



## OROVILLE PLANNING COMMISSION/ HISTORICAL ADVISORY COMMITTEE

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**September 26, 2024**

**6:00 PM**

### **REGULAR MEETING AGENDA**

#### **PUBLIC ACCESS AND PARTICIPATION**

To view the meeting or provide comment, please see the options below.

##### **To Watch or Listen to the Meeting:**

1. Watch live feed <https://www.youtube.com/channel/UCAoRW34swYI85UBfYqT7IbQ/>
2. Zoom <https://zoom.us/j/99508232402?pwd=aThZc1BsUG9sWnhNYnlwZHZZdFFrQT09>  
Meeting ID: 995 0823 2402 Passcode: 17351735
3. Listen via telephone: 1-669-900-9128  
Meeting ID: 995 0823 2402 Passcode: 17351735

##### **To Provide Comments:**

1. Email before the meeting by 2:00 PM your comments to [publiccomment@cityoforoville.org](mailto:publiccomment@cityoforoville.org)
2. Attend in person

**If you would like to address the Commission at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the Mayor or presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, please submit the form prior to the conclusion of the staff presentation for that item. The Commission has established time limitations of three (3) minutes per speaker on all items and an overall time limit of thirty minutes for non-agenda items. If more than 10 speaker cards are submitted for non-agenda items, the time limitation would be reduced to one and a half minutes per speaker. **(California Government Code §54954.3(b)).** Pursuant to Government Code Section 54954.2, the Commission is prohibited from taking action except for a brief response from the Council or staff to statements or questions relating to a non-agenda item.**

#### **CALL TO ORDER / ROLL CALL**

Commissioners: Glenn Arace, Terry Smith, Natalie Sheard, Warren Jensen, Sor Thao, John Zilich II, Chairperson Wyatt Jenkins

#### **OPEN SESSION**

- Pledge of Allegiance

#### **PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS**

This is the time to address the Commission about any item not listed on the agenda. If you wish to address the Commission on an item listed on the agenda, please follow the directions listed above.

# CONSENT CALENDAR

No Consent Calendar item this meeting.

# PUBLIC HEARINGS

The Public Hearing Procedure is as follows:

- Mayor or Chairperson opens the public hearing.
- Staff presents and answers questions from Council
- The hearing is opened for public comment limited to two (2) minutes per speaker. In the event of more than ten (10) speakers, time will be limited to one and a half (1.5) minutes. Under Government Code 54954.3, the time for each presentation may be limited.
- Public comment session is closed
- Commission debate and action

## **1. RE: Tentative Parcel Map 24-01**

The Planning Commission shall review and consider approving Tentative Parcel Map 24-01 (TPM 24-01) for a lot split of commercial property on Feather River Boulevard. The map will split one lot into two lots (APN 035-030-094).

### **RECOMMENDATION:**

1. **Approve the recommended findings for Tentative Parcel Map 24-01 and recommended Conditions of Approval;**
2. **Adopt Resolution No. P2024-12**
3. **Adopt the Notice of Exemption as the appropriate level of environmental review for the project.**

## **2. RE: Gold Creek Commons Tentative Subdivision Map TSM24-01**

The Planning Commission shall consider approving the Gold Creek Commons Subdivision, which will subdivide The Project includes approx. 106,000 square feet of commercial space and 176 residential units.

### **RECOMMENDATION:**

1. **Approve the recommended findings for Tentative Subdivision Map TSM24-01 and recommended Conditions of Approval;**
2. **Adopt Resolution No. P2024-13**
3. **Adopt the Notice of Exemption as the appropriate level of environmental review for the project.**

## REGULAR BUSINESS

### 3. Selection of Vice Chairperson for the Oroville Planning Commission

Staff recommends that the Planning Commission nominate and select a Vice Chairperson from its current members to serve for the remainder of the current term or until the next regular selection of officers.

#### **RECOMMENDATION:**

**Nominate and select a Vice Chairperson from its current members to serve for the remainder of their term.**

## REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Commissioner Reports
2. Historical Advisory Commission Reports
3. Staff Reports

## ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville Planning Commission will be held on October 24, 2024 at 6:00 PM.

*Accommodating Those Individuals with Special Needs* – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.

*Recordings* - All meetings are recorded and broadcast live on [cityoforoville.org](http://cityoforoville.org) and YouTube.

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



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2401 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

Thursday, September 26, 2024

**RE: Tentative Parcel Map 24-01**

**SUMMARY:** The Planning Commission shall review and consider approving Tentative Parcel Map 24-01 (TPM 24-01) for a lot split of commercial property on Feather River Boulevard. The map will split one lot into two lots (APN 035-030-094).

**RECOMMENDATION: Staff recommends the following actions:**

1. **Approve** the recommended findings for Tentative Parcel Map 24-01 and recommended Conditions of Approval;
2. **Adopt** Resolution No. P2024-12
3. **Adopt the Notice of Exemption** as the appropriate level of environmental review for the project.

**APPLICANTS:** Robert Eynck, CWE

**LOCATION:** 2525 Feather River Blvd,  
 Oroville, California

**GENERAL PLAN:** RBS (Retail and Business Services)

**ZONING:** C-2 (Intensive Commercial)

**FLOOD ZONE:** Zone X (1% chance per year of flooding less than 1 foot deep)

**ENVIRONMENTAL DETERMINATION:** The project is Categorically Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, Division 6, Chapter 3 of the California Code of Regulations, Article 19 Categorical Exemptions, Section 15315 "Minor Land Divisions"

**REPORT PREPARED BY:**

Kristina Heredia, Associate Planner  
 Community Development

**REVIEWED BY:**

Patrick Piatt, Director  
 Community Development

**DISCUSSION:**

An application has been received to divide one 0.733-acre parcel into two separate parcels for Tentative Parcel Map 24-01. The proposed map will create two parcels fronting onto Feather River Boulevard. Currently APN 035-030-094 is the location of the Oroville Car Wash Company. There are two separate car wash facilities on this parcel, a self-serve carwash and a drive-through carwash. The applicant is requesting to subdivide the property so that each carwash facility is on its own parcel.

All required conditions and considerations per OMC 16.12.050 "Tentative Parcel Map" apply to this requested tentative parcel map.

**ENVIRONMENTAL DETERMINATION:**

This action has been determined to be Categorical Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, Division 6, Chapter 3 of the California Code of Regulations, Article 19 Categorical Exemptions, Section 15315 "Minor Land Divisions".

**FINDINGS:**

Staff has determined that the following findings can be accurately and truthfully made (OMC 16.12.050.E);

- 1) The requested tentative parcel map is in conformance with the General Plan and the City's zoning ordinance.
- 2) The site is physically suitable for the proposed density or type of development. The current parcel supports both carwash businesses, and the use is not intended to change.
- 3) The design of the land division is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
- 4) The design of the land division is not likely to cause serious public health problems.
- 5) The design of the land division will not conflict with any existing easements, but will require new easements.
- 6) The proposed land division is consistent with OMC 16.12.050, and the requested parcel map seeks no variances or exceptions.
- 7) The parcel was not involved in the division of a larger parcel anytime in the last two years.
- 8)
- 9) All services and access to the proposed parcels are available and meet City standards.

10)The discharge of waste from the proposed land division into a community sewer system would not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

**FISCAL IMPACT**

The total fees associated with this project are as follows:

Item	Price	Tech Fee	Total	Paid
Tentative Parcel Map	\$4,000.00	\$240.00	\$4,240.00	Yes
<b>Total</b>	<b>\$4,000.00</b>	<b>\$240.00</b>	<b>\$4,240.00</b>	<b>Yes</b>

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

**PUBLIC NOTICE**

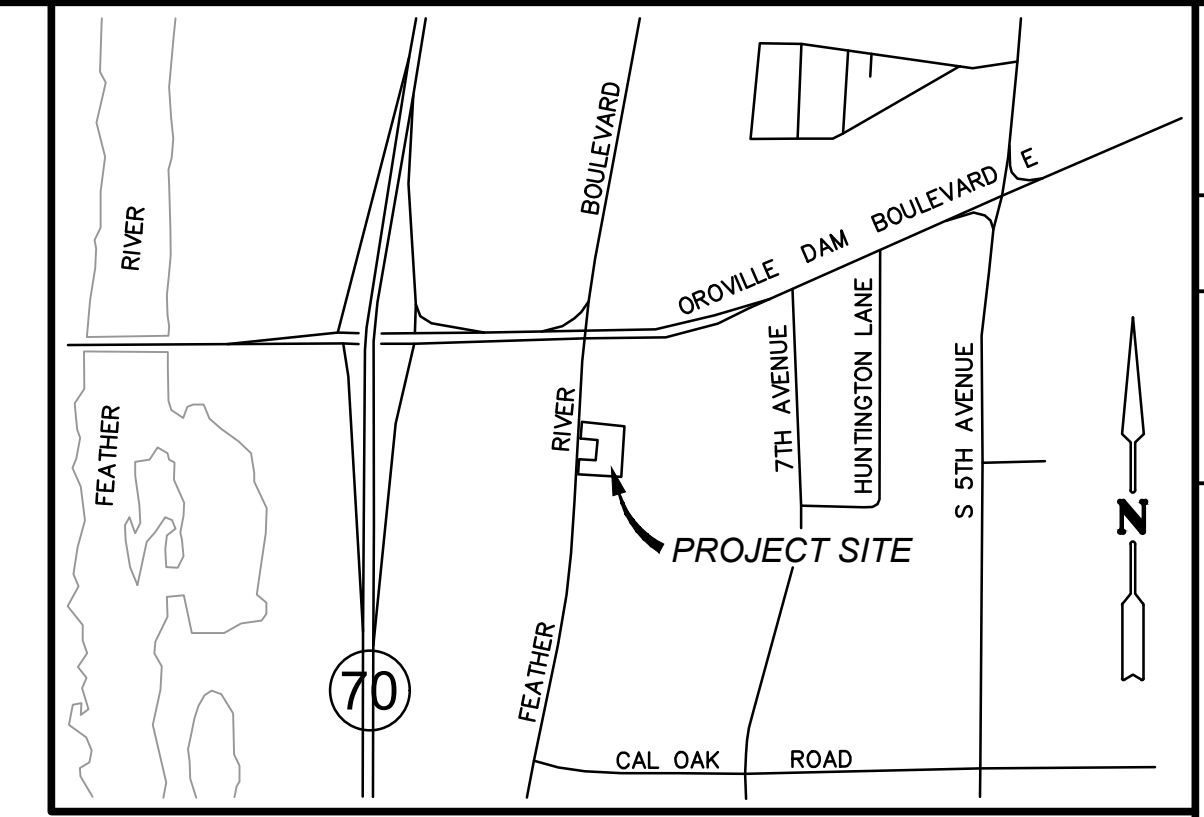
A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

**ATTACHMENTS**

1. Proposed Map TPM 24-01
2. Resolution No. P2024-12
3. Notice of Exemption

# TENTATIVE PARCEL MAP

2535 FEATHER RIVER BOULEVARD  
 CITY OF OROVILLE, COUNTY OF BUTTE, STATE OF CALIFORNIA  
 AUGUST, 2024 CWE SCALE: 1"=20'  
 SHEET 1 OF 1



REVISION	DATE	BY	APPRVD

DESIGN	DRAWN	SAJ	MFM	QUANT.

