



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

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, May 18, 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 April 27, 2017 Special Planning Commission meeting.

REGULAR AGENDA

8. **PUBLIC HEARINGS**

- 8.1 **TPM 17-02: 110 Mono Avenue** – The Planning Commission will conduct a public hearing to consider approving Tentative Parcel Map No. 17-02 to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 square foot single-family residence into two parcels.

Staff Report: Luis A. Topete, Associate Planner

Staff Recommendation:

Adopt Resolution No. P2017-11: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 17-02 TO SUBDIVIDE THE PARCEL IDENTIFIED AS 110 MONO AVENUE (APN: 031-051-013) INTO TWO PARCELS

9. **REGULAR BUSINESS**

- 9.1 **Vallarta Grill: Finding of Public Convenience or Necessity (Type 41)** – The Oroville Planning Commission will review and consider adopting a Finding of Public Convenience or Necessity for a Type-41 “On Sale Beer and Wine – Eating Place” alcoholic beverage license for the property identified as 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant.

Staff Report: Luis A. Topete, Associate Planner

Staff Recommendation:

Adopt Resolution No. P2017-10: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN ON SALE BEER & WINE – EATING PLACE (TYPE-41) ALCOHOLIC BEVERAGE LICENSE FOR THE PROPERTY IDENTIFIED AS 2100 5TH AVENUE, OROVILLE, CA 95965 (APN: 035-430-069)

- 9.2 TSM 05-05 (Highlands Estates Subdivision): One Year Extension** – The Oroville Planning Commission will review and consider approving a one-year extension to Tentative Subdivision Map No. 05-05, also known as the Highlands Estates Subdivision.

Staff Report: Luis A. Topete, Associate Planner

Staff Recommendation:

Adopt Resolution No. P2017-12: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A ONE YEAR EXTENSION OF TENTATIVE SUBDIVISION MAP NO. 05-05, ALSO KNOWN AS THE HIGHLANDS ESTATES SUBDIVISION

- 9.3 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, June 22, 2017 at 7:00 P.M. in the Oroville City Council Chambers.

Respectfully submitted by,

Amy Bengtson for Don Rust

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, 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
APRIL 27, 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 or by calling the Clerk's office at 530-538-2535.

The agenda for the April 27, 2017 special 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, on Wednesday, April 26, 2016, at 10:15 a.m.

1. CALL TO ORDER

The April 27, 2017 special meeting of the Oroville Planning Commission was called to order by Chairperson Robison at 7:00 p.m.

2. ROLL CALL

Present: Commissioners Brand, Britton, Chapman, Jenkins, McDavitt, Chairperson Robison

Absent: Vice Chairperson Durling (e)

Staff Present:

Donald Rust, Acting City Administrator
Dawn Nevers, Assistant Planner
Marnie Gedney, Oroville Fire Department

Luis Topete, Associate Planner
Evan Burt, City Intern

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Robison.

4. RECOGNITION OF INDIVIDUALS WISHING TO SPEAK ON AGENDA ITEMS

5. PUBLIC COMMENT - None

6. CORRESPONDENCE - None

7. APPROVAL OF MINUTES

A motion was made by Commissioner Brand, seconded by Commissioner McDavitt, to:

Approve the minutes of the March 16, 2017 regular Planning Commission meeting.

The motion was passed by the following vote:

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

REGULAR AGENDA

8. PUBLIC HEARINGS

8.1 TPM 17-01: Pacifica Country Crest – staff report

The Planning Commission conducted a public hearing to consider approving Tentative Parcel Map No. 17-01 to separate an existing three-story congregate care senior living facility and one-story skilled nursing facility with a partial basement so each is located on its own parcel. **(Luis A. Topete, Associate Planner)**

Chairperson Robison opened the Public Hearing.

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

Carey Algaze, applicant, gave a brief description of the project and answered questions for the Commission

Michael Mays, Northstar Engineering and project engineer, answered questions for the Commission.

Following discussion, a motion was made by Commissioner Chapman, seconded by Commissioner Brand, to:

Adopt Resolution No. P2017-08 – A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 17-01 TO SUBDIVIDE THE PARCEL IDENTIFIED AS APN: 068-344-026 TO SEPARATE AN EXISTING CONGREGATE CARE SENIOR LIVING FACILITY AND SKILLED NURSING FACILITY SO EACH IS LOCATED ON ITS OWN PARCEL

The motion was passed by the following vote:

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

8.2 ZC 17-02: Minor Variance and Minor Use Permit Regulations – staff report

The Planning Commission conducted a public hearing to consider amendments to the Zoning Ordinance to include the addition of provisions regarding Minor Variances and Minor Use Permits. **(Evan Burt, City Intern)**

Chairperson Robison opened the Public Hearing.

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

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

Adopt Resolution No. P2017-09 – 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 ADD REGULATIONS REGARDING MINOR USE PERMITS AND MINOR VARIANCES WITH THE ADDITION OF THE FOLLOWING AMENDMENTS:

- **Property owners within 300 ft. of subject parcel are to be noticed.**
- **Presented at the Development Review Committee prior to the Zoning Administrative Hearing**
- **Not more than 15% variance**

The motion was passed by the following vote:

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

9. REGULAR BUSINESS

9.1 TSM 05-04 (Riverview Subdivision): One Year Extension – staff report

The Oroville Planning Commission reviewed and considered approving a one-year extension to Tentative Subdivision Map No. 05-04, also known as the Riverview Subdivision. **(Luis A. Topete, Associate Planner)**

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

Adopt Resolution No. P2017-07 – A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A ONE YEAR EXTENSION OF TENTATIVE SUBDIVISION MAP NO. 05-04, ALSO KNOWN AS THE RIVERVIEW SUBDIVISION

The motion was passed by the following vote:

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

9.2 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 Jenkins, seconded by Commissioner Chapman, to:

Continue the item until the next regular meeting of the Planning Commission when the City Engineer is available to answer questions for the Commission.

The motion was passed by the following vote:

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

10. DISCUSSION ITEMS - None

- Development Review Committee rotation
 - Commissioner Chapman
 - Commissioner Britton
 - Commissioner Brand, Alternate
- Establish bi-monthly meeting dates/times for Sign Code Updates - Ad Hoc Subcommittee
 - 2nd and 4th Tuesday of each month at 1:00 p.m.
- APA California 2017 Conference at the Sacramento Convention Center
Date/Times: September 23-16, 2017 (All Day)
 - All Commissioners wished to attend the conference

11. DIRECTOR'S REPORT

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

- Walmart Super Center to open June 7, 2017
- PG&E updates

- Carl's Jr. and Kentucky Fried Chicken
- Drive-thru on Feather River Blvd.
- Round-a-bout
- Lineman College: expansion of pole farm and Planning Commission request to tour Oroville Inn

12. CHAIRPERSON/COMMISSIONERS REPORTS

- Commissioner Chapman reported on recent Development Review Committees

14. ADJOURNMENT

The meeting was adjourned at 8:43 p.m. A regular meeting of the Oroville Planning Commission will be held on Thursday, May 25, 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

PLANNING COMMISSION STAFF REPORT

May 18, 2017

TPM 17-02: 110 Mono Avenue – The Planning Commission will conduct a public hearing to consider approving Tentative Parcel Map No. 17-02 to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 square foot single-family residence into two parcels.

APPLICANT: Sharron Ames
720 Mangrove Ave #263
Chico, CA 95926
(415) 939-2404

LOCATION:
110 Mono Avenue
Oroville, CA 95965
(APN: 031-051-013)
(Attachment A)

GENERAL PLAN: Medium High Density Residential (14-20 du/acre)
ZONING: High-Density Residential (R-3)
FLOOD ZONE: ZONE X: Areas determined to be outside the 0.2% annual chance floodplain (500-year floodplain).

ENVIRONMENTAL DETERMINATION:

Class 15 Categorical Exemption - Minor Land Divisions; Title 14, CCR, §15315

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 Tentative Parcel Map (TPM 17-02) for the property identified as 110 Mono Avenue (APN: 031-051-013); and
2. **ADOPT** the Class 15 Categorical Exemption – Minor Land Divisions, Title 14, CCR, §15315 as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) Statute and Guidelines (**Attachment B**); and
3. **ADOPT** the recommended Findings for Tentative Parcel Map No. 17-02 (**Attachment C**); and
4. **ADOPT** Resolution No. P2017-11 (**Attachment D**); and
5. **APPROVE** the Conditions of Approval for Tentative Parcel Map No. 17-02 (**Attachment E**).

SUMMARY

The Planning Commission will conduct a public hearing to consider approving Tentative Parcel Map No. 17-02 to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 sq. ft. single-family residence into two parcels as follows: Parcel 1 would be 0.19 acres (8,245 sf) in size and encompass the existing single-family residence abutting Mono Avenue; and Parcel 2 would be 0.47 (20,473 sf) acres in size and serve as land for future multi-family residential development. The subject property, 110 Mono Avenue (APN: 031-051-013), has a Zoning designation of High-Density Residential (R-3) and General Plan land use designation of Medium High Density Residential (14-20 du/acre).

DISCUSSION

The parcel is currently developed with a single-family residence, which is a legal nonconforming use on this parcel. As the parcel is zoned R-3, intended for high-density residential development, the current use of this R-3 site for a single-family residence does not support the goals of the property's General Plan or Zoning land use designation. As the applicant intends to construct three duplexes in the future on proposed Parcel 2, the density of construction would be what the General Plan designation has planned for. Thus, the proposed land division will afford the opportunity for an underutilized property to construct multi-family housing which is consistent with the General Plan and Zoning land use designation of the property.

The tentative parcel map generally depicts the proposed duplexes on Parcel 2 and the site layout of the existing single-family residence on Parcel 1. The tentative map is not a detailed site plan, but does provide the following information:

Proposed Parcel	Proposed Structures	Existing Structures
1	-	1,100 sf House
2	Three 36' x' 63' Duplex	-
2	Ten 9' x 13' Carports	-
Total Square Feet	7,974 sf	1,100 sf

The maximum site coverage for properties zoned R-3 is 65%. The minimum parking requirement for duplexes are 2 spaces for each dwelling unit. As proposed, Parcel 1 (8,245 sf) would have a site coverage of 13.3% and Parcel 2 (20,473 sf) would have a site coverage of 38.9%. Although the tentative parcel map is not a detailed site drawing and would need revisions to demonstrate compliance with minimum development standards, it demonstrates that the parcels, as proposed, would be physically suitable for a project design and type of what is being considered. Additionally, the approval of the parcel map will not cause the existing single-family residence to encroach into a minimum required setback or cause site coverage maximums to be exceeded.

Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees.

ENVIRONMENTAL REVIEW

This project has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15315 "Minor Land Divisions." 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 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

This subject property is surrounded by existing residential development to the south, west, east and a partially developed residential subdivision to the north. Parcel 1 would encompass the existing single-family residence and a 20' wide access easement on the east end of the property for Parcel 2 which is proposed to be developed in the future with three duplexes. The parcels, as proposed, comply with the minimum lot area requirement (2,200 sf) and minimum lot width requirement (35 ft.) for interior lots in an R-3 zone. Furthermore, the proposed duplexes are a permitted land use in an R-3 zone, no variances or exceptions are required, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees. It has

therefore been determined that there is no possibility that the parcel map request will have a significant effect on the environment. Thus, this project is exempt from the provisions of CEQA.

FISCAL IMPACT

The total fees associated with this project are as follows:

Item	Price	Tech Fee	Total	Paid
Tentative Parcel Map	\$3,500.34	\$210.02	\$3,710.36	Yes
Total	\$3,500.34	\$210.02	\$3,710.36	Yes

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 and posted at City Hall (**Attachment H**).

ATTACHMENTS

- A – Vicinity Map
- B – Notice of Exemption
- C – Findings
- D – Resolution No. P2017-11
- E – Conditions of Approval
- F – Tentative Parcel Map
- G – Property Owner Notice
- H – Newspaper Notice

VICINITY MAP



MONO

DEL ORO


CASEY

Feet

0 75 150 300 450 600

	Project Site
	Properties Within 300ft

CITY OF OROVILLE PLANNING DIVISION

<i>Applicant:</i> Sharron Ames		<i>Project Title:</i> TPM 17-02: 110 Mono Avenue		 N
<i>Project Location:</i> 110 Mono Avenue, Oroville, CA 95965				
<i>General Plan:</i> MHDR (14-20 du/acre)	<i>Zoning Designation</i> High-Density Residential (R-3)	<i>Requested Entitlements:</i> Tentative Parcel Map No. 17-02		
<i>TRAKiT #</i> Project#: PL1704-014		<i>Assessor's Parcel #:</i> 031-051-013		TPM 17-02



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

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: TPM 17-02: 110 Mono Avenue

Project Location – Specific: 110 Mono Avenue (APN: 031-051-013)

Project Location – City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant has applied for a Tentative Parcel Map (TPM 17-02) to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 sq.ft. single-family residence into two parcels as follows: Parcel 1 would be 0.19 acres (8,245 sf) in size and encompass the existing single-family residence abutting Mono Avenue; and Parcel 2 would be 0.47 (20,473 sf) acres in size and serve as land for future multi-family residential development. The subject property, 110 Mono Avenue (APN: 031-051-013), has a Zoning designation of High-Density Residential (R-3) and General Plan land use designation of Medium High Density Residential (14-20 du/acre).

