OROVILLE PLANNING COMMISSION/
HISTORICAL ADVISORY COMMITTEE
Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

January 25, 2024
REGULAR MEETING
6:00 PM
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/UCAoRW34swYl85UBfYqT7IbQ/
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
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, Marissa Hallen, Natalie Sheard, Warren Jensen, Terry Smith, Vice Chairperson Wyatt Jenkins, Chairperson Carl Durling

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

Consent calendar **items ITEM_NUMBERS** are adopted in one action by the Commission. Items that are removed will be discussed and voted on immediately after adoption of consent calendar items.

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: Minor Use Permit (UP) 24-01 for "Nelson Pointe Apartments," a Proposed 72-Unit Affordable Multifamily Apartment Complex Requesting a Residential Density Bonus (APNs 031-150-059 & -118)**

   SUMMARY: The Planning Commission will review and consider approving Minor Use Permit No. UP 24-01 for the construction of a new 72-unit affordable multifamily apartment complex. The project applicant is requesting a Residential Density Bonus in accordance with Oroville Municipal Code (OMC) Chapter 17.24 to exceed the maximum allowed development density under the Medium Density Residential (MDR) land use designation. In addition, the project applicant is requesting a reduced parking ratio and increased maximum building height.

   RECOMMENDATION: Staff recommends the following actions:

   Conduct a Public Hearing on the proposed project;

   Adopt the Notice of Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);

   Adopt the recommended Findings for Use Permit No. UP 24-01;

   Approve Use Permit UP 24-01 and recommended Conditions of Approval;

   Adopt Resolution No. P2024-01

2. **RE: Modifications to Municipal Code Section 17.16.010 - Accessory Dwelling Unit Ordinance**

   SUMMARY: The Oroville Planning Commission will review proposed modifications to Municipal Code Section 17.16.010 bringing the City's Zoning Ordinance into compliance with new changes in State law regarding accessory dwelling units.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing** on the proposed ordinance.
2. **Recommend that the City Council Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA).
3. **Adopt** the recommended Findings for the draft ordinance.
4. **Adopt** Resolution No. P2023-23 with recommendations to the City Council

REGULAR BUSINESS

3. RE: Revisions to Tentative Subdivision Map 22-02 at 2151 Grand Ave APN 030-120-060 for a 25-lot Community with Conventional Home Construction.

SUMMARY: The Planning Commission will consider approving Revised conditions to Tentative Subdivision Map No. TSM 22-02, which would separate an 8-acre parcel into 25 parcels for a medium low density manufactured housing subdivision.

RECOMMENDATION:
City staff recommend that the Planning Commission take the following actions:

1. **APPROVE** Revisions to the conditions for Tentative Parcel Map No. 22-02; and
2. **APPROVE Resolution No. P2023-31 -- A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION APPROVING REVISED CONDITIONS FOR TENTATIVE SUBDIVISION MAP TSM 22-02 FOR THE 25-UNIT GRAND ACRES SUBDIVISION ON APN 030-120-060.**

4. RE: Membership on the Development Review Committee

SUMMARY: The Oroville Planning Commission will consider naming a new Commissioner to be on the Development Review Committee (DRC).

RECOMMENDATION: Staff recommends the following actions:

5. **Select a new DRC member to replace Commissioner Jensen.**

REPORTS / DISCUSSIONS / CORRESPONDENCE

5. 1. Commissioner Reports
6. 2. Historical Advisory Commission Reports
7. 3. Staff Reports

ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville Planning Commission will be held on MONTH XX, 20XX 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 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) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

PLANNING COMMISSION STAFF REPORT **Thursday, January 25, 2024**

RE: Minor Use Permit (UP) 24-01 for "Nelson Pointe Apartments," a Proposed 72-Unit Affordable Multifamily Apartment Complex Requesting a Residential Density Bonus (APNs 031-150-059 & -118)

SUMMARY: The Planning Commission will review and consider approving Minor Use Permit No. UP 24-01 for the construction of a new 72-unit affordable multifamily apartment complex. The project applicant is requesting a Residential Density Bonus in accordance with Oroville Municipal Code (OMC) Chapter 17.24 to exceed the maximum allowed development density under the Medium Density Residential (MDR) land use designation. In addition, the project applicant is requesting a reduced parking ratio and increased maximum building height.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing** on the proposed project;
2. **Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA);
3. **Adopt** the recommended Findings for Use Permit No. UP 24-01;
4. **Approve** Use Permit UP 24-01 and recommended Conditions of Approval;
5. **Adopt** Resolution No. P2024-01

APPLICANT:	Jacob Soroudi, AMG & Associates
LOCATION: APNs 031-150-059 and 031-150-119	**GENERAL PLAN:** MDR **ZONING:** R-2 **FLOOD ZONE:** Zone X: Area of Minimal Flood Hazard

ENVIRONMENTAL DETERMINATION: The proposed project is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 19, Categorical Exemptions, Section 15332, Class 32, which exempts in-fill development projects

REPORT PREPARED BY:	**REVIEWED BY:**
Connor Musler, Contract Planner Community Development Department	Patrick Piatt, Director Community Development Department

DISCUSSION

AMG & Associates (Applicant) are proposing to construct a 72-unit affordable multifamily apartment complex on two existing parcels with a gross acreage of approximately 3.89 acres on the south side of Nelson Avenue (APNs: 031-150-059 & -118). The project includes five apartment buildings totaling 63,540 sq. ft. Each unit will be furnished with refrigerators, in-unit laundry, exhaust fans, and ranges with ovens and will include either an outdoor patio or balcony with storage space. The proposed unit breakdown is as follows:

2BD/1BA @ 765 SF	36 Units
3BD/2BA @ 1,000 SF	36 Units
Total:	**72 Units**

The proposed project also includes one community building totaling 3,230 sq. ft. containing office space, an exercise room, lounge, kitchen and a maintenance/storage room. Outdoor amenities are centrally located in the proposed development and include picnic tables with a BBQ and pergola, a fenced dog park, playground, and a half basketball court.

Graphic 1: Site Landscape Plan

Pursuant to Oroville Municipal Code (OMC) Section 17.28.010, multiple-family dwellings are a permitted use in the R-2 zoning district. Projects of this nature are not typically subject to Planning Commission review, requiring only development review by the Development Review Committee (DRC) as outlined in OMC Chapter 17.52, prior to building permit submittal. However, the applicant is requesting a Residential Density Bonus in accordance with OMC Chapter 17.24, thus triggering a public hearing and decision that must be rendered by the Planning Commission.

Residential Density Bonus

Government Code Section 65915 sets forth the regulations of the California Density Bonus Law, which are further implemented and supplemented in Chapter 17.24 of the

OMC. An applicant or developer of a housing development with five or more dwelling units who provides any of the following is eligible to request a density bonus:

1. At least 10% of the total units of the housing development as target units affordable to lower-income households.
2. At least 5% of the total units of the housing development as target units affordable to very-low-income households.
3. Ten percent of the total dwelling units in a common-interest development as target units affordable to moderate-income households, provided all units are offered to the public for purchase.
4. A donation of land for the purpose of constructing housing for very-low-income households, in accordance with the requirements of Section 17.24.030.
5. A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobile home park that limits residency based on age requirements for housing for older persons, pursuant to Section 798.76 or 799.5 of the Civil Code.

The proposed project meets both criteria one and two of the residential density bonus general provisions as the project is intended to target family households earning between 30-60% of the area median income for Butte County. As such, an affordable housing development of this nature is eligible to be given a density bonus of up to 35%.

The proposed project site has a gross acreage of approximately 3.89 acres. Under the Medium Density Residential (MDR) land use designation, the allowed density is 6-14 units per acre. Accordingly, the largest project possible under the maximum allowed density would be 54 units (3.89 acres x 14 du/ac = 54.46 units). However, by factoring in a 35% density bonus allowed by the OMC, an additional 19 units can be constructed, for a total of 73 units (54 units x 0.35 = 18.9). At the current proposed 72 units, the project density would meet the criteria needed for a density bonus and would comply with the 35% bonus.

Development Incentives

The project applicant is further requesting two development incentives pursuant to Section 17.24.060 of the Residential Density Bonus regulations of the OMC. The two requested development incentives are:

- Increased maximum building height and/or number of stories.
- Reduced parking ratios.

Maximum Building Height

OMC Section 17.28.020 establishes the maximum height for developments in R-2 zones at 35 ft. The proposed project contains five buildings at 3 stories and a maximum height of 40 ft tall. As proposed the project would exceed the maximum allowed height for the R-2 zone by five feet. According to OMC Section 17.24.060, a minimum of three

development incentives shall be given to projects that include at least 30% of the total units for lower-income households. Given that this project is a 100% affordable housing development and requesting a Residential Density Bonus, an increased max building height is an available incentive by the OMC and has been formally requested by the applicant.

Parking

OMC Table 17.12.070-1 requires 1.5 spaces per unit, with 1 guest space per every 4 units for a total parking requirement of 126 parking spaces. 117 parking stalls are proposed, with 16 of those being handicapped accessible. According to OMC Section 17.24.060, a minimum of three development incentives shall be given to projects that include at least 30% of the total units for lower-income households. Given that this project is a 100% affordable housing development and requesting a Residential Density Bonus, a reduced parking ratio is an available incentive by the OMC and has been formally requested by the applicant.

Per State Law, the City is required to grant any requested incentives for an affordable project unless any of the following is true (paraphrased from Government Code Section 65915(d)(1)):

1. The incentive does not result in identifiable and actual cost reductions to provide for affordable housing costs.
2. The incentive would have a specific, adverse impact upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
3. The incentive would be contrary to state or federal law.

The applicant submitted written justification for the incentives explaining how the requested incentives would allow the project to maintain enough residential units to make the project financially feasible. As required by California Density Bonus Law, the requested concessions are reasonable and will result in facilitating affordable housing as intended.

Project Development Review

The DRC at their January 10, 2024, meeting reviewed and expressed support for the project as proposed.

Design Features

The development will consist of five apartments buildings and one community building constructed with a mixture of cementitious siding and stone accents. Renderings and plans indicate that the apartments will have either brown or light grey horizontal siding,

tan/cream-colored siding along the third floor, grey/brown board and batten siding flanking the balconies, stone veneer accents, and grey/black composition shingles. Roof massing is broken up through minor variation in placement of gables and roof eaves. Windows are mostly horizontally oriented with some vertically oriented windows. The site will have a six-foot-tall CMU screen wall along the east side property line and an existing wrought iron fence along the west side property lines. Landscaping is provided surrounding each building.

Graphic 2: Building Type "A" Rendering

Landscaping and Fencing

As shown in Graphic 1, the project proposes extensive landscaping throughout the development. Boundary landscaping is shown along the project's property lines and in the parking lot. 63,909.30 sq. ft. (38.31% of the project site) is proposed to be landscaped. Draft conditions of approval have been added requiring compliance with the Model Water Efficiency Landscape Ordinance (MWELO) and 50% shade coverage within 15 years.

Pursuant to OMC Section 17.12.020(G)(5), all multi-family residential development projects must be fenced along the side property lines. There is existing wrought iron fencing along the western property line that was installed with the Prospect View Permanent Supportive Housing Project. An existing chain link fence is provided along the eastern property line bordering the Hammon Park Apartment Homes. The applicant is proposing to install a 6-foot-tall CMU Block Fence/Wall along this eastern property line, replacing the existing chain link fence to provide greater privacy and separation between the two properties.

City Code further requires the rear property line of all multi-family residential development projects to be fenced. Given that this site is a double-frontage lot, with the front property line abutting Nelson Ave and the rear property line abutting Hammon Park Dr, a fence along the rear property line would not allow the project to blend in and transition as smoothly into the Hammon Park Dr neighborhood. Pursuant to OMC Section 17.12.020(C), the Planning Commission has the authority to grant exceptions to the standards of the City's fence code regulations if warranted for safeguarding the

public health, safety and welfare. Staff propose granting an exception and approving the project as proposed without a fence along the rear property line.

Frontage Improvements

The site plan **(Attachment 3)** does not show the required frontage improvements along both Nelson Ave and Hammon Park Dr. However, this project is pursuing funding through the Affordable Housing and Sustainable Communities Program (AHSC). Should this project successfully obtain AHSC funding, substantial active transportation improvements could be seen in the area surrounding the project site, such as sidewalks, bike lanes, public transit improvements, and other transportation infrastructure. These improvements would extend beyond the boundaries of the project site.

As required by OMC Section 12.12.010, the project will, at a minimum, be required to install street frontage improvements along the portions of the subject property that abut any public right-of-way. This shall include the installation of concrete curbs, gutters, sidewalks, driveway approach, street trees and streetlights as may be required. In addition, the City's General Plan includes policy P2.11 which requires new development to provide evenly spaced street trees planted between the curb and the adjacent sidewalk in park strips. Draft conditions of approval have been added to ensure the minimum required frontage improvements will be provided.

GENERAL PLAN CONSISTENCY

This proposed ordinance helps implement the following goals and policies of the City's 2030 General Plan:

General Plan Goals:

Goal LU-1 "Provide for orderly, well-planned, and balanced growth consistent with the limits imposed by infrastructure and the City's ability to assimilate new growth."

Goal LU-3 "Provide housing in a range of residential densities and types to address the housing needs of all segments of the community, including all income groups expected to reside in Oroville."

Goal CD-1 "As the community grows, maintain a coherent and distinctive physical form and structure that reflects Oroville's unique qualities."

Goal CD-2 "Maintain and enhance the quality of Oroville's landscape, streetscape and gateways."

Goal CD-7 "Develop Oroville's major corridors as attractive locations with a diverse mix of land uses and development patterns that include high quality pedestrian-oriented design."

General Plan Policies:

P1.9 Support infill development by encouraging eligible infill projects to use the streamlined CEQA review provisions allowed by Senate Bill 226. Eligible infill projects are described in Appendix M of the CEQA Guidelines.8 Eligibility is based on performance standards such as on-site renewable power generation and proximity to transit.

P3.4 Provide for the development of affordable housing to meet State requirements for very-low, low and moderate-income households.

P1.1 Require quality architectural and landscaping design as well as durable and efficient materials for all projects.

P2.11 New development shall provide evenly spaced street trees planted between the curb and the adjacent sidewalk in park strips. Street trees shall be species that will provide a canopy of shade over the public right-of-way when the trees reach maturity, and the species of trees planted on a given street shall be consistent. In developed areas with an existing and prevailing species of street trees, new street trees shall be consistent with the prevailing species.

P4.7 Buildings shall include appropriate, consistent details and design treatments on all sides of the building and not just on the sides that face a street.

FISCAL IMPACT
None.

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. Notice of Exemption
2. Resolution No. P2024-01
3. Application and Project Plan Drawings
4. Density Bonus Request and Pro Forma
5. Project Renderings

Attachment 1

City of Oroville

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

NOTICE OF EXEMPTION

TO:	Butte County Clerk 155 Nelson Avenue Oroville, CA 95965	**FROM:**	City of Oroville 1735 Montgomery Street Oroville, CA 95965

Project Title: Minor Use Permit (UP) 24-01 for "Nelson Pointe Apartments," a Proposed 72-Unit Affordable Multifamily Apartment Complex Requesting a Residential Density Bonus (APNs 031-150-059 & -118)

Project Location – Specific: APNs 031-150-059 and 031-150-119

Project Location - City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: AMG & Associates are proposing to construct a 72-unit affordable multifamily apartment complex on two existing parcels with a gross acreage of approximately 3.89 acres on the south side of Nelson Avenue (APNs: 031-150-059 & -118). The project includes five apartment buildings totaling 63,540 sq. ft. Each unit will be furnished with refrigerators, in-unit laundry, exhaust fans, and ranges with ovens and will include either an outdoor patio or balcony with storage space. The project applicant is requesting a Residential Density Bonus in accordance with Oroville Municipal Code (OMC) Chapter 17.24 to exceed the maximum allowed development density under the Medium Density Residential (MDR) land use designation. In addition, the project applicant is requesting a reduced parking ratio and increased maximum building height.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: Jacob Soroudi, AMG & Associates

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:
- General Rule Exemption; Title 14, CCR, §15061(b)(3)
- In-Fill Development Projects, Title 14, CCR, §15332

☐ Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

General Rule Exemption; Title 14, CCR, §15061(b)(3)
A project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It has been determined that there is no possibility that the project will have a significant effect on the environment. The proposed use will be subject to comply with all applicable City, County, State, Federal, and other local agencies as applicable, it has been determined that there is no possibility that the use permit request will have a significant effect on the environment. Thus, this action is exempt from CEQA.

In-Fill Development Projects, Title 14, CCR, §15332
Class 32 categorical exemptions consists of projects characterized as in-fill development meeting specific conditions a-e as described in this section. This project meets all conditions, including being consistent with the General Plan and Zoning Designation, occurs within City limits, has no value as habitat, will not result in any significant effects, and can be adequately served by all required utilities. The project is a permitted use in a R-2 zone, subject to a use permit for the residential density bonus request.

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: Connor Musler Telephone: (530) 538-2430

Signature: _____ Date: _____

☒ Signed by Lead Agency
☐ Signed by Applicant

Attachment 2

RESOLUTION NO. P2024-01

A RESOLUTION OF THE OROVILLE PLANNING COMMISSION MAKING FINDINGS AND CONDITIONALLY APPROVING MINOR USE PERMIT UP 24-01 FOR THE CONSTRUCTION OF A NEW 72-UNIT AFFORDABLE MULTIFAMILY APARTMENT COMPLEX, INCLUDING A RESIDENTIAL DENSITY BONUS TO EXCEED THE MAXIMUM ALLOWED DEVELOPMENT DENSITY UNDER THE MEDIUM DENSITY RESIDENTIAL (MDR) LAND USE DESIGNATION, A REDUCED PARKING RATIO, AND INCREASED MAXIMUM BUILDING HEIGHT (APNS 031-150-059 AND 031-150-119)

WHEREAS, the City has received an application for the construction of "Nelson Pointe," a proposed 72-unit affordable multifamily apartment complex on two existing, vacant parcels with a gross acreage of approximately 3.89 acres on the south side of Nelson Avenue (APNs: 031-150-059 & -118); and

WHEREAS, The City of Oroville Municipal Code (OMC) Table 17.28.010-1 specifies that multiple-family dwellings are a permitted use in the R-2 zoning district subject to development review; and

WHEREAS, the applicant has requested a Residential Density Bonus in accordance with OMC Chapter 17.24 to exceed the maximum allowed development density under the Medium Density Residential (MDR) land use designation, thus triggering a hearing and decision to be rendered by the Planning Commission; and

WHEREAS, the applicant has requested two development incentives pursuant to Section 17.24.060 of the Residential Density Bonus regulations of the OMC for an increased maximum building height and/or number of stories, and a reduced parking ratio; 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 OF THE CITY OF OROVILLE AS FOLLOWS:

SECTION 1. RECITALS.

The Planning Commission hereby find that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Resolution.

SECTION 2. ENVIRONMENTAL DETERMINATION.

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 15332 "Infill Development Projects."

SECTION 3. FINDINGS

The Planning Commission approves the findings required by Section 17.48.010 of the Oroville City Code, as described in this Resolution.

Required Findings for Use Permits (OMC 17.48.010)

1. **The granting of the permit will not be incompatible with or detrimental to the general health, safety or public welfare of the surrounding area or of the city as a whole.**

   The project will be located in an area surrounded by residential development. The project has been reviewed and conditioned to minimize or prevent any potential impacts to the general health, safety, or public welfare of the surrounding area and the city as a whole.

2. **The proposed use follows sound principles of land use by having a suitable location relative to the community as a whole, as well as to transportation facilities, public services and other land uses in the vicinity.**

   The proposed use will provide a new residential community targeting family households earning between 30-60% of the area median income for Butte County. The project will be located in an area surrounded by residential development and is across Hammon Park Drive from Hammon Park, a City-owned park. Additionally, the property is properly zoned to permit a use of this nature.

3. **Public utilities and facilities, including streets and highways, water and sanitation, are adequate to serve the proposed use or will be made adequate prior to the establishment of the proposed use.**

   All infrastructure is in and available. Any utilities not already provided on site will be installed by the property owner/applicant, subject to all applicable fees and permits.

4. **The location, size, design and operating characteristics of the proposed use will be harmonious and compatible with the surrounding neighborhood and will not adversely affect abutting properties.**

   As required by OMC Chapter 17.52, the project underwent development review. The site plan, design, lighting, landscaping, and other improvements have been reviewed and the project conditioned to minimize any adverse impacts on abutting

properties. Code enforcement will monitor for compliance on an ongoing basis.

5. **The subject site is physically suitable for the type and intensity of land use being proposed.**

   The applicant has submitted a set of drawings demonstrating that the site is physically suitable for the proposed type and intensity of use. The project applicant is requesting a residential density bonus, increased maximum building height, and a reduced parking ratio, and as proposed, has demonstrated the subject site is suitable for the project.

6. **The size, intensity and location of the proposed use will provide services that are necessary or desirable for the neighborhood and community as a whole.**

   Nelson Pointe will provide a high-quality affordable housing project that is desirable in providing a wide range of housing options for the community and assisting the City in meeting State housing production requirements.

7. **The permit complies with all applicable laws and regulations, including the requirements of the general plan, of this title and of the city municipal code.**

   The use is permitted, subject to development review and a use permit for a residential density bonus and is compatible with the General Plan, Zoning codes, and the Oroville Municipal Code.

SECTION 4. PLANNING COMMISSION ACTION(S).

Approved project: The Planning Commission hereby conditionally approves Use Permit No. 24-01 for the construction of a new 72-unit affordable multifamily apartment complex, including a Residential Density Bonus to exceed the maximum allowed development density under the medium density residential (MDR) land use designation and a reduced parking ratio and increased maximum building height (APNs 031-150-059 and 031-150-119**).** The subject property has a zoning designation of Medium Density Residential (R-2). Per OMC Table 17.28.010-1, multiple-family dwellings are a permitted use in the R-2 zoning district subject to development review; however, the applicant is requesting a Residential Density Bonus in accordance with OMC Chapter 17.24, thus triggering a hearing and decision to be rendered by the Planning Commission.

CONDITIONS OF APPROVAL

Prior to and during site grading.

1. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state, and federal requirements.

2. A site grading, drainage and improvement plan shall be prepared by a Registered Civil Engineer, in conformance with City standards, and shall be submitted to and approved by the Public Works Department prior to any work on the site. This plan shall also show:

    I. The design of the sanitary sewer service system including the type and size of the sanitary sewer line lateral, and the proposed point of connection the sewer main.
    II. Existing and proposed easements.
    III. Proposed elevations of finished improvements (parking area, onsite curbs, planters, etc.) within the project at an adequate level of detail to demonstrate drainage flow directions within the project boundaries.
    IV. A drainage and detention/retention facility sufficient that there is no increase in pre-project peak stormwater discharge from the site for a 2-year, 10-year and 100-year storm event. On-site storm drainage shall be collected and retained/detained on-site and then transported via underground conduit to an approved drainage facility.
    V. Drainage calculations to support the size of the detention or retention facility, and orifice calculations to support the design size of the stormwater flow control device.
    VI. Frontage improvements to include curb, gutters and sidewalk constructed to ADA standards; asphaltic concrete pave out (1-foot minimum, or wider if necessary) along new curb, gutters and sidewalk adequate to provide proper street drainage along the project frontage; and park strip with street trees planted between the curb and sidewalk.
    VII. Location of streetlights to be constructed to City standards.

4. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbances of exposed top-soils, such as watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site.

5. All grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines in order to prevent degradation of ambient air quality.

6. The City will require compliance with the latest "National Pollutant Discharge Elimination System (NPDES) General Permit for Strom Water Discharges Associated with Construction and Land Disturbance Activities" as ordered by the State Water Resources Control Board.

7. The City will require compliance with "NPDES General Permit and Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (Order) Order No. 2013-+0001-DWQ" Section E.12 "Post Construction Storm Water Management Program".

Prior to the issuance of building permits.

1. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.

2. Applicant shall verify that City's ladder truck can navigate the entire site.

3. Each building must have its own FDC (Fire Department Connection) and the plans must show fire hydrant placement.

4. Landscape plans shall be approved by the Parks and Trees Department.

    I. Parking lots shall meet the 50% shade factor prior to occupancy in accordance with City Code §17.12.050.

    II. Park strip with street trees shall be provided.

    III. Landscaping shall show compliance with the Model Water Efficient Landscape Ordinance (MWELO).

5. Pursuant to City Code §17.12.050, the property owner or responsible party shall submit landscape plans prepared by a landscape architect registered with the State of California or a landscape contractor pursuant to Section 7027.5 of the Business and Professions Code. No building permits shall be issued for the site until all required landscaping and automatic irrigation plans have been approved.

