use foundation pad minimum of 256 square inches
- Must be stacked with their hollow cells aligned vertically
- Single stack 8x8x16 inch blocks less than 36 inches high
- Structural loads must be evenly distributed across capped hollow block piers
- Use 2 wedges in alignment per pier support
- Cannot use decorative blocks



JANUARY 5, 2017

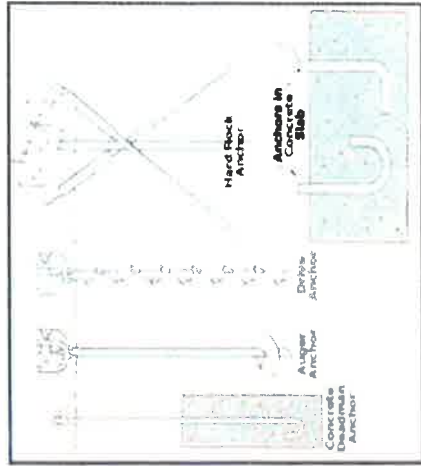
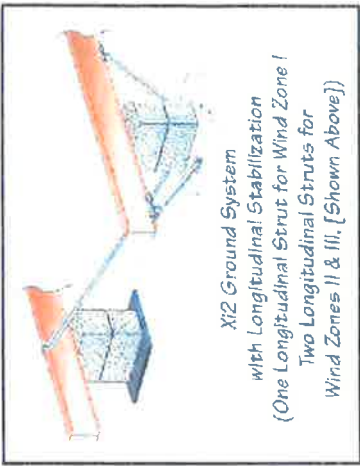
DWG	FOUNDATION PIER PLAN	
	REV	
F-3	FS63 BARRACK RELOCATION	
		0



**Tie Down Requirements for manufactured homes**

• Manufacture's instructions must be consulted for tie-down requirements and specifications for all tie-down components used in mobile homes.

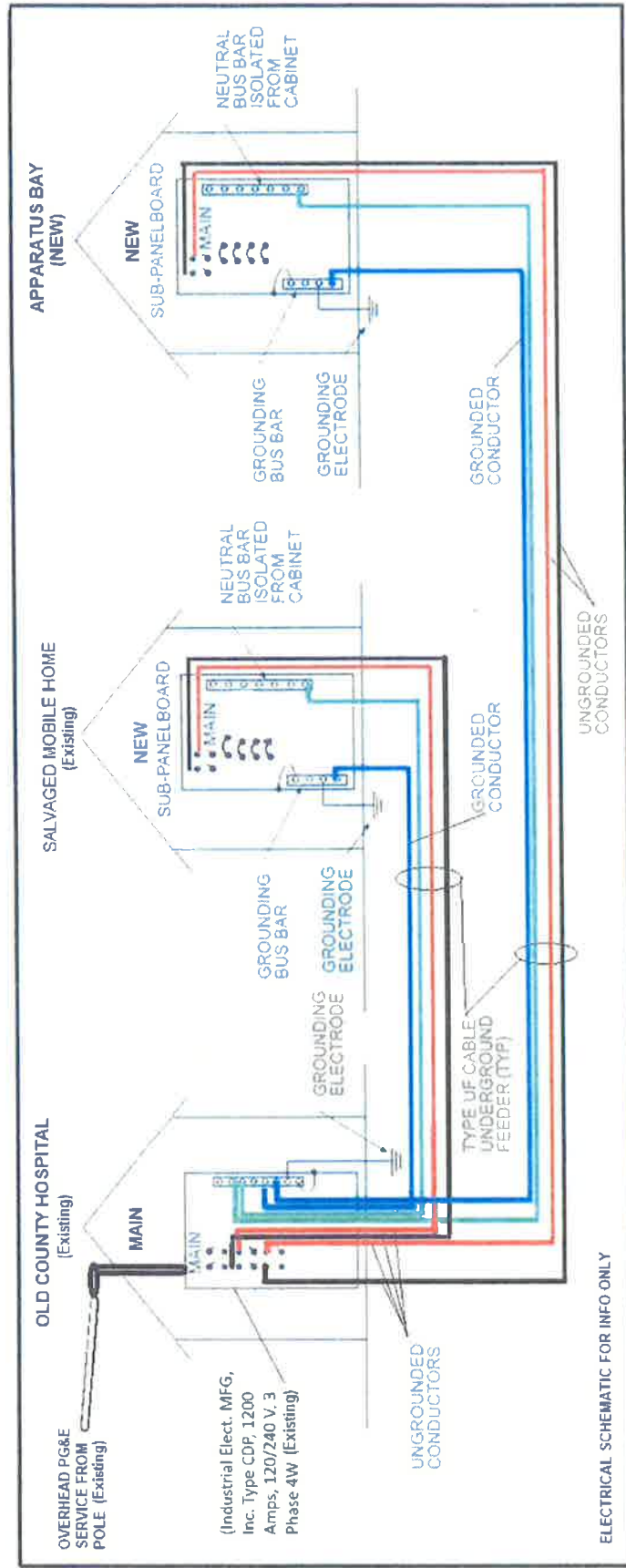
Length of manufactured home (ft)	Zone 1		Zone 2	
	Number of Vertical Ties (per Side)	Number of Diagonal Ties (per Side)	Number of Vertical Ties (per Side)	Number of Diagonal Ties (per Side)
Up to 40	4	2	4	2
40 - 46	4	2	4	2
46 - 49	4	2	4	2
49 - 54	4	2	4	2
54 - 58	4	2	4	2
58 - 64	4	2	4	2
64 - 70	4	2	4	2
70 - 73	4	2	4	2
73 - 84	4	2	4	2



JANUARY 5, 2017

<b>DWG</b>	<b>TIE-DOWN PLAN MOBILE HOME</b>	REV
	<b>F-4</b>	
<b>FS63 BARRACK RELOCATION</b>		0

- INSTALLATION NOTES:**
- FURNISH AND INSTALL FOUR (4) NEW X12 GROUND SYSTEM (OR APPROVED EQUAL) WITH LONGITUDINAL STABILIZATION PER SIDE.
  - FURNISH AND INSTALL TWO (2) NEW X12 VERTICAL TIES (OR APPROVED EQUAL) WITH GROUND DRIVE ANCHORS PER SIDE.

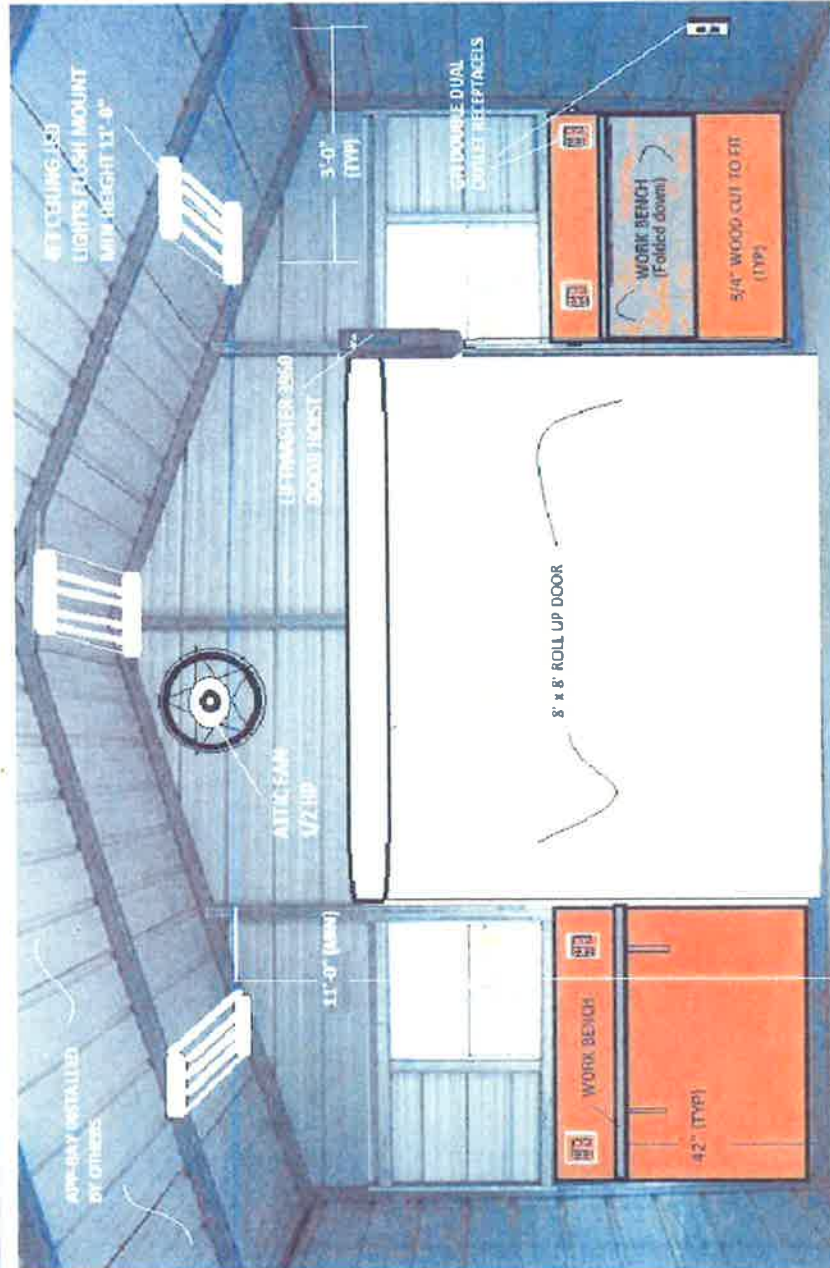


JANUARY 5, 2017

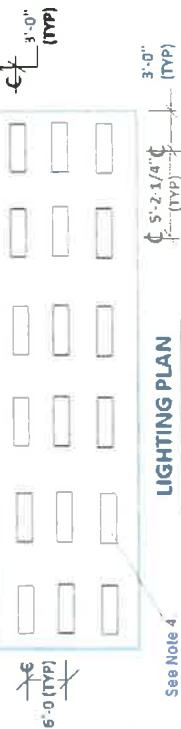
DWG E-1	ELECTRICAL SCHEMATIC	REV 0
FS63 BARRACK RELOCATION		

NOTE: SEE DWG E-1 FOR ONE-LINE DIAGRAM AND GROUNDING PLAN





1. Install two (2) LIFTMASTER MODEL 3550 Garage Door Hoists and openers (furnished by others). Make both roll-up doors open when one roll-up door is activated. Set automatic door closure at 5 minutes. Install two (2) 3 button control stations (furnished by others) at a height of 5'-0" near each roll-up door.
2. Furnish and install two (2) new exterior mounted outdoor LED flood lights with motion sensor and timer (AMAX Model # S4282 or approved equal). Mount externally 12" below top of A-frame roof peak.
3. Furnish and install two (2) new attic exhaust fans (BROAN 1020 CFM Power Gable Mount Attic Ventilator Model # 363 or approved equal) and two (2) new BROAN 16.75 in. x 16.75 in. Aluminum Automatic Gable Square Mount Louvered Shutter Attic Vents (Model # 433 or approved equal).
4. Furnish and install eighteen (18) new 4ft LED ceiling wrap-around flush mount light fixtures (LITHONIA Model # FAL WL 48840 or approved equal). Place first row of three (3) equally spaced lights directly above new work bench area. Then place remaining fifteen (15) lights in rows of three (3) equally spaced for length of building.
5. Furnish and install twelve (12) 20A double dual GFI outlet receptacles with weather resistant covers. Place four (4) GFI outlets on north wall two (2) each above each workbench. Place remaining eight (8) GFI outlets on east and west walls, four (4) each side at 18" height spaced evenly for length of building.
6. Furnish and install one (1) Lithonia Lighting 360 Degree Mounted White Motion Sensor Fixture from Home Depot (Model # MSX12 or approved equal) in the ceiling at the midpoint of the App Bay connected to hanging LED lights. Make all lights and doors operate when interior motion is sensed. Timer set at 20 minutes.
7. Furnish and install two (2) Beach Solution Commercial Duty Foldaway Workbench with 60 in. x 24 in. Work Surface and Locking Metal Supports centered under middle window of App-Bay one on each side. Available from Home Depot (Model # QWV1 or equal).
8. Furnish and install three (3) 3-way light switches at each door to operate the LED ceiling lights.



See Note 4

6'-0" (TYP) 3'-0" (TYP) 5'-2 1/4" (TYP) 3'-0" (TYP)

LIGHTING PLAN

DWG

E- 2

APP-BAY ELECTRICAL AND LIGHTING PLAN

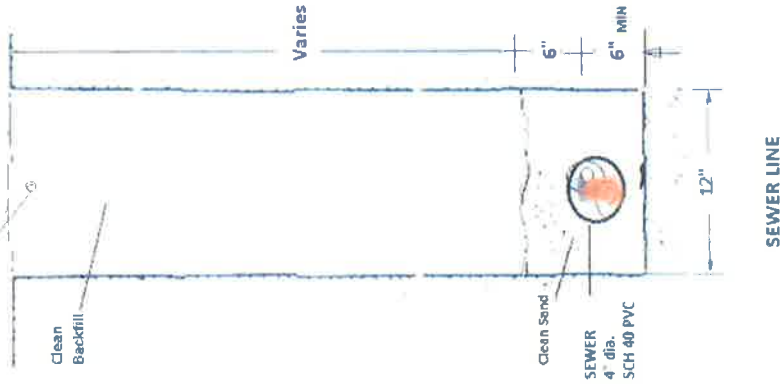
FS63 BARRACKS RELOCATION PROJECT

REV

0

JANUARY 6, 2017

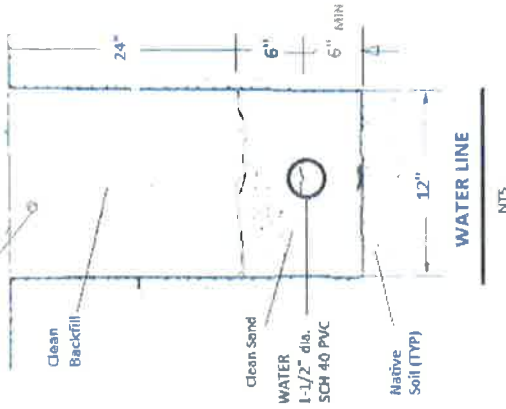
Tracing Wire



SEWER LINE

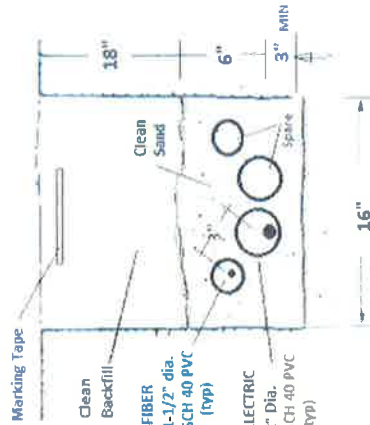
NTS

Tracing Wire



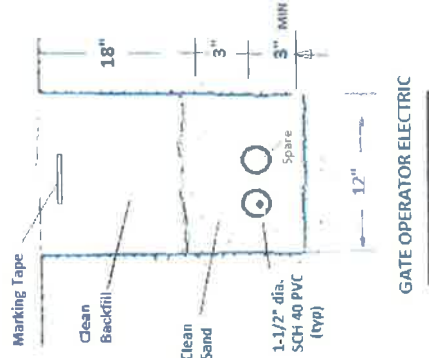
WATER LINE

NTS



FIBER & ELECTRIC LINE

NTS



GATE OPERATOR ELECTRIC

NTS

**UTILITY TRENCH NOTES:**

1. Native Backfill shall be excavated native granular material free of ice, clay, debris, organic matter, and rocks larger than 2" across their greatest dimension.
2. Conduit, pipes, and all apparatus shall be handled, installed and joined in accordance with County construction standards, and the manufacturer's specifications.
3. Compaction of clean backfill shall be done in 4" lifts with three passes of an appropriate compactor per lift.
3. All compaction shall be by hand-operated, plate-type, vibratory, or other suitable hand-tampers in areas not accessible to larger compactors.
4. After backfilling, all trenches shall be graded flush with adjacent finish or subgrade elevations.
5. Surplus excavated soils shall be placed as spoil on new road bed, or as otherwise directed by County.