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying out Project: Sharron Ames

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:
- Minor Land Divisions; Title 14, CCR, §15315
- 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) review pursuant to Title 14, California Code of Regulations, Section 15315 "Minor Land Divisions." 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 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

This subject property is surrounded by existing residential development to the south, west, east and a partially developed residential subdivision to the north. Parcel 1 would encompass the existing single-family residence and a 20' wide access easement on the east end of the property for Parcel 2 which is

proposed to be developed in the future with three duplexes. The parcels, as proposed, comply with the minimum lot area requirement (2,200 sf) and minimum lot width requirement (35 ft) for interior lots in an R-3 zone. Furthermore, the proposed duplexes are a permitted land use in an R-3 zone, no variances or exceptions are required, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees. It has therefore been determined that there is no possibility that the parcel map request will have a significant effect on the environment. Thus, this project is exempt from the provisions of CEQA.

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

TPM 17-02: 110 Mono Avenue

A. INTRODUCTION

The project applicant, Sharron Ames, has applied for a Tentative Parcel Map (TPM 17-02) to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 sq. ft. single-family residence into two parcels as follows: Parcel 1 would be 0.19 acres (8,245 sf) in size and encompass the existing single-family residence abutting Mono Avenue; and Parcel 2 would be 0.47 (20,473 sf) acres in size and serve as land for future multi-family residential development. The subject property, 110 Mono Avenue (APN: 031-051-013), has a Zoning designation of High-Density Residential (R-3) and General Plan land use designation of Medium High Density Residential (14-20 du/acre).

B. ENVIRONMENTAL REVIEW

This project has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15315 "Minor Land Divisions." 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 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

This subject property is surrounded by existing residential development to the south, west, east and a partially developed residential subdivision to the north. Parcel 1 would encompass the existing single-family residence and a 20' wide access easement on the east end of the property for Parcel 2 which is proposed to be developed in the future with three duplexes. The parcels, as proposed, comply with the minimum lot area requirement (2,200 sf) and minimum lot width requirement (35 ft) for interior lots in an R-3 zone. Furthermore, the proposed duplexes are a permitted land use in an R-3 zone, no variances or exceptions are required, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees. It has therefore been determined that there is no possibility that the parcel map request will have a significant effect on the environment. Thus, this project is exempt from the provisions of CEQA.

C. TENTATIVE PARCEL MAP

Per the Oroville Municipal Code (OMC) Section 16.12.050(E), the Planning Commission shall disapprove a tentative parcel map if it determines that any of the following conditions apply:

- a) The proposed subdivision is inconsistent with the general plan or applicable specific plans.

The property has a General Plan land use designation of Medium High Density Residential (14-20 du/acre). This designation provides opportunities for townhouses, garden apartments, and apartment buildings that would typically be located in urban areas with major roads, adequate infrastructure, and amenities to support higher densities. The parcel is currently developed with a single-family residence, which is a legal nonconforming use on this parcel. As the parcel is zoned R-3, intended for high-density residential development, the current use of this R-3 site for a single-family residence does not support the goals of the property's General Plan land use designation. As the applicant intends to construct three duplexes in the future on proposed Parcel 2, the density of construction would be what the General Plan designation has planned for. Thus, the proposed land division will afford the opportunity for an underutilized property to construct multi-family housing which is consistent with the General Plan and Zoning land use designation of the property. This property does not lie within any specific plan.

- b) The site is not physically suitable for the proposed density or type of development.

The tentative parcel map generally depicts the proposed duplexes on Parcel 2 and the site layout of the existing single-family residence on Parcel 1. The tentative map is not a detailed site plan, but does provide the following information:

Proposed Parcel	Proposed Structures	Existing Structures
1	-	1,100 sf House
2	Three 36' x' 63' Duplex	-
2	Ten 9' x 13' Carports	-
Total Square Feet	7,974 sf	1,100 sf

The maximum site coverage for properties zoned R-3 is 65%. The minimum parking requirement for duplexes are 2 spaces for each dwelling unit. As proposed, Parcel 1 (8,245 sf) would have a site coverage of 13.3% and Parcel 2 (20,473 sf) would have a site coverage of 38.9%. Although the tentative parcel map is not a detailed site drawing and would need revisions to demonstrate compliance with minimum development standards, it demonstrates that the parcels, as proposed, would be physically suitable for a

project design and type of what is being considered. At the time permits for construction are applied for, City will require the installation of all applicable infrastructure in compliance with minimum on-site and off-site development requirements (curb, gutter, sidewalk, sewer connections, potable water supply, power gas and electric, etc.)

- c) The design of the land division or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This project is will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Per the City's 2030 General Plan, the property is not known to be near a wildlife area, drainage corridor, or potential vernal pool/vernal swale complex. Additionally, there is no river, lake or other body of water in the vicinity of the project site. The subject property is surrounded by existing residential development to the south, west, east and a partially developed residential subdivision to the north. Proposed Parcel 1 would encompass the existing single-family residence and a 20' wide access easement on the east end of the property for Parcel 2 which is proposed to be developed in the future with three duplexes. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees.

- d) The design of the subdivision or the type of improvement is likely to cause serious public health problems.

The tentative map is not a detailed site plan and final drawings specifying the future improvements of the site have not been submitted in conjunction with this parcel map. At the time permits for construction are applied for, City will require the installation of all applicable infrastructure in compliance with minimum on-site and off-site development requirements. As proposed, Parcel 1 would encompass the existing single-family residence and a 20' wide access easement on the east end of the property for Parcel 2 which is proposed to be developed in the future with three duplexes. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees. As the property is zoned R-3, which is intended for multi-family residential development, the future intent of this land division supports the goals of the City's General Plan. Additionally, the design of the parcels has been found to comply with the parcel design standards as found in Section 16.16.020 of the Oroville Municipal Code and there is no known reason to believe that the design of the subdivision or the type of improvements being considered are likely to cause serious public

health problems.

- e) A preliminary soils report or geological hazard report indicates adverse soil or geological conditions, and the subdivider has failed to demonstrate to the satisfaction of the city engineer and planning commission that the conditions can be corrected.

The Safety Element Policy P1.2 requires all new developments to be subjected to a geotechnical study prior to development approval and to mitigate any identified hazards to a level of insignificance. Compliance with the California Building Code and Oroville General Plan policies would require compliance with standards for seismic design, foundations, and drainage and requires geotechnical engineering studies for development in areas with geologic risks. Policy P1.4 in the Safety Element would ensure that new development incorporates design and engineering that minimizes the risk of damage from seismic events and landsliding, consistent with state Building Codes and Historic Building Codes. As no building permit application for a specified project design has been submitted, a preliminary soils report or geological hazard report is not warranted at this time.

- f) The design of the land division or the type of improvement will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. However, the planning commission may approve an application if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

As proposed, Parcel 1 would have a 20' wide access easement on the east end of the property for the ingress/egress of Parcel 2. There are no known conflicts with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

- g) The proposed subdivision violates the provisions of this chapter and no exception has been granted.

There are no conditional exceptions being requested. The proposed subdivision has been reviewed for compliance with all applicable provisions of the City's subdivision standards, including parcel design standards, and has been found to be in compliance.

- h) The proposed subdivision violates any provision of the zoning code and no variance has been granted.

Properties zoned R-3 have a minimum lot area requirement for interior lots of

2,200 sq.ft., and a minimum width requirement of 35 ft. The width of the proposed lots is approximately 98 ft, and both exceed the minimum 2,200 sq.ft. area requirement. Additionally, the approval of the parcel map will not cause any existing structure to encroach into a minimum required setback or cause site coverage maximums to be exceeded. Any future development will be required to comply with all minimum development standards as found in the City's Zoning Ordinance. The proposed land division does not violate any known provisions of the Zoning Code and no variance has been requested or granted for this land division request.

- i) The proposed subdivision would violate any other city ordinance or any city code provision.

The proposed land division, as conditioned, will not violate any City ordinance or other City Code provision. The applicant will be required to comply with and meet all of the conditions of approval prior to the approval of a Final Map and its recordation.

- j) The discharge of waste from the proposed subdivision into a community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

Project applicants are required to submit plans for the disposition of surface runoff and erosion control to the City of Oroville that meet the requirements of the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) Program. The City of Oroville is a permittee subject to all the requirements contained in the Small MS4 General Permit. Thus, any future project will be required to comply with the prohibition of non-stormwater discharges from within the City's Small MS4 General Permit area into the City storm drain system in a manner consistent with the Clean Water Act, the Porter-Cologne Water Quality Control Act, and other Small MS4 Permit requirements, in addition to reducing pollutants in stormwater discharges to the maximum extent practicable.

RESOLUTION NO. P2017-11

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE PARCEL MAP NO. 17-02 TO SUBDIVIDE THE PARCEL IDENTIFIED AS 110 MONO AVENUE (APN: 031-051-013) INTO TWO PARCELS

WHEREAS, the project applicant has applied for a Tentative Parcel Map (TPM 17-02) to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 square foot single-family residence into two parcels; and

WHEREAS, Parcel 1 would be 0.19 acres (8,245 sf) in size and encompass the existing single-family residence abutting Mono Avenue, and Parcel 2 would be 0.47 (20,473 sf) acres in size and serve as land for future multi-family residential development; and

WHEREAS, the subject property, 110 Mono Avenue (APN: 031-051-013), has a Zoning designation of High-Density Residential (R-3) and General Plan land use designation of Medium High Density Residential (14-20 du/acre); and

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

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

1. The Planning Commission finds that this project has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15315 "Minor Land Divisions." This action does not constitute the approval of a specific development project. As future development projects are reviewed by the City each project will be evaluated independently for its potential impacts to the environment per the CEQA Statute and Guidelines.
2. Per the Oroville Municipal Code (OMC) Section 16.12.050(E), the Planning Commission shall disapprove a tentative parcel map if it determines that any of the following conditions apply:
 - a) The proposed subdivision is inconsistent with the general plan or applicable specific plans.

The property has a General Plan land use designation of Medium High Density Residential (14-20 du/acre). This designation provides opportunities for townhouses, garden apartments, and apartment buildings

that would typically be located in urban areas with major roads, adequate infrastructure, and amenities to support higher densities. The parcel is currently developed with a single-family residence, which is a legal nonconforming use on this parcel. As the parcel is zoned R-3, intended for high-density residential development, the current use of this R-3 site for a single-family residence does not support the goals of the property's General Plan land use designation. As the applicant intends to construct three duplexes in the future on proposed Parcel 2, the density of construction would be what the General Plan designation has planned for. Thus, the proposed land division will afford the opportunity for an underutilized property to construct multi-family housing which is consistent with the General Plan and Zoning land use designation of the property. This property does not lie within any specific plan.

- b) The site is not physically suitable for the proposed density or type of development.

The tentative parcel map generally depicts the proposed duplexes on Parcel 2 and the site layout of the existing single-family residence on Parcel 1. The tentative map is not a detailed site plan, but does provide the following information:

Proposed Parcel	Proposed Structures	Existing Structures
1	-	1,100 sf House
2	Three 36' x' 63' Duplex	-
2	Ten 9' x 13' Carports	-
Total Square Feet	7,974 sf	1,100 sf

The maximum site coverage for properties zoned R-3 is 65%. The minimum parking requirement for duplexes are 2 spaces for each dwelling unit. As proposed, Parcel 1 (8,245 sf) would have a site coverage of 13.3% and Parcel 2 (20,473 sf) would have a site coverage of 38.9%. Although the tentative parcel map is not a detailed site drawing and would need revisions to demonstrate compliance with minimum development standards, it demonstrates that the parcels, as proposed, would be physically suitable for a project design and type of what is being considered. At the time permits for construction are applied for, City will require the installation of all applicable infrastructure in compliance with minimum on-site and off-site development requirements (curb, gutter, sidewalk, sewer connections, potable water supply, power gas and electric, etc.)

- c) The design of the land division or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

This project is will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Per the City's 2030 General Plan, the property is not known to be near a wildlife area, drainage corridor, or potential vernal pool/vernal swale complex. Additionally, there is no river, lake or other body of water in the vicinity of the project site. The subject property is surrounded by existing residential development to the south, west, east and a partially developed residential subdivision to the north. Proposed Parcel 1 would encompass the existing single-family residence and a 20' wide access easement on the east end of the property for Parcel 2 which is proposed to be developed in the future with three duplexes. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees.

