



OROVILLE PLANNING COMMISSION

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**April 25, 2019
REGULAR MEETING
OPEN SESSION 7:00 PM
AGENDA**

CITY OF OROVILLE PLANNING COMMISSION

CHAIR: Damon Robinson
VICE-CHAIR: Carl Durling
MEMBERS: Randy Chapman; Wyatt Jenkins; Michael Britton, Susan Sears, Tammy Flicker

ALL MEETINGS ARE RECORDED AND BROADCAST LIVE

*This meeting may be broadcast remotely via audio and/or video conference at the following address:
Cota Cole, LLP, 2261 Lava Ridge Court, Roseville, California 95661.
Meeting is streamed live at cityoforoville.org and on YouTube*

CALL TO ORDER

ROLL CALL

Commissioners: Tammy Flicker, Michael Britton, Randy Chapman, Wyatt Jenkins, Susan Sears, Vice Chairperson Carl Durling, Chairperson Damon Robison

PLEDGE OF ALLEGIANCE

INSTRUCTIONS TO INDIVIDUALS WHO WISH TO SPEAK

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. Council 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 two minutes per speaker. If more than 15 speaker cards are submitted for non-agenda items, the first 15 speakers will be randomly selected to speak at the beginning of the meeting, with the remaining speakers given an opportunity at the end. **(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.

PUBLIC COMMENTS

This is an opportunity for members of the public to address the Planning Commission on any subject not on the agenda related to the Planning Commission.

CORRESPONDENCE

None

APPROVAL OF MINUTES

The Planning Commission may approve the minutes from the March 28, 2019 meeting.

PUBLIC HEARINGS

The Public Hearing Procedure is as follows:

Chairperson opens the public hearing.

Staff and Applicant introduce item and take questions from the Commissioners

Speakers are requested to provide a speaker card to the City Clerk. Hearing is opened for public comment limited to three (3) minutes. Under Government Code 54954.3. the time for each presentation may be limited.

Public comment session is closed

Commissioners, discuss, debate and action.

1. ZONING CHANGE 16.12.020 (H.1) - TENTATIVE MAPS

The Oroville Planning Commission will review and consider approving Zoning Change No. 19-04 19-04 a change to the Oroville Municipal Code (OMC)16.12.020 (H.1) Tentative Maps to remove "Planning Commission" and add "Zoning Administrator" for review and approval and where 2 years is referenced remove and add 6 years.

RECOMMENDATION

APPROVE the recommended Findings for Zoning/Subdivision Change No. ZC – 19-04; and

APPROVE Resolution No. P2019-05 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING ZONING/SUBDIVISION CHANGE NO. 19-04 PERMITTING A CHANGE TO THE ZONING/SUBDIVISION CODE TITLE 16.12.020 (H.1) AMENDMENTS AND REZONING.

2. ZONING CODE CHANGE 16.12.050 (F) - TENTATIVE PARCEL MAP EXTENSIONS

The Oroville Planning Commission will review and consider approving Zoning/Subdivision Change No. ZC – 19-03 to remove "Planning Commission" and add "Zoning Administrator" for review and approval in section Title 16.12.050 (F) and replace the allotted time for extensions from 36 months to "not to exceed 6 years".

RECOMMENDATION

APPROVE the recommended Findings for Zoning/Subdivision Change No. ZC 19-03; and

APPROVE Resolution No. P2019-04 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING

3. TENTATIVE SUBDIVISION MAP - 2134 2ND STREET

The Planning Commission will conduct a public hearing to consider approving Tentative Subdivision Map No. 19-02 to separate a 1.89-acre lot into 15 parcels for medium density residential housing.

RECOMMENDATION

APPROVE the recommended Findings for Tentative Parcel Map No. 19-02; and

APPROVE Resolution No. P2019-08 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A TENTATIVE SUBDIVISION MAP LOCATED AT 2134 2ND STREET, OROVILLE, CA APN 031-150-031.

4. CONDITIONAL USE PERMIT - EMERGENCY SHELTER - 3010 MYERS STREET

The Planning Commission will conduct a public hearing to consider approving a Conditional Use permit for an Emergency Shelter in a vacant commercial building located at 3010 Myers Street, Oroville CA

RECOMMENDATION

Continue the Public Hearing to a date selected by the Planning Commission

5. CONDITIONAL USE PERMIT - MANUFACTURED HOME DISPLAY AND SALES OFFICE - 2243 FEATHER RIVER BLVD

The Oroville Planning Commission will conduct a public hearing to consider approving a Manufactured Home Display and Sales Office in a vacant commercial building and lot located at 2243 Feather River Blvd, Oroville, CA.

RECOMMENDATION

Continue the Public Hearing to a date selected by the Planning Commission

6. ZONING ORDINANCE CHANGE - DEVELOPMENT STANDARDS FOR RESIDENTIAL DISTRICTS TABLE - 17.28.020-2

The Planning Commission will conduct a public hearing to consider approving an addition to 17.28.020 Development Standards for Residential Districts Table 17.28.020-2

RECOMMENDATION

Continue the Public Hearing to a date selected by the Planning Commission

REGULAR BUSINESS

None

DISCUSSION ITEMS

None

DIRECTOR'S REPORT

The Director shall report on information pertinent to the Planning Commission.

COMMISSION REPORTS

Reports by commission members on information pertinent to the Planning Commission.

ADJOURNMENT

Adjourn to Thursday, May 23, 2019 at 7:00 P.M. in the Oroville City Council Chambers

***** NOTICE *****

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.

***** NOTICE *****

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



OROVILLE PLANNING COMMISSION

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**March 28, 2019
MEETING MINUTES**

**THIS MEETING WAS BROADCAST LIVE AT CITYOFOROVILLE.ORG AND ON YOUTUBE
THE AGENDA FOR THIS MEETING WAS PUBLISHED ON MARCH 22, 2019 AT 12:16 PM**

CALL TO ORDER

Chair Robison called the meeting to order at 7pm

ROLL CALL

PRESENT: Commissioners: Susan Sears, Michael Britton, Randy Chapman, Wyatt Jenkins, Tammy Flicker, Chairperson Damon Robison

ABSENT: Carl Durling

STAFF: Chief Building Official Gary Layman, Assistant City Clerk Jackie Glover, Administrative Assistant Cecilia Carmona

PLEDGE OF ALLEGIANCE – Led by Chair Robison

Chair Robison pulled item number 1 from the agenda at the request of staff. Emergency Shelter Conditional use permit.

PUBLIC COMMENTS

The following individuals spoke at the meeting on non- agenda items:

- Tom Oxford
- Brad Jackson

The following individual spoke on item #7 – Scott Gibson

CORRESPONDENCE

None

APPROVAL OF MINUTES

Motion by Commissioner Sears and second by commissioner Chapman to approve the minutes of the meeting on February 28, 2019. Passed.

AYES: Commissioner Jenkins, Chapman, Britton, Sears, Flicker, Chair Robison

NOES: None

ABSENT: Commissioner Durling

ABSTAIN: None

PUBLIC HEARINGS

1. EMERGENCY SHELTER CONDITIONAL USE PERMIT (PL 1903-003)

Item pulled from the agenda at the request of staff, not discussed.

2. TENTATIVE PARCEL MAP (PW1902-001) - 2134 2ND STREET

The Oroville Planning Commission conducted a public hearing to consider approving a tentative parcel map for an existing 1.89-acre lot located at 2134 2nd Street, Oroville, CA into (15) total lots to provide two story affordable housing on each lot.

Motion by Commissioner Britton and second by Commissioner Chapman to approve a Tentative Parcel Map (PW1902-001) 19-02. Passed

AYES: Commissioner Jenkins, Chapman, Britton, Flicker, Chair Robison

NOES: Commissioner Sears

ABSENT: Commissioner Durling

ABSTAIN: None

3. ZONING ORDINANCE CHANGE - 16.12.020 TENTATIVE SUBDIVISION MAP EXTENSIONS

Motion by Commissioner Chapman and second by Commissioner Sears to table Items 3 and 4 to the next meeting. Passed.

AYES: Commissioner Jenkins, Chapman, Britton, Sears, Flicker, Chair Robison

NOES: None

ABSENT: Commissioner Durling

ABSTAIN: None

4. ZONING ORDINANCE CHANGE - 16.12.050 TENTATIVE PARCEL MAP EXTENSIONS

Tabled to the next meeting. See motion from item number 3.

5. TENTATIVE PARCEL MAP EXTENSION - NELSON 56 ON NELSON AVE

The Oroville Planning Commission conducted a public hearing to consider approving a Tentative Parcel map extension for Nelson 56 on Nelson Ave. near 12th Street.

Motion by Commissioner Chapman and second by Commissioner Sears to approve a tentative parcel map extension. Passed

AYES: Commissioner Jenkins, Chapman, Britton, Sears, Flicker, Chair Robison

NOES: None

ABSENT: Commissioner Durling

ABSTAIN: None

6. TENTATIVE PARCEL MAP (PW1810-004) - WEST SIDE OF 7TH AVE BETWEEN ORO DAM BLVD AND OAK ST

The Oroville Planning Commission conducted a public hearing to consider approving a Tentative Parcel map located on the West side of 7th between Oroville dam Blvd and Oak streets creating two lots one 6.0 acres and one 2.4 acres

Motion by Commissioner Sears and second by Commissioner Flicker to APPROVE the recommended Findings for Tentative Parcel Map No. 19-01; and APPROVE Resolution No. P2019-07 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A TENTATIVE PARCEL MAP LOCATED AT 2430 SOUTH 7TH STREET, OROVILLE, CA. Passed

AYES: Commissioner Jenkins, Chapman, Britton, Sears, Flicker, Chair Robison

NOES: None

ABSENT: Commissioner Durling

ABSTAIN: None

7. APPROVAL OF CHIPOTLE DRIVE THRU RESTAURANT (PL 1901-007) - 355 ORO DAM BLVD- PAD 2

The Oroville Planning Commission conducted a public hearing to consider approving a Chipotle Drive Thru restaurant on Pad 2 location at 355 Oro Dam Blvd, on the Feather River Crossing on the corner of Feather River Blvd and Oroville Dam Blvd.