6. Carport roofs shall be between 8 to 10 feet in height to provide enough clearance for the fire department ladder truck to reach the apartment units.

7. The building plans shall include an architecturally compatible method of screening any roof mounted HVAC system, or if the units are placed on the ground, the unit shall be screened by landscaping or a decorative screening that is architecturally compatible with the buildings.

8. Sewer service connection must be shown on the site plan and be approved by the Public Works Department.

9. Applicant shall provide a will-serve letter from Thermalito Water and Sewer District (TWSD) and a sewer capacity study acceptable to SC-OR.

10. The monument sign shall conform to the requirements found in OMC 17.20.110; a monument sign shall not exceed 30 square feet in size and 6 feet in height and shall not be internally illuminated.

11. A solid decorative block wall with a minimum height of 6 feet shall be provided along the eastern property line.

12. Applicant shall enter into a density bonus housing agreement in accordance with OMC Section 17.24.080.

Prior to construction.

1. Obtain an encroachment permit from the City for any work in the public right-of-way.

2. All new utilities shall be placed underground.

3. The developer will be responsible for the cost of all water improvements (meters, boxes, valves, lines, backflow devices, etc.), which are required to meet TWSD water service improvement standards. The cost of all fire lines and hydrants shall also be the developer's responsibility.

4. A Construction Storm Water Permit will be required by the State Water Resources Control Board if the project results in a disturbance (including clearing, excavation, filling and grading)

of one or more acres. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. The Permit must be obtained from the State Water Resources Control Board prior to construction.

Prior to occupancy.

1. Knox Box access shall be provided as appropriate.
2. Pursuant to Section 17.12.050(L), the property owner shall enter into a written agreement for the installation and maintenance of landscaping. The agreement shall be in a form approved by the City Attorney and Zoning Administrator and suitable for recordation with the Butte County Recorder. The agreement shall be binding upon the property owner and any successors in interest.
3. All landscaping will be installed in conformance with the approved landscape plans.
4. Building shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).
5. A directory sign shall be provided at the building entrance to the standards outlined in City Code 17.20.050(B).
6. A refuse collection enclosure shall be provided in accordance with City Code 17.12.110. The refuse area shall be covered and large enough to provide adequate storage for solid waste, recyclable, and organics materials generated by the development. Roof covers shall be provided for trash enclosures.
7. Curb, gutter and sidewalk shall be constructed to City standards.
8. Street lighting shall be provided in accordance with City of Oroville requirements and accepted design criteria. A street lighting plan shall be submitted to the Public Works Department. Streetlight poles shall be spun aluminum or other material as approved by the Public Works Department.

Other.

1. A parcel merger shall be completed to create one legal parcel.

General Conditions.

1. The proposed use shall substantially conform to the project description and approved plans for the project under file No. UP 24-01 and Trakit file No. PL2312-006. Minor changes may be approved administratively by the Community Development Director or designee upon receipt of a written request by the applicant or designee. Changes deemed to be major or significant in nature shall require a formal application for amendment.
2. Pursuant to Section 17.12.010, the buildings shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.
3. Applicant and/or property owner will take appropriate measures to provide property maintenance of the building exterior, including provisions to keep the premise free of litter and debris.

4. Applicant and/or property owner shall ensure adequate lighting of exterior areas, including parking lots, to discourage loitering outside of the buildings.
5. Applicant and/or property owner will ensure protection of adjacent properties from noise, odors and undue light and glare, as well as illegal activity.
6. Applicant and/or property owner will maintain adequate onsite security, both inside and outside the building, to satisfy any concerns raised by the chief of police or general public. Substantial camera surveillance will suffice.
7. All private facilities, improvements, infrastructure, systems, equipment, common areas, etc. shall be operated and maintained by the applicant and/or property owner in such a manner, and with such frequency, to ensure the public health, safety and general welfare.
8. Pursuant to Section 17.12.050, landscaped areas shall be continually maintained in good condition and shall be kept clean and weeded and trees shall be pruned in a natural pattern and shall not be topped or pollarded. Maintenance shall include but not be limited to:
    I. Cultivation of planting beds and mowing to maintain grassy areas.
    II. Pruning of plants as necessary to control and direct growth.
    III. Replacement of dead or unhealthy plant material in accordance with the approved landscaping plan.
    IV. Fertilization as needed to ensure proper plant growth.
    V. Repair or replacement of irrigation system components and irrigation drainage components, as needed, to maintain the system in good working condition.
9. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
10. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
11. Pursuant to Section 17.48.010(F) of the City Code, the Planning Commission, upon its own motion, may modify or revoke any use permit that has been granted pursuant to the provisions of this section upon finding any of the following, based on substantial evidence:
    I. Any of the conditions of the permit have not been satisfied within 1 year after it was granted.
    II. Any of the terms or conditions of the permit have been violated.
    III. A law, including any requirement in the Municipal Code Chapter 17, has been violated in connection with the permit.
    IV. The permit was obtained by fraud.
12. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.
13. 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 permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide defense for the City in any such action.

****

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 25th of January 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: APPROVE:

_____ _____

KAYLA REASTER, ASSISTANT CITY CLERK CARL DURLING, CHAIRPERSON

Attachment 3

City of Oroville

Planning Division - Community Development Department

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

TRAKIT#:

PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	
Name:	AMG & Associates, LLC	Name:	
Address:	PO Box 260770	Company:	
Phone:	310-968-3196	Address:	
Email:	jsoroudi@amgland.com	Phone:	
Is the applicant the Owner? ☑	If applicant is **Not** the owner, please provide owner /agent authorization on the reverse side.	Email:	

DEVELOPMENT PROJECTS & OTHER APPLICATIONS (Please check all that apply)

☐	Annexation	☐	Landmark /Modification/Demolition	☐	Tentative Parcel Map
☐	Appeal	☐	Mining and Reclamation Plan	☐	Tentative Subdivision Map
☑	Development Review	☐	Pre-Application	☐	Use Permit
☐	Final Map	☑	Residential Density Bonus	☐	Variance
☐	General Plan Amendment/Rezone	☐	Temporary Use	☐	Wireless Communication Facilities
☐	Landmark Designation	☐	Tentative Map Extension	☐	Zoning Clearance
☐	Other: (Please Specify)				

ADMINISTRATIVE PERMITS (Please check all that apply)

☐	Adult Oriented Business	☐	Outdoor Storage	☐	Special Event
☐	Home Occupation	☐	Outdoor Display & Sales	☐	Street Closure
☐	Large Family Day Care	☐	Second Dwelling Unit	☐	Tree Removal
☐	Mobile Food Vendor	☐	Sign/Temporary Sign Permit		
☐	Other: (Please Specify)				

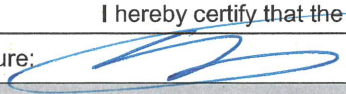
*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application.
** Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.

PROJECT INFORMATION

Project Name: Nelson Pointe Apartments	Proposed Structure(s) (Sq Ft.): 66,770
Address: 123 - 129 Nelson Avenue, Oroville, CA 95965	Existing Structure(s) (Sq Ft.): 0
Nearest Cross Street: 2nd Street and Nelson Avenue	Water Provider: Thermalito Water and Sewer
Assessor Parcel Number: 031-150-118 and -059	School District: Oroville USD
Lot Size (Acres): 3.83	Number of Dwelling Units: 72

APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature:  Date: 12/15/23

OFFICE USE ONLY

General Plan:		Zoning:		Zoning Conformity:		APN:					
File#		Overlay Zoning:		Minimum Setbacks:	FY		RY		SY		

AGENT AUTHORIZATION

To the City of Oroville, Department of Community Development

NAME OF AGENT:	Jacob Soroudi	PHONE NUMBER:	310-968-3196
COMPANY NAME:	AMG & Associates, LLC	EMAIL:	jsoroudi@amgland.com
ADDRESS:	PO Box 260770	CITY/ST/ZIP:	Encino, CA 91316

AGENT SIGNATURE: Jacob Soroudi

Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):

This authorization allows representation for all applications, hearings, appeals, etc. and to sign all documents necessary for said processing, but not including document (s) relating to record title interest.

Owner(s) of Record (sign and print name)

1)	Alexis Gevorgian		12/15/23
	Print Name of Owner	Signature of Owner	Date
2)			
	Print Name of Owner	Signature of Owner	Date
3)			
	Print Name of Owner	Signature of Owner	Date
4)			
	Print Name of Owner	Signature of Owner	Date
	Owner's Mailing Address	Owner's Email	Owner's Phone #

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable

City of Oroville

Planning Division - Community Development Department

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2420 FAX (530) 538-2426
www.cityoforoville.org

TRAKIT#:

USE PERMIT APPLICATION

(Please print clearly and fill in/provide all that apply)

REQUIRED FOR A COMPLETE APPLICATION		PERMIT TYPE	
✔	Completed and signed Application Forms	✔	New Use Permit: $3,500 (Deposit) + $210(6% Tech Fee) = $3,710
	Application Fee Paid		Amendment to Existing Use Permit: $2,100 + $126 (6% Tech Fee) = $2,226

PROJECT PLANS

All plans and drawings shall be drawn to scale to the extent feasible and shall indicate the full dimensions, contours and other topographic features and all information necessary to make a full evaluation of the project. Please include the following:

	1. **Site and floor plans**, including the location, square footage and use of all structures.
	2. **Architectural drawings** showing proposed building elevations.
	3. Landscape plans showing the types, sizes and location of vegetation to be planted and the irrigation system to be installed
	4. Plans for the configuration & layout of all off-street parking spaces, including entrances, exits and internal circulation routes.
	5. Plans for all lighting to be installed on the site, including the location, type, height and brightness of each lighting fixture.
	6. **Drawings of all signs** that are proposed in association with the project.
	7. Plans showing the location, sq footage and capacity of any existing or proposed surface storm-water detention facilities.
	8. Plans showing the location and square footage of any existing or proposed outdoor storage areas.
	9. Descriptions of any off-site infrastructure improvements to be provided in conjunction with the project.
	10. Hours of operation for all proposed land uses.
	11. Number of employees and fleet vehicles for all proposed land uses
	12. **A letter authorizing the use permit application from the owner of the property.**

CLASSIFICATION

	Alcohol & Beverage Sales		Nonconforming Uses & Structures		Uses in Industrial Districts
	Agricultural Uses		Outdoor Storage		Uses Mini-Storage Overlay(MS-O)
	Animal Keeping (Commercial)		Parking Requirement Exceptions	✔	Uses in Residential Districts
	Barbed/Razor Wire Fence		Temporary Use		Uses in Special Purpose Districts
✔	Density Bonus & Other Incentives		Uses in a Conditional Overlay (C-O)		Uses not Specified but Allowed
	Exceptions to Height Limits		Uses in Commercial & Mixed-Use Districts		Wireless Communication Facilities
	Other: (Please Specify)				

APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature:		Date:	

OFFICE USE ONLY

Approved By:		Date:	
Payment:		Number:	

PROJECT DESCRIPTION	
Present or Previous Use:	Vacant land
Proposed Use:	Apartments

Detailed Description:

Please see attached.

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable

Nelson Pointe Project Description

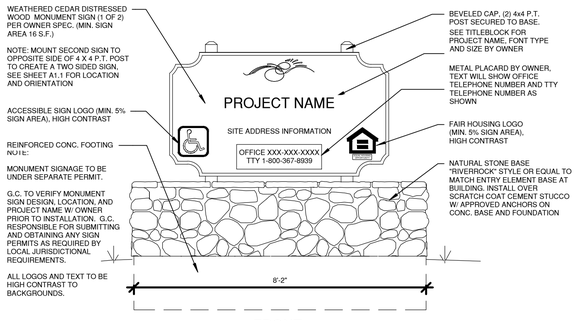
The proposed project, the Nelson Pointe Family Apartments, is a 72-unit family housing new construction project located on 3.83+/- acres of land identified as APNs 031-150-118 and 031-150-059. With a mix of 36 two-bedroom units (765 gross sq. ft.) and 36 three-bedroom units (1,000 gross sq. ft), the proposed project will target households earning between 30-60% of the area median income for Butte County. The project will provide 117 parking stalls which contains more than one covered parking space per unit as well as adequate EV spaces.

The units will be newly constructed apartments in 5 three-story residential buildings. The type of construction will be wood frame supported by perimeter foundations with concrete slab flooring. This type of construction will allow the building to conform to the natural terrain with only minor amounts of grading. The exterior will be board and batten siding with Class A composite roof shingles and stone veneer accents. Architectural accents will be incorporated, providing an aesthetically appealing exterior that blends with the character of the surrounding neighborhood and the community of Oroville. The development will meet Title 24 energy efficiency standards. Minimum construction standards will be adhered to in order to assure that a quality family housing development is provided.

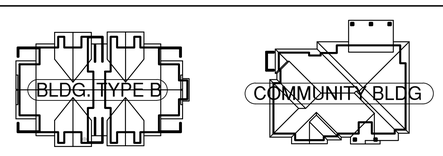
The buildings will be oriented appropriately throughout the site with the intent to create a community concept for families to enjoy while remaining social and active. The development will include a 3,230 sq. ft. community building with a common kitchen, exercise room, laundry facility, and business center. Additionally, the development will include covered picnic tables with BBQs and pergolas made from non-combustible material, tot lot, fenced dog park and half basketball court. An on-site resident manager will provide assistance and management while residing in a three-bedroom manager's unit.

Within the units, tenants will enjoy standard features such as refrigerators, exhaust fans, dishwashers, disposals and ranges with ovens. All units feature an outdoor patio or balcony and storage space. The design of these apartments will adhere to all necessary requirements to satisfy Section 504 as well as any additional mandates that the local jurisdiction deems appropriate.

VICINITY MAP
N.T.S.



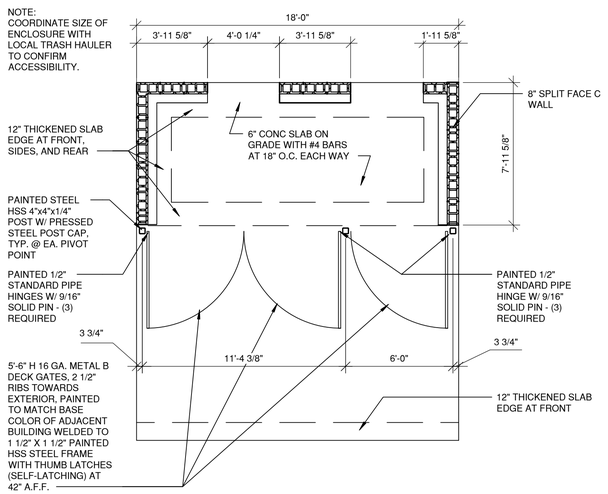
1 MONUMENT SIGN
1/2" = 1'-0"



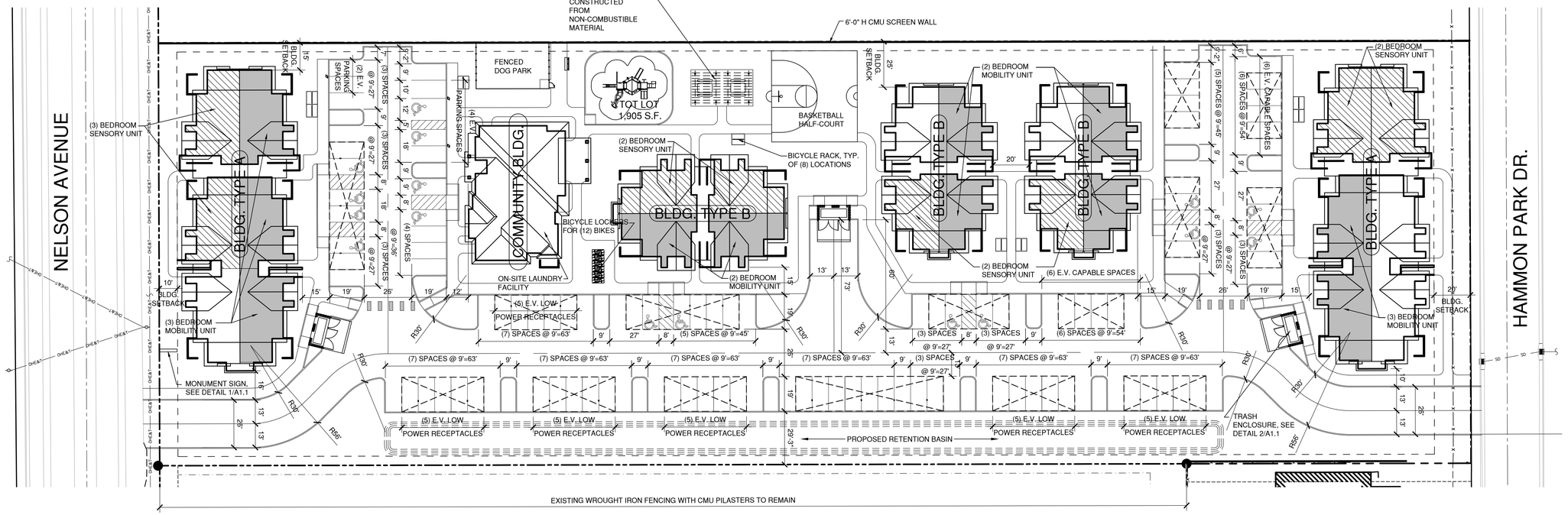
BUILDING A
(2) BLDG. TOTAL
(18) 3 BEDROOM UNIT PER BLDG.
FOOTPRINT - 8,273
MAXIMUM HEIGHT - 38'-2"± (3) STORY
OCCUPANCY R-2
FULLY SPRIKLERED PER NFPA 13
CONSTRUCTION TYPE: VA

BUILDING B
(3) BLDG. TOTAL
(12) 2 BEDROOM UNITS PER BLDG.
FOOTPRINT - 4,395
MAXIMUM HEIGHT - 38'-2"± (3) STORY
OCCUPANCY R-2
FULLY SPRIKLERED PER NFPA 13
CONSTRUCTION TYPE: VA

(1) BUILDING
MAXIMUM HEIGHT - 18'-8"'± (1) STORY
3,836 S.F. FOOTPRINT
OCCUPANCY A-3 | B
FULLY SPRIKLERED PER NFPA 13
CONSTRUCTION TYPE: VB



2 TRASH ENCLOSURE
1/4" = 1'-0"



SITE PLAN
SCALE: 1" = 30'-0"

APPLICANT
NELSON POINTE PACIFIC ASSOCIATES, CA LP
430 E. STATE ST. STE. #100
EAGLE, ID 83616
(208) 461-0022

PLAN PREPARED BY:
DOUGLAS GIBSON - C29792
430 E. STATE ST. STE. #100
EAGLE, ID 83616
(208) 461-0022 EXT.3021

ACCESSIBILITY

	# OF UNITS	PERCENTAGE
ADAPTABLE UNITS (ALL GROUND FLOOR REQ.)	5	6.94%
MOBILITY UNITS (15% TOTAL REQ.)	11	15.28%
SENSORY IMPAIRED UNITS (10% TOTAL REQ.)	8	11.11%

UNIT MIX SUMMARY

	CONDITIONED SQ. FOOTAGES
(36) 2-BEDROOM UNITS	(36) X 765 S.F. = 27,540 S.F.
(36) 3-BEDROOM UNITS	(36) X 1,000 S.F. = 36,000 S.F.
(72) UNITS TOTAL	27,540 S.F. + 36,000 S.F. = 63,540 S.F.
COMMUNITY CENTER	3,230 S.F.
TOTAL	66,770 S.F.

PARKING SUMMARY

REQUIRED - 1.5 SPACES PER 2 & 3 BEDROOM UNITS = (1.5 SPACES * 72)
= 108 SPACES PER CALIFORNIA DENSITY BONUS LAW 728

PROVIDED - 75 COVERED SPACES (INCLUDING 12 ACCESSIBLE) + 37 STANDARD SPACES +2 ACCESSIBLE SPACES + 1 VAN ACCESSIBLE E.V. CHARGING SPACE + 1 ACCESSIBLE CHARGING SPACE + 1 AMBULATORY E.V. CHARGING SPACES = 117 SPACES

ELECTRIC VEHICLE PARKING SUMMARY

REQUIRED - 117 SPACES * 10% = 12 E.V. CAPABLE SPACES
117 SPACES * 25% = 30 E.V. READY LOW POWER RECEPTACLES
117 SPACES * 5% = 6 E.V. CHARGING SPACES

PROVIDED - 12 E.V. CAPABLE SPACES + 30 E.V. READY LOW POWER RECEPTACLES + 1 VAN ACCESSIBLE E.V. CHARGING SPACE + 1 ACCESSIBLE CHARGING SPACE + 1 AMBULATORY E.V. CHARGING SPACE + 3 STANDARD E.V. CHARGING SPACES = 48 SPACES

SITE SIZE:

166,805 S.F.± (3.83± AC)
72 UNITS / 3.83 AC = 18.80 UNITS / AC

NET DENSITY = 18.80 UNITS / AC

SITE COVERAGE:

	SQ. FT.	PERCENTAGE
BUILDING FOOTPRINTS	33,567 S.F.	20.12%
ON-SITE ASPHALT PAVEMENT	51,329.10 S.F.	30.77%
SITE AMENITIES	5,931.26 S.F.	3.57%
CONC. WALKS & PADS	12,068.34 S.F.	7.23%
LANDSCAPE & OPEN SPACE	63,909.30 S.F.	38.31%
TOTAL AREA:	166,805 S.F.	100.00%

Item 1.