- d) The design of the subdivision or the type of improvement is likely to cause serious public health problems.

The tentative map is not a detailed site plan and final drawings specifying the future improvements of the site have not been submitted in conjunction with this parcel map. At the time permits for construction are applied for, City will require the installation of all applicable infrastructure in compliance with minimum on-site and off-site development requirements. As proposed, Parcel 1 would encompass the existing single-family residence and a 20' wide access easement on the east end of the property for Parcel 2 which is proposed to be developed in the future with three duplexes. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees. As the property is zoned R-3, which is intended for multi-family residential development, the future intent of this land division supports the goals of the City's General Plan. Additionally, the design of the parcels has been found to comply with the parcel design standards as found in Section 16.16.020 of the Oroville Municipal Code and there is no known reason to believe that the design of the subdivision or the type of improvements being considered are likely to cause serious public health problems.

- e) A preliminary soils report or geological hazard report indicates adverse soil or geological conditions, and the subdivider has failed to demonstrate to the satisfaction of the city engineer and planning commission that the conditions can be corrected.

The Safety Element Policy P1.2 requires all new developments to be subjected to a geotechnical study prior to development approval and to mitigate any identified hazards to a level of insignificance. Compliance with the California Building Code and Oroville General Plan policies would require compliance with standards for seismic design, foundations, and drainage and requires geotechnical engineering studies for development in areas with geologic risks. Policy P1.4 in the Safety Element would ensure that new development incorporates design and engineering that minimizes the risk of damage from seismic events and landsliding, consistent with state Building Codes and Historic Building Codes. As no building permit application for a specified project design has been submitted, a preliminary soils report or geological hazard report is not warranted at this time.

- f) The design of the land division or the type of improvement will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. However, the planning commission may approve an application if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

As proposed, Parcel 1 would have a 20' wide access easement on the east end of the property for the ingress/egress of Parcel 2. There are no known conflicts with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

- g) The proposed subdivision violates the provisions of this chapter and no exception has been granted.

There are no conditional exceptions being requested. The proposed subdivision has been reviewed for compliance with all applicable provisions of the City's subdivision standards, including parcel design standards, and has been found to be in compliance.

- h) The proposed subdivision violates any provision of the zoning code and no variance has been granted.

Properties zoned R-3 have a minimum lot area requirement for interior lots of 2,200 sq.ft., and a minimum width requirement of 35 ft. The width of the proposed lots is approximately 98 ft, and both exceed the minimum 2,200 sq.ft. area requirement. Additionally, the approval of the parcel map will not cause any existing structure to encroach into a minimum required setback or cause site coverage maximums to be exceeded. Any future

development will be required to comply with all minimum development standards as found in the City's Zoning Ordinance. The proposed land division does not violate any known provisions of the Zoning Code and no variance has been requested or granted for this land division request.

- i) The proposed subdivision would violate any other city ordinance or any city code provision.

The proposed land division, as conditioned, will not violate any City ordinance or other City Code provision. The applicant will be required to comply with and meet all of the conditions of approval prior to the approval of a Final Map and its recordation.

- j) The discharge of waste from the proposed subdivision into a community sewer system would result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

Project applicants are required to submit plans for the disposition of surface runoff and erosion control to the City of Oroville that meet the requirements of the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) Program. The City of Oroville is a permittee subject to all the requirements contained in the Small MS4 General Permit. Thus, any future project will be required to comply with the prohibition of non-stormwater discharges from within the City's Small MS4 General Permit area into the City storm drain system in a manner consistent with the Clean Water Act, the Porter-Cologne Water Quality Control Act, and other Small MS4 Permit requirements, in addition to reducing pollutants in stormwater discharges to the maximum extent practicable.

- 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, Sharron Ames, has applied for a Tentative Parcel Map (TPM 17-02) to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 sq.ft. single-family residence into two parcels as follows: Parcel 1 would be 0.19 acres (8,245 sf) in size and encompass the existing single-family residence abutting Mono Avenue; and Parcel 2 would be 0.47 (20,473 sf) acres in size and serve as land for future multi-family residential development. The subject property, 110 Mono Avenue (APN: 031-051-013), has a Zoning designation of High-Density Residential (R-3) and General Plan land use designation of Medium High Density Residential (14-20 du/acre). The Planning Commission hereby approves TPM 17-02, subject to the following:

1. These conditions of approval are to permit the land division of Tentative Parcel Map No. 17-02 (TPM 17-02) as generally described above.
2. This Tentative Parcel Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within twenty-four (24) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
3. The Planning Commission approval date of this Tentative Parcel Map No. 17-02 occurred on May 18, 2017. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
4. The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
5. 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 action or any environmental or other documentation related to the approval of this tentative parcel map. Applicant further agrees to provide a defense for the City in any such action
6. 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.
7. This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
8. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the code of the City of Oroville to minimize any negative impacts that the use may have on the surrounding properties.

9. All private facilities, improvements, infrastructure, systems, equipment, common areas, landscaping, irrigations systems, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety, and general welfare.
10. The Planning Commission's action shall be final unless the subdivider or any other interested person appeals the action to the City Council as provided in Section 16.04.060 of the City's Code.
11. Owner shall provide monumentation in conformance with the requirements of the California Subdivision Map Act (Government Code Section 66410 and following).
12. The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on the Parcel Map.
13. All easements of record that affect this property are to be shown on the Parcel Map.
14. Prior to recordation of the Parcel Map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492.
15. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees.

--- 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 18th day of May, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

DONALD L. RUST, SECRETARY

DAMON ROBISON, CHAIRPERSON

CONDITIONS OF APPROVAL

TPM 17-02: 110 Mono Avenue

Approved Project: The project applicant, Sharron Ames, has applied for a Tentative Parcel Map (TPM 17-02) to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 sq.ft. single-family residence into two parcels as follows: Parcel 1 would be 0.19 acres (8,245 sf) in size and encompass the existing single-family residence abutting Mono Avenue; and Parcel 2 would be 0.47 (20,473 sf) acres in size and serve as land for future multi-family residential development. The subject property, 110 Mono Avenue (APN: 031-051-013), has a Zoning designation of High-Density Residential (R-3) and General Plan land use designation of Medium High Density Residential (14-20 du/acre). The Planning Commission hereby approves TPM 17-02, subject to the following:

1. These conditions of approval are to permit the land division of Tentative Parcel Map No. 17-02 (TPM 17-02) as generally described above.
2. This Tentative Parcel Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within twenty-four (24) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
3. The Planning Commission approval date of this Tentative Parcel Map No. 17-02 occurred on May 18, 2017. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
4. The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
5. 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 action or any environmental or other documentation related to the approval of this tentative parcel map. Applicant further agrees to provide a defense for the City in any such action
6. 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.

7. This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
8. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the code of the City of Oroville to minimize any negative impacts that the use may have on the surrounding properties.
9. All private facilities, improvements, infrastructure, systems, equipment, common areas, landscaping, irrigations systems, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety, and general welfare.
10. The Planning Commission's action shall be final unless the subdivider or any other interested person appeals the action to the City Council as provided in Section 16.04.060 of the City's Code.
11. Owner shall provide monumentation in conformance with the requirements of the California Subdivision Map Act (Government Code Section 66410 and following).
12. The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on the Parcel Map.
13. All easements of record that affect this property are to be shown on the Parcel Map.
14. Prior to recordation of the Parcel Map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492.
15. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees.

--- End of Conditions ---

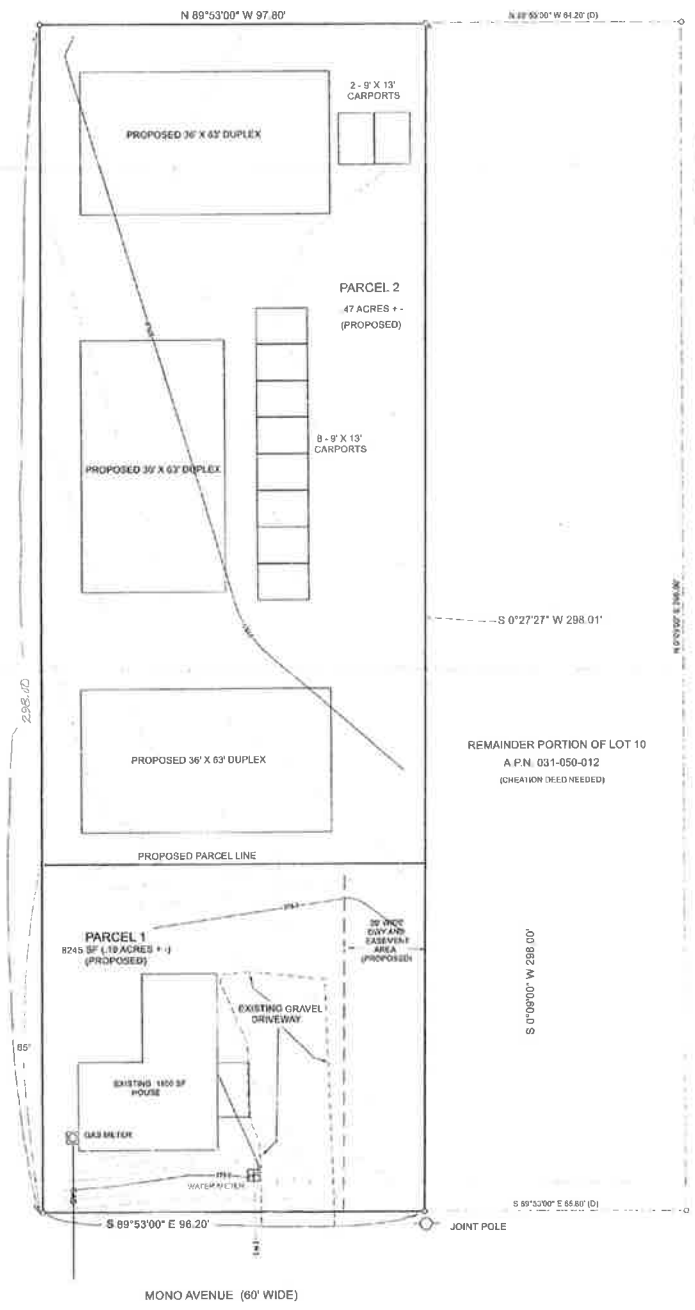


SITUS INFORMATION

ADDRESS : 110 MONRO AVENUE
 WATER AND SEWER: THERMALITO WATER AND SEWER
 UTILITIES: PACIFIC GAS AND ELECTRIC
 ZONING: R3

GENERAL INFORMATION

BENCHMARK USED #16 ELEV 270.15
 MAJOR CONTOUR INTERVAL 5 FEET
 MINOR CONTOUR INTERVAL 1 FOOT



TENTATIVE PARCEL MAP

FOR
 SHARRON AMES
 110 MONRO AVENUE
 OROVILLE CA 95965
 BEING A PORTION A LOT 10, BLOCK C
 OF THE NORTH ADDITION No 1
 TO THERMALITO
 RECORDED SEPTEMBER 2, 1887
 IN BOOK 1 OF MAPS, PAGE 32

BY
 TIMOTHY PAUL GIORDANO
 LICENSED LAND SURVEYOR 7210
 2 MARGARET DRIVE
 OROVILLE CA 95966
 (530) 532-1029



APRIL 19, 2017



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

Donald Rust
 DIRECTOR

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, May 18, 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 comments, a reply is not necessary.

VICINITY MAP

ASSESSOR
PARCEL NUMBER: 031-051-013

FILE NUMBER: TPM 17-02

APPLICANT: Sharron Ames

ZONING: High-Density Residential (R-3)

LOCATION: 110 Mono Avenue
 (APN: 031-051-013)

CONTACT PERSON: Luis A. Topete,
 Associate Planner
 530 538-2408
ltopetela@cityoforoville.org



PROJECT DESCRIPTION

TPM 17-02: 110 Mono Avenue – The City of Oroville Planning Commission will conduct a public hearing to consider approving Tentative Parcel Map No. 17-02 to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 sq.ft. single-family residence into two parcels as follows: Parcel 1 would be 0.19 acres (8,245 sf) in size and encompass the existing single-family residence abutting Mono Avenue; and Parcel 2 would be 0.47 (20,473 sf) acres in size and serve as land for future multi-family residential development. The subject property has a Zoning designation of High-Density Residential (R-3) and General Plan land use designation of Medium High Density Residential (14-20 du/acre).

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 on **Thursday, May 18, 2017 at 7:00 p.m.** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.

