



File: S 17-02

DATE: September 22, 2017

TO: PLANNING COMMISSION

FROM: David Young, Senior Planner (879-6535) david.young@chicoca.gov

RE: S 17-02 (Burnap Small-lot Subdivision) 2996 and 3000 Burnap Avenue  
APNs 004-432-006 and 004-432-007

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### REPORT IN BRIEF

This is a request for an infill, small lot subdivision to divide a 3.5 acre site into 23 lots. Currently unincorporated, City approval of the subject subdivision is contingent upon annexation of the site to the City. No major issues have been identified.

#### Recommendation:

Planning staff recommends adoption of Resolution No. 17-15 (**Attachment A**), approving S 17-02 Burnap Small-lot Tentative Subdivision Map, subject to the attached conditions.

#### Proposed Motion:

I move that the Planning Commission adopt Resolution No. 17-15, approving Tentative Subdivision Map S 17-02, subject to the conditions as set forth therein.

### BACKGROUND

The project site is located at 2996 and 3000 Burnap Avenue, just south of Eaton Road. The project site consists of three parcels (APNs 007-150-045, -053 and -061) (see **Attachment B**, Location Map). The project site is currently in an unincorporated portion of Butte County and designated for residential and public land uses by the Butte County General Plan. The site is pre-designated Low Density Residential (LDR) on the City of Chico General Plan Land Use Diagram and pre-zoned R1 (LDR). The project is also located within the AO-B2 (Airport Overflight zone B2) overlay district. Surrounding land uses include Eaton Road/single-family residential (north), single- and multi-family residential (south and west), and open space and drainage levee (east). Access to the site is provided via Burnap Avenue.

#### Proposed Project

The proposed project is an infill, small-lot subdivision that would divide the site and create 23 new residential lots, with one remainder residential lot. Gross density for the project would be 6.94 dwelling units per acre with an average lot size of 4,375 square feet. The subdivision design achieves residential infill by utilizing small-lot subdivision standards.

The City's small lot subdivision regulations, Chico Municipal Code (CMC) 19.76.150, allow for reduced lot sizes. In Accordance with CMC requirements, the minimum lot area for

small-lot subdivisions are 3,500 square feet for interior lots and 4,000 square feet for corner lots. Lot sizes may range from 3,500 square feet to a maximum of 4,499 square feet to encourage a variety of lot sizes and configurations. Lots larger than 4,499 square feet may be allowed but the total number of lots shall not exceed 30 percent of the total number of lots. The project includes 6 lots over 4,499 square feet or approximately 29 percent (see **Attachment C**, Tentative Subdivision Map).

The existing residence on the Remainder Lot would remain and all other buildings, on-site fences, and utility poles would be removed. The existing wells and septic systems would be abandoned pursuant to Butte County Environmental Health requirements. Storm drainage would be in accordance with CMC 18R.08.050 J. Storm Drainage – Temporary Leach Field, which would maintain the storm drain facilities through a Chico Maintenance District (CMD). Lot 12 includes an easement for flood control and incidental purposes. A street In-lieu fee for Eaton Road frontage would be paid instead of being developed.

The development would necessitate removal of 24 of the 37 existing trees on the site. Such tree removal requires compliance with CMC Chapter 16.66 regarding payment of in-lieu fees for tree replacement.

#### Requested Subdivision Design Modifications

The applicant has requested five modifications to the Title 18R Subdivision Design Criteria and Improvement Standards:

- 1) Residential lot depths less than 80 feet;
- 2) Non-Standard corner intersection radii;
- 3) Non-right angle or radial side lot lines;
- 4) Allow double frontage lots; and
- 5) Allow non-standard street cross-sections.

#### **GENERAL PLAN**

The site is designated at LDR on the City of Chico General Plan Land Use Diagram and located in a R1 zoning district. Small-lot, detached single-family subdivisions are allowed in the R1 zoning district when they are compatible with surrounding development and CMC standards. The purpose of the small-lot subdivision is to allow "small-lot single-family housing development in new and existing neighborhoods to provide compact development and efficient infill." The following General Plan policies are applicable to the project:

*LU-4 Promote compatible infill development.*

*LU-1.3 Maintain balanced growth by encouraging infill development where City services are in place and allowing expansion into Special Planning Areas.*

*LU-1.3.2 Require that applications for sphere of influence updates and annexations are consistent with Local Agency Formation Commission requirements and include a conceptual plan for the affected territory, including pre-zoning and*

*a plan for infrastructure financing and phasing.*

*LU-2.4 Promote land use compatibility through use restrictions, development standards, environmental review and special design considerations.*

*LU-4.2 Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.*

*LU-4.2.2 For projects proposed on or adjacent to residentially zoned property, which require a discretionary approval by the Planning Commission or City Council, require applicants to have a pre-application neighborhood meeting with interested parties in the respective neighborhood to hear issues and consider input.*

*LU-7.1.1 Maintain the City's Municipal Code and Zoning Map to implement airport overflight zoning district overlays, consistent with the boundaries and general policy direction contained within the Butte County Airport Land Use Compatibility Plan, which address the following:*

- Airport noise-related compatibility issues and noise-resistant construction techniques.*
- Height limitations for both structures and landscaping.*
- Lighting, electrical interference, glare, or other issues which may endanger landing, takeoff, or maneuvering of aircraft.*
- Prohibition of incompatible land uses and limitations on the density and/or*
- Intensity of land uses.*
- Infill compatibility criteria consistent with the 2005 agreement between the City and the Butte County Airport Land Use Commission.*

*CD-5.1 Ensure that new development and redevelopment reinforces the desirable elements of its neighborhood including architectural scale, style, and setback patterns.*

*OS-3.1 Protect and improve the quality of surface water.*

## **DISCUSSION**

The project site represents an infill opportunity in an existing residential area with single-family and multi-family residential development. Designed with a residential density of 6.94 units per acre, the proposed development is consistent with the General Plan LDR land use designation and R1 zoning.

The project achieves consistency with several General Plan policies related to compatible infill development with surrounding properties LU-4, LU-2.4, and LU-4.2. Utility services, including City sewer, storm drainage, domestic water, gas and electricity are currently

available at the project site. City Fire and Police Departments already serve the Eaton Road corridor and Burnap Avenue (LU-1.3 and LU-4.2.2).

Additionally, the project meets the infill criteria as set forth by the Butte County Airport Land Use Commission Compatibility Plan (LU -7.1.1). Storm water drainage would be designed to meet pre-development conditions and mitigated in accordance with CMC 18R.08.050 requirements to protect the quality of surface water quality (OS-3.1).

## **ENVIROMENTAL REVIEW**

An Initial Study was prepared for the project which identified three mitigation measures required to reduce potential project related impacts to a less-than-significant level including:

- 1) Incorporating air quality Best Management Practices (BMPs) during construction,
- 2) Avoiding impacts to nesting birds during tree removal and construction activities,
- 3) Halting construction if cultural resources or tribal cultural resources are discovered during construction, and

The Mitigated Negative Declaration and Mitigation Monitoring Program is included as Exhibit I of the approving resolution, and all the mitigation measures are included as conditions of approval in Exhibit II of the resolution (see **Attachment A**). Details of the environmental analysis can be found in the Initial Study (**Attachment D**).

Correspondence received during the public review period is included under **Attachment E**. Issues raised by the commenters are summarized below followed by a staff response.

### Willmann – C.A.R.D email (8/29/17)

The commenter had no objections to the project and wanted to make sure that all development impact fees are collected for the subdivision.

*Staff Response:* Development impact fees are collected by the City to fund facilities required by new development. CMC 3.84 and 3.85 establish a Development Impact Fee Program. The program consists of 13 separate fees that are collected in order to offset the impacts of development on various City services. Additionally, a condition was added to ensure that all applicable fees are collected if not paid prior to recordation of the final map.

### Butte County Department of Public Works Letter (9/1/17)

The letter notes that (1) the storm drain system should be designed to not allow peak flows to exceed current conditions (2) submit revised tentative map that shows a 15-foot non-development zone parallel with the toe of the Pleasant Valley Ditch (3) install full urban improvements including curb, gutter, sidewalk (4) prior to recordation of the final map, annex parcels in the City of Chico (5) if Burnap Road frontage is not annexed to the City, commenter provides Butte County Department of Public Works development and compliance requirements.

*Staff Response:* Comments were noted and were forwarded to City of Chico Development Engineering Department for consideration and inclusion into the Subdivision Report "Exhibit III" (see **Attachment A**).

Butte County Department of Development Services email (9/29/17):

The commenter notes that the project site is included in the Butte County Airport Land Use Compatibility Plan (BCALUCP). Commenter states that infill criteria in the BCALUCP require that projects are exempt from CEQA pursuant to Section 15332 (Infill Development Projects) and asks if the project will be using this exemption.

*Staff Response:* Prior to development, the proposed project will meet all infill criteria as defined in Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act Guidelines. The project currently meets all applicable criteria for the infill exemption, except that the subject site is not currently within city limits. The attached resolution (**Attachment A**) stipulates that City approval of the tentative map is not effective until successful annexation of the site occurs. Therefore, annexation will take place prior to development of the site and the proposed development will only proceed under conditions when it would qualify as an infill development as defined by Section 15332 of the CEQA Guidelines.

## **FINDINGS**

### Modification to Subdivision Design Criteria Finding

As established in CMC 18.44, a modification to the City's subdivision design criteria or improvement standards may only be approved if one of six findings in that chapter can be made. For this project, the findings under CMC 18.44.020.D and E. can be made:

- D. That the subdivision or any part thereof is located in an area which contains existing streets, sanitary sewers, storm water management systems or other improvements which do not conform to the design criteria and improvement standards, as set forth in Title 18R of this code, and that modification of such design criteria and improvement standards in the case of the proposed subdivision is necessary in order to make the streets, sanitary sewers, storm water management systems and other improvements to be constructed and installed incident to or as a condition of approval of such subdivision compatible with such existing and nonconforming improvements; and
- E. That the subdivision is of such a size or shape, and/or is affected by such topographic or soil conditions that render it impossible, impractical or undesirable, in the particular case, to conform to the design criteria and improvement standards, as set forth in Title 18R of this code, and that modification of such design criteria and improvement standards is necessary by reason of such subdivision characteristics or conditions.

Allowing the requested modifications is desirable in this case due to the site's unique shape and physical characteristics and to support efficient infill development of the project site. Subject to conditions, staff supports the requested modifications.

### Subdivision Findings (CMC Section 18.18.070.B)

Pursuant to Chico Municipal Code Section 18.18.070.B, the Planning Commission shall consider the evidence presented in the application materials, staff report, and public hearing, and shall base its action on the conformity of the subdivision map with the subdivision regulations and on the design of the proposed subdivision. In order to approve

a subdivision map, the Planning Commission must find that the subdivision map and its design conform to all applicable requirements of Title 18 and Title 19 of the CMC, and that the subdivision map and its design are consistent with the General Plan.

As supported by the Conditions of Approval and the Subdivision Report (Exhibits II and III to **Attachment A**), and this staff report, the proposed subdivision map and its design conform with the requirements of Title 18 and Title 19 of the CMC, and would be consistent with the General Plan.

### **PUBLIC CONTACT**

A Mitigated Negative Declaration was prepared and circulated for a 30-day comment period from 8/28/17 to 9/26/17. Additionally, a 30-day public hearing notice was mailed to all landowners and residents within 500 feet of the site, and a legal notice was published in the Chico Enterprise Record. Comments received during the comment period and as of the date of this report are included as **Attachment E**.

### **DISTRIBUTION**

File S17-02

PC Distribution

Chuck Tatreau, 9 Blackstone Court, Chico CA 95926

Leo DePaola, Community Development Director

Lauren McSwain, Feeney Engineering and Surveying, 236 W. East Avenue, Chico CA 95926

### **ATTACHMENTS**

- A. Resolution 17-15
  - Exhibit I – Mitigated Negative Declaration and Mitigation Monitoring Program
  - Exhibit II – Draft Conditions of Approval
  - Exhibit III – Subdivision Report
- B. Location Map
- C. Tentative Subdivision Map
- D. Initial Study
- E. Correspondence

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**RESOLUTION NO. 17-15**  
**RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION**  
**APPROVING TENTATIVE SUBDIVISION MAP S 17-02**  
**(BURNAP SMALL-LOT SUBDIVISION)**

WHEREAS, the applicant has submitted a tentative subdivision map application to create 23 new residential lots and one remainder lot at 2996 and 3000 Burnap Avenue, further identified as Assessor's Parcel Nos. 007-150-045, 007-150-053, and 007-150-061 (the "Project"); and

WHEREAS, the Planning Commission considered the tentative subdivision map application, staff report, and comments submitted at a noticed public hearing held on October 5, 2017; and

WHEREAS, the Planning Commission has considered the Initial Study and proposed mitigated negative declaration which conclude that the Project, with mitigation included, will not result in a significant impact on the environment.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Chico as follows:

1. With regard to the mitigated negative declaration the Planning Commission finds that:
  - A. The mitigation measures set forth in Exhibit I attached hereto are appropriate and will substantially reduce or avoid the described environmental impacts to a less than significant level if included as part of the Project; and
  - B. There is no substantial evidence supporting a fair argument that the Project may have a significant effect on the environment; and
  - C. The mitigated negative declaration has been prepared in conformance with the provisions of the California Environmental Quality Act and the Chico Municipal Code (CMC), Chapter 1.40, "Environmental Review Guidelines; and
  - D. The mitigated negative declaration prepared for the Project reflects the independent judgment of the City of Chico.
2. With regard to the use permit the Planning Commission finds that:
  - A. The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Title 18 (Subdivisions) and Title 19 (Land Use and Development Regulations) in that, pursuant to Chico Municipal Code (CMC) Section 19.76.150 (Small

**Attachment A**

1 Lot Subdivisions), The purpose of the small-lot subdivision regulations is to allow small-  
2 lot single-family housing development in new and existing neighborhoods and to provide  
3 compact development and efficient infill." Small-lot, detached single-family subdivisions  
4 may be allowed in the R1 zoning district when they are compatible with surrounding  
5 development and comply with CMC 19.76.150 standards.

6 B. No substantial evidence has been presented that would require disapproval of the Project  
7 pursuant to Government Code Section 66474.

8 C. The Low Density Residential, small-lot subdivision would facilitate development of a  
9 single-family residential subdivision consistent with General Plan policies that encourage  
10 efficient infill development LU-2.4 (Land Use Compatibility), LU-4 (Promote Compatible  
11 Infill Development), and LU-4.2 (Infill Compatibility).

12 3. Based on all of the above, the Planning Commission hereby approves the Project subject to the  
13 conditions set forth in Exhibit II attached hereto.

14 4. Pursuant to Government Code § 66454 (Pre-annexation filing of tentative maps), this approval  
15 is not effective until annexation of the subject property into the City of Chico. If annexation of  
16 the property is not completed within 18 months from the date of approval, then the approval  
17 shall be null and void unless granted an extension by the City's Map Advisory Committee.

