

Meeting Date 9/19/2018

DATE: August 14, 2018 File: AR 18-19

TO: Architectural Review and Historic Preservation Board

FROM: Shannon Costa, Assistant Planner, (879-6807, shannon.costa@chicoca.gov)

Community Development Department

RE: Architectural Review 18-19 (Notre Dame Courtyard Quads) – Lots D10-14,

Meriam Park Subdivision S 09-01, (APN 002-180-143 portion)

RECOMMENDATION

Staff recommends that the Architectural Review and Historic Preservation Board adopt the required findings contained in the agenda report and approve of the project, subject to conditions.

Proposed Motion:

I move that the Architectural Review and Historic Preservation Board adopt the required findings contained in the agenda report and approve Architectural Review 18-19 (Notre Dame Courtyard Quads), subject to the recommended conditions therein.

BACKGROUND

The applicant proposes to construct five new fourplex buildings on lots D10 – D14 of the Meriam Park Tentative Subdivision Map (S 09-01). The site is designated Special Mixed Use on the City of Chico General Plan Land Use Diagram, zoned TND (Traditional Neighborhood Development), and designated TND "Neighborhood Center" (NC) by the approved Regulating Plan (see **Attachment A**, Illustrative Diagram).

The proposed project includes five new two-story buildings, each containing four residential units, surrounding landscaping and parking area (see **Attachment B**, Project Description, and **Attachment C**, Overall Site Plan).

TND REGULATIONS

The Traditional Neighborhood Development (TND) zone is designed to encourage positive design features of traditional neighborhoods. The purpose of the TND zones are to create compact neighborhoods with defined neighborhood centers, encourage a mixture of residential and non-residential land uses, promote a mixture of housing types and create a pedestrian friendly environment. TND land use designations provide for the allocation of building types, street types, development and land uses to the subzones. Designations are intended to accommodate a diverse mixture of building and housing types and land uses.

Designation

The NC designation is intended to provide for civic and public assembly uses, small-scale commercial and mixed-use buildings, together with courtyard housing and other residential buildings at higher densities. This designation is intended to accommodate a variety of activities and services within easy walking distance from homes, including daily convenience shopping and personal service needs, and to provide opportunities for public

gathering. Building heights may be a maximum of three stories.

Building Type

The building type standards determine the allowed building disposition and massing, frontage design, primary pedestrian access, vehicle access, parking and services, and open space and landscaping design requirements for each of the building types allowed in the TND zone. The building type for the project is Courtyard Apartment Building. A Courtyard Apartment Building is a group of dwelling units arranged to share one or more common courtyards, where the individual units are townhouses or rowhouses, flats, or flats located over or under flats or townhouses. The building is designed in a U-shape so that all units take primary access from a shared central courtyard that extends vertically from the first story and horizontally from the building frontage to the rear of the adjacent building.

Frontage Type

The frontage type for the proposed project is Dooryard. This frontage type buffers residential uses from urban sidewalks and protects the private yard from public encroachment. Consistent with this building type, the project is designed so that exterior ground floor spaces are raised above and away from the public sidewalk. This design protects the dwellings from traffic, light and noise impacts, while also engaging the dwellings with the street to enliven the area and facilitate safety and security.

Architecture

The five identical buildings would feature a modern architectural style that complements the agro-industrial vision for Meriam Park (see **Attachment D**, Exterior Elevations and **Attachment E**, Exterior Perspectives). Architectural massing breaks the two-story building into three distinct volumes and would feature and variety of color and material types. Exterior finishes for the buildings would be cement plaster in light grey ("Silver Lining") and fiber cement lap siding in dark grey ("Gray Slate"), with corrugated metal siding details ("Terra Cotta"). Roof material would be standing seam metal in matte black and window and sliding door frames would be white vinyl. Individual units would feature an outdoor patio area surrounded by a square tube railing with horizontal cable guardrail (see Attachment F, Colors and Materials).

Vehicular parking for the units would be provided off-site; pursuant to CMC 19.88.020 (General vehicle parking standards), on street parking spaces along the frontage lines that correspond to each lot shall be counted toward the parking requirement of the building on the lot. A total of eight vehicle parking spaces would be provided for each building along the corresponding frontage lines. Bicycle parking would be provided by two hoop-style bike racks located beneath the stairwell of each building. All parking requirements for the NC designation have been satisfied pursuant to CMC 19.88.030 (Vehicle Parking Requirements) which requires one vehicle parking space per dwelling unit and bicycle parking at a ratio of 20% of the required vehicle parking spaces.

Exterior lighting would include building-mounted wall sconces and parking lot pole lights (see **Attachment G**, Photometrics Plan). Trash enclosures would be located on the southwest corner of each building, screened from view by a wood fence enclosure featuring horizontal slats stained black to match the body of the main building. Roof-mounted mechanical units would be screened from view within roof wells.

Landscaping

The landscape plan mostly calls for native shrubs and trees, which are intended to complement the existing aesthetics natural to Northern California (see **Attachment H**, Landscape Plan). Shrubs and trees towards the front entry of the buildings would be of low water demand, such as fountain grass and manzanita while courtyard plantings would be of medium water demand, such as redbud and gingko trees. Adequate parking lot shade, which is estimated to reach 69-percent at tree maturity, would be achieved by a row of sawleaf zelkova trees.