PROPOSED PARCEL MAP:



RECOMMENDED CONDITIONS OF APPROVAL / COMMENTS (Please attach additional pages, if needed):

Signature: _____ Date: _____

Agency/Affiliation: _____

**PLEASE RETURN COMPLETED FORM TO 1735 MONTGOMERY STREET OR VIA
E-MAIL AT Itopete@cityoforville.org**



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

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, May 18, 2017** in the City Council Chambers, 1735 Montgomery Street, Oroville, CA. All interested persons are invited to attend or submit comments in writing.

1. **TPM 17-02: 110 Mono Avenue** – The Planning Commission will conduct a public hearing to consider approving Tentative Parcel Map No. 17-02 to separate a 0.67-acre (29,185 sf) lot with an existing 1,100 square foot single-family residence into two parcels.

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, May 8, 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

PLANNING COMMISSION STAFF REPORT

May 18, 2017

Vallarta Grill: Finding of Public Convenience or Necessity (Type 41) - The Oroville Planning Commission will review and consider adopting a Finding of Public Convenience or Necessity for a Type-41 "On Sale Beer and Wine – Eating Place" alcoholic beverage license for the property identified as 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant.

APPLICANTS: Jose Alejandro Sandoval-Martinez
2100 5th Avenue
Oroville, CA 95965
(530) 806-6121

LOCATION: 2100 5th Avenue
Oroville, CA 95965
APN: 035-430-069

GENERAL PLAN: Mixed Use
ZONING: Corridor Mixed Use (MXC)
FLOOD ZONE: ZONE X: Areas determined to be outside the 0.2% annual chance floodplain.

ENVIRONMENTAL DETERMINATION: General Rule Exemption; Title 14, CCR, §15061(b)(3)

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:

ADOPT Resolution No. P2017-10: A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN ON SALE BEER & WINE – EATING PLACE (TYPE-41) ALCOHOLIC BEVERAGE LICENSE FOR THE PROPERTY IDENTIFIED AS 2100 5TH AVENUE, OROVILLE, CA 95965 (APN: 035-430-069) (**Attachment G**).

SUMMARY

The Oroville Planning Commission will review and consider adopting a Finding of Public Convenience or Necessity for a Type-41 "On Sale Beer and Wine – Eating Place" alcoholic beverage license for the property identified as 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant. A Type-41 license authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). It is required that the licensee operate and maintain the licensed premises as a bona fide eating place. Additionally, the licensee must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises under a Type-41 license. **(Attachment A).**

The issuance of this license would increase the "undue concentration" of on-sale licenses authorized in census tract 0028.00. A total of six on-sale licenses are authorized in the subject census tract **(Attachment B)** with twenty issued (18 Active; 2 Surrendered) as of April, 27 2017 **(Attachment C)**. As an undue concentration of licenses currently exists in the subject census tract, the Business and Professions Code Section 23958.4 requires a finding of public convenience "or" necessity in order for the California Department of Alcoholic Beverage Control (ABC) application to be approved. It is not legally necessary to demonstrate both a finding of convenience "and" necessity.

ANALYSIS

Findings of Public Convenience or Necessity are a tool for local governments and communities that directly ties them into the state liquor licensing process. Current state law limits the issuance of new licenses in geographical regions (census tracts) defined as high crime areas or in areas of "undue concentration" of retail alcohol outlets. However, the law also states these restrictions can be sidestepped in specified circumstances when the Department of ABC or the local jurisdiction makes a determination that the license in question would serve the "public convenience or necessity" by demonstrating that the business operation will provide some kind of benefit to the surrounding community. The applicant's reasoning that public convenience or necessity will be served is detailed in **Attachment D**.

"Undue concentration" (also referred to as "over concentration") is defined, with respect to on-sale retail alcoholic beverage license applications, in the Business and Professions Code Section 23958.4 as a ratio of the number of licenses in a census tract compared to the average number of licenses in a county, as a whole. It does not mean that a particular census tract necessarily has too many licenses for the needs of convenience of residents in that tract. "Over concentration" also does not mean that the State, or anyone else, has previously looked at this census tract and determined that it has suffered any adverse effects from the actual number of licenses existing or that it will suffer any adverse effects if a new license is issued.

The California Department of ABC allows six on-sale licenses within this Census Tract (0028.00) where the subject property is located, with twenty issued (18 Active; 2 Surrendered) as of April 27, 2017. As a result, Census Tract 0028.00 is identified as having an undue concentration of on-sale licenses, as defined by Section 23958.4 of the Business and Professions Code. Sections 23958 and 23958.4 of the Business and Professions Code requires ABC to deny the application unless the City determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance of the license.

ENVIRONMENTAL 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), commonly known as the “general rule.” 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. This request for a Finding of Public Convenience or Necessity is for the purposes of being able to sell beer and wine as part of an existing restaurant, Vallarta Grill. There are no site or building alterations proposed with this request.

There is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment. Therefore, the project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) "General Rule Exemption."

FISCAL IMPACT

The total fees associated with this request are as follows:

Item	Price	Tech Fee	Total	Paid
Finding of Public Convenience or Necessity	\$158.73	\$9.52	\$164.25	Yes
Filing of Notice of Exemption Butte County Clerks Filing Fee	\$50.00	-	\$50.00	No

ATTACHMENTS

- A – ABC License Types
- B – Licenses Authorized
- C – Issued On-Sale Licenses
- D – Request for Finding of Public Convenience or Necessity
- E – Census Tracts Map
- F – ABC Application
- G – Notice of Exemption
- H – Resolution No. P2017-10

**COMMON ABC LICENSE TYPES
AND THEIR BASIC PRIVILEGES**

LICENSE TYPE	DESCRIPTION
01	BEER MANUFACTURER - (Large Brewery) Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer’s licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer’s licensed premises or at a bona fide eating place contiguous to the manufacturer’s licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.
02	WINEGROWER - (Winery) Authorizes the sale of wine and brandy to any person holding a license authorizing the sale of wine and brandy, and to consumers for consumption off the premises where sold. Authorizes the sale of all wines and brandies, regardless of source, to consumers for consumption on the premises in a bona fide eating place that is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and operated by and for the licensee. May possess wine and brandy for use in the preparation of food and beverage to be consumed at the bona fide eating place. May conduct winetastings under prescribed conditions (Section 23356.1; Rule 53). Minors are allowed on the premises.
20	OFF SALE BEER & WINE - (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.
21	OFF SALE GENERAL - (Package Store) Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.
23	SMALL BEER MANUFACTURER - (Brew Pub or Micro-brewery) Authorizes the same privileges and restrictions as a Type 01. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small-scale brewery operation that typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.
40	ON SALE BEER - (Bar, Tavern) Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.
41	ON SALE BEER & WINE – EATING PLACE - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
42	ON SALE BEER & WINE – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may be on the premises. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
47	ON SALE GENERAL – EATING PLACE - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
48	ON SALE GENERAL – PUBLIC PREMISES - (Bar, Night Club) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
49	ON SALE GENERAL – SEASONAL - Authorizes the same privileges and restrictions as provided for a Type 47 license except it is issued for a specific season. Inclusive dates of operation are listed on the license certificate.



LICENSE TYPE	DESCRIPTION
51	CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. No off-sale privileges. Food service is not required. Minors are allowed on the premises.
52	VETERAN'S CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guest only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
57	SPECIAL ON SALE GENERAL - Generally issued to certain organizations who cannot qualify for club licenses. Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guests only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
59	ON SALE BEER AND WINE – SEASONAL - Authorizes the same privileges as a Type 41. Issued for a specific season. Inclusive dates of operation are listed on the license certificate.
60	ON SALE BEER – SEASONAL - Authorizes the sale of beer only for consumption on or off the premises where sold. Issued for a specific season. Inclusive dates of operation are listed on the license certificate. Wine or distilled spirits may not be on the premises. Minors are allowed on the premises.
61	ON SALE BEER – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer only for consumption on or off the licensed premises. Wine or distilled spirits may not be on the premises. Minors are not allowed to enter and remain (warning signs required). Food service is not required.
67	BED AND BREAKFAST INN - Authorizes the sale of wine purchased from a licensed winegrower or wine wholesaler only to registered guests of the establishment for consumption on the premises. No beer or distilled spirits may be on the premises. Wine shall not be given away to guests, but the price of the wine shall be included in the price of the overnight transient occupancy accommodation. Removal of wine from the grounds is not permitted. Minors are allowed on the premises.
70	ON SALE GENERAL – RESTRICTIVE SERVICE - Authorizes the sale or furnishing of beer, wine and distilled spirits for consumption on the premises to the establishment's overnight transient occupancy guests or their invitees. This license is normally issued to "suite-type" hotels and motels, which exercise the license privileges for guests' "complimentary" happy hour. Minors are allowed on the premises.
75	ON SALE GENERAL – BREWPUB - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer. Also authorizes the sale of beer and wine only for consumption off the premises where sold. Minors are allowed on the premises.
80	BED AND BREAKFAST INN – GENERAL - Authorizes the sale of beer, wine and distilled spirits purchased from a licensed wholesaler or winegrower only to registered guests of the establishment for consumption on the premises. Alcoholic beverages shall not be given away to guests, but the price of the alcoholic beverage shall be included in the price of the overnight transient occupancy accommodation. Removal of alcoholic beverages from the grounds is not permitted. Minors are allowed on the premises.
86	INSTRUCTIONAL TASTING LICENSE —Issued to the holder of and premises of a Type 20 or Type 21 licensee, authorizes the tasting of alcoholic beverages as authorized to be sold from the off-sale premises, on a limited basis. Requires physical separation from the off-sale premises while tasting is taking place and generally requires the participation of a specifically-authorized manufacturer or wholesaler licensee.



SPECIAL EVENTS

The Department also issues licenses and authorizations for the retail sale of beer, wine and distilled spirits on a temporary basis for special events. The most common are listed below. Other less common ones are found in Business and Professions Code Section 24045.2, et seq.

SPECIAL DAILY BEER AND/OR WINE LICENSE - (Form ABC-221) Authorizes the sale of beer and/or wine for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to non-profit organizations. (Rule 59, California Code of Regulations)

DAILY ON SALE GENERAL LICENSE - (Form ABC-221) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to political parties or affiliates supporting a candidate for public office or a ballot measure or charitable, civic, fraternal or religious organizations. (Section 24045.1 and Rule 59.5 California Code of Regulations)

CATERING AUTHORIZATION - (Form ABC-218) Authorizes Type 47, 48, 51, 52, 57, 75 and 78 licensees (and catering businesses that qualify under Section 24045.12) to sell beer, wine and distilled spirits for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events. Type 47, 48 and 57 licensees may cater alcoholic beverages at any ABC-approved location in the State. Type 51 and 52 licensees may only cater alcoholic beverages at their licensed premises. All licensees wishing to cater alcoholic beverages must obtain prior written authorization from the Department for each event. At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises and violation of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399 and Rule 60.5 California Code of Regulations)

EVENT AUTHORIZATION - (Form ABC-218) Authorizes Type 41, 42, 47, 48, 49, 57, 75 and 78 licensees to sell beer, wine and distilled spirits for consumption on property adjacent to the licensed premises and owned or under the control of the licensee. This property shall be secured and controlled by the licensee and not visible to the general public. *The licensee shall obtain prior approval of the local law enforcement agency.* At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises (including any license conditions) and violations of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399)

WINE SALES EVENT PERMIT - (Form ABC-239) Authorizes Type 02 licensees to sell bottled wine produced by the winegrower for consumption off the premises where sold and only at fairs, festivals or cultural events sponsored by designated tax exempt organizations. The licensee must notify the city and/or county where the event is being held and obtain approval from ABC for each event (Form ABC-222). The licensee must also comply with all restrictions listed in Business and Professions Code Section 23399.6.

Note:

1. "Minor" means any person under 21 years of age.
2. Consult Section 25663(b) regarding age of employees in off-sale premises; consult Sections 25663(a) and 25663.5 regarding age of employees in on-sale premises.
3. In certain situations, ABC may place reasonable conditions upon a license, such as restrictions as to hours of sale, employment of designated persons, display of signs, restrictions on entertainment or dancing, etc. If a license has been conditioned, it will be endorsed as such on the face of the license. (Conditional licenses, Sections 23800-23805.)
4. Licensees whose license allows minors on the premises may have a "house policy" restricting minors from entering certain areas of the premises or prohibiting minors in the premises during certain hours.
5. This handout contains only abbreviated information. Contact your local ABC office for full information before doing anything which may jeopardize your license. Also available from the ABC: Quick Summary of Selected ABC Laws (form ABC-608); Alcoholic Beverage Control Act (complete laws); Rules & Regulations; and P-90 (describes privileges of non-retail licenses).