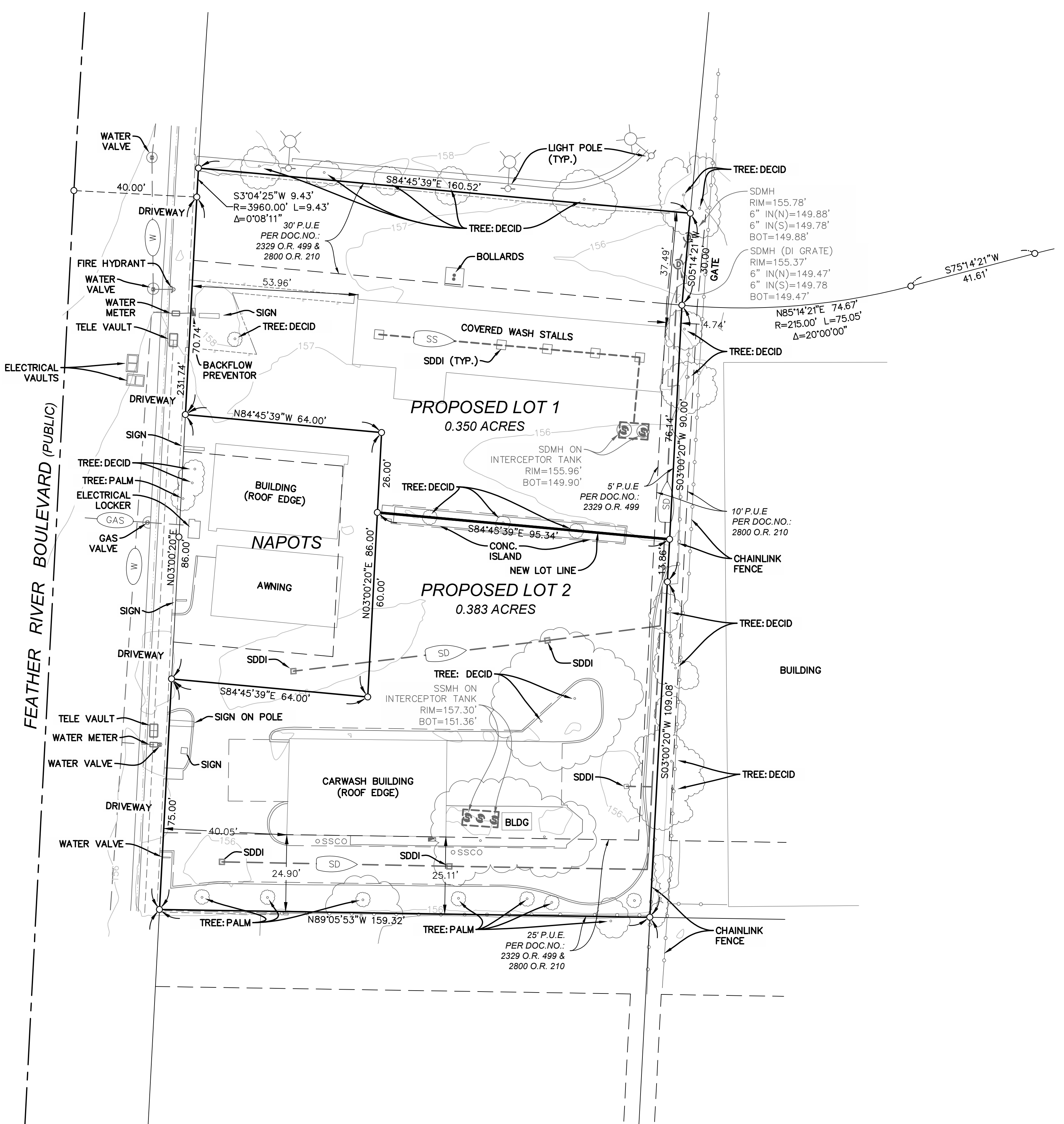
PROFESSIONAL LAND SURVEYOR  
 WILLIAM F. MCKINNEY  
 No. 4715  
 Exp. 09-30-25  
 STATE OF CALIFORNIA

**CWE**  
 2280 Douglas Blvd, Suite 160, Roseville, CA 95661  
 Ph: 916-772-1800 | www.cwecorp.com

OWNER:  
 FADI ABDULMARSIH  
 ORO DAM CAR WASH INC.  
 424 WINDHAM WAY  
 CHICO CA 95973

2535 FEATHER RIVER BLVD  
 OROVILLE, CA 95965  
 APN: 035-030-094-000

TENTATIVE PARCEL MAP



**EXISTING ZONING:**

C-2 INTENSIVE COMMERCIAL\*  
 USE: COMMERCIAL BUSINESS - CARWASH\*

\*NO CHANGE IN ZONING OR USE IS PROPOSED.  
 ALL EXISTING IMPROVEMENTS TO REMAIN.

**LOT SIZE:**

EXISTING PARCEL: NET: 31955 SQ. FT. GROSS: 31955 SQ. FT.  
 PROPOSED LOT 1: NET: 15,258 SQ. FT. GROSS: 15,258 SQ. FT.  
 PROPOSED LOT 2: NET: 16,697 SQ. FT. GROSS: 16,697 SQ. FT.

**SETBACKS:**

FRONT: 12' AS REQUIRED BY § 17.32.020 CODE OF ORDINANCES, CITY OF OROVILLE  
 SIDE (INTERIOR): NONE  
 REAR: NONE

**FLOOD ZONE:**

ZONE X, COMMUNITY PANEL 06067C0112H, EFFECTIVE AUGUST 16, 2012. ZONE X DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

**ASSESSOR'S PARCEL No.:**

APN: 035-030-094-000

**NOTE:**

THE PROPOSED LOT 1, LOT 2 AND NAPOTS PARCELS WILL PROVIDE AN EASEMENT AGREEMENT REGARDING ACCESS AND UTILITIES BETWEEN EACH PARCEL. THE AGREEMENT WILL BE RECORDED AND THE RECORDING INFORMATION WILL BE PART OF THE PARCEL MAP.

**LEGEND:**

- SUBJECT PARCEL BOUNDARY
- ADJACENT PARCEL LINE
- CENTERLINE
- - - EASEMENT AS NOTED
- FENCE
- 1440 — MAJOR CONTOUR
- MINOR CONTOUR
- ⊙ STORM DRAIN MANHOLE
- ⊙ SEWER MANHOLE
- ⊙ WATER VALVE
- ⊙ FIRE HYDRANT
- ⊙ BACKFLOW PREVENTER ASSY.
- ⊙ LIGHT POLE
- ⊙ ELECTRICAL VAULT
- ⊙ TREE AS NOTED
- SS — SANITARY SEWER
- SD — STORM DRAIN
- W — WATER
- GAS — GAS LINE
- DIMENSION POINT - NOTHING SET OR FOUND
- NAPOTS NOT A PART OF THIS SURVEY

**BENCHMARK:**

THE BENCHMARK USED FOR THIS SURVEY IS A FLANGE-ENCASED METAL ROD, IN A MONUMENT WELL STAMPED Y 1434, AND DESIGNATED NGS PID K31950, LOCATED NEAR THE INTERSECTION OF HIGHWAY 162 AND 12TH STREET.  
 ELEVATION = 174.84 FEET (NAVD 88 DATUM)

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS SURVEY IS IDENTICAL TO THAT SHOWN ON THE PARCEL MAP RECORDED IN BOOK 111 OF MAPS, AT PAGE 100, BUTTE COUNTY OFFICIAL RECORDS.

BEING NORTH 89° 05' 53" WEST ALONG THE SOUTH LINE OF PARCEL C, 68 PM 7 AND THE ABOVE SAID PARCEL MAP.

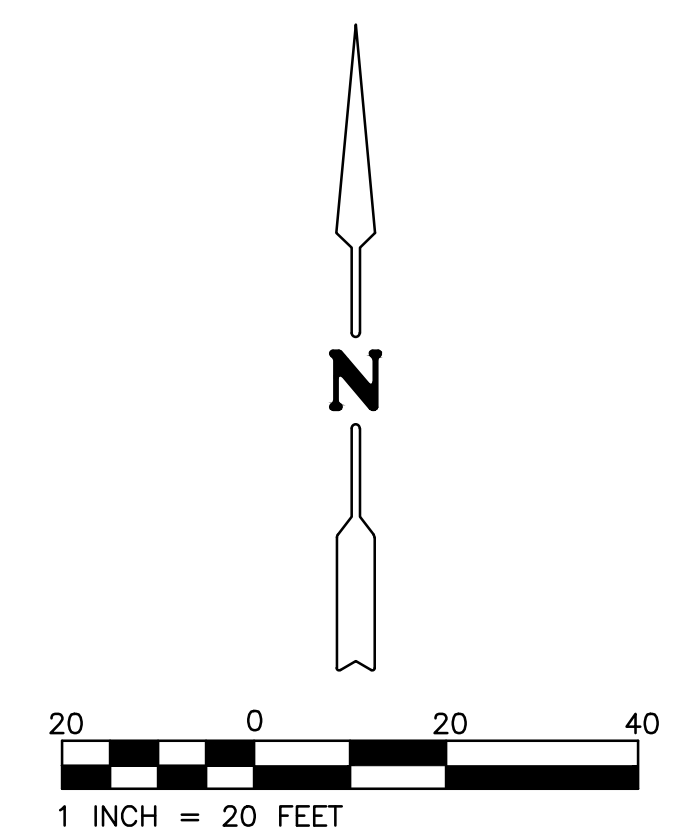
**SURVEYOR'S STATEMENT:**

I HEREBY STATE THAT THIS IS A CORRECT REPRESENTATION OF A TOPOGRAPHIC SURVEY MADE UNDER MY DIRECTION IN APRIL, 2024.