18 5. The Planning Commission hereby specifies that the materials and documents which  
19 constitute the record of proceedings upon which its decision is based are located at and  
20 under the custody of the City of Chico Community Development Department.

21 THE FOREGOING RESOLUTION WAS ADOPTED by the Planning Commission at its  
22 meeting held on October 5, 2017, by the following vote:

23 AYES:

24 NOES:

25 ABSENT:

26 ABSTAINED:

27 DISQUALIFIED:

28 ATTEST:



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APPROVED AS TO FORM:

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Brendan Vieg  
Planning Commission Secretary

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Andrew L. Jared, Assistant City Attorney\*

\*Pursuant to the Charter of the City of  
Chico, Section 906(E)



# MITIGATED NEGATIVE DECLARATION & MITIGATION MONITORING PROGRAM

## CITY OF CHICO PLANNING DIVISION

Based upon the analysis and findings contained within the attached Initial Study, a Mitigated Negative Declaration is proposed by the City of Chico Planning Division for the following project:

**PROJECT NAME AND NUMBER:** Burnap Tentative Subdivision Map (S 17-02)

**APPLICANT=S NAME:** Chuck Tatreau,  
717 Douglas Lane, Chico, CA 92926

**PROJECT LOCATION:** 2996 and 3000 Burnap Avenue  
Chico, Butte County, CA  
APNs. 007-150-045, -053, and 061

**PROJECT DESCRIPTION:** The proposed project is an infill, small-lot subdivision and would divide the site into 23 new residential lots and one remainder residential lot, and two lots, Lot A and Lot B, proposed for public utility easements and storm drain facilities. APNs 007-150-053, 045, and 061 would include 23 new single family residences and one remainder lot. The existing residence would remain on the remainder lot, for a total of 24 single family residential lots. The project would pay in-lieu fees for the Eaton Street Frontage where no development is proposed.

Gross density for the project would be 6.94 dwelling units per acre with an average lot size of 4,375 square feet. As indicated, the existing residence on the Remainder Lot would remain and the other residence and all outbuildings, on-site fences, and utility poles would be removed. The existing wells and septic systems would be abandoned pursuant to City requirements. Access to the project would be provided via Burnap Avenue.

The development would necessitate the removal of 24 of the 37 existing trees on the site, which will require compliance with Chico Municipal Code (CMC) Chapter 16.66 requirements regarding tree replacement. The project applicant is requesting modifications to the CMC Chapter 18.44 for: non-standard corner intersection radii, residential lot depths of less than 80 feet, non-right angle or radial side lot lines, allowance of double frontage lots, and allowance of non-standard street cross-sections.

**FINDING:** As supported by the attached Initial Study there is no substantial evidence, in light of the whole record before the agency, that the project will have a significant effect on the environment if the following mitigation measures are adopted and implemented for the project:

**MITIGATION C.1 (Air Quality):** To minimize air quality impacts during the construction phase of the project, specific best practices shall be incorporated during initial grading and subdivision improvement phases of the project as specified in Appendix C of the Butte County Air Quality Management District's CEQA Air Quality Handbook, October 23, 2014, available at <http://bcaqmd.shasta.com/wp-content/uploads/CEQA-Handbook-Appendices-2014.pdf>

Examples of these types of measures include but are not limited to:

- Limiting idling of construction vehicles to 5 minutes or less.
- Ensuring that all small engines are tuned to the manufacturer's specifications.
- Powering diesel equipment with Air Resources Board-certified motor vehicle diesel fuel.

- Utilizing construction equipment that meets ARB's 2007 certification standard or cleaner.
- Using electric powered equipment when feasible.

MITIGATION MONITORING C.1: Prior to approving grading permits or subdivision improvement plans City staff will review the plans to ensure that Mitigation Measure C.1 is incorporated into the construction documents, as appropriate.

Implementation of the above measure will minimize potential air quality impacts to a level that is considered less than significant with mitigation incorporated.

**MITIGATION D.1 (Biological Resources):** If tree removal, grading, or initial construction is scheduled to occur within the nesting season (February 1 – August 31), the developer shall hire a qualified biologist to conduct a preconstruction survey of the project site to identify any active nests within the property. The survey shall be conducted no more than 7 days prior to commencement of tree removal, grading, or construction activities. The survey shall identify and map all nests within 200 feet of construction areas and recommend appropriate buffer zones. No construction activities shall occur within the buffer area(s) until a qualified biologist confirms that the nest is no longer active. Active nests shall be monitored by the biologist at least twice per week and a report of the monitoring efforts shall be provided to the City Planning Department on a monthly basis. The survey shall be repeated if construction activity ceases for a continuous 15-day period prior to resuming.

MITIGATION MONITORING D.1 (Biological Resources): Planning and Engineering staff will require submittal of a bird nest survey prior to issuance of any grading or building permit for the project, unless the work will commence during the non-breeding season (September 1 through January 31).

Implementation of the above measure will minimize potential biological resource impacts to a level that is considered less than significant with mitigation incorporated.

**MITIGATION E.1. (Cultural Resources and Tribal Cultural Resources):** A note shall be placed on all grading and 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. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the developer or their supervising contractor shall cease all work within the area of the find and notify Planning staff at 530-879-6800. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained by the applicant to evaluate the significance of the find. Further, City Planning staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Director, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures

determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and plans to ensure contractor knowledge and responsibility for proper implementation.

Mitigation Monitoring E.1 (Cultural Resources and Tribal Cultural Resources): Planning staff will verify that the above wording is included on construction plans. Should cultural resources be encountered, the supervising contractor shall be responsible for reporting any such findings to Planning staff, and contacting a professional archaeologist, in consultation with Planning staff, to evaluate the find.

Implementation of the above measure will minimize potential cultural and tribal cultural resource impacts to a level that is considered less than significant with mitigation incorporated.

**PROJECT APPLICANT'S INCORPORATION OF MITIGATION INTO THE PROPOSED PROJECT:**

I have reviewed the Initial Study for Burnap Tentative Subdivision Map (S 17-02) and the mitigation measures identified herein. I hereby modify the project on file with the City of Chico to include and incorporate all mitigation set forth in this document.




\_\_\_\_\_  
**Authorized Signature, Project Applicant**



\_\_\_\_\_  
**Printed Name**

**Prepared by:** \_\_\_\_\_

  
David Young, Senior Planning Consultant  
Community Development Department

8/25/17

\_\_\_\_\_  
Date

**Adopted via:** Resolution No: \_\_\_\_\_

City of Chico Planning Commission

\_\_\_\_\_  
Date

**EXHIBIT "II"**  
**CONDITIONS OF APPROVAL**  
**Burnap Subdivision**  
**(S 17-02)**

1. The creation of 23 new lots and one remainder parcel is authorized, as depicted on "S 17-02 Burnap Tentative Subdivision Map (Small Lot Subdivision" date stamped August 24, 2017, except as revised by any other condition of approval.
2. All development shall comply with all other State and local Code provisions, as well as any applicable requirements of the Fire Department, the Public Works Department, Butte County Environmental Health, and the Community Development Department. The developer is responsible for contacting these offices to verify the need for permits.
3. In the event that all fees have not been paid prior to recordation of the final map, the following notation shall be included on the final map:
4. "In accordance with the provisions of the Chico Municipal Code, a transportation facility fee, park facility fee, and building and equipment fee may be assessed and levied upon the owner of any lot or parcel within this subdivision at the time a new building or structure is constructed on such lot or parcel, at the time an alteration or addition is made to an existing building or structure constructed on such lot or parcel which results in the expansion of building or structure, or at the time of a change in use of an existing building or structure constructed on the lot or parcel. In addition, a storm drainage facility fee may be assessed and levied upon the owner of any lot or parcel within this subdivision at the time such lot or parcel is first used for any residential or nonresidential purpose, at the time the area of the lot or parcel devoted to such residential or nonresidential use is expanded, or at the time of a change in the use of the lot or parcel. Such transportation facility fee, park facility fee, building and equipment fee and storm drainage facility fee will be calculated from the schedule of such fees adopted by resolution of the City Council and in effect on the date of approval of such final map or parcel map, together with any adjustments to such schedules of fees made in accordance with the provisions of the Chico Municipal Code subsequent to the date of approval of the final map or parcel map to account for any changes in the type or extent of transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities which will be required as a result of the development and/or use of real property during the period upon which such fees are based, any change in the estimated cost of the transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities upon which such fees are based, or any change in that portion of the estimated cost of such transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities which cannot be funded from revenue sources available to the City other than such fees."
5. Prior to recording the final map, any taxes and/or assessments against the property shall be paid.
6. Impacts to school facilities within the Chico Unified School District shall be fully mitigated by payment of school impact fees to the extent permitted by State Law.

7. Mitigation C.1. (Air Quality) To minimize air quality impacts during the construction phase of the project, specific best practices shall be incorporated during initial grading and subdivision improvement phases of the project as specified in Appendix C of the Butte County Air Quality Management District's CEQA Air Quality Handbook, October 23, 2014, available at <http://bcaqmd.shasta.com/wp-content/uploads/CEQA-Handbook-Appendices-2014.pdf> Examples of these types of measures include but are not limited to:

- Limiting idling of construction vehicles to 5 minutes or less.
- Ensuring that all small engines are tuned to the manufacturer's specifications.
- Powering diesel equipment with Air Resources Board-certified motor vehicle diesel fuel.
- Utilizing construction equipment that meets ARB's 2007 certification standard or cleaner.
- Using electric powered equipment when feasible.

Mitigation Monitoring C.1: Prior to approving grading permits or subdivision improvement plans City staff will review the plans to ensure that Mitigation Measure C.1 is incorporated into the construction documents, as appropriate.

8. Mitigation D.1. (Biological Resources) If tree removal, grading, or initial construction is scheduled to occur within the nesting season (February 1 – August 31), the developer shall hire a qualified biologist to conduct a preconstruction survey of the project site to identify any active nests within the property. The survey shall be conducted no more than 7 days prior to commencement of tree removal, grading, or construction activities. The survey shall identify and map all nests within 200 feet of construction areas and recommend appropriate buffer zones. No construction activities shall occur within the buffer area(s) until a qualified biologist confirms that the nest is no longer active. Active nests shall be monitored by the biologist at least twice per week and a report of the monitoring efforts shall be provided to the City Planning Department on a monthly basis. The survey shall be repeated if construction activity ceases for a continuous 15-day period prior to resuming.

Mitigation Monitoring D.1. Planning and Engineering staff will require submittal of a bird nest survey prior to issuance of any grading or building permit for the project, unless the work will commence during the non-breeding season (September 1 through January 31).

9. Mitigation E.1. (Cultural and Tribal Cultural Resources) A note shall be placed on all grading and 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. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the developer or their supervising contractor shall cease all work within the area of the find and notify Planning staff at 530-879-6800. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification

Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained by the applicant to evaluate the significance of the find. Further, City Planning staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Director, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and plans to ensure contractor knowledge and responsibility for proper implementation.

Mitigation Monitoring E.1 (Cultural Resources and Tribal Cultural Resources): Planning staff will verify that the above wording is included on construction plans. Should cultural resources be encountered, the supervising contractor shall be responsible for reporting any such findings to Planning staff, and contacting a professional archaeologist, in consultation with Planning staff, to evaluate the find.



## Subdivision Report

Meeting Date 10/5/17

DATE: September 22, 2017

File: S 17-02

TO: PLANNING COMMISSION

FROM: Matt Johnson, Senior Development Engineer, 879-6910  
Public Works Department

RE: **Tentative Subdivision Map S 17-02 Burnap Subdivision**

### Exhibit "III"

This office has reviewed the Tentative Subdivision Map S 17-02 Burnap Subdivision and herewith submits the following findings and recommendations for same.

#### A. MODIFICATIONS TO TITLE 18R - DESIGN CRITERIA AND IMPROVEMENT STANDARDS OF THE CHICO MUNICIPAL CODE

The Subdivider has requested certain modifications to Titles 18R of the Chico Municipal Code (CMC). These requests have been listed on the Tentative Map application, described by the Subdivider and/or their engineer, or appear on the Tentative Map. The requests and staff recommendations are as follows:

1. **Request:** Allow non-standard corner intersection radii.

**Recommendation:** Acceptable.

2. **Request:** Allow residential lot depths less than 80 feet.

**Recommendation:** Acceptable.

3. **Request:** Allow non-right angle or radial side lot lines.

**Recommendation:** Acceptable.

4. **Request:** Allow double frontage lots.

**Recommendation:** Acceptable.

5. **Request:** Allow non-standard street cross sections.

**Recommendation:** Acceptable.

6. **Request:** Allow cul-de-sac in excess of 500 feet in length.

**Recommendation:** Acceptable.

**THE CONDITIONS CONTAINED IN THE REMAINDER OF THIS REPORT REFLECT, WHERE APPLICABLE, THE RECOMMENDATIONS ABOVE.**

**Attachment A  
Exhibit III**



## **B. PUBLIC FACILITY CONSTRUCTION**

### **1. Streets**

- a) The Subdivider shall construct City standard streets and appurtenant facilities at the following locations in conformance with the typical sections as depicted on the Tentative Map:
  - 1) Interior to subdivision - Full urban improvements.
  - 2) Burnap Avenue - Half street urban improvements.
  - 3) Eaton Road - Pay an "In-Lieu" fee for required half street urban improvements.
- b) All corner lots shall be subject to intersection sight distance criteria as established by the Public Works Director. Appropriate easements shall be dedicated as needed on the Final Map.
- c) Street names shall be approved concurrent with the improvement plans and prior to recordation of the Final Map.

### **2. Storm Drainage**

#### a) Facility Construction

The Subdivider shall design and install the following City standard storm drain facilities:

- 1) Interior to Subdivision - Curb, gutter, and an underground storm drain system with all appurtenances.
- 2) Adjacent to Subdivision - Curb, gutter and an underground storm drain system with all appurtenances along the subdivision frontage.
- 3) Exterior to Subdivision - An underground storm drain system discharging to existing City facilities.

#### b) Post Construction Standard Plans

Implement City Post Construction Standard Plans to evapo-transpire, infiltrate, harvest and reuse, or bio treat storm water runoff.

#### c) NPDES Requirements

Storm drain drop inlets shall be marked with Illustrative Storm Markers to achieve City of Chico NPDES Requirements.

#### d) Interim Alternative to Connection to Existing Facilities

One hundred percent on-site disposal of storm drainage may be utilized for this subdivision in compliance with Chico Municipal Code (CMC) Section 18R.08.050 J. Temporary Leach Field Type Storm Drainage System. It shall be designed for a full range of storm water runoff, up to and including a 100-year storm. On-site disposal

shall be interim and coordinated with an ultimate storm drainage disposal design. In addition to CMC 18R.08.050 J., the on-site disposal design shall be designed to include:

- 1) Deep hole tests shall be conducted between December and April to determine the ground water table elevation.
- 2) Storm drain design shall maintain a 10-foot separation between the leach trench bottom the ground water table elevation.
- 3) The 100-year storm plus 1-foot must be retained onsite without flooding any residences both within and adjacent to the subdivision.
- 4) The on-site disposal design shall be reviewed and approved by the Regional Water Quality Control Board for compliance with the Nitrate Action Plan.
- 5) A replacement area shall be identified and shall continue to accept all of the design flow.

e) Storm Drainage Master Plan

In conjunction with the first submittal of improvement plans, the Subdivider shall submit a Storm Drainage Master Plan to the Public Works Department for review and approval. Said Master Plan shall cover the entirety of the natural storm drain tributary area affected by the proposed subdivision.