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
NUMBER OF LICENSES AUTHORIZED
BY CENSUS TRACT

B

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
AMADOR	37,707	346	686	2.00	4,672	13	6
AMADOR	37,707	346	686	3.01	5,871	16	8
AMADOR	37,707	346	686	3.03	5,073	14	7
AMADOR	37,707	346	686	3.04	3,946	11	5
AMADOR	37,707	346	686	4.01	5,020	14	7
AMADOR	37,707	346	686	4.02	4,740	13	6
AMADOR	37,707	346	686	5.00	2,995	8	4
BUTTE	224,601	674	1,080	1.02	3,900	5	3
BUTTE	224,601	674	1,080	1.03	3,902	5	3
BUTTE	224,601	674	1,080	1.04	5,636	8	5
BUTTE	224,601	674	1,080	2.01	4,052	6	3
BUTTE	224,601	674	1,080	2.02	3,723	5	3
BUTTE	224,601	674	1,080	3.00	4,410	6	4
BUTTE	224,601	674	1,080	4.01	1,771	2	1
BUTTE	224,601	674	1,080	4.02	7,030	10	6
BUTTE	224,601	674	1,080	5.01	4,333	6	4
BUTTE	224,601	674	1,080	5.02	4,204	6	3
BUTTE	224,601	674	1,080	6.01	3,304	4	3
BUTTE	224,601	674	1,080	6.03	3,130	4	2
BUTTE	224,601	674	1,080	6.04	4,217	6	3
BUTTE	224,601	674	1,080	7.00	4,694	6	4
BUTTE	224,601	674	1,080	8.00	5,295	7	4
BUTTE	224,601	674	1,080	9.01	2,142	3	1
BUTTE	224,601	674	1,080	9.03	6,117	9	5
BUTTE	224,601	674	1,080	9.04	6,071	9	5
BUTTE	224,601	674	1,080	10.00	4,801	7	4
BUTTE	224,601	674	1,080	11.00	4,572	6	4
BUTTE	224,601	674	1,080	12.00	3,556	5	3
BUTTE	224,601	674	1,080	13.00	4,169	6	3
BUTTE	224,601	674	1,080	14.00	5,797	8	5
BUTTE	224,601	674	1,080	15.00	5,297	7	4
BUTTE	224,601	674	1,080	16.00	5,266	7	4
BUTTE	224,601	674	1,080	17.02	5,739	8	5
BUTTE	224,601	674	1,080	17.03	2,852	4	2
BUTTE	224,601	674	1,080	17.04	3,060	4	2
BUTTE	224,601	674	1,080	18.00	5,640	8	5
BUTTE	224,601	674	1,080	19.00	3,373	5	3
BUTTE	224,601	674	1,080	20.00	5,184	7	4
BUTTE	224,601	674	1,080	21.00	4,599	6	4
BUTTE	224,601	674	1,080	22.00	5,156	7	4
BUTTE	224,601	674	1,080	23.00	5,331	7	4
BUTTE	224,601	674	1,080	24.00	5,157	7	4
BUTTE	224,601	674	1,080	25.00	4,930	7	4
BUTTE	224,601	674	1,080	26.01	2,324	3	2
BUTTE	224,601	674	1,080	26.02	3,455	5	3
BUTTE	224,601	674	1,080	27.00	5,478	8	5
BUTTE	224,601	674	1,080	28.00	4,275	6	3
BUTTE	224,601	674	1,080	29.00	3,060	4	2
BUTTE	224,601	674	1,080	30.01	3,140	4	2
BUTTE	224,601	674	1,080	30.02	3,531	5	3
BUTTE	224,601	674	1,080	31.00	4,396	6	4
BUTTE	224,601	674	1,080	32.00	4,234	6	3





**California Department of Alcoholic Beverage
Control
For the County of BUTTE - (On-Sale Licenses)
and Census Tract = 0028.00**

Report as of 4/27/2017

License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1) 171309	ACTIVE	47	7/11/1985	9/30/2017	REYES, ALBERTO N 1560 HUNTOON ST OROVILLE, CA 95965	CASA VIEJA		0404
2) 218244	ACTIVE	41	5/10/1988	4/30/2017	Census Tract: 0028.00 OROPEZA, FELIPE JOSEPH 2280 MYERS ST OROVILLE, CA 95966	FRANCISCOS RESTAURANT		0404
3) 230621	ACTIVE	47	3/28/1991	1/31/2018	Census Tract: 0028.00 TAYLOR, ROBERT M 1445 MYERS ST OROVILLE, CA 95965	COPA DE ORO	505 S VILLA REAL , 201A ANAHEIM HILLS, CA 92807	0404
4) 343977	ACTIVE	41	9/9/1998	8/31/2017	Census Tract: 0028.00 WONG, BRIAN Y 2051 ROBINSON ST OROVILLE, CA 95965	TONG FONG LOW		0404
5) 444890	ACTIVE	47	1/23/2008	12/31/2017	Census Tract: 0028.00 APPLE AB ENTERPRISES INC 2160 FEATHER RIVER BLVD OROVILLE, CA 95965	APPLEBEES BAR & GRILL	400 REDCLIFF DR REDDING, CA 96002- 0116	0404
6) 446430	ACTIVE	41	12/22/2006	11/30/2017	Census Tract: 0028.00 BARNES, GAIL JEAN 515 MONTGOMERY ST OROVILLE, CA 95965-4510	CORNUCOPIA RESTAURANT	PO BOX 6267 OROVILLE, CA 95966- 1267	0404
7) 468423	SUREND	48	7/14/2008	6/30/2017	Census Tract: 0028.00 SMITH, SHILO WILLIAM ELLIOT 1933 MONTGOMERY ST, # A OROVILLE, CA 95965-4952	MONTGOMERY STREET PUB		0404
8) 470515	SUREND	47	1/20/2009	1/31/2018	Census Tract: 0028.00 DAVID F DEAKINS CONSTRUCTION COMPANY 2191 HIGH ST OROVILLE, CA 95965-4917	WESTERN PACIFIC BREWNG & DINING		0404
9) 538641	ACTIVE	41	9/3/2014 5:15:48 PM	8/31/2017	Census Tract: 0028.00 ORO BULLDOG LLC 450 ORO DAM BLVD E OROVILLE, CA 95965-5715	LA ESMERALDA MARKET	2012 CHAMBERS CIRCLE BRENTWOOD, CA 94513	0404
10) 543131	ACTIVE	47	9/16/2014 9:54:05 AM	9/30/2017	Census Tract: 0028.00 PARKERVORT FARMS INC 2053 MONTGOMERY ST OROVILLE, CA 95965-4947	MINERS ALLEY BREWNG COMPANY	P O BOX 5395 OROVILLE, CA 95966- 4928	0404
11) 556821	ACTIVE	40	7/24/2015 2:24:06 PM	6/30/2017	Census Tract: 0028.00 VASUDEVA, ASHOK KUMAR 2401 5TH AVE OROVILLE, CA 95965	VASU GAS & FOOD		0404
12) 564225	ACTIVE	48	2/23/2016 2:18:14 PM	1/31/2018	Census Tract: 0028.00 JOHNSON, COREY D 2021 BALDWIN AVE OROVILLE, CA 95966-5311		32 WILDA CT IONE, CA 95640	0404
13) 564886	ACTIVE	47	1/29/2016 3:01:23 PM	12/31/2017	Census Tract: 0028.00 ORO BULLDOG LLC 2450 ORO DAM BLVD E, STE 1A OROVILLE, CA 95966	PATIO THE	2012 CHAMBERS CIR BRENTWOOD, CA 94513-2601	0404
14) 566337	ACTIVE	41	3/25/2016 1:31:41 PM	2/28/2018	Census Tract: 0028.00 SAETEURN, LAI THA 1124 ORO DAM BLVD E, STE F OROVILLE, CA 95965-5844	QUICKLY, PHO KING BEST	29 LA FORET DR OROVILLE, CA 95966- 3817	0404
15) 567336	ACTIVE	41	4/29/2016	3/31/2017	Census Tract: 0028.00 RAMOS, LETICIA	LA CASA DE RAMOS	22802 SANFORD ST	0404

		10:20:41 AM		2100 5TH AVE OROVILLE, CA 95965		RED BLUFF, CA 96080			
16)	<u>575189</u>	ACTIVE	41	11/9/2016 9:21:44 AM	10/31/2017	Census Tract: 0028.00 SAELEE, CHIO MEUY 2025 BIRD ST OROVILLE, CA 95965	NORI ASIAN KITCHEN AND GRILL	0404	
17)	<u>578307</u>	ACTIVE	41	3/15/2017 1:31:40 PM	2/28/2018	Census Tract: 0028.00 ZHU, MINGXIA 2359 MYERS ST, STE E OROVILLE, CA 95966-5318	GOURMET KITCHEN CHINESE RESTAURANT	0404	
18)	<u>578383</u>	ACTIVE	42	2/7/2017 2:11:26 PM	9/30/2017	Census Tract: 0028.00 NELSON, COLIN THOMAS 1440 MYERS ST, STE A OROVILLE, CA 95965	BUTTE COUNTY WINE COMPANY	0404	
19)	<u>83884</u>	ACTIVE	41	1/30/1980	12/31/2017	Census Tract: 0028.00 SISCO ENTERPRISES INC 1124 ORO DAM BLVD E OROVILLE, CA 95965	ROUND TABLE PIZZA	500 WEAST AVE CHICO, CA 95926- 7238	0404
20)	<u>9226</u>	ACTIVE	51	9/7/1955	6/30/2017	Census Tract: 0028.00 EAGLES LODGE OROVILLE AERIE 196 2010 MONTGOMERY ST OROVILLE, CA 95965	EAGLES LODGE OROVILLE AERIE 196	PO BOX 306 OROVILLE, CA 95965	0404
						Census Tract: 0028.00			

--- End of Report ---

For a definition of codes, view our [glossary](#).

April 27, 2017

To whom it may concern:

This letter is addressing the current application for the sale of Beer and Wine for our restaurant Vallarta Grill. The restaurant is located at 2100 5th Ave Oroville CA, 95965. The hours of business are 9 a.m. – 9 p.m. Serving breakfast, lunch, and dinner.

We have currently been open close to a month and the business has been doing well considering it is very new to the community. It is hard to say the number of patrons we serve per day as it varies daily. An estimate would be at least 50 daily.

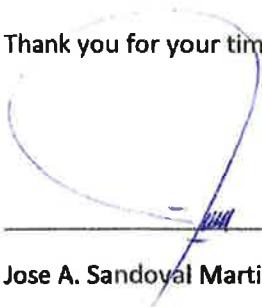
The restaurant has Mexican/American food and like with any restaurant consumers like to enjoy a beer with their meal. We currently do not plan on having any type of live entertainment other than for a few hours during the day for a grand opening event on a weekend not disturbing surrounding businesses. Currently we do feel that the business would have more of a profit with the sale of beer mainly as consumers have been asking when we will be selling it when they try to order.

The business has already brought in a lot of clientele especially with the surrounding businesses. If we make a higher profit we will be able to help the community with sponsoring different events and programs such as little league, school fundraisers etc. We have an area in the restaurant that could accommodate bigger groups for business meetings or social gatherings for big groups.