William F. McKinney  
 WILLIAM F. MCKINNEY, PLS 4715  
 EXPIRATION: SEP 30, 2025  
 August 2, 2024

PROFESSIONAL LAND SURVEYOR  
 WILLIAM F. MCKINNEY  
 No. 4715  
 Exp. 09-30-25  
 STATE OF CALIFORNIA

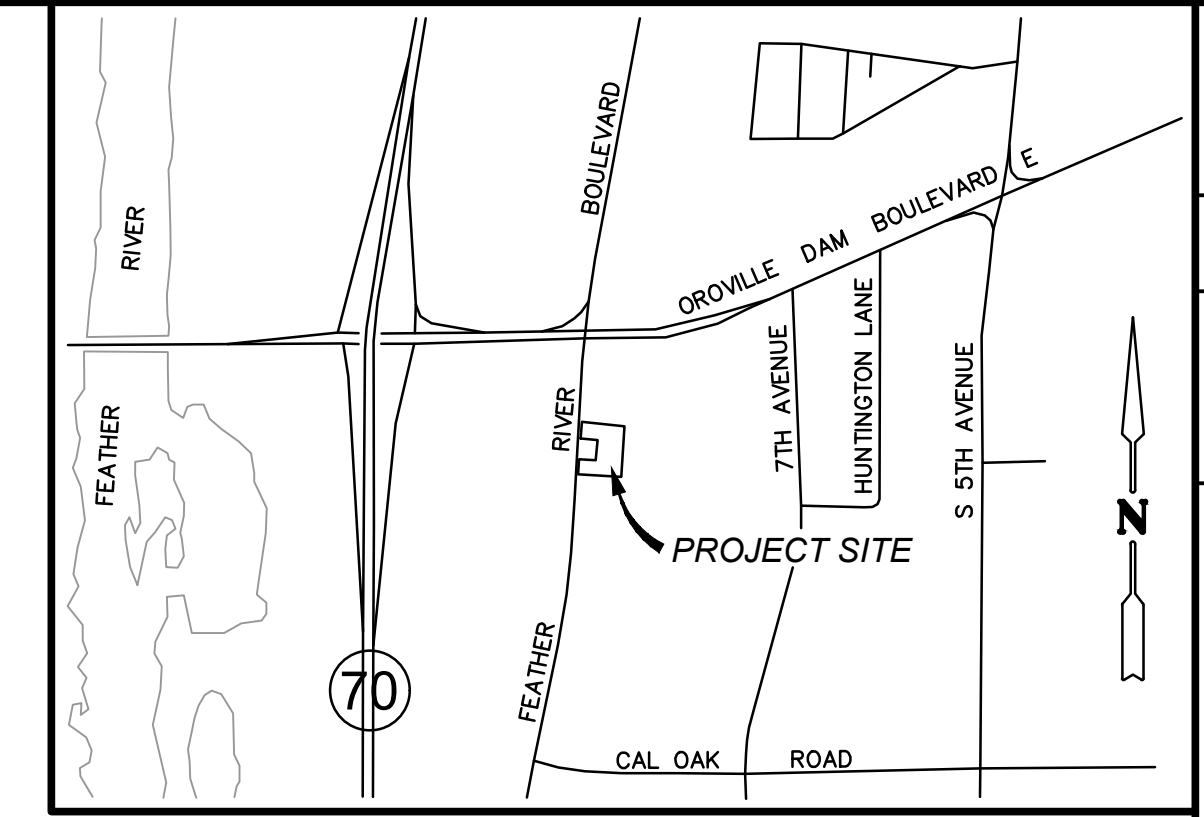
UTILITY CONTACT INFORMATION			
UTILITY	UTILITY CO.	REPRESENTATIVE	PHONE
TELEPHONE	AT&T	-	(855) 910-6074
GAS	PG&E	-	(877) 660-6789
ELECTRIC	PG&E	-	(877) 660-6789
FIRE	CITY OF OROVILLE FIRE	-	(530) 538-2487
WATER	CALWATER	-	(530) 533-4034
SEWER	SCOR OROVILLE REGION	-	(530) 534-0353
DRAINAGE	OROVILLE PUBLIC WORKS	-	(530) 538-2401
U.S.A.	UNDERGROUND SERVICE ALERT	-	1-800-642-2444



C:\Users\j\pines\pines\data\temp\AsB\AsB\2280A\_24040\_TL.dwg Aug 02, 2024-04:53 pm

# TENTATIVE PARCEL MAP

2535 FEATHER RIVER BOULEVARD  
 CITY OF OROVILLE, COUNTY OF BUTTE, STATE OF CALIFORNIA  
 AUGUST, 2024 CWE SCALE: 1"=20'  
 SHEET 1 OF 1



VICINITY MAP  
 NOT TO SCALE



### EXISTING ZONING:

C-2 INTENSIVE COMMERCIAL\*  
 USE: COMMERCIAL BUSINESS - CARWASH\*

\*NO CHANGE IN ZONING OR USE IS PROPOSED.  
 ALL EXISTING IMPROVEMENTS TO REMAIN.

### LOT SIZE:

EXISTING PARCEL: NET: 31,955 SQ. FT. GROSS: 31,955 SQ. FT.  
 PROPOSED LOT 1: NET: 15,258 SQ. FT. GROSS: 15,258 SQ. FT.  
 PROPOSED LOT 2: NET: 16,697 SQ. FT. GROSS: 16,697 SQ. FT.

### SETBACKS:

FRONT: 12' AS REQUIRED BY § 17.32.020 CODE OF ORDINANCES, CITY OF OROVILLE  
 SIDE (INTERIOR): NONE  
 REAR: NONE

### FLOOD ZONE:

ZONE X, COMMUNITY PANEL 06067C0112H, EFFECTIVE AUGUST 16, 2012. ZONE X  
 DENOTES AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE  
 FLOODPLAIN.

### ASSESSOR'S PARCEL No.:

APN: 035-030-094-000

### NOTE:

THE PROPOSED LOT 1, LOT 2 AND NAPOTS PARCELS WILL PROVIDE AN EASEMENT  
 AGREEMENT REGARDING ACCESS AND UTILITIES BETWEEN EACH PARCEL. THE  
 AGREEMENT WILL BE RECORDED AND THE RECORDING INFORMATION WILL BE  
 PART OF THE PARCEL MAP.

### LEGEND:

- SUBJECT PARCEL BOUNDARY
- ADJACENT PARCEL LINE
- CENTERLINE
- - - EASEMENT AS NOTED
- FENCE
- 1440 — MAJOR CONTOUR
- MINOR CONTOUR
- ⊙ STORM DRAIN MANHOLE
- ⊙ SEWER MANHOLE
- ⊙ WATER VALVE
- ⊙ FIRE HYDRANT
- ⊙ BACKFLOW PREVENTER ASSY.
- ⊙ LIGHT POLE
- ⊙ ELECTRICAL VAULT
- ⊙ TREE AS NOTED
- SS — SANITARY SEWER
- SD — STORM DRAIN
- W — WATER
- GAS — GAS LINE
- DIMENSION POINT - NOTHING SET OR FOUND
- NAPOTS NOT A PART OF THIS SURVEY

### BENCHMARK:

THE BENCHMARK USED FOR THIS SURVEY IS A FLANGE-ENCASED METAL  
 ROD, IN A MONUMENT WELL STAMPED Y 1434, AND DESIGNATED NGS PID  
 KS1950, LOCATED NEAR THE INTERSECTION OF HIGHWAY 162 AND 12TH  
 STREET.

ELEVATION = 174.84 FEET (NAVD 88 DATUM)

### BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS IDENTICAL TO THAT  
 SHOWN ON THE PARCEL MAP RECORDED IN BOOK 111 OF MAPS, AT  
 PAGE 100, BUTTE COUNTY OFFICIAL RECORDS.

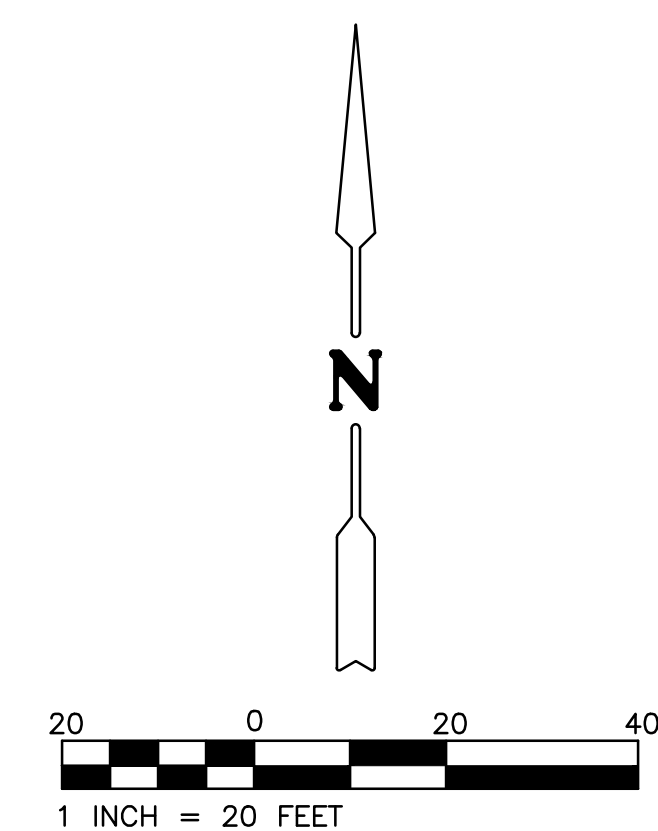
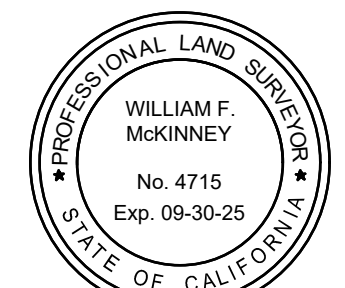
BEING NORTH 89° 05' 53" WEST ALONG THE SOUTH LINE OF PARCEL  
 C, 68 PM 7 AND THE ABOVE SAID PARCEL MAP.