DISCUSSION

The proposal is consistent with General Plan goals and policies that encourage architectural designs that exhibit timeless character and create a culturally relevant sense of place (CD-3.1 and CD-4.1.3). The proposed design promotes pedestrian and bicycle access by directly engaging the public sidewalk, providing safe bike parking, and situating parking toward the side and rear of the site, consistent with policies CD-3.2 and CD-3.3. The native, drought tolerant species selections for the proposed landscaping are consistent with sustainability policies that promote water conservation and energy efficiency (SUS-4.2).

The project is consistent with Design Guidelines (DGs) that call for orienting multi-family residential development to the street and pedestrians while also including front porches and balconies that create a sense of community and enliven the streetscape (DG 4.1.11, 4.1.24 and 4.1.13). The variety of building masses and rooflines avoids a monotonous appearance and provides character and style to the buildings (DG 1.2.22 and 4.1.23). Additional consistency analysis with the City's Design Guidelines is provided in the applicant's project description, **Attachment B**.

REQUIRED FINDINGS FOR APPROVAL

Environmental Review

The project falls within the scope of the Environmental Impact Report (EIR) for the Meriam Park Master Plan, which was certified by the City Council on June 19, 2007. The EIR included several mitigation measures that apply to the proposed development, which are provided as **Attachment I**, and referenced in the recommended conditions of approval.

Pursuant to Section 15162 of the California Environmental Quality Act, no subsequent environmental review is necessary, as there have been no substantial changes to the project which would require revisions of the EIR, no substantial changes have occurred with respect to the circumstances under which the project is being undertaken which would require major revisions of the EIR, and no new information has become available which was not known and could not have been known at the time the EIR was completed.

1. The proposed development is consistent with the General Plan, any applicable specific plan, and any applicable neighborhood or area plans.

The proposal is consistent with several General Plan goals and policies, including those that encourage architectural designs that create a culturally relevant sense of place, and promote pedestrian-oriented development (CD-3.1, CD-4.1.3, CD-3.2 and CD-3.3). Further, the native, drought tolerant species selections for the proposed landscaping are consistent with sustainability policies that promote water conservation and energy efficiency (SUS-4.2). The site is not located within the bounds of a

Neighborhood Plan or area plan.

2. The proposed development, including the character, scale, and quality of design are consistent with the purpose/intent of this chapter and any adopted design guidelines.

The project is consistent with Design Guidelines (DGs) that call for providing pedestrian access from all residential units to common open space areas (DG 4.1.41) and providing porches and balconies that create a sense of community and enliven the streetscape (DG 4.1.11, 4.1.24 and 4.1.13). The variety of building masses and rooflines avoids a monotonous appearance and provides character and style to the buildings (DG 1.2.22 and 4.1.23).

3. The architectural design of structures, including all elevations, materials and colors are visually compatible with surrounding development. Design elements, including screening of equipment, exterior lighting, signs, and awnings, have been incorporated into the project to further ensure its compatibility with the character and uses of adjacent development.

The design, materials and colors of the proposed new buildings are anticipated to be visually compatible with future surrounding development in the Neighborhood Center designation. Exterior equipment will be properly screened from view by decorative fencing and other landscaping. Parking areas and pedestrian pathways would be appropriately illuminated, and landscaping provided at the rear of each building providing an appropriate transition between the adjacent buildings.

4. The location and configuration of structures are compatible with their sites and with surrounding sites and structures, and do not unnecessarily block views from other structures or dominate their surroundings.

The proposal is consistent with the anticipated development in the Neighborhood Center designation. As few buildings currently exist on the site, the structures will appear to dominate the surroundings, however, this effect will diminish over time with additional surrounding development. The building would not unnecessarily block views from other existing structures.

5. The general landscape design, including the color, location, size, texture, type, and coverage of plant materials, and provisions for irrigation and maintenance, and protection of landscape elements, have been considered to ensure visual relief, to complement structures, and to provide an attractive environment.

The proposed landscaping will provide a variety of seasonal color, while minimizing irrigation demands. The proposed landscaping offers native plant varieties that are carefully located to ensure visual relief and provide an attractive environment around the new building. Appropriate attention is given to areas within the courtyards creating an attractive usable space around the entire site.

RECOMMENDED CONDITIONS OF APPROVAL

 The front page of all approved building plans shall note in bold type face that the project shall comply with Architectural Review 18-19 (Notre Dame Quads). No building permits related to this approval shall receive final approval without prior authorization of Community Development Department Planning staff.

- All development shall comply with all other State and local Code provisions, including those of the City of Chico Community Development and Public Works Departments. The permittee is responsible for contacting these offices to verify the need for compliance.
- 3. All wall-mounted utilities and roof or wall penetrations, including vent stacks, utility boxes, exhaust vents, gas meters and similar equipment, shall be screened by appropriate materials and colors. Adequate screening shall be verified by Planning staff prior to issuance of a certificate of occupancy.
- 4. All new electric, telephone, and other wiring conduits for utilities shall be placed underground in compliance with CMC 19.60.120.
- 5. The applicant shall comply with all applicable mitigation measures from the Meriam Park Environmental Impact Report and Mitigation Monitoring Program. These include, but are not limited to AES-1, AIR-1a, AIR-1b, AIR-1c, AIR-1d, AIR-2, BIO-8, CUL-2a, CUL-2b, CUL-3, CUL-4. HYDRO-3, and UTIL-1b which are incorporated herein by reference.