JANUARY 5, 2017

DWG

U - 1

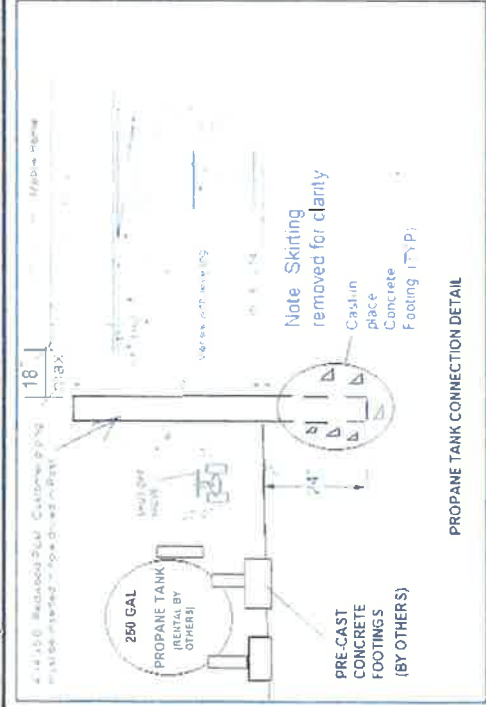
UTILITY TRENCH DETAILS

FS63 BARRACKS RELOCATION PROJECT

REV

0

NOTE: ALL SPARE CONDUIT SHALL BE CAPPED AND PROVIDED WITH A NYLON LINE FOR PULLING WIRE LEADS

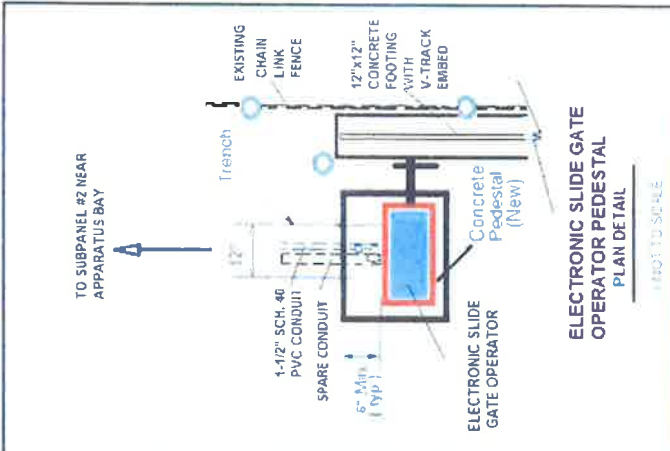
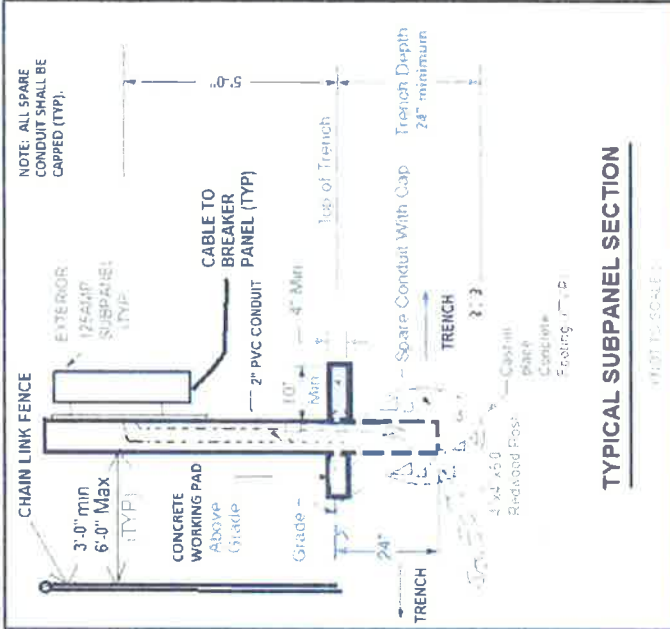


**GENERAL NOTES:**

THE LIQUID PROPANE PIPING SHALL BE SECURELY FASTENED TO A NOMINAL 4" x 4" REDWOOD OR PRESSURE TREATED POST; POST SHALL BE INSTALLED NOT LESS THAN TWENTY-FOUR (24") INCHES IN THE EARTH AND STABILIZED BY A CONCRETE FOOTING. POST SHALL BE LOCATED A MAXIMUM OF 18" TO EDGE OF MOBILE HOME STRUCTURE.

THE ELECTRIC EXTERIOR 125A SUBPANEL SHALL BE SECURELY FASTENED TO A NOMINAL 4" x 4" REDWOOD OR PRESSURE TREATED POST AND 3/4" PLYWOOD BACKING BOARD. POST SHALL BE INSTALLED NOT LESS THAN TWENTY-FOUR (24") INCHES IN THE EARTH AND STABILIZED BY A CONCRETE FOOTING. CONTRACTOR SHALL INSTALL A 36" x 48" x 4" CONCRETE WORKING PAD AT ABOVE GRADE LEVEL WITH POST LOCATED 6" FROM EDGE OF PAD SO THAT THE SUBPANEL SHALL BE ACCESSIBLE BY AN UNOBSTRUCTURED WORKING SPACE NOT LESS THAN THIRTY (30") INCHES WIDE AND THIRTY (36") DEEP IN FRONT AND CENTERED ON THE SERVICE EQUIPMENT.

CONTRACTOR SHALL INSTALL TWO NEW 2" DIA. SCH. 40 PVC CONDUIT FROM NEW EXTERIOR SUBPANEL (ATTACHED TO THE POST) UNDERGROUND TO A NEW CIRCUIT BREAKER BOX LOCATED ON A 3/4" PLYWOOD BACKING BOARD ATTACHED TO THE OUTSIDE WALL OF THE MOBILE HOME OR APPARATUS BAY AT A WORKING HEIGHT OF 48" - 60" INCHES.



DWG  
U-2

UTILITY SUPPORT DETAILS  
FS63 BARRACK RELOCATION

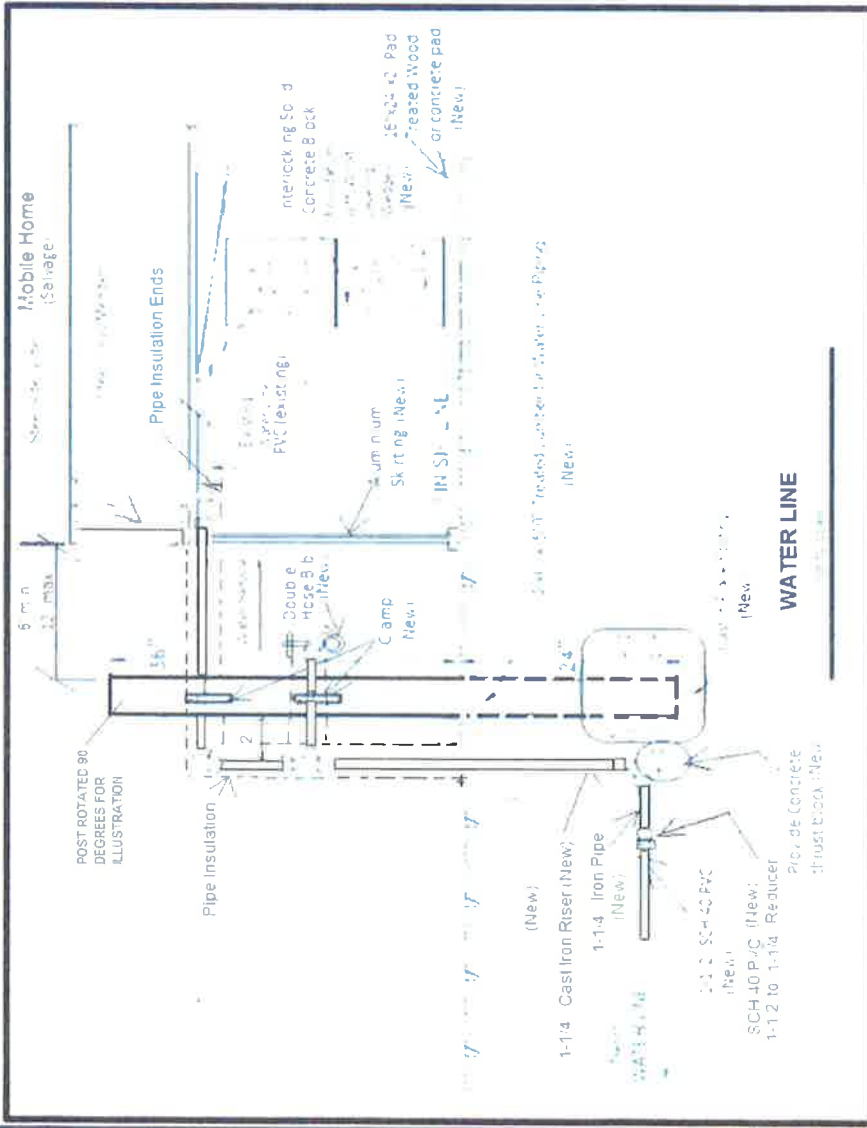
REV

0

JANUARY 5, 2017

General Plumbing Notes

- All utility services shall be installed in a workman-like manner, and in compliance with all applicable codes and standards. Water service lines, including valves, riser pipes and connections shall be installed in compliance with the California Building Standards Code.
- Contractor shall install a 1-1/4" Cast Iron Riser pipe with concrete thrust block. Insulated cast iron piping shall be used above ground and tie into mobile home inlet valve.

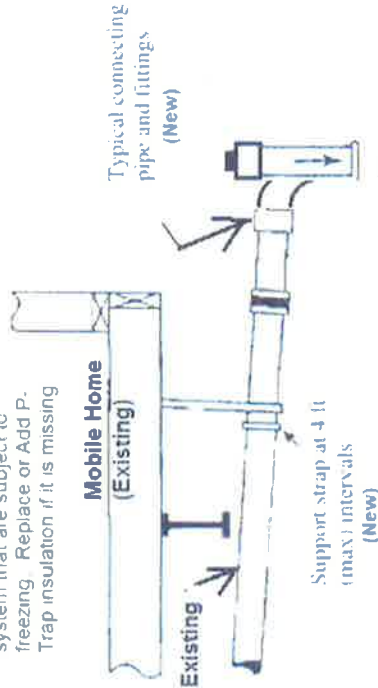


JANUARY 5, 2017

DWG	WATER LINE DETAIL	REV
U-3	FS63 BARRACK RELOCATION	0



Note: Fittings in the drainage system that are subject to freezing. Replace or Add P-Trap insulation if it is missing.



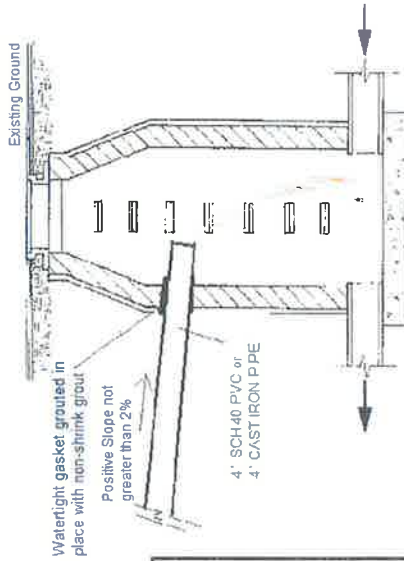
**SITE SEWER CONNECTION DETAIL**

**Construction Notes:**

1. The 4" PVC sewer pipe shall be schedule 40 heavy duty and conform to ASTM D-3034. The pipe shall have integral wall bell and spigot joints with flexible, mechanically locked in place compression type gaskets conforming to ASTM d-3212 and ASTM F-477.
2. Where existing manholes are tied into, Contractor shall core the wall or drill a series of holes and break through the wall to allow for the new pipe entry. A flexible watertight gasket (equal to A-Lok that allows differential settlement of the pipe and manhole wall) shall be installed and grouted in place with non-shrink grout.
3. When sewer pipe is laid closer than ten horizontal (10') feet to a water main, the elevation of the top (crown) of the sewer is at least eighteen (18) inches below the bottom (invert) of the water main. Where impossible to obtain proper horizontal and vertical separation, the entire sewer line shall be constructed of mechanical joint cast-iron pipe and be pressure-tested to assure watertightness.



**A-LOK FLEXIBLE WATERTIGHT GASKET**



**MANHOLE SEWER CONNECTION DETAIL**



**Trench Detail**



Relocate vent pipe under mobile home and up back side

**SEWER LINE VENT PIPE AND CLEAN OUT DETAIL**

DWG	REV
U-4	0
<b>SEWER LINE DETAIL</b>	
<b>FS63 BARRACK RELOCATION</b>	

JANUARY 5, 2017





# City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

Donald Rust  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

## NOTICE OF EXEMPTION

**TO:** Butte County Clerk  
25 County Center Drive  
Oroville CA, 95965

**FROM:** City of Oroville  
1735 Montgomery Street  
Oroville, CA, 95965

Project Title: UP 17-03: Temporary Fire Station Barracks and Apparatus Bay

Project Location – Specific: 2279 Del Oro Avenue, Oroville, CA 95965 (APN: 031-040-039)

Project Location – City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Butte County Department of General Services, has applied for a use permit (UP 17-03) to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code.

Name of Public Agency Approving Project: City of Oroville – Community Development Department

Name of Person or Agency Carrying out Project: Butte County Department of General Services

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
  - New Construction or Conversion of Small Structures; Title 14, CCR, §15303
- Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15303 "New Construction or Conversion of Small Structures." CAL FIRE has requested assistance in housing Butte County fire personnel (2 men) in an existing 14' x 68' (952 square foot) used mobile home currently parked and located in the Butte County facilities laydown yard behind the Old County Hospital. The project will include installation of water, power, sewer, internet service utilities, foundation system for the mobile home, and construction of a new 18' x 36' (648 square foot) apparatus bay (engineered garage) with a concrete foundation and installation of a separate sliding gate to house and service the fire engine while CAL FIRE is rebuilding the existing Fire Station 63 on Nelson Avenue.

40 yards of Class 2 gravel, placed at 4-6" for ingress/egress to Del Oro Ave/Mono Ave is proposed and will be compacted with a 6-ton vibratory roller as a new temporary gravel roadbed for the fire engine stored in the apparatus bay. The fire personnel will dwell in the mobile home for approximately two years and service calls using the apparatus bay and new sliding gate entry and exit point in the facility laydown yard. Upon completion of the new Fires Station 63, the fire personnel will transfer back to the new station, the use of the mobile home will be discontinued, and the apparatus bay will be removed with the foundation and pad left to be utilized as a dry laydown area.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project?  Yes  No

Lead Agency Contact Person: Luis A. Topete

Telephone: (530) 538-2408

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

- Signed by Lead Agency
- Signed by Applicant

## FINDINGS

### Use Permit No. 17-03: Temporary Fire Station Barracks and Apparatus Bay

#### A. INTRODUCTION

The project applicant, Butte County Department of General Services, has applied for a use permit (UP 17-03) to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code.

#### B. CATEGORICAL EXEMPTION

This action has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15303 "New Construction or Conversion of Small Structures." Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

#### C. USE PERMIT FINDINGS

Pursuant to Section 17.48.010(E)(4) of the Oroville Municipal Code, the Planning Commission may grant a use permit only upon making all of the following findings, based on substantial evidence:

- a. The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole.

*Per City Code 17.48.010, the intent of use permits is to provide an opportunity to review the location, site development or conduct of certain land uses, activities and structural features that generally have a distinct impact on the area in which they are located or are capable of creating special problems for bordering properties unless given careful attention. For this reason, such uses are permitted through discretionary review and the powers granted to the Planning*

*Commission include attaching any conditions to the use permit that are deemed necessary to achieve the purpose of the Zoning Code, and also promote the general health, safety, and public welfare of the City.*

*After a thorough review of the project, the approval of this use permit has been conditioned to ensure that under no circumstance will the project be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole without there being an appropriate course of action to remedy any potential issues or revoke the permit in accordance with section 17.48.010 of the City Code.*

- b. The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.

*The project site is property of Butte County and directly north of Fire Station 63 on Nelson Avenue. Considering that the proposed barracks and apparatus bay are a temporary solution to house two firefighters and a fire engine until the reconstruction of Fire Station 63 is complete, it's logical to house the firefighters and fire engine on an adjacent property that is also owned by the County and identically zoned PQ. As the proposed project site is directly adjacent to Fire Station 63, it is not anticipated that the surrounding community will experience a significant change with respect to the operations of the fire department. This proposal is a temporary measure while Fire Station 63 construction work is complete. Upon completion of the new Fires Station 63, the fire personnel will transfer back to the new station, the use of the mobile home will be discontinued, and the apparatus bay will be removed with the foundation and pad left to be utilized as a dry laydown area. Thus, the proposed project follows sound principles of land use.*

- c. Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.

*The sewer provider for the project site is the City of Oroville who owns the collection system. The agency that treats all wastewater is the Sewerage Commission – Oroville Region (SCOR). Power is provided by PG&E, telephone by AT&T, cable by Comcast, and water by the Thermalito Water and Sewer District. The drawings submitting show the details regarding the site plan's utilities, including but not limited to, electric power lines, potable water supply, telecommunications and sewer. All construction will be required to comply with current engineering, development and building code standards. Prior to the issuance of final occupancy, the Building Division will inspect all on-site improvements to ensure improvements were completed as identified on the City approved plans. If at the time of inspection any inadequacies in water, sanitation or utilities that are required to be supplied to the site are found, the applicant will*

*be required to make the site adequate prior to the issuance of the certificate of occupancy.*

*Additionally, 40 yards of Class 2 gravel, placed at 4-6" for ingress/egress to Del Oro Ave/Mono Ave is proposed and will be compacted with a 6-ton vibratory roller as a new temporary gravel roadbed for the fire engine stored in the apparatus bay. Mono Ave leads to Table Mountain Blvd, classified as a two lane collector, and Del Oro Ave leads to Nelson Ave, classified as a two lane arterial. Arterials are designed to move large volumes of traffic and collectors are intended to collect traffic from local roadways and carry it to roadways higher in street classification hierarchy. As this project is due to the temporary reconstruction of Fire Station 63, and not an expansion of the fire station's existing operations, an increase in vehicle trips is not anticipated as a result of this project. Thus, public utilities and facilities are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.*

- d. The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.