### SURVEYOR'S STATEMENT:

I HEREBY STATE THAT THIS IS A CORRECT REPRESENTATION OF A  
 TOPOGRAPHIC SURVEY MADE UNDER MY DIRECTION IN APRIL, 2024.

WILLIAM F. MCKINNEY, PLS 4715  
 EXPIRATION: SEP 30, 2025

DATE



UTILITY CONTACT INFORMATION			
UTILITY	UTILITY CO.	REPRESENTATIVE	PHONE
TELEPHONE	AT&T	-	(855) 910-6074
GAS	PG&E	-	(877) 660-6789
ELECTRIC	PG&E	-	(877) 660-6789
FIRE	CITY OF OROVILLE FIRE	-	(530) 538-2487
WATER	CALWATER	-	(530) 533-4034
SEWER	SCOR OROVILLE REGION	-	(530) 534-0353
DRAINAGE	OROVILLE PUBLIC WORKS	-	(530) 538-2401
U.S.A.	UNDERGROUND SERVICE ALERT	-	1-800-642-2444

DESIGN	CHECK NO.	BY	DATE	APPROVED
DRAWN				
QUANT.				
0				
1				
2				
ORIGINAL SCALE IS IN INCHES				

PROFESSIONAL LAND SURVEYOR  
 WILLIAM F. MCKINNEY  
 No. 4715  
 Exp. 09-30-25  
 STATE OF CALIFORNIA

OWNER:  
 FADI ABDULMARSIH  
 ORO DAM CAR WASH INC.  
 424 WINDHAM WAY  
 CHICO CA 95973

2535 FEATHER RIVER BLVD  
 OROVILLE, CA 95965  
 APN: 035-030-094-000

TENTATIVE PARCEL MAP

Sheet  
**TENTATIVE  
 PARCEL MAP**  
 1 of 1  
 4 / 20 / 2024

C:\Users\jgomes\onedrive\work\temp\Asst\Bulshah\_22800A\_24040\_TL.dwg Aug 02, 2024-04:53 pm



**CITY OF OROVILLE**

**RESOLUTION NO. P2024-12**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE, CALIFORNIA, MAKING FINDINGS AND CONDITIONALLY APPROVIING TENTATIVE PARCEL MAP NO. TPM24-01 PERMITTING A TENTATIVE PARCEL MAP (APN 035-030-094).**

**WHEREAS**, the City of Oroville staff recommends a tentative parcel map; and

**WHEREAS**, the tentative parcel map to will divide the existing 0.733-acre parcel into two separate parcels. Parcel 1 will be 15,258 square feet and Parcel 2 will be 16,697 square feet; and

**WHEREAS**, the following conditions of approval shall be incorporated into the final map; and

**WHEREAS**, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the tentative parcel map described herein and considered the City’s staff report regarding the request; and

**WHEREAS**, the requested tentative parcel map is in conformance with the General Plan and the City’s zoning ordinance; and

**WHEREAS**, the requested parcel map seeks no variances or exceptions; and

**WHEREAS**, all services and access to the proposed parcels are available and meet City standards; and

**WHEREAS**, the parcel was not involved in the division of a larger parcel anytime in the last two years; and

**WHEREAS**, the parcel does not have an average slope greater than 20 percent.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission as follows:

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15315 “Minor Land Divisions.”
2. The Planning Commission approves the findings provided for the tentative parcel map to separate the existing 0.733-acre parcel into two separate parcels to create to create individual parcels for each of the two car wash businesses.

## CONDITIONS OF APPROVAL

1. These conditions of approval are to permit the land division of Tentative Parcel Map No. 24-01 as generally described above.
2. This Tentative Parcel Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within twenty-four (24) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays, which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
3. The Planning Commission approval date of Tentative Parcel Map No. 24-01 is September 26, 2024. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
4. All easements of record on and immediately adjacent to the property being subdivided -- and all easements created by approval of this subdivision -- must be noted on the Final Map and shown on site plans and improvement plans.
5. The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
6. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this action or any environmental or other documentation related to the approval of this tentative parcel map. Applicant further agrees to provide a defense for the City in any such action.
7. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.

8. This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
9. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the code of the City of Oroville to minimize any negative impacts that the use may have on the surrounding properties.
10. All private facilities, improvements, infrastructure, systems, equipment, common areas, landscaping, irrigations systems, etc. shall be operated and maintained by the applicant in such a manner, and with such frequency, to ensure the public health, safety, and general welfare.
11. The Planning Commission's action shall be final unless the subdivider or any other interested person appeals the action to the City Council as provided in Section 16.04.060 of the City's Code.
12. Owner shall provide monumentation in conformance with the requirements of the California Subdivision Map Act (Government Code Section 66410 and following).
13. The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on the Parcel Map.
14. The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on any plans for construction on the parcels. Said monuments shall be protected or replaced per State law.
15. All easements of record that affect this property are to be shown on the Parcel Map.
16. Ingress and Egress easements for public access to the proposed parcels and through the adjacent NAPOTS property are to be shown on the Parcel Map.
17. Separation of utilities, especially those utilities found within the curb island for the vacuums and overhead lighting, for each respective parcel, must be verified and proven to be separate.
18. All utility access easements are to be shown on the Parcel Map (i.e. if the electrical conduit providing electrical services to one of the proposed parcels goes through an adjacent parcel, the utility easement must be shown, for future maintenance purposes).
19. Prior to recordation of the Parcel Map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492.

20. A preliminary soils report or geological hazard report indicating no adverse soil or geological conditions shall be submitted prior to the issuance of building permits.

21. Existing City sewer infrastructure located along frontage at the property shall be encased within a public utility easement on the final map.

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

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 26<sup>th</sup> of September 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
KAYLA REASTER,  
ASSISTANT CITY CLERK

\_\_\_\_\_  
WYATT JENKINS,  
CHAIRPERSON

# Notice of Exemption

Appendix E

Item 1.

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: Butte

155 Nelson Ave,

Oroville, CA 95965

**From:** (Public Agency): City of Oroville  
1735 Montgomery Street  
Oroville, CA 95965

(Address)

Project Title: Oroville Carwash TPM

Project Applicant: Robert Eynck, CWE

Project Location - Specific:

2525 Feather River Boulevard, Oroville, CA, 95965

Project Location - City: Oroville Project Location - County: Butte

Description of Nature, Purpose and Beneficiaries of Project:

A tentative parcel map to divide one lot into two

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Infill 15315 Minor Division of Land
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Less than 4 parcels, conforms to General Plan and zoning designation, services are available, no division of land in past two years

Lead Agency

Contact Person: Kristina Heredia Area Code/Telephone/Extension: 530-538-2406

**If filed by applicant:**

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

Signature: \_\_\_\_\_ Date: 9-26-24 Title: Associate Planner

▪ Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



# City of Oroville

## COMMUNITY DEVELOPMENT DEPARTMENT

1735 Montgomery Street  
 Oroville, CA 95965-4897  
 (530) 538-2401 FAX (530) 538-2426  
[www.cityoforoville.org](http://www.cityoforoville.org)

### PLANNING COMMISSION STAFF REPORT

Thursday, September 26, 2024

**RE: Gold Creek Commons Tentative Subdivision Map TSM24-01**

**SUMMARY:** The Planning Commission shall consider approving the Gold Creek Commons Subdivision, which will subdivide The Project includes approx. 106,000 square feet of commercial space and 176 residential units.

**RECOMMENDATION: Staff recommends the following actions:**

1. **Approve** the recommended findings for Tentative Subdivision Map TSM24-01 and recommended Conditions of Approval;
2. **Adopt** Resolution No. P2024-13
3. **Adopt the Notice of Exemption** as the appropriate level of environmental review for the project.

**APPLICANTS:** RCM Investments, LLC

**LOCATION:** APN 013-160-054 and APN 035-450-014, west of Lincoln Street between Mitchell Avenue and Oroville Dam Blvd E.

**GENERAL PLAN:** Mixed Use (MU)  
**ZONING:** Corridor Mixed Use (MXC)  
**FLOOD ZONE:** Zone X

**ENVIRONMENTAL DETERMINATION:** Project Exempt from CEQA under AB430

**REPORT PREPARED BY:**

Kristina Heredia, Associate Planner  
 Community Development

**REVIEWED BY:**

Patrick Piatt, Director  
 Community Development

**DISCUSSION:**

An application has been received for a Tentative Subdivision Map (TSM24-01) for the proposed Gold Creek Commons Mixed-Use Development. This is an infill development that will consist of approximately 106,000 square feet of commercial space with 176 residential units above the ground floor.

Potential commercial uses include general retail, food and beverage sales, restaurants or cafes, professional offices, gyms, instructional or production studios, and banks; all of which are permitted uses in the MXC zone. Estimated proportions are 10% Restaurants/Cafes, 50% Retail, and 40% offices or similar. Specific commercial uses for each lot are pending subject to sale/lease, and will be subject to relevant City review and permitting prior to use-specific improvements being carried out.

The tentative subdivision map is to divide two existing parcels, totaling 7.04 acres, into 11 separate parcels; 10 condominium style parcels which will follow the 10 proposed building's footprints and Parcel A, which will contain the rest of the site and amenities including parking, common spaces and access to the site.