PUBLIC CONTACT

A 10-day public hearing notice was mailed to all landowners and residents within 500 feet of the site, a legal notice was published in the *Chico Enterprise Record* and a notice was posted on the project site at least 10 days prior to this ARHPB meeting. As of the date of this report no comments have been received in response to the public notice.

DISTRIBUTION

Internal (3)

Mike Sawley, Senior Planner Shannon Costa, Assistant Planner

File: AR 18-19

External (2)

NorthStar, Attn.: Ty Yurkovic, tyurkovic@northstareng.com

Dan Gonzales, P.O. Box 6744, Chico, CA 95927

ATTACHMENTS

- A. Location Map
- B. Project Description
- C. Overall Site Plan
- D. Exterior Elevations
- E. Exterior Perspectives
- F. Colors and Material Sample Board
- G. Photometric Plan
- H. Landscape Plans
- I. Mitigation Measures





Civil Engineering
Architecture
Environmental
Planning
Surveying
Water Resources

7/20/2018

Architectural Review & Historic Preservation Board City of Chico, Planning Services 411 Main Street, 2nd Floor Chico, CA 95927

RE: The Notre Dame Courtyard Quads, Meriam Park, Chico, CA (002-180-143)

Dear Architectural Review & Historic Preservation Board,

The proposed project site resides within the Meriam Park development, in an area described as the 'Dwell District.' Meriam Park is identified as a Traditional Neighborhood Development (TND) zone. By the tenets of New Urbanism, the Dwell District endeavors to provide this diverse development with places of residence, increased density and walkability. The Notre Dame Courtyard Quads sit in the southwest corner of the Dwell District, uniquely located across Springfield Drive form the Tank District. This location will provide both pedestrian and direct visual access to the bustling retail, food and beverage amenities found in the Tank District (DG 4.1.41).

The proposed two-story building type contains four dwelling units, providing twenty total dwelling units over five buildings. The TND site designation is Neighborhood Center (NC) and the building type use is the Courtyard Apartment Building. The proposed buildings will front Notre Dame Boulevard; the frontage type used fits both definitions of "Porch" and "Dooryard" with the exterior ground floor space raised above the adjacent landscaping and public sidewalk to protect the street-side dwelling from unwanted street-height sightlines while simultaneously providing and engaging orientation toward the street to enliven the area and facilitate safety and security (DG 4.1.13, 4.1.24, 4.1.35 & 4.1.44). Ample landscaping has been provided in the setback from Notre Dame to soften the southeast approach and accentuate the preferred view toward the Northeast. In fact, every dwelling unit has been designed to maximize the view to the northeast with private Porch or Balcony that enjoys a view of the courtyard and/or Notre Dame (DG 1.1.12, 4.1.11, 4.1.21 & 4.2.32). Preserving this viewshed was paramount in the exterior design and courtyard orientation. A traditional courtyard facing the street was not appropriate for this project given

To: City of Chico ARHPB & Planning Services

RE: Notre Dame Courtyard Quads, Meriam Park

Page 2 of 3



the narrow site depth flanked by Notre Dame in the front and Public Alley in the rear. Instead, we rotated the courtyard to harvest a northern exposure and capture additional area between buildings; activating a space that would otherwise be surrendered to setback and landscape buffer (DG 1.1.32 & 1.1.33). Parking and service access are provided in the rear from the Public Alley to preserve the Notre Dame streetscape and shield the development from the existing PG&E sub-station directly to the west (DG 1.1.14 & 4.1.22).

The architectural massing breaks the two-story building into three distinct mono-slope volumes (DG 1.2.22, 4.1.15, 4.1.23, 4.2.12, 4.2.13, 4.2.22 & 4.2.31), complemented by a material change for the angled walls and tilted columns of the Porch and Balcony oriented toward the northeast. A primary exterior material palette of cement plaster and fiber cement lap siding has been harvested from the local residential aesthetic but reimagined in more modern volumes, complemented by corrugated metal siding to enhance the street presence and over-arching Meriam Park themes of innovative, modern and agroindustrial design (DG 1.2.21).

Following is a list of additional applicable design objectives from the city's Design Guideline Manual integrated into the proposed project design.

(DG 1.1.13, 1.1.15, 1.1.24, 4.1.34, 4.1.41, 4.1.42, 3.1.33 & 3.1.34)

The project fosters a pedestrian-friendly environment by activating the frontage and rear entry points through connected circulation around the buildings, landscaped pathways, gathering spaces and open common spaces. Chico's bicycle culture has been paid special attention by integrating exterior secure bicycle parking to facilitate use of the dedicated bicycle lane that runs along Notre Dame.

(DG 1.1.14, 4.1.51, 4.1.52 & 4.1.53)

The project minimizes views of automobiles from the public right-of-way by locating the building close to the street and the parking along the public alley to the rear with short, direct access from parking to the dwelling units and appropriate lighting.

Page 3 of 3



(DG 1.5.11, 1.5.12, 1.5.14, 1.5.15, 1.5.16, 1.5.17 & 1.5.19)

Exterior lighting plays an integral and important role in the architecture and landscape architecture. This extends from the securely lit parking area through to the Porch and Balcony lighting. The building lighting cast inward and down toward the building facades serves to emphasize the architectural expression and building materials while also providing intuitive way-finding, clear sight-lines and passive security.