*The proposed project is surrounded by properties zoned PQ to the north and southeast, properties zoned Intensive Commercial (C-2) to the southwest, properties zoned High Density Residential (R-3) and Medium Density Residential (R-2) to the east, and Highway 70 to the west. However, the project site is roughly 43 acres and the proposed use of the 14' x 68' (952 square foot) mobile home for the temporary barracks and new 18' x 36' (648 square foot) apparatus bay to house the fire engine will be located at the northeast end of the parcel. The location of the temporary housing and apparatus bay are closest to the Old County Hospital to the south, Behavior Health (adult out-patient services) to the southeast, undeveloped land between the project and Butte County Probation to the north, and undeveloped/partially developed property to the east and southeast zoned R-3 and R-2.*

*Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code. In the event the project results in any unforeseen adverse effects, pursuant to section 17.48.010(F) of the Zoning Code, the Planning Commission may take action to revoke a use permit if any of the following occur: any of the conditions of approval have not been satisfied within 1 year after it was granted; any of the terms or conditions of the permit have been violated; a law, including any requirement in the Zoning Code, has been violated in connection with the permit; and finally, if the permit was obtained by fraud. This use permit has been conditioned to ensure that under no circumstance will the project be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole*

*without there being an appropriate course of action to remedy any potential issues or revoke the permit in accordance with section 17.48.010 of the City Code.*

*Thus, it has been determined that the location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.*

- e. The subject site is physically suitable for the type and intensity of land use being proposed.

*The parcel where the project will be located is roughly 43 acres and the portion of the parcel that this project will occupy is less than an acre in size. The applicant has submitted a set of drawings demonstrating that, as proposed, the subject site is physically suitable for the type and intensity of land use being proposed.*

- f. The size, intensity, and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.

*Butte County Fire Department serves the City of Oroville and its surroundings through an automatic and mutual aid agreement. The Butte County Fire Department contracts for staff with CAL FIRE. Butte County Fire Department provides services for fire control; emergency medical service, technical rescue response; hazardous materials response; flood control assistance; fire prevention and public safety education; fire law enforcement/arson investigation; and vegetation management. This proposed project will help the Butte County Fire Department continue to provide their services from Fire Station 63 while the reconstruction of the station is taking place. The 14' x 68' (952 square foot) used mobile home that will be utilized for the temporary barracks and new 18' x 36' (648 square foot) apparatus bay to house the fire engine have relatively small footprints on the roughly 43-acre project site, and is not an increase of their services, but rather a temporary relocation of existing services to an adjacent property. Thus, the size, intensity, and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.*

- g. The permit complies with all applicable laws and regulations, including the requirements of the General Plan, Zoning Code, and of the City's Municipal Code.

*The permit application has been reviewed by staff and the proposed project has been found to comply with all applicable laws and regulations, including the applicable requirements of the City's 2030 General Plan, Zoning Code, and other applicable portions of the City's Municipal Code. As a condition of this permit, the applicants shall be required to ascertain and comply with the requirements of all Federal, State, County, City and other local agencies as applicable to the*



*proposed use and project site. In addition, section 17.48.010(F) of the City Code provides guidelines for modifying or revoking use permits that have been granted if it can be proven, upon substantial evidence, that any of the conditions of the permit have not been satisfied within 1 year after it was granted, any of the terms or conditions of the permit have been violated, a law has been violated in connection with the permit, or if the permit was obtained by fraud.*



## CONDITIONS OF APPROVAL

### UP 17-03: Temporary Fire Station Barracks and Apparatus Bay

**Approved project:** The project applicant, Butte County Department of General Services, has applied for a use permit (UP 17-03) to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code. The Planning Commission hereby approves UP 17-03, subject to the following:

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
4. Upon completion of the new Fires Station 63, the fire personnel shall transfer back to the new station, use of the mobile home as temporary barracks and apparatus bay shall be discontinued and removed. The foundation and pad of the apparatus bay may be left for utilization as a dry laydown area.
5. Provide dust control on gravel area, on an as needed basis.
6. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.

7. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - b. Any of the terms or conditions of the permit have been violated.
  - c. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  - d. The permit was obtained by fraud.
8. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

**--- End of Conditions ---**

## RESOLUTION NO. P2017-06

**A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT NO. 17-03 FOR TEMPORARY FIRE STATION BARRACKS AND APPARTUS BAY TO BE LOCATED AT 2279 DEL ORO AVENUE (APN: 031-040-039) UNTIL CONSTRUCTION OF FIRE STATION 63 IS COMPLETE**

**WHEREAS**, the City of Oroville has received a use permit application from Butte County Department of General Services to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue;

**WHEREAS**, the portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services; and

**WHEREAS**, the temporary housing will be for two men in an existing 14' x 68' (952 square foot) used mobile home;

**WHEREAS**, the subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public; and

**WHEREAS**, per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code; and

**WHEREAS**, pursuant to Section 17.48.010(E)(4) of the Oroville Municipal Code, the Planning Commission may grant a use permit only upon making all of the following findings, based on substantial evidence:

- a. The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole.

*Per City Code 17.48.010, the intent of use permits is to provide an opportunity to review the location, site development or conduct of certain land uses, activities and structural features that generally have a distinct impact on the area in which they are located or are capable of creating special problems for bordering properties unless given careful attention. For this reason, such uses are permitted through discretionary review and the powers granted to the Planning Commission include attaching any conditions to the use permit that are deemed necessary to achieve the purpose of the Zoning Code, and also promote the general health, safety, and public welfare of the City.*

*After a thorough review of the project, the approval of this use permit has been conditioned to ensure that under no circumstance will the project be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole without there being an appropriate course of action to remedy any potential issues or revoke the permit in accordance with section 17.48.010 of the City Code.*

- b. The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.

*The project site is property of Butte County and directly north of Fire Station 63 on Nelson Avenue. Considering that the proposed barracks and apparatus bay are a temporary solution to house two firefighters and a fire engine until the reconstruction of Fire Station 63 is complete, it's logical to house the firefighters and fire engine on an adjacent property that is also owned by the County and identically zoned PQ. As the proposed project site is directly adjacent to Fire Station 63, it is not anticipated that the surrounding community will experience a significant change with respect to the operations of the fire department. This proposal is a temporary measure while Fire Station 63 construction work is complete. Upon completion of the new Fires Station 63, the fire personnel will transfer back to the new station, the use of the mobile home will be discontinued, and the apparatus bay will be removed with the foundation and pad left to be utilized as a dry laydown area. Thus, the proposed project follows sound principles of land use.*

- c. Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.

*The sewer provider for the project site is the City of Oroville who owns the collection system. The agency that treats all wastewater is the Sewerage Commission – Oroville Region (SCOR). Power is provided by PG&E, telephone by AT&T, cable by Comcast, and water by the Thermalito Water and Sewer District. The drawings submitting show the details regarding the site plan's utilities, including but not limited to, electric power lines, potable water supply, telecommunications and sewer. All construction will be required to comply with current engineering, development and building code standards. Prior to the issuance of final occupancy, the Building Division will inspect all on-site improvements to ensure improvements were completed as identified on the City approved plans. If at the time of inspection any inadequacies in water, sanitation or utilities that are required to be supplied to the site are found, the applicant will be required to make the site adequate prior to the issuance of the certificate of occupancy.*

*Additionally, 40 yards of Class 2 gravel, placed at 4-6" for ingress/egress to Del Oro Ave/Mono Ave is proposed and will be compacted with a 6-ton vibratory roller as a new temporary gravel roadbed for the fire engine stored in the apparatus bay. Mono Ave leads to Table Mountain Blvd, classified as a two lane collector, and Del Oro Ave leads to Nelson Ave, classified as a two lane arterial. Arterials are designed to move large volumes of traffic and collectors are intended to collect traffic from local roadways and carry it to roadways higher in street classification hierarchy. As this project is due to the temporary reconstruction of Fire Station 63, and not an expansion of the fire station's existing operations, an increase in vehicle trips is not anticipated as a result of this project. Thus, public utilities and facilities are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.*

- d. The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.

*The proposed project is surrounded by properties zoned PQ to the north and southeast, properties zoned Intensive Commercial (C-2) to the southwest, properties zoned High Density Residential (R-3) and Medium Density Residential (R-2) to the east, and Highway 70 to the west. However, the project site is roughly 43 acres and the proposed use of the 14' x 68' (952 square foot) mobile home for the temporary barracks and new 18' x 36' (648 square foot) apparatus bay to house the fire engine will be located at the northeast end of the parcel. The location of the temporary housing and apparatus bay are closest to the Old County Hospital to the south, Behavior Health (adult out-patient services) to the southeast, undeveloped land between the project and Butte County Probation to the north, and undeveloped/partially developed property to the east and southeast zoned R-3 and R-2.*

*Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code. In the event the project results in any unforeseen adverse effects, pursuant to section 17.48.010(F) of the Zoning Code, the Planning Commission may take action to revoke a use permit if any of the following occur: any of the conditions of approval have not been satisfied within 1 year after it was granted; any of the terms or conditions of the permit have been violated; a law, including any requirement in the Zoning Code, has been violated in connection with the permit; and finally, if the permit was obtained by fraud. This use permit has been conditioned to ensure that under no circumstance will the project be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the City as a whole without there being an appropriate course of action to remedy any potential issues or revoke the permit in accordance with section 17.48.010 of the City Code.*

*Thus, it has been determined that the location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.*

- e. The subject site is physically suitable for the type and intensity of land use being proposed.

*The parcel where the project will be located is roughly 43 acres and the portion of the parcel that this project will occupy is less than an acre in size. The applicant has submitted a set of drawings demonstrating that, as proposed, the subject site is physically suitable for the type and intensity of land use being proposed.*

- f. The size, intensity, and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.

*Butte County Fire Department serves the City of Oroville and its surroundings through an automatic and mutual aid agreement. The Butte County Fire Department contracts for staff with CAL FIRE. Butte County Fire Department provides services for fire control; emergency medical service, technical rescue response; hazardous materials response; flood control assistance; fire prevention and public safety education; fire law enforcement/arson investigation; and vegetation management. This proposed project will help the Butte County Fire Department continue to provide their services from Fire Station 63 while the reconstruction of the station is taking place. The 14' x 68' (952 square foot) used mobile home that will be utilized for the temporary barracks and new 18' x 36' (648 square foot) apparatus bay to house the fire engine have relatively small footprints on the roughly 43-acre project site, and is not an increase of their services, but rather a temporary relocation of existing services to an adjacent property. Thus, the size, intensity, and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.*

- g. The permit complies with all applicable laws and regulations, including the requirements of the General Plan, Zoning Code, and of the City's Municipal Code.

*The permit application has been reviewed by staff and the proposed project has been found to comply with all applicable laws and regulations, including the applicable requirements of the City's 2030 General Plan, Zoning Code, and other applicable portions of the City's Municipal Code. As a condition of this permit, the applicants shall be required to ascertain and comply with the requirements of all Federal, State, County, City and other local agencies as applicable to the proposed use and project site. In addition, section 17.48.010(F) of the City Code provides guidelines for modifying or revoking use permits that have been granted if it can be proven, upon substantial evidence, that any of the conditions of the*



*permit have not been satisfied within 1 year after it was granted, any of the terms or conditions of the permit have been violated, a law has been violated in connection with the permit, or if the permit was obtained by fraud; and*

**WHEREAS**, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the use permit described herein, and also considered the City's staff report regarding the project.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION** as follows:

1. The Planning Commission finds that this action has been determined to be Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15303 "New Construction or Conversion of Small Structures."
2. The Planning Commission adopts the findings required by Section 17.48.010(E)(4) of the Oroville City Code, as those findings are described in this Resolution.
3. The following conditions of approval have been deemed necessary to achieve the purpose of the Zoning Code, promote the general health, safety and public welfare of the City.

#### **CONDITIONS OF APPROVAL**

**Approved project:** The project applicant, Butte County Department of General Services, has applied for a use permit (UP 17-03) to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code. The Planning Commission hereby approves UP 17-03, subject to the following:

1. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.

2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
3. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the building, structure or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
4. Upon completion of the new Fires Station 63, the fire personnel shall transfer back to the new station, use of the mobile home as temporary barracks and apparatus bay shall be discontinued and removed. The foundation and pad of the apparatus bay may be left for utilization as a dry laydown area.
5. Provide dust control on gravel area, on an as needed basis.
6. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
7. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
  - a. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
  - b. Any of the terms or conditions of the permit have been violated.
  - c. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
  - d. The permit was obtained by fraud.
8. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

**--- End of Conditions ---**

/

/

/

/

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 16<sup>th</sup> of March 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
DONALD L. RUST, SECRETARY

\_\_\_\_\_  
DAMON ROBISON, CHAIRPERSON





# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

**Donald Rust**  
DIRECTOR

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### **ATTENTION: PROPERTY OWNERS AND INTERESTED PARTIES**

The project listed below has been filed with the Community Development Department. You are invited to comment because your property is located near the proposed project. Please comment in the space below. You may attach additional pages as necessary.

Please submit your comments to this department no later than **Thursday, March 16, 2017** to be sure that they are included in the final project action. However, comments will be taken up to the time of the project decision. If you have no comment, a reply is not necessary.

### **VICINITY MAP**

**ASSESSOR**  
**PARCEL**  
**NUMBER:** 031-040-039

**FILE**  
**NUMBER:** Use Permit No. 17-03

**APPLICANT:** Butte County Department of General Services

**ZONING:** Public or Quasi-Public (PQ)

**LOCATION:** 2279 Del Oro Avenue

**CONTACT**  
**PERSON:** Luis A. Topete,  
Associate Planner  
530 538-2408  
530 538-2426 Fax  
[ltopete@cityoforoville.org](mailto:ltopete@cityoforoville.org)



### **PROJECT DESCRIPTION:**

**UP 17-03: Temporary Fire Station Barracks and Apparatus Bay** – The Oroville Planning Commission will review and consider approving Use Permit No. 17-03 for Butte County Department of General Services to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code

**NOTICE IS HEREBY GIVEN** that the City of Oroville Planning Commission will hold a public hearing on the project described above. Said hearing will be held at **7:00 p.m. on Thursday, March 16, 2017** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.





# City of Oroville

Donald Rust  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### NOTICE OF PUBLIC HEARING BEFORE THE CITY OF OROVILLE PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Oroville will hold a public hearing on the projects described below. Said hearing will be held at **7:00 p.m. on Thursday, March 16, 2017** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.

1. **UP 17-03: Temporary Fire Station Barracks and Apparatus Bay** - The Oroville Planning Commission will review and consider approving Use Permit No. 17-03 for Butte County Department of General Services to locate temporary fire station barracks and apparatus bay at the northeast corner of 2279 Del Oro Avenue (APN: 031-040-039) until the California Department of Forestry and Fire Protection (CAL FIRE) completes new Fire Station 63 on Nelson Avenue. The portion of the project site where the temporary barracks and apparatus bay are proposed is currently a facility laydown yard for the Butte County Department of General Services. The subject property has a zoning designation of Public or Quasi-Public (PQ) and a General Plan land use designation of Public. Per the City of Oroville Municipal Code, all temporary uses and buildings are required to obtain a use permit, except as otherwise provided in Section 17.16.060 of the Oroville Municipal Code.

Additional information regarding the projects described in this notice can be obtained from the Oroville Community Development Department at 1735 Montgomery Street, Oroville, CA. Anyone desiring to submit information, opinions or objections is requested to submit them in writing to the Community Development Department prior to the hearing. In accordance with Government Code Section 65009, if you challenge an action on these projects in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public meeting.

Posted/Published: **Monday, March 6, 2017**







# City of Oroville

Donald Rust  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

March 16, 2017

**TSM 05-11 (Nelson 56): Two Year Extension** – The Oroville Planning Commission will review and consider approving a two-year extension to Tentative Subdivision Map No. 05-11, also known as Nelson 56.

**APPLICANT:** James Crane  
P.O. Box 173  
Forest Ranch, CA 95942

**LOCATION:** 56.45-acre vacant parcel of land located on the north side of Nelson Avenue between 14<sup>th</sup> Street and Golden Eagle Road (APN: 031-020-043)

**GENERAL PLAN:** Medium Low Density Residential

**ZONING:** Large-Lot Residential (RL)

**FLOOD ZONE:** ZONE X: Areas determined to be outside the 0.2% annual chance floodplain (500-year floodplain).

#### ENVIRONMENTAL DETERMINATION:

An Environmental Checklist and Initial Study were prepared to examine potential areas of impact resulting from this project. The Initial Study found that although the proposed project could have a significant effect on the environment, there will not be any significant environmental impacts resulting from this project because all applicable regulations in addition to the proposed mitigation measures will reduce any potentially significant impacts to a less than significant level. As a result, an Environmental Impact Report was determined not to be required and a Mitigated Negative Declaration was prepared and adopted April 14, 2008.

#### REPORT PREPARED BY:

Luis A. Topete, Associate Planner  
Community Development Department

#### REVIEWED BY:

Donald Rust, Director  
Community Development Department

#### RECOMMENDED ACTIONS:

City staff recommends that the Planning Commission take the following actions:

1. **ADOPT** Resolution No. P2017-04 (**Attachments D**).

## SUMMARY

The Oroville Planning Commission will review and consider approving a two-year extension to Tentative Subdivision Map (TSM) 05-11, also known as Nelson 56.