REVISIONS

COPYRIGHT DATE
12/13/23

DRAWN BY
DE

PROJECT #
AMG22-10

PACIFIC WEST ARCHITECTURE

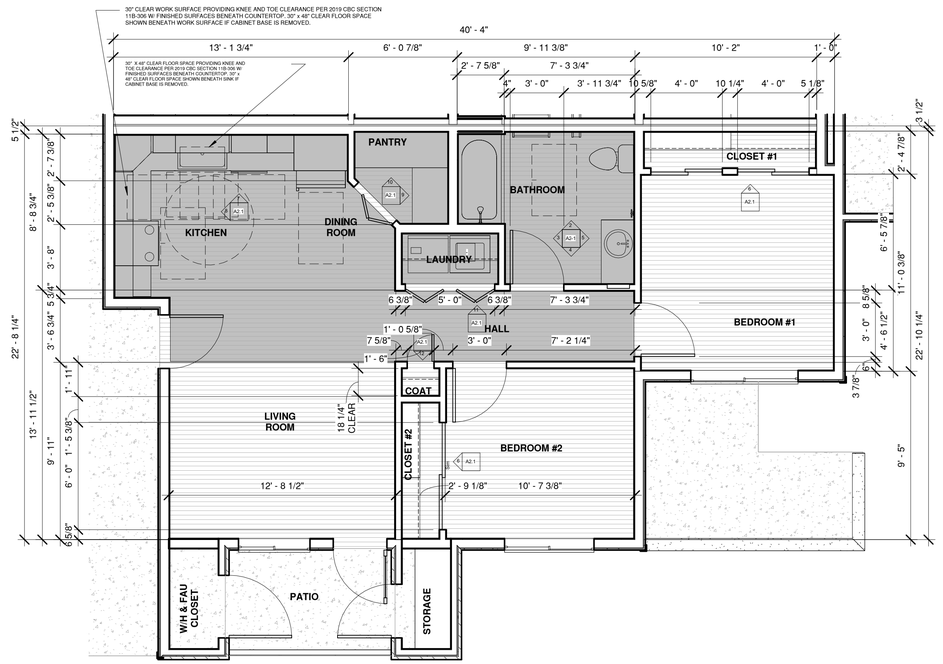
Pacific West Architecture
430 E. STATE STREET, SUITE 100
EAGLE, IDAHO 83616
(208) 461-0222
fax (208) 461-3267

ALASKA - ARIZONA - CALIFORNIA - COLORADO - HAWAII - IDAHO -
LOUISIANA - MONTANA - NEVADA - NEW MEXICO - NORTH DAKOTA - OREGON -
SOUTH DAKOTA - U.S.V.I. - UTAH - WASHINGTON - WYOMING

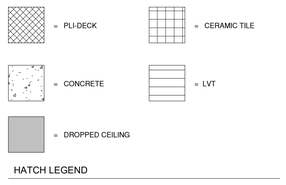
PROJECT
NELSON POINTE APARTMENTS
NELSON AVE. OROVILLE, CA

SCHEMATIC SET / NOT FOR CONSTRUCTION

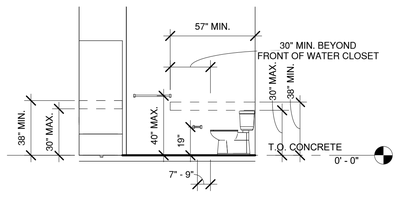
A1.1



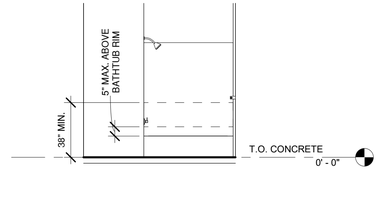
1 ADAPTABLE 2-BEDROOM UNIT PLAN
1/4" = 1'-0"



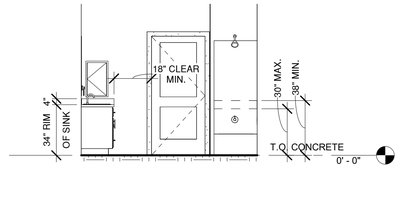
HATCH LEGEND



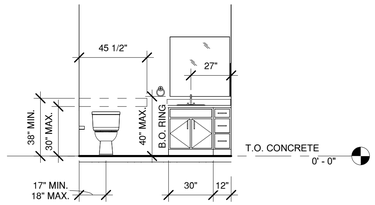
2 INT. ELEV. - BATHROOM - A
1/4" = 1'-0"



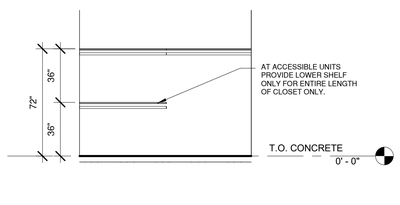
3 INT. ELEV. - BATHROOM - B
1/4" = 1'-0"



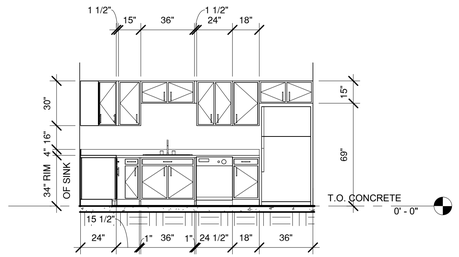
4 INT. ELEV. - BATHROOM - C
1/4" = 1'-0"



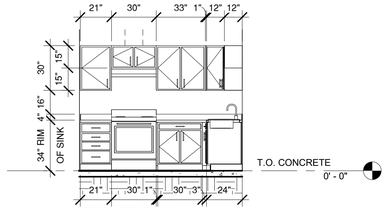
5 INT. ELEV. - BATHROOM - D
1/4" = 1'-0"



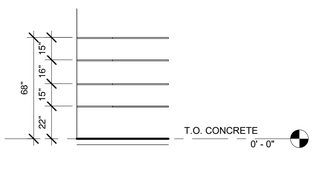
6 INT. ELEV. - CLOSET
1/4" = 1'-0"



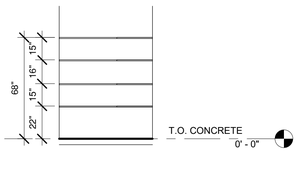
7 INT. ELEV. - 2 BDRM. - KITCHEN - A
1/4" = 1'-0"



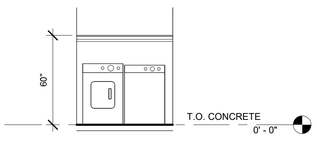
8 INT. ELEV. - 2 BDRM. - KITCHEN - B
1/4" = 1'-0"



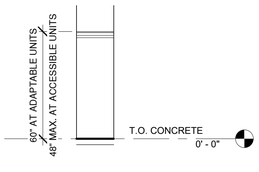
9 INT. ELEV. - PANTRY - A
1/4" = 1'-0"



10 INT. ELEV. - PANTRY - B
1/4" = 1'-0"



11 INT. ELEV. - LAUNDRY
1/4" = 1'-0"



12 COAT CLOSET
1/4" = 1'-0"

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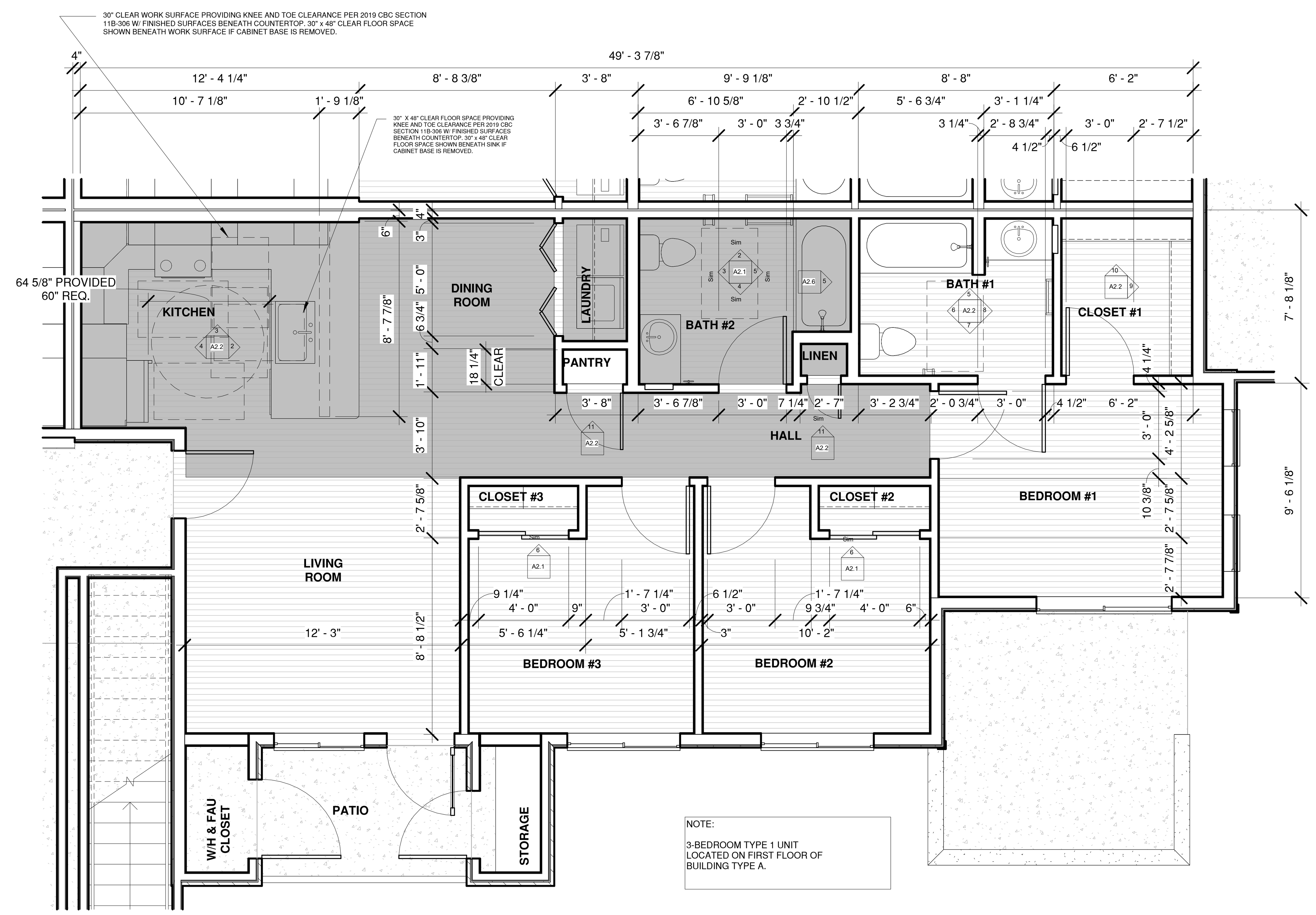
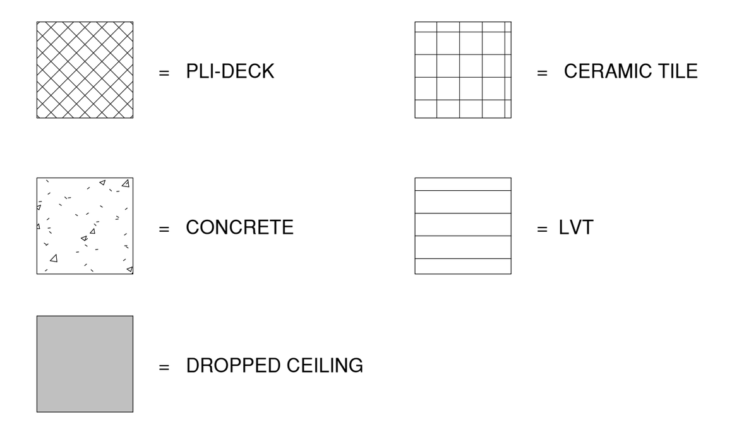
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A2.1
2-BEDROOM ADAPTABLE UNIT PLAN, INTERIOR ELEVATIONS

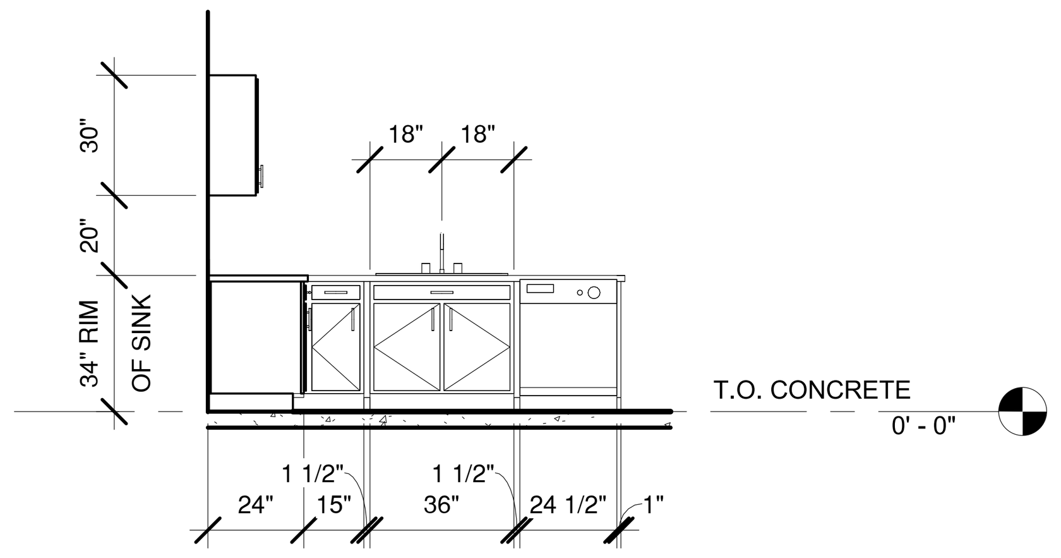
SCHEMATIC SET / NOT FOR CONSTRUCTION



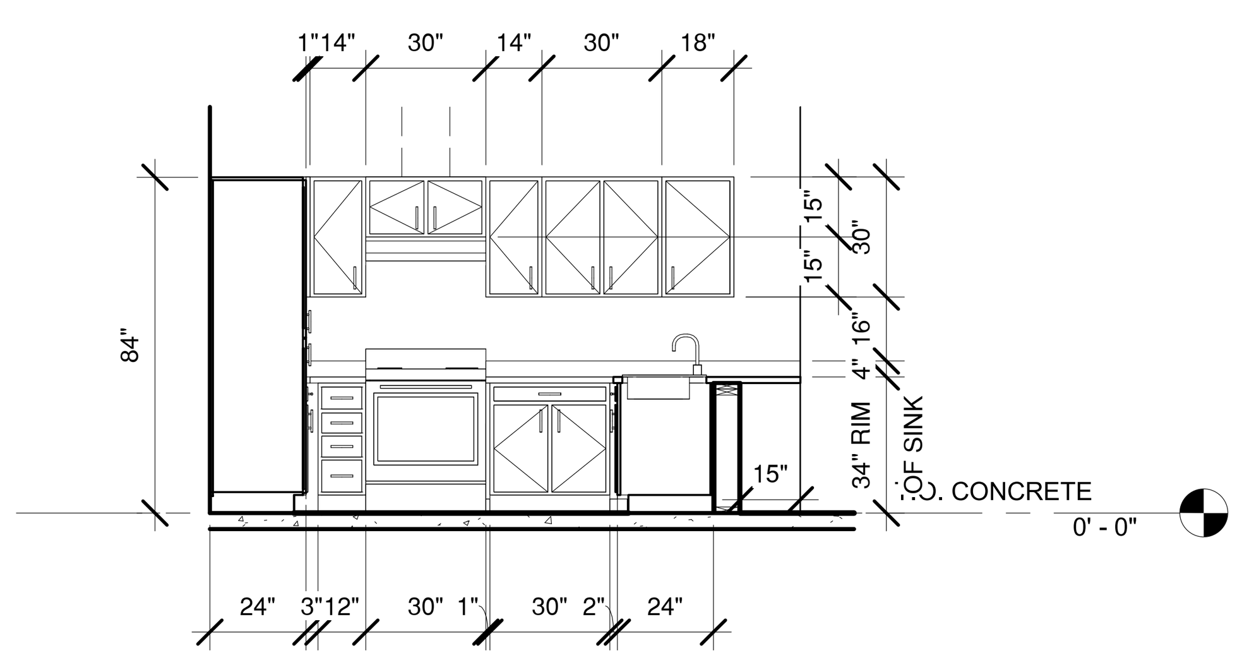
1 ADAPTABLE 3-BEDROOM - TYPE 1 - UNIT PLAN
1/4" = 1'-0"



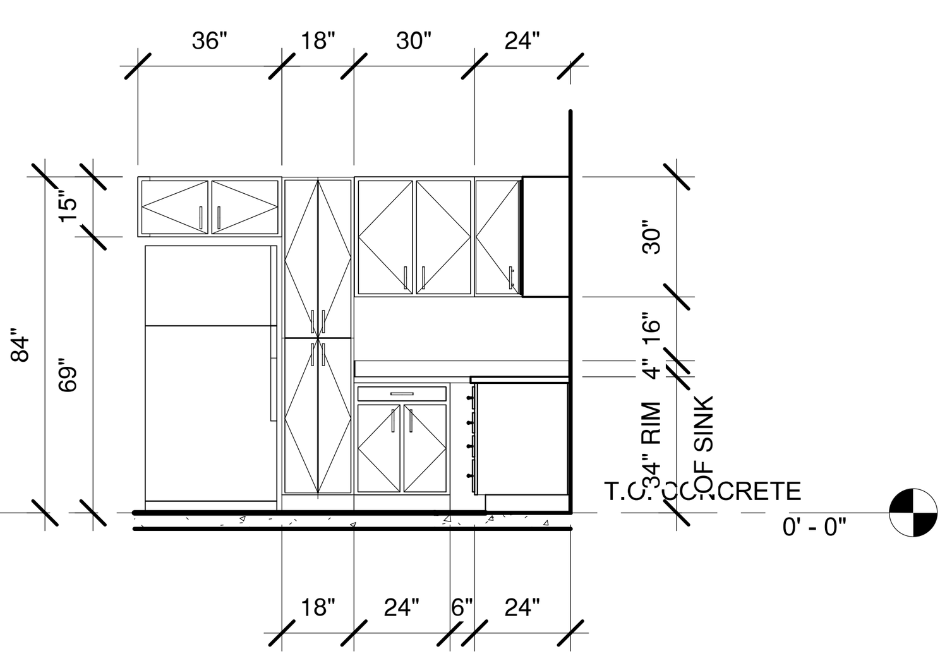
HATCH LEGEND



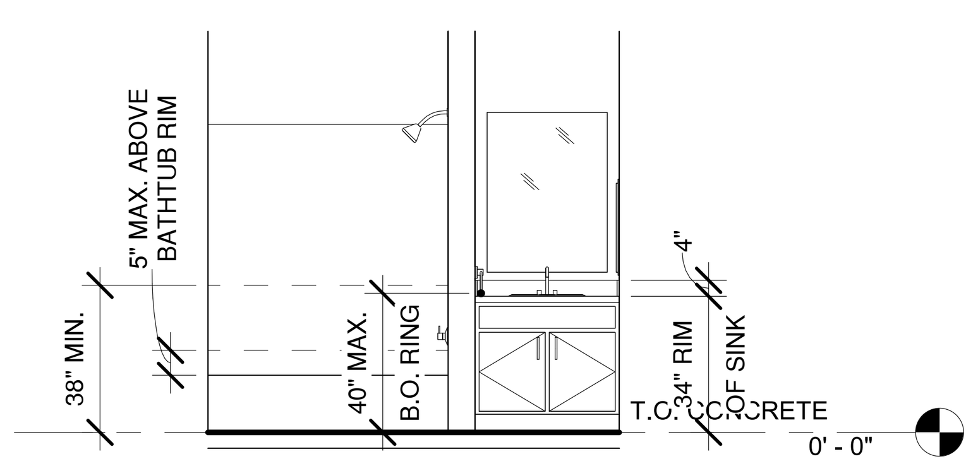
2 INT. ELEV. - 3 BDRM - KITCHEN - A
1/4" = 1'-0"



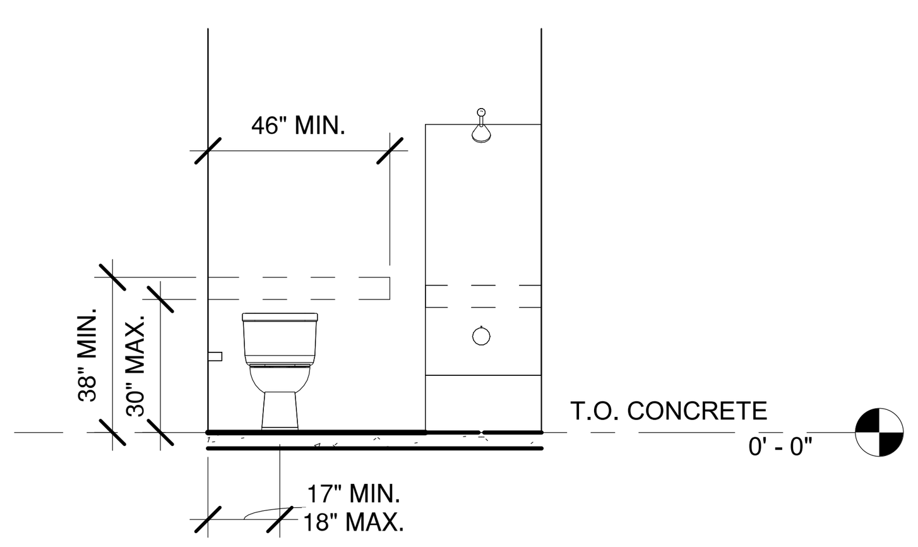
3 INT. ELEV. - 3 BDRM - KITCHEN - B
1/4" = 1'-0"



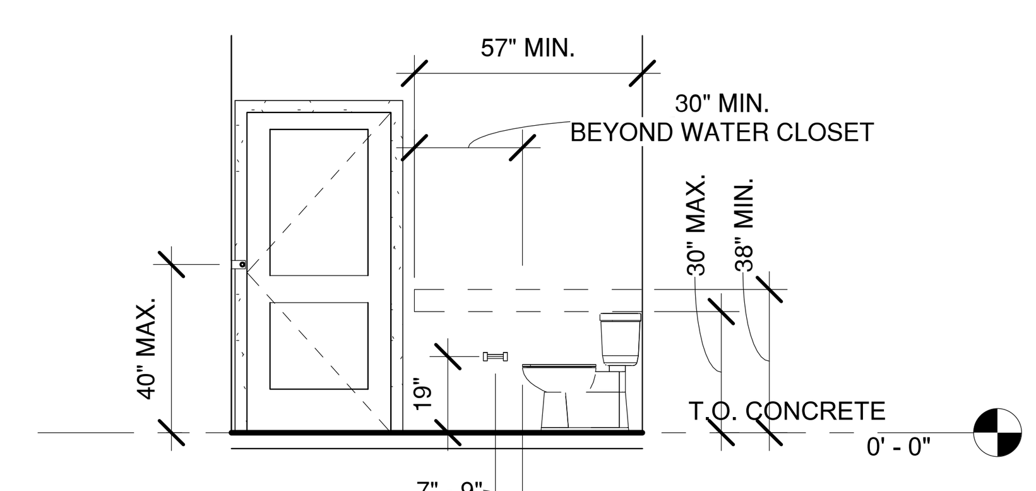
4 INT. ELEV. - 3 BDRM - KITCHEN - C
1/4" = 1'-0"



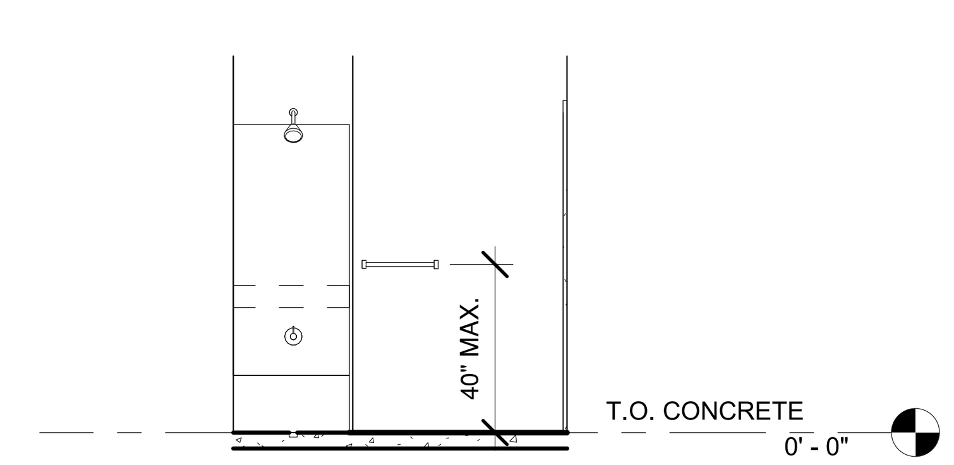
5 INT. ELEV. - BATHROOM - E
1/4" = 1'-0"



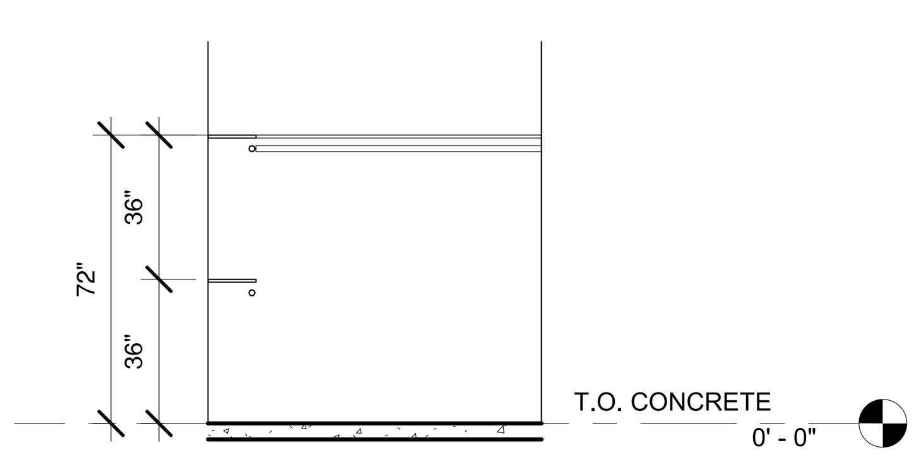
6 INT. ELEV. - BATHROOM - F
1/4" = 1'-0"



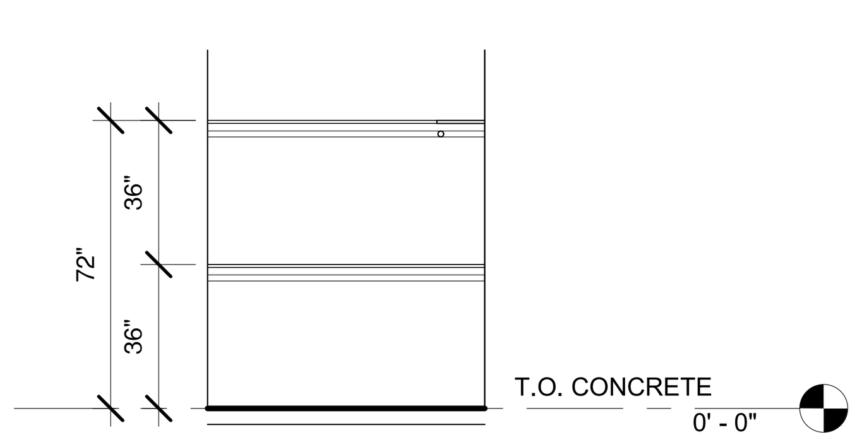
7 INT. ELEV. - BATHROOM - G
1/4" = 1'-0"