All required conditions and considerations per OMC 16.12.020 "Tentative Maps" apply to this requested tentative subdivision map. Prior to filing the Final Subdivision Map, all public improvements required by OMC Title 16 "Subdivisions" shall be completed and accepted by the City or a deferred improvement agreement shall be executed.

**ENVIRONMENTAL DETERMINATION:**

This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to AB-430: The Camp Fire Housing Assistance Act of 2019.

**FINDINGS:**

Staff has determined that the following findings can be accurately and truthfully made (OMC 16.12.020.F);

- 1) The requested tentative parcel map is in conformance with the General Plan and the City's zoning ordinance.
- 2) The site is physically suitable for the proposed density and type of development.
- 3) The design of the land division is not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat.
- 4) The design of the land division is not likely to cause serious public health problems.
- 5) A preliminary soils report or geological hazard report indicating no adverse soil or geological conditions that cannot be corrected to the satisfaction of the City

Engineer shall be submitted prior to the issuance of building permits.

- 6) The design of the land division will not conflict with any existing easements.
- 7) The proposed land division is consistent with OMC 16.12.020, and the requested parcel map seeks no variances or exceptions.
- 8) All services and access to the proposed parcels are available and meet City standards.
- 9) The parcel was not involved in the division of a larger parcel anytime in the last two years.
- 10) The discharge of waste from the proposed land division into a community sewer system would not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000 of the Water Code).

**FISCAL IMPACT**

The total fees associated with this project are as follows:

Item	Price	Tech Fee	Total	Paid
Tentative Subdivision Map	\$4,041.06	\$242.46	\$4,283.52	Yes
<b>Total</b>	<b>\$4,041.06</b>	<b>\$242.46</b>	<b>\$4,283.52</b>	<b>Yes</b>

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

**PUBLIC NOTICE**

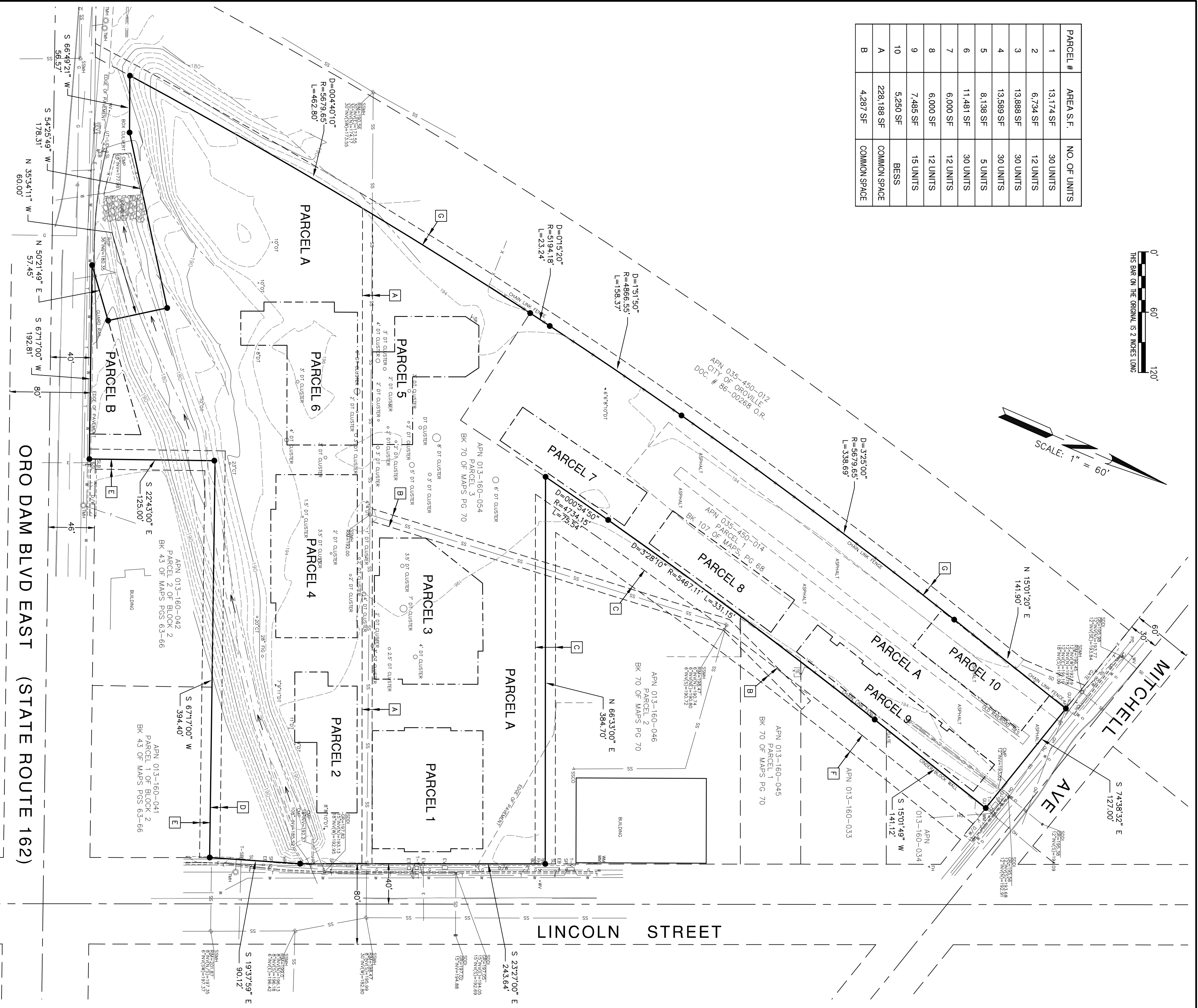
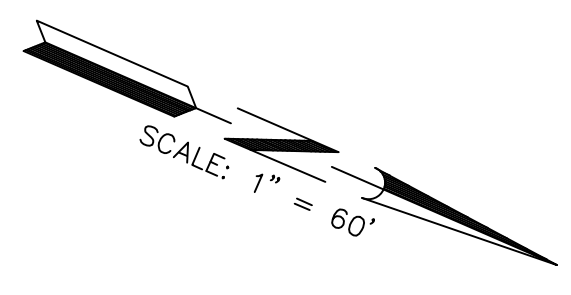
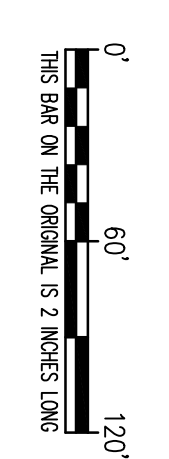
A request for comments was prepared and circulated to the local agencies and surrounding property owners within 300 feet of the property. Additionally, the meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

**ATTACHMENTS**

- 1. Proposed Map TSM 24-01
- 2. Resolution No. P2024-13
- 3. Engineer’s Report
- 4. Notice of Exemption



PARCEL #	AREA S.F.	NO. OF UNITS
1	13,174 SF	30 UNITS
2	6,734 SF	12 UNITS
3	13,888 SF	30 UNITS
4	13,589 SF	30 UNITS
5	8,139 SF	5 UNITS
6	11,481 SF	30 UNITS
7	6,000 SF	12 UNITS
8	6,000 SF	12 UNITS
9	7,485 SF	15 UNITS
10	5,280 SF	BESS
A	228,188 SF	COMMON SPACE
B	4,287 SF	COMMON SPACE