## DISCUSSION

On April 14, 2008, the Planning Commission approved Resolution No. P2008-06 for the approval of a Mitigated Negative Declaration and a Mitigation Monitoring Program for, and conditionally approving, TSM 05-11, also known as Nelson 56, to create 197 lots for a single family development on an approximately 56.45-acre vacant parcel of land located on the north side of Nelson Avenue between 14<sup>th</sup> Street and Golden Eagle Road (**Attachment A & B**). On January 24, 2017, the City received an application requesting an extension of TSM 05-11 for the remaining four years permitted (**Attachment C**).

TSM 05-11 was initially approved for two years and was set to expire on April 14, 2010. In the midst of the economic recession the State of California experienced, the State legislature automatically extended qualifying tentative maps through different legislative actions. The automatic State extensions applicable to this tentative map are as follows:

BILL OR STATUTE	ACTION	NEW EXPIRATION DATE OF TSM 05-11
SB 1185 Gov. Code Section 66452.21	Extends for one year all maps that were in effect as of July 15, 2008, and would have expired before January 1, 2011.	April 14, 2011
AB 333 Gov. Code Section 66452.22	Extends for two years all maps that did not expire before July 15, 2009 and would have otherwise expired before January 1, 2012.	April 14, 2013
AB 208 Gov. Code Section 66452.23	Extends outstanding local subdivision approvals for two more years if the map was approved and did not expire before July 15, 2011 and would otherwise expire before January 1, 2014.	April 14, 2015
AB 116 Gov. Code Section 66452.24	Extends for two years the expiration date of any tentative map, vesting tentative map, or parcel map that was approved on or after January 1, 2000, and that has not expired on or before the effective date of this act (July 11, 2013).	April 14, 2017

Per the Subdivision Map Act, a tentative map may be extended for a period or periods not exceeding a total of six years, in addition to the automatic extensions enacted by the legislature. Section 16.12.020(H) of the Oroville Municipal Code specifies that if the subdivider applies for an extension before an approved or conditionally approved tentative map expires, the Planning Commission may extend the date on which the map expires for a period or periods not exceeding a total of two years. If approved, the expiration date for the existing map would be April 14, 2019, with the opportunity to apply for an additional two-year extension in the future.

## ENVIRONMENTAL REVIEW

An Environmental Checklist and Initial Study were prepared to examine potential areas of impact resulting from this project. The Initial Study found that although the proposed project could have a significant effect on the environment, there will not be any significant environmental impacts resulting from this project because all applicable regulations in addition to the proposed mitigation measures will reduce any potentially significant impacts to a less than significant level. As a result, an Environmental Impact Report was determined not to be required and a Mitigated Negative Declaration was prepared and adopted by the Planning Commission on April 14, 2008.

CEQA Guidelines specify that a lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption. A "substantial revision" is defined to mean: 1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance; or 2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required. As neither apply, recirculation of the Initial Study / Mitigated Negative Declaration is not required.

## FISCAL IMPACT

Item	Price	Tech Fee	Total	Paid
Tentative Map Amendment	\$1,024.09	\$61.45	\$1,085.54	Yes
<b>Total</b>	<b>\$1,024.09</b>	<b>\$61.45</b>	<b>\$1,085.54</b>	<b>Yes</b>

## ATTACHMENTS

- A – Tentative Subdivision Map
- B – Resolution No. P2008-06
- C – Letter from Applicant
- D – Resolution No P2017-04

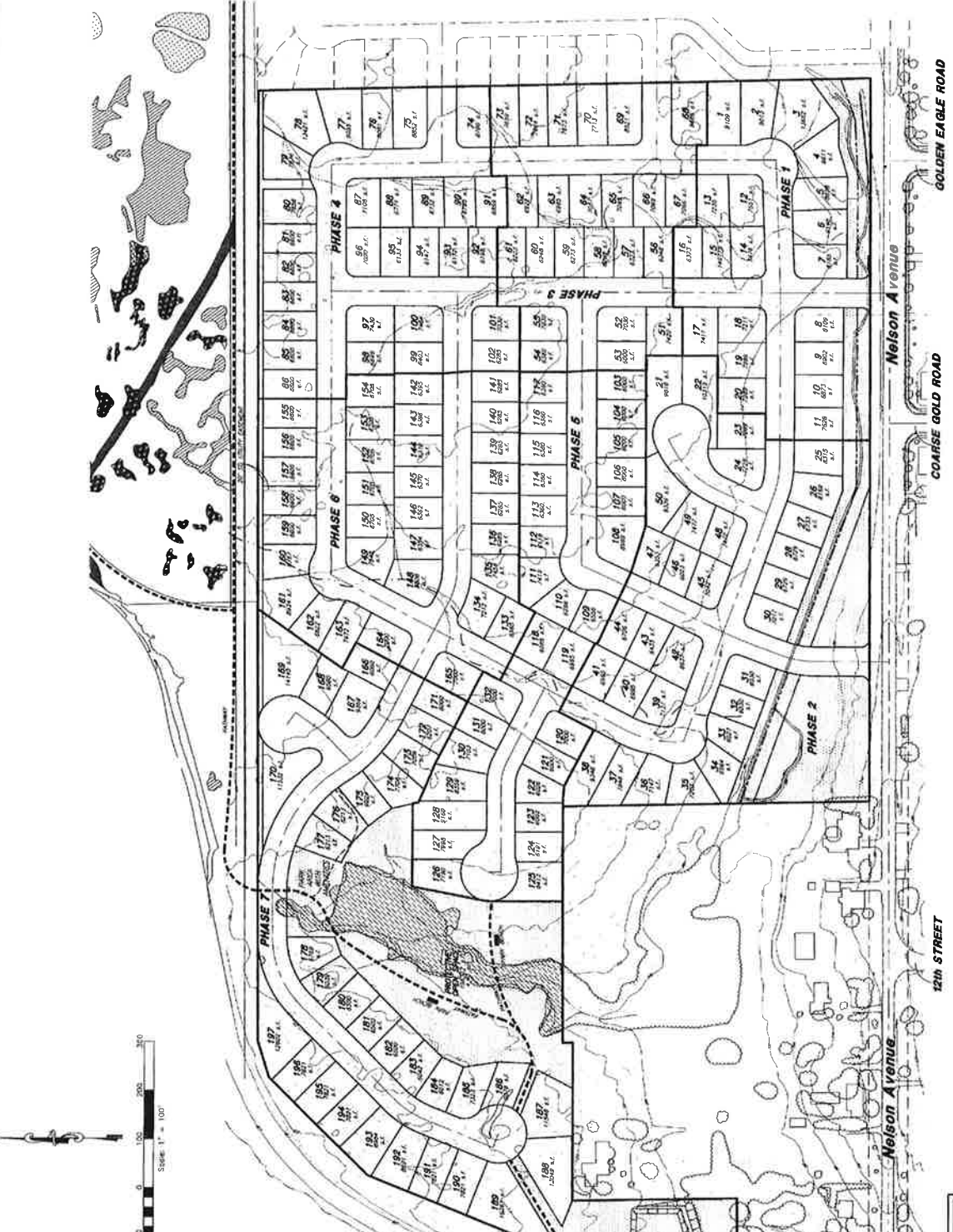


Revised, November 27, 2007

**Subdivider**  
 Hompton Development Group Inc  
 Attn: Ben Hompton  
 40 Philadelphia Drive Suite 200  
 Chico CA 95973  
 (530) 890-2572

# Nelson 56

Oroville City, Butte County, California



**Vicinity Map**

- THE ZONING IS CURRENTLY:  
 -EXISTING ZONING IS R-2 AND IS UNDEVELOPED  
 -PROPOSED ZONING IS R-2
- ALL STREETS ARE TO BE CONSTRUCTED TO MINIMUM CITY STANDARDS UNLESS OTHERWISE APPROVED BY THE GONVILLE CITY PUBLIC WORKS ENGINEERING DEPARTMENT (SEE STREET SECTION DETAIL)
- CITY UTILITIES SHALL BE IMPROVED AND DEDICATED TO THE DEPARTMENT AS FOLLOWS:  
 -SEWER  
 -WATER  
 -GAS  
 -TELECOMMUNICATIONS: SEE DETAIL
- ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
- ALL ASSIGNS ARE TO BE MADE UNLESS OTHERWISE INDICATED.
- UTILITY PROVIDERS ARE AS FOLLOWS:  
 -SEWER: T.D. OF GONVILLE  
 -WATER: T.D. OF GONVILLE  
 -GAS: T.D. OF GONVILLE  
 -TELECOMMUNICATIONS: SEE DETAIL

**Design Specs.**

Total Area	57.26 Acres
Highway-Right-of-Way	10.89 Acres
Open Space Area	31.02 Acres
Net Developable Area	15.35 Acres
Number of Lots Proposed	197 Lots

NOTES:  
 1. CONTOURS ARE SHOWN WITH A ONE FOOT INTERVAL.  
 2. SEE PLANS AND SPECIFICATIONS FOR THE PROPERTY OF BUREAU OF REVENUE AND ASSESSMENT, P.O. BOX 112, OROVILLE, CALIFORNIA 95964.



## RESOLUTION NO. P 2008-06

**A RESOLUTION OF THE OROVILLE PLANNING COMMISSION APPROVING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM FOR, AND CONDITIONALLY APPROVING, TENTATIVE SUBDIVISION MAP NO. 05-11 TO CREATE 197 LOTS FOR SINGLE FAMILY DEVELOPMENT ON AN APPROXIMATE 57 ACRE PARCEL OF LAND LOCATED ON THE NORTH SIDE OF NELSON AVENUE BETWEEN 12<sup>TH</sup> STREET AND GOLDEN EAGLE ROAD**

WHEREAS, the City of Oroville has received an application to subdivide a 57.3±-acre property (Property) located on the northeast side of Nelson Road between 12<sup>th</sup> Street and Golden Eagle Road, into one hundred ninety-seven (197) building lots for single-family homes; and

WHEREAS, the design of the proposed subdivision is illustrated on the tentative subdivision map labeled Sheet 2 of 7 (Map), received by the City on December 14, 2007, which Map has been assigned the file number of TSM No. 05-11, a copy of which is attached to this resolution as Exhibit "A; and

WHEREAS, the entire 57.5± acre Property is designated by the City of Oroville's General Plan Land Use Diagram for *Medium Density Residential* development, and the Zoning Map designation is *Single Family Residential (R-1)* and these combined designations allow residential development at a density of approximately five (5) homes per acre; and

WHEREAS, the Property is known as, being Assessor's Parcel Number 031-030-033 and Assessor's Parcel Number 031-020-043; and

WHEREAS, a draft Negative Declaration has been prepared for TSM 05-11 with the proposed Mitigation Measures and Mitigation Monitoring Program described in Exhibit "B" attached hereto; and

WHEREAS, a noticed public comment period was conducted for the draft Negative Declaration from March 5, 2008 to April 4, 2008, and comments submitted regarding the environmental were either found to be unrelated to the environmental findings or were incorporated into the document; and

WHEREAS, the Planning Commission considered at a noticed public hearing the comments and concerns of public agencies and property owners who are potentially affected by approval of the Map described herein, and also considered City staff's report regarding the Map.

NOW, THEREFORE, BE IT RESOLVED BY THE OROVILLE PLANNING COMMISSION AS FOLLOWS:

Section 1. There is no evidence in the record before the Planning Commission to support a finding that potentially significant adverse environmental effects are likely to



occur as a result of approval of TSM 05-11, which determination reflects the Planning Commissioner's independent judgment and analysis, and is based upon the following facts:

1. Subdivider must obtain permits from agencies responsible for protecting natural resources, then implement the requirements of those permits and maintaining the conditions required by the permits.
2. While there is sensitive habitat on the site, mitigations and adherence to conditions imposed by the resource agencies with responsibility for protecting these resources will ensure that the net impact to these resources will not be significant.
3. Construction of 197 single-family homes will result in an incremental increase in the need for additional municipal services that will be provided by developer installed improvements and developer fees as well as additional taxes on residents in the form of a community facility district, benefit assessment district, and landscaping and lighting maintenance assessment district.
4. The conditions of approval described in this resolution will implement all mitigations identified in the Mitigated Negative Declaration, those mitigations being listed in the Mitigation Monitoring Program (Exhibit B) attached to this resolution, and implementation of those mitigation measures will be monitored as described in Exhibit B.
5. All relevant comments regarding the Mitigated Negative Declaration are addressed in the conditions of approval described in this resolution.

Section 2:Based upon the evidence in the record before it, the following findings are adopted for this project:

1. The Map and its design and improvements are consistent with, and will not impede implementation of, Oroville's General Plan policies related to the Property and the area around it. *The Residential Medium Density land use designation of the City's General Plan establishes a maximum density of 6 dwelling units per acre. The proposed project has a gross density of approximately 3.45 dwelling units per acre of land. The Property is not listed in Table 52 of the Housing Element of the General Plan as on upon which the City is relying for purposes of meeting its very low to low income housing goals for the 2003-2008 planning period.*
2. The site is physically suitable for the type and density of development proposed. *The project, as conditioned and designed takes into account the physical features of the property including but not limited to slope, water courses, drainage features, and topography. The site is level to gently sloping with no significant topographic features that would require unique building design or layout. The project utilizes traditional single family lot sizes in order to maintain single family residential development, consistent with the predominant single family residential development that surrounds the area. Services including sewer and water are available to serve*

*the site.*

3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish, or wildlife or their habitat. *The site was reviewed under the requirements of the California Environmental Quality Act and an initial study prepared which identified potentially significant impacts to the environment but revisions in the project plans submitted or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect would occur and there is no substantial evidence, in light of the whole record, that the project as revised may have a significant effect on the environment and a Negative Declaration with mitigation measures is being recommended.*
4. The design of the subdivision or the proposed improvements is not likely to cause serious public health problems. *As conditioned, the project will provide roadway and site construction standards adopted by the City to minimize project related problems. Standard subdivision improvements will include fire hydrants, streetlights and roadways designed to accommodate the expected volume of use.*
5. The design of the project and division of the land in the manner set forth on the Map will not unreasonably interfere with the free and complete use of existing public and/or public utility easements or rights-of-way or conflict with easements, acquired by the public at large, for access through or use of property within the proposed project. *Adequate public access to and through the subdivision is provided by internal and adjacent public rights-of-way. There are no internal easements that will be affected by the project. Circulation will also connect with the Forebay Estates subdivision to the east.*
6. The Property is not listed in Table 52 of the Housing Element of the General Plan as on upon which the City is relying for purposes of meeting its very low to low income housing goals for the 2003-2008 planning period.

Section 3. TSM 05-11, as described herein, is conditionally approved and a Mitigated Negative Declaration Notice of Determination attached to this resolution as Exhibit C, is adopted for said approval. The Director of Community Development and Public Works is designated as custodian of the documents and other materials which constitute the record of proceedings upon which the decision of the Planning Commission is based, and this record shall be maintained at Oroville City Hall, 1735 Montgomery Street, Oroville, California.

Section 4. Subdivider shall comply with the following conditions regarding the approval of TSM 05-11.

**SUBMIT GRADING AND IMPROVEMENT PLANS THAT CONTAIN ALL OF THE FOLLOWING INFORMATION:**

1. The approval of the Tentative Map and/or tentative site plan does not constitute approval of the proposed improvements as to size, design, materials, or location, unless specifically addressed in these conditions of approval. The Engineer shall submit construction details, plans and profiles, typical sections, grading and erosion control details, specifications, and cost estimates to the Engineering Division for review and approval with submittal of the improvement plans.
2. The grading plans shall clearly identify all existing water, sewer, storm water, traffic, and other public utilities within the boundaries of the project (including adjoining public right of way). Existing utilities shall be identified in plan view and in profile view where grading activities will modify existing site elevations over top of or within 15 feet of the utility. Any utilities that could potentially be impacted by the project shall be clearly identified along with the proposed protection measures.
3. Grading plans shall be accompanied by a soils report or geotechnical report prepared by a registered Civil Engineer or geologist in a manner consistent with standard engineering practice. The report shall be reviewed for acceptability by the Engineering Division.
4. Fill and cut slopes shall be 2:1 maximum.
5. The grading plans shall identify areas, details, and/or cross sections proposed for mass grading..
6. Except as otherwise specifically approved in these conditions, all lots shall be graded to prevent cross-lot drainage, and graded to prevent drainage from entering other properties adjacent to the subdivision.
7. The design and construction of all improvements shall conform to the latest Construction Standards, practices and policies of the City of Oroville, or as modified by these conditions of approval, or as directed by the City Engineer.

**STREETS AND TRAFFIC IMPROVEMENT REQUIREMENTS**

8. Street right-of-ways shall be as follows:

Street Description	Proposed Right-of-Way Half Width	Dedication Required
Nelson Avenue	40'	40'
Interior Roads A through K	30'	60'
All cul-de-sac bulbs	60' radius	120' diameter

9. Sidewalks, planting areas, fencing and decorative sound walls shall be as follows:

Street Description	Planter Width <sup>(1)</sup>	Sidewalk Width	Fence or Wall Type	Setback to Wall or Fence <sup>(2)</sup>

Interior Roads A through K	6'	5'	None	N/A
----------------------------	----	----	------	-----

- (1) Measured from back of curb.
- (2) Measured from back of sidewalk to face of wall or fence.