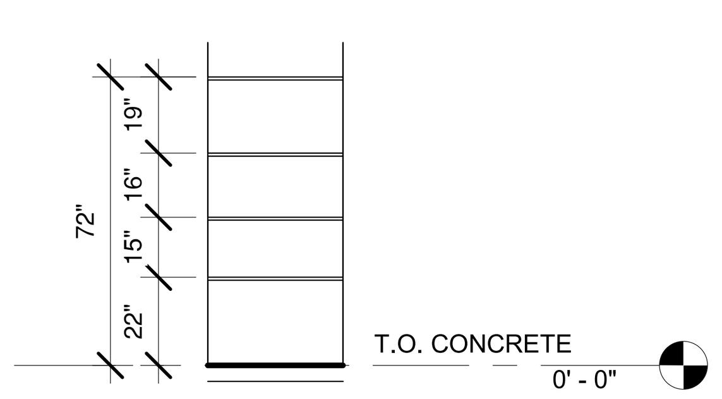
8 INT. ELEV. - BATHROOM - H
1/4" = 1'-0"



9 INT. ELEV. - WALK-IN CLOSET - A
1/4" = 1'-0"



10 INT. ELEV. - WALK-IN CLOSET - B
1/4" = 1'-0"



11 INT. ELEV. - PANTRY
1/4" = 1'-0"

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PROJECT

NELSON POINTE APARTMENTS

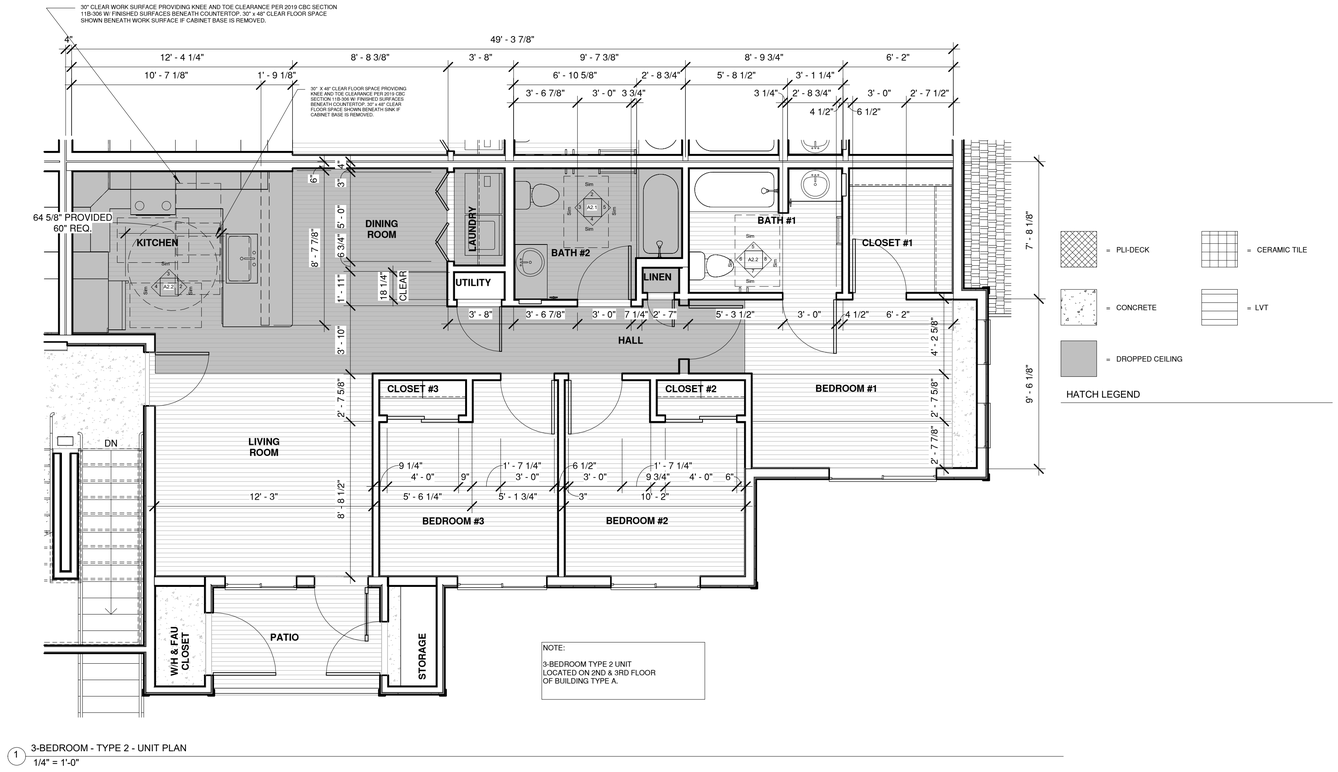
NELSON AVENUE

FOWLER, CA

A2.2

3-BEDROOM - TYPE 1 - ADAPTABLE UNIT PLAN, INTERIOR ELEVATIONS

SCHEMATIC SET / NOT FOR CONSTRUCTION



NOTE:
3-BEDROOM TYPE 2 UNIT
LOCATED ON 2ND & 3RD FLOOR
OF BUILDING TYPE A.

1 3-BEDROOM - TYPE 2 - UNIT PLAN
1/4" = 1'-0"

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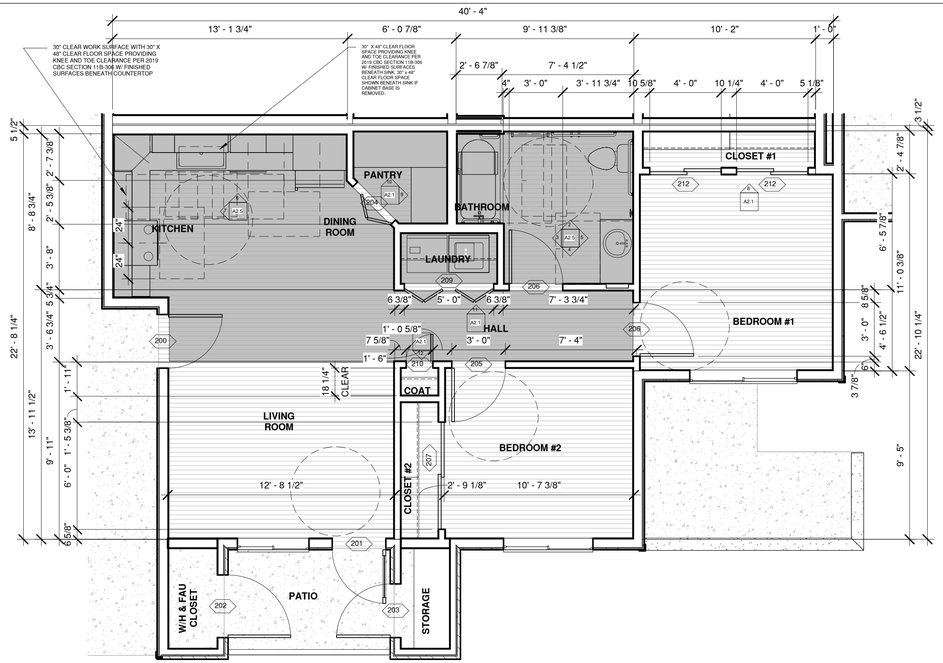
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A2.3

3-BEDROOM - TYPE 2 - ADAPTABLE UNIT
PLAN, INTERIOR ELEVATIONS

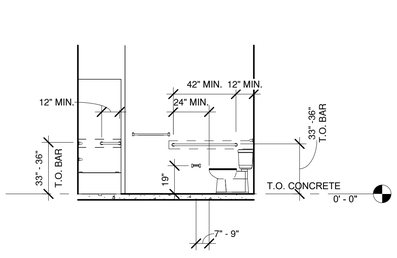
SCHEMATIC SET / NOT FOR CONSTRUCTION



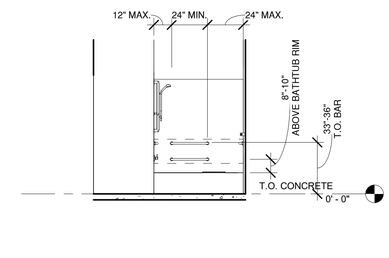
1 MOBILITY 2-BEDROOM UNIT PLAN
1/4" = 1'-0"

= PLI-DECK
= CERAMIC TILE
= CONCRETE
= LVT
= DROPPED CEILING

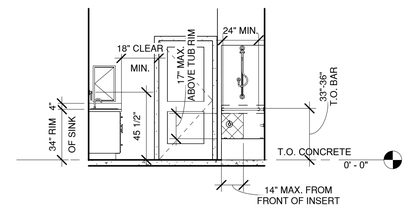
HATCH LEGEND



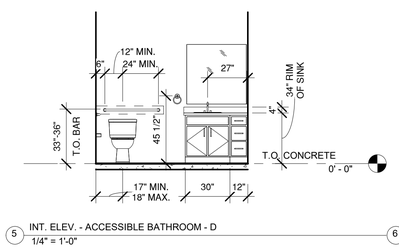
2 INT. ELEV. - ACCESSIBLE BATHROOM - A
1/4" = 1'-0"



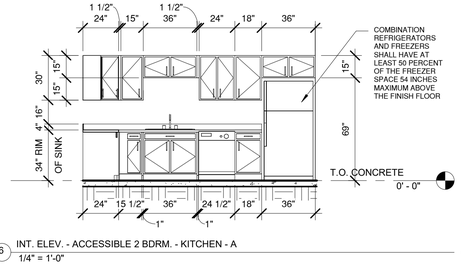
3 INT. ELEV. - ACCESSIBLE BATHROOM - B
1/4" = 1'-0"



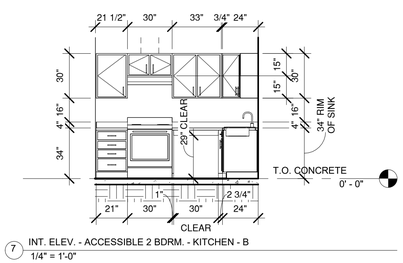
4 INT. ELEV. - ACCESSIBLE BATHROOM - C
1/4" = 1'-0"



5 INT. ELEV. - ACCESSIBLE BATHROOM - D
1/4" = 1'-0"



6 INT. ELEV. - ACCESSIBLE 2 BDRM. - KITCHEN - A
1/4" = 1'-0"



7 INT. ELEV. - ACCESSIBLE 2 BDRM. - KITCHEN - B
1/4" = 1'-0"

KITCHEN CABINET & SHELF STORAGE CALCULATIONS - 2 BED ACCESSIBLE UNIT

OVERALL KITCHEN CABINET & SHELF STORAGE	WITHIN ACCESSIBLE REACH RANGE KITCHEN CABINET & SHELF STORAGE
ELEVATION 6/A2.4: AVAILABLE UPPER CABINET STORAGE: 36"X12"D + 42"X12"D+36"X19"D+15"X12"D+24"X12"D=1,836 SQ. IN. AVAILABLE LOWER CABINET STORAGE: (2)18"X24"D+36"X24"D+39"X24"D=2,664 SQ. IN.	ELEVATION 6/A2.4: WITHIN-REACH UPPER CABINET STORAGE: 0 SQ. IN. WITHIN-REACH LOWER CABINET STORAGE: 18"X24"D+12"X24"D=720 SQ. IN.
ELEVATION 7/A2.4: AVAILABLE UPPER CABINET STORAGE: 12"X12"D+33"X12"D+30"X12"D+21"X12"D=1,152 SQ. IN. AVAILABLE LOWER CABINET STORAGE: (2)30"X24"D+(4)21"X24"D=3,456 SQ. IN.	ELEVATION 7/A2.4: WITHIN-REACH UPPER CABINET STORAGE: 0 SQ. IN. WITHIN-REACH LOWER CABINET STORAGE: 30"X24"D+(3)21"X24"D=2,232 SQ. IN.
ELEVATION 9/A2.1: AVAILABLE PANTRY SHELF STORAGE: (4)38"X18"D=2,736 SQ. IN.	ELEVATION 9/A2.4: WITHIN-REACH PANTRY SHELF STORAGE: (3)38"X18"D=2,052 SQ. IN.
ELEVATION 10A/2.4: AVAILABLE PANTRY SHELF STORAGE: (4)54"X24"D=5,184 SQ. IN.	ELEVATION 10/A2.4: WITHIN-REACH PANTRY STORAGE STORAGE: (3)54"X24"D=3,888 SQ. IN.
TOTAL AVAILABLE KITCHEN STORAGE: 17,028 SQ. IN.	**TOTAL ACCESSIBLE REACH RANGE KITCHEN STORAGE: 8,892 SQ. IN.**

CALCULATION TO SHOW 50% OF SHELF SPACE IS WITHIN ACCESSIBLE REACH RANGE PER CBC 11B-804.5 AND 11B-308:

17,028 SQ. IN. (TOTAL CABINET & PANTRY) X 0.50 = 8,514 SQ. IN. (50% OF TOTAL AVAILABLE STORAGE SPACE)

8,892 SQ. IN. / 17,028 SQ. IN. = 52.22% (SHELF & STORAGE SPACE WITHIN ACCESSIBLE REACH RANGE)

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PROJECT
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FOWLER, CA

A2.5
2-BEDROOM ACCESSIBLE UNIT PLAN, INTERIOR ELEVATIONS

SCHEMATIC SET / NOT FOR CONSTRUCTION

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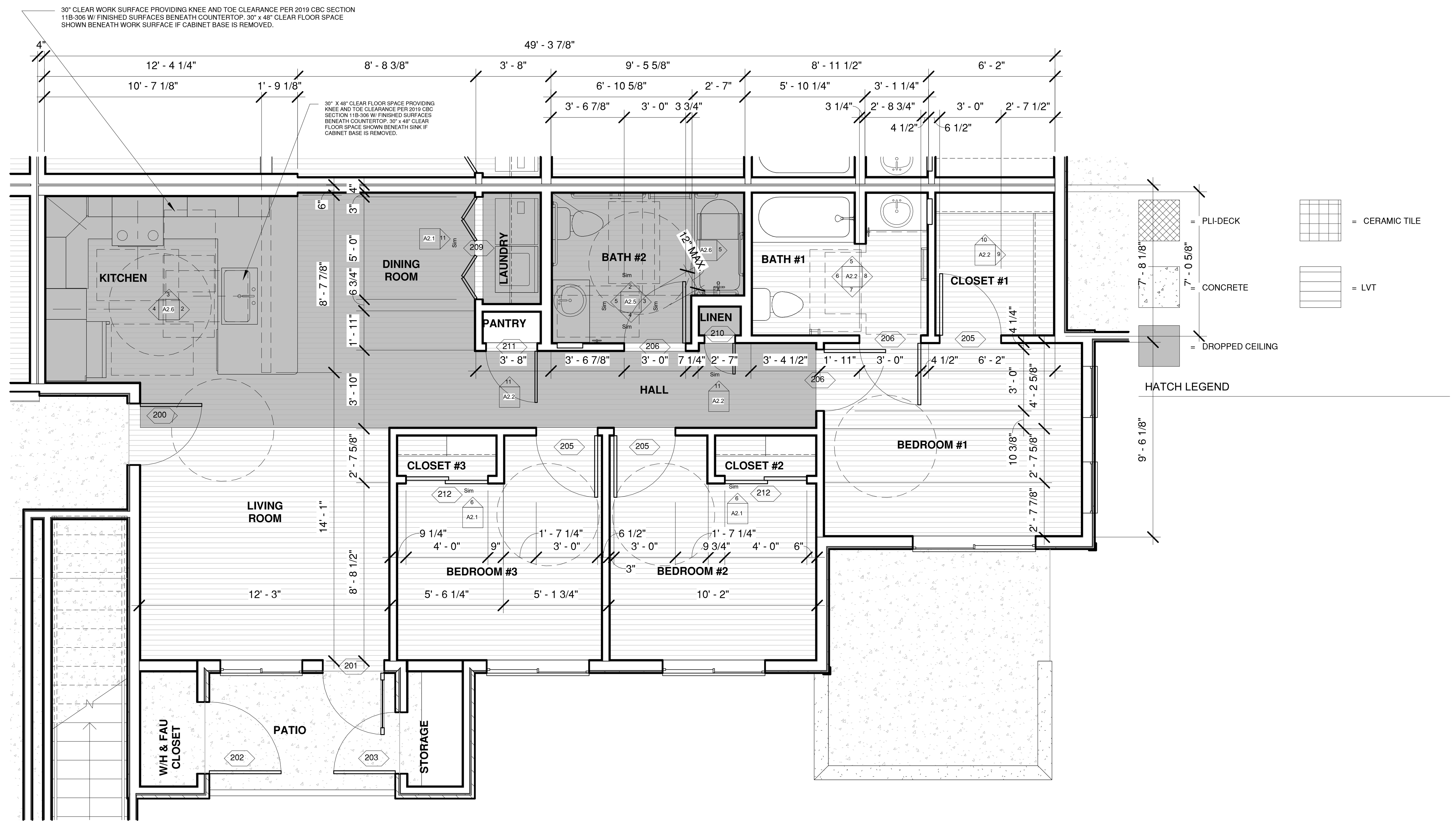
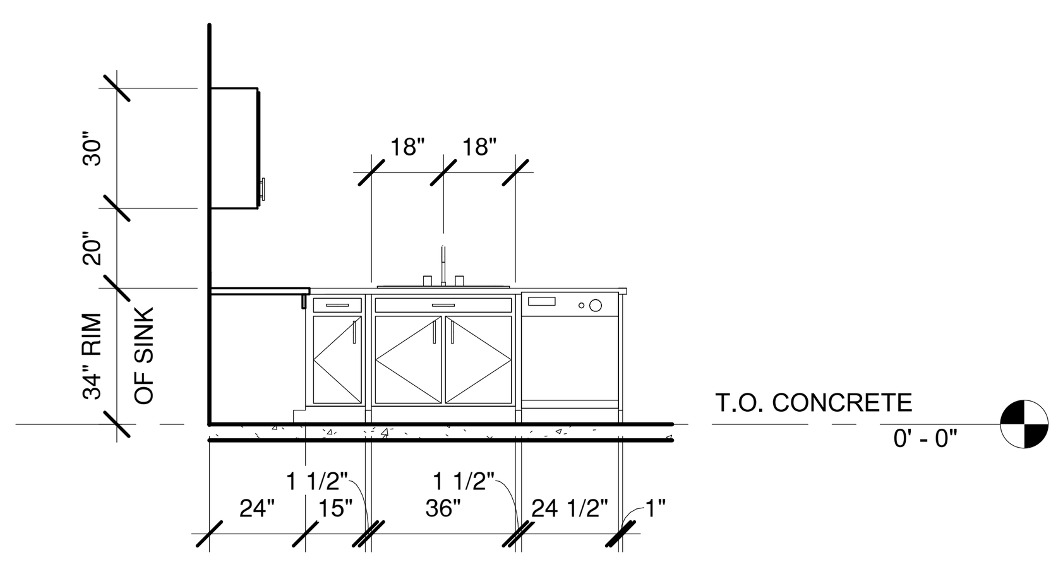
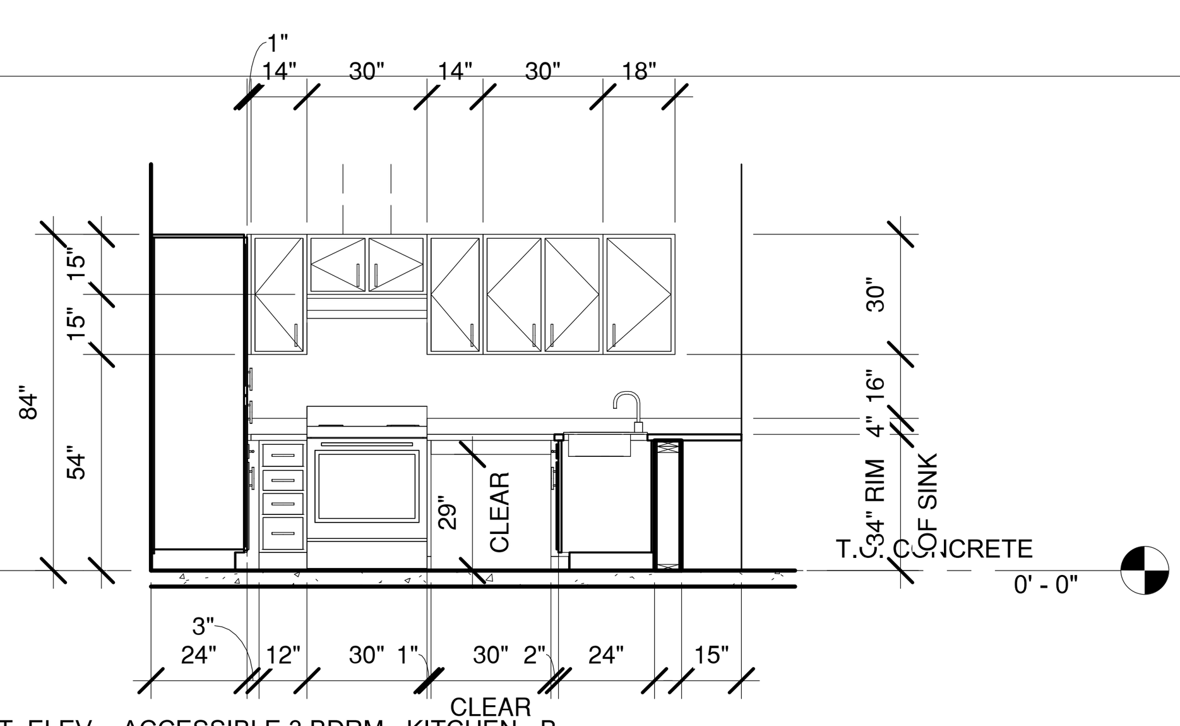


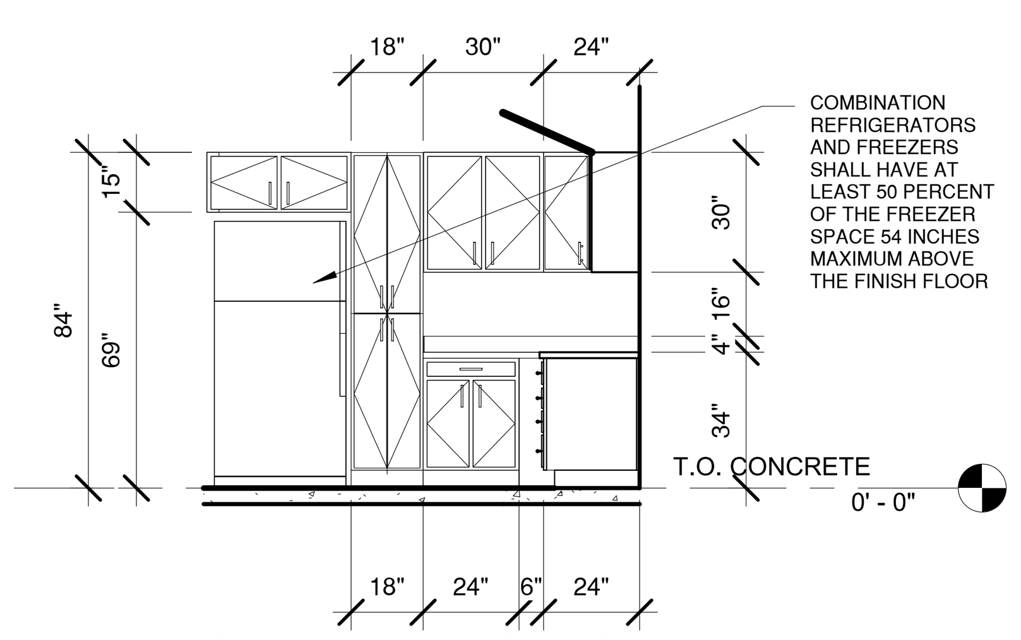
1 ACCESSIBLE 3-BEDROOM - TYPE 1 - UNIT PLAN
1/4" = 1'-0"



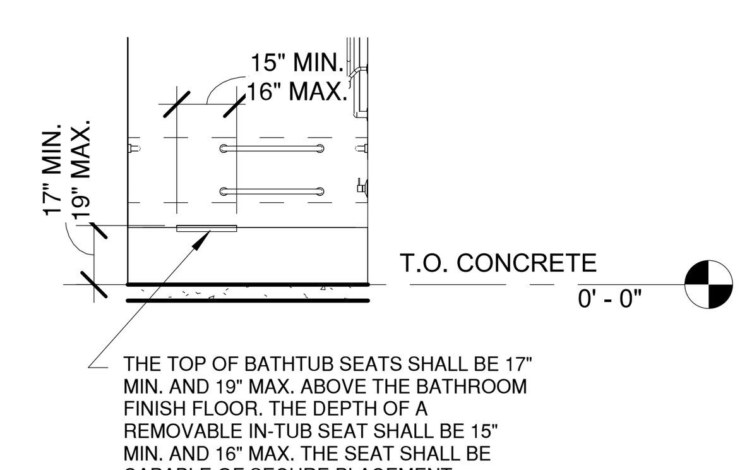
2 INT. ELEV. - ACCESSIBLE 3 BDRM - KITCHEN - A
1/4" = 1'-0"