(DG 1.7.11, 1.7.13 & 1.7.14)

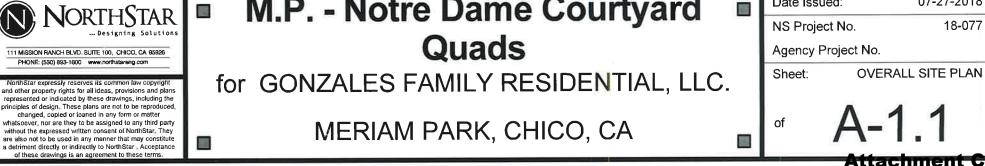
Solar orientation has been considered and the resulting design features are Porches and Balconies angled toward the northeast, southern exposure mitigated with deciduous trees and roof overhang, and protected dwelling unit entries off the north facing courtyard.

Sincerely,

NORTHSTAR

Ty Yurkovic, AIA









CEMENT PLASTER -SEE SHEET A-4.1



FIBER CEMENT LAP SIDING -SEE SHEET A-4.1



CORRUGATED METAL SIDING SEE SHEET A-4.1



STANDING SEAM METAL ROOFING - AUG 07 2018 SEE SHEFT A-4 1 SEE SHEET A-4.1

PLANKING SERVICES

ARHPB NORTH

SCALE: 3/16" = 1'-0"



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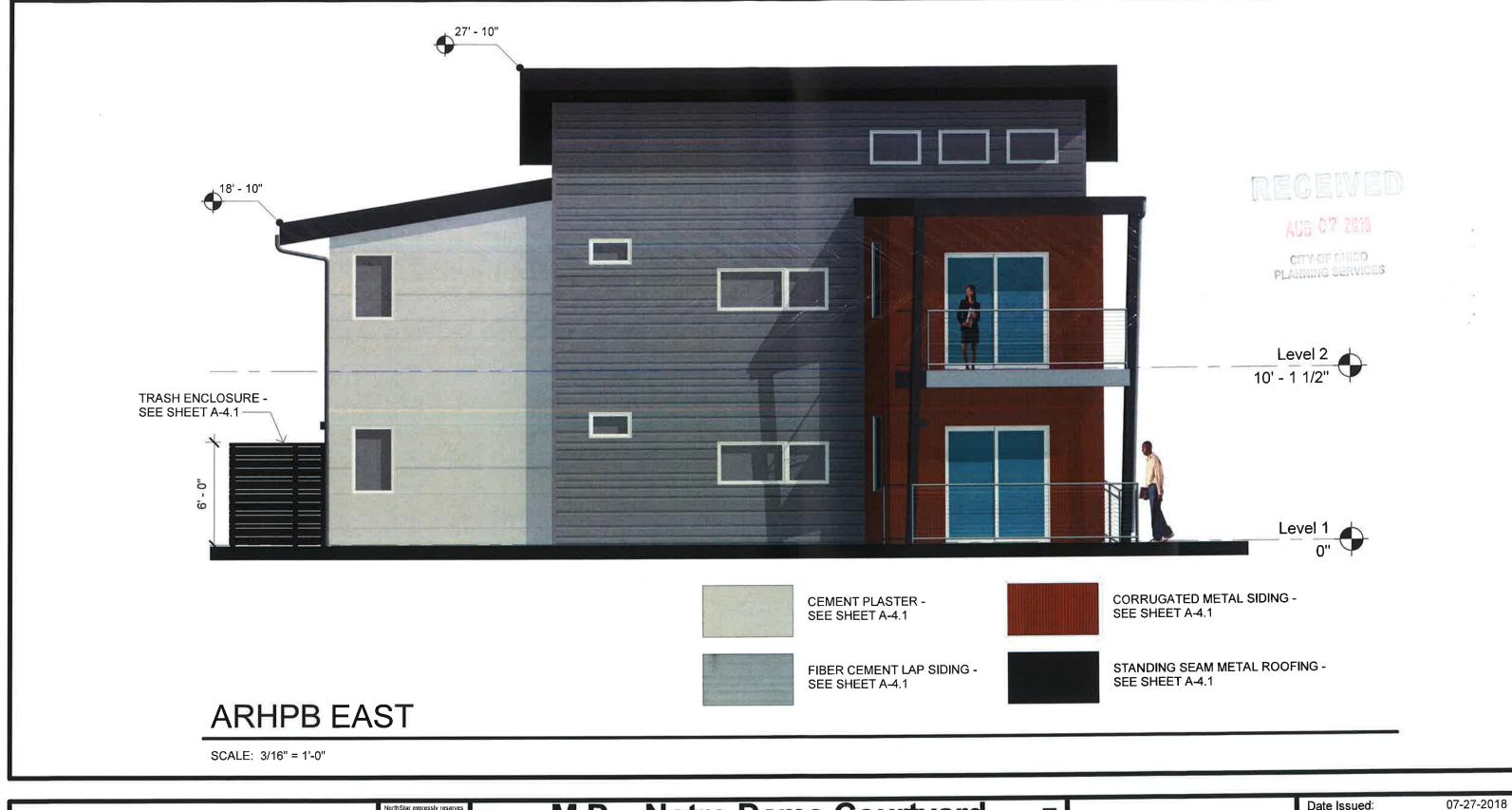
MERIAM PARK, CHICO, CA