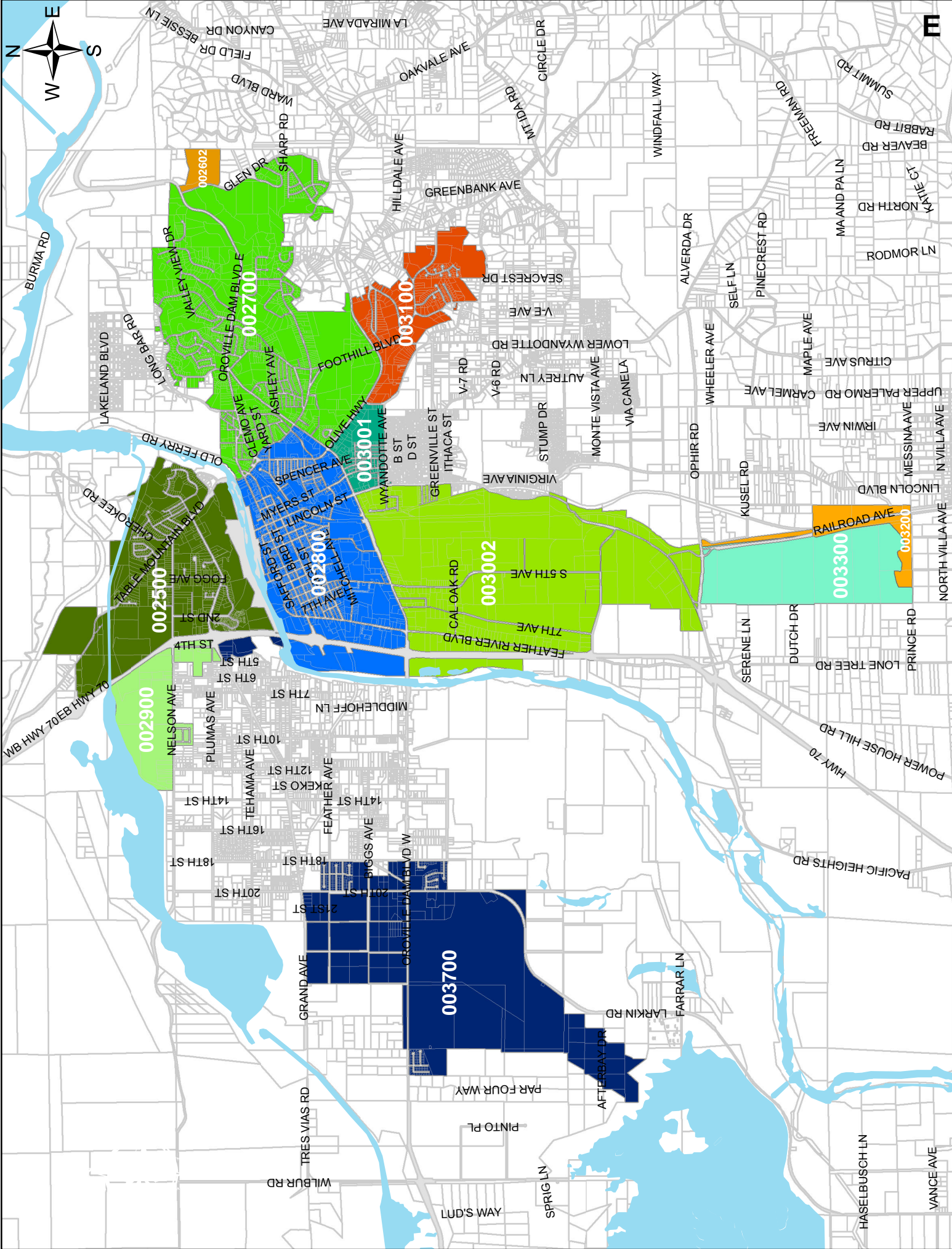
This restaurant is quick and very good. We offer dine in and take out for our on the go customers. It is very convenient with the location, cleanliness, and making the quickness of the food delivery a priority very convenient.

So please take this letter and our restaurant into consideration. These license is really the only thing missing to making our family business a complete success.

Thank you for your time,



Jose A. Sandoval Martinez



E

002602

002700

003100

003001

002800

003002

003300

003200

002900

002500

003700

Map labels include street names such as Burma Rd, Lakeland Blvd, Old Ferry Rd, and Highway 70. Other labels include zip codes and a large 'E' in the top right corner.

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.

- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
- Part 2 is to be completed by the applicant, and returned to ABC.
- Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME Lucas Seleto Adams

2. PREMISES ADDRESS (Street number and name, city, zip code) Brian Espinoza, Jose. Sandoval-Martinez, Rivedo Suastegui,

2100 5th Ave, Oroville 95965 3. LICENSE TYPE 1/1

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION 6. TOTAL NUMBER OF LICENSES IN COUNTY On-Sale Off-Sale 7. RATIO OF LICENSES TO POPULATION IN COUNTY On-Sale Off-Sale

8. CENSUS TRACT NUMBER 280 9. NO. OF LICENSES ALLOWED IN CENSUS TRACT 6 On-Sale Off-Sale 10. NO. OF LICENSES EXISTING IN CENSUS TRACT 19 On-Sale Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)
 Yes, the number of existing licenses exceeds the number allowed
 No, the number of existing licenses is lower than the number allowed

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?
 Yes (Go to Item #13) No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER 14. TOTAL NUMBER OF REPORTING DISTRICTS 15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

16. AVERAGE NO. OF OFFENSES PER DISTRICT 17. 120% OF AVERAGE NUMBER OF OFFENSES 18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

19. IS THE PREMISES LOCATED IN A HIGH-CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)
 Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
 No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)
 a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
 b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
 c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application

Governing Body/Designated Subordinate Name:

(Signature)

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22 APPLICANT SIGNATURE

23 DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24 WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

Yes No

See Attached (i.e., letter, resolution, etc.)

25 ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity)

26 CITY/COUNTY OFFICIAL NAME

27 CITY/COUNTY OFFICIAL TITLE

28 CITY/COUNTY OFFICIAL PHONE NUMBER

29 CITY/COUNTY OFFICIAL SIGNATURE

30 DATE SIGNED

In a letter to the Department of Alcoholic Beverage Control, it should be explained how the Public Convenience or Necessity would be served by the issuance of this license. The letter should include, but not be limited to;

- 1) Statements regarding the intended hours of operation, number of patrons served, variety and volume of service / merchandise other than alcoholic beverages that would be sold / provided.
- 2) Indicate the food type and hours of service, where applicable any entertainment to be provided (Live, recorded, films, amusement devices). Include your means of controlling potential law enforcement problems relating to the conduct of your business, the population group from clientele would be drawn (neighborhood, daytime workers, evening entertainment, students etc.).
- 3) Include the existence or lack of other businesses in the immediate area within approximately 1,000 feet radius of the applied for premises which provide similar services and or product. Describe the uniqueness of your type of business that would justify the issuance of an alcoholic beverage license to a premises located in an over-concentrated census tract.
- 4) Describe the benefits your business will bring to the surrounding community by the issuance of an alcoholic beverage license to said premises.
- 5) Describe the convenience that your business will bring to the community.
- 6) Describe the necessity that your business will fulfill by issuance of an alcoholic beverage license to a premises in an over concentrated census tract



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

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: Vallarta Grill: Finding of Public Convenience or Necessity (Type 41)

Project Location – Specific: 2100 5th Avenue (APN: 035-430-069)

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: The project applicant, Jose Alejandro Sandoval-Martinez, has applied for a Finding of Public Convenience or Necessity for a Type-41 "On Sale Beer and Wine – Eating Place" alcoholic beverage license for the property identified as 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant.

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

Name of Person or Agency Carrying Out Project: Jose Alejandro Sandoval-Martinez

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:
- Statutory Exemption: State code number:
- Other: General Rule Exemption; Title 14, CCR, §15061(b)(3)

Reasons why project is exempt: 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), commonly known as the "general rule." 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. This request for a Finding of Public Convenience or Necessity is for the purposes of being able to sell beer and wine as part of an existing restaurant, Vallarta Grill. There are no site or building alterations proposed with this request.

There is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment. Therefore, the project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) "General Rule Exemption."

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. P2017-10

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN ON SALE BEER & WINE – EATING PLACE (TYPE-41) ALCOHOLIC BEVERAGE LICENSE FOR THE PROPERTY IDENTIFIED AS 2100 5TH AVENUE, OROVILLE, CA 95965 (APN: 035-430-069)

WHEREAS, pursuant to applicable provisions of the Business and Professions Code of the State of California, the Department of Alcoholic Beverage Control is charged with the responsibility of reviewing applications and issuance of licenses for the sale and/or manufacture of alcoholic beverages in the State of California; and

WHEREAS, Section 23958 of the Business and Professions Code provides that the Department of Alcoholic Beverage Control shall deny an application for a license or for a transfer of a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4 of said Business and Professions Code; and

WHEREAS, Section 23958.4 of the Business and Professions Code provides that, notwithstanding the limitations of Section 23958, the Department of Alcoholic Beverage Control may issue a license if the local governing body of the area in which the applicant premises are located determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance; and

WHEREAS, the applicant has petitioned the Department of Alcoholic Beverage Control for a Type-41 “On Sale Beer and Wine – Eating Place” alcoholic beverage license for the property identified as 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant; and

WHEREAS, the subject business is located in Census Tract 0028.00 with a population such that the Department of Alcoholic Beverage Control authorizes up to six on-sale licenses before an undue concentration would exist, and there are currently twenty licenses issued (18 Active; 2 Surrendered); and

WHEREAS, the City of Oroville has prepared a Letter of Public Convenience or Necessity provided as EXHIBIT “A” attached hereto.

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

SECTION 1. The foregoing recitals are incorporated herein and made a part hereof.

SECTION 2. That the public convenience or necessity would be served by the issuance of a Type-41 "On Sale Beer and Wine – Eating Place" alcoholic beverage license for the property identified as 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant.

SECTION 3. The Planning Commission finds and has determined that the use and operation of the site as proposed will assist in the generation of additional sales tax revenues to the City, as well as, assist in the creation and maintenance of additional jobs and economic opportunities for the residents of the City.

SECTION 4. 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), commonly known as the "general rule." 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. This request for a Finding of Public Convenience or Necessity is for the purposes of being able to sell beer and wine as part of an existing restaurant, Vallarta Grill. There are no site or building alterations proposed with this request.

There is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment. Therefore, the project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) "General Rule Exemption."

SECTION 5. The request for a Finding of Public Convenience or Necessity Determination is hereby approved.

SECTION 6. The Zoning Administrator is hereby authorized to sign and transmit Exhibit A to the Department of Alcoholic Beverage Control on behalf of the City.

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 18th of May, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

DONALD L. RUST, SECRETARY

DAMON ROBISON, CHAIRPERSON

EXHIBIT
A – Letter of Public Convenience or Necessity



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

May 19, 2017

State of California
Department of Alcoholic Beverage Control
1900 Churn Creek Rd, Suite 215
Redding, CA 96002

RE: LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE-41 "ON SALE BEER & WINE – EATING PLACE" ALCOHOLIC BEVERAGE LICENSE FOR THE PROPERTY IDENTIFIED AS 2100 5TH AVENUE, OROVILLE, CA 95965 (APN: 035-430-069)

To Whom It May Concern:

This letter shall serve to notify the California Department of Alcoholic Beverage Control that on May 18, 2017, the City of Oroville Planning Commission adopted a finding of public convenience or necessity and authorized the Zoning Administrator to sign this letter conveying the City's support for issuing an alcoholic beverage license (Type-41 "On Sale Beer and Wine – Eating Place") for the property located at 2100 5th Avenue (APN: 035-430-069), the existing location of the Vallarta Grill restaurant. The City of Oroville supports the efforts of community businesses to expand the local economy and finds no cause to oppose the requested license.

If there are any questions regarding the matters described in this letter, please contact Donald Rust, Director of Community Development, by phone at (530) 538-2433 or by e-mail at drust@cityoforoville.org

Sincerely,

Donald Rust, Director
Community Development Department



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

PLANNING COMMISSION STAFF REPORT

May 18, 2017

TSM 05-05 (Highlands Estates Subdivision): One Year Extension – The Oroville Planning Commission will review and consider approving a one-year extension to Tentative Subdivision Map No. 05-05, also known as the Highlands Estates Subdivision.

APPLICANT: Toby Stornetta
10636 S. Miller Ave
Chico, CA 95928

LOCATION: 13.3-acres of undeveloped land located east of Highlands Boulevard, west of Valley View Drive, and south of Canyon Highlands Drive (APNs: 033-370-023)

FLOOD ZONE: ZONE X: Areas determined to be outside the 0.2% annual chance floodplain (Majority of project site).

GENERAL PLAN: Low Density Residential (1-3 du/acre)

ZONING: Rural Residential 20,000 Square Feet (RR-20)

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 December 11, 2006.

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. P2017-12 (**Attachments A**).

SUMMARY

The Oroville Planning Commission will review and consider approving an extension to Tentative Subdivision Map (TSM) 05-05, also known as the Highlands Estates Subdivision.

DISCUSSION

On December 11, 2006, the Planning Commission approved Resolution No. P2006-23 (**Attachment B**) adopting a Mitigated Negative Declaration and conditionally approving TSM 05-05, also known as the Highlands Estates Subdivision, to create 32 lots for single family residential use and 3 parcels for storm water detention.

TSM 05-05 was initially approved on December 11, 2006 for two years and was set to expire on December 11, 2008. On August 11, 2008, the Planning Commission approved Resolution No. P2008-22 (**Attachment D**) for a three-year extension of the map to expire on December 11, 2011. Additionally, 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 05-05
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.	Not Applicable
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.	December 11, 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.	December 11, 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).	December 11, 2017

Prior to the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first (California Government Code §66452.6(e)). The application for extension was received on May 11, 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 December 11, 2018, with no further extension requests available.

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 December 11, 2006.