The Storm Drainage Master Plan shall address the following elements:

1) Storm Water Runoff Management

The runoff management plan shall establish specific measures to accomplish the following:

- No net increase in peak flow from the site, unless the onsite system is connected to existing City facilities.
- Erosion control.
- Pollutant runoff control, including first flush mitigation, (the first 1/2-inch of runoff shall be intercepted and treated).
- Restricted area protection.
- Incorporate Best Management Practices (BMPs) per City of Chico's Best Practices Manual dated September 1998.

The plan shall stipulate the measures to be implemented and the means of implementation by the Subdivider during construction and after construction but prior to lot development.

The plan shall establish any design constraints to be placed upon both public and private facility construction.

2) Storm Drainage Analysis

The storm drain analysis shall establish tributary area, size, grade, depth, and location for all the following storm drain facilities:

- Underground pipes.
- Storm water runoff management facilities.
- Outfall facilities discharging into existing City facilities.
- Both ultimate and interim facilities serving streets exterior to the subdivision that are required to be constructed herein.

f) Statement of Effective Storm Water Disposal

The storm drainage system for this project shall meet the following standards:

- No net increase in peak flow from the site, unless the onsite system is connected to existing City facilities.
- Intercept and treat the first flush runoff (defined as the first 1/2-inch of runoff).

These standards are to be met through the preparation and implementation of a site specific storm drainage master plan which shall incorporate one or more Best Management Practices (BMPs) as set forth in the City of Chico's Best Practices Manual. A review of this project, including the project location, has been made. Based on this review, it has been concluded that the use of one or more such BMPs will provide an adequate mechanism to meet the standards set forth herein and, therefore, provide the required mitigation of storm drainage effects resulting from the project.

- g) The subdivider shall pay a storm drain fee calculated in accordance with the current fee schedule under the requirements of the Chico Municipal Code, prior to filing the Final Map.

**3. Sanitary Sewer**

a) Facility Construction

The Subdivider shall design and install the following City standard sanitary sewer facilities:

- 1) Interior to Subdivision - An underground sanitary sewer system, with all appurtenances, serving all lots.
- 2) Adjacent to Subdivision - An underground sanitary sewer system, with all appurtenances, along the subdivision frontages.
- 3) Exterior to Subdivision - An underground sanitary sewer extension, with all appurtenances, connecting to the existing City of Chico sanitary sewer system as required by the Application for Sewer Connection.

b) Sanitary Sewer Fees

The Subdivider shall complete an Application for Sewer Connection.

The Subdivider shall pay a sanitary sewer main fee to the City of Chico prior to recording the Final Map, plus applicable trunk line and water pollution control plant

capacity fees in conjunction with building permits. All of the aforementioned fees will be subject to the terms and conditions of the Application for Sewer Connection.

**4. Well and Septic Abandonment**

The Subdivider shall obtain all necessary permits from Butte County Environmental Health Department and abandon all wells and septic systems in accordance with their requirements.

**5. Street Signs and Striping**

The Subdivider shall install City standard street signs, regulatory signs (High Intensity Prismatic, no less than Grade V), pavement striping and pavement markings on all streets that they are required herein to construct.

**6. Street Lights**

The Subdivider shall install City standard street lights on steel poles with concrete bases on all streets that they are required herein to construct.

**7. Street Trees**

Street trees shall be planted in accordance with the recommendation of the Public Works Department.

**8. Landscaping**

The Subdivider shall install landscaping and an irrigation system within City right-of-way and raised medians along Eaton Road.

**C. MAINTENANCE**

Prior to recordation of filing the Final Map, the Subdivider shall be required to make provisions to fund the maintenance of certain public improvements. The improvements to be covered shall be:

1. Landscaping and irrigation within City right-of-way and raised medians along Eaton Road.
2. Interim Alternative Storm Drain Facilities.

The Subdivider shall prepare the necessary documents and provide the required supporting documents. Formation of a maintenance district requires action by the City Council. The district shall be complete and formed prior to recordation of the Final Map.

## **D. SUBDIVISION GRADING**

### **1. Soils Report**

The Subdivider shall submit a Geological and/or Soils Report, prepared by a registered engineer, that includes, but is not limited to, the following:

- a) An investigation of the nature, distribution and strength of existing soils.
- b) A description of site geology.
- c) Conclusions and recommendations covering the adequacy of the site for the proposed development, storm drainage disposal, grading procedures and corrective measures.
- d) Verification that the site is suited to proposed BMPs.

### **2. Grading Standards**

All subdivision grading shall be in conformance with Chapter 16R.22, Grading Standards, of the Chico Municipal Code.

### **3. Grading Plan**

The Subdivider's engineer shall submit a subdivision grading plan that includes, but is not limited to, the following:

- a) The subdivision limits, contours and details of existing terrain and drainage.
- b) Existing structures or other topographic features that are to remain undisturbed.
- c) The proposed subdivision lots and streets, together with a schematic layout of the proposed storm drain system.
- d) Existing ground elevations at all corners of proposed lots.
- e) Proposed finished lot corner grades and finished pad grades.
- f) Proposed lot grades indicating lot drainage.
- g) Pertinent recommendations from the above required Geological and/or Soils Report.
- h) Pertinent construction details to assure compliance with City of Chico Grading Standards.

### **4. Final Grading Report**

Upon completion of the subdivision grading and prior to final inspection by the City, the Subdivider's engineer shall submit a Final Grading Report that certifies the following:

- a) That final grading complies with the approved grading plan or any approved revisions.
- b) That the subdivision grading complies with the recommendations included in the Geological and/or Soils Report. Any changes made during grading that affected these recommendations shall be assessed.
- c) That the subdivision soils are adequately compacted for their intended use, in conformance with City of Chico Grading Standards. The results of all field density tests and all other substantiating data shall be included in the Final Grading Report.

The subdivision grading plan shall be submitted to the Public Works Director for review and approval prior to the start of any work and shall be considered as part of the construction plans.

## **E. PROPERTY CONVEYANCES**

### **1. Dedications**

In conjunction with recordation of the Final Map for this subdivision, the Subdivider shall:

- a) Dedicate a total of 32-feet (half width) of public right-of-way along the Burnap Avenue frontage as depicted on the Tentative Map.
- b) Dedicate a total of 49-feet (half width) of public right-of-way along the Eaton Road frontage as depicted on the Tentative Map.
- c) Dedicate public right-of-way for Street "A" as depicted on the Tentative Map.
- d) Dedicate an Avigation Easement to the City over the subdivision boundary as required by the Public Works Department.
- e) Dedicate a 10-foot-wide public service easement adjacent to public rights of way.
- f) Dedicate a 3-foot-wide public utility easement adjacent to all side lot lines.

## **F. OTHER PUBLIC SERVICES**

### **1. Public Utilities**

#### a) Underground Requirements

The Subdivider shall install the following utilities underground:

- 1) All new utilities serving this subdivision.

#### b) Easement Obstructions

All public utility and/or public service easements shall be kept free and clear of any and all obstructions, including but not limited to, structures, longitudinal fencing and/or soundwalls, which may impede the construction, operation and maintenance of public utility facilities within such easements.

#### c) Utility Company Comments

- 1) AT&T, as of the date of this report, did not respond to a request for comments.
- 2) Pacific Gas and Electric Company, as of the date of this report, did not respond to a request for comments.
- 3) California Water Service Company, as of the date of this report, did not respond to a request for comments.

### **2. Fire Protection**

The Subdivider shall comply with the recommendations of the Fire Department, City of Chico.

**3. United States Postal Service**

The Subdivider shall install concrete pads for NDCBU delivery to the lots of this subdivision. The pads shall be depicted on the subdivision improvement plans and are subject to approval by both the local office of the United States Postal Service and the Community Development Department.

**G. PERMITS FROM OUTSIDE AGENCIES**

If applicable, the Subdivider shall obtain all required permits from outside agencies having pertinent jurisdiction prior to recordation of the Final Map for this subdivision.

**H. DESIGN CRITERIA AND IMPROVEMENT STANDARDS**

All public improvements shall be designed in accordance with Chapter 18R.08, Design Criteria, of the Chico Municipal Code, except as modified by the conditions of approval for this subdivision.

The Subdivider shall submit improvement plans, profiles, typical sections, details and specifications to the Public Works Department for review and approval prior to the start of any construction of public improvements.

All public improvements shall be constructed in conformance with Chapter 18R.12, Improvement Standards, of the Chico Municipal Code and in conformance with the details shown on the approved improvement plans.

**I. ADMINISTRATIVE REQUIREMENTS**

**1. Subdivision Improvement Agreement**

If the public improvements required herein are not satisfactorily completed prior to recordation of the Final Map, the Subdivider shall enter into a subdivision improvement agreement in conformance with Chapter 18.36, Subdivision Improvement Requirements, of the Chico Municipal Code.

**2. Subdivision Fees**

a) Plan Checking Fee

The Subdivider shall pay to the City of Chico a subdivision plan checking fee upon filing the Final Map and/or improvement plans and specifications for checking in the following amount:

An initial deposit of 1½% of the estimated cost of all public improvements exclusive of private utility facilities (\$750 minimum). A final fee equal to actual City costs.

b) Inspection Fee

The Subdivider shall pay to the City of Chico an inspection fee prior to commencing construction in the following amount:

An initial deposit of 2% of estimated cost of all public improvements exclusive of private utility facilities. A final fee equal to actual City costs.

Recommendations and comments of all parties to whom the Tentative Map was circulated for review are on file with the respective parties and in Community Development Department.

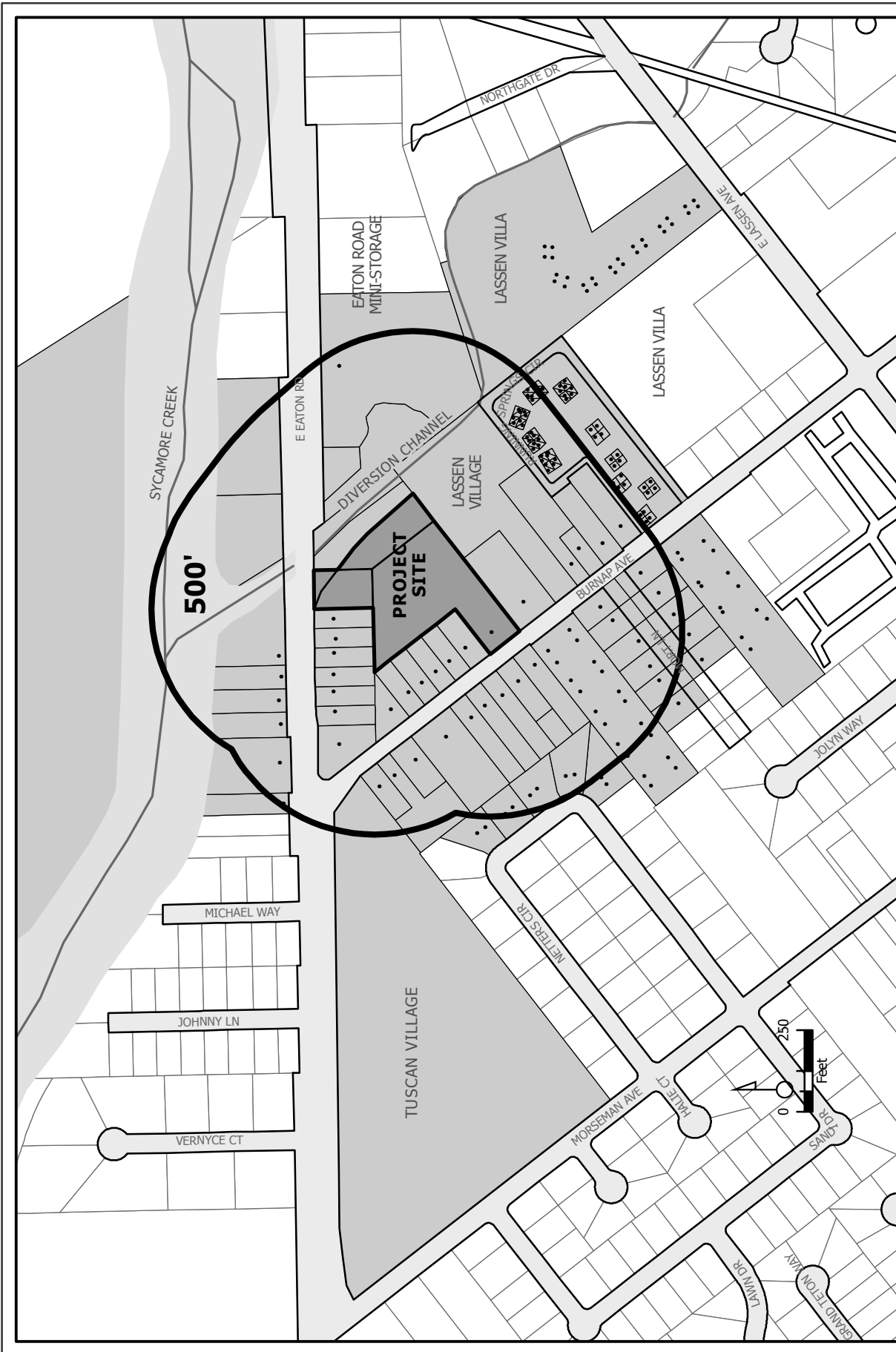


\_\_\_\_\_  
Matt Johnson, Senior Development Engineer

Distribution:

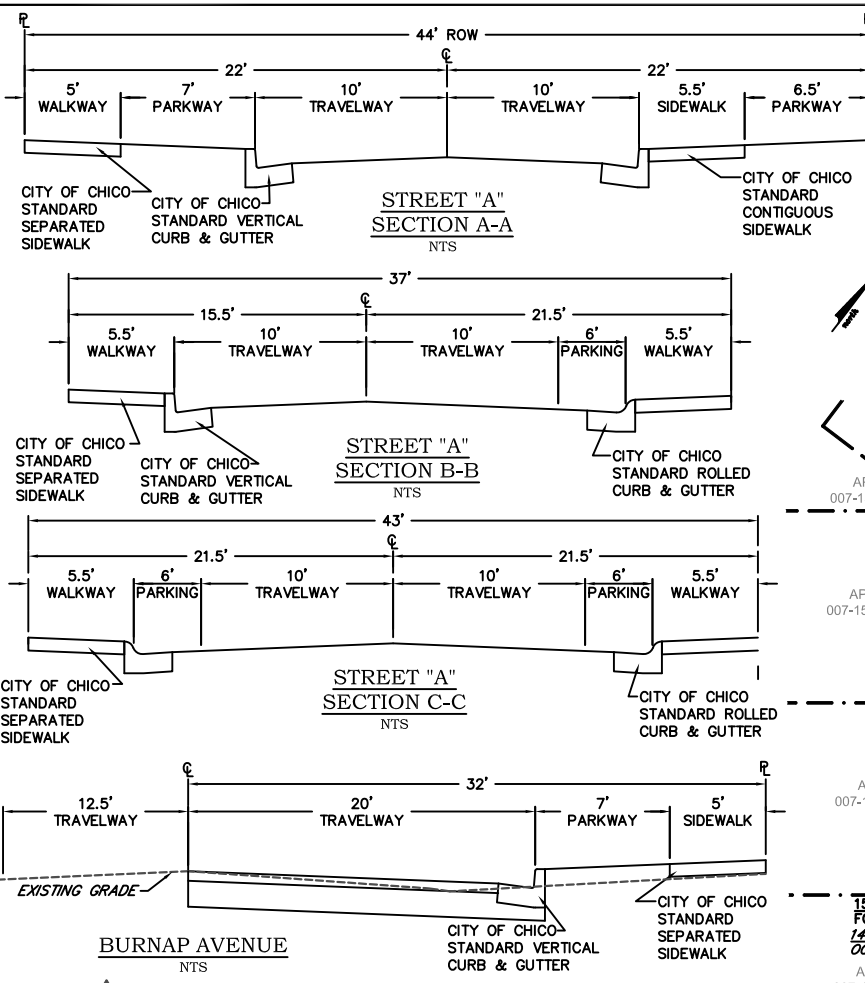
Original - Community Development Department S 17-02 File  
Development Engineering Subdivision File





- Notified Addresses
- Notified Parcels

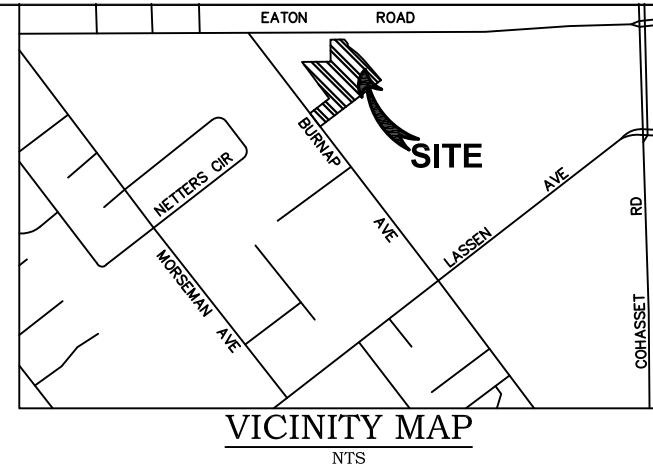
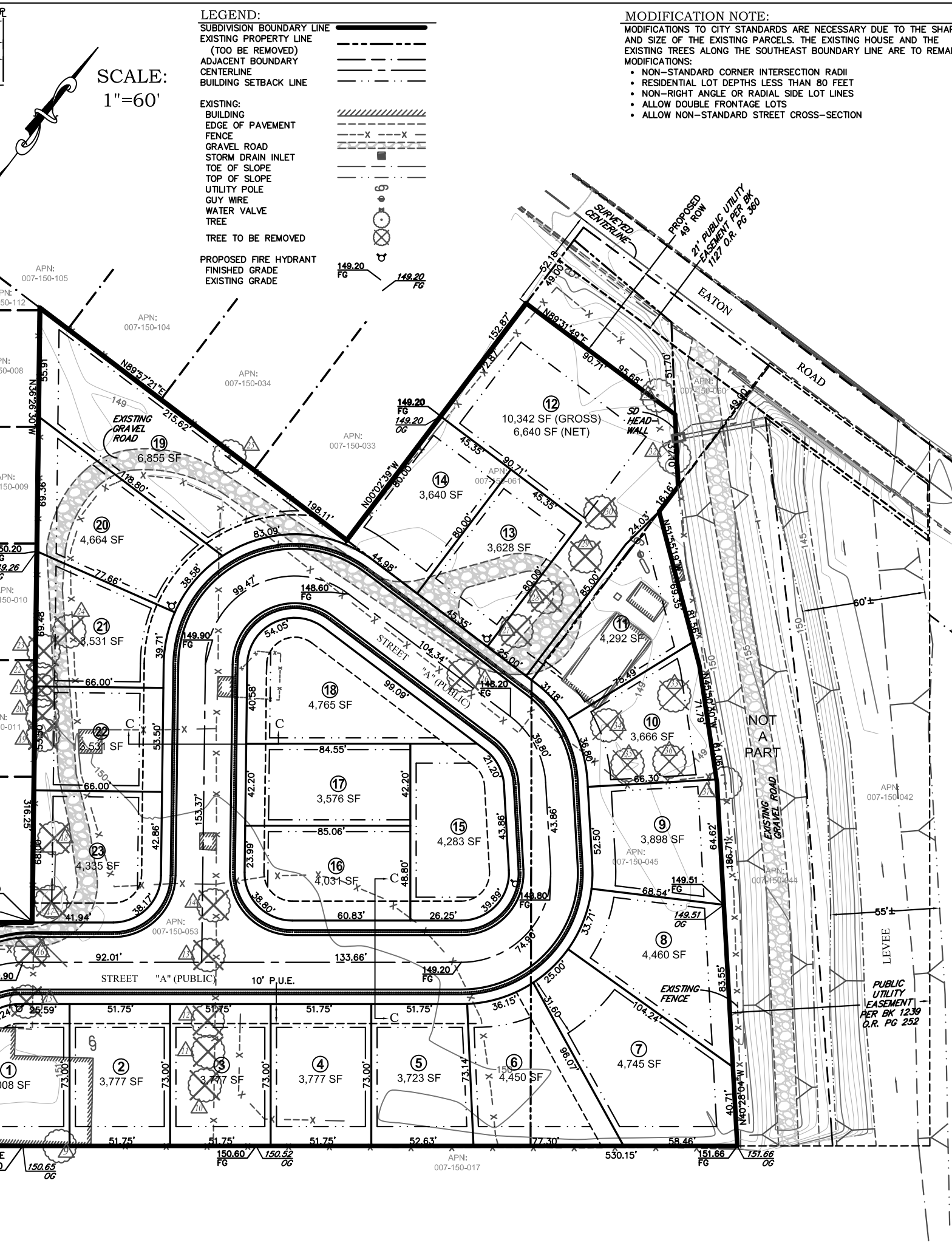
S 17-02 Burnap Tentative Subdivision Map  
APNs 007-150-(045, 053, 061)-000



**TREES:**

#	TYPE	DBH	DRIP	#	TYPE	DBH	DRIP
1	CHINESE HACKBERRY	13"	22'	21	EUCALYPTUS	8"	16'
2	CREPE MYRTLE	14"	16'	22	EUCALYPTUS	8"	20'
3	DATE PALM	38"	20'	23	EUCALYPTUS	11"	24'
4	VALLEY OAK	10"	24'	24	EUCALYPTUS	11"	15'
5	VALLEY OAK	10"	20'	25	VALLEY OAK	12"	23'
6	VALLEY OAK	8"	17'	26	SYCAMORE	9"	27'
7	VALLEY OAK	36"	73'	27	SYCAMORE	11"	28'
8	VALLEY OAK	50"	92'	28	MAPLE	10"	20'
9	VALLEY OAK	46"	72'	29	SYCAMORE	11"	29'
10	EUCALYPTUS	15"	30'	30	RAYWOOD ASH	14"	24'
11	EUCALYPTUS	10"	15'	31	VALLEY OAK	16"	40'
12	EUCALYPTUS	8"	20'	32	VALLEY OAK	60"	60'
13	EUCALYPTUS	13"	21'	33	PLUM	14"	23'
14	EUCALYPTUS	18"	37'	34	BOX ELDER	10"	22'
*15	VALLEY OAK	12"	30'	*35	TRIDENT MAPLE	12"	20'
*16	VALLEY OAK	12"	30'	36	CHINESE PISTACHE	10"	21'
17	ALANTHIS	30"	35'	37	VALLEY OAK	19"	50'
18	EUCALYPTUS	18"	35'				
19	EUCALYPTUS	20"	26'				
20	EUCALYPTUS	7"	14'				

**BOLD TEXT ARE TREES TO REMAIN**  
\* REPRESENTS QUALIFYING TREES FOR TREE REPLACEMENT



**S17-02 BURNAP TENTATIVE SUBDIVISION MAP (SMALL LOT SUBDIVISION)**

A PORTION OF LOT 35 OF THE HOBART SUBDIVISION IN THE DANIEL BIDWELL RANCHO PER BK 4 PG 24 SECTION 10, T.22 N., R.1 E., M.D.B.& M. BUTTE COUNTY, CALIFORNIA

APN: 007-150-045, 053 & 061  
 3000 & 2996 BURNAP AVENUE CHICO, CA 959273  
 OWNER  
 ADELE JOHNSON & DARRELL COSTELLO  
 3000 BURNAP AVENUE CHICO, CA 95973  
 DEVELOPER  
 M&T CONSTRUCTION  
 717 DOUGLAS LANE CHICO CA 95926

**Attachment C**  
 BY  
 FEENEY ENGINEERING & SURVEYING, INC.  
 LAUREN J. MCSWAIN, RCE 72210  
 PMB 301, 236 W. EAST AVE, A CHICO CA 95926  
 AUGUST 15, 2017 SHEET 1 OF 1

**Initial Study / Environmental Checklist  
City of Chico  
Environmental Coordination and Review**

**I. PROJECT DESCRIPTION**

**A. Project Title:** Burnap Tentative Subdivision Map (S 17-02)

**B. Project Location:** 2996 and 3000 Burnap Avenue, (Currently Unincorporated) Chico Ca. 95973

**C. Application:** Tentative Subdivision Map

=

**D. Assessor's Parcel Number (APN):** 007-150-045, -053, and -061

**E. Parcel Size:** 3.46 acres

**F. General Plan Designation**

Low Density Residential (LDR), 2.1-7.0 dwelling units per acre (du/ac) and Secondary Open Space (SOS). The project site is currently designated for residential and public land uses in the Butte County General Plan.

**G. Zoning**

007-150-045 – (R1) Low Density Residential

007-150-053 – (R1) Low Density Residential

007-150-061 – (R1) Low Density Residential

The project is also located within the AO-B2 (Airport Overflight zone B2) overlay District.

The project site is zoned a combination of Medium-Density Residential and Public by the County of Butte.

**H. Environmental Setting:**

The proposed 3.46 acre project site consists of three previously disturbed parcels. APNs 007-150-045 and 007-150-053 have existing residences, barns, and various outbuildings. There are existing low density residential developments to the west, north and south along Burnap Avenue and low and medium density residential to the east and south across Burnap Avenue. The Shasta Union Drainage Assessment District (SUDAD) ditch is along the site's eastern boundary. The site is generally flat with little or no slope and has been routinely disturbed from existing and past development activities. There is an old baseball diamond, driveways, dirt roads and paths throughout the site. There are native and non-native trees, shrubs and vegetation. There are 37 trees, including oaks, eucalyptus and various landscaping tree species currently on the site. The majority of the project site is located in Flood Zone X with a small portion of the proposed LOT A, east of the gravel levee road, located in Flood Zone AE.

**I. Project Description:**

The proposed project is an infill, small-lot subdivision and would divide the site into 23 new residential lots and one remainder residential lot. Storm drainage will be on-site, temporary leach field in accordance with Chico Municipal Code (CMC) 18R.80.050. The project would pay in-lieu fees for the Eaton Street Frontage where no development is proposed.

Gross density for the project would be 6.94 dwelling units per acre with an average lot size of 4,375 square feet. As indicated, the existing residence on the Remainder Lot would remain and the other residence and all outbuildings, on-site fences, and utility poles would be removed. The existing wells and septic systems would be abandoned pursuant to County Environmental Health requirements. Access to the project would be provided via Burnap Avenue.

The development would necessitate the removal of 24 of the 37 existing trees on the site, which will require compliance with CMC Chapter 16.66 regarding payment of in-lieu fees for tree replacement.

The project applicant is requesting modifications to the CMC Chapter 18.44 for: non-standard corner intersection radii, residential lot depths of less than 80 feet, non-right angle or radial side lot lines, allowance of double frontage lots, and allowance of non-standard street cross-sections. Any approval of the proposed subdivision in advance of the annexation will be contingent upon completion of the annexation process.

Annexation to the City of Chico

The proposed subdivision is part of the Burnap Avenue Annexation District No. 6 request (ANX 16-01), which includes three additional parcels (APNs 007-150-012, 007-150-042, and 007-150-060 and 007-150-061) to the Butte County Local Agency Formation Commission (LAFCo). Initiating the annexation was found to be within the scope of the Chico 2030 General Plan Program Environmental Impact Report (State Clearinghouse #2008122038), which included analysis of future annexations consistent with the adopted General Plan Land Use Diagram. The City of Chico initiated the annexation of the project parcels by City Council Resolution on December 20, 2016 (Resolution 99-16). The purpose of the annexation was to facilitate the development of a residential subdivision and eliminate portions of an "island" of unincorporated areas consistent with LAFCo policy and state law. Developing the site under city regulations is consistent with smart growth principles and land uses identified in the General Plan. In response to LAFCo staff indicating that including additional properties may be necessary to achieve logical municipal services boundaries, this Initial Study includes analysis for the potential addition of the 13 properties located on the east side of Burnap Avenue, south side of Eaton Road, adjacent to the proposed subdivision. These properties are all developed with single-family residential uses and additional future development is unlikely. Utility services, including City sewer, storm drainage, domestic water, gas and electricity currently exist in and adjacent to the annexation and project site area. City Fire and Police Departments already serve the Eaton Road corridor and Burnap Avenue south of the annexation area.