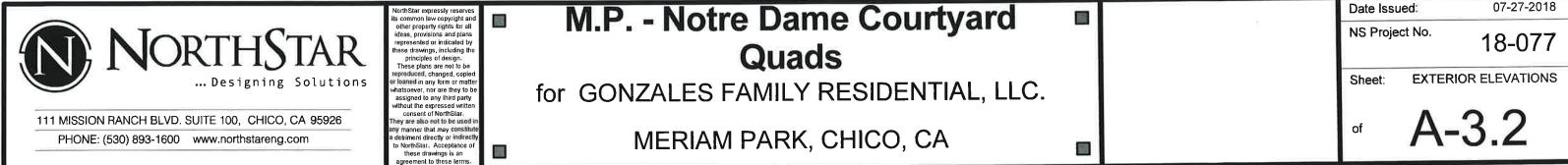
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07-27-2018 Date Issued: NS Project No. 18-077

EXTERIOR ELEVATIONS

A - 3.1









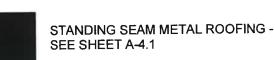
CEMENT PLASTER -SEE SHEET A-4.1

SEE SHEET A-4.1

FIBER CEMENT LAP SIDING -



CORRUGATED METAL SIDING -SEE SHEET A-4.1





ARHPB SOUTH

SCALE: 3/16" = 1'-0"



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Sheet:

EXTERIOR ELEVATIONS

A - 3.3





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EXTERIOR ELEVATIONS

A - 3.4



PERSPECTIVE ELEVATION



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BUILDING PERSPECTIVE

07-20-2018

18-077



Notre Dame - Looking Northwest



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NS Project No.

18-077

Sheet: BUILDING PERSPECTIVE

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A-6.2



Notre Dame - Looking Southwest



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07-20-2018

BUILDING PERSPECTIVE



CEMENT PLASTER: STO Powerwall Freeform®, or Eq.

TRASH ENCLOSURE:

Height:

Material:

Color:

Multi-Width Horizontal Slats,

6'-0"

Wood

Black Stain

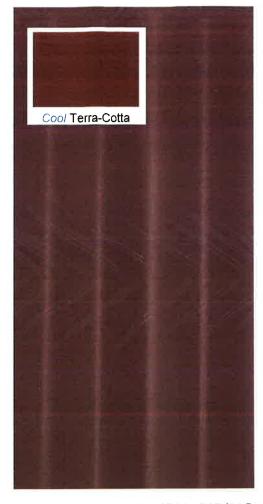
Finish: Fine

Color: Silver Lining



FIBER CEMENT LAP SIDING: HardiePlank® Lap Siding, or Eq.

Finish: Smooth Color: Gray Slate



CORRUGATED METAL SIDING: AEP Span Nu-Wave®, or Eq. Color: Terra Cotta



RAILING & GUARDRAIL: Square Tube Supports & Horizontal Cables, or Eq.

3'-6" Height: Steel Material:

Color:

Light Gray Supports Stainless Cables



STANDING SEAM METAL ROOFING:

AEP Design Span® hp, or Eq.

Color: Matte Black

(All Fascia, Gutter, Downspout and exposed Balcony Columns shall be painted to match Standing Seam Roofing)

WINDOWS & SLIDING DOORS:

Milgard Style Line®, or Eq.

Material: Vinyl Color: White







POLE MOINTED LIGHT: Lithonia (DSX0 LED P5 40K TFTM MVOLT), or Eq.

WALL MOINTED LIGHT: TECH (SVL 6 THEO 751634U), or Eq.





AUG 07 2018

CITY OF CHICO PLANNING SERVICES

BICYCLE RACK: City Standard U-rack, or Eq.

Material: Steel Black Color:

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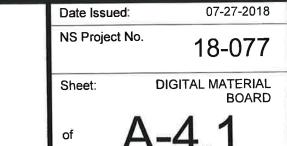
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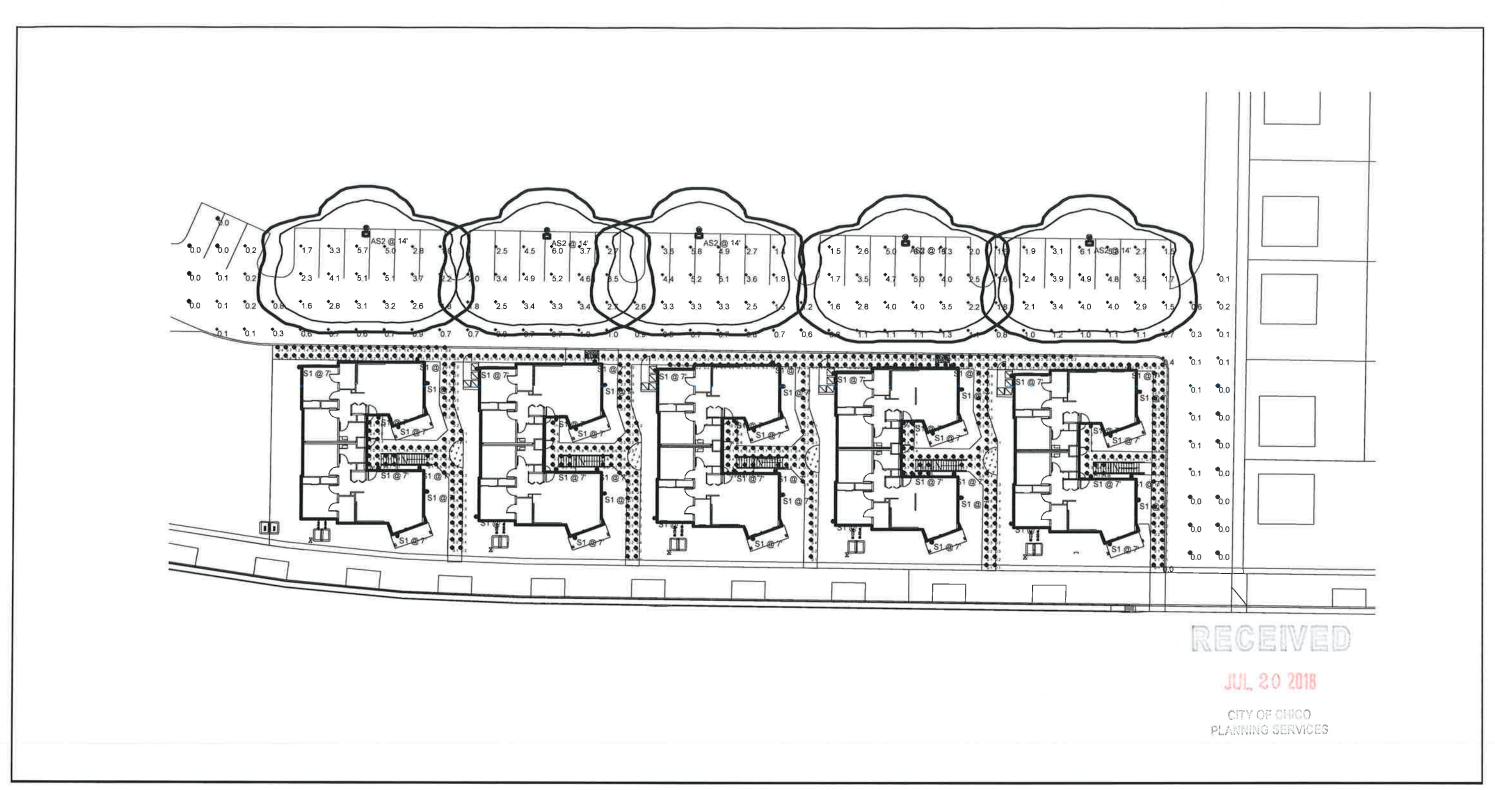
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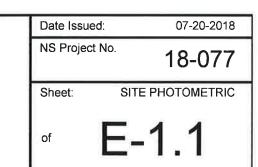


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Schedule										
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Per Lamn	Light Loss Factor	Wattage
. 0	AS2	5	Lithonia Lighting	DSX0 LED P5 40K TFTM MVOLT HS	DSX0 LED P5 40K TFTM MVOLT with houseside shield	LED	1	9119	09	89
ô	S1	49	TECH	SLV 6 THEO 751634U	LED Wall Sconce 1278 LM	LED	1	1152	0.9	47 9

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
DRIVE / PARKING	+	2.1 fc	6.3 fc	0.0 fc	N/A	N/A
INTERIOR SIDEWALK	+	1.9 fc	14.9 fc	0.0 fc	N/A	N/A

ations
MH
14.00
7.00

Disclaimer
Photometric analyses performed by CJS Lighting are intended for informational and/or estimation purposes only. Using industry-recognized software, calculations correspond to the information provided to CJS Lighting, and are subject to the limitations of the software. Assumptions may be made for information that is not provided or available. It is the responsibility of the client to verify that the input data is consistent with actual field conditions. Performance may differ as a result of end-user environment and application. Due to the above considerations, CJS Lighting does not guarantee that actual light tevels measured in the field will match initial calculations, and recommend that drawings be submitted to a certified electrical engineer for verification.



JUL 20 2018

CITY OF CHICO PLANNING SERVICES



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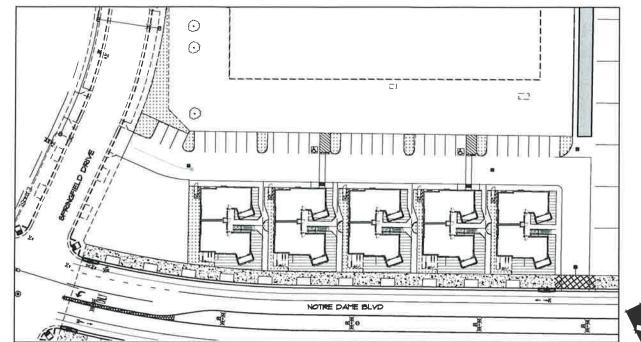
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for GONZALES FAMILY RESIDENTIAL, LLC.

CHICO, CA

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Sheet:	SITE PHOTOMETRIC
of	E-1.2







HYDRO ZONE SCHEMATIC PLAN

LOW WATER USE PLANTS

MEDIUM WATER USE PLANTS

WATER USE CALCULATIONS - PRELIMINARY

	California W	ater Efficie	nt Lands	cape Worksh	eet: No	tre Dame 4-F	lex Apa	rtments
	Reference Evapotranspiration (ET _o)		51.9 Project Type		RESIDEN	0.55		
	Hydrozone # / Planting Description ⁸	Plant Factor (PF)				Landscape Area (Sq. Ft.)	Area	Estimated Total Water Use (ETWU) ^d
Zone#	Regular Landscape	Areas						
- 1	SHRUB	0.5	Drip	0.81	0.62	4254	2626	84497
2	SHRUB	0.3	Drip	0.81	0.37	4674	1731	55704
					Totals	8928	4357	140201
						ETW	/U Total	140201
	Maximum Allowed Water Allowance (MAWA) ^e							158007

ETAF Calculations	
Regular Landscape Ar	eas
Total ETAF x Area	4357
Total Area	8928
Average ETAE	0.40