RECOMMENDATION

Motion by Commissioner Chapman and second by Commissioner Britton to APPROVE the recommended Findings for Use Permit No. 19-02; and APPROVE Resolution No. P2019-06 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING USE PERMIT # 19-02 FOR A DRIVE THROUGH RESTAURANT; and add to the Conditional use permit that lane lines must be extended down Feather River Blvd from Oro Dam Blvd to reduce confusion when arriving at the stop light from Feather River Blvd.

AYES: Commissioner Jenkins, Chapman, Britton, Sears, Flicker, Chair Robison

NOES: None

ABSENT: Commissioner Durling

ABSTAIN: None

REGULAR BUSINESS

None

DISCUSSION ITEMS

Unanimous direction given to staff to provide agendas and packets to Commissioners by no later than Friday morning.

DIRECTOR’S REPORT

Chief building Official Gary Layman – Gave an update on a potential to annex in 80 acres between Nelson/16th and Nelson/19th. Potential Apartment Complex off Nelson, would require a change in zoning. KFC has had a permit change but is still moving forward. Explained to the commission that item 1 that was pulled is zoned for the use requested and asked commissioner that when it be brought back to keep an open mind.

COMMISSION REPORTS

Reports by commission members on information pertinent to the Planning Commission.

ADJOURNMENT

Chairperson Robison adjourned the meeting at 8:37pm. Adjourned to Thursday, April 25, 2019 at 7:00 P.M. in the Oroville City Council Chambers

APPROVED:

ATTESTED:

Damon Robison, Chair

Jackie Glover, Assistant City Clerk



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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PLANNING COMMISSION STAFF REPORT

April 25, 2019

ZONING CHANGE 19-04 – TENTATIVE MAP EXTENSIONS AND APPROVAL

The Oroville Planning Commission will review and consider approving Zoning Change No. ZC 19-04 a change to the Oroville Municipal Code (OMC) 16.12.020 (H.1) Tentative Maps, to remove “Planning Commission” and add “Zoning Administrator” for review and approval and where 2 years is referenced remove and add 6 years.

ENVIRONMENTAL DETERMINATION:

This action has been determined to be 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 15300.1 "Relations to Ministerial Projects"

REPORT PREPARED BY:

Gary D. Layman, Acting Director
Community Development Department

REVIEWED BY:

Bill Lagrone,
Assistant City Administrator

RECOMMENDED ACTIONS:

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

1. **APPROVE** the recommended Findings for Zoning/Subdivision Change No. ZC – 19-04; and
2. **APPROVE Resolution No. P2019-05** A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING ZONING/SUBDIVISION CHANGE NO. 19-04 PERMITTING A CHANGE TO THE ZONING/SUBDIVISION CODE TITLE 16.12.020 (H.1) AMENDMENTS AND REZONING.

SUMMARY

The existing Municipal code as written effects the ability for city staff to make decisions on extending an already approved tentative Parcel map without full review and approval of the Oroville Planning Commission. However, a minor change to the Oroville Municipal code would allow city staff the ability to make rational decisions to assist in expediting the process, as well as, eliminate the extra expense and delays on the developer, businesses and or owners in the permit process.

DISCUSSION

The new proposed change to the Oroville Municipal Code will allow staff to make administrative decisions and eliminate the extra expense and delays in the permit process as well as the allotted time extension of a tentative map. The minor change to the Oroville Municipal Code Title 16.12.020(H.1) Tentative maps Amendments and approvals, to replace (Planning Commission and add Zoning Administrator) for review and approval of Tentative Map to (replace 2 years with 6 years). The extension time period of six years would be consistent with the subdivision map act Article 2 section

66452.6(e). these changes would demonstrate a most business-friendly environment and provide the ability for a timelier approval process.

ENVIRONMENTAL REVIEW

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 15300.1 "Relations to Ministerial Projects"

FISCAL IMPACT

NONE.

NEWSPAPER NOTICE

ATTACHMENTS

Will be provided separately

RESOLUTION NO. P2019-05

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING ZONING/SUBDIVISION CHANGE NO. 19-04 PERMITTING A CHANGE TO THE ZONING/SUBDIVISION CODE TITLE 16.12.020 TENTATIVE MAPS.

WHEREAS, the City of Oroville staff recommends a change to 16.12.020(H.1); and

WHEREAS, per the City of Oroville Municipal Code, the Oroville Municipal Code (OMC) Subdivision Title 16.12.020 Tentative maps, to replace (Planning Commission and add Zoning Administrator) for review and approval. General. In section H.1 of Title 16.12.020 in the OMC where it references where the OMC references approval by the planning Commission and replace with the zoning administrator and Extension of Approval of Tentative Map to (replace 2 years with 6 years).; and

WHEREAS, pursuant to Section 16.12.020(H.1) Tentative maps of the Oroville Municipal Code, the Zoning Administrator with notification to the City Administrator, Planning Commission and City Council may by ordinance amend and when determined by the Zoning Administrator the planning commission shall hold public hearings as required by law on any proposed tentative maps or maps extensions; and

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

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

1. This action has been determined to be 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 15300.1 "Relations to Ministerial Projects".
2. The Planning Commission approves the findings required by Section/Title 16.12.020 of the Oroville City Code, as those findings are described in this Resolution to move forward to the Oroville City Council for final review and approval.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 25th of April 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, ASSISTANT CITY CLERK

DAMON ROBISON, CHAIRPERSON

FINDINGS

No. ZC 19-04: ZONING CHANGE TITLE 16.12.020 TENTATIVE MAPS

A. INTRODUCTION

The Oroville Planning Staff recommends the Planning Commission review and consider approving Zoning Change ZC – 19-04 Tentative Maps - The Oroville Planning Commission will review and consider a minor change to the Oroville Municipal Code (OMC) Zoning Title 16.12.020 Tentative maps, to replace (Planning Commission and add Zoning Administrator) for review and approval. General. In the entire section where the OMC references approval by the planning Commission and replace with the zoning administrator and in section H.1 of Title 16.12.020 in the OMC where it references Extension of Approval of Tentative Map to (replace 2 years with 6 years).

The existing Municipal code as written effects the ability for city staff to make decisions on extending an already approved tentative Parcel map without full review and approval of the Oroville Planning Commission. However, a minor change to the Oroville Municipal code would allow city staff the ability to make rational decisions to assist in expediting the process, as well as, eliminate the extra expense and delays on the developer, businesses and or owners in the permit process.

B. CATEGORICAL EXEMPTION

This action has been determined to be 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 15300.1 “Relations To Ministerial Projects”

C. FINDINGS

The new proposed change to the Oroville Municipal Code will allow staff to make administrative decisions and eliminate the extra expense and delays in the permit process as well as the allotted time extension of a tentative map. The minor change to the Oroville Municipal Code Title 16.12.020(H.1) Tentative maps Amendments and approvals, to replace (Planning Commission and add Zoning Administrator) for review and approval of Tentative Map to (replace 2 years with 6 years). The extension time period of six years would be consistent with the subdivision map act Article 2 section 66452.6(e). these changes would demonstrate a most business-friendly environment and provide the ability for a timelier approval process.



City of Oroville

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PLANNING COMMISSION STAFF REPORT

April 25, 2019

ZC 19-03 Tentative Parcel maps - The Oroville Planning Commission will review and consider approving Zoning/Subdivision Change No. ZC – 19-03 to remove “Planning Commission” and add “Zoning Administrator” for review and approval in section Title 16.12.050 (F) and replace the allotted time for extensions from 36 months to “not to exceed 6 years”.

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 15300.1 “Relations to Ministerial Projects”

REPORT PREPARED BY:

Gary D. Layman, Acting Director
Community Development Department

REVIEWED BY:

Bill Lagrone,
Assistant City Administrator

RECOMMENDED ACTIONS:

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

1. **APPROVE** the recommended Findings for Zoning/Subdivision Change No. ZC 19-03; and
2. **APPROVE** Resolution No. P2019-04 A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING ZONING/SUBDIVISION CHANGE NO. 19-03 PERMITTING A CHANGE TO THE ZONING/SUBDIVISION CODE TITLE 16.12.050 TENTATIVE PARCEL MAPS

SUMMARY

The existing Municipal code as written effects the ability for city staff to make decisions on extending an already approved tentative Parcel map without full review and approval of the Oroville Planning Commission. However, a minor change to the Oroville Municipal code would allow city staff the ability to make rational decisions to assist in expediting the process, as well as, eliminate the extra expense and delays on the developer, businesses and or owners in the permit process.

DISCUSSION

The new proposed change to the Oroville Municipal Code will allow staff to make administrative decisions and eliminate the extra expense and delays in the permit process as well as the allotted time extension of a tentative map. The minor change to the Oroville Municipal Code Title 16.12.050(F) Tentative Parcel maps Amendments and approvals, to replace (Planning Commission and add Zoning Administrator) for review and approval. General. In the entire section where the OMC references approval by the planning Commission and replace with the zoning administrator and in section H. Extension of Approval of Tentative Map to (replace 2 years with 6 years). The extension time period of six years would be consistent with the Subdivision Map Act Article 5 section 66463.5(c).

ENVIRONMENTAL REVIEW

This action has been determined to be 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 15300.1 "Relations to Ministerial Projects"

FISCAL IMPACT

NONE.

NEWSPAPER NOTICE

ATTACHMENTS

Resolution P2019-04

RESOLUTION NO. P2019-04

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING ZONING/SUBDIVISION CHANGE NO. 19-03 PERMITTING A CHANGE TO THE ZONING/SUBDIVISION CODE TITLE 16.12.050 (F) TENTATIVE PARCEL MAPS.

WHEREAS, the City of Oroville staff recommends a change to 16.12.050 (F);
and

WHEREAS, pursuant to Section 16.12.050 Tentative Parcel maps of the Oroville Municipal Code, the Zoning Administrator with notification to the City Administrator, Planning Commission and City Council by ordinance amendment to replace (Planning Commission and add Zoning Administrator) for review and approval. In section Title 16.12.050 (F) where the OMC references "The planning commission" and replace with the zoning administrator may extend its approval for an additional period of time not to exceed 2 years and replace (2 with 6) years. and

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

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

1. 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 15300.1 "Relations to Ministerial Projects".
2. The Planning Commission approves the findings required by Section/Title 16.12.050 (F) of the Oroville City Code, as those findings are described in this Resolution to move forward to the Oroville City Council for final review and approval.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 25th of April 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, ASSISTANT CITY CLERK

DAMON ROBISON, CHAIRPERSON

FINDINGS

No. 19-03: SUBDIVISIONS CHANGE TITLE 16.12.050 TENTATIVE PARCEL MAPS

A. INTRODUCTION

The Oroville Planning Staff recommends the Planning Commission review and consider approving Zoning/Subdivision Change No. ZC – 19-03 for the minor change to the Oroville Municipal Code (OMC) Subdivision Title 16.12.050 Parcel maps Amendments and approvals, to replace (Planning Commission and add Zoning Administrator) for review and approval. In section Title 16.12.050 (F) where the OMC references “The planning commission” and replace with the zoning administrator may extend its approval for an additional period of time not to exceed 2 years and replace (2 with 6) years.