**LEGEND**

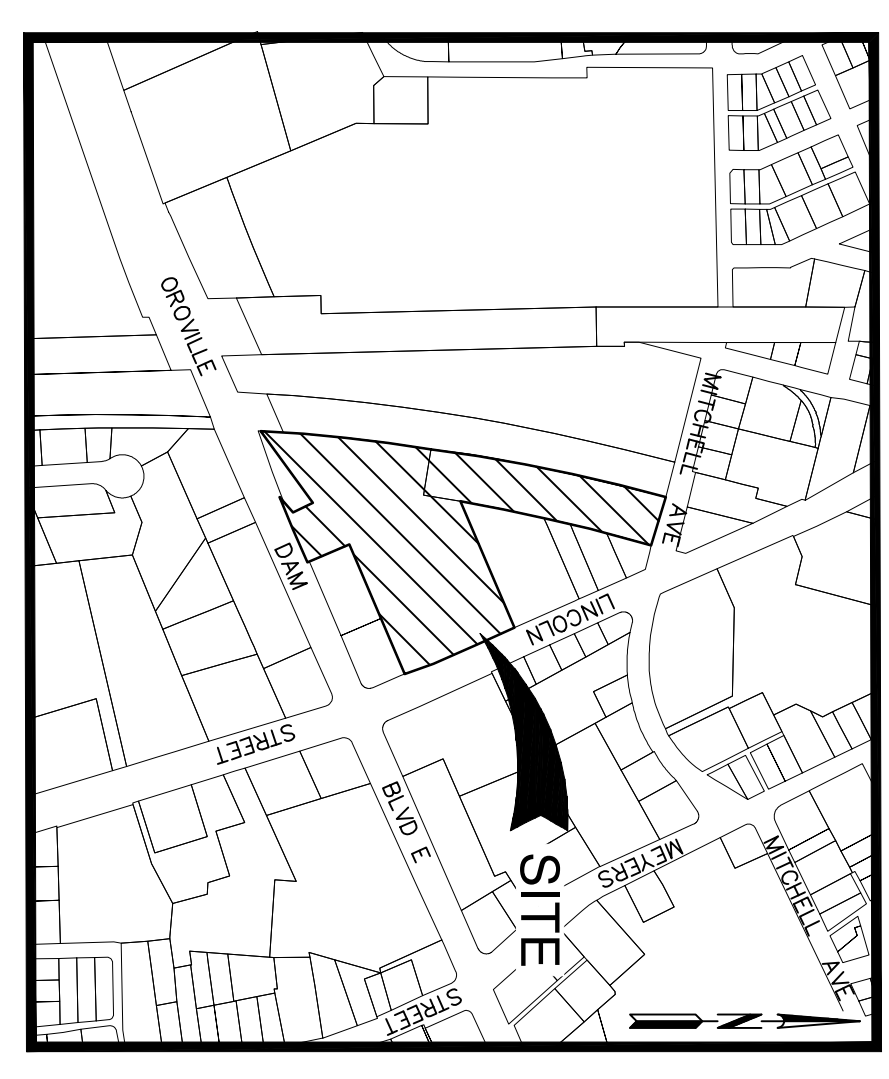
---	APPROXIMATE PROJECT BOUNDARY	ET	EXISTING ELECTRIC TRANSFORMER
---	EXISTING PROPERTY LINE	EV	EXISTING ELECTRIC VAULT
---	EXISTING RIGHT-OF-WAY CENTERLINE	FR	EXISTING FIRE HYDRANT
---	EXISTING EDGE OF CONCRETE	GR	EXISTING CATCH BASIN GRATE
---	EXISTING EDGE OF ASPHALT PAVEMENT	GV	EXISTING POLE GUY WIRE
---	EXISTING FLOWLINE	HR	EXISTING HAND RAIL
---	EXISTING CABLE TV MAIN/SERVICE (PER UTILITY MAP)	JT	EXISTING UTILITY JOINT POLE
---	EXISTING ELECTRIC MAIN/SERVICE (PER UTILITY MAP)	PP	EXISTING UTILITY POWER POLE
---	EXISTING GAS MAIN/SERVICE (PER UTILITY MAP)	PR	EXISTING REINFORCED CONCRETE PIPE
---	EXISTING OVERHEAD UTILITY LINES	SD	EXISTING STORM DRAIN CATCH BASIN
---	EXISTING STORM DRAIN	SL	EXISTING STORM DRAIN DROP INLET
---	EXISTING SANITARY SEWER	SL	EXISTING STREET LIGHT
---	EXISTING TELEPHONE MAIN (PER UTILITY MAP)	SL	EXISTING STREET LIGHT BOX
---	EXISTING WATER MAIN/SERVICE (PER UTILITY MAP)	SP	EXISTING SIGN POST
---	EXISTING TOP OF BANK	SSM	EXISTING SEWER CLEANOUT
---	EXISTING TIE OF BAK	TE	EXISTING SANITARY SEWER MANHOLE
---	EXISTING GROUND CONTOUR (10' INTERVAL)	TM	EXISTING FRESH ENCLOSURE
---	EXISTING GROUND MINOR CONTOUR (2' INTERVAL)	TM	EXISTING TELEPHONE MANHOLE
---	EXISTING EASEMENTS	TS	EXISTING TELEPHONE SERVICE BOX
---	EXISTING FENCE LINE	TV	EXISTING TELEPHONE VAULT
---	EXISTING DIRECTION OF FLOW	U-LID	EXISTING UTILITY LID
---	EXISTING SURFACE ELEVATION	WM	EXISTING WATER METER
---	EXISTING UTILITY ANCHOR POLE	WV	EXISTING WATER VALVE
---	EXISTING BOLLARD	O-TRE	EXISTING TREE, DIAMETER & TYPE
---	EXISTING CORRUGATED METAL PIPE	OT	DECIDUOUS TREE
---	EXISTING DRIVEWAY	CT	CONIFER TREE
---	EXISTING ELECTRIC BOX	OT	OAK TREE

**EASEMENT NOTES**

- A EXISTING 10' WIDE RIGHT-OF-WAY FOR SEWER PURPOSES PER BOOK 1110 PAGE 400 OF OFFICIAL RECORDS TO REMAIN
- B EXISTING 12' WIDE SEWER EASEMENT PER PARCEL MAP FOR GERRY MEYER, BOOK 70 OF MAPS, PAGE 70 TO REMAIN
- C EXISTING 20' EASEMENT RESERVED IN DEEDS FOR PUBLIC UTILITIES AND ROAD PURPOSES PER PARCEL MAP FOR GERRY MEYER, BOOK 70 OF MAPS, PAGE 70 TO REMAIN
- D EXISTING 10' WIDE RIGHT-OF-WAY FOR ROAD PURPOSES PER BOOK 1195 PAGE 272 OF OFFICIAL RECORDS TO REMAIN
- E EXISTING 10' WIDE RIGHT-OF-WAY FOR ROAD PURPOSES PER BOOK 1195 PAGE 271 OF OFFICIAL RECORDS TO REMAIN
- F EXISTING 20' WIDE RIGHT-OF-WAY FOR ROAD PURPOSES PER BOOK 1224 PAGE 277 OF OFFICIAL RECORDS TO REMAIN
- G EXISTING 12' WIDE DRAINAGE EASEMENT PER RECORD OF SURVEY AT BOOK 106 OF MAPS, PAGE 72 TO REMAIN
- H THE LOCATION OF AN EXISTING EASEMENT FOR WATER WAY AND INCIDENTAL PURPOSES PER BOOK 66 OF DEEDS PAGE 283 COULD NOT BE DETERMINED FROM RECORD INFORMATION
- I THE LOCATION OF AN EXISTING EASEMENT FOR POLE LINE AND INCIDENTAL PURPOSES PER BOOK 135 OF DEEDS PAGE 436 COULD NOT BE DETERMINED FROM RECORD INFORMATION
- J THE LOCATION OF AN EXISTING EASEMENT FOR PIPELINE AND INCIDENTAL PURPOSES PER BOOK 126 PAGE 116 OF OFFICIAL RECORDS COULD NOT BE DETERMINED FROM RECORD INFORMATION
- K THE LOCATION OF AN EXISTING EASEMENT FOR TELEPHONE LINES AND INCIDENTAL PURPOSES PER BOOK 158 OF DEEDS PAGE 155 COULD NOT BE DETERMINED FROM RECORD INFORMATION
- L THE LOCATION OF AN EXISTING EASEMENT FOR ROAD AND INCIDENTAL PURPOSES PER BOOK 184 OF DEEDS PAGE 383 COULD NOT BE DETERMINED FROM RECORD INFORMATION

**NOTES**

1. THERE ARE NO KNOWN SUMPS OR SEPTIC TANKS ON THIS SITE.
2. THERE ARE NO KNOWN WELLS ON THIS SITE.
3. THERE ARE NO EXISTING STRUCTURES ON THIS SITE.
4. DEVELOPMENT OF THIS PROJECT WILL NOT INVOLVE FILING PHASED FINAL MAPS.
5. THE PROJECT IS NOT REQUESTING ANY DEVIATIONS FROM CITY STANDARDS.
6. PRELIMINARY SOILS INVESTIGATIONS INCLUDING BORINGS AND TEST PITS HAVE BEEN PERFORMED BY SIERRA GEOTECH TO AID THE PREPARATION OF THIS MAP.
7. A PORTION OF THE PROJECT IS LOCATED IN ZONE X (SHADED AS SHOWN ON FIRM PANEL 0795E. THIS ZONE CONTAINS AREAS OF 0.2% ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE. AREAS OF PROTECTED FLOOD PLAIN ARE SHOWN ON FIRM PANEL 0795E. THESE AREAS OF PROTECTED FLOOD PROJECT ARE LOCATED IN ZONE X (UNSHADED) AS SHOWN ON FIRM PANEL 0795E. THIS ZONE CONTAINS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
8. DEVELOPMENT OF THE PARCELS WILL REQUIRE THE PREPARATION OF DETAILED GRADING AND DRAINAGE PLANS SUBJECT TO THE REVIEW AND APPROVAL OF THE CITY OF OROVILLE.
9. PARCELS 1-9 WILL CONNECT TO THE EXISTING SANITARY SEWER MAIN LOCATED ON THE SITE.
10. SUBVISION GRADING WILL BE COMPLETED SUCH THAT ALL PARCELS DRAIN TOWARDS EXISTING STORM DRAIN AND SEWERS INTO THE EXISTING STORM DRAINAGE CHANNEL.
11. INCREASES IN STORM WATER RUNOFF WILL BE CONTAINED IN A DETENTION SYSTEM AND METERED OUT TO MATCH PRE-DEVELOPMENT FLOWS.
12. STORM WATER RUNOFF WILL BE TREATED ONSITE IN ACCORDANCE WITH THE CITY OF OROVILLE POST-CONSTRUCTION STANDARDS.
13. FIRE HYDRANTS WILL BE INSTALLED AT LOCATIONS APPROVED BY THE CITY OF OROVILLE FIRE DEPARTMENT.



**LOCATION MAP**  
NO SCALE

**UTILITY SERVICE**

- A. SANITARY SEWER - CITY OF OROVILLE
- B. STORM DRAIN - CITY OF OROVILLE
- C. WATER - CALIFORNIA WATER SERVICE
- D. GAS & ELECTRIC - P.G.&E.
- E. TELEPHONE - AT&T
- F. CABLE T.V. - COMCAST

**EXISTING ZONING:**

- MXC: CORRIDOR MIXED-USE
- **PROPOSED ZONING:**
- PARCELS 1-10: MIXED USE

**PROPOSED ZONING**

- ROLLS ANDERSON & ROLLS  
ATTN: PAUL RABO  
R.C.E. 72029  
115 YELLOWSTONE DRIVE  
CHICO, CA 95973  
(530) 895-1422

**EXISTING LAND USE:**

- MIXED USE
- **ASSESSORS' PARCEL NUMBERS:**
- 013-160-054
- 035-450-014

**PROPOSED LAND USE:**

- PARCELS 1-10: MIXED USE
- **PARCEL AREA SUMMARY**
- EXISTING PARCEL 5.4 AC
- A.P.N. 013-160-054 1.9 AC
- PROPOSED MIXED USE PARCELS 7.3 AC
- TOTAL AREA (GROSS) 7.3 AC
- NUMBER OF PARCELS 10
- AVERAGE PARCEL SIZE 0.2 AC
- AS ALLOWED BY THE CITY OF OROVILLE MUNICIPAL CODE

**GOLD CREEK COMMONS**

**VESTING TENTATIVE PARCEL MAP (22-\_\_\_)**

**RCM INVESTMENTS, LLC**

A DIVISION OF PARCEL 3 OF THE PARCEL MAP FOR GERRY MEYER, BOOK 70 OF MAPS, PAGE 70, AND PARCEL 1 OF THE PARCEL MAP FOR SOUTHERN PACIFIC TRANSPORTATION COMPANY, BOOK 107 OF MAPS, PAGE 68, CITY OF OROVILLE BUTTE COUNTY STATE OF CALIFORNIA