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
Total	\$1,024.09	\$61.45	\$1,085.54	Yes

ATTACHMENTS

- A – Resolution No P2017-12
- B – Resolution No. P2006-23 (Original Approval)
- C – Tentative Subdivision Map No. 05-05
- D – Resolution No. P2008-22 (Three Year Extension)

RESOLUTION NO. P2017-12

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A ONE YEAR EXTENSION OF TENTATIVE SUBDIVISION MAP NO. 05-05, ALSO KNOWN AS THE HIGHLANDS ESTATES SUBDIVISION

WHEREAS, TSM 05-05 was initially approved on December 11, 2006 for two years and was set to expire on December 11, 2008 (Resolution No. P2006-23); and

WHEREAS, on August 11, 2008, the Planning Commission approved Resolution No. P2008-22 for a three-year extension of the map setting the new expiration date to December 11, 2011; and

WHEREAS, the State legislature automatically extend qualifying tentative maps through different legislative actions which gave this tentative map a new expiration date of December 11, 2017; and

WHEREAS, in addition to the automatic extensions enacted by the legislature, the Subdivision Map Act specifies that a tentative map may be extended for a period or periods not exceeding a total of six years; and

WHEREAS, 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.

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

- 1. The Planning Commission hereby grants a one-year extension to Tentative Subdivision Map No. 05-05, also known as the Highlands Estates Subdivision, extending the expiration of the tentative map to December 11, 2018, with no further extension requests available.

[Additional text and signature blocks on following page]

/
/
/
/
/
/
/
/
/
/
/
/

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 18th of May, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

DONALD L. RUST, SECRETARY

DAMON ROBISON, CHAIRPERSON

RESOLUTION NO. P 2006-23

**A RESOLUTION OF THE OROVILLE PLANNING COMMISSION ADOPTING A
NEGATIVE DECLARATION AND, AND CONDITIONALLY APPROVING, TENTATIVE
SUBDIVISION MAP NUMBER 05-05 THE HIGHLANDS ETATES SUBDIVISION, A
SUBDIVISION OF A 13.8± ACRE VACANT PROPERTY
LOCATED OFF HIGHLANDS BOULEVARD**

WHEREAS, the City of Oroville has received an application to consider a subdivision request on a single parcel of 13.8 acres in order to create a total of 32 lots for future single-family residential use and 3 parcels for storm water detention on property located on the east side of Highland Boulevard, approximately 400 feet south of Canyon Highland Drive, in the manner illustrated on a revised tentative subdivision map received by the City on August 10, 2006 (Exhibit "A" attached); and

WHEREAS, the subject property is designated as Assessor's Parcel Number 033-370-023 and the proposed land division has been assigned the file number of Tentative Subdivision Map No. TSM 05-05; and

WHEREAS, the entire 13.8± 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 *Suburban Residential (SR)* and these combined designations allow residential development at a density of approximately three (3) homes per acre; and

WHEREAS, the requested tentative subdivision map is consistent with the existing SR Suburban Residential zoning; and

WHEREAS, the Planning Commission finds that Tentative Subdivision Map No. 05-05 is consistent with Oroville's General Plan growth policies and finds that based on the conditions of approval, the site is physically suitable for development as proposed; and

WHEREAS, the Planning Commission considered at a noticed public hearing on December 11, 2006, the comments and concerns of property owners who are potentially affected by approval of Tentative Subdivision Map No. 05-05, and also considered City staff's report regarding the proposed tentative map design and required public improvements; and

WHEREAS, the Planning Commission determines that the described tentative map and its design and improvements are consistent with Oroville's General Plan and zoning ordinance policies regarding the use and division of land; and

WHEREAS, the project is not located on a site with any known rare or threatened species nor would the project would not result in any significant effects relating to traffic,

noise, air quality or water quality; and

WHEREAS, a draft Negative Declaration has been prepared for TSM 05-05, and is described in Exhibit "B" attached hereto; and

WHEREAS, a noticed public comment period was conducted for the draft Negative Declaration from November 3, 2006 to December 4, 2006, and no public agency and with one private party submitted comments requesting additional information and/or improvements for this proposed project; and

WHEREAS, the Planning Commission, has considered the Initial Study and Negative Declaration prepared for the project, including mitigation measures that eliminate or reduce environmental impacts to a less than significant level, and any comments received as part the public review of the document; and finds that on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment; and

WHEREAS, the project will be served by full municipal services including police, fire, water electricity, and sewer sufficient to support the proposed density; and

WHEREAS, the project must conform to conditions of approval listed below as well as other applicable City ordinances and standards; and

WHEREAS, the Planning Commission finds that this tentative subdivision map complies with all State and City regulations governing the division of land, and that division and development of the property in the manner set forth on the tentative parcel map will not unreasonably interfere with the free and complete use of existing public and/or public utility easements or rights-of-way.

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

SECTION 1: FINDINGS FOR APPROVAL OF THE TENTATIVE SUBDIVISION MAP

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 six dwelling units per acre. The proposed project has a gross density of approximately 2.4 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 2110-2008 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, drainage features, and topography. The project conforms to the 10,000 square foot lot minimum of the SR zoning for site. 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 construction 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.*
6. *The project will not be harmful to the public health and safety or the general welfare of the persons residing or working in the area. The project applicant proposes to develop the lots for residential uses. This type of development is not considered potentially harmful to the public health and safety or to the general welfare of persons residing in the vicinity.*
7. *The project will have the potential to affect fish and wildlife habitat and is subject to the collection of Fish and Game fees (Fish and Game Code Section 711.4). The project is located in an area that is an oak woodland and the loss of the habitat on site will have an incremental effect on wildlife resources.*

SECTION 2: TSM 05-05, as described herein, is conditionally approved and a Negative Declaration attached to this resolution as Exhibit B, 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 3: Subdivider shall comply with the following mitigation measures and the other listed project conditions regarding the approval of TSM 05-05.

MITIGATION MEASURES

1. The project applicant, in coordination with the City and BCAQMD, shall implement BCAQMD standard mitigation measures set forth bellows.
 - a. Use adequate fugitive dust control measures for all construction activities during all phases of construction.
 - b. Use EPA Phase II certified wood burning devices or District approved fireplaces. Provide energy-efficient lighting (includes controls) and process systems such as water heaters, furnaces, and boiler units.
 - c. Prohibit open burning of vegetative material on the project site.
 - d. 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.
 - e. Land clearing, grading, earthmoving or excavation activities suspended when winds exceed 20 miles per hour.
 - f. 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)

2. To minimize oak tree loss, grading on the project shall be limited to roadway areas and building footprints. Mass grading of the property with extensive cuts and fills to create level pads shall be prohibited. Buildings shall be constructed with raised sub-floors; not slab-on-grade, and elevated wood decks shall be used in-lieu of concrete patios. Individual oak trees on the project site that are unavoidably lost due to development shall be mitigated by payment of an oak tree woodland replacement fee adopted by City Council, or by being replaced on or off-site with native genetic stock oak seedlings at the following replacement rates:
 - a. Inventoried oak trees six inches or greater dbh shall be replaced at a ratio of 5:1.
 - b. Oak trees 3-6 inches dbh shall be replaced at a ratio of 3:1.
 - c. Oak trees less than three inches dhb shall be replaced at a ratio of 1:1.

Any proposed planting of oak seedlings as mitigation shall be included in a landscaping plan to be approved by the City of Oroville Parks and Trees Department. The oak plantings shall have an approved irrigation system, will be monitored for five years, and will be required to meet a success rate of 75% survival after five years. Remedial planting, if necessary, shall be monitored to ensure the 75% success rate. If, in the future, the City adopts an oak tree master management plan which includes an in lieu fee for oak tree loss, payment of the proscribed fee can serve as equivalent mitigation.

3. 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 residence or within 100 feet of any watercourse or seasonal watercourse.

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

4. 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.
5. 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.
6. 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.
7. Maximum fill and cut slopes shall be 2:1 maximum.
8. The grading plans shall identify areas, details, and/or cross sections proposed for mass grading, and shall identify areas for no mass grading where the houses will be constructed on raised foundations.

9. 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.
10. 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

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

Street Description	Proposed Right-of-Way Half Width	Dedication Required
Street "A" & Street "B"	30'	60'

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

Street Description	Planter Width ⁽¹⁾	Sidewalk Width	Fence or Wall Type	Setback to Wall or Fence ⁽²⁾
Street "A" & Street "B"	6'	5'	None	1'
Highlands Boulevard	None	None	None	NA

(1) Measured from back of curb.

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

13. The Street "B" (bulb) shall be constructed with a minimum 120 foot right-of-way diameter, 35 foot street radius measured from centerline to face-of-curb, 6 foot landscape strip, and 5 foot wide sidewalk. The property lines shall be established as being 1-foot behind sidewalk.
14. Paving structural section on Streets A and B 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.
15. Paving structural section for the new paveout areas on Highlands Boulevard shall match existing, but at a minimum shall have 4-inches of asphalt concrete pavement over 12-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.

16. Construct new vertical curb and gutters (no sidewalks) along both the subdivision frontage and along the frontages of APN 033-210-016 and 033-210-017.
17. Construct one (1) new 5-foot wide ADA compliant concrete drive approach for the benefit of APN 033-210-016 and 033-210-017. These two parcels currently utilize one shared drive approach.
18. Construct a paveout area along the east side of Highland Boulevard to extend the existing edge of pavement to the new curb and gutter along both the subdivision frontage and along the frontages of APN 033-210-016 and 033-210-017.
19. Grind and overlay the existing widths of Highland Boulevard (both lanes) along the subdivision frontage and the frontages of APN 033-210-016 and 033-210-017. The grinding and overlay methods shall be approved by the City Engineer.
20. Replace existing striping with thermoplastic striping.
21. No improvements along the west side of Highlands Boulevard are required.
22. Street grades shall be 10% maximum unless approved by the Fire Department.
23. Street grades shall be flattened to 2% at the approaches to handicapped ramps.
24. 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.
25. Install centerline monuments in accordance with City Standards.
26. 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.
27. 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.
28. 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.

SEWER IMPROVEMENT REQUIREMENTS

29. All lots and structures created by this subdivision shall be connected to the City's sanitary sewer system. All installations of sewer lines within public rights-of-way will be done according to City standards in effect at the time of the installation.
30. Sewer laterals for each lot shall extend beyond the PUE and shall be stubbed above ground and capped.
31. Provide gravity sewer connection to the established gravity sewer line located in Highlands Boulevard approximately 250 feet south of the project.
32. All sewer pipe sections between manholes shall be straight (no curvature).
33. A new manhole shall be installed at the point of connection to the City sewer system.
34. Subdivider is required to replace any portion of the leach field servicing APN 033-210-017 that may be destroyed during construction. A permit shall be obtained from Butte County Environmental Health for this work.

STORM DRAINAGE IMPROVEMENT REQUIREMENTS

35. All drainage improvements shall be constructed in conformance with Oroville Construction Standards, the City Master Drainage Plan, and the details shown on the approved construction plans.
36. On-site drainage shall be collected on-site and transported via a combination of surface drainage courses with concrete-lined v-ditches and underground conduit to the proposed surface detention areas identified as Lots 33, 34, and 35 as shown on the approved tentative map.
37. The design of the detention areas shall provide a minimum 3-foot wide path of travel around the perimeter of each detention area. The maximum slope within each detention area shall be 3:1.
38. Cross lot drainage is prohibited. For all lots that cannot be drained to a street or public open space, provide underground drainage pipes at the back or sides of the lot, conveying the drainage in these ditches to a catch basin at the back of a sidewalk.
39. Storm water from the Property shall be detained using a metered orifice to maintain the pre-development peak rate of discharge from the Property for 2, 10, and 100-year storm intervals. Emergency overflow provisions for storm exceeding 100-years, and trash and debris collection shall also be incorporated into the design.

40. Prior to City acceptance, the detention areas shall be stabilized to prevent soil erosion through hydroseeding or other method(s) approved by the City.
41. Storm drainage inlets shall be stenciled with a fish and notation "Drains to River".
42. Detention area Lots 33, 34, 35 shall be enclosed with 6 foot high solid fence and shall be equipped with a 16-foot wide solid access gates. The walls shall be set back a minimum of 10 feet from the edge of the right-of-way. Prior to construction, provide separate plans and engineering calculations for the detention basin wall/footing designs to the City Building Department for review and approval.
43. The areas within the PUE in front of the detention area access gates shall be improved with paving.

LANDSCAPING IMPROVEMENT REQUIRMENTS

The frontages of the detention areas (excluding the areas in front of the access gates) shall be landscaped, with irrigation, in accordance with a landscape plan approved by the Director of Parks and Trees.

44. Lot A shall be landscaped, with irrigation, in accordance with a landscape plan approved by the Director of Parks and Trees.
45. The locations of the irrigation water meters shall be included on both the landscaping and subdivision improvement plans.

FENCING IMPROVEMENT REQUIREMENTS

46. Solid wooden fencing shall be constructed around APN 033-210-017 to provide a safety barrier between that parcel and the concrete swales and the detention areas within the subdivision.