The existing Municipal code as written effects the ability for city staff to make decisions on extending an already approved tentative Parcel map without full review and approval of the Oroville Planning Commission. However, a minor change to the Oroville Municipal code would allow city staff the ability to make rational decisions to assist in expediting the process, as well as, eliminate the extra expense and delays on the developer, businesses and or owners in the permit process.

B. CATEGORICAL EXEMPTION

This action has been determined to be 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 15300.1 “Relations to Ministerial Projects”

C. FINDINGS

Tentative parcel maps have already been through the process for approval by the city staff, public, planning commission and city council with specific conditions of approval. If there have been no changes to the conditions of approval or tentative parcel map then this minor change to the Oroville Municipal Code Title 16.12.050 Tentative maps, to replace (Planning Commission and add Zoning Administrator) for review and approval would expedite and eliminate delay in the extension of a tentative parcel map. However, if there are any changes to the tentative parcel map or the conditions of approval the changes and extension shall be required to go through the approval process along with paying any fees associated with the process for review and approval by the planning commission.

F. Expiration and Extension of Tentative Parcel Map. An approved or conditionally approved tentative parcel map shall expire 36 months after its approval or conditional approval. The ~~planning commission~~ **zoning administrator** may extend its approval for an additional period of time not to exceed ~~2~~ **6** years. (Ord. 1749 § 3)



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PLANNING COMMISSION STAFF REPORT

April 25, 2019

Tentative Subdivision Map - 19-02: 2134 2nd Street APN 031-150-031 The Planning Commission will conduct a public hearing to consider approving Tentative Subdivision Map No. 19-02 to separate a 1.89-acre lot into 15 parcels for medium density residential housing.

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 15332 "IN-FILL DEVELOPMENT PROJECTS"

REPORT PREPARED BY:

Gary D. Layman, Acting Director
Community Development Department

REVIEWED BY:

Bill Lagrone,
Assistant City Administrator

RECOMMENDED ACTIONS:

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

1. **APPROVE** the recommended Findings for Tentative Parcel Map No. 19-02; and
2. **APPROVE Resolution No. P2019-08** A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING A TENTATIVE SUB-DIVISION MAP LOCATED AT 2134 2ND STREET, OROVILLE, CA APN 031-150-031.

SUMMARY

The applicants McGreen Properties have applied for a tentative parcel map to split an existing 1.89-acre site into fifteen separate parcels for medium density residential housing.

DISCUSSION

The existing 1.89-acre property is vacant with a single-family dwelling unit, barn, and 2 small shed units. The vacant portion of the site primarily consists of seasonal grasses. There is a 2- story Butte County Records office building located along the northerly property line. Home Depot is located west of the project, Oroville Community Day School to the south, and vacant (R-2 zoned) property to the east.

This project, McGreen Estates Subdivision, shall subdivide the property into 15 (total) lots. All existing structures will be removed. Each lot will be developed with a 2-story, affordable housing unit. The option of an attached 1 or 2- car garage will be offered for each residence. Each lot will have a minimum of 2 off-street parking spaces. There are 3 larger lots arranged along the east side of the project. It is proposed that each lot may be developed as a 2-story duplex unit that would include 4 onsite parking spaces. The maximum density for the project is 9.52 dwelling units/acre. Proposed building footprint coverage is approximately 19,500 square feet or 25% of the property.

Development of the site will include construction of curb and gutter, and sidewalk improvements along 2nd Street. These new improvements will connect to existing improvements located to the north and south. In addition, the project will connect to existing public sewer and storm drain facilities along 2nd Street.

A non-standard public street section with hammerhead turn-around is proposed. Future connectivity to the adjacent, easterly R-2 lot can't be foreseen at this time. This projects street will serve 15 lots and/or a maximum of 18 family dwelling units. For these reasons, sidewalk is proposed only on one street side. Handicap ramps will be appropriately placed to allow for easy street crossing(s). City standard rolled curb and gutter will be constructed along the street. Based on the geometry of the lot, a cul-de-sac would take up valuable R-2 zoned land that could be developed for affordable housing. Instead, a hammerhead configuration is proposed for consideration. It has been designed consistent with neighboring City of Chico Fire Department standards, and on other municipal engineering improvement standards. Durable street trees will be planted along both sides of the street. Other landscaping and/or trees will be planted on each lot. The proposed width of the street (face of curb to face of curb), is consistent with City of Oroville Improvement Standards, or 36-feet for a residential street.

ENVIRONMENTAL REVIEW

This action has been determined to be 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 15332 "IN-FILL DEVELOPMENT PROJECTS"

FISCAL IMPACT

The total fees associated with this project are as follows:

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

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

RESOLUTION NO. P2019-08

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING TENTATIVE SUBDIVISION MAP - 19-02: 2134 2nd STREET APN 031-150-031

WHEREAS, the City of Oroville staff recommends approving Tentative Subdivision Map No. 19-02 to separate a 1.89-acre lot into fifteen parcels; and

WHEREAS, per the City of Oroville Municipal Code, the Oroville Municipal Code (OMC) Subdivision Title 16.12.020 Tentative Subdivision Maps, the request is to separate a 1.89-acre lot into 15 parcels for medium density residential housing.; and

WHEREAS, pursuant to Section 16.12.050 (E.1) Tentative maps of the Oroville Municipal Code, the Planning Commission shall hold public hearings as required by law on any proposed tentative maps or maps extensions; and

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

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

1. This action has been determined to be 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 15332 "IN-FILL DEVELOPMENT PROJECTS".
2. The Planning Commission approves the Tentative Subdivision Map No. 19-02 to separate a 1.89-acre lot into fifteen parcels. With the following conditions;

CONVEYANCES AND EASEMENTS:

1. Set monuments in centerline for new street and 2nd Street and at hammerhead. Set at minimum a PK and washer.
2. Proposed Easements are adequate.
3. Design plans should be on NAVD88 vertical datum
4. Dedicate a 10-foot wide Public Utility Easement along all lots abutting streets interior to the subdivision (shown).

5. Deed to the City of Oroville in fee simple 40 feet of right-of-way from the centerline of 2nd Street, in accordance with City Code sections 23-88 and 23-91, and General Plan Table 5.20-B, which designates 2nd Street as an arterial street (shown).
6. 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.

STREETS

7. Construct handicapped ramps to the City's ST-15 standard at all intersections.
8. Prior to recordation of the Final Map, street names shall be approved by the City Address Coordinator, and street name signs shall be provided per requirements of the Department of Public Works. A minimum of 3 alternate names for each new street shall be submitted.
9. Install a stop sign at the subdivision's intersection with 2nd Street.
10. All traffic control devices including stop signs, street legends, centerline stripping, shoulder stripping, warning signs, etc, shall be shown on the improvement plans and shall be installed in accordance with City Standards.
11. Prior to construction of required street improvements, submit improvement plans to the Public Works Department for approval. All improvement plans shall be designed by a Registered Civil Engineer, shall conform to the Standards of the City of Oroville, and shall be approved by the City Engineer prior to the start of work.
12. All streets and frontage improvements shall be constructed in conformance with the Oroville Construction Standards, the Oroville Code, and the details as shown on the approved construction plans.
13. Obtain an encroachment permit from the Public Works Department prior to construction of improvements in public right-of-way.

WATER FACILITIES:

14. Water for domestic use and fire suppression shall be obtained from the Thermalito Water and Sewer District. Provide City with "will serve" letter from TWSD.

15. All connections to existing TWSD infrastructure shall be performed by TWSD.

SEWER

16. All new structures constructed on the new lots created by this subdivision shall be connected to the City sanitary sewer system. Sewer service laterals shall be constructed to each lot prior to approval of the Final Map.
17. Prior to approval of sewer improvement plans, submit to the City Engineer sanitary sewer flow calculations prepared by a Registered Civil Engineer to assure adequate system capacity.
18. All lots shall be designed to be served by gravity sewer.
19. All sanitation facilities shall be constructed in conformance with the Oroville Construction Standards, the Oroville Code, and the details as shown on the approved construction plans. The subdivider shall submit construction details, plans and profiles, typical sections and specifications, and cost estimates -- all prepared by a Registered Civil Engineer -- to the Department of Public Works for review and approval prior to the start of any work.

DRAINAGE

20. On-site drainage from street improvements shall be collected on-site and transported via underground conduit to an approved drainage facility.
21. Public and private improvements constructed for the approved subdivision shall not result in an increase in the rate of peak stormwater runoff from the gross area of the pre-subdivided site during any design storm event up to and including a 100-year storm event. Design and maintenance plans for construction of improvements to comply with this requirement shall be prepared by a Registered Civil Engineer, and reviewed and approved by the Public Works Department
22. Private improvements constructed on lots within the subdivision shall not result in an increase in the rate of peak stormwater runoff from one lot across another lot. The deed for all lots created by this subdivision shall include a note that, if the lot is not graded to direct stormwater runoff from new impervious surfaces to the street, then drainage from new impervious surfaces shall be intercepted and directed away from adjacent lots. Plans for diverting drainage shall be approved by the Department of Public Works, and the approved facilities shall be maintained by the property owner.

23. All drainage improvements shall be constructed in conformance with Oroville Construction Standards, the City Master Drainage Plan, and the details shown on approved construction plans. The subdivider shall have a Registered Civil Engineer prepare and submit construction details, plans and profiles, typical sections and specifications, and cost estimates to the Department of Public Works for review and approval prior to the start of any work.

FIRE PROTECTION:

- 24. Fire hydrants shall be installed per standard MS-05. Location to be specified by Fire Department.
- 25. Fire hydrants shall be fully functional prior to issuance of any building permits.
- 26. Each phase in this subdivision shall have all-weather surface access for construction permit approval.