FOR

**ROLLS ANDERSON & ROLLS**  
CIVIL ENGINEERS  
115 YELLOWSTONE DRIVE, CHICO, CALIFORNIA 95973-9811  
TELEPHONE 530-895-1422

MARCH, 2022

21125

SHEET 1 OF 1

**CITY OF OROVILLE****RESOLUTION NO. P2024-13****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE, CALIFORNIA, MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE SUBDIVISION MAP NO. TSM24-01 PERMITTING A TENTATIVE SUBDIVISION MAP (APN 013-160-054 and APN 035-450-014).**

**WHEREAS**, the City of Oroville staff recommends a tentative subdivision map; and

**WHEREAS**, the tentative subdivision map is to subdivide two existing parcels, totaling 7.04 acres, into eleven separate parcels; and

**WHEREAS**, the following conditions of approval shall be incorporated into the final map; and

**WHEREAS**, at a duly noticed public hearing, the Planning Commission considered the comments and concerns of public agencies, property owners, and members of the public who are potentially affected by the approval of the tentative subdivision map described herein and considered the City's staff report regarding the request; and

**WHEREAS**, the requested tentative subdivision map is in conformance with the General Plan and the City's zoning ordinance; and

**WHEREAS**, the requested subdivision map seeks no variances or exceptions; and

**WHEREAS**, all services and access to the proposed parcels are available and meet City standards; and

**WHEREAS**, the parcels were not involved in the division of a larger parcel anytime in the last two years; and

**WHEREAS**, the parcels do not have an average slope greater than 20 percent.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission as follows:

1. This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to AB-430: The Camp Fire Housing Assistance Act of 2019.
2. The Planning Commission approves the findings provided for the tentative subdivision map to subdivide two existing parcels totaling 7.04 acres identified as APN 013-160-054 and APN 035-450-014 off Lincoln Street between Mitchell Avenue and Oroville Dam Blvd E, into 11 parcels.

## CONDITIONS OF APPROVAL

### Project Specific Conditions

1. These conditions of approval are to permit the land division of Tentative Subdivision Map No. TSM24-01 as generally described above.
2. The Planning Commission approval date of Tentative Subdivision Map No. TSM24-01 is September 26, 2024. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
3. The following Infrastructure Improvements shall be completed:
  - a. New Frontage Improvements (road, sidewalk, street lighting) along Lincoln Street, and Mitchell Ave. adjacent to Parcel A.
  - b. Landscape plan.
  - c. Utilities
    - i. The Sanitary Sewer lines shall be upgraded to minimize the need for major maintenance repairs within the new development.
    - ii. Existing 10-foot Right-of-Way for Easements A and B shall be increased to 20 feet. Any construction adjacent to Easements A and B shall be able to accommodate construction equipment ingress and egress in the event maintenance is required on the sewer system. No building, balcony, or overhang shall come within ten (10) feet of either side of the sewer alignments.
4. Reciprocal Access and Utility Easement between Parcel A and all numbered Parcels
5. All buildings shall look similar in appearance and design.
6. Contractor must obtain all necessary permits prior to construction.
7. Contractor must comply with all building codes, laws, and regulations.
8. Coordination with other Agencies:
  - a. Coordinate with CalWater to ensure there's adequate water supply and provide necessary improvements to the water system, if needed.
  - b. Compliance with all Caltrans requirements in letter dated 7/26/2022.
9. Ensure adequate access for emergency vehicles to Parcel 6, Parcel 4, and Parcel 2.
10. Provide stormwater calculations showing that the existing drainage is capable of taking on the additional stormwater runoff for the development.
11. Per OMC Section 16.16.185 the subdivider shall dedicate park land or pay an in-lieu fee in accordance with the Oroville Municipal Code.

## General Conditions

1. This Tentative Subdivision Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Parcel Map within twenty-four (24) months after the approval of said Tentative Subdivision Map. Where circumstances beyond the control of the applicant cause delays, which do not permit compliance with the time limitation referenced herein, the Planning Commission may grant an extension of time for an additional period of time not to exceed an additional twelve (12) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the City Council, thirty (30) calendar days before the expiration of the Tentative Subdivision Map. The applicant will be responsible for initiating any extension request.
2. All easements of record on and immediately adjacent to the property being subdivided -- and all easements created by approval of this subdivision -- must be noted on the Final Map and shown on site plans and improvement plans.
3. The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
4. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this action or any environmental or other documentation related to the approval of this tentative parcel map. Applicant further agrees to provide a defense for the City in any such action
5. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.
6. This map shall run with the land and be binding upon all successors in interest to the maximum extent permitted by law.
7. Pursuant to Section 17.12.010, the proposed use of the site shall conform to the performance standards of the code of the City of Oroville to minimize any negative impacts that the use may have on the surrounding properties.
8. All private facilities, improvements, infrastructure, systems, equipment, common areas, landscaping, irrigations systems, etc. shall be operated and maintained by the

applicant in such a manner, and with such frequency, to ensure the public health, safety, and general welfare.

9. The Planning Commission's action shall be final unless the subdivider or any other interested person appeals the action to the City Council as provided in Section 16.04.060 of the City's Code.
10. Owner shall provide monumentation in conformance with the requirements of the California Subdivision Map Act (Government Code Section 66410 and following).
11. The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on the Final Map.
12. The location, identification and description of known or found monuments on or adjacent to the site, shall be shown and noted on any plans for construction on the parcels. Said monuments shall be protected or replaced per State law.
13. All easements of record that affect this property are to be shown on the Final Map.
14. Prior to recordation of the Final Map, pay in full any and all delinquent, current and estimated taxes and assessments as specified in Article 8 of Chapter 4 of Division 2 of Title 7, of the California Government Code commencing with Section 66492.
15. A preliminary soils report or geological hazard report indicating no adverse soil or geological conditions that cannot be corrected to the satisfaction of the City Engineer shall be submitted prior to the issuance of building permits.
16. Existing City sewer infrastructure located along frontage at the property shall be encased within a public utility easement on the final map.

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

**I HEREBY CERTIFY** that the foregoing resolution was duly introduced and passed at a regular meeting of the Planning Commission of the City of Oroville held on the 26<sup>th</sup> of September 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

\_\_\_\_\_  
KAYLA REASTER,  
ASSISTANT CITY CLERK

\_\_\_\_\_  
WYATT JENKINS,  
CHAIRPERSON

DRAFT

**DATE:** September 23, 2024  
**TO:** PLANNING COMMISSION  
**FROM:** Alyssa Stutz, City Engineer  
**RE:** Gold Creek Commons Vesting Tentative Subdivision Map  
 (24-01)



This office has reviewed the Vesting Tentative Subdivision Map (24-01) and herewith submits the following findings and recommendations for same.

**A. MODIFICATIONS TO DESIGN CRITERIA AND IMPROVEMENT STANDARDS OF THE OROVILLE MUNICIPAL CODE**

The Subdivider has requested no certain modifications to requirements of the Oroville Municipal Code (OMC).

**B. TIMING AND NATURE OF PUBLIC IMPROVEMENTS**

The City Engineer will determine the nature, extent, timing and limits of required road/street public improvements to be constructed as part of any development (including phased development) versus payment of an in-lieu fee as well as reimbursements for construction of future Nexus/CIP facilities.

**C. PUBLIC FACILITY CONSTRUCTION**

**1. Streets**

- a) Street structural sections to be determined based upon findings from the Soils Report or City Standards for residential streets, whichever is more stringent.
- b) Points of site ingress and egress shall be subject to intersection sight distance criteria as established by the City Engineer. Appropriate easements shall be dedicated as needed on the Final Map.
- c) Notice is hereby given to future owners of lots within this subdivision that the City of Oroville may require the construction of additional traffic circulation improvements under the circumstances described below. An appropriate note shall be placed on the Final Map.
  - 1) Increased Traffic Volume: Anticipated growth in residents or businesses leading to higher traffic flows than initially estimated.
  - 2) Safety Concerns: Identified safety issues, such as high accident rates at intersections or pedestrian crossings that require enhancements.

- 3) Access Issues: Inadequate access to major roads or inadequate turning radii for emergency vehicles, necessitating new access points or road expansions.
- 4) Public Transport Needs: Plans for public transit routes that require modifications to existing roadways or the addition of bus stops.
- 5) Change in Land Use: Future developments (e.g., commercial, industrial) that could impact traffic patterns and require adjustments.
- 6) Roadway Capacity: Current roads not meeting capacity standards, requiring upgrades to accommodate future demand.
- 7) Parking Concerns: Insufficient parking availability leading to street congestion, necessitating the design of additional parking areas.
- 8) Regulatory Changes: Updates in local traffic regulations or standards that mandate improvements based on new criteria.

## **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, where applicable.
- b) Future storm drainage needs within and outside of the project shall be examined to the extent that improvements to serve such areas need to be built either within or adjacent to this subdivision. Said improvements shall be constructed by the Subdivider.

### c) NPDES Requirements

- 1) The subdivision will be designed, constructed, and maintained compliance with the State Water Resources Control Board Phase II Small Municipal Separate Storm Sewer System (MS4) Program – National Pollutant Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements (WDRs) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s).”

### d) Alternative Storm Drainage Facilities

An alternative storm drainage design or facility is one that does not operate under gravity and/or differs from the standards in the Design Criteria of the Oroville Municipal Code. Any such design/facility shall be required to include appropriate note(s) on the improvement plans describing the nature of the alternative features and their operating characteristics (including limitations and/or special maintenance needs).



g) Storm Drainage Detention Facilities

Surface storm drainage detention facilities shall be landscaped with turf (or an approved alternate) and shall be provided with an irrigation system. Any surface water quality treatment facility shall be vegetated in accordance with the Storm Drainage Analysis below and shall also be suitably provided with adequate irrigation.

h) 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 Oroville Municipal Code (OMC). It shall be designed for a full range of storm water runoff, up to and including a 100-year storm. In addition to OMC requirements, 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 and the ground water table elevation.
- 3) The 100-year storm plus 1-foot freeboard must be retained onsite without flooding any residences both within and adjacent to the subdivision.

i) Storm Drainage Analysis

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

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

- Underground pipes
- Open, natural swales
- Improved channels
- Storm water runoff management facilities
- Outfall facilities discharging to natural channels
- Both ultimate and interim facilities serving streets exterior to the subdivision that are required to be constructed herein.