10. All cul-de-sac bulbs shall be constructed with a minimum 60 foot right-of-way radius, 35 foot street radius measured from center-point to face-of-curb, 6 foot landscape strip, and 5 foot wide sidewalk.
11. Construct all other interior roads as follows: 60-foot right-of-way with a 35-foot road section from curb to curb, rolled or vertical curb, 6-foot landscaping strip as measured from back of curb, and 5-foot sidewalk. Paving structural section shall have 3-inches of asphalt concrete pavement over 10-inches of Class II aggregate base compacted to 95% relative density. A thicker structural road section is required if poor soil conditions, high groundwater or other factors are present on the project. The City may consider a modified pavement section if adequate field data and engineering calculations are provided to support the change.
12. Construct full frontage improvements along the Nelson Avenue frontage of the Property as follows: 26-foot-wide paved traveled way as measured from centerline to face-of-curb with delineated bike lane, 6-inch vertical curb and gutter, 6-foot wide planter strip, and 5-foot wide separated sidewalk. Install landscaping to approved City standards. Paving structural section for the pave-out areas on Nelson Avenue shall match existing, but at a minimum shall have 4-inches of asphalt concrete pavement over 16-inches of Class II aggregate base compacted to 95% relative density. A thicker structural road section is required if poor soil conditions, high groundwater or other factors are present on the project. The City may consider a modified pavement section if adequate field data and engineering calculations are provided to support the change.
13. Paving structural section on internal paths shall have 2-inches of asphalt concrete pavement over 6-inches of Class II aggregate base compacted to 95% relative density or other surfacing approved by the City of Oroville.
14. Street grades shall be 10% maximum unless approved by the Fire Department.
15. Street grades shall not exceed 2% at the approaches to handicapped ramps.
16. Construct traffic calming neck-down and curb bulb-out road features at the intersections shown on the tentative map dated November 27, 2007, in conformance with a design approved by the City Engineer. Design elements may include decorative concrete work, signage, lighting, and landscaping to provide an attractive, yet practical traffic calming feature.
17. Provide striping and signage for bike lanes on Nelson Avenue as approved by the City Engineer.

18. Construct handicapped ramps to current Disability Access Standards and the City's ST-15 standard with black cast-in-place truncated domes. The curb ramps and sidewalk landings shall be placed within the City's right-of-way.
19. Prior to approval of a Final Map for the first phase, applicant shall obtain all required encroachment permits and place stop signs at the SR 70/4<sup>th</sup> Street/Nelson Avenue ramp intersections, and modify existing striping along Nelson Avenue at 4<sup>th</sup> Street to provide a left turn lane to southbound 4<sup>th</sup> Street from Nelson Avenue and a separate right-turn lane to southbound 4<sup>th</sup> Street from Nelson Avenue. (CEQA Mitigation Measure)
20. Prior to approval of a Final Map for the first phase, install an all-way STOP for the Nelson Avenue/6<sup>th</sup> Street intersection including signage and striping in accordance with plans approved by the City Engineer. (CEQA Mitigation Measure)
21. Install centerline monuments in accordance with City Standards.
22. Install stop signs and "STOP" pavement legends at all pertinent intersections as required by the City Engineer. All traffic pavement markings shall be thermoplastic, and all regulatory signs shall be high reflectivity diamond grade material. The markings and signage shall be shown on the improvement plans and shall be installed in accordance with City Standards.
23. All facilities such as mailboxes, signs, and fire hydrants shall be located out of the sidewalk. Multi-tenant mailboxes shall be shown on the plans, in locations approved by the U.S. postal service.
24. At the location of each street fire hydrant, the curb shall be painted red for a distance of 6-feet on either side of the hydrant to create a no parking zone.
25. Street names shall be approved by the City Address Coordinator, and street name signs shall be provided per requirements of the Department of Community Development and Public Works. A minimum of 3 alternate names for each new street shall be submitted.
26. Offer for dedication by separate instrument recorded concurrently with the Final Map that land which abuts the entire Property frontage of Nelson Avenue (exclusive of the entry roads to the Property), for stormwater conveyance and environmental conservation purposes, subject to approval of City Council.
27. All retaining walls shall be constructed of split-face masonry, cast-in-place concrete, or other decorative material and style approved by the Director of Community Development and Public Works. Wood retaining walls will not be allowed under any circumstances.

#### SEWER IMPROVEMENT REQUIREMENTS

28. Subdivider shall construct sewer extensions to the Property at Subdivider's expense, in accordance with standards and plans approved by Thermalito Irrigation District (TID).
29. All new structures constructed on the new lots created by this subdivision shall be connected to the TID sanitary sewer system. Sewer service laterals shall be constructed to each lot. All installations of sewer lines within public rights-of-way will be done according to TID standards in effect at the time of the installation.
30. All lots shall be designed to be served by gravity sewer.
31. Sanitary sewer design, plan, and profile shall be submitted to TID for approval. It is the developer's responsibility to obtain TID approval. Approved sewer plans shall be submitted to City.

#### STORM DRAINAGE IMPROVEMENT REQUIREMENTS

32. On-site storm drainage collection system shall be designed to the requirements of the City of Oroville and shall utilize underground gravity conduit to direct water flows. Discharge of storm waters shall be to an approved watercourse, swale or other location. Detention ponds shall be designed to drain after each storm event.
33. Storm water from the Property shall be detained using a metered orifice to maintain the pre-development peak rate of discharge upstream of all existing development for 2, 10, and 100-year storm intervals. Emergency overflow provisions for storms exceeding 100-years, and trash, debris, & sediment collection using mechanical treatment shall also be incorporated into the design.
34. The design of stormwater detention/retention facilities shall include emergency overflow provisions for storm events that exceed the design storage capacity of the facility.
35. Where lots cannot be graded to drain to a street or graded to prevent cross-lot drainage to adjacent properties, construct concrete V-ditches or underground piping within private stormwater easements at the back of those lots. All storm water conveyances constructed along the back of lots shall be privately owned, unless a Registered Civil Engineer can demonstrate to the City Engineer that public ownership of the conveyance facility is necessary for conveyance of public storm water, or for conveyance of substantial off-site drainage tributaries.
36. Storm drainage drop inlets shall have adhesive applied curb markers installed in accordance with City Standards. The curb markers shall be part number "SDS" as manufactured by DAS, Curb Markers, or approved equal and shall say "DON'T POLLUTE".
37. All drainage pipe laid within City right-of-way shall be 12" minimum RCP unless otherwise approved by the Director of Community Development and Public Works.

Flexible pipes such as HDPE and PVC will not be considered unless the developer provides certification and assurances, and if required, securities for the installation of the pipe. Certifications and assurances may be in the form of special inspections paid for by the developer, with written statements from a Registered Professional Engineer guaranteeing the installation, and written statements from the manufacturer guaranteeing the materials. Securities may be in the form of maintenance bonds with extended warranty periods.

38. All drainage improvements shall be constructed in conformance with Oroville Construction Standards, the City Master Drainage Plan, and the details shown on approved construction plans. The subdivider shall have a Registered Civil Engineer prepare and submit construction details, plans and profiles, typical sections and specifications, and cost estimates to the Engineering Division for review and approval prior to the start of any work.
39. The stormwater detention facilities shall be sized to store the volumetric difference between the pre-development and post-development for 2, 10 and 100-year storm events. Calculations to support the detention storage volume shall be prepared and submitted to the City using the City's Modified Rational Method Spreadsheet solution.
40. If any portion of the property is within a FEMA designated Special Flood Hazard Area (SFHA), then establish the 100-year floodplain elevations on the map, and establish the lowest floor elevation for any structure is a minimum of 1-foot above the 100-year flood elevation. If there is no base flood elevation established for the SFHA, then establish such by field survey and HEC-RAS computer model. Show the elevations on the map to the nearest 6-inches, either by contour or cross section, and show the location of an accepted NVGD benchmark and temporary benchmark on-site.

#### WATER AND FIRE PROTECTION IMPROVEMENT REQUIREMENTS

41. Fire hydrants shall be installed at locations required by the Oroville Fire Department with general spacing being approximately 400 feet. Installation of the hydrants shall conform to the requirements of the City of Oroville Fire Department and the TID.
42. Water for domestic use and fire suppression shall be obtained from the Thermalito Irrigation District (TID). All water installations will be done according to TID standards, and all civil plans must be approved and signed TID. Water service shall be stubbed out to each lot within the subdivision. All water installations shall be completed in accordance with TID standards and all civil plans must be approved and signed by the water purveyor. Provide verification that TID has accepted all such infrastructure for service and maintenance.
43. Subdivider shall construct water line extensions to the Property and shall install and/or replace water lines off-site if TID determines that such improvements are

required in order to meet City's minimum fire flow standards. All such improvements shall be designed in accordance with TID standards and plans approved by TID, and shall be constructed at Subdivider's expense.

OTHER UTILITY IMPROVEMENT REQUIREMENTS

44. Applicant shall provide telephone, cable television, and gas service to all lots, in accordance with Oroville City Code, the Oroville Construction Standards, and the requirements of the agencies providing these services.
45. All new utilities shall be installed underground.
46. Street lights shall be installed in accordance with City Standards. A street lighting plan shall be submitted to the Engineering Division for review and approval. The subdivision improvement plans shall include the street light system design to include circuit, conduit and wiring schedules. Street light poles shall be spun aluminum or ornamental type approved by the Director of Community Development and Public Works. Luminaires shall be semi-cutoff optical designs with a maximum pole height of 25-feet.
47. Subdivider shall provide a letter from each utility stating that satisfactory financial arrangements for installation of that utility have been made.
48. The joint trench composite shall be incorporated into the construction drawings showing, to the best knowledge of the Engineer, the location of the trenches, a typical trench section, and the utilities to be included within the trench. These can be modified after the plans have been approved if so required by the utilities, however, construction of the joint trench shall not be started until the final composite has been approved by the City Engineer.
49. Obtain an encroachment permit for any work within existing City, County, and/or Caltrans right-of-way.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A PERMIT FOR ANY CLEARING, GRUBBING, AND/OR GRADING OF THE PROPERTY:**

50. Schedule and attend a pre-grading conference with staff from the City Public Works Division.
51. Conduct a detailed on-site analysis of the potentially suitable habitat for Butte County meadowfoam based on, but not limited to; soils, topography, known proximal occurrences, and hydrology and submit the findings to USFWS to negate the potential for occurrence of Butte County meadowfoam, or; Conduct a USFWS protocol-level survey for Butte County meadowfoam, within suitable habitats, or assume the species is present.

If the USFWS determines that the site does not contain suitable habitat based on



the habitat analysis, no further measures or mitigation is required for these species. If the species are not detected during the protocol-level surveys, no further measures or mitigation is required for these species. If the target species are detected during protocol-level surveys and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented:

- a) Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS.
- b) Based on the results of formal consultation with the USFWS, species appropriate habitat preservation and/or creation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure.

52. No grading shall be initiated on the Property prior to issuance of a grading permit from the City of Oroville. An erosion and sediment control plan detailing Best Management Practices (BMP) shall be submitted to and approved by the Engineering Division prior to approval of a grading permit.

53. Prior to approval of a grading and construction permit, the permit applicant shall designate staging areas where fueling and oil-changing activities are permitted. No fueling and oil-changing activities shall be allowed outside of the designated staging areas. As much as practicable, the staging areas shall be located on level terrain. Staging areas shall not be located within 100 feet of any watercourse or residence that exists or may be constructed while the staging area is in use.  
(CEQA Mitigation)

54. Conduct a USFWS protocol-level survey for vernal pool invertebrates, within suitable habitats, or assume the species is present. If the specie(s) are not detected during the protocol-level survey, no further measures or mitigation is required for these species. If the target specie(s) are detected during protocol-level surveys or the presence of the specie(s) is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented:

- a) Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS.
- b) Based on the results of formal consultation with the USFWS, species appropriate habitat preservation and/or creation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation

may be used to satisfy this measure. (CEQA Mitigation)

55. Prior to issuance of grading permits, this preconstruction survey for Burrowing Owls shall be conducted by a qualified biologist or ornithologist during both the wintering and nesting season, unless the species is detected on the first survey. If possible, the winter survey shall be conducted between December 1 and January 31 (when wintering owls are most likely to be present) and the nesting season survey should be conducted between April 15 and July 15 (the peak of breeding season). Surveys conducted from two hours before sunset to one hour after, or from one hour before to two hours after sunrise, are preferable. The survey techniques shall be consistent with the Staff Report survey protocol and include a 260-foot-wide buffer zone surrounding the project area. Repeat surveys should also be conducted not more than 30 days prior to initial ground disturbance to inspect for re-occupation and the need for additional protection measures. The survey(s) shall be paid by the applicant and approved by the City.

If no burrowing owls are detected during preconstruction surveys, then no further mitigation is required. If active burrowing owl burrows are identified, project activities shall not disturb the burrow during the nesting season (February 1–August 31) or until a qualified biologist has determined that the young have fledged or the burrow has been abandoned. A no disturbance buffer zone of 160-feet is required to be established around each burrow with an active nest until the young have fledged the burrow as determined by a qualified biologist.

If destruction of the occupied burrow is unavoidable during the non-breeding season, September 1– January 31, passive relocation of the burrowing owls shall be conducted. Passive relocation involves installing a one-way door at the burrow entrance, encouraging owls to move from the occupied burrow. No permit is required to conduct passive relocation; however, this process shall be conducted by a qualified biologist and in accordance with CDFG mitigation measures. In addition, to offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat (calculated on a 300-ft foraging radius around the burrow) per pair or unpaired resident bird, shall be acquired and permanently protected at a location acceptable to the CDFG.

If burrowing owls are identified on the project site, the City of Oroville must receive copies of the Mitigation Agreement by and between the applicant and CDFG, prior to the issuance of grading permits for the proposed project. (CEQA Mitigation)

56. The applicant shall be responsible for mitigating the loss of any Swainson's Hawk foraging and nesting habitat. The extent of any necessary mitigation shall be determined by CDFG. Based on CDFG's staff report regarding mitigation for impacts to Swainson's Hawks in the Central Valley of California, the following shall be implemented:

Foraging:

Prior to obtaining grading permits for the proposed project, the project proponent shall place and record one or more Conservation Easements that meet the acreage requirements of CDFG's Swainson's Hawk foraging habitat mitigation guidelines. The conservation easement(s) shall be executed by the project proponent and a Conservation operator. The City may, at its discretion, also be a party to the conservation easement(s). The conservation easement(s) shall be reviewed and approved in writing by CDFG prior to the recordation for the purpose of confirming consistency. The purpose of the conservation easement(s) shall be to preserve the value of the land as foraging habitat for the Swainson's hawk. Past recommended mitigation for loss of foraging habitat has been at a ratio of one acre of suitable foraging habitat for every one acre utilized by the proposed project.

Nesting:

If construction occurs during the breeding season (March 1-September 15), the project proponent shall conduct CDFG-recommended protocol-level surveys prior to construction per the Recommended Timing and Methodology for Swainson's hawk Nesting Surveys in California's Central Valley (CDFG 2000b). The area to be surveyed shall include a 0.5-mile radius area including and surrounding the project site and a qualified biologist should conduct the surveys. If active nests are found, mitigation measures consistent with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California (CDFG 1994) shall be incorporated in the following manner:

No intensive new disturbances (e.g., heavy equipment operation associated with construction, use of cranes or draglines, new rock crushing activities) or other project-related activities that may cause nest abandonment or forced fledging, shall be initiated within 0.25 miles (buffer zone) of an active nest between March 1 and September 15.

Nest trees shall not be removed unless there is no feasible way of avoiding it. If a nest tree must be removed, a Management Authorization (including conditions to offset the loss of the nest tree) must be obtained from CDFG with the tree removal period specified in the management Authorization, generally between October 1 and February 1.

If construction or other project-related activities that may cause nest abandonment or forced fledging are necessary within the buffer zone, monitoring of the nest site (funded by the Project proponent) by a qualified biologist (to determine if the nest is abandoned) will be required. If the nest is abandoned and if the nestlings are still alive, the Project proponent shall fund the recovery and hacking (controlled release of captive reared young) of the nestling(s). Routine disturbances such as agricultural activities, commuter traffic, and routine maintenance activities within 0.25 mile of an active nest should not be prohibited.

To the extent practicable, removal of vegetation (especially large trees), grading, and other construction activities shall be initiated outside of the nesting season (i.e.

initiated from October through February).

In areas where suitable raptor nesting habitat (e.g. large trees for hawks ) will be removed during the nesting season (approximately March 1 to September 15) or where construction activities will occur within 250 feet of suitable raptor nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors. A least one survey shall be conducted no more than two weeks prior to anticipated onset of construction activity at each Phase of development and all surveys shall cover a minimum of a 250 foot buffer around the proposed construction zones. If vegetation removal or other construction activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active raptor nests are identified, no further measures are necessary. If active raptor nests are identified within the 250 foot buffer, the following measures shall be implemented:

- a) If feasible, avoid construction activities within 250 feet of active raptor nests until nesting activity has ceased, as determined by a qualified biologist.
- b) If avoidance of all construction activities within 250 feet of active raptor nests is not feasible, a qualified biologist, in consultation with the CDFG, shall identify measures necessary to avoid "take" of active nests. These measures shall include, but are not limited to, maintaining a minimum distance from active nests sites and monitoring by a qualified biologist. The monitoring biologist shall have authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFG. (CEQA Mitigation)

57. To the extent practicable, the discharge or dredged or fill material into Waters of the U.S. and Waters of the State shall be avoided (this also includes waters not subject to USACE jurisdiction, but subject to RWQCB, CDFG jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:

- a) Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit, as applicable, shall be obtained from the USACE. For any features determined to not be subject to USACE jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.
- b) Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent, ephemeral creeks or riparian vegetation, notification of streambed alteration shall be submitted to the CDFG; and, if

required, a streambed alteration agreement shall be obtained.