OTHER PUBLIC FACILITIES:

- 27. The subdivider shall provide telephone, cable television, and gas service to all lots, in accordance with Oroville City Code, the Oroville Construction Standards, and the requirements of the agencies providing these services.
- 28. All utilities shall be installed underground.
- 29. Street lights shall be installed in accordance with Pacific Gas and Electric and City Standards. A street lighting plan shall be submitted to the Public Works Department. Street light poles shall be steel.
- 30. Any relocation or rearrangement of existing PG&E electric pole line facilities as a result of this subdivision will be at the developer/applicant's expense.
- 31. A letter stating that satisfactory financial arrangements for installation of utilities shall be provided from each utility prior to recordation of the Final Map.
- 32. The joint trench composite shall be incorporated into the construction drawings.

LOT GRADING:

33. Building pad elevations shall be set a minimum of 1 foot above the flood plain elevation for the lot on which the building will be constructed. Elevations shall be certified by a licensed Land Surveyor (L.S.) and submitted to the Public Works Department.
34. Prior to approval of improvement plans and a Final Map, a Registered Civil Engineer or geologist shall prepare a soils report or geotechnical report. The report shall be prepared in a manner consistent with standard engineering practice and shall be reviewed for acceptability by the Public Works Department.
35. Grading of the lots shall be completed in accordance with Oroville City Code and Oroville's Construction Standards. The subdivider shall submit grading details, plans and specifications prepared by a Registered Civil Engineer to the Department of Public Works for review and approval prior to the start of any work.
36. A Construction Storm Water Permit will be required by the State Regional Water Quality Control Board. The permit must be obtained prior to grading and construction. Provide WDID number prior to grading.

Pursuant to CEQA Guidelines Section 15064.5(e), in the event of the accidental discovery or recognition of prehistoric or historic archaeological deposits in an area subject to development activity, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie similar resources and a professional archaeologist shall be consulted. Further, if human remains are discovered, the coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a special meeting of the Planning Commission of the City of Oroville held on the 25th of April 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVE:

JACKIE GLOVER, ASSISTANT CITY CLERK

DAMON ROBISON, CHAIRPERSON

CONDITIONS OF APPROVAL
TPM 19-02: 2134 2nd STREET APN 031-150-031

Approved Project: The project applicant, McGreen Properties, has applied for a **Tentative Subdivision Map - 19-02: 2134 2nd Street APN 031-150-031** to separate a 1.89-acre lot into 15 parcels for medium density residential housing., subject to the following:

1. These conditions of approval are to permit the land division of Tentative Subdivision Map No. 19-02 (TSM 19-02) as generally described above.
2. This Tentative Subdivision Map conditional approval shall become null and void unless all conditions have been complied with for recordation of the Final Subdivision 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.
3. The Planning Commission approval date of this Tentative Parcel Map No. 19-02 occurred on March 28, 2019. All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
4. The applicant shall ascertain and comply with the State of California Subdivision Map Act and with all requirements of the Oroville Municipal Code, and with all other applicable County, State and Federal requirements.
5. The applicant shall hold harmless the City, its Council members, Planning Commissioners, officers, agents, employees, and representatives from liability for any award, damages, costs, and/or fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this action or any environmental or other documentation related to the approval of this tentative parcel map. Applicant further agrees to provide a defense for the City in any such action
6. The project shall remain in substantial conformance with the Conditions of Approval, as adopted by the Oroville Planning Commission. Any subsequent minor changes in the project (as determined by the Zoning Administrator) may only occur subject to appropriate City review and approval. Any subsequent substantive changes in the project (as determined by the Zoning Administrator) may only occur subject to discretionary review by the Oroville Planning Commission.

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

CONVEYANCES AND EASEMENTS:

1. Set monuments in centerline for new street and 2nd Street and at hammerhead. Set at minimum a PK and washer.
2. Proposed Easements are adequate.

3. Design plans should be on NAVD88 vertical datum
4. Dedicate a 10-foot wide Public Utility Easement along all lots abutting streets interior to the subdivision (shown).
5. Deed to the City of Oroville in fee simple 40 feet of right-of-way from the centerline of 2nd Street, in accordance with City Code sections 23-88 and 23-91, and General Plan Table 5.20-B, which designates 2nd Street as an arterial street (shown).
6. 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.

STREETS

7. Construct handicapped ramps to the City's ST-15 standard at all intersections.
8. Prior to recordation of the Final Map, street names shall be approved by the City Address Coordinator, and street name signs shall be provided per requirements of the Department of Public Works. A minimum of 3 alternate names for each new street shall be submitted.
9. Install a stop sign at the subdivision's intersection with 2nd Street.
10. All traffic control devices including stop signs, street legends, centerline stripping, shoulder stripping, warning signs, etc, shall be shown on the improvement plans and shall be installed in accordance with City Standards.
11. Prior to construction of required street improvements, submit improvement plans to the Public Works Department for approval. All improvement plans shall be designed by a Registered Civil Engineer, shall conform to the Standards of the City of Oroville, and shall be approved by the City Engineer prior to the start of work.
12. All streets and frontage improvements shall be constructed in conformance with the Oroville Construction Standards, the Oroville Code, and the details as shown on the approved construction plans.
13. Obtain an encroachment permit from the Public Works Department prior to construction of improvements in public right-of-way.

WATER FACILITIES:

14. Water for domestic use and fire suppression shall be obtained from the Thermalito Water and Sewer District. Provide City with "will serve" letter from TWSD.

15. All connections to existing TWSD infrastructure shall be performed by TWSD.

SEWER

16. All new structures constructed on the new lots created by this subdivision shall be connected to the City sanitary sewer system. Sewer service laterals shall be constructed to each lot prior to approval of the Final Map.

17. Prior to approval of sewer improvement plans, submit to the City Engineer sanitary sewer flow calculations prepared by a Registered Civil Engineer to assure adequate system capacity.

18. All lots shall be designed to be served by gravity sewer.

19. All sanitation facilities shall be constructed in conformance with the Oroville Construction Standards, the Oroville Code, and the details as shown on the approved construction plans. The subdivider shall submit construction details, plans and profiles, typical sections and specifications, and cost estimates -- all prepared by a Registered Civil Engineer -- to the Department of Public Works for review and approval prior to the start of any work.

DRAINAGE

20. On-site drainage from street improvements shall be collected on-site and transported via underground conduit to an approved drainage facility.

21. Public and private improvements constructed for the approved subdivision shall not result in an increase in the rate of peak stormwater runoff from the gross area of the pre-subdivided site during any design storm event up to and including a 100-year storm event. Design and maintenance plans for construction of improvements to comply with this requirement shall be prepared by a Registered Civil Engineer, and reviewed and approved by the Public Works Department

22. Private improvements constructed on lots within the subdivision shall not result in an increase in the rate of peak stormwater runoff from one lot across another lot. The deed for all lots created by this subdivision shall include a note that, if the lot is not graded to direct stormwater runoff from new impervious surfaces to the street, then drainage from new impervious surfaces shall be intercepted and directed away from adjacent lots. Plans for diverting drainage

shall be approved by the Department of Public Works, and the approved facilities shall be maintained by the property owner.

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FIRE PROTECTION:

24. Fire hydrants shall be installed per standard MS-05. Location to be specified by Fire Department.

25. Fire hydrants shall be fully functional prior to issuance of any building permits.

26. Each phase in this subdivision shall have all-weather surface access for construction permit approval.

OTHER PUBLIC FACILITIES:

27. The subdivider shall provide telephone, cable television, and gas service to all lots, in accordance with Oroville City Code, the Oroville Construction Standards, and the requirements of the agencies providing these services.

28. All utilities shall be installed underground.

29. Street lights shall be installed in accordance with Pacific Gas and Electric and City Standards. A street lighting plan shall be submitted to the Public Works Department. Street light poles shall be steel.

30. Any relocation or rearrangement of existing PG&E electric pole line facilities as a result of this subdivision will be at the developer/applicant's expense.

31. A letter stating that satisfactory financial arrangements for installation of utilities shall be provided from each utility prior to recordation of the Final Map.

32. The joint trench composite shall be incorporated into the construction drawings.

LOT GRADING:

33. Building pad elevations shall be set a minimum of 1 foot above the flood plain elevation for the lot on which the building will be constructed. Elevations shall be certified by a licensed Land Surveyor (L.S.) and submitted to the Public Works Department.

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36. A Construction Storm Water Permit will be required by the State Regional Water Quality Control Board. The permit must be obtained prior to grading and construction. Provide WDID number prior to grading.

37. Pursuant to CEQA Guidelines Section 15064.5(e), in the event of the accidental discovery or recognition of prehistoric or historic archaeological deposits in an area subject to development activity, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie similar resources and a professional archaeologist shall be consulted. Further, if human remains are discovered, the coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

--- End of Conditions ---

FINDINGS

No. TPM 19-02: TENTATIVE SUBDIVISION MAP – 19-02: 2134 2nd Street APN 031-150-031

A. INTRODUCTION

The Oroville Planning Staff recommends the Planning Commission review and consider approving Tentative Subdivision Map -19-02: 2134 2nd Street APN 031-150-031- to separate a 1.89-acre lot into fifteen parcels.

B. CATEGORICAL EXEMPTION

This action has been determined to be 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, 15332 “IN-FILL DEVELOPMENT PROJECTS”

C. FINDINGS

The existing 1.89-acre property is vacant with a single-family dwelling unit, barn, and 2 small shed units. The vacant portion of the site primarily consists of seasonal grasses. There is a 2- story Butte County Records office building located along the northerly property line. Home Depot is located west of the project, Oroville Community Day School to the south, and vacant (R-2 zoned) property to the east.

This project, McGreen Estates Subdivision, shall subdivide the property into 15 (total) lots. All existing structures will be removed. Each lot will be developed with a 2-story, affordable housing unit. The option of an attached 1 or 2- car garage will be offered for each residence. Each lot will have a minimum of 2 off-street parking spaces. There are 3 larger lots arranged along the east side of the project. It is proposed that each lot may be developed as a 2-story duplex unit that would include 4 onsite parking spaces. The maximum density for the project is 9.52 dwelling units/acre. Proposed building footprint coverage is approximately 19,500 square feet or 25% of the property.

Development of the site will include construction of curb and gutter, and sidewalk improvements along 2nd Street. These new improvements will connect to existing improvements located to the north and south. In addition, the project will connect to existing public sewer and storm drain facilities along 2nd Street.