WATER AND FIRE PROTECTION IMPROVEMENT REQUIREMENTS

47. Water for domestic use and fire suppression shall be obtained from the South Feather Water and Power (SFWP). Water service shall be stubbed out to each lot within the subdivision. All water installations shall be completed in accordance with SFWP standards and all civil plans must be approved and signed by the water purveyor.
48. All connections to existing SFWP infrastructure shall be performed in accordance with the requirements of SFWP.
49. Install all off-site water lines as required by SFWP, for purposes of serving the subdivision and providing required fire flows.

50. Fire hydrants shall be installed at locations approved 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 South Feather Water and Power District.

OTHER UTILITY IMPROVEMENT REQUIREMENTS

51. 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.
52. All new utilities shall be installed underground.
53. 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.

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

54. 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.
55. Submit to the City a copy of an approved joint trench composite.
56. 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.
57. 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, the Army Corps of Engineers, the California Department of Fish and Game, and the Central Valley Regional Water Quality Control Board.
58. 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

THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO ISSUANCE OF A

CONSTRUCTION PERMIT:

59. 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
60. All plan check fees (1.5% construction valuation), and construction inspection fees (3.0% construction valuation) fees shall be paid.
61. 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:

62. 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
63. 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.
64. 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.
65. No fueling and oil-changing activities shall be allowed outside of the designated staging areas.
66. A publicly visible sign shall be posted which provides the information described below in accordance with Butte County Air Quality Management District's Rule 200 and 205. The size of the sign shall be at least three feet by five feet, and lettering shall be at least one and one-half inches in height for visibility:
 - a. Telephone number and name of the person to contact regarding dust complaints, with a statement that the person shall respond and take corrective action within 24

hours.

b. Telephone number of the Air Quality Management District.

67. Construction practices shall conform to the standards adopted by the Butte County Air Quality Management District, which require all of the following:

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

b. Fugitive dust emissions related to construction of public improvements for the lots created by the Map must be controlled at all times,

c. Large off-road diesel equipment used for grading at a site must be maintained in good operating condition.

d. Paved streets adjacent to the development site should be swept at the end of each day as necessary to remove excessive accumulations of silt and/or mud created by activities on the development site.

68. 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.

69. 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:

70. 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.

71. Approval of this tentative Map shall expire on October 9, 2008. 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.
72. 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.
73. 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 Records office.
74. Deed to the City in fee simple Lot A
75. Deed to the City in fee simple Lot 33, 34, & 35 for storm water detention facilities.
76. Dedicate on the final map 60 foot fee simple rights-of-way for all new streets within the subdivision and 120 foot diameter bulb right-of-way for all cul-de-sacs.
77. Dedicate on the final map a 10 foot wide public access right of way along the frontage of all lots to the City.
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. All separate lots within the subdivision that are to be conveyed to the City shall be conveyed by separate instrument recorded concurrently with the Final Map. Grant deeds shall be notarized and in a form suitable for recordation
80. 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.
81. 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.

82. If applicable, a notice regarding required building setbacks and window insulation applicable to specific Lots for purposes of reducing interior and exterior noise levels shall be provided by separate instrument recorded concurrently with the Final Map.
83. 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.
84. Other instruments as necessary shall be recorded concurrently with the Final Map.
85. 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.
86. 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.
87. 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.
88. 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.

89. 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.
90. Obtain approval from the City for all new street names within the subdivision.
91. 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.
92. Place a note on the Final Map or additional Map sheet that states: "If subsurface deposits believed to be cultural in origin are discovered during construction, then all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the find. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the National Register of Historic Places/State Register. If a potentially eligible resource is encountered, then the archaeologist, City of Oroville, and project proponent shall arrange for either 1) test excavations or total data recovery; or 2) total avoidance of the resource, if possible. If Native American cultural resources are discovered, the Greenville and Enterprise Rancherias shall be contacted."

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

93. 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.
94. 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.
95. 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.

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

96. Street trees, turf and an irrigation system shall be planted/constructed 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. A notice of these requirements shall be provided by separate instrument & recorded concurrently with the Final Map.

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 11th day of December, 2006, by the following vote:


AYES: COMMISSIONERS Gordon, Howard, Wilcox

NOES: COMMISSIONERS _____

ABSTAIN: COMMISSIONERS Frazier, Tarczy

ABSENT: COMMISSIONERS Brunson, Robison

ATTEST:



SECRETARY

APPROVE:



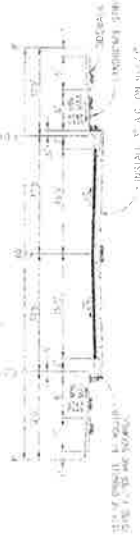
CHAIRMAN

RECEIVED
 2008
 JAN 23 2008

UNIVERSITY OF CALIFORNIA
 PUBLIC LIBRARY



TYPICAL STREET SECTION
 STREET A & B
 15' SIDEWALK



TYPICAL STREET SECTION
 HIGHLANDS BLVD
 15' SIDEWALK



OWNER: STORNETTA, STORNETTA, SHARP & CARRICO
 1000 S. HIGHLANDS BLVD
 SUITE 200
 CHICO, CA 95926

PREPARED BY: ROLLS ANDERSON & ROLLS
 1000 S. HIGHLANDS BLVD
 SUITE 200
 CHICO, CA 95926

DATE: 08/14/07

SCALE: AS SHOWN

AREA: 10.0 AC

GENERAL NOTES:
 1. THIS MAP IS A TENTATIVE SUBDIVISION MAP.
 2. THIS MAP IS SUBJECT TO ALL APPLICABLE LOCAL ORDINANCES AND REGULATIONS.
 3. THIS MAP IS SUBJECT TO ALL APPLICABLE STATE AND FEDERAL LAWS.
 4. THIS MAP IS SUBJECT TO ALL APPLICABLE COURT DECISIONS.

TENTATIVE SUBDIVISION MAP
 HIGHLANDS ESTATES SUBDIVISION

STORNETTA, STORNETTA,
 SHARP & CARRICO
 PARCELS 3 AS SHOWN ON PANEL MAP RECORDED
 IN BOOK 83 OF MAPS AT PAGE 86 ALSO BEING A
 PORTION OF SECTION 11, T13N, R4E, M20M
 BUTTE COUNTY, CALIFORNIA

ROLLS ANDERSON & ROLLS
 1000 S. HIGHLANDS BLVD
 SUITE 200
 CHICO, CA 95926

- NOTES
1. THE STREET AND SIDEWALK WIDTHS SHOWN ARE MINIMUMS.
 2. THE SIDEWALKS SHALL BE CONCRETE ON A 4% SLOPE TO THE STREET.
 3. THE SIDEWALKS SHALL BE 15 FEET WIDE.
 4. THE SIDEWALKS SHALL BE 15 FEET WIDE.
 5. THE SIDEWALKS SHALL BE 15 FEET WIDE.

RESOLUTION NO. P 2008-22

A RESOLUTION OF THE OROVILLE PLANNING COMMISSION FOR A THREE-YEAR EXTENSION FOR TENTATIVE SUBDIVISION MAP NO. 05-05 (HIGHLANDS ESTATES SUBDIVISION), TO EXPIRE ON 12-11-11

WHEREAS, the City of Oroville approved the application for Tentative Subdivision Map No. 05-05 on December 11, 2006 and said approval was valid for a period of 24 months to December 11, 2008; and

WHEREAS, the City of Oroville has received a timely request to extend the date to record the final map; and

WHEREAS, the site conditions and City regulations pertaining to the development of the parcel have not changed since the original approval date; and

WHEREAS, the applicant has diligently worked on meeting the conditions of approval for the map.

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

1. Pursuant to California Government Code Section 66452.6 (e) and City of Oroville Code § 23-58, Tentative Subdivision Map 05-02 is hereby granted a 36 month extension of time to file a final map, the new expiration date being December 11, 2011.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 11th day of August 2008, by the following vote:

AYES: COMMISSIONERS Brunson, Chapman, Wilcox, Gordon

NOES: COMMISSIONERS _____

ABSTAIN: COMMISSIONERS Singh

ABSENT: COMMISSIONERS Robison, Tarczy

ATTEST:

APPROVE:

Craig Sanders
SECRETARY

[Signature]
CHAIRMAN



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

PLANNING COMMISSION STAFF REPORT

May 18, 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



omni-means
ENGINEERS · PLANNERS



R1495.TCIP_Map.ppt

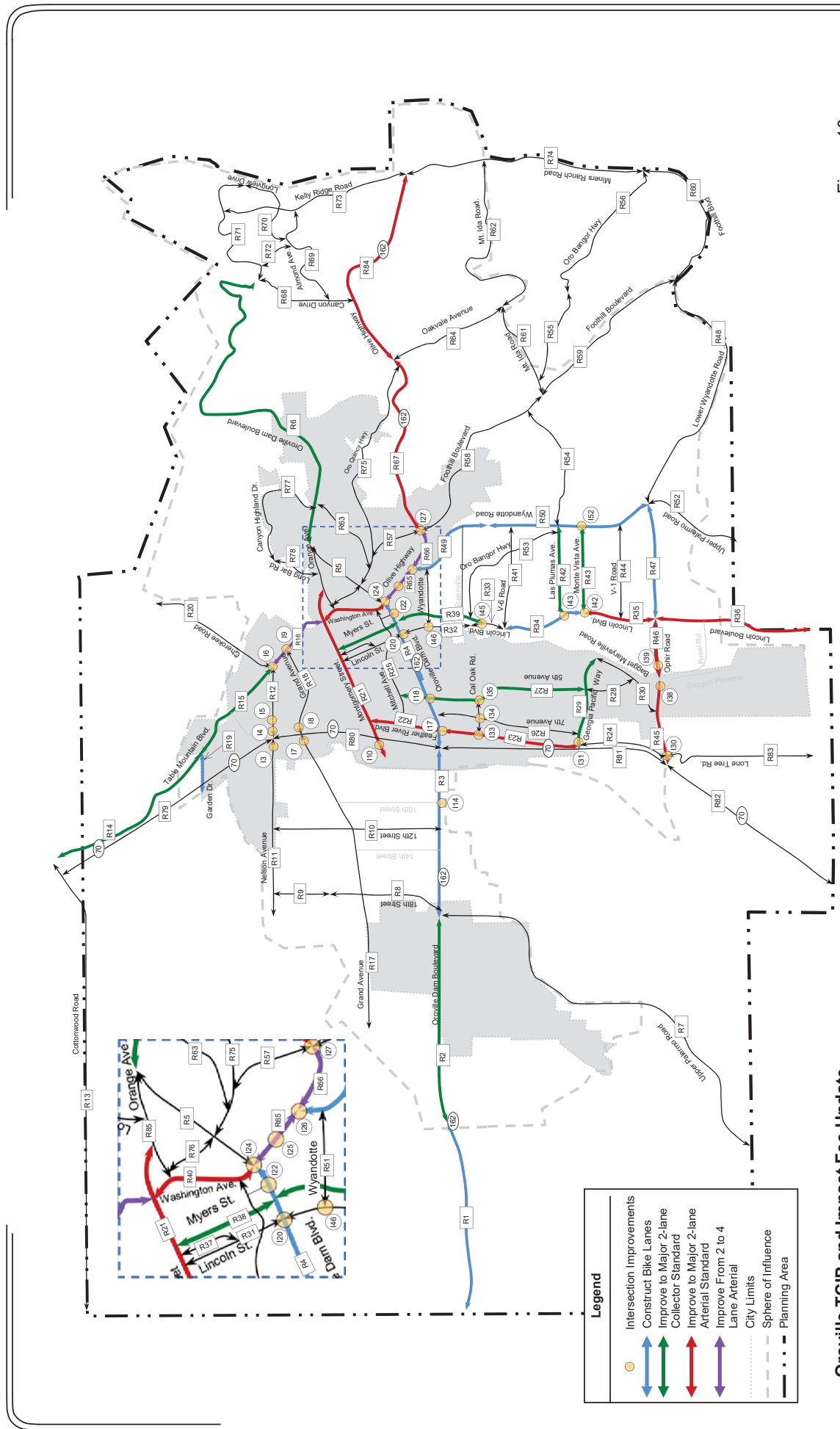


Figure 10

Oroville TCIP and Impact Fee Update

TCIP Improvement Projects Map

Legend	
	Intersection Improvements
	Construct Bike Lanes
	Improve to Major 2-lane
	Collector Standard
	Improve to Major 2-lane Arterial Standard
	Improve From 2 to 4 Lane Arterial
	City Limits
	Sphere of Influence
	Planning Area

**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
			TOTAL:	\$0	\$13,670,000	\$10,020,000	\$23,690,000

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 Arterial 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
					TOTAL:	\$66,079,183	\$39,030,000	\$68,960,817	\$174,070,000

**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
					TOTAL:	\$0	\$260,000	\$870,000	\$1,130,000