- c) Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.
- d) Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).
- e) All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction.
- f) Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the USACE or RWQCB).
- g) Loss of "other waters" shall be compensated through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the USACE and the applicant during the permitting process.
- h) Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. USACE, RWQCB, CDFG) shall be implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented. (CEQA Mitigation)

58. Submit to the City a copy of an approved joint trench composite.

59. Prepare and submit a Storm Water Pollution Prevention Plan (SWPPP) to the City, as defined by the Regional Water Quality Control Board. Two copies of the SWPPP shall be submitted in single three ring binders. Upon approval, one copy of the SWPPP will be returned to Applicant during the pre-construction meeting.

60. All required permits and/or approvals shall be obtained from all resource agencies having jurisdiction over the project. These agencies include, but are not limited to, Caltrans, the Army Corps of Engineers, the California Department of Fish and Game, and the Central Valley Regional Water Quality Control Board.

- a. If the project encroaches onto Department of Water Resources adopted flood control plan, you will need to obtain an encroachment permit from the Reclamation Board prior to initiating any activities, phone #916.574.0651, contact Sam Brandon. Please note that the permitting process may take as much as 45 to 60 days. Also note that a condition of the permit requires the securing all of the appropriate additional permits before initiating work. If after further evaluation it is concluded that this project is not within the authority of the Reclamation Board, you may disregard this condition.
61. Deposit agreements shall be signed and fee deposits paid to the City for the cost of the following inspection services to be provided by a consultant selected by the City.
- a. Geotechnical construction oversight
  - b. Biologist oversight

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A CONSTRUCTION PERMIT:**

62. Provide a detailed construction schedule for City review. If construction is proposed between October 1 and April 30, provide a winterization plan and demonstrate to the satisfaction of the City that the erosion and sediment control measures outlined in the SWPP Plan are adequately designed to protect the project from SWPP non-compliance
63. All plan check fees (1.5% construction valuation), and construction inspection fees (3.0% construction valuation) fees shall be paid.
64. All other agency approvals shall be obtained by Applicant. Improvement plans will not be signed or released until written documentation of plan acceptance is provided to the City from the other agencies having jurisdiction over their infrastructure.

**THE FOLLOWING CONDITIONS SHALL BE ADHERED TO DURING THE COURSE OF ALL GRADING AND CONSTRUCTION:**

65. No clearing and grubbing, vegetation and tree removal, grading, or other on-site improvements shall be initiated until the grading and/or improvement plans are signed and approved by the City Engineer, and grading, construction and/or encroachment permits are issued by the Engineering Division. Grading of the lots shall be completed in accordance with Oroville City Code and Oroville's Construction Standards
66. Applicant shall be responsible for taking measures and incurring costs associated with protecting the existing water, sewer, storm water, traffic, and other public utilities to the satisfaction of the City.
67. Grading and construction activities will be subject to the noise standards established in the City's Noise Ordinance. In accordance with the City's Noise Ordinance project construction is allowed between the hours of 7 a.m. and 9 p.m. Monday through

Friday, and between 10 a.m. and 6 p.m. on Saturdays, Sundays and city observed holidays. Weekend and holiday work is not allowed without prior authorization from the City, and additional inspection fees will be required to pay for consultant and staff overtime.

68. All construction debris must be discarded at Norcal Waste Systems of Butte County located at 2720 South 5<sup>th</sup> Avenue, phone #533.5868, per City Franchise Agreement Number 0474-3 and Construction and Demolition Ordinance No. 1721.

69. The following air quality measures shall be incorporated into the project design:

- Use adequate fugitive dust control measures for all construction activities during all phases of construction.
- Use EPA Phase II certified wood burning devices or District-approved fireplaces
- Provide energy-efficient lighting and process systems, such as water heaters, furnaces, and boiler units.
- Use alternatives to open burning of vegetative material on the project site.
- Use temporary traffic control as appropriate during all phases of construction.
- Design streets to maximize pedestrian access to transit stops where feasible.
- Paved streets adjacent to the development site should be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the development site.
- Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the District shall also be visible to ensure compliance with District Rule 200 & 205 (Nuisance and Fugitive Dust Emissions).

Applicable supplemental mitigation measures shall be reviewed for feasibility which may include the following:

- Provide on-site road and off-site bus turnouts, passenger benches, and shelters as demand and service routes warrant subject to review and approval by the local transportation planning agency.
  - Incorporate shade trees, adequate in number and proportional to the project size, throughout the project site to reduce building heating and cooling requirements.
  - Street pattern that provides for an efficient circulation route for buses and accommodates other public transportation vehicles on key road networks.
  - Pedestrian access between bus service and major transportation points within the project where deemed feasible.
- (CEQA Mitigation Measure)

70. All activities relating to the project, including grading, shall be in compliance with all Federal and State laws and regulations, including the Endangered Species Act and the Clean Water Act. Applicant's activities, including grading, shall not result in a "take" of any endangered species or such species' habitat without first complying with the requirements of the Endangered Species Act and shall not result in a



discharge to any Water of the United States of America without first complying with the requirements of the Clean Water Act.

71. Pursuant to CEQA Guidelines Section 15064.5(e), in the event of the accidental discovery or recognition of prehistoric or historic archaeological deposits in an area subject to development activity, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie similar resources and a professional archaeologist shall be consulted. Further, if human remains are discovered, the coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.
72. Provide sufficient notice in requesting inspections, and obtain approvals from the City and other agencies for all improvements shown on the approved grading and subdivision improvement plans. A written "Notice of Completion" must be requested from the City Engineer prior to acceptance of the improvements.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO APPROVAL OF THE FINAL MAP:**

73. Applicant is expressly responsible for managing and completing all required tasks and for the submittal of required documents to the City to facilitate Final Map approval. The Final Map will not be approved until all items listed in this section have been completed to the satisfaction of the City.
74. Approval of this tentative Map shall expire on April 14, 2010. After that date no Final Maps will be approved for any of the lots created by this tentative Map unless an extension is applied for and approved in accordance with City Code.
75. All lots shall conform to applicable City Code requirements for minimum area and width, unless an exception to those requirements has been approved in these conditions.
76. Applicant shall be responsible for ensuring that all required notes, owner's statements, statements of easements and dedications, references to recordation instruments, etc., are present on the Final Map in a form acceptable to the Butte County Recorders office.
77. Dedicate on the final map 60 foot fee simple rights-of-way for all new streets within the subdivision.
78. All public easements necessary for the sewer and storm drain systems shall be conveyed with the final map. All sewer and storm drain easements shall be 20-foot wide minimum.

- a. Easements conveyed to the City shall be dedicated in the owner's statement on the map.
  - b. Easements conveyed to other agencies (Caltrans or other water or service providers) shall be conveyed by separate instrument. Applicant shall provide confirmation that the agency to whom an easement is dedicated has accepted the easement. Acceptance of easements by public water and/or sewer districts usually requires adoption of a resolution of acceptance by the board of that district. Confirmation of acceptance by Caltrans requires evidence that the easement has been recorded.
79. Dedicate a 10 foot wide Public Service Easement along all lots abutting streets interior and adjacent to the subdivision, as requested by PG&E shall be dedicated in the owner's statement on the final map.
80. Where required for conveyance of cross-lot drainage, dedicate 10-foot wide private drainage easements with the final map. A covenant that establishes a prohibition on eliminating or altering the swales shall be created by separate instrument recorded concurrently with the Final Map.
81. A covenant requiring that street trees be planted prior to issuance of a final building permit for a home on any lot created by this Map shall be provided by separate document recorded concurrently with the final map.
82. Other instruments as necessary shall be recorded concurrently with the Final Map.
83. Annex to the city-wide Landscaping and Lighting Maintenance Assessment District (LLMAD). Applicant shall pay all costs for annexation into the district including the City's Consultant fees.
84. Annex into the city-wide Benefit Assessment District (BAD) for storm drainage facilities. Applicant shall pay all costs for annexation into the district including the City's Consultant fee.
85. A final map may be approved prior to completion of all required improvements and conditions of approval in the following circumstances:
- a. Provide the City with a detailed list of any uncompleted improvements, and the construction value of the uncompleted improvements. Uncompleted improvements requiring security include but are not limited to landscaping, irrigation systems, oak tree mitigation plantings, fences, and walls. Construction values shall be either estimates of value prepared by a California Registered Civil Engineer, or construction contracts signed by Applicant and the licensed contractor who will complete the improvements, and
  - b. Provide the City with 150% security for all uncompleted improvements. The form of security shall be an irrevocable bank letter of credit addressed to the City of Oroville, valued at 150% of the construction value of the uncompleted

improvements, and

- c. All construction work in progress shall be adequately secured and protected and in full compliance with applicable storm water pollution plan requirements.
86. Pay all fees due to the City for all services rendered, including, but not limited to assessment district formation fees, geotechnical oversight fees, plan check fees, final map check fees and construction inspection fees.
87. Submit documentation to the City that in the event all utility work, including but not limited to water, power, and natural gas have been completed, or that financial arrangements satisfactory to the other utility agencies have been made.
88. Obtain approval from the City for all new street names within the subdivision.
89. Submit to the City a signed Statement of Taxes obtained from the Butte County Tax Assessor's office showing that all taxes for the property have been paid. The County Recorder will not accept a Statement of Taxes that was issued more than 60 days prior to the date a final map is to be recorded.
90. Annex property into to both CFD 2006-01 and CFD 2006-02.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A BUILDING PERMIT:**

91. The City shall have determined that the supporting infrastructure for the project has been deemed substantially complete in the judgment of the City Engineer. Building permits for not more than 5 model homes may be issued after all fire, life, and safety issues have been addressed to the satisfaction of the Fire Chief and City Engineer.
92. The Applicant shall provide to the satisfaction of the City Engineer, as-built plans for all City-maintained infrastructure, and shall provide all certifications, and operations and maintenance manuals for the sewer lift station and other mechanical equipment.
93. Fire hydrants shall be fully functional or other means of temporary fire suppression may be provided if authorized by the Fire Department and City Engineer.
94. Prior to issuance of any City building permit for construction of a single-family residence, Applicant or its successor shall provide proof as required by City ordinance that Feather River Recreation and Park District has been paid the District's development impact fees relating to the residence.

**THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY SINGLE-FAMILY HOME:**

95. Street trees shall be planted within the parkway strips within the subdivision for that lot. The type and location of the street trees shall be approved by the Director of Parks and Trees Department.
96. Install a 6-foot high uniform decorative masonry wall along building lots that have a rear yard facing Nelson Avenue and extending along the rear yards of lots 1, 2, 3, and 68.
97. Install an irrigation system, street trees, and turf between the curb and sidewalk along the frontages of all streets created by the Map, in accordance with landscape and irrigation plans approved by the Director of Parks and Trees. The described improvements for all internal street frontages shall be installed on each lot prior to issuance of a Certificate of Occupancy of Building Permit Final for that lot.
98. Install a 6-foot high wooden fence along rear lot lines of the common boundary between the subdivision and the property to the north with the finished side facing towards the north. Install an irrigation system and landscaping consisting of trees and shrubs within the 10 foot landscape buffer that abuts the northern boundary of the Property, for the specific purpose of creating a visual buffer (screen) and noise barrier between the Property and the park north of it. A landscape and irrigation plan shall be submitted to and approved by the Parks and Trees Director, and installation shall conform to the approved plans.

**THE FOLLOWING CONDITIONS SHALL APPLICABLE TO THE PROPOSED PHASING OF THE PROJECT:**

99. Multiple Final Maps may be submitted for this project prior to expiration of the approval of the Map. If multiple Final Maps are submitted, lots shall be renumbered to correspond sequentially to phasing.
100. Phasing shall occur in an orderly manner from the Nelson Avenue frontage of the Property towards the north and west portions of the Property.
101. Road improvements shall be constructed to the edge of the phase line and all landscaping including street trees shall be installed with each phase concurrent with home construction.
102. Provide interim detention facilities for each phase of the project to ensure that there will be no increase in peak flow runoff from the site during early phases of development.
103. Provide temporary paved turn-around areas to Fire Department requirements where roads end at phasing lines.
104. Develop the park area depicted on the tentative map with the development of Phase 7. Park improvement plans shall be submitted to the Parks and Trees and

Public Works Departments for approval prior to the commencement of any work on the site.

105. All proposed phases shall be approved by Fire Department and the Director of Community Development and Public Works to assure that the proposed sequence of development provides adequate internal traffic and fire safety circulation.
106. When phases 1 and 2 are developed install a decorative handrail, such as a segmented metal-rail fencing, behind the sidewalk along the segments of the roads H and K that cross Ruddy Creek and along Nelson Avenue where Ruddy Creek runs adjacent to the sidewalk and the slope down to the Ruddy Creek may pose a hazard to pedestrians. The City of Oroville Public Works Department shall approve the handrail locations prior to construction.
107. Construct a pedestrian pathway between lots 79 and 80 with the development of Phase 4.

#### **SPECIAL CONDITIONS**

108. Applicant shall defend, indemnify, and hold harmless City, and each of its officers, employees and agents from and against any and all claims, actions and proceedings, within the time period set forth in Government Code section 66499.37, to attack, set aside, void or annul any of the decisions or determinations which City makes in connection with the approval of this tentative subdivision map or with the adoption of the mitigated negative declaration relating thereto under the California Environmental Quality Act (CEQA). Applicant shall reimburse City, and each of its officers, employees and agents for any costs, including, but not limited to, court costs, awards to plaintiff/petitioner for costs and attorneys' fees and any other litigation expenses that City may be required to pay to plaintiff/petitioner because of such approval or adoption.

City shall reasonably cooperate in the defense of any such litigation, which duty to cooperate shall include the following:

- a. City shall notify Applicant promptly of any claim, action or proceeding of which it becomes aware.
- b. City shall have the right to retain legal counsel of its choice, at the sole cost and expense of City, to defend the City in litigation, but such defense shall not relieve Applicant of any obligation imposed by this indemnity.
- c. Applicant shall have the right to approve any settlement.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at an adjourned meeting of the Planning Commission of the City of Oroville held

on the 14<sup>th</sup> day of April, 2008, by the following vote:

AYES: COMMISSIONERS Brunson, Tarczy, Wilcox

NOES: COMMISSIONERS Gordon, Frazier

ABSTAIN: COMMISSIONERS \_\_\_\_\_

ABSENT: COMMISSIONERS Chapman, Robison

ATTEST:

APPROVE:

Craig Sanders  
SECRETARY

Rockelle Gray  
CHAIRMAN

**EXHIBIT "A"**



## **EXHIBIT "B"**

### **Mitigation Monitoring Program Contents**

This document is the Mitigation Monitoring Program (MMP) for the Nelson 56 Tentative Subdivision Project. The MMP includes a brief discussion of the legal basis for and the purpose of the program, discussion and direction regarding complaints about noncompliance, a key to understanding the monitoring matrix, and the monitoring matrix itself.

### **Legal Basis of and Purpose for the Mitigation Monitoring Program**

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or a mitigated negative declaration. This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the Nelson 56 Tentative Subdivision Project Mitigated Negative Declaration. It is intended to be used by City of Oroville (City) staff, participating agencies, project contractors and mitigation monitoring personnel during implementation of the project.

The Nelson 56 Tentative Subdivision Mitigated Negative Declaration presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines Section 15370 as measures that do any of the following:

- Avoid impacts altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

The intent of the MMP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMP will provide for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to City staff.

### **Development and Approval Process**

The timing elements of mitigation measures and definition of the development process has been provided in detail throughout this MMP to assist existing and future City staff, by providing the most usable monitoring document possible.

### **Responsibilities and Authority**

The City of Oroville Planning Department (Department) will have primary responsibility for the operation and implementation of the MMP. The Department will be responsible for the following activities:

- Coordination of monitoring activities.
- Direction of the preparation and filing of compliance reports.
- Maintenance of records concerning the status of all mitigation measures.

Other agencies will have responsibility for implementing and enforcing specific mitigation measures. Refer to the "Enforcement/Monitoring" column in the Monitoring Matrix for the responsible agencies.

### **Monitoring Matrix**

The tables on the back pages of the MMP identify the mitigation measures proposed for the Nelson 56 Tentative Subdivision Project. These mitigation measures are reproduced from the Mitigated Negative Declaration (MND) for the project. The tables have the following columns:

**Mitigation Measure:** Lists the mitigation measures identified within the Nelson 56 Tentative Subdivision Project MND for a specific impact, along with the number for each measure as enumerated in the MND.

**Timing:** Identifies at what point in time, review process or phase the mitigation measure will be completed.

**Agency/Department Consultation:** References the City department or any other public agency with which coordination is required to satisfy the identified mitigation measure.