A non-standard public street section with hammerhead turn-around is proposed. Future connectivity to the adjacent, easterly R-2 lot can't be foreseen at this time. This projects street will serve 15 lots and/or a maximum of 18 family dwelling units. For these reasons, sidewalk is proposed only on one street side. Handicap ramps will be appropriately placed to allow for easy street crossing(s). City standard rolled curb and gutter will be constructed along the street. Based on the geometry of the lot, a cul-de-sac would take up valuable R-2 zoned land that could be developed for affordable

housing. Instead, a hammerhead configuration is proposed for consideration. It has been designed consistent with neighboring City of Chico Fire Department standards, and on other municipal engineering improvement standards. Durable street trees will be planted along both sides of the street. Other landscaping and/or trees will be planted on each lot. The proposed width of the street (face of curb to face of curb), is consistent with City of Oroville Improvement Standards, or 36-feet for a residential street.



City of Oroville

PUBLIC WORKS DEPARTMENT

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2401 – FAX (530) 538-2426
www.cityoforoville.org

Mike Massaro, PE
Contract City Engineer

Gary Layman
Interim Community Development Department Director

Subject: McGreen Estates Tentative Subdivision Map Review Comments, Public Works

Mr. Layman:

The following comments cover both surveyor and civil engineer comments from Public Works for review of the McGreen Estates Tentative Subdivision Map. These comments should be address in the final TSM and design plans.

Surveyor and Engineer Comments:

CONVEYANCES AND EASEMENTS:

1. Set monuments in centerline for new street and 2nd Street and at hammerhead. Set at minimum a PK and washer.
2. Proposed Easements are adequate.
3. Design plans should be on NAVD88 vertical datum
4. Dedicate a 10-foot wide Public Utility Easement along all lots abutting streets interior to the subdivision (shown).
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LOT GRADING:

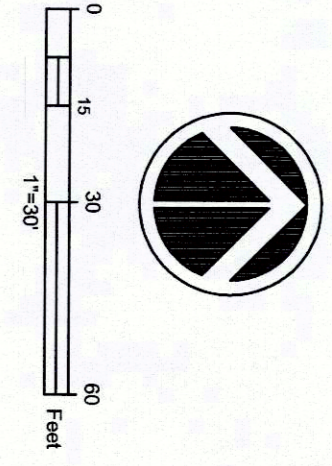
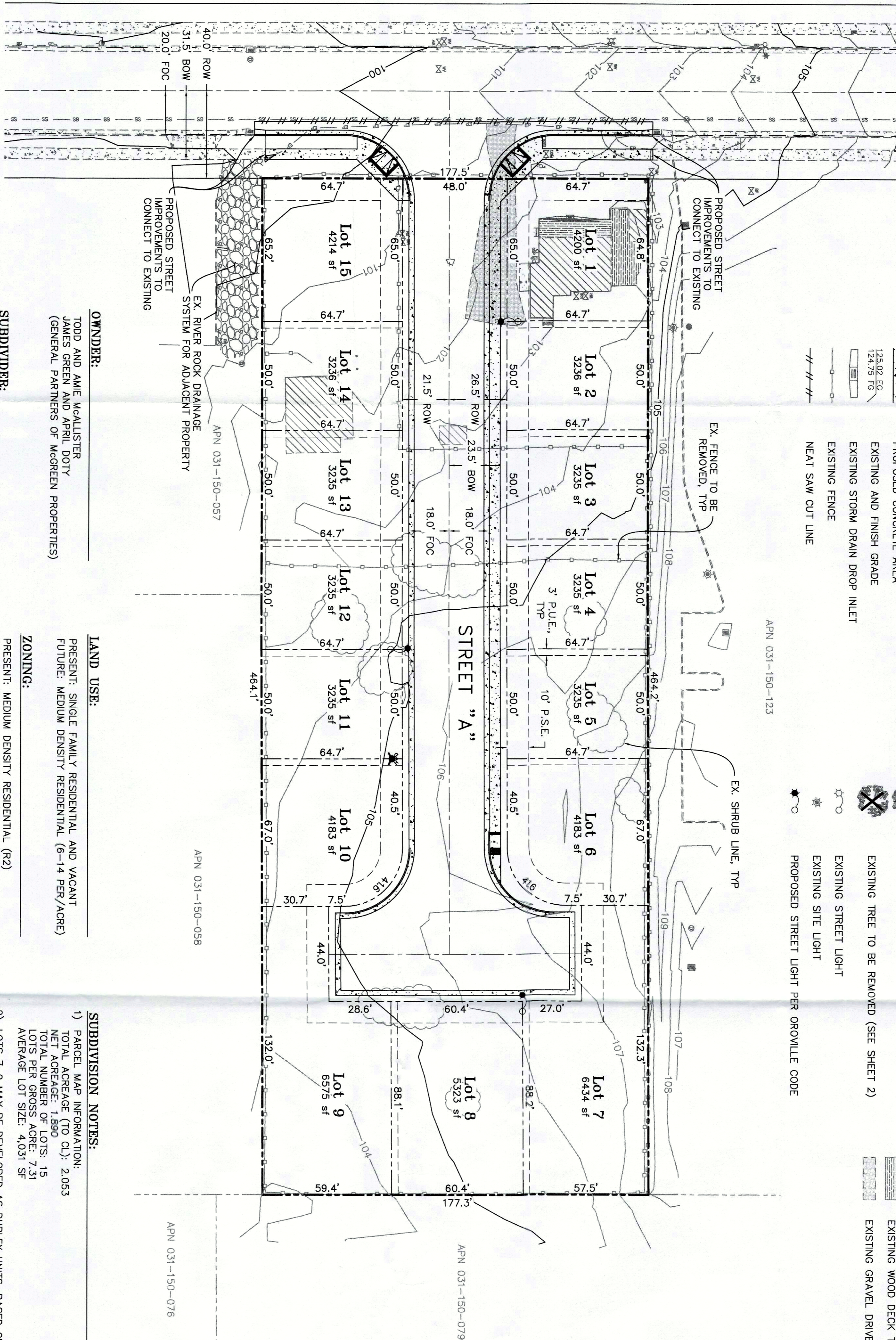
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34. Prior to approval of improvement plans and a Final Map, a Registered Civil Engineer or geologist shall prepare a soils report or geotechnical report. The report shall be prepared in a manner consistent with standard engineering practice, and shall be reviewed for acceptability by the Public Works Department.
35. Grading of the lots shall be completed in accordance with Oroville City Code and Oroville's Construction Standards. The subdivider shall submit grading details, plans and specifications prepared by a Registered Civil Engineer to the Department of Public Works for review and approval prior to the start of any work.
36. A Construction Storm Water Permit will be required by the State Regional Water Quality Control Board. The permit must be obtained prior to grading and construction. Provide WDID number prior to grading.
37. Pursuant to CEQA Guidelines Section 15064.5(e), in the event of the accidental discovery or recognition of prehistoric or historic archaeological deposits in an area subject to development activity, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie similar resources and a professional archaeologist shall be consulted. Further, if human remains are discovered, the coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required. If the County Coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

Sincerely,

Mike Massaro, PE
Contract City Engineer, City of Oroville

MSM:msm

2ND STREET



LEGEND:

	EXISTING GROUND CONTOUR (CITY OF CHICO DATUM)	EG	EXISTING GROUND ELEVATION
	SUBDIVISION BOUNDARY	FG	FINISH GRADE ELEVATION
	PROPOSED LOT LINE	P.U.E.	PUBLIC UTILITY EASEMENT
	CENTER LINE	P.S.E.	PUBLIC SERVICE EASEMENT
	EASEMENT	ROW	RIGHT OF WAY
	EXISTING CURB, GUTTER AND SIDEWALK	BOC	BACK OF CURB
	EXISTING SANITARY SEWER MAN HOLE AND SEWER LINE	BOW	BACK OF WALK
	PROPOSED CURB AND GUTTER		EXISTING TREE TO REMAIN (SEE SHEET 2)
	PROPOSED CONCRETE AREA		EXISTING TREE TO BE REMOVED (SEE SHEET 2)
	EXISTING AND FINISH GRADE		EXISTING STREET LIGHT
	EXISTING STORM DRAIN DROP INLET		EXISTING SITE LIGHT
	EXISTING FENCE		PROPOSED STREET LIGHT PER OROVILLE CODE
	NEAT SAW CUT LINE		
	EX. FENCE TO BE REMOVED, TYP		
	EX. SHRUB LINE, TYP		
	ELECTRIC SERVICE POINT		
	GAS SERVICE POINT		
	EXISTING FIRE HYDRANT		
	PROPOSED FIRE HYDRANT		
	EXISTING WATER VALVE		
	EXISTING WATER BIB		
	EXISTING IRRIGATION VALVE		
	EXISTING BUILDING TO BE REMOVED		
	EXISTING WOOD DECK TO BE REMOVED		
	EXISTING GRAVEL DRIVEWAY TO BE REMOVED		

OWNER:
TODD AND AMIE McALLISTER
JAMES GREEN AND APRIL DOTY
(GENERAL PARTNERS OF MCGREEN PROPERTIES)

SUBDIVIDER:
MCGREEN PROPERTIES
140 YELLOWSTONE DRIVE
CHICO, OROVILLE
(530) 228-6003

ENGINEER:
W. GILBERT ENGINEERING
WESLEY E. GILBERT, R.C.E. 31689
140 YELLOWSTONE DRIVE, SUITE 110
CHICO, CALIFORNIA 95973
(530) 809-1315