**J. Public Agency Approvals:**

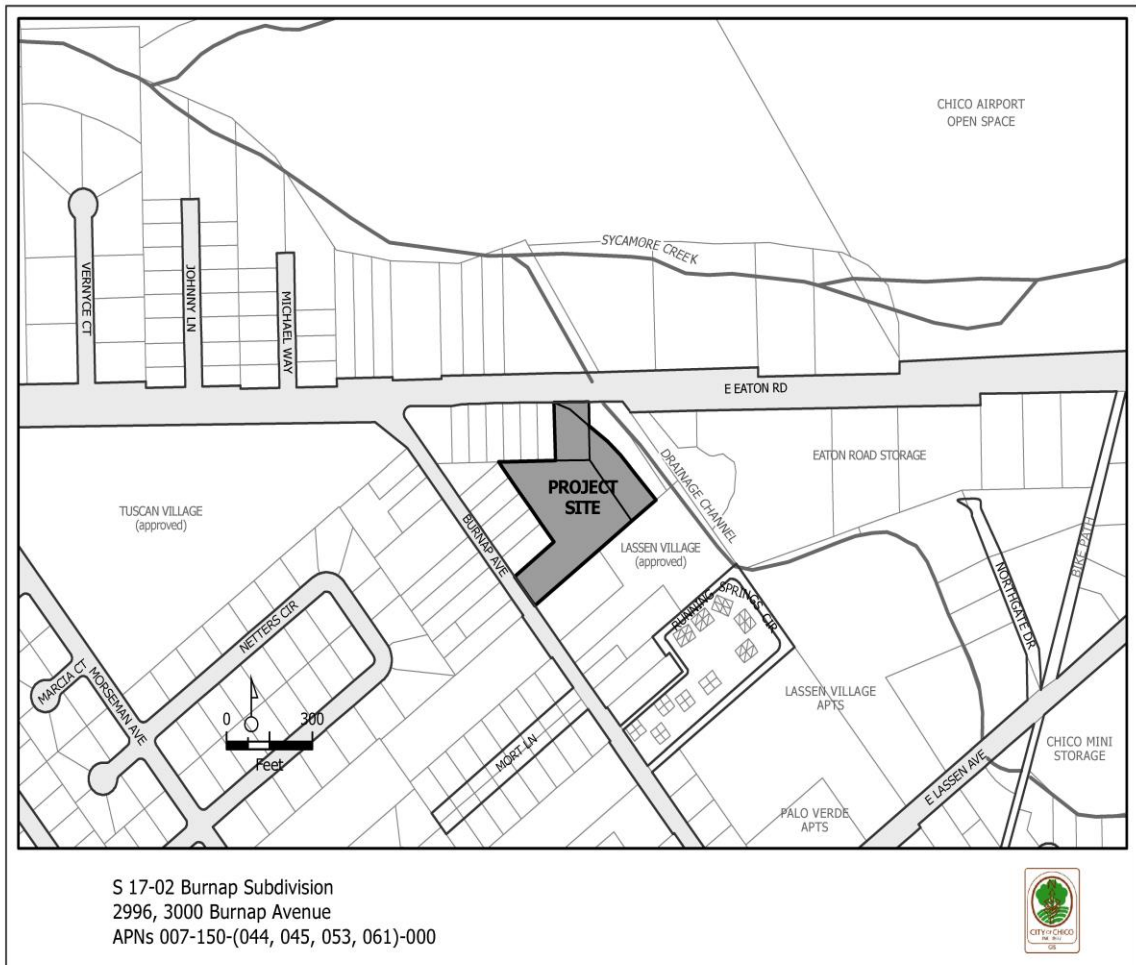
1. Tentative Subdivision Map (City of Chico)
2. Prior to development, Grading and Encroachment Permits (City of Chico)
3. Water Quality Certification Permit (California Regional Water Quality Control Board)
4. Annexation to the City of Chico (Butte County Local Agency Formation Commission, LAFCo)

**K. Applicant:** Chuck Tatreau, Ridge Capital Investments, LLC; 717 Douglas Lane, Chico, CA 95926; (530) 228-7243

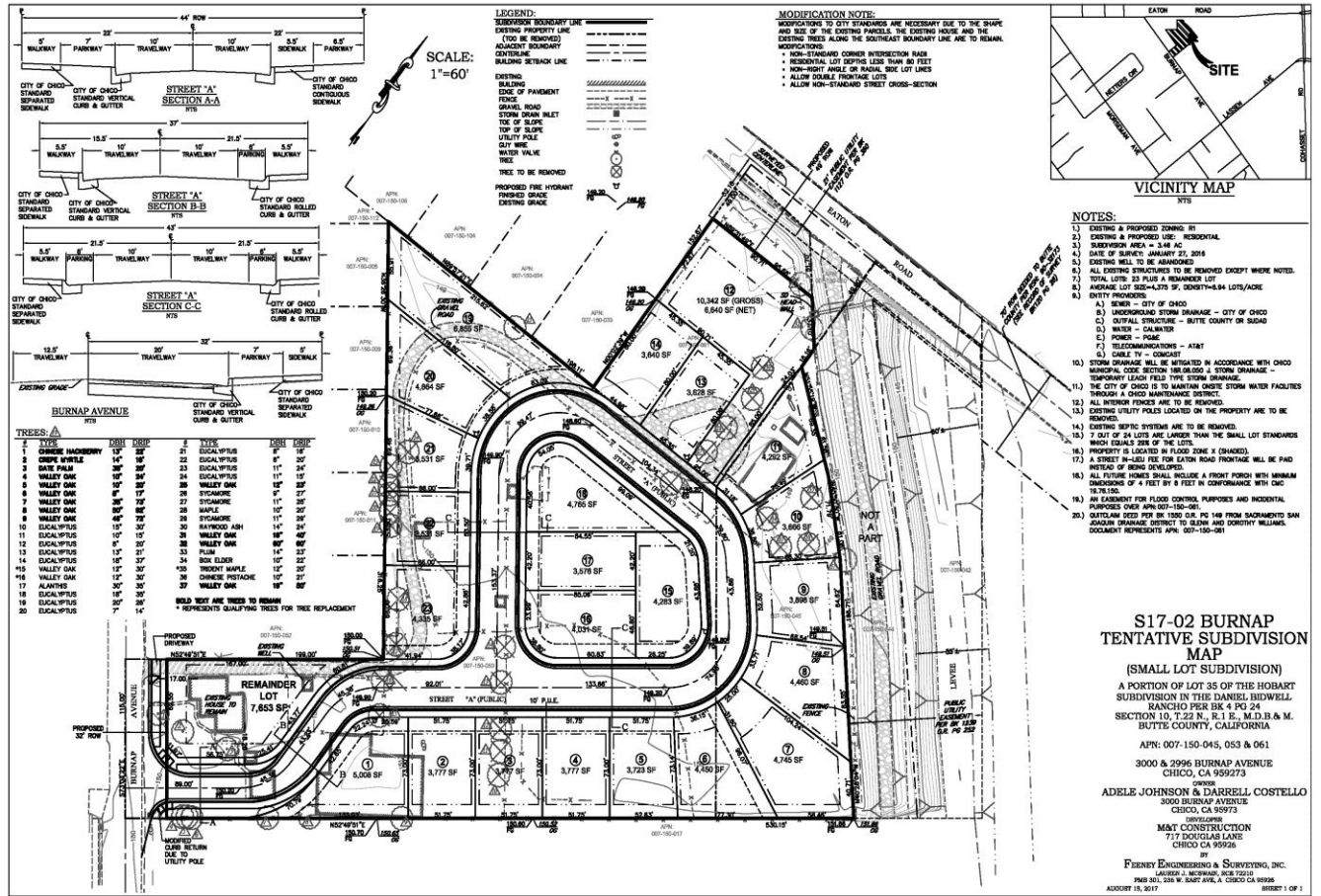
**L. City Contact:**

David Young, Senior Planner, Phone: (530) 879-6535 [david.young@chicoca.gov](mailto:david.young@chicoca.gov), City of Chico, 411 Main Street, Chico, CA 95928

### LOCATON MAP



# PROPOSED SUBDIVISION



**II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Geology/Soils               | <input type="checkbox"/> Noise                                |
| <input type="checkbox"/> Agriculture and Forest          | <input type="checkbox"/> Greenhouse Gas Emissions    | <input type="checkbox"/> Open Space/Recreation                |
| <input checked="" type="checkbox"/> Air Quality          | <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Population/Housing                   |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Hydrology/Water Quality     | <input type="checkbox"/> Public Services                      |
| <input checked="" type="checkbox"/> Cultural Resources   | <input type="checkbox"/> Land Use and Planning       | <input checked="" type="checkbox"/> Tribal Cultural Resources |
|  |  | <input type="checkbox"/> Transportation/Circulation           |
| <input type="checkbox"/> Utilities                       |  |   |

**III. COMMUNITY DEVELOPMENT DIRECTOR DETERMINATION**

On the basis of this initial evaluation:

- 
- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a potentially significant impact or have a potentially significant impact unless mitigated, but at least one effect has been adequately analyzed in an earlier document pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT (EIR) is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION including revisions or mitigation measures that are imposed upon the proposed project. No further study is required.

Signature

David Young, Senior Planner

Date



#### **IV. EVALUATION OF ENVIRONMENTAL IMPACTS**

- Responses to the following questions and related discussion indicate if the proposed project will have or potentially have a significant adverse impact on the environment.
- A brief explanation is required for all answers except “No Impact” answers that are adequately supported by referenced information sources. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors or general standards.
- All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- Once it has been determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there is at least one “Potentially Significant Impact” entry when the determination is made an EIR is required.
- Negative Declaration: “Less than Significant with Mitigation Incorporated” applies when the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The initial study will describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 4, “Earlier Analysis,” may be cross-referenced).
- Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D)].
- Initial studies may incorporate references to information sources for potential impacts (e.g. the general plan or zoning ordinances, etc.). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list attached, and other sources used or individuals contacted are cited in the discussion.
- The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significant.



<b>A. Aesthetics</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Have a substantial adverse effect on a scenic vista, including scenic roadways as defined in the General Plan, or a Federal Wild and Scenic River?				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
3. Affect lands preserved under a scenic easement or contract?				X
4. Substantially degrade the existing visual character or quality of the site and its surroundings including the scenic quality of the foothills as addressed in the General Plan?			X	
5. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

**DISCUSSION:**

**A.1, A.3.** There are no state scenic highways or City of Chico scenic roadways in the vicinity of the project. The project site is generally flat, with little or no slope, and surrounded by existing residential development. The project site is not located in the vicinity of a designated Wild and Scenic River and there are no scenic vistas in the vicinity or available from the project site. The site is not preserved under a scenic easement or contract, as such, implementation of the project will not have a substantial adverse effect on a scenic vista, including scenic roadways as defined in the General Plan, Federal Wild and Scenic River, or state scenic highway. The project will have **No Impact** on scenic roadways and resources or on any lands preserved under a scenic easement or contract.

**A.2.** The project site has been routinely disturbed from existing residential development and past uses and is not in the vicinity of a scenic highway, as discussed above. There are no historic buildings or scenic resources or features on-site or in the immediate vicinity. The project is designated and zoned for low density residential development and is generally surrounded by low and medium density residential developments. The proposed development will change the visual character of the site but is consistent with the site’s residential zoning. Although tree removal is proposed, the site is not considered sensitive with regard to scenic resources, therefore, the project would have **Less Than Significant** impact on the visual character or quality of the site and its surroundings.

**A.4.** The project site has existing residences and is generally surrounded with low and medium density residential. The project would increase the density of residential development on the site, consistent with the General Plan, but would not change the visual character of the immediate area. The project site has 37 existing trees of which 24 are proposed for removal. The project requires compliance with Chico Municipal Code (CMC) 16.66, which is intended to preserve as many trees as possible with consistent and reasonable use of the project site. Implementation of the project is consistent with adjacent and nearby by residential development, and as such, would not substantially degrade the visual character of the site or immediate vicinity and result in **Less Than Significant** impacts.

**A.5.** The project would introduce street lighting and typical residential outdoor lighting, similar to surrounding developed areas. The project must comply with Section 19.60.050 of the CMC which requires all exterior lighting be architecturally integrated with the character of all structures, energy-efficient, and shielded or recessed to lessen and confine direct glare and reflection, to the maximum extent feasible, within

the boundaries of the site. Exterior lighting is to be directed downward and away from adjacent properties and public rights-of-way. All lighting fixtures must be appropriate in scale, intensity, and height to the use they are serving. Mandatory compliance with CMC lighting requirements would reduce light or glare impacts to **Less Than Significant**.

**MITIGATION:** None Required.

B. Agriculture and Forest Resources: Would the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code Section 4526, or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
4. Result in the loss of forest land or conversion of forest land to non-forest use?				X
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

**B.1.-B.5.** The project would not convert Prime or Unique Farmland, or Farmland of Statewide Importance. The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program’s ‘Butte County Important Farmland 2010’ map, identifies the project site as “Urban and Built-up Land” (see <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/but10.pdf>).

The project would not conflict with existing zoning for agricultural use or forest land and the site is not under a Williamson Act Contract. Project implementation would not result in the loss of forest land, conversion of forest land, or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland or forest land. The site is located on previously disturbed residential parcels with no agriculture or timber resources. The site is surrounded by existing urban and residential development, and is designated for residential development in the General Plan. As such, the project would have **No Impact** to Agriculture and Forest Resources.

**MITIGATION:** None required.

<b>C. Air Quality</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Conflict with or obstruct implementation of the applicable air quality plans (e.g., Northern Sacramento Valley Planning Area 2012 Triennial Air Quality Attainment Plan, Chico Urban Area CO Attainment Plan, and Butte County AQMD Indirect Source Review Guidelines)?			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.		X		
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?		X		
4. Expose sensitive receptors to substantial pollutant concentrations?			X	
5. Create objectionable odors affecting a substantial number of people?			X	

**DISCUSSION:**

**C.1. – C.3.** The project proposes 23 new single-family residences and retaining one existing residence on the 3.46 acre site. The site project would neither conflict with nor obstruct implementation of an applicable air quality plan for the Northern Sacramento Valley or Butte County, nor would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation. The project would result in temporary construction related impacts but not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

According to Butte County Air Quality Management District (BCAQMD or Air District) CEQA Air Quality Handbook, October 23, 2014, <http://www.bcaqmd.org/page/files/CEQA-Handbook-Appendices-2014.pdf>, Butte County is designated as a federal and state non-attainment area for ozone and particulate matter.

<b>POLLUTANT</b>	<b>STATE</b>	<b>FEDERAL</b>
1-hour Ozone	Nonattainment	--
8-hour Ozone	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
24-Hour PM10**	Nonattainment	Attainment

<b>BUTTE COUNTY AMBIENT AIR QUALITY ATTAINMENT STATUS (September, 2014)</b>		
24-Hour PM2.5**	No Standard	Nonattainment
Annual PM10**	Attainment	No Standard
Annual PM2.5**	Nonattainment	Attainment
** PM10: Respirable particulate matter less than 10 microns in size. PM2.5: Fine particulate matter less than 2.5 microns in size.		

Potential air quality impacts related to development are separated into two categories:

- 1) Temporary impacts resulting from construction-related activities (earth moving and heavy-duty vehicle emissions), and
- 2) Long-term indirect source emission impacts related to ongoing operations, such a motor vehicle usage, water and space heating, etc.

Project construction-related activities such as grading and operation of construction vehicles would create a temporary increase in fugitive dust within the immediate vicinity of the project site and contribute temporarily to increases in vehicle emissions (ozone precursor emissions, such as reactive organic gases (ROG) and oxides of nitrogen (NOx), and fine particulate matter). All stationary construction equipment, other than internal combustion engines less than 50 horsepower, require an "Authority to Construct" and "Permit to Operate" from the District. Emissions are prevented from creating a nuisance to surrounding properties under BCAQMD Rule 200 *Nuisance*, and visible emissions from stationary diesel-powered equipment are also regulated under BCAQMD Rule 201 *Visible Emissions*.