**Verification:** Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

### **Noncompliance Complaints**

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Department in written form providing specific information on the asserted violation. The Department shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Department shall take appropriate action to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

**MONITORING MATRIX FOR  
NELSON 56 TENTATIVE SUBDIVISION MAP NO. 05-11 PROJECT MMP**

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p><b>MM 3.1</b> Based upon the results of the Urbemis modeling performed for this project, the BCAQMD has identified the following measures that shall be incorporated into the project design:</p> <ol style="list-style-type: none"> <li>1) Use adequate fugitive dust control measures for all construction activities during all phases of construction.</li> <li>2) Use EPA Phase II certified wood burning devices or District approved fireplaces</li> <li>3) Provide energy-efficient lighting and process systems, such as water heaters, furnaces, and boiler units.</li> <li>4) Use Alternatives to open burning of vegetative material on the project site.</li> <li>5) Use temporary traffic control as appropriate during all phases of construction.</li> <li>6) Design streets to maximize pedestrian access to transit stops where feasible.</li> <li>7) Paved streets adjacent to the development site should be swept or washed at the end of each day as necessary to remove excessive accumulations of silt and/or mud which may have accumulated as a result of activities on the development site.</li> <li>8) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the District shall also be visible to ensure compliance with District Rule 200 &amp; 205 (Nuisance and Fugitive Dust Emissions).</li> </ol> <p>Applicable supplemental mitigation measures, which may include the following:</p> <ol style="list-style-type: none"> <li>9) Provide on-site road and off-site bus turnouts, passenger benches, and shelters as demand and service routes warrant subject to review and approval by the local transportation planning agency.</li> </ol>	<p>During all site grading and soil disruption activities.</p>	<p>City of Oroville Planning Department/ Butte County AQMD.</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>10) Incorporate shade trees, adequate in number and proportional to the project size, throughout the project site to reduce building heating and cooling requirements.</p> <p>11) Street pattern that provides for an efficient circulation route for buses and accommodates other public transportation vehicles on key road networks.</p> <p>12) Pedestrian access between bus service and major transportation points within the project where deemed feasible.</p>			
<p><b>MM 4.0</b>            Conduct a detailed on-site analysis of the potentially suitable habitat for Butte County meadowfoam based on, but not limited to: soils, topography, known proximal occurrences, and hydrology and submit the findings to USFWS to negate the potential for occurrence of Butte County meadowfoam, or: Conduct a USFWS protocol-level survey for Butte County meadowfoam, within suitable habitats, or assume the species is present.</p> <p>If the USFWS determines that the site does not contain suitable habitat based on the habitat analysis, no further measures or mitigation is required for these species. If the species are not detected during the protocol-level surveys, no further measures or mitigation is required for these species. If the target species are detected during protocol-level surveys and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented:</p> <ol style="list-style-type: none"> <li>1) Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until Incidental Take authorization has been obtained from the USFWS.</li> <li>2) Based on the results of formal consultation with the USFWS, species appropriate habitat preservation and/or</li> </ol>	<p>Prior to issuance of a grading permit for any ground-disturbance in or within 250 feet of Butte County meadowfoam ie. vernal pool, swales and seasonal wetlands.</p>	<p>U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, City of Oroville Public Works Department.</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>creation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure.</p>			
<p><b>MM4.1</b>            Conduct a USFWS protocol-level survey for vernal pool invertebrates, within suitable habitats, or assume the species is present. If the specie(s) are not detected during the protocol-level survey, no further measures or mitigation is required for these species. If the target specie(s) are detected during protocol-level surveys or the presence of the specie(s) is assumed in-lieu of conducting surveys, and proposed activities will result in direct or indirect impacts to potential habitat, the following measures shall be implemented:</p> <ol style="list-style-type: none"> <li>1) Formal consultation with the USFWS shall be initiated under Section 7 or Section 10 of the ESA, as appropriate. No direct or indirect impacts to suitable habitat for these species shall occur until incidental Take authorization has been obtained from the USFWS.</li> <li>2) Based on the results of formal consultation with the USFWS, species appropriate habitat preservation and/or creation credits shall be dedicated within a USFWS-approved ecosystem preservation bank. With USFWS approval, appropriate payment into an in-lieu fee fund or on-site preservation may be used to satisfy this measure.</li> </ol>	<p>Prior to issuance of a grading permit for any ground-disturbance in or within 250 feet of habitat for vernal pool invertebrates ie. vernal pool, swales and seasonal wetlands.</p>	<p>U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, City of Oroville Public Works Department.</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p><b>MM4.2</b>                      The Staff Report on Burrowing Owl Mitigation, published by CDFG (1995), recommends pre-construction surveys shall be conducted to locate active burrowing owl burrows.</p> <ol style="list-style-type: none"> <li>1) Prior to issuance of grading permits, this preconstruction survey shall be conducted by a qualified biologist or ornithologist during both the wintering and nesting season, unless the species is detected on the first survey. If possible, the winter survey shall be conducted between December 1 and January 31 (when wintering owls are most likely to be present) and the nesting season survey should be conducted between April 15 and July 15 (the peak of breeding season). Surveys conducted from two hours before sunset to one hour after, or from one hour before to two hours after sunrise, are preferable. The survey techniques shall be consistent with the Staff Report survey protocol and include a 260-foot-wide buffer zone surrounding the project area. Repeat surveys should also be conducted not more than 30 days prior to initial ground disturbance to inspect for re-occupation and the need for additional protection measures. The survey(s) shall be paid by the applicant and approved by the City.</li> <li>2) If no burrowing owls are detected during preconstruction surveys, then no further mitigation is required. If active burrowing owl burrows are identified, project activities shall not disturb the burrow during the nesting season (February 1–August 31) or until a qualified biologist has determined that the young have fledged or the burrow has been abandoned. A no disturbance buffer zone of 160-feet is required to be established around each burrow with an active nest until the young have fledged the burrow as determined by a qualified biologist.</li> <li>3) If destruction of the occupied burrow is unavoidable during the non-breeding season, September 1–January 31, passive relocation of the burrowing owls shall be conducted. Passive relocation involves installing a one-way door at the burrow entrance, encouraging owls to move from the occupied burrow. No permit is required to conduct passive relocation; however, this process shall</li> </ol>	<p>Prior to issuance of a grading permit or any ground-disturbance.</p>	<p>CDFG, City of Oroville Development Services Department.</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>be conducted by a qualified biologist and in accordance with CDFG mitigation measures. In addition, to offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of foraging habitat (calculated on a 300-ft foraging radius around the burrow) per pair of unpaired resident bird, shall be acquired and permanently protected at a location acceptable to the CDFG.</p> <p>4) If burrowing owls are identified on the project site, the City of Oroville must receive copies of the Mitigation Agreement by and between the applicant and CDFG, prior to the issuance of grading permits for the proposed project.</p>			
<p><b>MM4.3a</b>                      The applicant shall be responsible for mitigating the loss of any Swainson's hawk foraging habitat. The extent of any necessary mitigation shall be determined CDFG;</p> <p>Based on CDFG's Staff Report regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California the following shall be implemented:</p> <p>Prior to obtaining grading permits for the proposed project, the project proponent shall place and record one or more Conservation Easements that meet the acreage requirements of CDFG's Swainson's Hawk foraging habitat mitigation guidelines. The conservation easement(s) shall be executed by the project proponent and a Conservation operator. The City may, at its discretion, also be a party to the conservation easement(s). The conservation easement(s) shall be reviewed and approved in writing by CDFG prior to the recordation for the purpose of confirming consistency. The purpose of the conservation easement(s) shall be to preserve the value of the land as foraging habitat for the Swainson's hawk. Past recommended mitigation for loss of foraging habitat has been at a ratio of one acre of suitable foraging habitat for every one acre utilized by the proposed project.</p>	<p>Prior to approval of grading permit</p>		



Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p><b>MM4.3b</b>                      If construction occurs during the breeding season (March 1-September 15), the project proponent shall conduct CDFG-recommended protocol-level surveys prior to construction per the Recommended Timing and Methodology for Swainson's hawk Nesting Surveys in California's Central Valley (CDFG 2000b). The area to be surveyed shall include a 0.5-mile radius area including and surrounding the project site and a qualified biologist should conduct the surveys. If active nests are found, mitigation measures consistent with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California (CDFG 1994) shall be incorporated in the following manner:</p> <ol style="list-style-type: none"> <li>1) No intensive new disturbances (e.g., heavy equipment operation associated with construction, use of cranes or draglines, new rock crushing activities) or other project-related activities that may cause nest abandonment or forced fledging, shall be initiated within 0.25 miles (buffer zone) of an active nest between March 1 and September 15.</li> <li>2) Nest trees shall not be removed unless there is no feasible way of avoiding it. If a nest tree must be removed, a Management Authorization (including conditions to offset the loss of the nest tree) must be obtained from CDFG with the tree removal period specified in the management Authorization, generally between October 1 and February 1.</li> <li>3) If construction or other project-related activities that may cause nest abandonment or forced fledging are necessary within the buffer zone, monitoring of the nest site (funded by the Project proponent) by a qualified biologist (to determine if the nest is abandoned) will be required. If the nest is abandoned and if the nestlings are still alive, the Project proponent shall fund the recovery and hatching (controlled release of captive reared young) of the nestling(s).</li> </ol>	<p>Prior to approval of grading permit</p>	<p>CDFG, City of Oroville Development Services Department.</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>4) Routine disturbances such as agricultural activities, commuter traffic, and routine maintenance activities within 0.25 mile of an active nest should not be prohibited.</p>			
<p><b>MM4.4a</b> To the extent practicable, removal of vegetation (especially large trees), grading, and other construction activities shall be initiated outside of the nesting season (i.e. initiated from October through February).</p>	<p>Prior to initiating construction</p>	<p>CDFG, USFWS.</p>	
<p><b>MM4.4b</b> In areas where suitable raptor nesting habitat (e.g. large trees for hawks ) will be removed during the nesting season (approximately March 1 to September 15) or where construction activities will occur within 250 feet of suitable raptor nesting habitat during the nesting season, a qualified biologist shall conduct pre-construction surveys for nesting raptors. A least one survey shall be conducted no more than two weeks prior to anticipated onset of construction activity at each Phase of development and all surveys shall cover a minimum of a 250 foot buffer around the proposed construction zones. If vegetation removal or other construction activities are delayed or suspended for more than two weeks after the pre-construction survey, the site shall be resurveyed. If no active raptor nests are identified, no further measures are necessary. If active raptor nests are identified within the 250 foot buffer, the following measures shall be implemented: 1) If feasible, avoid construction activities within 250 feet of active raptor nests until nesting activity has ceased, as determined by a qualified biologist. If avoidance of all construction activities within 250 feet of active raptor nests is not feasible, a qualified biologist, in consultation with the CDFG, shall identify measures necessary to avoid "take" of active nests. These measures shall include, but are not limited to, maintaining a minimum distance from active nests sites and monitoring by a qualified biologist. The monitoring biologist shall</p>	<p>Prior to initiating construction</p>	<p>CDFG, USFWS.</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>have authority to stop any work determined to be adversely affecting nesting activity. The monitoring biologist shall report any "take" of active raptor nests to the CDFG.</p>			
<p><b>MM4.5</b>            To the extent practicable, the discharge or dredged or fill material into Waters of the U.S. and Waters of the State shall be avoided (this also includes waters not subject to USACE jurisdiction, but subject to RWQCB, CDFG jurisdiction). This includes avoiding activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent or ephemeral creeks. If complete avoidance is implemented, no further measures are necessary. If complete avoidance is not practicable, the following measures shall be implemented:</p> <p>a) Prior to any discharge of dredged or fill material into "waters of the U.S.", including wetlands, authorization under a Nationwide Permit or Individual Permit, as applicable, shall be obtained from the USACE. For any features determined to not be subject to USACE jurisdiction during the verification process, authorization to discharge (or a waiver from regulation) shall be obtained from the RWQCB. For fill requiring a USACE permit, water quality certification shall be obtained from the RWQCB prior to discharge of dredged or fill material.</p> <p>b) Prior to any activities that would obstruct the flow of, or alter the bed, channel, or bank of any intermittent, ephemeral creeks or riparian vegetation, notification of streambed alteration shall be submitted to the CDFG; and, if required, a streambed alteration agreement shall be obtained.</p> <p>c) Construction activities that will impact "waters of the U.S." shall be conducted during the dry season to minimize erosion.</p>	<p>Prior to initiating construction</p>	<p>USACE, RWQCB, CDFG</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>d) Appropriate sediment control measures to protect avoided "waters of the U.S." shall be in place prior to the onset of construction and shall be monitored and maintained until construction activities have ceased. Temporary stockpiling of excavated or imported material shall occur only in approved construction staging areas. Excess excavated soil shall be used on site or disposed of at a regional landfill or other appropriate facility. Stockpiles that are to remain on the site through the wet season shall be protected to prevent erosion (e.g. silt fences, straw bales).</p>			
<p>e) All pedestrian and vehicular entry into "waters of the U.S.", including wetlands, to be avoided shall be prohibited during construction.</p>			
<p>f) Loss of wetlands shall be compensated at a minimum of a 2:1 creation ratio (i.e. two acres created for each acre destroyed). This can be accomplished through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or on-site or off-site creation, monitoring, and maintenance (as approved by the USACE or RWQCB).</p>			
<p>g) Loss of "other waters" shall be compensated through purchase of appropriate credits at a USACE approved mitigation bank, appropriate payment into a USACE approved in-lieu fee fund, or through placement of avoided waters and associated riparian buffers into a conservation easement or similar protective mechanism. The amount of avoided waters and riparian buffers to be permanently protected shall be sufficient to offset the impact and shall be determined by the USACE and the applicant during the permitting process.</p>			
<p>h) Any monitoring, maintenance, and reporting required by the regulatory agencies (i.e. USACE, RWQCB, CDFG) shall be</p>			

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p>implemented and completed. All measures contained in the permits or associated with agency approvals shall be implemented.</p>			
<p><b>MM 7.0</b>            Prior to approval of a grading and construction permit, the permit applicant shall designate staging areas where fueling and oil-changing activities are permitted. No fueling and oil-changing activities shall be allowed outside of the designated staging areas. As much as practicable, the staging areas shall be located on level terrain. Staging areas shall not be located within 100 feet of any watercourse or residence that exists or may be constructed while the staging area is in use.</p>	<p>To be implemented before commencement of site clearing and/or construction activities.</p>	<p>City of Oroville</p>	
<p><b>MM13.1</b>            Prior to recordation of the Final Map, the subdivision shall annex in to both CFD 2006-01 and CFD 2006-02.</p>	<p>Prior to approval of Final Map</p>	<p>City of Oroville</p>	
<p><b>MM15.0</b>            Prior to approval of a Final Map for the first phase of Nelson 56 Subdivision, applicant shall obtain all required encroachment permits and place stop signs at the SR 70/4th Street/Nelson Avenue ramp intersections, and modify existing stripping along Nelson Avenue at 4th Street to provide a left turn lane to southbound 4th Street from Nelson Avenue and a separate right-turn lane to southbound 4th Street from Nelson Avenue.</p>	<p>Prior to approval of Final Map</p>	<p>City of Oroville            Public Works</p>	

Resolution No. P2008-06

Mitigation Measure	Timing	Agency/Department Consultation	Verification (Date and Initials)
<p><b>MM15.1</b> Install an all-way STOP for the Nelson Avenue/6th Street intersection including signage and striping in accordance with plans approved by the City Engineer.</p>	<p>Prior to approval of Final Map</p>	<p>City of Oroville, Public Works</p>	

**EXHIBIT "C"**

**NOTICE OF DETERMINATION**

---

TO:  Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044  
 County Clerk  
County of Butte  
25 County Center Drive  
Oroville, CA 95965

FROM: City of Oroville, Planning Division  
1735 Montgomery Street  
Oroville, CA 95965

**DATE RECEIVED FOR FILING**

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: **Nelson 56 Subdivision Map**

State Clearinghouse Number (If submitted to State Clearinghouse): 2007012098

Contact Person: Craig Sanders, Contract Planner, City of Oroville (530) 538-2430

Project Location: Butte County, City of Oroville, 8.9 acre property located at the northeast side of Table Mountain Boulevard approximately 400 feet northwest of Mono Ave., in the Thermalito area. In the SW ¼ of Section 6 T 19N R 4E MDB&M. Assessor's Parcel Numbers (APNs) 031-150-031.

Project Description: The project is a Tentative Subdivision map to create 34 lots for single family residential development 6,000 to 9,227 sq.ft, with an average density of 3.8 d/u per acre.

This is to advise that on April 14, 2008, the Planning Commission of the City of Oroville made the following determinations regarding the project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project and adopted pursuant to the provisions of CEQA.
3. Mitigation measures  were,  were not, made a condition of approval of the project.
4. A statement of Overriding Considerations  was,  was not, adopted for this project.

This is to certify that the  Negative Declaration,  Final EIR with comments and responses, and record of project approval is available to the General Public at the Planning Department, 1735 Montgomery Street, Oroville, California.

---

Planning Manager

Date





1/24/2017

City of Oroville

Planning Division

Re: Tentative map extension for Nelson 56 subdivision

To whom it may concern:

On behalf of myself and my partners I would like to request a four year extension for the Nelson 56 Subdivision. This request is made in light of the continuing soft market for new home construction. Thank you.