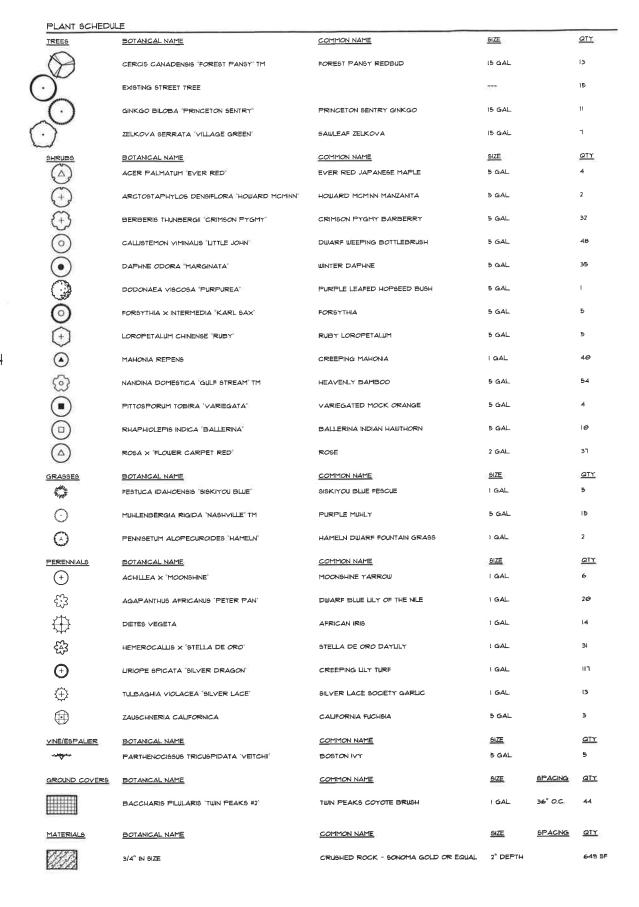
Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas	
Total ETAF x Area	4357
Total Area	8928
Average ETAF	0.49



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CITY OF CHICO PLANNING SERVICES





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Mitigation Measures Applicable to Site Design and Architectural Review Projects

From the Meriam Park Environmental Impact Report and Mitigation Monitoring Program

AESTHETICS

AES-1: In order to minimize impacts of new sources of light and glare:

- 1. All new lighting shall be designed to eliminate direct light spilling onto adjacent properties.
- 2. Lighting for new development within Meriam Park, including parking areas, shall be designed to include shields, ranging from 120-180 degrees and cut-offs that minimize light spillage onto unintended surfaces and minimize atmospheric light pollution, use minimal wattage.
- 3. Exterior surfaces should not be reflective glass or other reflective materials.
- 4. As part of the Architectural Review process, light and glare should be given specific consideration and measures incorporated into project design to minimize both.
- 5. Where possible, limit height of light standards to 12 feet.

AIR QUALITY

AIR-1a: All construction plans and documents for construction projects in the TND zone shall include the measures set forth below to reduce construction-related air quality impacts.

- 1. All active construction areas shall be watered at least twice daily. The frequency shall be based on the type of operation, soil conditions, and wind exposure.
- Apply chemical soil stabilizers to inactive construction areas (disturbed areas that are unused for at least four consecutive days) to control dust emissions. Dust emission shall be controlled at the site for both active and inactive construction areas throughout the entire construction period (including holidays).
- 3. Storage piles shall be controlled for dust emissions as needed by covering the storage pile, application of chemical soil stabilizers, or other technique acceptable to the City.
- 4. Vehicle speeds shall be limited to 15 mph on unpaved roads and areas.
- 5. Land clearing, grading, earth moving, or excavation activities shall be suspended when wind speeds exceed 20 mph.
- 6. Non-toxic binders (e.g. latex acrylic copolymer) shall be applied to exposed areas after cut and fill operation and the area hydroseeded when the area becomes inactive for 10 days or more.
- 7. Prior to any grading or construction taking place, the developer shall consult with the Butte County Air Quality Management District regarding the application of a paved (or dust palliative treated) apron onto the Meriam Park site.
- 8. Inspect adjacent streets at least once per day and sweep or wash paved streets adjacent to the site where visible silt or mud deposits have accumulated due to construction activities.

9. Building and Engineering Division staff shall review final improvement plans for all construction projects to ensure that the above notes are included on such plans. Building and Engineering Division staff shall inspect the property for compliance with the above air quality measures.

AIR-1b: One or more publicly-visible signs shall be posted at each construction site with the name and telephone number of the developer representative to contact regarding dust complaints. Complaints received about dust shall be responded to, and corrective action taken, immediately. The telephone number of the BCAQMD shall be included on the signs and visible to ensure compliance with BCAQMD Rules 201 and 207.

AIR-1c: Construction shall be phased so that only a portion of the Meriam Park site is graded at a time. Areas in which one large piece of earth-moving equipment is working shall not exceed 10 acres on a daily basis, and areas in which two or more large pieces of earth-moving equipment are working simultaneously shall not exceed 4 acres per day.

AIR-1d: Prior to final occupancy, all exposed ground surfaces shall be landscaped, seeded or chemically treated to minimize fugitive dust emissions (dust clouds caused by wind, traffic, or other disturbances to exposed ground surfaces).

AIR-2: The following measures would reduce diesel particulate matter and NOx emissions from construction equipment, and represent a level of reasonable control that would reduce these emissions to a less-than-significant level.