With regard to fugitive dust, the majority of the particulate generated as a result of grading operations is anticipated to quickly settle. Under the BCAQMD's Rule 205 (Fugitive Dust Emissions) all development projects are required to minimize fugitive dust emissions by implementing BMPs for dust control. These BMPs include but are not limited to the following:

- Watering de-stabilized surfaces and stock piles to minimize windborne dust.
- Ceasing operations when high winds are present.
- Covering or watering loose material during transport.
- Minimizing the amount of disturbed area during construction.
- Seeding and watering any portions of the site that will remain inactive for 3 months or longer.
- Paving, periodically watering, or chemically stabilizing on-site construction roads.
- Minimizing exhaust emissions by maintaining equipment in good repair and tuning engines according to manufacturer specifications.
- Minimizing engine idle time, particularly during smog season (May-October).

Continuing the City's practice of ensuring that grading plans and improvement plans include fugitive dust BMPs and compliance with existing BCAQMD rules would ensure that construction related dust impacts are minimized.

Additionally, BCAQMD's CEQA Air Quality Handbook provides screening criteria identifying when a quantified air emissions analysis is required to assess and mitigate potential air quality impacts from non-exempt CEQA projects. Projects that fall below screening thresholds are still required to implement BMPs to ensure that operational air quality impacts remain less than significant. The screening criteria are as follows:

<b>LAND USE TYPE</b>	<b>Model Emissions for Project Greater Than:</b>
Single Family Unit Residential	30 units
Multi-Family Residential	75 units
Commercial	15,000 square feet
Retail	11,000 square feet
Industrial	59,000 square feet

The proposed subdivision would result in the creation of 23 new single-family residential lots and retain one existing single family residence for a total of 24 single-family residential units. Since the number of new units is less than the applicable screening criterion in the table above, no quantified air emissions analysis is required.

Although no detailed modeling is required, implementing standard construction BMPs is still necessary to lessen construction related impacts and potential cumulative air quality impacts in the region. Mitigation C.1 is included below to ensure that appropriate BCAQMD BMPs are selected and applied to the construction phase of the project. With Mitigation C.1, below, the project’s cumulative and air quality standard impacts would be **Less Than Significant with Mitigation Incorporated**.

**C.4. - C.5.** Construction activities and paving operations could temporarily increase odors on-site and to adjacent properties. The proposed project would not expose sensitive receptors (nearby residential developments) to substantial pollutant concentrations, or create significant objectionable odors that are inconsistent with the surrounding residential uses. The site is designated for residential development and potential odor and construction related air quality impacts, as discussed above, would be short-term in nature and are considered **Less Than Significant**.

**MITIGATION C.1 (Air Quality):** To minimize air quality impacts during the construction phase of the project, specific BMPs shall be incorporated during initial grading and subdivision improvement phases of the project as specified in Appendix C of the BCAQMD’s CEQA Air Quality Handbook, October 23, 2014, available at <http://bcaqmd.shasta.com/wp-content/uploads/CEQA-Handbook-Appendices-2014.pdf>.

Examples of these types of measures include but are not limited to:

- Limiting idling of construction vehicles to 5 minutes or less.
- Ensuring that all small engines are tuned to the manufacturer’s specifications.
- Powering diesel equipment with Air Resources Board-certified motor vehicle diesel fuel.
- Utilizing construction equipment that meets ARB’s 2007 certification standard or cleaner.
- Using electric powered equipment when feasible.

**MITIGATION MONITORING C.1 (Air Quality):** Prior to approving grading permits or subdivision improvement plans City staff will review the plans to ensure that Mitigation Measure C.1 is incorporated into the construction documents, as appropriate.

<b>D. Biological Resources</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species as listed and mapped in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			x	

2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	X
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	x
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X
5. Result in the fragmentation of an existing wildlife habitat, such as blue oak woodland or riparian, and an increase in the amount of edge with adjacent habitats.	X
6. Conflict with any local policies or ordinances, protecting biological resources?	X

**DISCUSSION:**

**D.1.** The project site is generally flat, with little or no slope, and does not contain any wetland or natural drainage features. The General Plan EIR identified special-status species plant and animal species, having the potential to occur and be affected by development projects (see Tables 4.10-2, 4.10-3, and Figure 4.10-2 in the General Plan EIR). The site is not critical habitat and no federal or state endangered, threatened, sensitive, or protected wildlife or plant species were identified on the site or in the immediate area. Although several special-status species are known to occur in the general vicinity, based on the project site’s characteristics and habitat descriptions for special-status plant and wildlife species, the project does not provide suitable habitat and would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species as listed and mapped in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service and **Less Than Significant** impacts would result.

**D.2.** A SUDAD drainage ditch and levee system is adjacent to the site’s eastern boundary. The project would be setback in excess of 45 feet from the top of the bank of the SUDAD ditch which would preserve the drainage function and any potential habitat within this facility, resulting in **Less Than Significant** impacts.

**D.3.** Section 404 of the Federal Clean Water Act define Waters of the U.S. to include intrastate waters, including lakes, rivers, streams, wetlands, and natural ponds, the use, degradation, or destruction of which could affect interstate or foreign commerce. Wetlands are defined for regulatory purposes as “areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.” According to the General Plan EIR, the project site does not contain any wetlands marshes, vernal pools, or critical habitat for special-status species that would be adversely affected by project development and there is **No Impact**.

**D.4.** The project site has 37 existing trees of which 24 are proposed for removal. The project requires compliance with CMC 16.66, which is intended to preserve as many trees as possible consistent with the

reasonable use of the project site. Although no sensitive species or habitat was found at the project site, the proposed tree removal could potentially result in violations of the Migratory Bird Treaty Act (MBTA, 16 USC 703) and California Fish and Game Code (Section 3503), unless standard conditions are applied for tree removal activities to avoid active nests during the breeding season. Incorporation of Mitigation Measure D.1 would reduce the potential for impacts to nesting raptors and migratory birds to a level that is **Less Than Significant with Mitigation Incorporated**.

**D.5.** The project site is adjacent to the SUDAD drainage ditch and levee, which may serve as a corridor for local wildlife. The project includes LOT A, which would provide a buffer of approximately 45 feet from the top bank of the ditch from any development activities. As such, the project would not result in the fragmentation of any habitat associated with the drainage facility or other wildlife habitats and this impact is **Less Than Significant**.

**D.6.** The project would not conflict with adopted policies including the preservation and protection of native and special-species and habitat; therefore, this impact is **Less Than Significant**.

**MITIGATION:**

**MITIGATION D.1 (Biological Resources):**

If tree removal, grading, or initial construction is scheduled to occur within the nesting season (February 1 – August 31), the developer shall hire a qualified biologist to conduct a preconstruction survey of the project site to identify any active nests within the property. The survey shall be conducted no more than 7 days prior to commencement of tree removal, grading, or construction activities. The survey shall identify and map all nests within 200 feet of construction areas and recommend appropriate buffer zones. No construction activities shall occur within the buffer area(s) until a qualified biologist confirms that the nest is no longer active. Active nests shall be monitored by the biologist at least twice per week and a report of the monitoring efforts shall be provided to the City Planning Department on a monthly basis. The survey shall be repeated if construction activity ceases for a continuous 15-day period prior to resuming.

**MITIGATION MONITORING D.1 (Biological Resources):** Planning and Engineering staff will require submittal of a bird nest survey prior to issuance of any grading or building permit for the project, unless the work will commence during the non-breeding season (September 1 through January 31).

<b>E. Cultural Resources</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Cause a substantial adverse change in the significance of an historical resource as defined in PRC Section 15064.5?		X		
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to PRC Section 15064.5?		X		
3. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?		X		
4. Disturb any human remains, including those interred outside of formal cemeteries?		X		

**DISCUSSION:**

**E.1. – E.4.** The project site is in an area of high archaeological sensitivity as designated by the Northeast Center of the California Historical Resources Information System (CHRIS) and the General Plan. According to title reports, the on-site residences do not qualify as historic resources or inclusion on the State of California list of historic resources.

There is a chance of encountering unknown cultural resources during site preparation and construction activities. Halting construction work and observing standard protocols for contacting appropriate City staff and arranging for an evaluation of cultural resources in the case of a discovery is a required standard City practice, typically noted on all grading and building plans. Mitigation E.1, below, would minimize the potential damage to unknown cultural resources or human remains in the event that such resources are unearthed during construction and would reduce this potential impact to a level that is **Less Than Significant With Mitigation Incorporated**.

**MITIGATION:**

**MITIGATION E.1. (Cultural Resources):** A note shall be placed on all grading and 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. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the developer or their supervising contractor shall cease all work within the area of the find and notify Planning staff at 530-879-6800. A professional archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained by the applicant to evaluate the significance of the find. Further, City Planning staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Director, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist’s report. The preceding requirement shall be incorporated into construction contracts and plans to ensure contractor knowledge and responsibility for proper implementation.

**Mitigation Monitoring E.1 (Cultural Resources):** Planning staff will verify that the above wording is included on construction plans. Should cultural resources be encountered, the supervising contractor shall be responsible for reporting any such findings to Planning staff, and contacting a professional archaeologist, in consultation with Planning staff, to evaluate the find.

<b>F. Geology/Soils</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Expose people or structure to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial			X	



<b>F. Geology/Soils</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
evidence of a known fault? (Div. of Mines & Geology Special Publication 42)?				
b. Strong seismic ground shaking?			X	
c. Seismic-related ground failure/liquefaction?			X	
d. Landslides?			X	
2. Result in substantial soil erosion or the loss of topsoil?			X	
3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water, or is otherwise not consistent with the Chico Nitrate Action Plan or policies for sewer service control?			X	

**DISCUSSION:**

**F.1.** The City of Chico is located in one of the least active seismic regions in California and contains no known active faults. Currently, there are no designated Alquist-Priolo Special Studies Zones on or near the project site, nor are there any known or inferred active faults. The potential for ground rupture and strong seismic ground shaking within the Chico area is considered very low. The General Plan also identified the project site as having low to moderate risk associated with liquefaction. Under existing regulations, all proposed residences and structures are required to incorporate California Standards Building Code requirements into the project and structure design to minimize potential impacts associated with ground-shaking during an earthquake. The project is generally flat with no slope; therefore, the potential for seismically-related ground failure or landslides is considered **Less Than Significant**.

**F.2. - F.4.** Development of the site is subject to the City’s grading ordinance, which requires the inclusion of appropriate erosion control and sediment transport BMPs as standard conditions of grading permit issuance. Additionally, under the applicable National Pollution Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) per §402 of the Clean Water Act, existing state/city storm water regulations require applicants disturbing over one acre to file a Storm Water Pollution Prevention Plan (SWPPP) with the State (which is confirmed by City staff prior to permit issuance) to gain coverage of the activity under the City’s Construction General Permit. The project would disturb 3.46 acres and the project SWPPP is required to include specific measures to minimize potential erosion. The project site is in an area

of highly expansive soils. However, General Plan policies require structural precautions and compliance with California Building Code to reduce the risk associated with geologic hazards.

Further, the City and the BCAQMD require implementation of all applicable fugitive dust control measures, which further reduces the potential for construction-generated erosion. Development of the site will meet all requirements of the California Standards Building Code which address potential issues of ground shaking, soil swell/shrink of expansive soils, and the potential for liquefaction. As a result, potential future impacts relating to geology and soils are considered to be **Less Than Significant**.

**F.5.** The proposed subdivision would extend and connect to the City sewer system. Other developed properties within the proposed annexation area may be required to extend and connect if their septic system fails and they are located within 250 feet of the City sewer lines. Potential costs associated with extending sewer lines and establishing the service is not considered a potentially significant impact; therefore, the project represents **No Impact** relative to policies governing sewer service control.

**MITIGATION:** None Required

G. <b>Greenhouse Gas Emissions</b> Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**DISCUSSION:**

**G.1. - G.2.** In 2012, the Chico City Council adopted a Climate Action Plan (CAP) which sets forth objectives and actions to meet the City’s Green House Gas (GHG) emission reduction target of 25 percent below 2005 levels by the year 2020. This target is consistent with the State Global Warming Solutions Act of 2006 (AB 32, Health & Safety Code, Section 38501[a]).

Development and implementation of the CAP are directed by a number of goals, policies and actions in the City’s General Plan (SUS-6, SUS-6.1, SUS-6.2, SUS-6.2.1, SUS-6.2.2, SUS-6.2.3, S-1.2 and OS-4.3). Growth and development assumptions used for the CAP are consistent with the level of development anticipated in the General Plan EIR. The actions in the CAP, in most cases, mirror adopted General Plan policies calling for energy efficiency, water conservation, waste minimization and diversion, reduction of vehicle miles traveled, and preservation of open space and sensitive habitat.

Section 15183.5(b) of Title 14 of the California Code of Regulations states that a GHG Reduction Plan, or a Climate Action Plan, may be used for tiering and streamlining the analysis of GHG emissions in subsequent CEQA project evaluation provided that the CAP does the following:

- A. Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
- B. Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;
- C. Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;

- D. Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- E. Establish a mechanism to monitor the plan’s progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and
- F. Be adopted in a public process following environmental review.

Chico’s CAP, in conjunction with the General Plan, meet the criteria listed above. Therefore, the proposed project is consistent with development anticipated in the General Plan and CAP; therefore, potential impacts with regard to GHG emissions are considered **Less Than Significant**.

New development and redevelopment must adhere to a number of City policy documents, building code requirements, development standards, design guidelines, and standard practices that collectively further the goals and, in many cases, directly implement specific actions required by the CAP. Below is a list of measures found in the CAP which are applied on a project-by-project basis, and which aid in implementing the CAP:

- Consistency with key General Plan goals, policies, and actions that address sustainability, smart growth principles, multi-modal circulation improvements, and quality community design
- Compliance with California’s Title 24 Building Energy Efficiency Standards for Residential and Non-Residential Buildings
- Compliance with the City’s tree preservation ordinance
- Incorporation of street trees and landscaping consistent with the City’s Municipal Code
- Consistency with the City’s Design Guidelines Manual
- Consistency with the State’s Water Efficient Landscape Ordinance (AB 1881)
- Compliance with the City’s Residential Energy Conservation Ordinance, which requires energy and water efficiency upgrades at the point-of-sale, prior to transfer of ownership (e.g., attic insulation, programmable thermostats, water heater insulation, hot water pipe insulation, etc.)
- Provision of bicycle facilities and infrastructure pursuant to the City’s Bicycle Master Plan
- Installation of bicycle and vehicle parking consistent with the City’s Municipal Code
- Consistency with the Butte County Air Quality Management District’s CEQA Handbook
- Adherence to Butte County Air Quality Management District mitigation requirements for construction sites (e.g., dust suppression measures, reducing idling equipment, maintenance of equipment per manufacturer specs, etc.)
- Diversion of fifty percent (50%) of construction waste
- Compliance with the City’s Capital Improvement Plan, which identifies new multi-modal facilities and connections
- Consistency with the City’s Storm Drainage Master Plan

As part of the City’s land use entitlement and building plan check review processes, development projects are required to include and implement applicable measures identified in the City’s CAP. As the proposed project is consistent with the City’s General Plan, includes development contemplated in the scope of the General Plan EIR, and is subject to measures identified in the City-adopted CAP, GHG impacts are considered **Less Than Significant**.