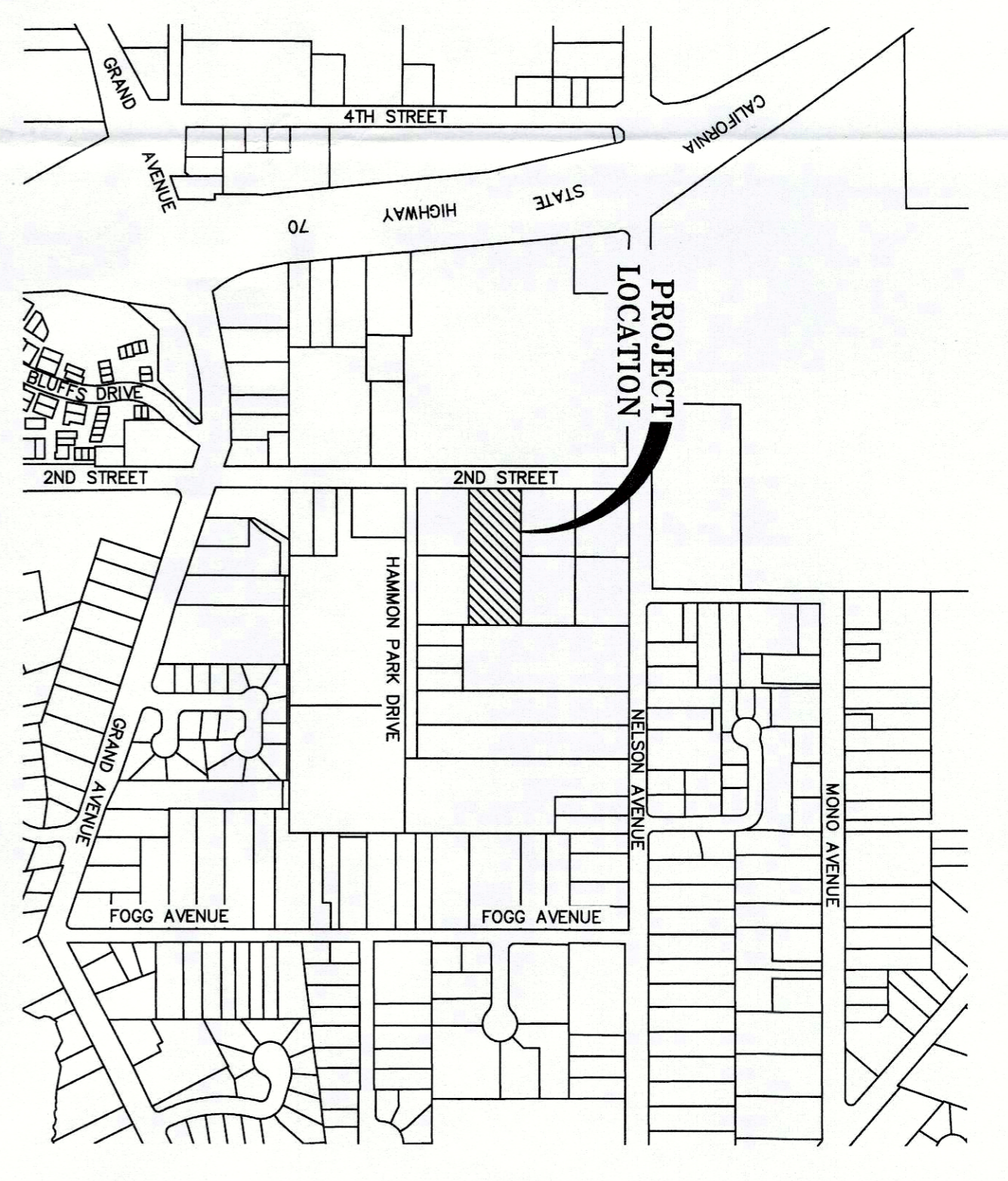
ASSESSOR'S PARCEL NUMBER:
031-150-031

LAND USE:
PRESENT: SINGLE FAMILY RESIDENTIAL AND VACANT
FUTURE: MEDIUM DENSITY RESIDENTIAL (9-14 PER ACRE)

ZONING:
PRESENT: MEDIUM DENSITY RESIDENTIAL (R2)
FUTURE: MEDIUM DENSITY RESIDENTIAL (R2)

UTILITIES:
SANITARY SEWER: THERMALITO WATER AND SEWER
WATER: THERMALITO WATER AND SEWER
POWER: PACIFIC GAS & ELECTRIC
COMMUNICATIONS: AT&T
CABLE TV: COMCAST
STORM DRAIN: CITY OF OROVILLE

- SUBDIVISION NOTES:**
- 1) PARCEL MAP INFORMATION:
TOTAL ACREAGE (TO C.I.): 2.053
NET ACREAGE: 1.990
TOTAL NUMBER OF LOTS: 15
LOTS PER GROSS ACRE: 7.31
AVERAGE LOT SIZE: 4,031 SF
 - 2) LOTS 7-9 MAY BE DEVELOPED AS DUPLEX UNITS, BASED ON SITE NET ACREAGE:
MIN. SITE DENSITY = 7.94 DWELLING UNITS PER ACRE
MAX. SITE DENSITY = 9.52 DWELLING UNITS PER ACRE
 - 3) THIS PROJECT SHALL PROVIDE A MINIMUM 30% TOTAL UNITS FOR LOWER INCOME HOUSEHOLDS.
 - 4) GRADING WILL CONSIST OF THE CONSTRUCTION OF ROADWAYS AND BUILDINGS PADS.
PRELIMINARY FINISH GRADES AND TYPICAL SECTIONS ARE SHOWN ON SHEET 2.
 - 5) THE FINAL SUBDIVISION MAP WILL INCLUDE A 10' WIDE P.S.E. ALONG ALL STREET RIGHT OF WAYS AND 3' WIDE P.U.E. ALONG LOT LINES AS SHOWN HEREON.
 - 6) SANITARY SEWER SERVICE FOR THE PARCEL MAP WILL COMPLY WITH THE APPLICATION FOR SEWER CONNECTION # _____.
 - 7) THE PARCEL MAP LIES IN FLOOD ZONE "X" AS SHOWN ON FIRM MAP NUMBER 06007C0790E DATED JANUARY 6, 2011.
 - 8) STORM WATER QUANTITY AND QUALITY WILL BE PROVIDED BY STORM WATER LEACH TRENCHES AND UNDERGROUND STORM DRAIN COLLECTION SYSTEM CONNECTED TO THE EXISTING STORM DRAIN SYSTEM IN 2ND STREET.
 - 9) REFER TO SHEET 3 FOR SITE PLAN W/ MAX. BUILDING FOOTPRINTS, AND OFF-STREET PARKING

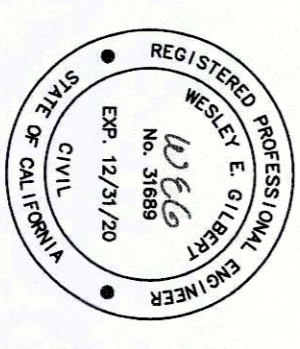


- DESIGN MODIFICATIONS:**
- 1.) ALLOW NON-STANDARD STREET SECTIONS
 - 2.) ALLOW HAMMERHEAD CONFIGURATION AT END OF STREET

- RECORD REFERENCES:**
- (R1) - THERMALITO WALL MAP #6
 - (R2) - RECORD OF SURVEY, BOOK 185 OF MAPS, PAGE 12
 - (R3) - PARCEL MAP, BOOK 83 OF MAPS, PAGE 47
 - (R4) - PARCEL MAP, BOOK 82 OF MAPS, PAGE 72
 - (R5) - PARCEL MAP, BOOK 82 OF MAPS, PAGE 51

THIS TENTATIVE SUBDIVISION MAP WAS PREPARED
BY ME OR UNDER MY DIRECTION
BY:
WESLEY E. GILBERT
R.C.E. 31689
EXPIRES: 12/31/20