- j) The subdivider shall pay a storm drain fee calculated in accordance with the current fee schedule under the requirements of the Oroville 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 improved/updated underground sanitary sewer system, with all appurtenances, serving all lots.
- 2) Adjacent to Subdivision – Not Applicable.
- 3) Sanitary Sewer Analysis - In conjunction with the first submittal of improvement plans, the Subdivider shall submit a Sanitary Sewer Analysis to the Public Works Department for review and approval. Said analysis shall cover the entirety of the tributary area served by the sewer system required herein and shall include analysis and design of the following sewer system elements:
  - Size, grade, depth and location of gravity sewer lines
  - Approved pumping plants, including service to an interim tributary area, if applicable
  - Preliminary system design for future upstream tributary areas, if applicable
  - Downstream sanitary sewer system capacity

#### b) Sanitary Sewer Fees

The Subdivider shall pay applicable sanitary sewer main fees to the City of Oroville prior to recording the Final Map, plus applicable trunk line and water pollution control plant capacity fees in conjunction with building permits.

#### e) Sewerage Commission – Oroville Region (SC-OR)

The project is more than 20 equivalent dwelling units, therefore a special agreement with SC-OR is required.

The Subdivider shall enter into an agreement with the SC-OR and the City of Oroville in compliance with SC-OR policy. Said agreement shall be in regard to, but not necessarily limited to, capacity analysis and impact mitigation. Subdivider shall pay all fees and other costs associated with the agreement.

### 4. Street Signs and Striping

The Subdivider shall install City standard street signs, regulatory signs, pavement striping and pavement markings on all streets, and bicycle facilities that they are required herein to construct. Traffic control devices shall meet the standards of the Manual of Uniform Traffic Control Devices.

## 5. Streetlights

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

## 6. Bikeways

No bikeways are required.

## 7. Transportation Facilities

The Subdivider is not required to construct bus turnouts, benches, or shelters unless future Public Transport needs change.

## 8. Street Trees

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

## 9. Landscaping

The Subdivider shall install landscaping and an irrigation system in accordance with a landscape and maintenance plan approved by the City.

## D. MAINTENANCE

Prior to 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 include but not be limited to:

- a) Storm water mitigation facilities
- b) Landscaped areas in the public right-of-way included in the Landscape Plan
- c) Street lights

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 or alternate funding mechanism shall be complete and formed prior to recordation of the Final Map.

## E. PARKLAND

The Subdivider shall dedicate park land or pay an in lieu fee in accordance with the Oroville Municipal Code section 16.16.185 – Dedication of land for park and recreation purposes.

## F. SUBDIVISION GRADING

### 1. Soils Report

The Subdivider has submitted a Geological and/or Soils Report, prepared by a registered engineer. The report was written by Sierra Geotech and dated March 29, 2022. Special attention should be given to Chapter 5 – Conclusions and Chapter 6 - Earthwork.

The following concerns shall be considered and addressed:

- Presence of undocumented fills
- Potential for liquefaction
- Potential for ground rupture
- Potential for lateral spreading
- Potential for unsaturated loose sands seismic compression
- Potential for underground unknown structures
- Potential for environmentally contaminated soils
- Potential for near-surface expansive soils
- Potential for high ground water table

## **2. Grading Standards**

All subdivision grading shall be in conformance with Oroville Municipal Code Chapter 15.88 – Grading Excavation and Sediment Control.

## **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 Oroville 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 Oroville 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 City Engineer for review and approval prior to the start of any work and shall be considered as part of the construction plans.

## **G. PROPERTY CONVEYANCES**

### **1. Dedications**

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

- a) Dedicate, acquire or bear the cost of acquisition of public rights of way or easements as necessary to construct the public improvements required herein
- b) Dedicate a 20-foot-wide public utility easement for sewer purposes in alignment with existing sanitary sewer mains.
- c) Dedicate a public utility easement for the waterway

### **2. Abandonments**

- a) No abandonments are proposed.

## **H. OTHER PUBLIC SERVICES**

### **1. Public Utilities**

- a) **Underground Requirements**

The Subdivider shall install the following utilities underground:

- 1) All new utilities serving this subdivision. Overhead services to other properties may remain.
- 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.

## **2. Fire Protection**

The Subdivider shall pay for the installation of fire hydrants within the subdivision in conformance with the recommendations of the City of Oroville Fire Marshall.

## **3. United States Postal Service**

The Subdivider shall install concrete pads for Neighborhood Delivery & Collection Box Units. 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 City Planning Department.

## **I. PERMITS FROM OUTSIDE AGENCIES**

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

## **J. OTHER PERMITS**

If applicable, the Subdivider shall submit a completed “Application Requesting Permission to Plant, Remove, Alter, or Disturb Public Trees” to the Public Works Department. The Subdivider shall comply with any and all recommendations/requirements prior to commencing any construction activities on the site.

## **K. DESIGN CRITERIA AND IMPROVEMENT STANDARDS**

All public and joint-use private improvements shall be designed in accordance with the Oroville Municipal Code (OMC), except as modified by the conditions of approval for this subdivision. Where the OMC does not have an applicable criteria or improvement standard the Subdivider and the City Engineer may agree to use the criteria or standard of another agency.

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 and joint-use private improvements.

All public and joint-use private improvements shall be constructed in conformance with the Oroville Municipal Code and in conformance with the details shown on the approved improvement plans.

The design criteria and improvement standards of utilities providing services may be substituted when approved in writing by the Director of Public Works.

## L. ENVIRONMENTAL CLEARANCE

The project is determined by the Applicant to be exempt from further environmental review requirements of the California Environmental Quality Act of 1970, as defined in the State and County Guidelines for the implementation of CEQA and the qualifications of the project to meet the requirements of AB430 Camp Fire Housing Assistance Act of 2019. Refer to Notice of Exemption, dated June 21, 2022.

## M. ADMINISTRATIVE REQUIREMENTS

### 1. Revised Tentative Map

The Subdivider shall prepare a Project Map, consisting of a copy of the Tentative Map modified to depict all requirements of this subdivision report or the resolution of approval that alter the street layout, the lot configuration, or any other substantive item depicted on the Tentative Map as originally submitted.

The revised tentative map shall be submitted, reviewed, and approved by the Planning Department Director and the City Engineer prior to initial submittal of the improvement plans or Final Map for this subdivision.

### 2. Subdivision Improvement Agreement

If the public and joint-use private 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 the Oroville Municipal Code.

### 3. Subdivision Fees

#### a) Plan Checking Fee

The Subdivider shall pay to the City of Oroville a subdivision plan checking fee upon filing the Final Map and/or prior to submitting improvement plans and specifications for checking.

The initial deposit shall be based on an estimated cost of all public and/or joint use private improvements exclusive of private utility facilities. The final fee will be equal to actual City costs.

#### b) Inspection Fee

The Subdivider shall pay to the City of Oroville an inspection fee prior to commencing construction. The initial deposit will be based on the cost of all public and/or joint use private improvements exclusive of private utility facilities. The final fee will be 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 Planning Services Department.



---

Alyssa Stutz, City Engineer

Distribution:

Original - Planning

Development Engineering Subdivision File



# Notice of Exemption

Appendix E

Item 2.

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk  
County of: Butte  
155 Nelson Ave,  
Oroville, CA 95965

From: (Public Agency): City of Oroville  
1735 Montgomery Street  
Oroville, CA 95965

(Address)

Project Title: Gold Creek Commons TSM

Project Applicant: RCM Investments, LLC

Project Location - Specific:

APN 013-160-054 & APN 035-450-014 - North of Oro Dam Blvd, West of Lincoln St.

Project Location - City: Oroville Project Location - County: Butte

Description of Nature, Purpose and Beneficiaries of Project:

A tentative subdivision map to divide two existing parcels into 11 new parcels for a mixed-use development

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Project is within the City of Oroville, is for multifamily housing, and meets the criteria under AB-430 for streamlined ministerial approval.

Lead Agency  
Contact Person: Kristina Heredia Area Code/Telephone/Extension: 530-538-2406

**If filed by applicant:**

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

Signature: \_\_\_\_\_ Date: 9-26-24 Title: Associate Planner

▪ Signed by Lead Agency      Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



## CITY OF OROVILLE PLANNING COMMISSION STAFF REPORT

**TO: CHAIRPERSON WYATT JENKINS AND COMMISSIONERS**

**FROM: KAYLA REASTER, ASSISTANT CITY CLERK**

**RE: SELECTION OF VICE CHAIRPERSON FOR THE OROVILLE PLANNING COMMISSION**

**DATE: SEPTEMBER 26, 2024**

### SUMMARY

Staff recommends that the Planning Commission nominate and select a Vice Chairperson from its current members to serve for the remainder of the current term or until the next regular selection of officers.

### DISCUSSION

Selecting a Vice Chairperson is a crucial step in maintaining the leadership structure of the Planning Commission. The Vice Chairperson provides vital support to the Chairperson and ensures that the Commission can continue to operate smoothly in the event that the Chairperson is unavailable.

#### **Selection Process:**

- Nominations for the position of Vice Chairperson will be made by the Commission members.
- Each nominee will have the opportunity to accept or decline the nomination.
- A vote will be conducted, and the nominee receiving the majority vote will be appointed as the Vice Chairperson.

### FISCAL IMPACT

There is no fiscal impact associated with the selection of a Vice Chairperson, as the position is voluntary and does not carry any additional compensation beyond regular commission duties.

**ACTION REQUESTED - NOMINATE AND SELECT A VICE CHAIRPERSON FROM ITS CURRENT MEMBERS TO SERVE FOR THE REMAINDER OF THEIR TERM.**

NAACP 4<sup>th</sup> Annual Invitation