**MITIGATION:** None Required.

<b>H. Hazards /Hazardous Materials</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

<b>H. Hazards /Hazardous Materials</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
2. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
5. For a project located within the airport land use plan, would the project result in a safety hazard for people residing or working in the Study Area?			x	
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the Study Area?			x	
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

**DISCUSSION:**

**H.1. – H.3., H.7. - H.8.** The proposed residential development project would not generate significant amount of hazardous materials, result in significant amounts of hazardous emissions, or necessitate the handling of acutely hazardous materials. The nearest school is the John A. McManus Elementary School, located at 998 East Avenue, approximately 1 mile southeast of the site. The project would not result in a safety hazard for people residing or working in the area, nor would it interfere with adopted emergency response or emergency evacuation plans. Per City standards, street design and improvements are required to provide adequate for ingress and egress of emergency response vehicles. The project site is not within a Very High Fire Hazard Severity Zone as defined by the California Department of Forestry and Fire Protection. Therefore, the project is considered to have **No Impact** with regard to hazardous materials, emergency response and wildland fire impacts.

**H.4.** State of California, Hazardous Waste and Substances Site List, also known as the Cortese List, is used by state and local agencies and by private developers to comply with CEQA requirements providing information about the location of hazardous materials sites. The project site is not on the Cortese list and was not identified in the General Plan as a site historically used to handle or store hazardous materials or associated with a

hazardous material-related release or occurrence. Project implementation would not create a significant hazard to the public or the environment and there is **No Impact**.

**H.5. – H.6.** The project site is located within the City’s Airport Operations Overlay Zone and Land Use Compatibility Zone of the Chico Municipal Airport. There are no private airstrips in the vicinity of the project. According to the Butte County Airport Land Use Compatibility Plan (ALUCP), the site is located in Compatibility Zone B-2 of the Chico Municipal Airport. Zone B-2 is defined as beyond the runway but in the principle approach and departure paths of the airport. On instrument approaches, an aircraft has descended below 600 feet above ground level when reaching the outer part of this zone. The ALUCP identifies the project area as an infill site with potential to support up to 50 residential units and still remain compatible with airport operations. The proposed addition of 24 units would be **Less Than Significant** with regard to safety hazards or risks for construction personnel and future residents.

**MITIGATION:** None Required

<b>I. Hydrology/ Water Quality</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Violate any water quality standards or waste discharge requirements?			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
4. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?			X	
5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
6. Otherwise substantially degrade water quality?			X	
7. Place real property within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	

<b>I. Hydrology/ Water Quality</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
10. Inundation by seiche, tsunami, or mudflow?				X

**DISCUSSION:**

**I.1.** The project proposes to convey storm water to an existing outfall and ultimately to the SUDAD drainage ditch adjacent to the eastern boundary of the site. The development would increase surface water runoff due to the additional impervious surface area and change of on-site drainage patterns. Under existing regulations, the RWQCB requires the project proponent to obtain a water quality certification or waiver from the RWQCB. Through the RWQCB’s permitting process, the project would be required to avoid, minimize, and/or compensate for potential discharges into regulated waterways based on a detailed review of the storm drain system design. The project would also be required incorporate BMPs to collect all onsite storm water runoff in a manner that avoids substantial flooding or erosion.

The BMPs require storm water drainage improvements to provide quality treatment of “first flush” contaminants (soil, grease, metals, oils, and organic debris) that accumulate during the dry season, and quantity mitigation to ensure that peak flows from the site do not exceed existing undeveloped levels. After incorporating BMPs and meeting existing storm drain design requirements to achieve the standards mentioned above, the project’s potential impacts drainage patterns and surface runoff impacts would be reduced to a **Less Than Significant** level.

In addition to the water quality and quantity BMPs required by the City/County, the site is larger than 1 acre; therefore, the applicant is required to file a Notice of Intention and SWPPP, with the RWQCB to obtain coverage under the general permit issued for storm water discharges associated with construction activities. With these existing permitting and water quality requirements in place, potential impacts to water quality impacts from the project are considered to be **Less Than Significant**.

**I.2.** Adequate water supplies are available to serve build-out of the proposed General Plan, which includes the project site and proposed residential uses. California Water Service Company (Cal Water) is the local water provider in the Chico area with the sole source of water for the Chico District, including the project site. Cal Water relies entirely on groundwater pumped from the Sacramento Valley Basin, which is characterized as having abundant supplies and having demonstrated a historical ability for its groundwater levels to recover quickly after drought events. Cal Water’s *Urban Water Management Plan for the Chico-Hamilton City District* indicates that potable water supplies were estimated to be 32,069 acre-feet in 2015 and are expected to increase to 42,550 acre-feet by 2040. Actual groundwater supplies available to Cal Water are significantly greater than the 2015–2040 supply totals reported in the Plan, as the company only pumps what it needs to meet customer demand (Based on the design capacity of its current wells, Cal Water could pump as much as 90,288 acre-feet/year). The proposed project is consistent with the General Plan Land Use Diagram, which was considered in the preparation of the UWMP. Project implementation and annexation would result in a net increase of approximately 23 to 37 acre-feet annually (assuming typical usage of 1 acre-foot per household per year), which represents roughly one-tenth of one percent of Cal Water’s 2015 supply of 32,069 acre-feet and its 2040 supply of 42,550 acre-feet. The project would increase impervious surface of the site but it not impede or interfere with basin groundwater recharge. Therefore, groundwater depletion and groundwater recharge impacts are considered **Less Than Significant**.

**I.3.-I.6.** The project site is relatively flat with little or no slope. Project development would alter the existing drainage patterns and increase impervious surfaces and increase runoff at the site; however, it would not result in substantial erosion or siltation on- or off-site, or create excessive runoff. The project would be required to comply with all City and State storm water management requirements during construction and operation.

Source control measures deal with specific onsite pollution-generating activities and sources, and Low Impact Development (LID) standards apply techniques that infiltrate, filter, store, evaporate and detain runoff close to the source of rainfall to maintain a site's pre-development runoff rates and volumes. Mandatory compliance with RWQCB regulations and implementation of BMPs, would ensure the project would not substantially degrade water quality drainage systems, provide substantial additional sources of polluted runoff, or exceed storm water drainage facilities and **Less Than Significant** would result.

**I.7. - I.9.** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate for the City of Chico (2011), the project site is located in Zone X which is the 500-year flood plain and is considered an area of minimal to moderate risk with 100 year flood depths up to 1-foot. Small portions of LOT A, near the southeastern border of the SUDAD ditch, are located in Flood Zone AE; however, no structures or development would occur in this area. The project site is outside dam failure inundation areas, would not impede or redirect flood flows, or expose people or structures to increased risk of injury or flooding and impacts are considered **Less Than Significant**.

**I.10.** The project is not subject to inundation by seiche, tsunami, or mudflow; therefore, the project will result in **No Impact**.

**MITIGATION:** None Required

<b>J. Land Use and Planning</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Result in physically dividing an established community?				X
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the City of Chico General Plan, Title 19 "Land Use and Development Regulations", or any applicable specific plan) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
3. Results in a conflict with any applicable Resource Management or Resource Conservation Plan?				X
4. Result in substantial conflict with the established character, aesthetics or functioning of the surrounding community?			X	
5. Result in a project that is a part of a larger project involving a series of cumulative actions?				X
6. Result in displacement of people or business activity?				X

**DISCUSSION:**

**J.1, J.3, J.5 - J.6.** The project would not physically divide an established community, or conflict with any applicable plans or ordinances adopted to mitigate environmental impacts. The project is not part of a larger project and would not displace people or businesses, nor conflict with the established character, aesthetics or functioning of the surrounding community. The proposed residences would be compatible with existing residential uses adjacent to and in the immediate area of the project site. Therefore, with regard to land use conflicts the project is anticipated to have **No Impact**.

**J.2.** The proposed subdivision site is part of the Burnap Avenue Annexation District No. 6 request (ANX 16-01), which includes three additional parcels (APNs 007-150-012, 007-150-042, and 007-150-060) to the Butte County Local Agency Formation Commission (LAFCo). Initiating the annexation was found to be within the scope of the Chico 2030 General Plan Program Environmental Impact Report (State Clearinghouse #2008122038), which included analysis of future annexations consistent with the adopted General Plan Land Use Diagram. The City of Chico initiated the annexation of the project parcels by City Council Resolution on December 20, 2016 (Resolution 99-16). The purpose of the annexation was to facilitate the development of a residential subdivision and eliminate portions of an "island" of unincorporated area consistent with LAFCo policy and state law. Developing the site under city regulations would be consistent with smart growth principles and land uses identified in the General Plan. In response to LAFCo staff indicating that including the additional properties may be necessary to achieve logical municipal services boundaries. This Initial Study includes analysis of and accounts for the addition of the 13 properties located on the east side of Burnap Avenue, south side of Eaton Road, adjacent to the proposed subdivision. These properties are all developed with single-family residential uses and additional, future development is unlikely. Utility services, including City sewer, storm drainage, domestic water, gas and electricity currently exist in and adjacent to the annexation area and project site. City Fire and Police Departments already serve the Eaton Road corridor and Burnap Avenue south of the annexation area. The project is subject to all CMC regulations regarding residential development and proposed land use changes and development of the site would be inconsistent with all applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental impact; therefore, this impact is considered **Less Than Significant**.

**J.4.** The annexation and proposed project would not result in a substantial conflict with the established character, aesthetics or functioning of the surrounding community. The site is generally surrounded by low density and medium density residential, compatible with the proposed land uses for the project. The proposed project would not conflict with the following General Plan Land Use and Community Design goals and policies:

- **Policy LU-1.3 (Growth Plan)** – Maintain balanced growth by encouraging infill development where City services are in place and allowing expansion into Special Planning Areas.
- **Policy LU-4.2 (Infill Compatibility)** – Support infill development, redevelopment, and rehabilitation projects, which are compatible with surrounding properties and neighborhoods.
- **Policy CD-5.1 (Compatible Infill Development)** – Ensure that new development and redevelopment reinforces the desirable elements of its neighborhood including scale, style, and setback patterns.
- **Policy CD-5.3 (Context Sensitive Design)** – For infill development, incorporate context sensitive design elements that maintain compatibility and raise the quality of the area's architectural character.

Since the proposed project's design is required to be consistent with the General Plan and would not result in substantial conflicts with existing adjacent developments, no mitigation is necessary and project land use regulation and plan impacts are considered **Less Than Significant**.

**MITIGATION:** None Required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>K. Mineral Resources.</b>				
Would the project or its related activities:				



1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	X
2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	X

**DISCUSSION:**

**K.1. - K.2.** The General Plan EIR concluded that there are no active mines or known important mineral resources in the City; therefore, the project would not result in the loss of availability of a known mineral resource or mineral resource recovery site and **No Impacts** would result.

**MITIGATION:** None Required.

<b>L. Noise</b> Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the Chico 2030 General Plan or noise ordinance.			X	
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
3. Exposure of sensitive receptors (residential, parks, hospitals, schools) to exterior noise levels (CNEL) of 65 dBA or higher?			X	
4. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
5. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
6. For a project located within the airport land use plan, would the project expose people residing or working in the Study Area to excessive noise levels?			X	
7. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the Study Area to excessive noise levels?			X	

**DISCUSSION:**

**L.1, L.4.** Noise levels associated with the proposed residential uses would be consistent with existing adjacent and nearby residential uses and would not exceed standards or conflict with General Plan polices. The project's construction activities would increase temporary noise levels but would not conflict with General Plan (Policy N-1.6) or CMC 9.38.060, which requires special standards and time limits for

construction activities; therefore, noise exposure levels resulting from the project would be **Less Than Significant**.

**L.2.** There are no sources of excessive groundborne vibration or groundborne noise levels in the project vicinity. Any groundborne vibration due to construction at the site would be temporary in nature and cease once the project is constructed. In addition, the project's construction activities would be required to comply with General Plan (Policy N-1.6) and CMC 9.38.060, which requires special standards and time limits for construction activities. Therefore, the impact from groundborne vibration is considered **Less Than Significant**.

**L.3.** The project site is surrounded by existing residential development. There are no parks or hospitals in the immediate vicinity. The nearest school to the site is the John A. McManus Elementary School, located at 998 East Avenue, approximately 1 mile southeast of the site. Nearby residences would be exposed to increased noise levels during construction activities but the increase would be temporary. The project must comply with City General Plan policies and Noise ordinance requirements, discussed above, which would reduce this impact to **Less than Significant**.

**L.5.** As indicated, temporary and short-term noise increases would result during the construction phase of the project. The project would be required to comply with the City's existing noise regulations which limit the hours of construction and maximum allowable noise levels.

Under section 9.38 of the CMC, construction activities are limited to occur between the hours of 7 a.m. and 9 p.m. on most days, and 10 a.m. to 6 p.m. on Sundays and holidays. During the warmest summer months, June 15 - September 15, construction is allowed between the hours of 6 a.m. and 9 p.m. on most days, and 10 a.m. to 6 p.m. on Sundays and holidays. CMC Section 19.38.060 exempts construction noise that is limited to these hours.

During the allowable times for construction outlined above, noise-generating activities are limited by the following criteria:

- No individual device or piece of equipment shall produce a noise level exceeding eighty-three (83) dBA at a distance of twenty-five (25) feet from the source. If the device or equipment is housed within a structure on the property, the measurement shall be made outside the structure at a distance as close as possible to twenty-five (25) feet from the equipment, and
- The noise level at any point outside of the property plane of the project shall not exceed eighty-six (86) dBA.

These existing noise limitations imposed by the municipal code for temporary construction activities would ensure that the project would not result in significant temporary increases in noise levels requiring mitigation. Therefore, temporary increases in ambient noise levels associated with the project are considered to be **Less Than Significant**.

**L.6, L.7.** There are no private airstrips in the project's vicinity. The project site is located within the Land Use Compatibility Zone B-2 of the Chico Municipal Airport. The B-2 zone is considered an area of moderate noise risk as it includes a forecast of 55-dB CNEL contour and the peak fire attack day 60-dB CNEL contour, including the portions lateral to the runway. Therefore, the project would not expose construction personnel or future residents to excessive noise levels from aircraft operations and this impact is considered **Less Than Significant**.

**MITIGATION:** None Required

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>M. Open Space/ Recreation</b> Will the project or its related activities:				
1. Affect lands preserved under an open space contract or easement?			X	
2. Affect an existing or potential community recreation area?			x	
3. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
4. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

**DISCUSSION:**

**M.1.** The SUDAD drainage ditch, adjacent to the site’s eastern boundary, is designated as open space and has an existing public utility easement. The project would not adversely affect the ditch operations or easement; therefore, would have **Less than Significant** open space easement related impacts.

**M.2. – M.4.** The project would not adversely affect any existing or planned community park or recreation area. The project was considered and is designated in the General Plan for residential development and is zoned for Low Density Residential, as such, would increase the amount users and demand for parks and recreation facilities in the City over existing conditions. The project does not include a recreational component or propose the expansion of existing recreational facilities. The project would pay in-lieu fees to offset the project’s potential impacts to parks and open space, and recreational facilities; therefore, this impact is considered **Less Than Significant**.