- 1. Prior to commencement of any grading or construction, a NOx reduction plan shall be prepared and submitted for approval by the City and BCAQMD demonstrating that heavy-duty (> 50 horsepower) off-road vehicles to be used during construction, including owned, leased and subcontracted vehicles, will achieve a project-wide fleet-average NOx reduction equivalent to or exceeding the most recent CARB fleet average at the time of construction. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.
- 2. The NOx reduction plan shall include a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that would be used an aggregate of 40 or more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use or fuel throughput for each piece of equipment. The inventory shall be updated on a monthly basis throughout the duration of the grading portion of construction.
- 3. Opacity is an indicator of exhaust particulate emissions from off-road diesel powered equipment. The Meriam Park project shall ensure that emissions from all construction diesel powered equipment used on the Meriam Park site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately.
- 4. The contractor shall install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g. compressors).
- 5. Diesel equipment standing idle for more than two minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate, or other bulk materials.

Rotating drum concrete trucks could keep their engines running continuously as long as they were on-site and away from residences.

6. Properly tune and maintain equipment for low emissions.

BIOLOGICAL RESOURCES

BIO-8: Adequate measures shall be taken to avoid inadvertent take of loggerhead shrike, raptors, and nests of other birds protected under the Migratory Bird Treaty Act when in active use. This shall be accomplished by taking the following steps.

- 1. If construction is proposed during the nesting season (March August), a focused survey for nesting raptors and other migratory birds shall be conducted by a qualified biologist within 30 days prior to the commencement of construction, in order to identify any active nests on the proposed project site and the vicinity of proposed construction.
- 2. If no active nests are identified during the survey period, or if construction is initiated during the non-breeding season (September February), grading and construction may proceed.
- 3. If active raptors nests are found, an adequate setback shall be established around the nest location and construction activities restricted within this no-disturbance zone until the qualified biologist has confirmed that any young birds have fledged and are able to function outside the nest location. Required setback distances for the no-disturbance zone shall be determined in consideration with the CDFG and/or USFWS, and may vary depending on species and sensitivity to disturbance. The no- disturbance zone shall be fenced with temporary orange construction fencing.
- 4. A report of findings shall be prepared by the qualified biologist and submitted to the City for review and approval prior to initiation of grading and construction during the nesting season (March August). The report shall either confirm absence of any active nests or shall confirm establishment of a designated no-disturbance zone for any active nests. Supplemental reports shall be submitted to the City for review and approval where no-disturbance zones have been required to allow construction to proceed within these zones after any young birds have fledged.

CULTURAL RESOURCES

CUL-2a: In the event any cultural materials are discovered or unearthed during the course of grading or construction activities, all work shall cease within 100 feet of the discovered site and a qualified archeologist shall be retained by the project applicant to evaluate the significance of the site. If the archeologist determines that the materials represent a potentially-significant resource, the project proponent, archeologist, City Planning Director, and local tribal coordinator shall begin a consultation process to determine a plan of action either for: 1) total data recovery, as a mitigation; 2) tribal cultural resource monitoring; 3) displacement protocol; or 4) total avoidance of the resource, if possible.

CULT-2b: A note shall be placed on all construction plans which informs the construction contractor that if any bones, pottery fragments or other potential cultural resources are encountered during construction, all work shall cease within the area of the find pending an

examination of the site and materials by a professional archaeologist. The Planning Division and Engineering Division staff will verify that this wording is included in project grading plans.

CUL-3: In the event that human remains are discovered during the course of grading or construction activities, all work shall cease within 100 feet of the find and the construction supervisor must immediately notify the Butte County Coroner pursuant to Section 7050.5 of California's Health and Safety Code, and the City Planning Director. The construction supervisor shall also take appropriate action to ensure that the discovery is protected from further disturbance and vandalism. If the remains are of a Native American, the coroner must notify the California Native American Heritage Commission within 24 hours, which in turn will inform a most likely descendent pursuant to Section 5097.98 of the State Resources Code. The designated descendant would then negotiate with the land owner for final disposition of identified remains, which may include reburial within an appropriate location within the project area.

CUL-4: In the event that paleontological resources are encountered during construction activities, consultation with a professional paleontologist, geologist or archaeologist, as appropriate, shall be undertaken immediately, and the significance of the find evaluated. Appropriate specific mitigation measures would be recommended, based on the finding of significance of the discovery. The project proponent shall implement recommended mitigation measures.

HYDROLOGY AND DRAINAGE

HYDRO-3: The developer shall develop a stormwater master plan and a SWPPP for the Project site. No grading permits or other construction permits for the Project site shall be issued until the developer prepares a SWPPP and the SWPPP is reviewed and approved by the City of Chico and reviewed by the Caltrans District 3 office and the Central Valley Regional Water Quality Control Board (Redding office). The SWPPP shall describe the construction- phase and post-construction control measures to improve water quality of runoff. Selection and design of the water quality BMPs shall be reviewed and approved by City staff and operations and maintenance considerations shall be described in the SWMP or Operations and Maintenance Manual (OMM) prepared for the treatment facilities.

UTILITIES

UTIL-1b: At least 75 percent of the remaining project-related construction and demolition waste shall be diverted to an approved facility or by salvage. The City shall give the applicant a list of approved facilities or reuse options. A Waste Diversion Plan including the total weight or volume of demolition and construction waste and the plan for diverting the waste shall be provided to and approved by the City pursuant to commencement of construction.