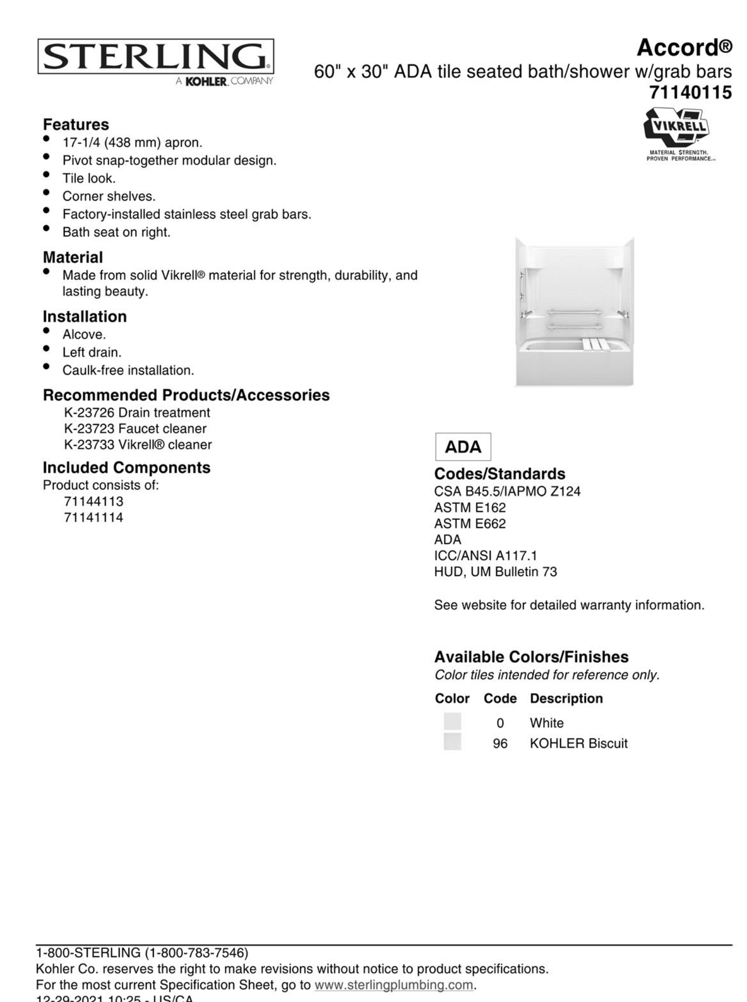
3 INT. ELEV. - ACCESSIBLE 3 BDRM - KITCHEN - B
1/4" = 1'-0"



4 INT. ELEV. - ACCESSIBLE 3 BDRM - KITCHEN - C
1/4" = 1'-0"



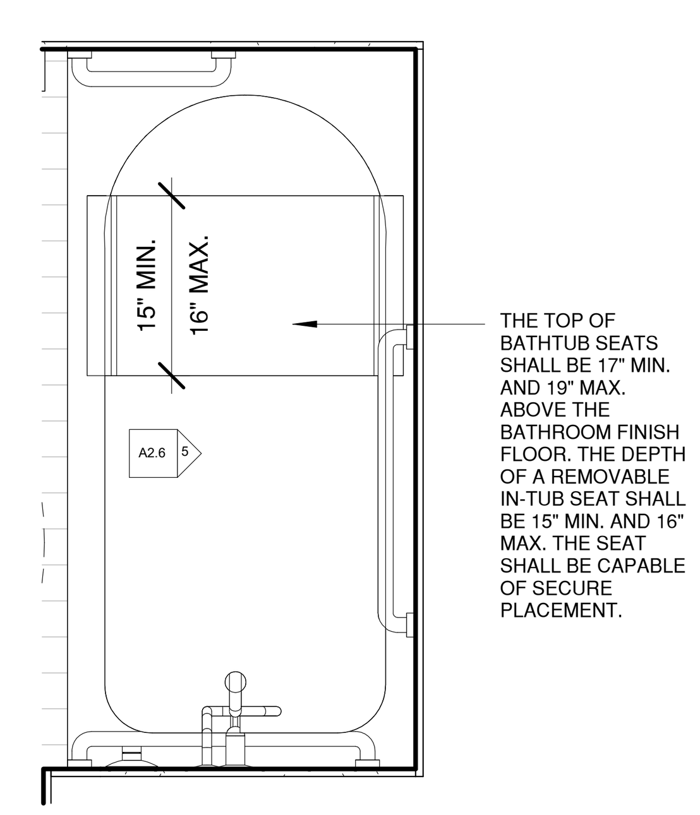
5 REMOVABLE IN-TUB SEAT SECTION
1/4" = 1'-0"



SEE PLUMBING FIXTURE SCHEDULE ON DRAWING SHEET P3.0

6 MOBILITY TUB/SHOWER INSERT
1/4" = 1'-0"

KITCHEN CABINET & SHELF STORAGE CALCULATIONS - 3 & 4 BED ACCESSIBLE UNITS	
OVERALL KITCHEN CABINET & SHELF STORAGE	**WITHIN ACCESSIBLE REACH RANGE KITCHEN CABINET & SHELF STORAGE**
ELEVATION 3: AVAILABLE UPPER CABINET STORAGE: 24"X12"D + 14"X12"D+14"X12"D+30"X12"D+18"X12"D=1,200 SQ. IN. AVAILABLE LOWER CABINET STORAGE: (4)12"X24"D+(2)30"X24"D=2,592 SQ. IN. ELEVATION 2: AVAILABLE UPPER CABINET STORAGE: 0 SQ. IN. AVAILABLE LOWER CABINET STORAGE: 39"X24"D+36"X24"D=1,800 SQ. IN. ELEVATION 4: AVAILABLE UPPER CABINET STORAGE: 18"X24"D+18"X12"D+12"X12"D+12"X12"D=936 SQ. IN. AVAILABLE LOWER CABINET STORAGE: 18"X24"D+(2)24"X24"D=1,584 SQ. IN. ELEVATION 11/A2.2: AVAILABLE PANTRY SHELF STORAGE: (4)34"X18"D=2,448 SQ. IN. **TOTAL AVAILABLE KITCHEN STORAGE: 10,560 SQ. IN.**	ELEVATION 3: WITHIN-REACH UPPER CABINET STORAGE: 14"X12"D+14"X12"D+30"X12"D=696 SQ. IN. WITHIN-REACH LOWER CABINET STORAGE: (3)12"X24"D+30"X24"D=1,584 SQ. IN. ELEVATION 2: WITHIN-REACH UPPER CABINET STORAGE: 0 SQ. IN. WITHIN-REACH LOWER CABINET STORAGE: 15"X24"D=360 SQ. IN. ELEVATION 4: WITHIN-REACH UPPER CABINET STORAGE: 18"X24"D=432 SQ. IN. WITHIN-REACH LOWER CABINET STORAGE: 24"X24"D=576 SQ. IN. ELEVATION 11/A2.2: WITHIN-REACH PANTRY STORAGE STORAGE: (3)34"X18"D=1,836 SQ. IN. **TOTAL ACCESSIBLE REACH RANGE KITCHEN STORAGE: 5,484 SQ. IN.**
CALCULATION TO SHOW 50% OF SHELF SPACE IS WITHIN ACCESSIBLE REACH RANGE PER CBC 11B-804.5 AND 11B-308: 10,560 SQ. IN. (TOTAL CABINET & PANTRY) X 0.50 = 5,280 SQ. IN. (50% OF TOTAL AVAILABLE STORAGE SPACE) 5,484 SQ. IN. / 10,560 SQ. IN. = 51.93% (SHELF & STORAGE SPACE WITHIN ACCESSIBLE REACH RANGE)	



7 ENLARGED SHOWER SEAT PLAN
3/4" = 1'-0"

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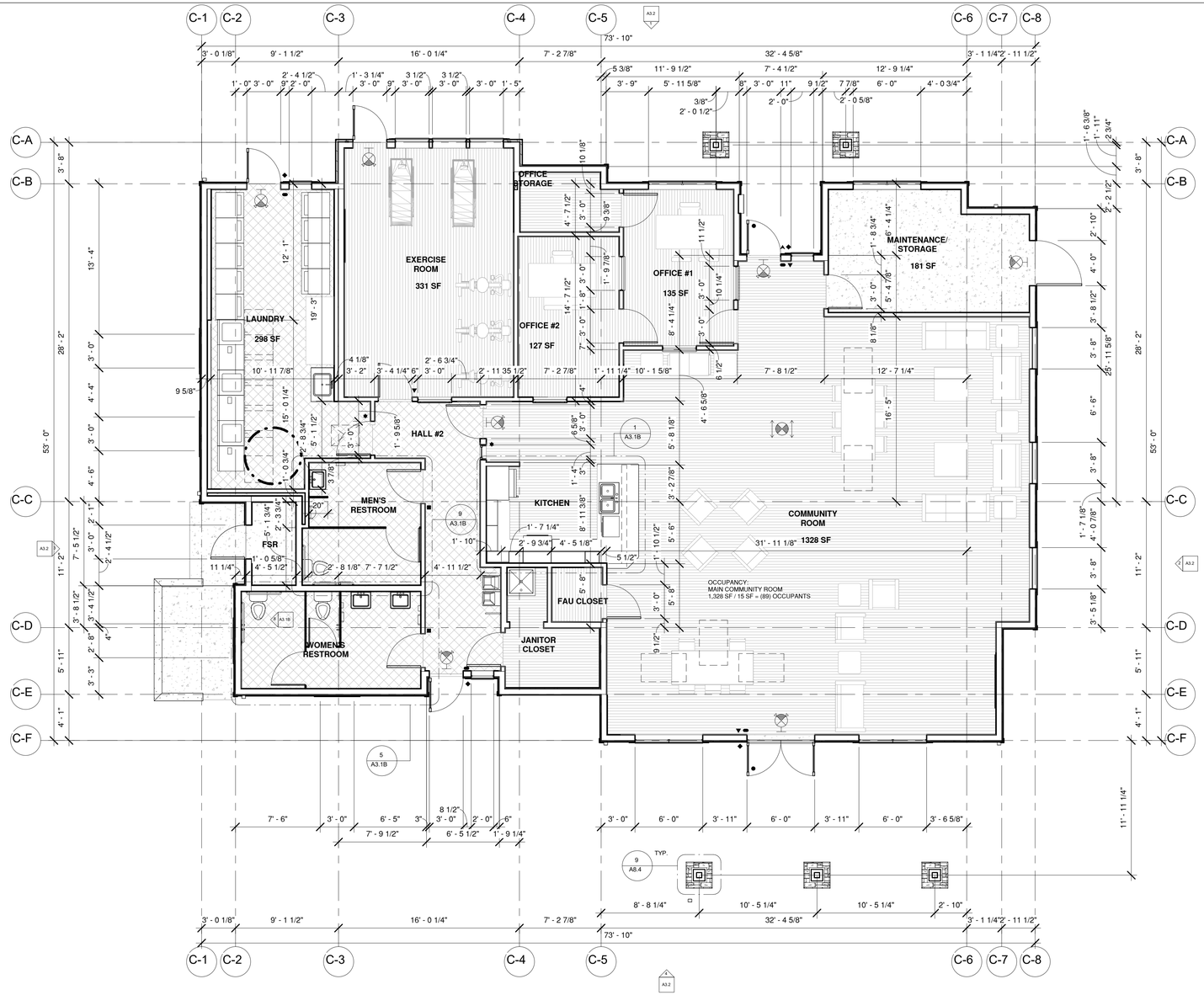
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A2.6
3-BEDROOM - TYPE 1 - ACCESSIBLE UNIT PLAN, INTERIOR ELEVATIONS

SCHEMATIC SET / NOT FOR CONSTRUCTION



1 FLOOR PLAN - COMMUNITY BLDG.
3/16" = 1'-0" 3,230 CONDITIONED S.F.

= PLI-DECK
= CERAMIC TILE
= CONCRETE
= LVT
= DROPPED CEILING

HATCH LEGEND

OCCUPANT CALCULATION FOR COMMUNITY BUILDING

MAIN COMMUNITY ROOM:	89
KITCHEN AND HALL #1:	3
EXERCISE ROOM:	7
OFFICES:	3
LAUNDRY:	4
MAINTENANCE ROOM AND MECHANICAL:	2
WOMENS & MEN'S RESTROOMS:	3
TOTAL OCCUPANCY AT COMMUNITY BUILDING =	111

SINLGE FACE COMBO EXIT SIGN / EMERGENCY LUMINARE, WALL MOUNTED +90" A.F.F.

DOUBLE FACE EXIT SIGN / ARROW INDICATES DIRECTION TO BE SHOWN ON SIGN, CEILING MOUNTED

NOTE:

SEE ELECTRICAL DRAWINGS FOR LIGHTING LOCATIONS, ILLUMINATION LEVELS, AND POWER INFORMATION. ALL MEANS OF EGRESS ILLUMINATION SHALL BE PER CBC-1008.

EXIT SIGNAGE LEGEND

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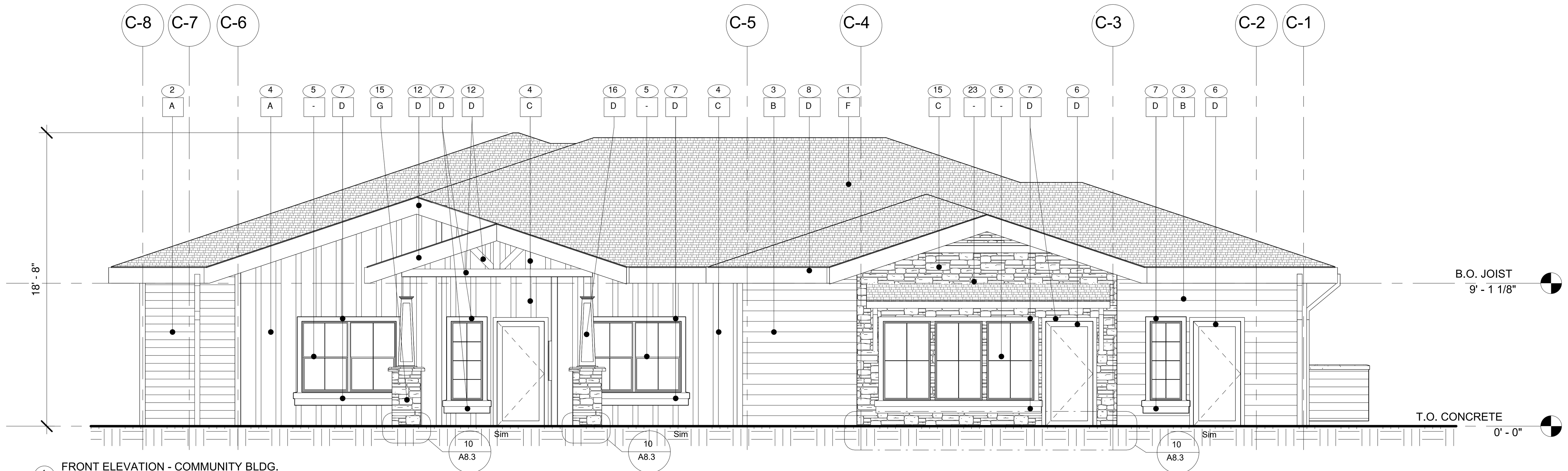
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

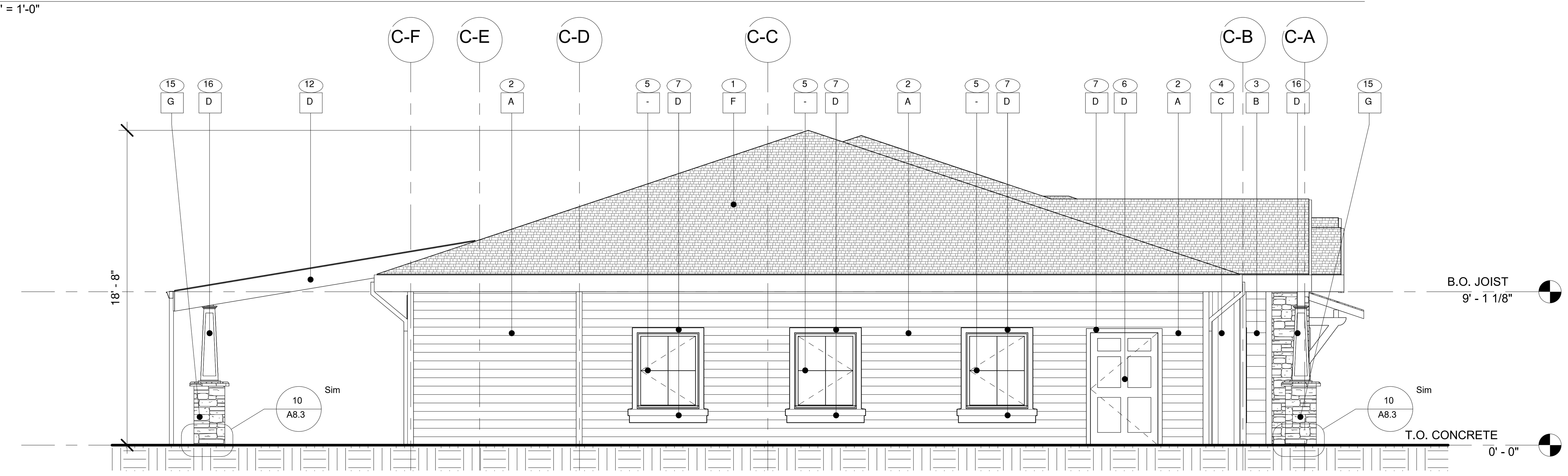
A3.1A

COMMUNITY BLDG. FLOOR PLAN

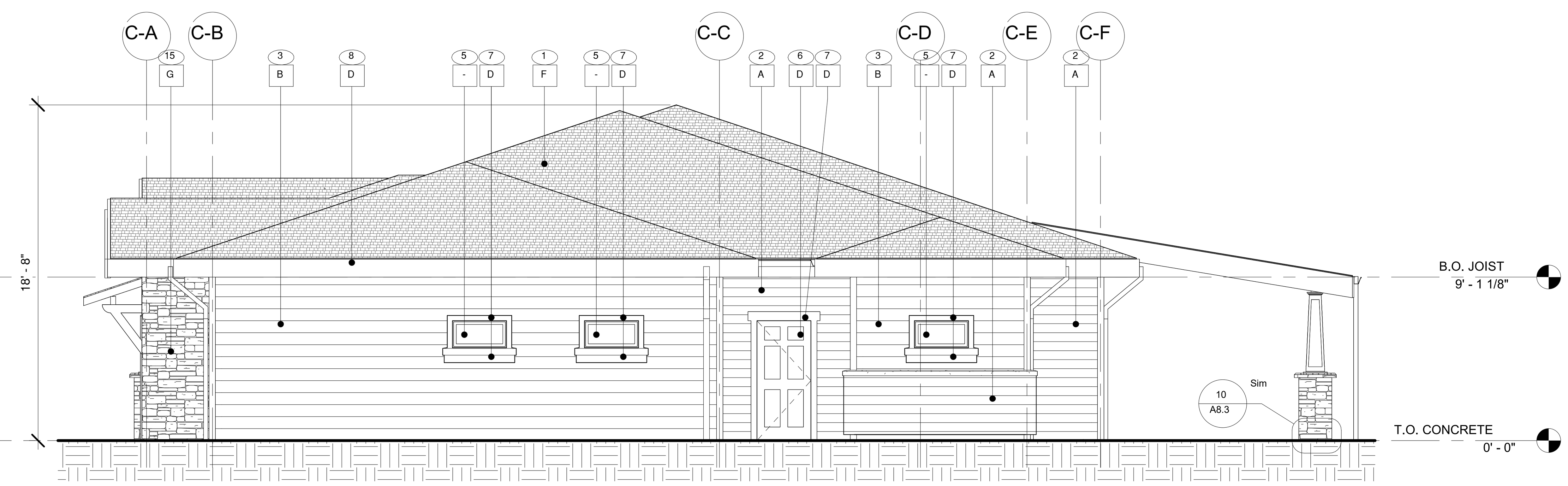
SCHEMATIC SET / NOT FOR CONSTRUCTION



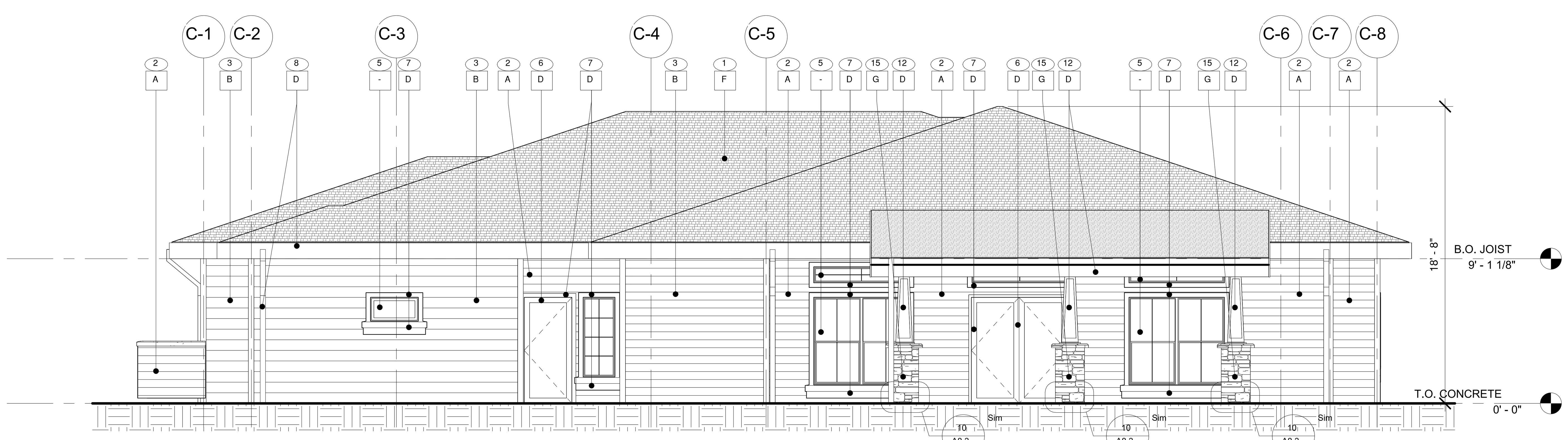
1 FRONT ELEVATION - COMMUNITY BLDG.
3/16" = 1'-0"



2 LEFT ELEVATION - COMMUNITY BLDG.
3/16" = 1'-0"



3 RIGHT ELEVATION - COMMUNITY BLDG.
3/16" = 1'-0"



4 REAR ELEVATION - COMMUNITY BLDG.
3/16" = 1'-0"

KEY NOTES

1. 20 YEAR TYPE 'A' COMPOSITE SHINGLE, TYP.
2. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 6" REVEAL OR APPROVED EQUAL.
3. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 8" REVEAL OR APPROVED EQUAL.
4. PAINTED CEMENTITIOUS BOARD & BATTEN OR APPROVED EQUAL
5. WHITE VINYL WINDOWS. SEE FLOOR PLANS, WINDOW SCHEDULE, AND SPECIFICATIONS.
6. EXTERIOR DOOR. SEE FLOOR PLANS, DOOR SCHEDULE,AND SPECIFICATIONS, PAINT AS NOTED.
7. DOOR/WINDOW TRIM, PAINT AS NOTED.
8. PRE-FINISHED METAL GUTTER. SEE ROOF PLAN FOR EXTENT. COLOR AS NOTED, DOWNSPOUT TO MATCH.
9. NOT USED.
10. 2x HORZONTAL TRIM PAINTED, ALIGN TRIM AS SHOWN. SEE DETAIL 11/A8.1.
11. 4" VERTICAL TRIM, TYP.
12. 1x FINISH FASCIA, MDF OR EQUAL, SEE DETAILS.
13. METAL RAILING SYSTEM. COLOR AS NOTED. SEE BUILDING CROSS SECTIONS, DETAIL 1/A8.3, AND DETAIL 2/A8.3.
14. ARCHITECTURAL GABLE END VENT, PAINT AS NOTED.SEE ROOF PLANS.
15. CULTURED STONE, SET IN MORTAR BED WITHFLASHING AND WEEP SCREED. SEE SPECIFICATIONS.
16. COLUMN, POST, AND BEAM, REFER TO BUILDING CROSSSECTIONS & DETAILS.
17. WOOD TRIM OR ARCHITECTURAL FEATURE. SEE BUILDING SECTIONS.
18. PAINTED METAL HANDRAIL.
19. 42" TALL CONDENSOR UNIT SCREEN WALL.
20. EXTERIOR MEP EQUIPMENT, SEE MEP PLANS FOR MORE INFORMATION.
21. SEMI-RECESSED FIRE EXTINGUISHER CABINET PER SPECIFICATIONS.
22. GAS METER BANK. RE: PLUMBING DRAWINGS.
23. PRE-FINISHED ROOF TO WALL FLASHING PER DETAIL 12/A8.1.