**MITIGATION:** None Required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>N. Population/ Housing</b> Will the project or its related activities:				
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

**DISCUSSION:**

**N.1. - N.3.** The proposed project would not induce substantial population growth as it was considered in the General Plan and analyzed for low density residential development in the General Plan EIR. The project will provide additional housing and proposes to retain the existing residence on Burnap Avenue; as such, the project would not displace substantial numbers of people or residential uses requiring the construction of replacement housing elsewhere; therefore, there is **No impact** related to population/housing.

**MITIGATION:** None Required.

<b>O. Public Services</b> Will the project or its related activities have an effect upon or result in a need for altered governmental services in any of the following areas:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Fire protection?			X	
2. Police protection?			X	
3. Schools?			X	
4. Parks and recreation facilities? (See Section J Open Space/Recreation)			X	
5. Other government services?			X	

**DISCUSSION:**

**O.1. - O.5.** The project is required to pay per unit development impact fees to offset the cost of new facilities for police, fire, parks, schools, and other public services. The addition of 24 single-family residences associated with the annexation would not result in the need for altered government services and with the mandatory payment of impact fees, public service impacts are considered **Less Than Significant**.

**MITIGATION:** None Required.

<b>P. Transportation/Circulation</b> Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>P. Transportation/Circulation</b>				
Will the project or its related activities:				
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			x	
5. Result in inadequate emergency access?			x	
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

**DISCUSSION:**

**P.1. - P.2., P.6.** The proposed project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, nor would it conflict with an applicable congestion management program or adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or the safety of such facilities.

The project proposes the construction of 23 new single-family residences and would retain the existing residence on Burnap Avenue for a total of 24 residential units with a density of 6.94 units per acre. According to the Institute of Transportation Engineers’ (ITE) Trip Generation Manual 9<sup>th</sup> Edition, single-family detached residential units generate an average of 10 vehicle trips per day per unit (trips are one-way; a “round-trip” is considered two trips), one of which occurs during the PM peak hour. The proposed project would generate 230 new vehicle trips per day, 23 of which would occur during the PM peak hour. The proposed project would not exceed the daily trips or LOS forecasts or analysis included in the General Plan EIR for roadways in the project’s vicinity which will remain well within acceptable Level of Service (LOS) D through 2030.

The project is required to pay development impact fees, consistent with General Plan Policy Circ-1.3, which constitute the project's “fair share” contribution toward addressing any cumulative traffic issues associated with project implementation. Therefore, the traffic increases associated with project would be **Less Than Significant**.

**P.3.** The project would not affect air traffic patterns and would therefore have **No Impact**.

**P.4. - P.5.** The proposed new street design is largely consistent with City standards and would not include or increase hazards due to sharp curves or dangerous intersections. The proposed project is in an area with existing residential development; therefore, would not conflict or result in incompatible transportation related uses. The project is subject to City of Chico street design standards as required by CMC Title 18R, Standard S-18 to ensure adequate emergency access; therefore, design feature and emergency access impacts are considered **Less Than Significant**.

<b>Q. Tribal Cultural Resources</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register or Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or		X		
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

**DISCUSSION:**

**Q.1.** The project site is in an area of high archaeological sensitivity as designated by the Northeast Center of the California Historical Resources Information System (CHRIS) and the General Plan; however, the existing on-site residence does not qualify as a historic resource or for inclusion on the State of California list of historic resources. As previously discussed under E. Cultural Resources, There is a chance of encountering unknown tribal cultural resources during site preparation and construction activities. Halting construction work and observing standard protocols for contacting appropriate City staff and arranging for an evaluation of tribal cultural resources in the case of a discovery is a required standard City practice, typically noted on all grading and building plans. Implementation of Mitigation E.1, would minimize the potential damage to unknown tribal cultural resources in the event that such resources are unearthed during construction and would reduce potential tribal cultural resource impacts to a level that is Less Than Significant With Mitigation Incorporated.

<b>R. Utilities</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities have an effect upon or result in a need for new systems or substantial alterations to the following utilities:				
1. Water for domestic use and fire protection?			X	
2. Natural gas, electricity, telephone, or other communications?			X	
3. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
4. Require or result in the construction of new water or wastewater treatment facilities or expansion of			X	

<b>R. Utilities</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities have an effect upon or result in a need for new systems or substantial alterations to the following utilities: existing facilities, the construction of which could cause significant environmental effects?				
5. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
6. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
7. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
8. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
9. Comply with federal, state, and local statutes and regulations related to solid waste?			X	

**DISCUSSION:**

**Q.1. - Q.7.** All necessary utilities (water, storm drain, sewer, gas, phone or other communications, and electric facilities) are available near the site and would be extended to serve the proposed project. Sewer service and underground storm drainage would be provided by the City of Chico. The storm drainage would be retained on-site and maintained through a CMD. California Water Service Company (Cal Water) would provide water service, PG&E electric service, and AT&T and Comcast, telephone and cable, respectively. Utilities are available and adequate to serve the proposed development. According to the Cal Water 2015 Urban Water Management Plan (UWMP), Cal Water only pumps enough water to meet its customer demands and has adequate supply to meet the projected demands associated with the project. General Plan policies ensure adequate wastewater capacity and infrastructure to serve the proposed project. Additionally, impacts regarding the provision of utilities, water, and wastewater services we analyzed in the General Plan EIR and are considered **Less Than Significant**.

**Q.8. - Q.9.** According to the General Plan EIR, which analyzed development on the project site consistent with the current proposal, the Neal Road Landfill has adequate capacity to accommodate the solid waste generated by the project. Additionally, the project must comply with State laws and regulations regarding the provisions of recycling containers and service which would reduce solid waste impacts to **Less Than Significant**.

**MITIGATION:** None Required.

**V. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
A. The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.			X	
B. The project has possible environmental effects which are individually limited but cumulatively considerable. (Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current and probable future projects).			X	
C. The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.				X

**DISCUSSION:**

**A-C:** The project does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. The General Plan EIR considered development on the site with residential uses that is consistent with the current project and also considered the project in the cumulative context of the EIR. Based on the preceding environmental analysis, the application of existing regulations and incorporation of identified mitigation measures would ensure that all potentially significant environmental impacts associated with the project, including those related to air quality, biological resources, cultural resources, and tribal cultural resources would be minimized or avoided, and the project would not result in direct or indirect adverse effects on human beings or the environment, nor result in significant cumulative impacts. Therefore, with the incorporation of the identified mitigation measures, the project would result in **Less Than Significant** impacts.



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**Department of Public Works**

Dennis Schmidt, Director  
Shawn H. O'Brien, Assistant Director

7 County Center Drive  
Oroville, California 95965

T: 530.538.7681  
F: 530.538.7171

buttecounty.net/publicworks

August 31, 2017

City of Chico Community Development Dept.  
Attn: David Young, Senior Planner  
P.O. Box 3420  
Chico, CA 95927-3420

RECEIVED

SEP 01 2017

CITY OF CHICO  
PLANNING SERVICES

**RE: Tentative Subdivision Map – S 17-02, APN 007-150-044, 045, 053 & 061**

Dear Mr. Young:

Reference is made to your request for comments dated August 22, 2017 on the above noted development.

1. The parcels to be developed flow into the SUDAD Ditch watershed. The headwall shown on the tentative subdivision map serves as a relief for localized ponding against the toe of the Pleasant Valley Ditch levee. The County does not permit discharge of runoff from one tributary area to another. It appears that the proposed development may increase the area tributary to the headwall.
2. The existing headwall does not discharge to the Pleasant Valley Ditch during high capacity storm events. The storm drain system should be designed to not exacerbate existing flooding conditions on this system.
3. Provide a permanent solution for drainage designed to not allow peak flows from the site to exceed current undeveloped levels.
4. An encroachment permit is required by the Central Valley Flood Protection Board and the County of Butte to discharge water into the Pleasant Valley Ditch. Prior to recordation of the final map, submit design to the Land Development Division for approval.
5. Submit revised tentative subdivision map to the County of Butte that shows a 15' wide no-development zone parallel with the toe of the Pleasant Valley Ditch levee.
6. Install full urban improvements including curb, gutter and sidewalk.
7. Some roads appear narrow for on street parking.
8. Prior to recordation of the final map, annex parcels to the City of Chico.
9. If the Burnap Avenue road frontage is not annexed to the City of Chico, comply with the following:
  - a. Prior to recordation of the final map, deed to Butte County in fee simple 30 feet of right-of-way from the physical centerline of Burnap Avenue along the entire property frontage. The right-of-way shall be sufficient for the installation of county improvement standard S-5 at all street intersections.
  - b. The proposed modification to the curb return in the county right-of-way does not appear to meet ADA standards. Submit revised tentative subdivision map to the County of Butte that demonstrates ingress and egress to the proposed subdivision can be constructed within the county right-of-way in accordance with state and local code requirements.



**Department of Public Works**

Dennis Schmidt, Director  
Shawn H. O'Brien, Assistant Director

7 County Center Drive  
Oroville, California 95965

T: 530.538.7681  
F: 530.538.7171

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- c. The locations of existing storm drain and curb, gutter and sidewalk in the county right-of-way do not appear correct as shown on the tentative subdivision map.
- d. Prior to recordation of the final map, construct or provide a performance, labor and material bond for construction of street frontage improvements on Burnap Avenue. Construct a 1/2+ 12' street section along the entire parcel frontage in conformance with county improvement standard RS-2B, including curb, gutter, and sidewalk, 3" AC, 12" AB, prime coat, fog seal and 95 % relative compaction. Submit design to the Land Development Division for approval prior to construction. "R" value determination and other data may be required to support the section design. Install the required facilities under a county encroachment permit.

If you have any questions concerning this matter, please contact this office at (530) 538-7266, Monday through Friday, 8:00 a.m. to 4:00 p.m.

Sincerely,

Thomas A. Fossum, P.E.  
Deputy Director  
Butte County Public Works

## David Young

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**From:** Matt Thompson  
**Sent:** Wednesday, August 23, 2017 4:49 PM  
**To:** David Young  
**Cc:** Matt Johnson; Richard Burgi  
**Subject:** TSM 17-02 Burnap - Small Lot

### Sewer

- Submit an application for connection and comply with all conditions of connection.
- Abandon existing on-site sewage disposal system. Secure a permit for the abandonment from Butte County Environmental Health.

### Storm Drain

- The proposed subdivision drains to the interior with no outlet. Building pads shall be sufficiently high enough to ensure that they are 1-ft above the 0.005% (200-year) event.
- This project is over an acre and will be required to obtain permit coverage under the state of California's General Construction Permit (Permit). Coverage under the Permit requires the creation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must be reviewed by the city and posted on the State's SMART site before permits will be issued. Per city code, no grading shall occur on the project site prior to permits BEING ISSUED.
- City of Chico Municipal Code requires any construction project to produce an Erosion and Sediment Control Plan (ESCP). The ESCP consists of the six-page worksheet, and a full-size site plan that is made part of the plan set showing the location of each BMP identified in the worksheet. The BMP location site plan shall also be reduced to 8 1/2" x 11" and attached to the six-page worksheet. The site map shall be on its own sheet and labeled Erosion and Sediment Control Plan. The ESCP Worksheet and instructional video can be found on the city's website on the Sewer/Storm Drain Engineering Department pull down, under Storm Water Management:

[http://www.ci.chico.ca.us/building\\_development\\_services/sewer/storm\\_water\\_management.asp](http://www.ci.chico.ca.us/building_development_services/sewer/storm_water_management.asp)

Please submit the six-page worksheet and plans together in the same submittal.

- This project is creating 2,500 SF or more of impervious surface. Recent changes in state law require new construction and redevelopment projects that create or replace 2,500 SF or more of impervious surface to comply with Post Construction Standards. In response to the state law, the City has updated its Municipal Code and also created a Post Construction Standard Plan to provide Developers with information on how to meet the requirements. For more information please go to:  
[http://www.ci.chico.ca.us/building\\_development\\_services/sewer/storm\\_water\\_management.asp](http://www.ci.chico.ca.us/building_development_services/sewer/storm_water_management.asp)

This is a Regulated project (over 5,000SF), prior to the release of the Certificate of Occupancy, the owner shall execute and record with the Butte County Recorder's office an Operation and Maintenance Plan and a Statement of Responsibility at the owner's expense.

Please allow sufficient time to record the Operation and Maintenance (O & M) Plan and the Statement of Responsibility. In order to get this process started, please submit a current Lot Book Guarantee or Preliminary Title Report along with Post-Construction Project Worksheet (Appendix 8). The City will then prepare the Statement of Responsibility with the listed owner's name. The Statement of Responsibility will then need a notarized signature from the listed property owner. Once this is completed, the document will be sent to the Butte County Recorder's Office for recording. The City can release the Certificate of Occupancy once the stamped original O & M Plan and Statement of Responsibility is submitted to the City.

Please complete and submit the Post-Construction Project Worksheet (Appendix 8) of the Post Construction Standards along with the next plan submittal to the Building Department.

**Matt Thompson, M.S., R.C.E., R.T.E.**

**Senior Civil Engineer**

City of Chico Public Works – Engineering

411 Main St | PO Box 3420 | Chico, CA 95927

o. 530.879.6959 | f. 530.895.4899

[www.ci.chico.ca.us](http://www.ci.chico.ca.us)



## David Young

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**From:** Michelena, Mark <MMichelena@buttecounty.net>  
**Sent:** Tuesday, August 29, 2017 2:43 PM  
**To:** David Young  
**Subject:** TSM S 17-02 (Burnap)

Good Afternoon David.

I'm reviewing the above identified project for compatibility with the Butte County Airport Land Use Compatibility Plan. The parcels are identified on the City's Infill map that is included in the BCALUCP. One of the requirements for use of the infill criteria in the BCALUCP is that the project is exempt from CEQA under Section 15332 (In-Fill Development Projects). Will this project be using this exemption?

Thanks.

Mark Michelena, Senior Planner  
Department of Development Services  
7 County Center Drive, Oroville, CA 95965  
T: 530.538.7376 (direct) or 530.538.7601 (main) | F: 530.538.7785  
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## David Young

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**From:** Ann Willmann <annw@chicorec.com>  
**Sent:** Tuesday, August 29, 2017 2:34 PM  
**To:** David Young  
**Subject:** Comments for Tentative Subdivision Map S 17-02 (Burnap-Small Lot Subdivision)

Dear David, as the General Manager of the Chico Area Recreation & Park District, I wanted to respond to the recent map that was sent for our review. We have no objections or requests due to the size of the property, however I do want to ask that all development impact fees are collected for the subdivision. Thank you for your consideration. Ann

**Ann Willmann | General Manager**  
Chico Area Recreation & Park District  
545 Vallombrosa Ave. Chico, CA. 95926  
Phone: 530-895-4711 | Fax: 530-895-4721  
*Have you PLAYed Today?*