Sincerely,

  
James Crane





**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 16<sup>th</sup> of March, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

\_\_\_\_\_  
DONALD L. RUST, SECRETARY

\_\_\_\_\_  
DAMON ROBISON, CHAIRPERSON



# City of Oroville

**Donald Rust**  
DIRECTOR

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
Oroville, CA 95965-4897  
(530) 538-2430 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

**March 16, 2017**

**Planning Commission Review of Public Works Projects** - The Oroville Planning Commission will review and consider sending a recommendation to the City Council for the Planning Commission to review and comment on certain public works projects.

**APPLICANT:** Oroville Planning Commission  
1735 Montgomery Street  
Oroville, CA 95965

**LOCATION:** N/A

**GENERAL PLAN:** N/A

**ZONING:** N/A

**FLOOD ZONE:** N/A

**REPORT PREPARED BY:**

Luis A. Topete, Associate Planner  
Community Development Department

**REVIEWED BY:**

Donald Rust, Director  
Community Development Department

### RECOMMENDED ACTIONS:

Provide staff direction.

### DISCUSSION

At the December 29, 2016 Planning Commission meeting, the Commissioners discussed the potential for the Planning Commission to review and make recommendations on certain Public Works projects. The Commission agreed that the priority was new projects that were traffic related and for the review to be done by the full body of the Planning Commission. The consensus for when the Planning Commission would review and comment would be during the review/adoption of the City's Capital Improvement Program

and during the drafting of a project's scope.

Commissioners had requested staff provide a list of Public Works projects from last fiscal year, excluding maintenance projects. There were two traffic related projects, one which is completed and the other which is currently under construction.

- New signal lights at Oro Dam Boulevard East, Orange Avenue and Acacia Avenue (completed)
- New roundabout at Table Mountain Boulevard, Cherokee Road and Nelson Avenue (ongoing)

Additionally, a list of needed improvements to the City's transportation network, based on existing deficiencies and the City's General Plan growth projections as identified in the 2012 Transportation Capital Improvement Program (TCIP) and Impact Fee Update Report, are attached.

### **FISCAL IMPACT**

Staff time to bring certain public works projects to the Planning Commission for review/comments.

### **ATTACHMENTS**

A – TCIP Improvements Project Map

B – TCIP Intersection, Roadway and Bicycle Facility Improvements

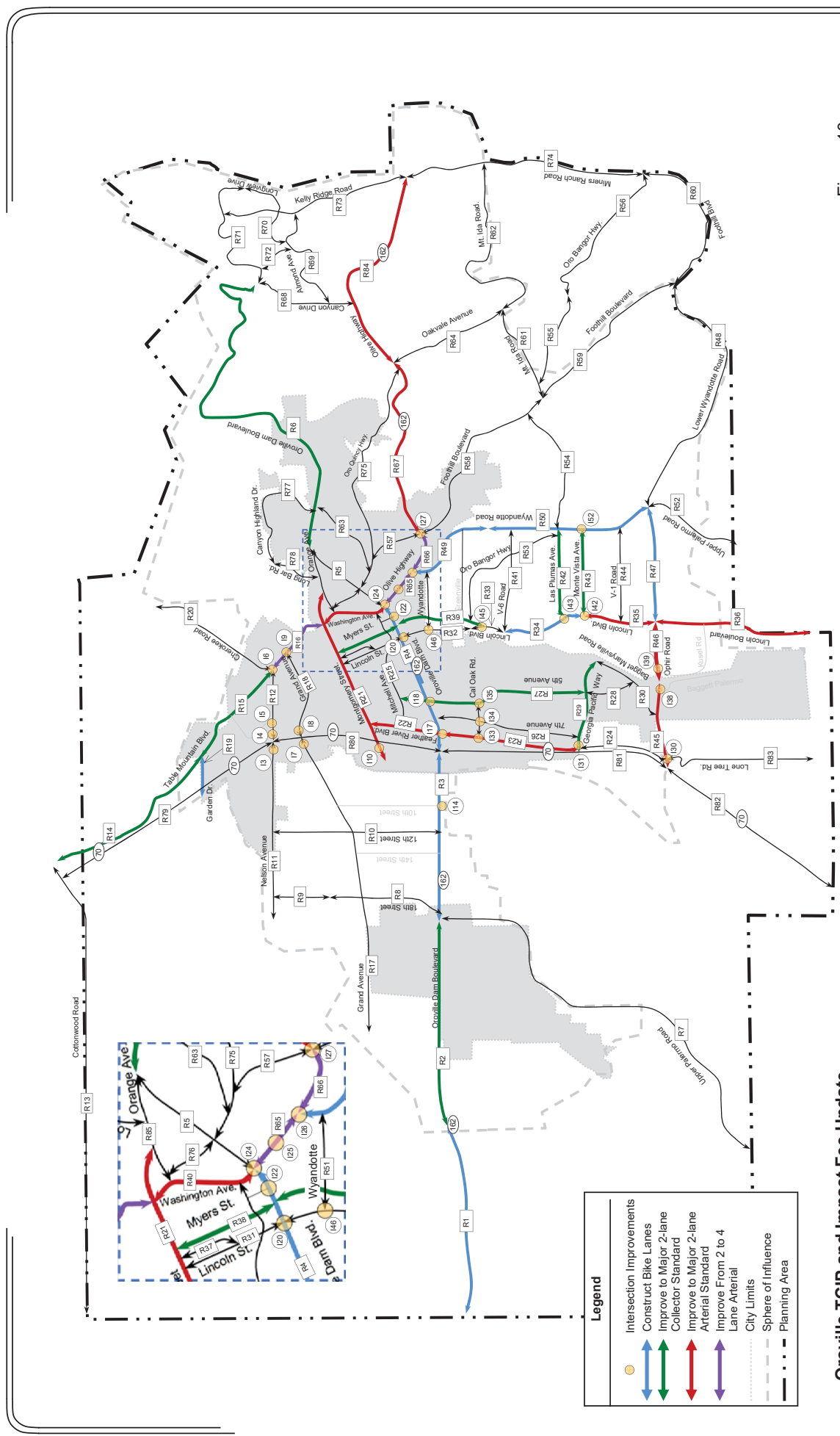


Figure 10

Oroville TCIP and Impact Fee Update

### TCIP Improvement Projects Map





TABLE 22:  
TCIP INTERSECTION IMPROVEMENTS

ID	Intersection Name (1)	Improvement Description	Developer		Non-TCIP		Total Cost
			Cost	Cost	Fee Cost	Cost	
13	Nelson Avenue / SR 70 SB Ramps	Install Roundabout or Install Signal & Add Left Turn Pockets in All Directions	\$0	\$1,300,000	\$0	\$0	\$1,300,000
14	Nelson Avenue / SR 70 NB Ramps	Install Roundabout or Install Signal	\$0	\$1,300,000	\$0	\$0	\$1,300,000
15	Nelson Avenue / Country Center Drive	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$0	\$660,000
16	Nelson Avenue / Table Mountain Blvd./Cherokee Rd. (2)	Install Roundabout or Install Signal & Add Eastbound & Westbound Left Turn Pockets	\$0	\$1,300,000	\$0	\$0	\$1,300,000
17	Grand Avenue / SR 70 SB Ramps	Install Roundabout or Install Signal	\$0	\$1,300,000	\$0	\$0	\$1,300,000
18	Grand Avenue / SR 70 NB Ramps	Install Roundabout or Install Signal & Add Left Turn Pockets & a Northbound Right Turn Pocket	\$0	\$1,300,000	\$0	\$0	\$1,300,000
110	Montgomery Street / SR 70 SB Ramps	Install All-Way Stop Sign	\$0	\$60,000	\$0	\$0	\$60,000
114	Oroville Dam Boulevard / 10th Street	Install Roundabout or Install Signal	\$0	\$660,000	\$0	\$0	\$660,000
117	Oroville Dam Boulevard / Feather River Boulevard	Add Eastbound Right Turn Pocket, Second Northbound Left Turn Pocket, Southbound Right Turn Pocket, and Restripe Southbound Left-Right as a Left-Through. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$1,100,000	\$0	\$0	\$1,100,000
118	Oroville Dam Boulevard / 5th Avenue	Add Dual Northbound Right Turn Pockets and Dedicated Southbound Right Turn Pocket. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$1,040,000	\$0	\$0	\$1,040,000
120	Lincoln Boulevard / Oro Dam Boulevard	Add Second Northbound Through Lane and Second Southbound Left Turn Pocket. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$1,040,000	\$0	\$0	\$1,040,000
122	Oroville Dam Boulevard / Spencer	Add Dedicated Northbound and Southbound Right Turn Pockets. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$970,000	\$0	\$0	\$970,000
124	Oroville Dam Boulevard / Olive Highway	Add Second Eastbound Right Turn Pocket and Second Southbound Through Lane. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$1,040,000	\$0	\$0	\$1,040,000
125	Olive Highway / Hospital Access	Modify Traffic Signal to Accommodate Roadway Widening on Olive Highway	\$0	\$200,000	\$0	\$0	\$200,000
126	Lower Wyandotte Road / Olive Highway	Modify Traffic Signal to Accommodate Roadway Widening on Olive Highway	\$0	\$200,000	\$0	\$0	\$200,000
127	Foothill Boulevard / Olive Highway	Modify Traffic Signal to Accommodate Roadway Widening on Olive Highway	\$0	\$200,000	\$0	\$0	\$200,000
130	Ophir Road / Feather River Boulevard	Install Roundabout or Install Signal & Add Left Turn Pockets in All Directions	\$0	\$0	\$1,300,000	\$0	\$1,300,000
131	Feather River Boulevard / Georgia Pacific Way	Install Roundabout or Install Signal & Left Turn Pockets in All Directions and a Westbound Right Turn Pocket	\$0	\$0	\$1,300,000	\$0	\$1,300,000
133	Feather River Boulevard / Cal Oak Road (3)	Install Roundabout or Install Signal & Northbound & Westbound Right Turn Pockets & Southbound Left Turn Pocket	\$0	\$660,000	\$0	\$0	\$660,000
134	7th Avenue / Cal Oak Road	Install All-Way Stop Sign & Add Eastbound & Westbound Left Turn Pockets	\$0	\$0	\$200,000	\$0	\$200,000
135	5th Avenue / Cal Oak Road	Install Roundabout or Install Signal & Add Left Turn Pockets in All Directions	\$0	\$0	\$660,000	\$0	\$660,000
138	Ophir Road / Baggett Palermo Road	Install Roundabout or Install Signal	\$0	\$0	\$1,300,000	\$0	\$1,300,000
139	Ophir Road / Kusel Road	Install Roundabout or Install Signal	\$0	\$0	\$1,300,000	\$0	\$1,300,000
142	Lincoln Boulevard / Monte Vista Avenue	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$0	\$660,000
143	Lincoln Boulevard / Walmer Road	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$0	\$660,000
145	Lincoln Boulevard / Greenville	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$0	\$660,000
146	Lincoln Boulevard / Wyandotte Avenue	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$0	\$660,000
152	Lower Wyandotte Road / Monte Vista Avenue	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$0	\$660,000
<b>TOTAL:</b>			<b>\$0</b>	<b>\$13,670,000</b>	<b>\$10,020,000</b>	<b>\$0</b>	<b>\$23,690,000</b>

Notes: (1) Improvements to intersections 28 and 29 have not been identified in this report and are not included in the updated TCIP or fee program. These locations are at-grade intersections with State Route 70. Long-term planning of the SR 70 corridor at this stage is subject to Caltrans planning and may include grade separated interchanges one or both of these locations. (2) Improvements to intersection 6 will also not be included in the TCIP as it will be constructed with outside funding sources. (3) Improvements to intersection 33 will be constructed as mitigations to the approved Walmart project and will not be included in the fee program.

TABLE 23:  
TCIP ROADWAY IMPROVEMENTS

ID	Roadway Name	From	To	Improvement Description	Developer		Non-TCIP		Total Cost
					Cost	Cost	Fee Cost	Cost	
R2	Oroville Dam Boulevard	Wilbur Road/Larkin Avenue	Feather Avenue/Larkin Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$0	\$12,310,000	\$0	\$0	\$12,310,000
R6	Oroville Dam Boulevard	Orange Avenue/Acacia Avenue	Canyon Drive	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$17,389,167	\$0	\$12,420,833	\$0	\$29,810,000
R15	Table Mountain Boulevard	Garden Drive	Nelson Avenue/Cherokee Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$3,816,296	\$0	\$3,543,704	\$0	\$7,360,000
R16	Table Mountain Boulevard	Nelson Avenue/Cherokee Road	Montgomery Street	Widen to 4-Lane Arterial Standard by Adding Additional Travel Lanes, Bike Lanes, Sidewalk & Landscaping	\$0	\$0	\$4,440,000	\$0	\$4,440,000
R21	Montgomery Street	Park Entrance	Orange Avenue	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$5,320,000	\$0	\$5,320,000
R22	Feather River Boulevard	Montgomery Street	Oroville Dam Boulevard	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$1,580,000	\$0	\$1,580,000
R23	Feather River Boulevard	Oroville Dam Boulevard	Georgia Pacific Way	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$4,625,185	\$0	\$4,294,815	\$0	\$8,920,000
R27	5th Avenue	Mitchell Avenue	Georgia Pacific Way	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$5,568,889	\$0	\$5,171,111	\$0	\$10,740,000
R29	Georgia Pacific Way	SR 70	Baggett Marysville Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$3,142,222	\$0	\$2,917,778	\$0	\$6,060,000
R35	Lincoln Boulevard	Monte Vista Avenue	Ophir Road	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$2,538,261	\$0	\$1,631,739	\$0	\$4,170,000
R36	Lincoln Boulevard	Ophir Road	Messina Avenue	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$5,533,043	\$0	\$3,556,957	\$0	\$9,090,000
R38	Meyers Street	Montgomery Street	Oroville Dam Boulevard	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$1,930,000	\$0	\$1,930,000
R39	Meyers Street	Oroville Dam Boulevard	Lincoln Boulevard	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$3,250,000	\$0	\$3,250,000
R40	Washington Avenue	Montgomery Street	Oroville Dam Boulevard	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$0	\$0	\$1,860,000	\$0	\$1,860,000
R42	Las Plumas Avenue	Walmer Road	Lower Wyandotte Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$3,603,704	\$0	\$3,346,296	\$0	\$6,950,000
R43	Monte Vista Avenue	Lincoln Road	Lower Wyandotte Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$3,251,111	\$0	\$3,018,889	\$0	\$6,270,000
R45	Ophir Road	SR 70	Baggett Palermo Road	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$5,910,435	\$0	\$3,799,565	\$0	\$9,710,000
R46	Ophir Road	Baggett Palermo Road	Lincoln Boulevard	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$10,700,870	\$0	\$6,879,130	\$0	\$17,580,000
R65	Olive Highway	Oro Dam Boulevard	Lower Wyandotte Road	Widen to 4-Lane Arterial Standard by Adding Additional Travel Lanes, Bike Lanes, Sidewalk & Landscaping	\$0	\$2,010,000	\$0	\$0	\$2,010,000
R66	Olive Highway	Lower Wyandotte Road	Foothill Boulevard	Widen to 4-Lane Arterial Standard by Adding Center Turn Lane, Additional Travel Lanes, Bike Lanes, Sidewalk & Landscaping	\$0	\$3,000,000	\$0	\$0	\$3,000,000
R67	Olive Highway	Foothill Boulevard	Oakvale Avenue	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$0	\$10,740,000	\$0	\$0	\$10,740,000
R84	Olive Highway	Oakvale Avenue	Miners Ranch Road	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$10,970,000	\$0	\$0	\$10,970,000
<b>TOTAL:</b>					<b>\$66,079,183</b>	<b>\$39,030,000</b>	<b>\$68,960,817</b>	<b>\$0</b>	<b>\$174,070,000</b>

TABLE 24:  
TCIP BICYCLE FACILITY IMPROVEMENTS

ID	Roadway Name	From	To	Improvement Description	Developer		Non-TCIP		Total Cost
					Cost	Cost	Fee Cost	Cost	
R19	Garden Drive	Park Entrance	Table Mountain Boulevard	Construct Bike Lanes	\$0	\$0	\$630,000	\$0	\$630,000
R34	Lincoln Boulevard	Baggett Marysville Road	Monte Vista Avenue	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$0	\$60,000
R49	Lower Wyandotte Road	Olive Highway	V-7 Road	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$0	\$60,000
R50	Lower Wyandotte Road	V-7	Ophir Road	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$0	\$60,000
R47	Ophir Road	Lincoln Boulevard	Lower Wyandotte Road	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$0	\$60,000
R1	Oroville Dam Boulevard	SR 99	Wilbur Road/Larkin Avenue	Add Bike Lanes (Striping)	\$0	\$60,000	\$0	\$0	\$60,000
R3	Oroville Dam Boulevard	Feather Avenue/Larkin Road	SR 70	Add Bike Lanes (Striping)	\$0	\$60,000	\$0	\$0	\$60,000
R4	Oroville Dam Boulevard	SR 70	Olive Highway	Add Bike Lanes (Striping)	\$0	\$140,000	\$0	\$0	\$140,000
<b>TOTAL:</b>					<b>\$0</b>	<b>\$260,000</b>	<b>\$870,000</b>	<b>\$0</b>	<b>\$1,130,000</b>