MATERIAL FINISHES: COMMUNITY BLDG.

A	SHERWIN WILLIAMS SW 6274 "DESTINY" OR EQUAL.
B	SHERWIN WILLIAMS 6011 "CHINCHILLA" OR EQUAL.
C	SHERWIN WILLIAMS SW 7079 "PONDER" OR EQUAL.
D	GUTTERS, DOWN SPOUTS, EXTERIOR DOORS, TRIM BOARDS, BELLY BANDS, OUTRIGGERS, CORBELS, METAL FASCIA WRAP: COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
E	RAILINGS: COLOR TO MATCH SHERWIN WILLIAMS SW 7079 "EXTRA WHITE" OR EQUAL.
F	PABCO ARCHITECTURAL SHINGLES "WEATHERED WOOD" OR EQUAL.
G	CULTURED STONE TO MATCH COUNTRY LEDGESTONE "ASHFALL" OR EQUAL.

NOTES:

1) SOFFIT (NOT SHOWN) COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL..
2) ALL VENT TERMINATIONS AND OTHER EXTERNAL UTILITY EQUIPMENT TO BE PAINTED TO MATCH THE ADJACENT WALL SURFACE.

REVISIONS

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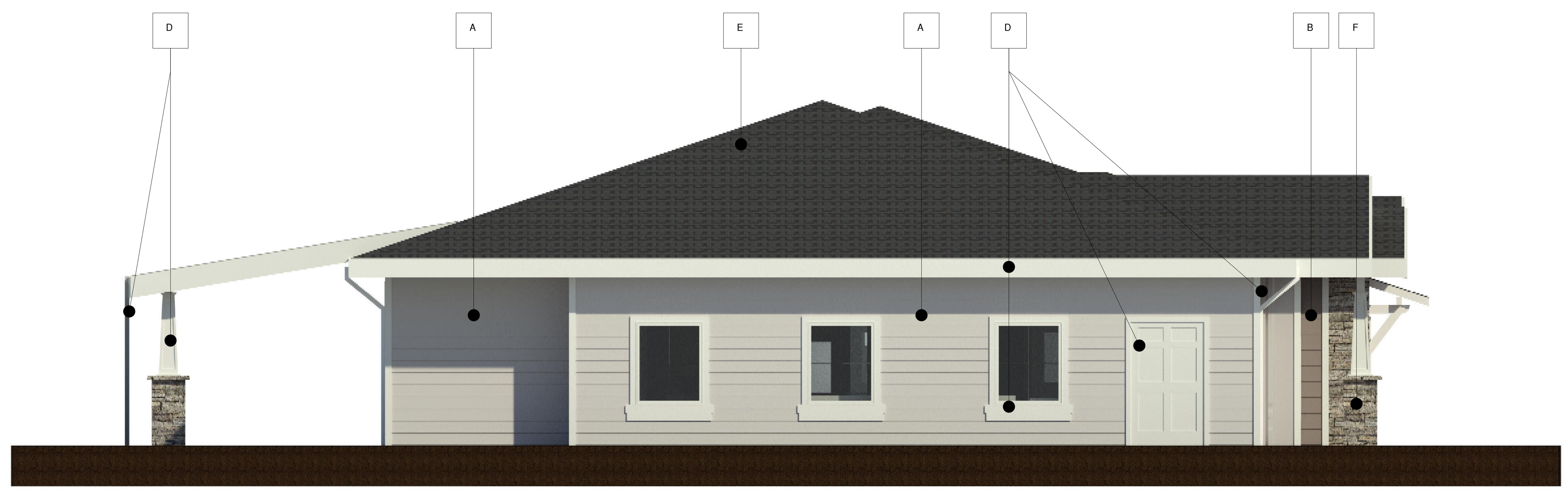
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A3.2
EXTERIOR ELEVATIONS - COMMUNITY BLDG.

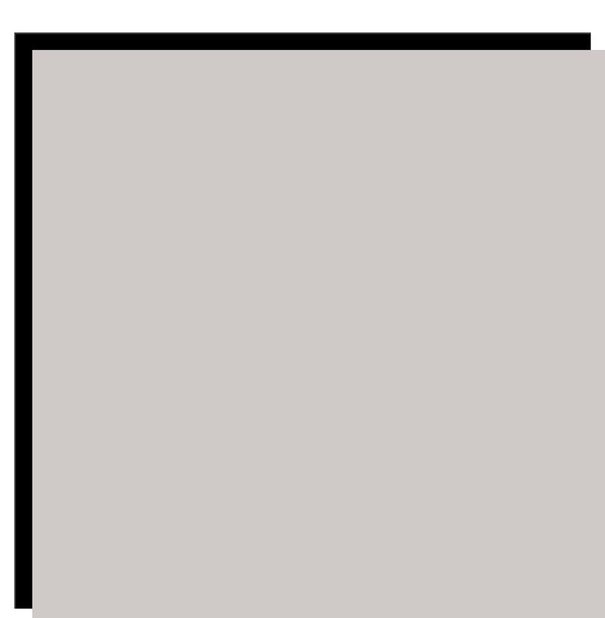
SCHEMATIC SET / NOT FOR CONSTRUCTION

REVISIONS

(1) COMMUNITY BLDG. - FRONT ELEVATION
N.T.S.



(2) COMMUNITY BLDG. - LEFT ELEVATION
N.T.S.

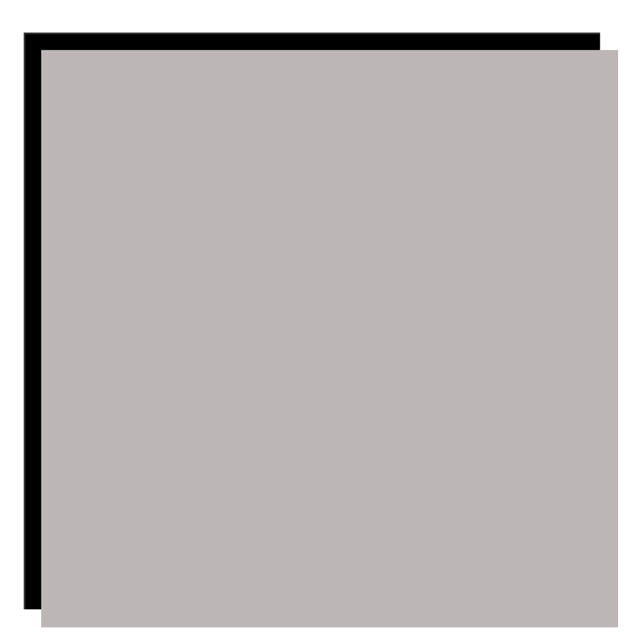


A CEMENTITIOUS SIDING - 6" REVEAL

COLOR TO MATCH "DESTINY"
SHERWIN WILLIAMS SW 6274
OR EQUAL

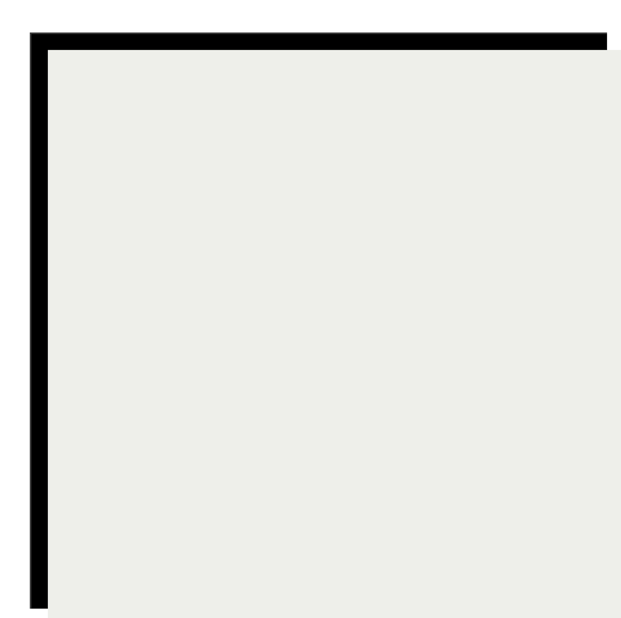
B CEMENTITIOUS SIDING - 8" REVEAL

COLOR TO MATCH "CHINCHILLA"
SHERWIN WILLIAMS SW 6011
OR EQUAL



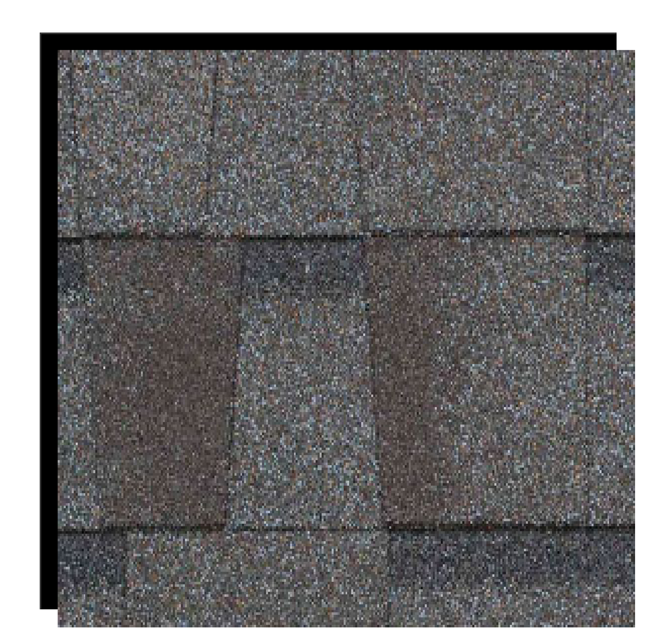
C CEMENTITIOUS BOARD & BATTEN

COLOR TO MATCH "PONDER"
SHERWIN WILLIAMS SW 7079
OR EQUAL



D FASCIA, TRIM, DOORS, RAILINGS, GUTTERS, & DOWNSPOUTS

COLOR TO MATCH "EXTRA WHITE"
SHERWIN WILLIAMS SW 7006
OR EQUAL



E ROOFING

"WEATHERED WOOD"
PABCO ARCHITECTURAL SHINGLES
OR EQUAL

F CULTURED STONE

CULTURED STONE TO MATCH
COUNTRY LEDGESTONE "ASHFALL" OR
EQUAL

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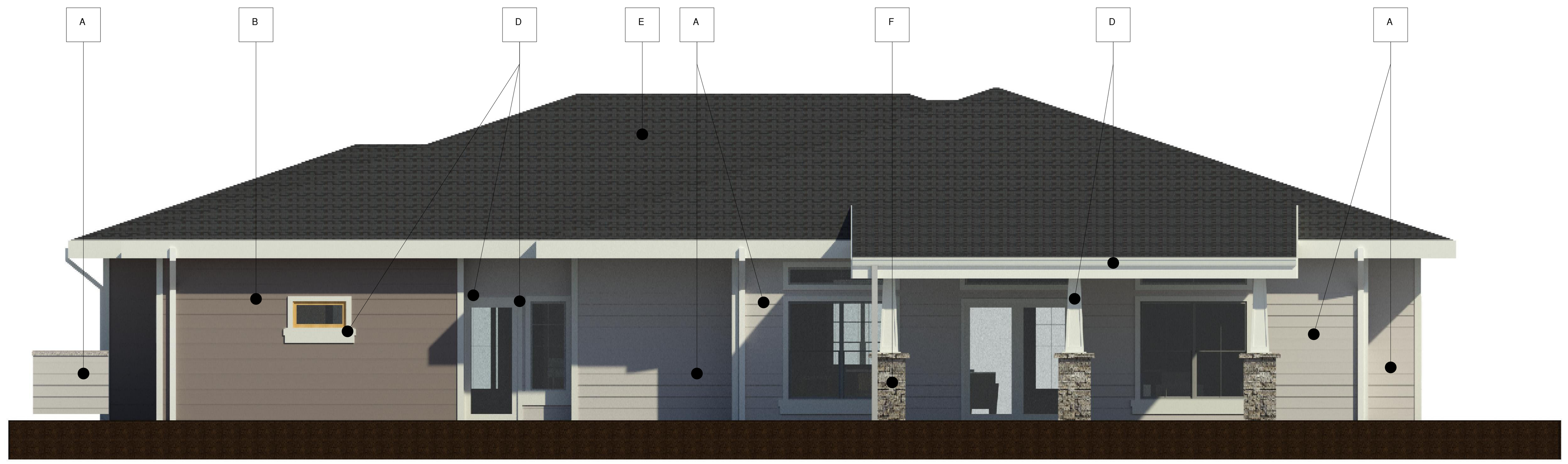
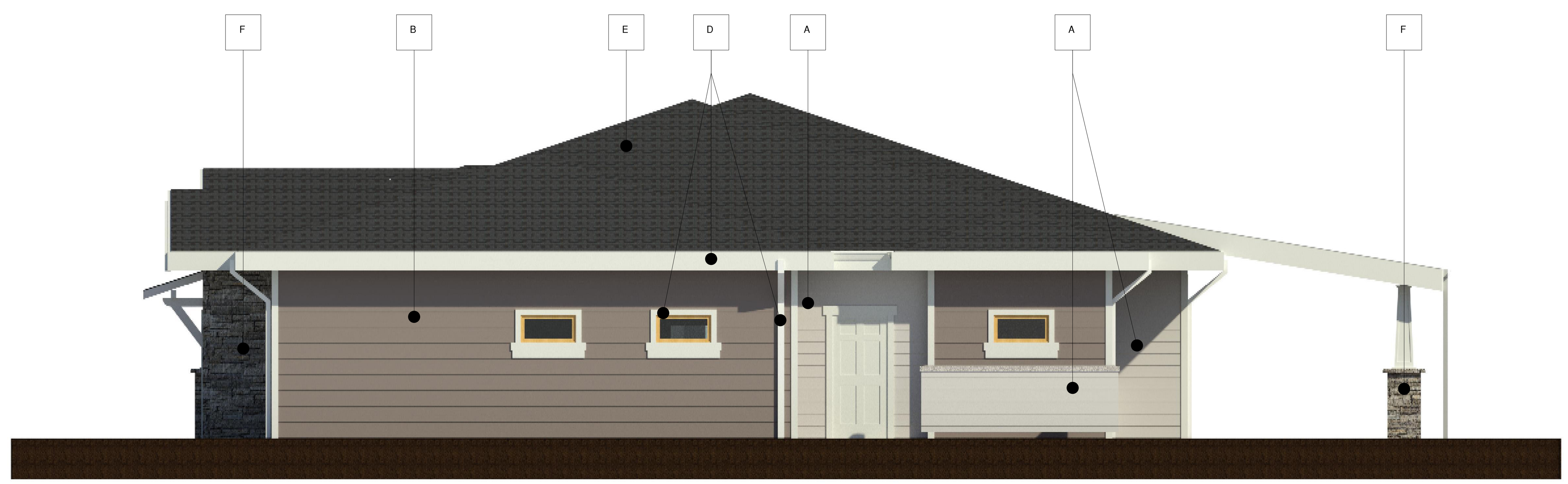
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A3.3A
COLORED ELEVATIONS - COMMUNITY BLDG.

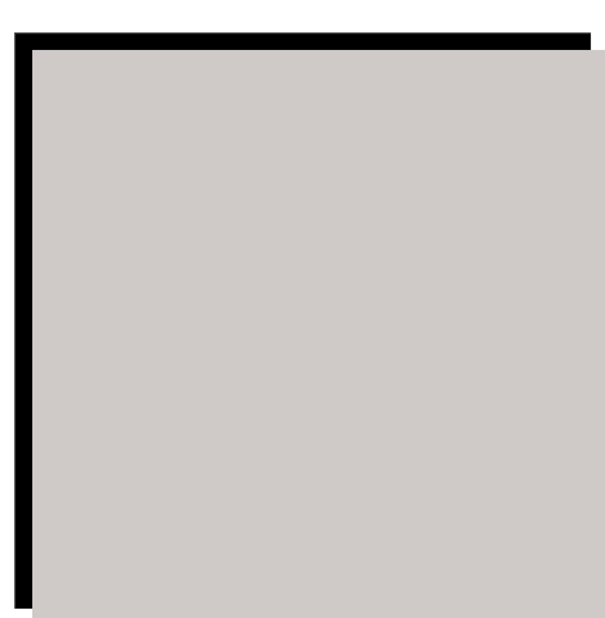
SCHEMATIC SET / NOT FOR CONSTRUCTION



1 COMMUNITY BLDG. - REAR ELEVATION
N.T.S.



2 COMMUNITY BLDG. - RIGHT ELEVATION
N.T.S.

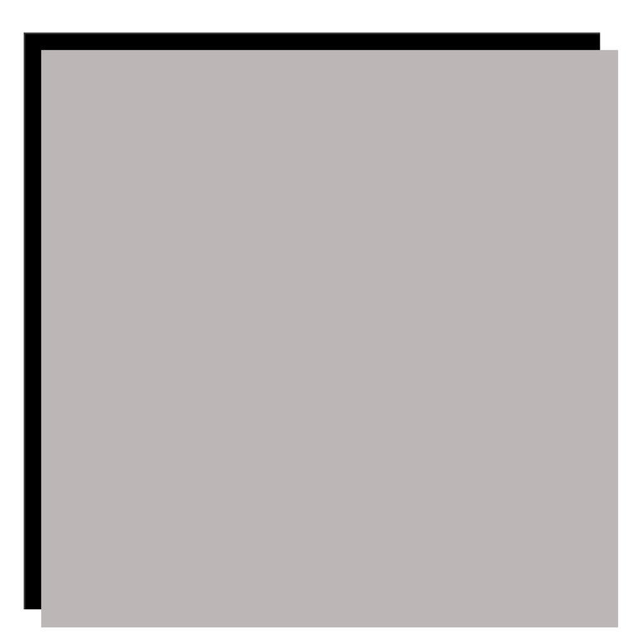


A CEMENTITIOUS SIDING - 6" REVEAL

COLOR TO MATCH "DESTINY"
SHERWIN WILLIAMS SW 6274
OR EQUAL

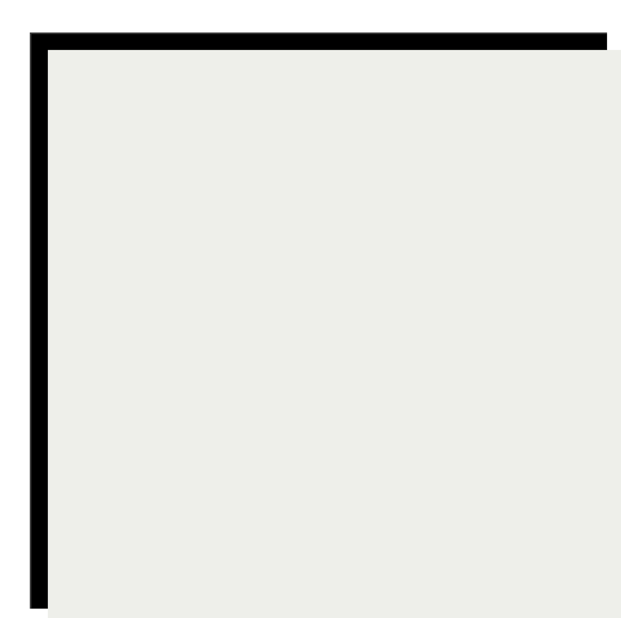
B CEMENTITIOUS SIDING - 8" REVEAL

COLOR TO MATCH "CHINCHILLA"
SHERWIN WILLIAMS SW 6011
OR EQUAL



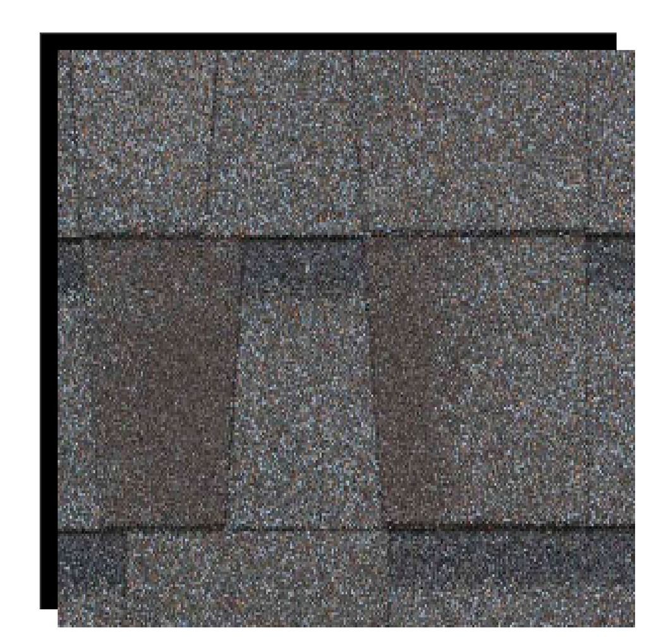
C CEMENTITIOUS BOARD & BATTEN

COLOR TO MATCH "PONDER"
SHERWIN WILLIAMS SW 7079
OR EQUAL



D FASCIA, TRIM, DOORS, RAILINGS, GUTTERS, & DOWNSPOUTS

COLOR TO MATCH "EXTRA WHITE"
SHERWIN WILLIAMS SW 7006
OR EQUAL



E ROOFING

"WEATHERED WOOD"
PABCO ARCHITECTURAL SHINGLES
OR EQUAL

F CULTURED STONE

CULTURED STONE TO MATCH
COUNTRY LEDGESTONE "ASHFALL" OR
EQUAL

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PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A3.3B
COLORED ELEVATIONS - COMMUNITY BLDG.