DATE: 2/5/19



**MCGREEN ESTATES SUBDIVISION
VESTING TENTATIVE SUBDIVISION MAP**

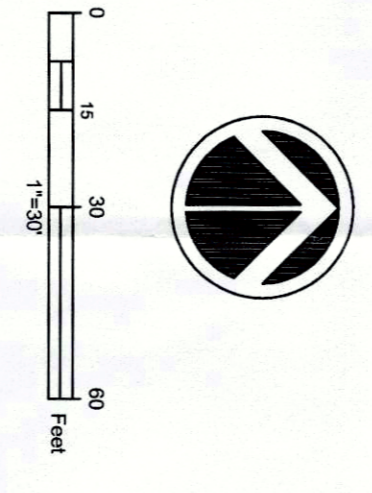
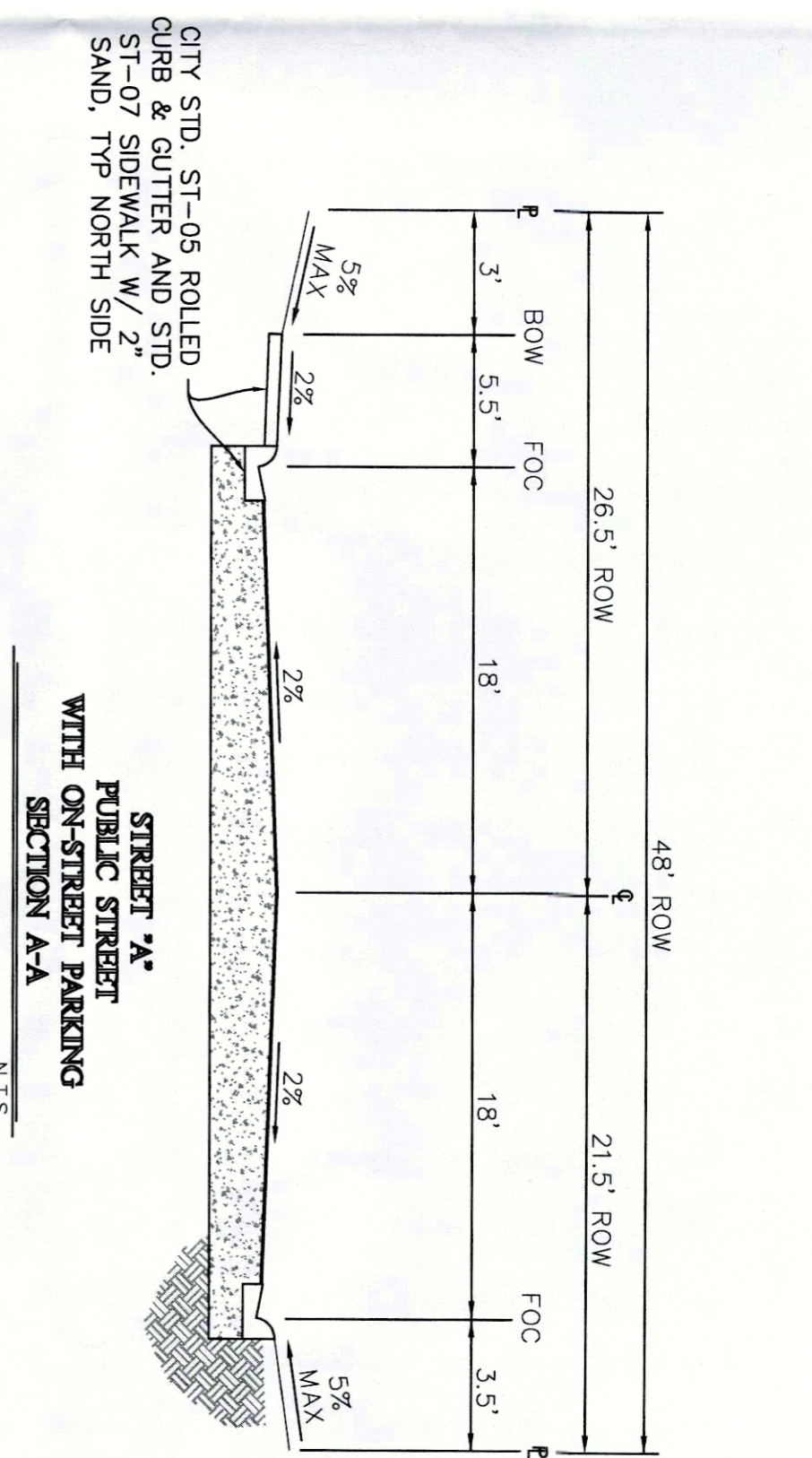
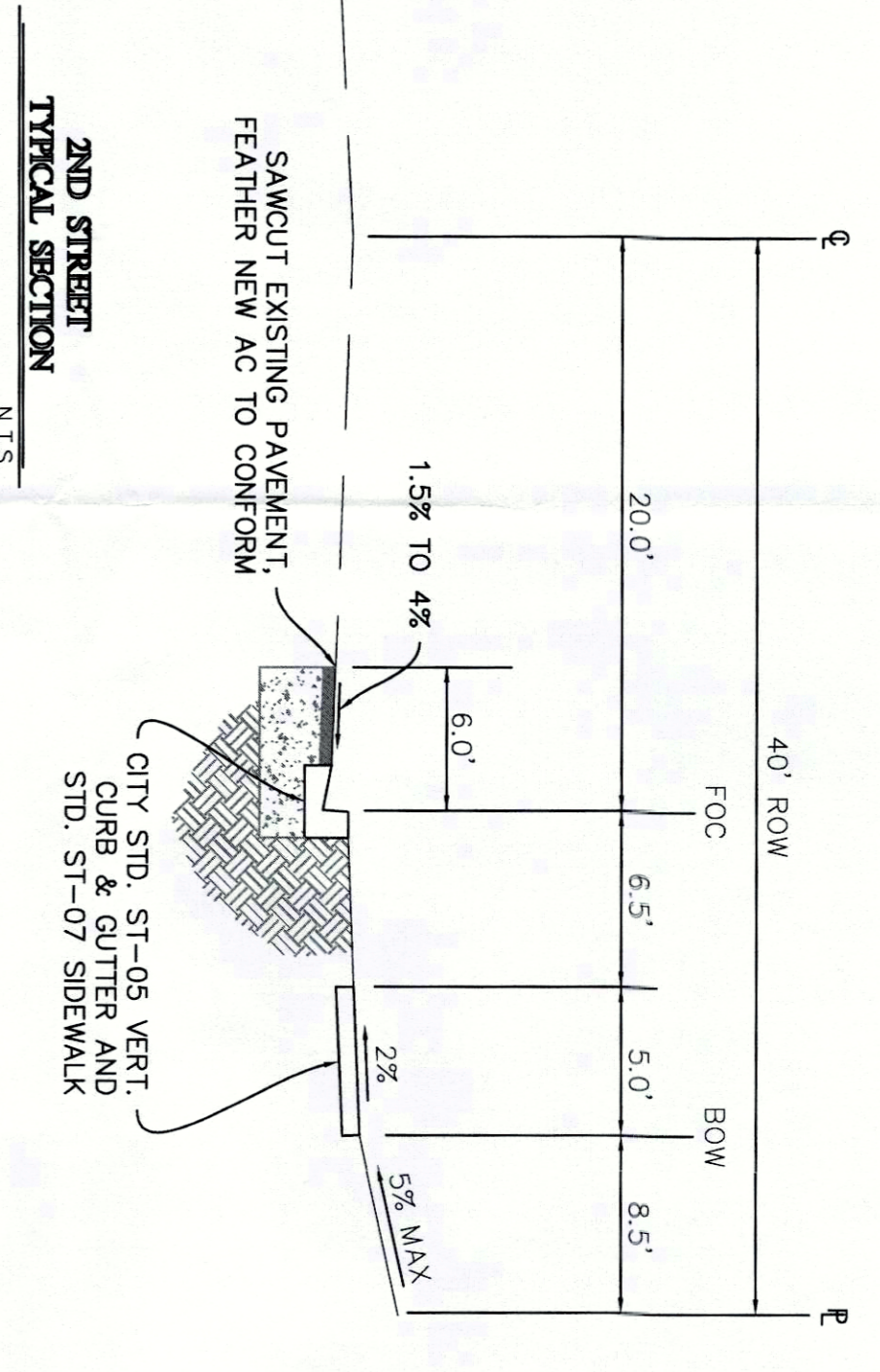
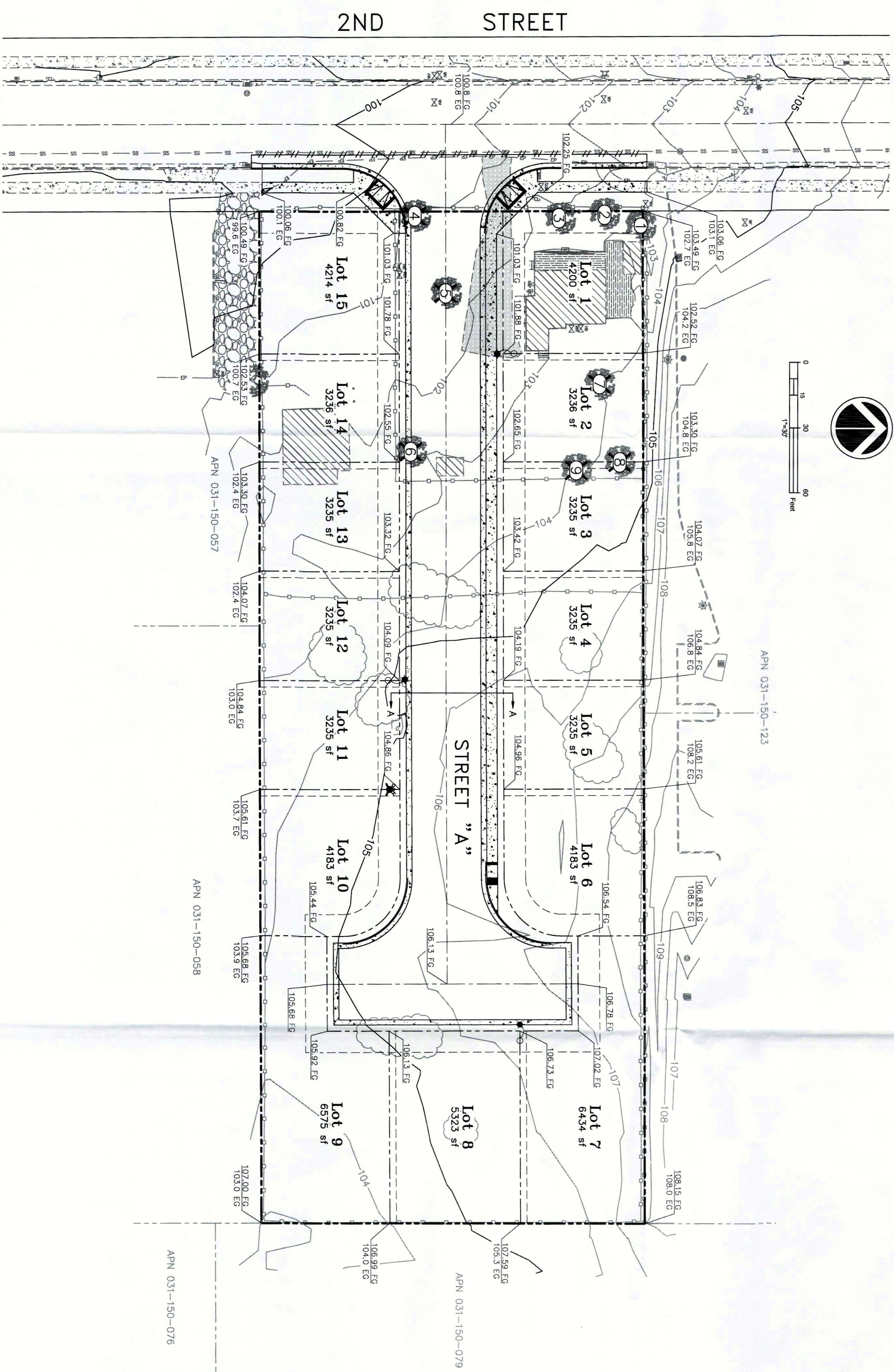
BEING THE NORTH ONE-HALF OF LOT 6 AND THE NORTH ONE-HALF OF LOT 7 OF BLOCK 8 AS SHOWN ON THAT CERTAIN MAP ENTITLED, "THERMALITO, BUTTE COUNTY, CALA." CITY OF OROVILLE, COUNTY OF BUTTE STATE OF CALIFORNIA

for
MCGREEN PROPERTIES

W. GILBERT ENGINEERING
140 YELLOWSTONE DRIVE, SUITE 110
CHICO, CALIFORNIA 95973
(530) 809-1315

FEBRUARY 4, 2019

SHEET 1 OF 3



TREE TABLE*

TREE NO.	TREE SPECIES	TREE DIAMETER	DRIGUNE RADIUS	PROTECT/REPLACE	DIAMETER SUBJECT TO REPLACEMENT/IN-LIEU FEES
1		10"	6'	PROTECT	
2		6"	6'	PROTECT	
3		22"	10'	PROTECT	
4		12"	15'	REMOVE	
5		24"	9'	REMOVE	
6		12"	9'	REMOVE	
7		12"	16'	REMOVE	
8		12"	16'	REMOVE	
9		24"	7'	REMOVE	

*ARBORIST REPORT IN PROGRESS. TO BE SUBMITTED WHEN AVAILABLE.

TOTAL INCHES REQUIRING MITIGATION = DIVIDED BY ____ TREES REQUIRED.

**McGREEN ESTATES SUBDIVISION
VESTING TENTATIVE SUBDIVISION MAP**

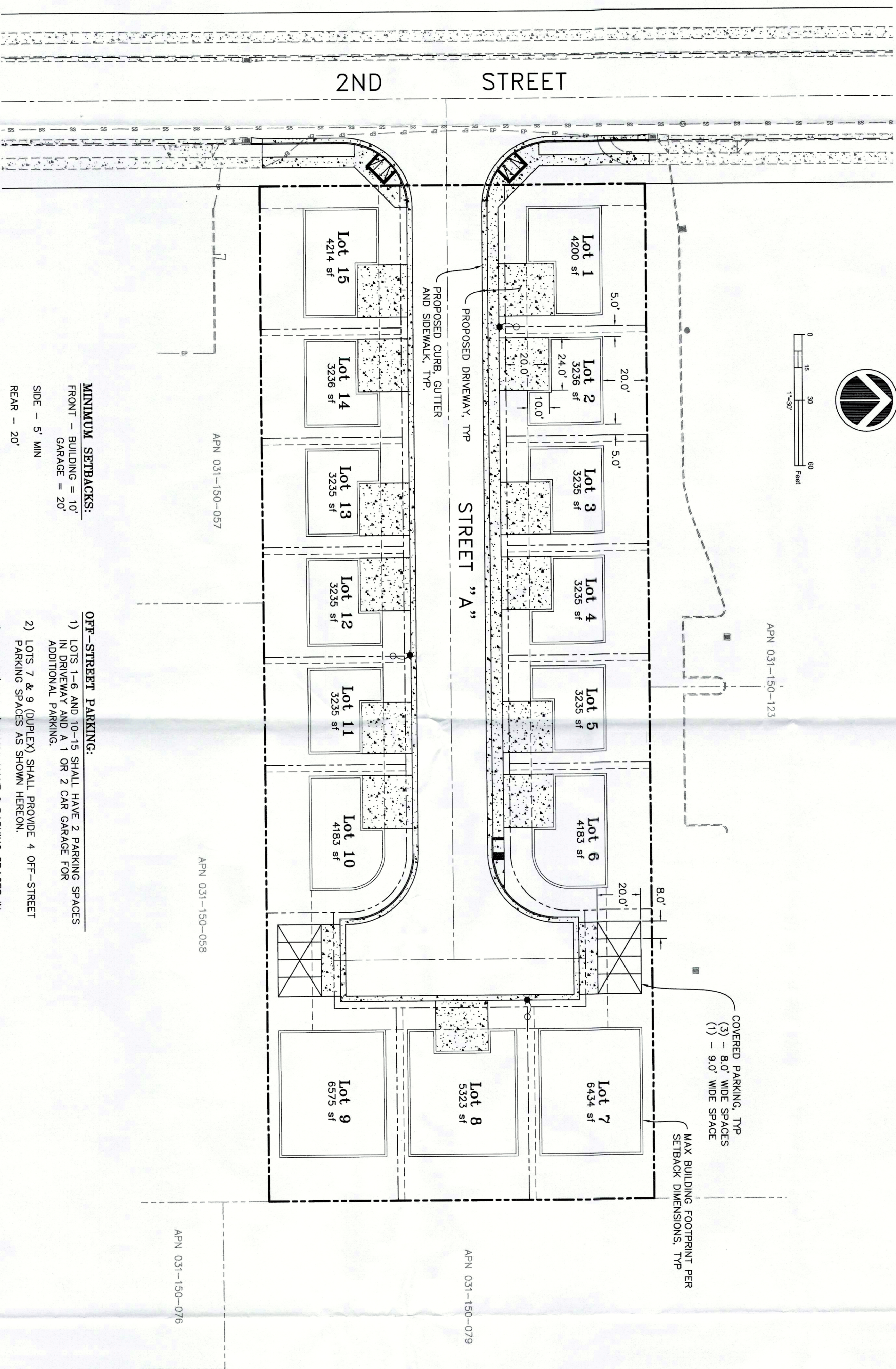
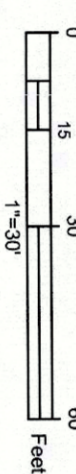
for
McGREEN PROPERTIES

BEING THE NORTH ONE-HALF OF LOT 6 AND THE NORTH ONE-HALF OF LOT 7 OF BLOCK 8 AS SHOWN ON THAT CERTAIN MAP ENTITLED, "THERMALITO, BUTTE COUNTY, CALA." CITY OF OROVILLE, COUNTY OF BUTTE STATE OF CALIFORNIA

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FEBRUARY 4, 2019

SHEET 2 OF 3



MINIMUM SETBACKS:
FRONT - BUILDING = 10'
FRONT - GARAGE = 20'
SIDE - 5' MIN
REAR - 20'

OFF-STREET PARKING:
1) LOTS 1-6 AND 10-15 SHALL HAVE 2 PARKING SPACES IN DRIVEWAY AND 1 OR 2 GAR GARAGE FOR ADDITIONAL PARKING.
2) LOTS 7 & 9 (DUPEX) SHALL PROVIDE 4 OFF-STREET PARKING SPACES AS SHOWN HEREON.
3) LOT 8 (DUPEX) SHALL HAVE 2 PARKING SPACES IN DRIVEWAY & A 1 CAR GARAGE FOR ADDITIONAL PARKING.

McGREEN ESTATES SUBDIVISION VESTING TENTATIVE SUBDIVISION MAP

for
McGREEN PROPERTIES

BING THE NORTH ONE-HALF OF LOT 6 AND THE NORTH ONE-HALF OF LOT 7 OF BLOCK 8 AS SHOWN ON THAT CERTAIN MAP ENTITLED, "THERMALITO, BUTTE COUNTY, CALA." CITY OF OROVILLE, COUNTY OF BUTTE STATE OF CALIFORNIA
W. GILBERT ENGINEERING
140 YELLOWSTONE DRIVE, SUITE 110
CHICO, CALIFORNIA 95973
(530) 809-1315

FEBRUARY 4, 2019

SHEET 3 OF 3

DECLARATION OF FEES DUE
(California Fish and Game Code Section 711.4)

FOR CLERK USE ONLY

NAME AND ADDRESS OF LEAD AGENCY/APPLICANT

LEAD AGENCY: City of Oroville 1735 Montgomery Street Oroville, CA 95965 (530) 538-2408	APPLICANT: McGreen Properties P.O. Box 6288 Chico, CA 95926 (530) 228-6003
--	--

Project Title:

TSM 19-02: 2134 2nd Street APN 031-150-031

FILING NO.

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

1. NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION
 A. Statutorily or Categorically Exempt:
 - Minor Land Divisions; Title 14, CCR, §15315
\$50.00 (Fifty Dollars) Butte County Clerk's Fee
2. NOTICE OF DETERMINATION – FEE REQUIRED
 A. Negative Declaration/ Mitigated Negative Declaration
\$2,216.25 (Two Thousand Two Hundred Sixteen Dollars and Twenty-Five cents) State Filing Fee
\$50.00 (Fifty Dollars) Butte County Clerk's Fee
 B. Environmental Impact Report
\$3,078.00 (Three Thousand Seventy-Eight Dollars and Twenty-Five cents) State Filing Fee
\$50.00 (Fifty Dollars) Butte County Clerk's Fee
3. OTHER (Specify)
 \$50.00 (Fifty Dollars) Butte County Clerk's Fee

This form must be completed and submitted with all environmental documents filed with the Butte County Clerk's Office.

All applicable fees must be paid at the time of filing any environmental documents with the Butte County Clerk's Office.

One original and two (2) copies of all necessary documents are required for filing purposes.

The \$50.00 (Fifty Dollars) handling fee is required per filing in addition to the filing fee specified in Fish and Game Code Section 711.4 (d).

Make checks payable to Butte County Clerk-Recorder.



City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

Gary Layman
ACTING DIRECTOR

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

NOTICE OF EXEMPTION

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

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

Project Title: TSM 19-02: McGreen Estates

Project Location – Specific: 2134 2nd Street APN (031-150-031)

Project Location – City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: McGreen Estates Subdivision, shall subdivide the property into 15 (total) lots. All existing structures will be removed. Each lot will be developed with a 2-story, affordable housing unit. The option of an attached 1 or 2- car garage will be offered for each residence. Each lot will have a minimum of 2 off-street parking spaces. There are 3 larger lots arranged along the east side of the project. It is proposed that each lot may be developed as a 2-story duplex unit that would include 4 onsite parking spaces. The maximum density for the project is 9.52 dwelling units/acre. Proposed building footprint coverage is approximately 19,500 square feet or 25% of the property..

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying out Project: McGreen Properties

Exempt Status (Check One):

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- Categorical Exemption: State type & section number:
 - IN-FILL DEVELOPMENT PROJECTS; Title 14, CCR, §15332
- Statutory Exemption: State code number:

Reasons why project is exempt: This project has been determined to be exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, California Code of Regulations, Section 15332 "Minor Land Divisions." Section 21084 of the Public Resources Code requires the CEQA Guidelines to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Class 32 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use of no more than five acres when the division is in conformance with the General Plan and zoning, no endangered, rare or threaten species, no significant effects relating to traffic, noise, air quality, or water quality, and all services and access to the proposed parcels to local standards are available.

The existing 1.89-acre property is vacant with a single-family dwelling unit, barn, and 2 small shed units. The vacant portion of the site primarily consists of seasonal grasses. There is a 2- story Butte County Records office building located along the northerly property line. Home Depot is located west of the

project, Oroville Community Day School to the south, and vacant (R-2 zoned) property to the east. Any development that occurs in the future will be evaluated for its specific project impacts, undergo the appropriate environmental review in accordance with the CEQA Statute and Guidelines and will be required to comply with all minimum development standards, including the payment of all applicable development impact fees. It has therefore been determined that there is no possibility that the parcel map request will have a significant effect on the environment. Thus, this project is exempt from the provisions of CEQA.

If filed by applicant:

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

Lead Agency Contact Person: Gary D. Layman

Telephone: (530) 538-2408

Signature: _____

Date: _____

Signed by Lead Agency

Signed by Applicant