SCHEMATIC SET / NOT FOR CONSTRUCTION

OCCUPANCY CALCULATION FOR BUILDING TYPE A

1ST FLOOR: 8,273 S.F. / 200 S.F. PER OCCUPANT = 41 MAX. (36 PROPOSED)
2ND FLOOR: 7,378 S.F. / 200 S.F. PER OCCUPANT = 36 MAX. (33 PROPOSED)
3RD FLOOR: 7,368 S.F. / 200 S.F. PER OCCUPANT = 36 MAX. (33 PROPOSED)
TOTAL OCCUPANCY: 113 MAX. (102 PROPOSED)

1 1ST FLOOR PLAN - BLDG. TYPE A
1/8" = 1'-0"

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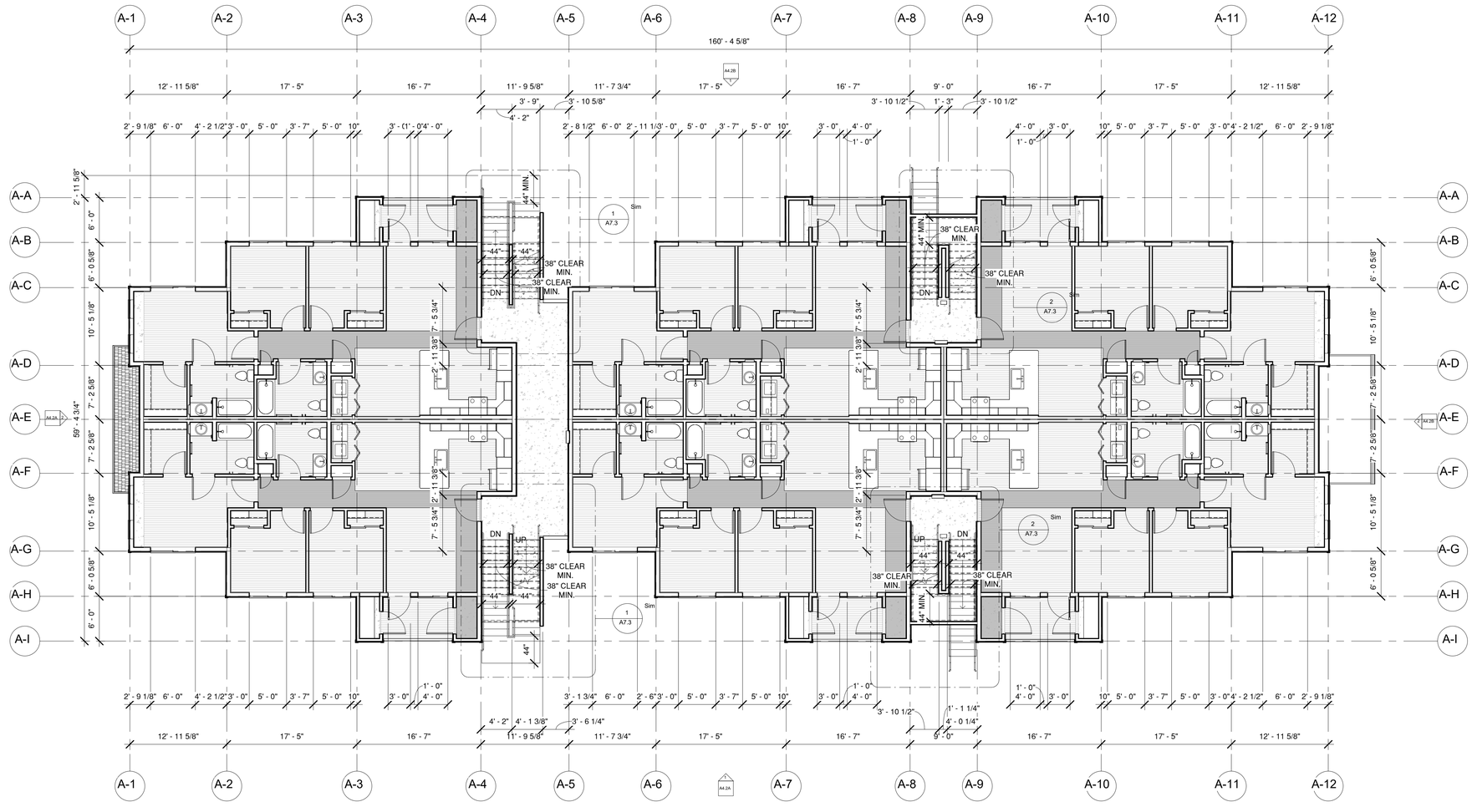
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A4.1A
FLOOR PLAN - BLDG. TYPE A

SCHEMATIC SET / NOT FOR CONSTRUCTION

OCCUPANCY CALCULATION FOR BUILDING TYPE A

1ST FLOOR: 8,273 S.F. / 200 S.F. PER OCCUPANT = 41 MAX. (36 PROPOSED)
2ND FLOOR: 7,378 S.F. / 200 S.F. PER OCCUPANT = 36 MAX. (33 PROPOSED)
3RD FLOOR: 7,368 S.F. / 200 S.F. PER OCCUPANT = 36 MAX. (33 PROPOSED)
TOTAL OCCUPANCY: 113 MAX. (102 PROPOSED)



1 2ND FLOOR PLAN - BLDG. TYPE A
1/8" = 1'-0"

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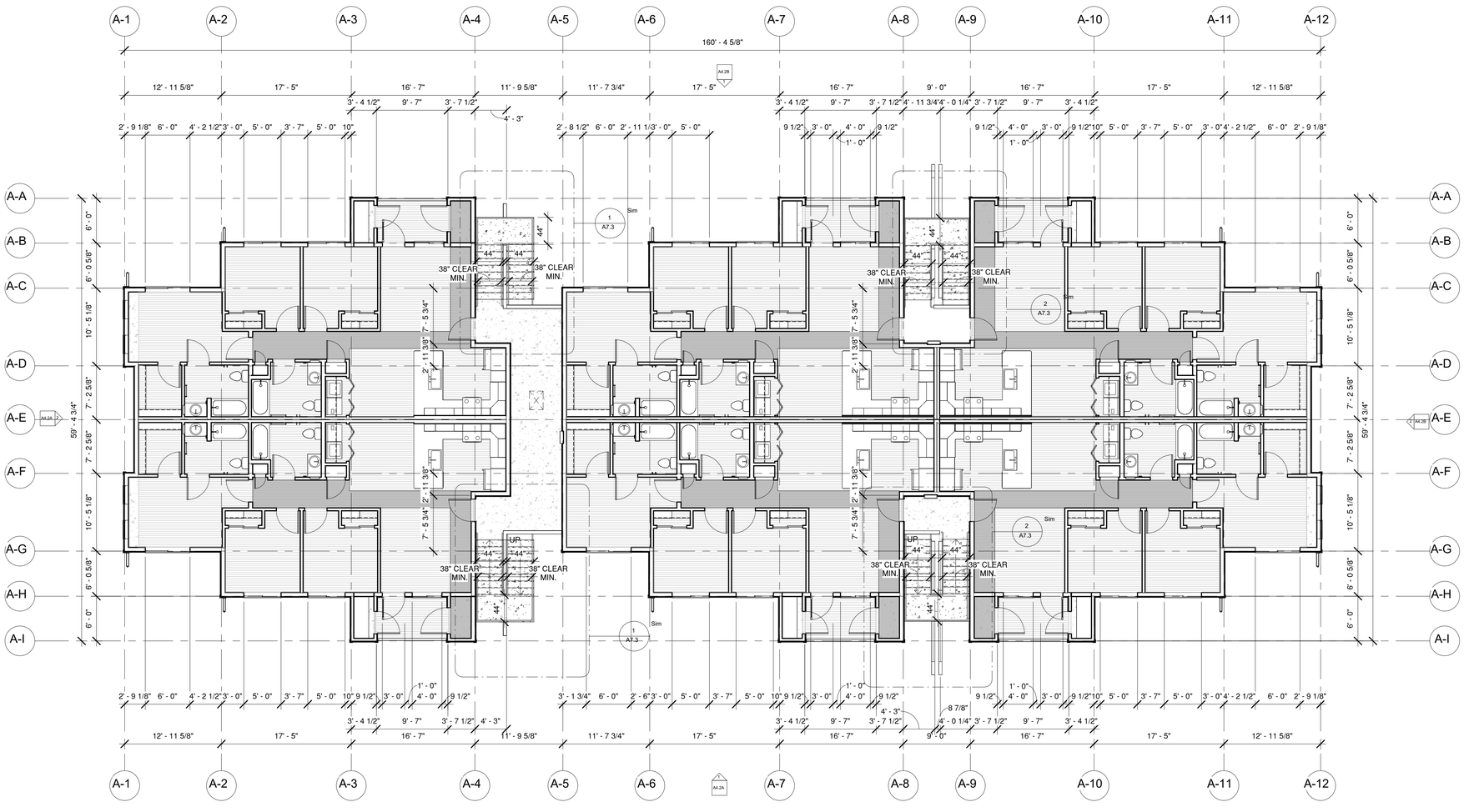
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A4.1B
FLOOR PLAN - BLDG. TYPE A

SCHEMATIC SET / NOT FOR CONSTRUCTION

OCCUPANCY CALCULATION FOR BUILDING TYPE A

1ST FLOOR: 8,273 S.F. / 200 S.F. PER OCCUPANT = 41 MAX. (36 PROPOSED)
2ND FLOOR: 7,378 S.F. / 200 S.F. PER OCCUPANT = 36 MAX. (33 PROPOSED)
3RD FLOOR: 7,368 S.F. / 200 S.F. PER OCCUPANT = 36 MAX. (33 PROPOSED)
TOTAL OCCUPANCY: 113 MAX. (102 PROPOSED)



1 3RD FLOOR PLAN - BLDG. TYPE A
1/8" = 1'-0"

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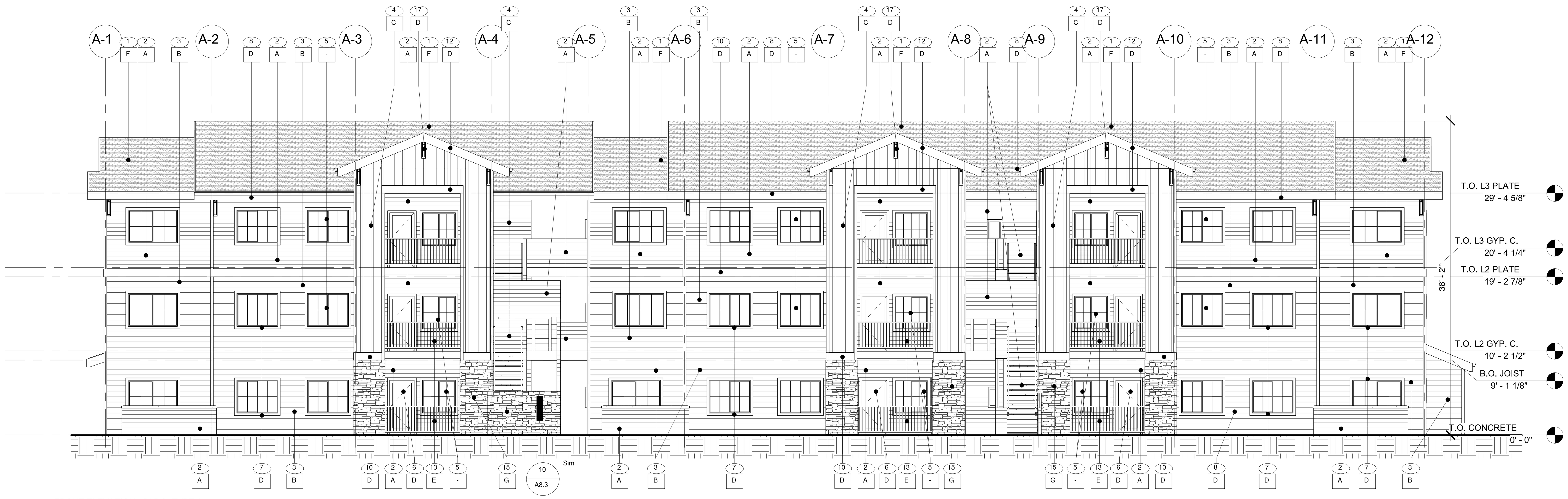
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

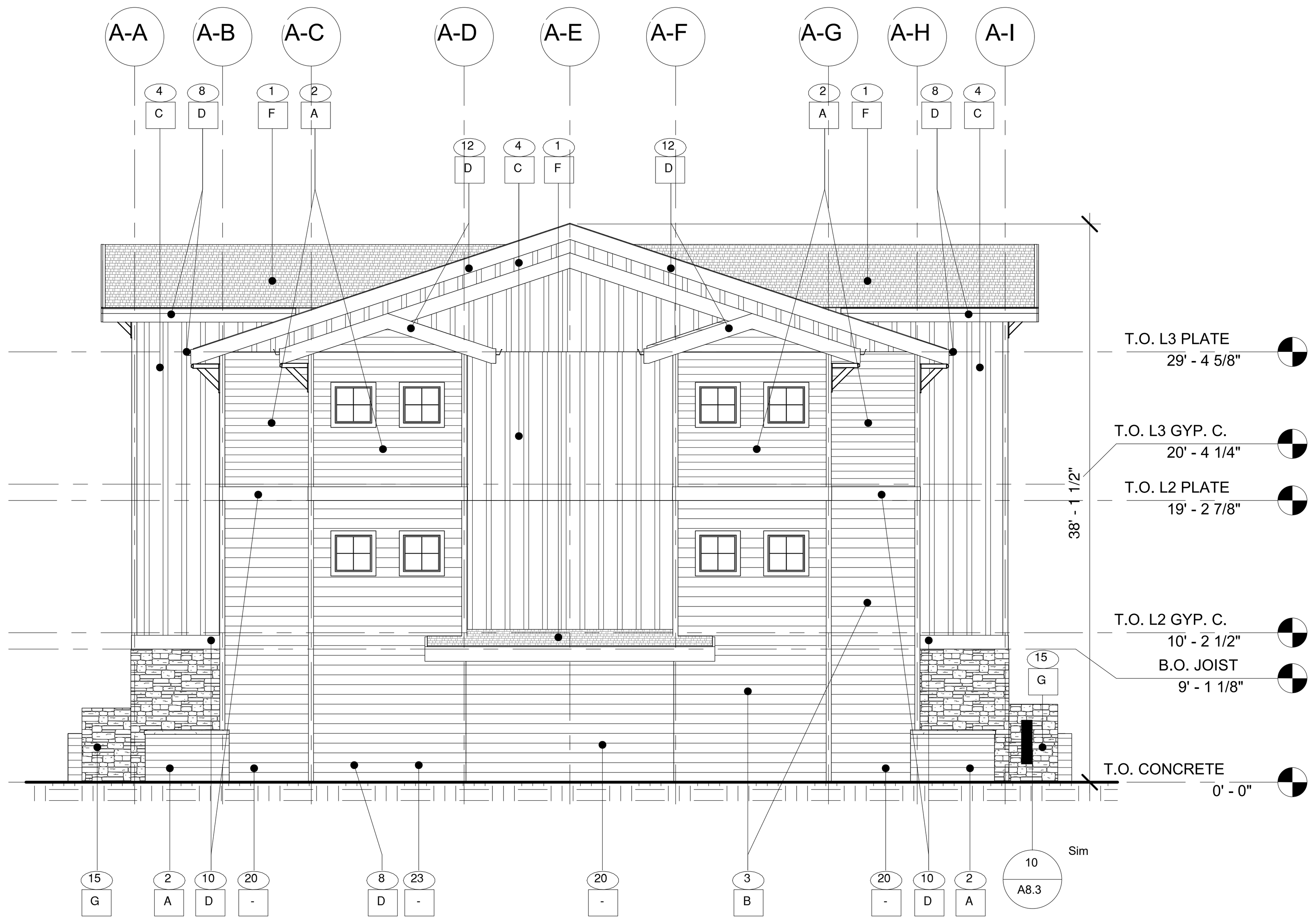
A4.1C
FLOOR PLAN - BLDG. TYPE A

SCHEMATIC SET / NOT FOR CONSTRUCTION

REVISIONS



1 FRONT ELEVATION - BLDG. TYPE A
1/8" = 1'-0"



2 LEFT ELEVATION - BLDG. TYPE A
1/8" = 1'-0"

KEY NOTES

1. 20 YEAR TYPE 'A' COMPOSITE SHINGLE, TYP.
2. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 6" REVEAL OR APPROVED EQUAL.
3. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 8" REVEAL OR APPROVED EQUAL.
4. PAINTED CEMENTITIOUS BOARD & BATTEN OR APPROVED EQUAL
5. WHITE VINYL WINDOWS. SEE FLOOR PLANS, WINDOW SCHEDULE, AND SPECIFICATIONS.
6. EXTERIOR DOOR. SEE FLOOR PLANS, DOOR SCHEDULE,AND SPECIFICATIONS, PAINT AS NOTED.
7. DOOR/WINDOW TRIM, PAINT AS NOTED.
8. PRE-FINISHED METAL GUTTER. SEE ROOF PLAN FOR EXTENT. COLOR AS NOTED, DOWNSPOUT TO MATCH.
9. NOT USED.
10. 2x HORZONTAL TRIM PAINTED, ALIGN TRIM AS SHOWN. SEE DETAIL 11/A8.1.
11. 4" VERTICAL TRIM, TYP.
12. 1x FINISH FASCIA, MDF OR EQUAL, SEE DETAILS.
13. METAL RAILING SYSTEM. COLOR AS NOTED. SEE BUILDING CROSS SECTIONS, DETAIL 1/A8.3, AND DETAIL 2/A8.3.
14. ARCHITECTURAL GABLE END VENT, PAINT AS NOTED.SEE ROOF PLANS.
15. CULTURED STONE, SET IN MORTAR BED WITHFLASHING AND WEEP SCREED. SEE SPECIFICATIONS.
16. COLUMN, POST, AND BEAM, REFER TO BUILDING CROSSSECTIONS & DETAILS.
17. WOOD TRIM OR ARCHITECTURAL FEATURE. SEE BUILDING SECTIONS.
18. PAINTED METAL HANDRAIL.
19. 42" TALL CONDENSOR UNIT SCREEN WALL.
20. EXTERIOR MEP EQUIPMENT, SEE MEP PLANS FOR MORE INFORMATION.
21. SEMI-RECESSED FIRE EXTINGUISHER CABINET PER SPECIFICATIONS.
22. GAS METER BANK. RE: PLUMBING DRAWINGS.
23. PRE-FINISHED ROOF TO WALL FLASHING PER DETAIL 12/A8.1.

MATERIAL FINISHES: BLDG. TYPE A

A	SHERWIN WILLIAMS SW 6274 "DESTINY" OR EQUAL.
B	SHERWIN WILLIAMS SW 6011 "CHINCHILLA" OR EQUAL.
C	SHERWIN WILLIAMS SW 7079 "PONDER" OR EQUAL.
D	GUTTERS, DOWN SPOUTS, EXTERIOR DOORS, TRIM BOARDS, BELLY BANDS, OUTRIGGERS, CORBELS, METAL FASCIA WRAP: COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
E	RAILINGS: COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
F	PABCO ARCHITECTURAL SHINGLES "WEATHERED WOOD" OR EQUAL.
G	CULTURED STONE TO MATCH COUNTRY LEDGESTONE "ASHFALL" OR EQUAL.

NOTES:

1) SOFFIT (NOT SHOWN) COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
2) ALL VENT TERMINATIONS AND OTHER EXTERNAL UTILITY EQUIPMENT TO BE PAINTED TO MATCH THE ADJACENT WALL SURFACE.

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PROJECT

NELSON POINTE APARTMENTS

NELSON AVENUE

FOWLER, CA

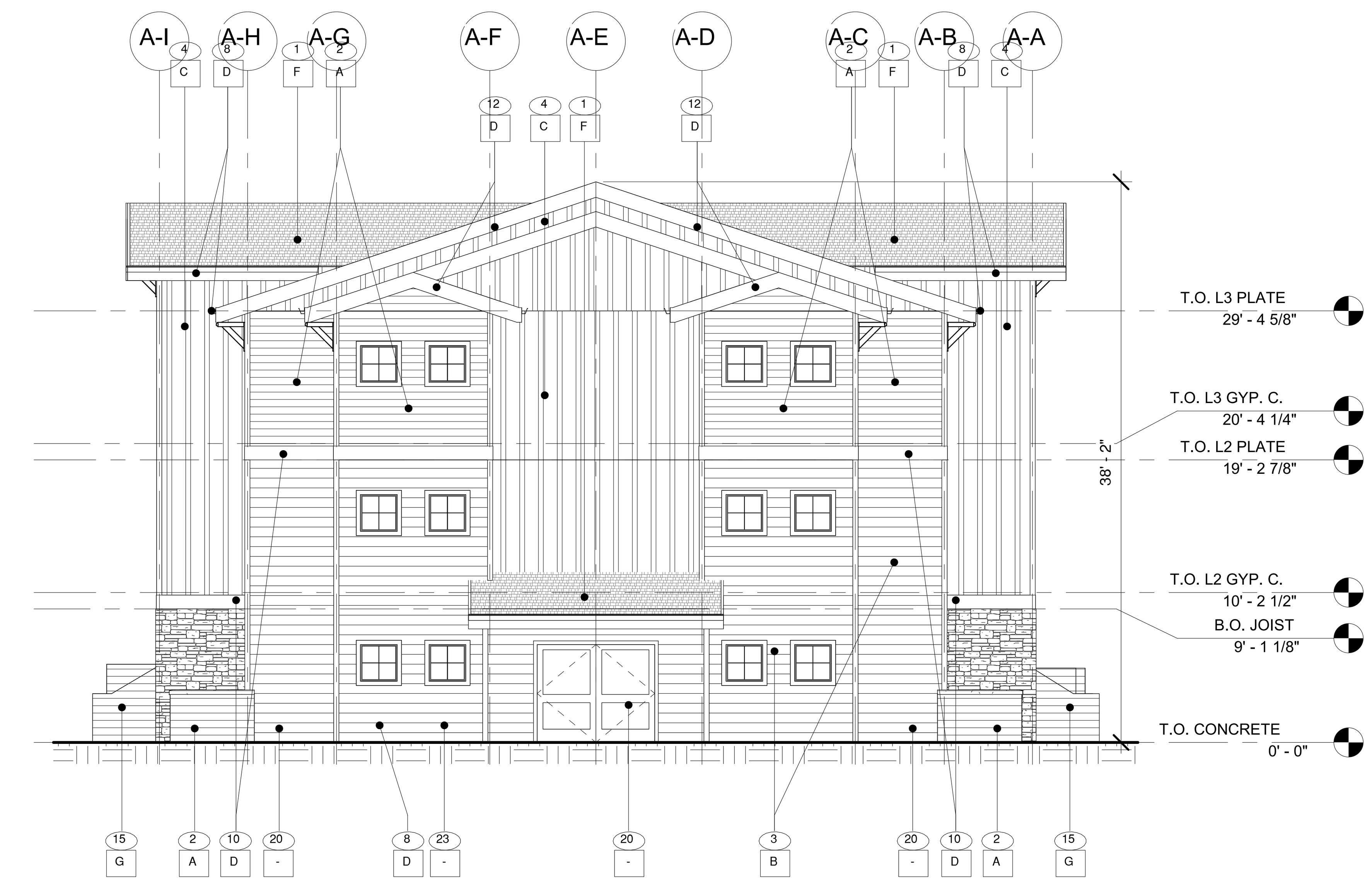
SCHEMATIC SET / NOT FOR CONSTRUCTION

A4.2A

EXTERIOR ELEVATIONS - BLDG. TYPE A

Item 1.

1 REAR ELEVATION - BLDG. TYPE A
1/8" = 1'-0"



2 RIGHT ELEVATION - BLDG. TYPE A
1/8" = 1'-0"

KEY NOTES

1. 20 YEAR TYPE 'A' COMPOSITE SHINGLE, TYP.
2. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 6" REVEAL OR APPROVED EQUAL.
3. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 8" REVEAL OR APPROVED EQUAL.
4. PAINTED CEMENTITIOUS BOARD & BATTEN OR APPROVED EQUAL
5. WHITE VINYL WINDOWS. SEE FLOOR PLANS, WINDOW SCHEDULE, AND SPECIFICATIONS.
6. EXTERIOR DOOR. SEE FLOOR PLANS, DOOR SCHEDULE,AND SPECIFICATIONS, PAINT AS NOTED.
7. DOOR/WINDOW TRIM, PAINT AS NOTED.
8. PRE-FINISHED METAL GUTTER. SEE ROOF PLAN FOR EXTENT. COLOR AS NOTED, DOWNSPOUT TO MATCH.
9. NOT USED.
10. 2x HORZONTAL TRIM PAINTED, ALIGN TRIM AS SHOWN. SEE DETAIL 11/A8.1.
11. 4" VERTICAL TRIM, TYP.
12. 1x FINISH FASCIA, MDF OR EQUAL, SEE DETAILS.
13. METAL RAILING SYSTEM. COLOR AS NOTED. SEE BUILDING CROSS SECTIONS, DETAIL 1/A8.3, AND DETAIL 2/A8.3.
14. ARCHITECTURAL GABLE END VENT, PAINT AS NOTED.SEE ROOF PLANS.
15. CULTURED STONE, SET IN MORTAR BED WITHFLASHING AND WEEP SCREED. SEE SPECIFICATIONS.
16. COLUMN, POST, AND BEAM, REFER TO BUILDING CROSSSECTIONS & DETAILS.
17. WOOD TRIM OR ARCHITECTURAL FEATURE. SEE BUILDING SECTIONS.
18. PAINTED METAL HANDRAIL.
19. 42" TALL CONDENSOR UNIT SCREEN WALL.
20. EXTERIOR MEP EQUIPMENT, SEE MEP PLANS FOR MORE INFORMATION.
21. SEMI-RECESSED FIRE EXTINGUISHER CABINET PER SPECIFICATIONS.
22. GAS METER BANK. RE: PLUMBING DRAWINGS.
23. PRE-FINISHED ROOF TO WALL FLASHING PER DETAIL 12/A8.1.

MATERIAL FINISHES: BLDG. TYPE A

A	SHERWIN WILLIAMS SW 6274 "DESTINY" OR EQUAL.
B	SHERWIN WILLIAMS SW 6011 "CHINCHILLA" OR EQUAL.
C	SHERWIN WILLIAMS SW 7079 "PONDER" OR EQUAL.
D	GUTTERS, DOWN SPOUTS, EXTERIOR DOORS, TRIM BOARDS, BELLY BANDS, OUTRIGGERS, CORBELS, METAL FASCIA WRAP: COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
E	RAILINGS: COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
F	PABCO ARCHITECTURAL SHINGLES "WEATHERED WOOD" OR EQUAL.
G	CULTURED STONE TO MATCH COUNTRY LEDGESTONE "ASHFALL" OR EQUAL.

NOTES:

1) SOFFIT (NOT SHOWN) COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
2) ALL VENT TERMINATIONS AND OTHER EXTERNAL UTILITY EQUIPMENT TO BE PAINTED TO MATCH THE ADJACENT WALL SURFACE.

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AMG22-10

PACIFIC WEST ARCHITECTURE

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PROJECT

NELSON POINTE APARTMENTS

NELSON AVENUE
FOWLER, CA

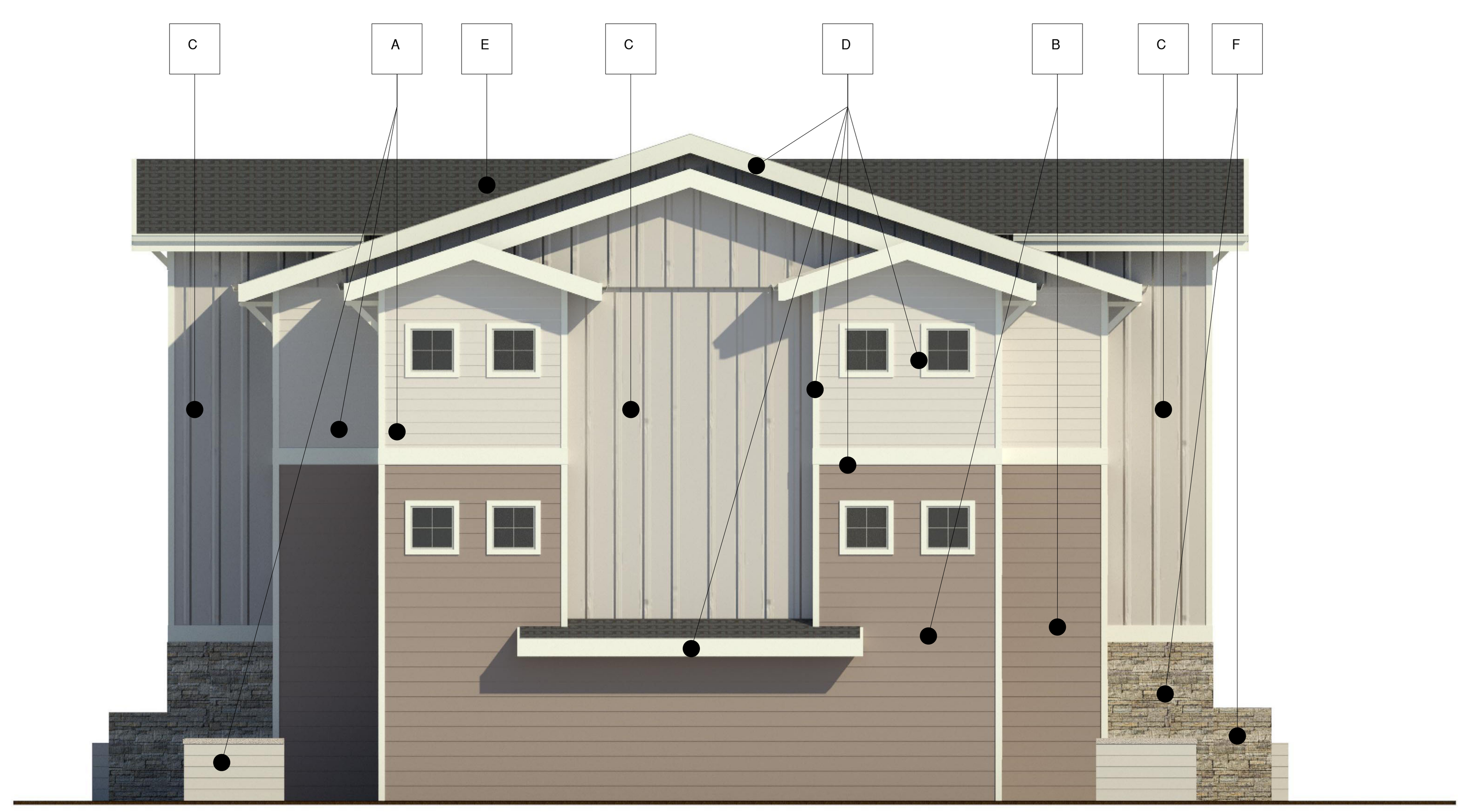
A4.2B

EXTERIOR ELEVATIONS - BLDG. TYPE A

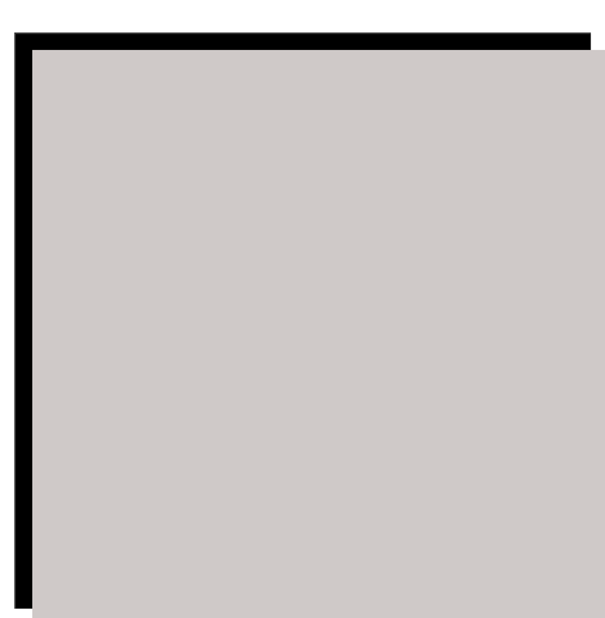
SCHEMATIC SET / NOT FOR CONSTRUCTION

Item 1.

1 BLDG. TYPE A - FRONT ELEVATION
N.T.S.



2 BLDG. TYPE A - LEFT ELEVATION
3" = 1'-0"

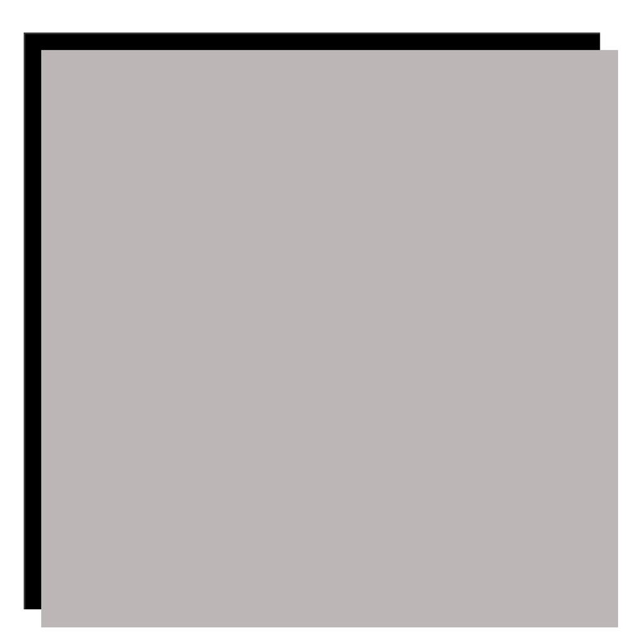


A CEMENTITIOUS SIDING - 6" REVEAL

COLOR TO MATCH "DESTINY"
SHERWIN WILLIAMS SW 6274
OR EQUAL

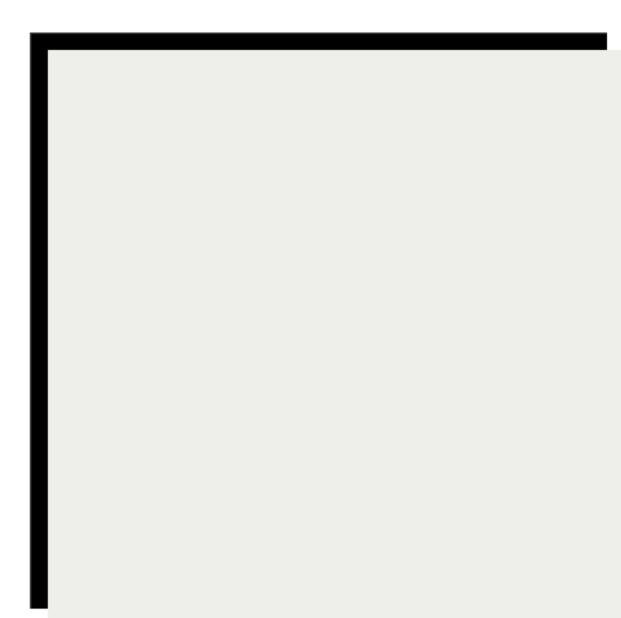
B CEMENTITIOUS SIDING - 8" REVEAL

COLOR TO MATCH "CHINCHILLA"
SHERWIN WILLIAMS SW 6011
OR EQUAL



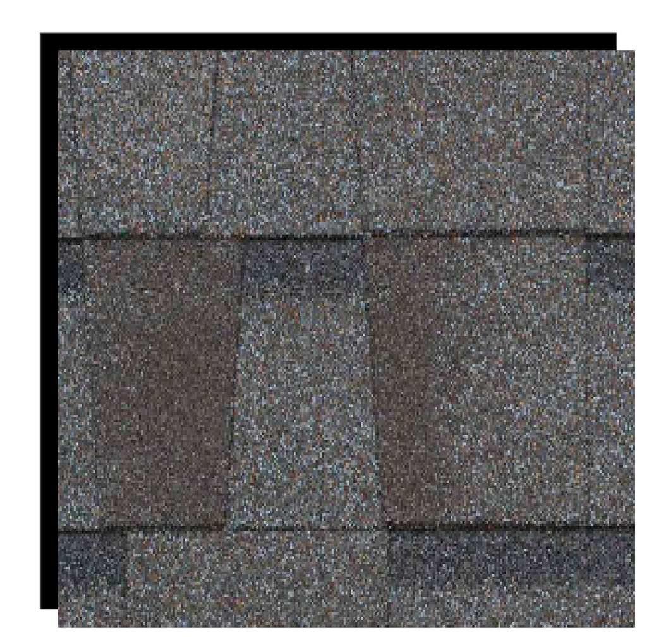
C CEMENTITIOUS BOARD & BATTEN

COLOR TO MATCH "PONDER"
SHERWIN WILLIAMS SW 7079
OR EQUAL



D FASCIA, TRIM, DOORS, RAILINGS, GUTTERS, & DOWNSPOUTS

COLOR TO MATCH "EXTRA WHITE"
SHERWIN WILLIAMS SW 7006
OR EQUAL



E ROOFING

"WEATHERED WOOD"
PABCO ARCHITECTURAL SHINGLES
OR EQUAL

F CULTURED STONE

CULTURED STONE TO MATCH
COUNTRY LEDGESTONE "ASHFALL" OR
EQUAL

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PROJECT

NELSON POINTE APARTMENTS

NELSON AVENUE

FOWLER, CA

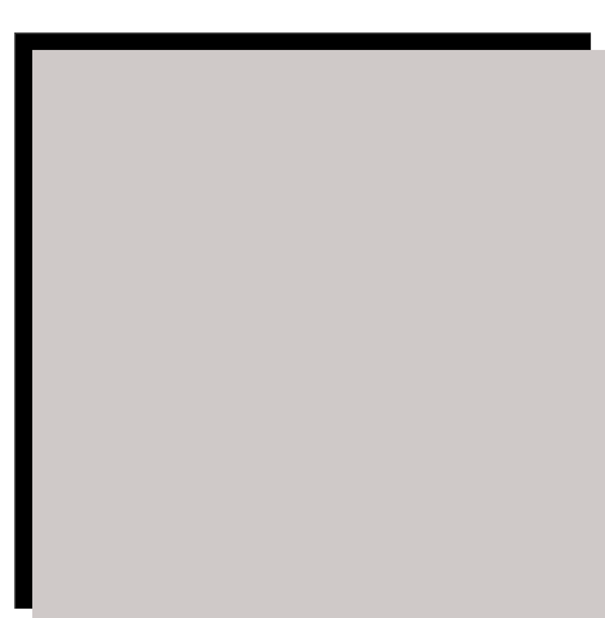
A4.3A

COLORED ELEVATIONS - BLDG. TYPE A

SCHEMATIC SET / NOT FOR CONSTRUCTION

1 BLDG. TYPE A - REAR ELEVATION
N.T.S.

2 BLDG. TYPE A - RIGHT ELEVATION
3" = 1'-0"

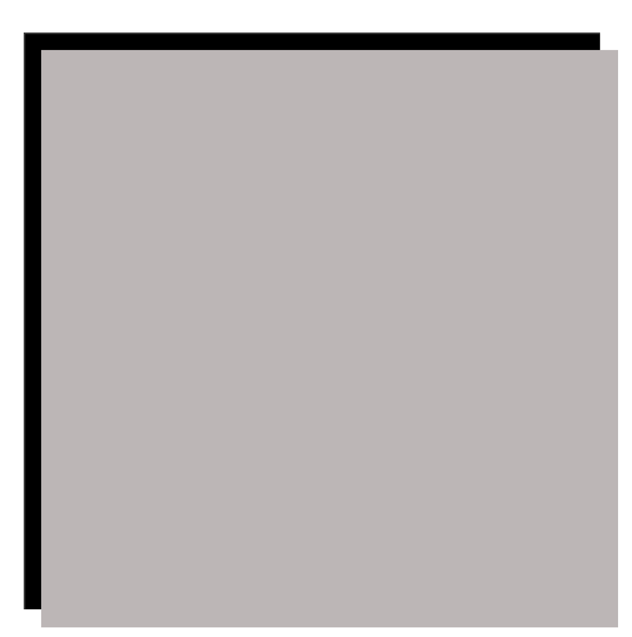


A CEMENTITIOUS SIDING - 6" REVEAL

COLOR TO MATCH "DESTINY"
SHERWIN WILLIAMS SW 6274
OR EQUAL

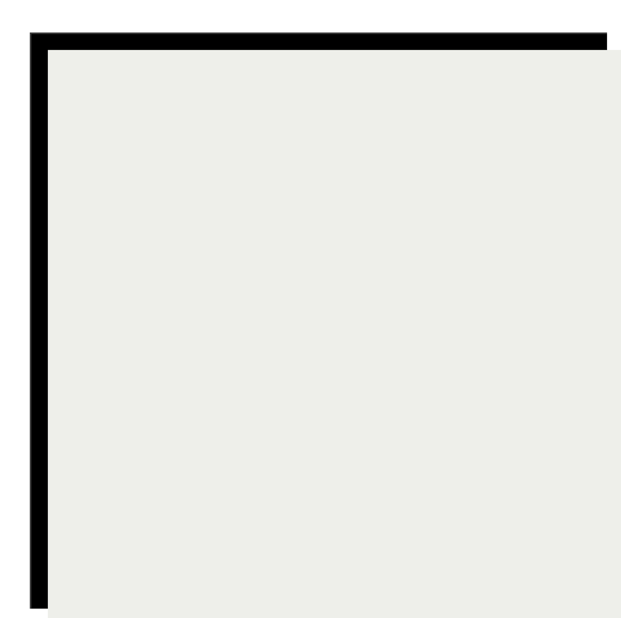
B CEMENTITIOUS SIDING - 8" REVEAL

COLOR TO MATCH "CHINCHILLA"
SHERWIN WILLIAMS SW 6011
OR EQUAL



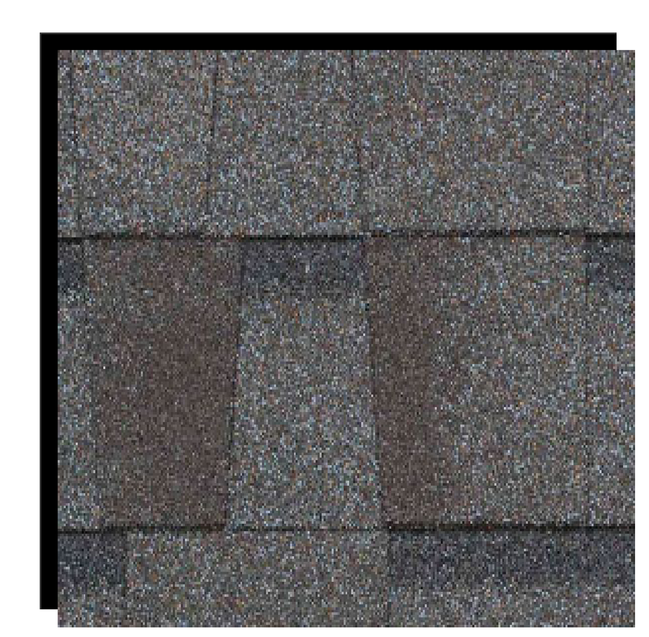
C CEMENTITIOUS BOARD & BATTEN

COLOR TO MATCH "PONDER"
SHERWIN WILLIAMS SW 7079
OR EQUAL



D FASCIA, TRIM, DOORS, RAILINGS, GUTTERS, & DOWNSPOUTS

COLOR TO MATCH "EXTRA WHITE"
SHERWIN WILLIAMS SW 7006
OR EQUAL



E ROOFING

"WEATHERED WOOD"
PABCO ARCHITECTURAL SHINGLES
OR EQUAL

F CULTURED STONE

CULTURED STONE TO MATCH
COUNTRY LEDGESTONE "ASHFALL" OR
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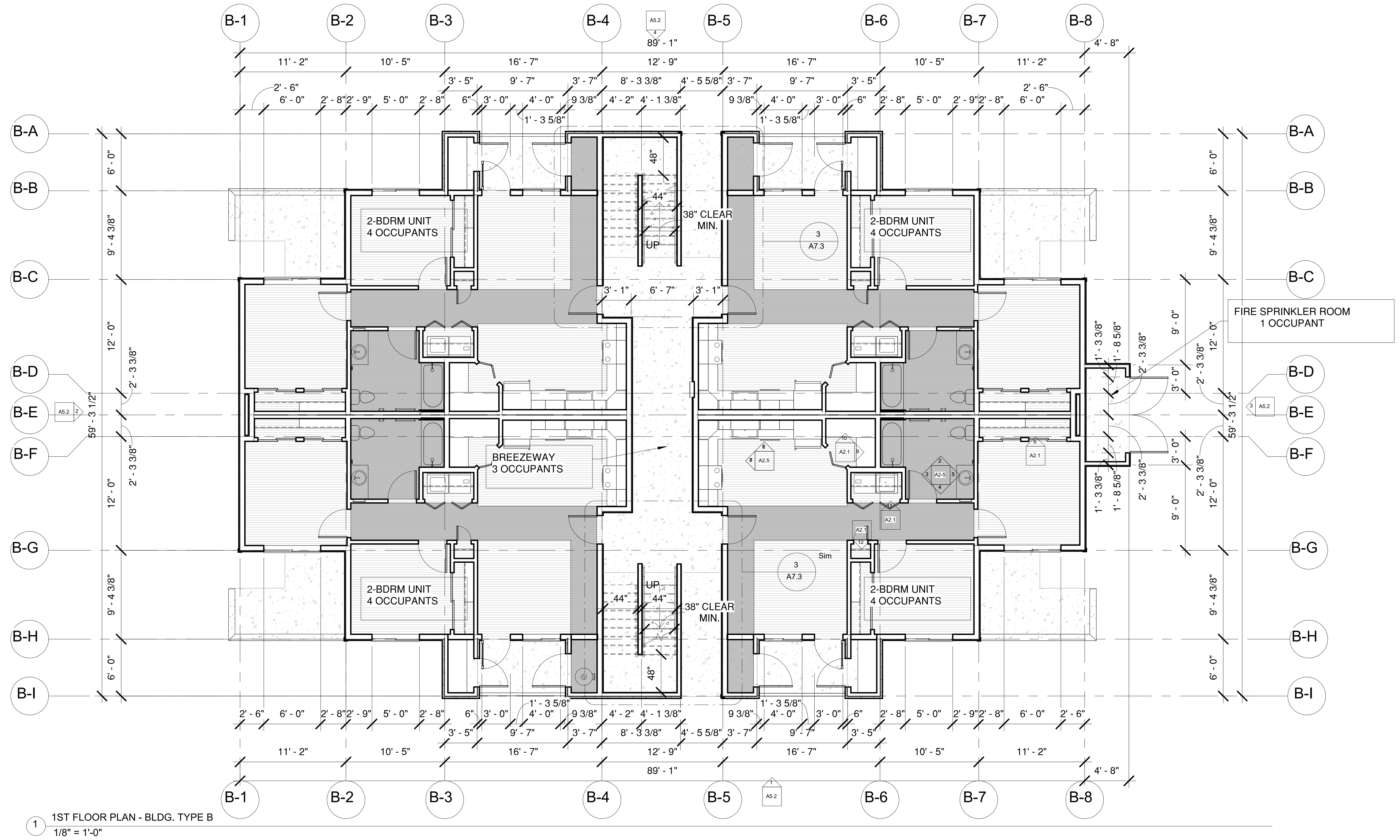
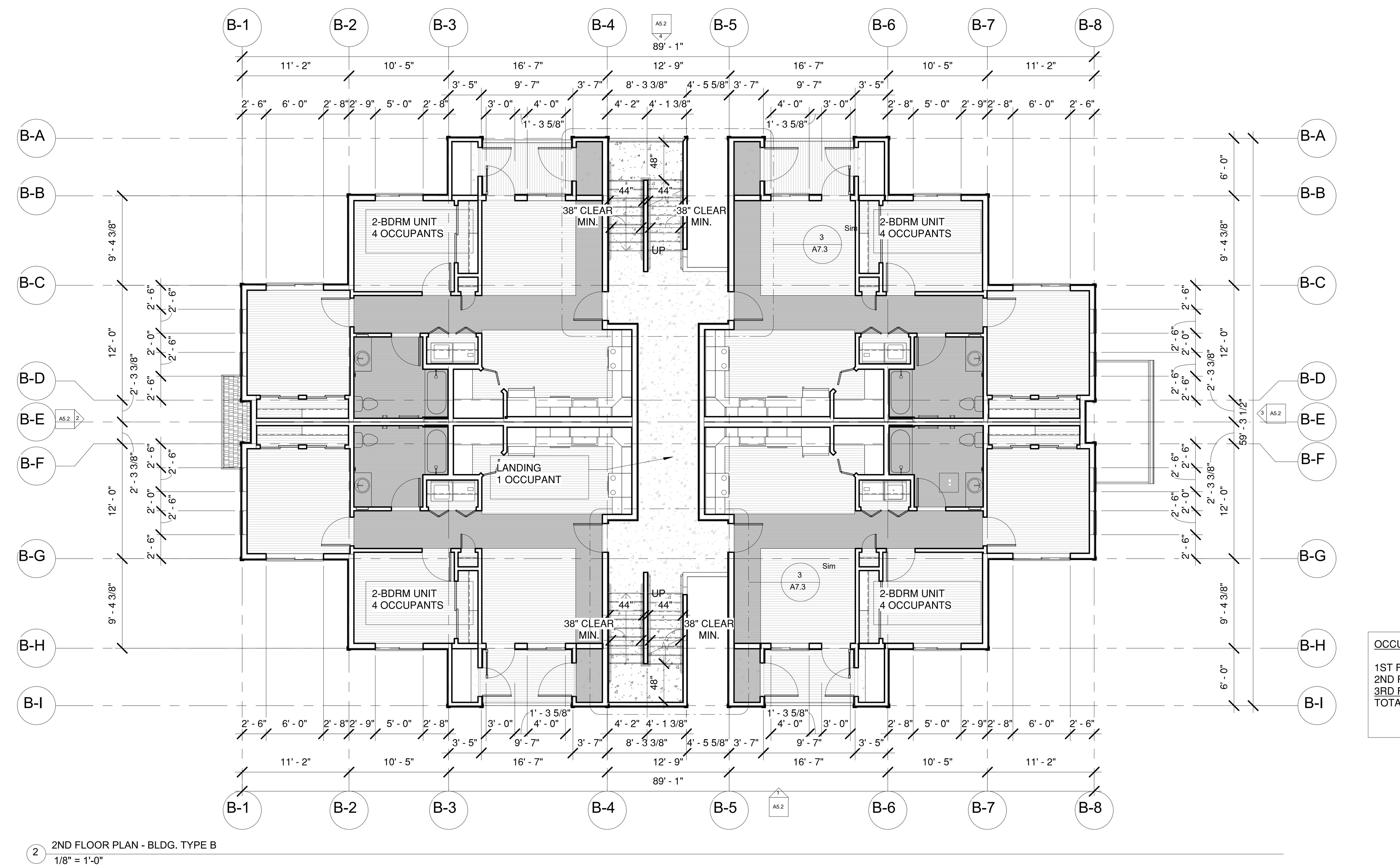
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A4.3B
COLORED ELEVATIONS - BLDG. TYPE A

SCHEMATIC SET / NOT FOR CONSTRUCTION



1ST FLOOR PLAN - BLDG. TYPE B
1/8" = 1'-0"



2ND FLOOR PLAN - BLDG. TYPE B
1/8" = 1'-0"

OCCUPANCY CALCULATION FOR BUILDING TYPE B

1ST FLOOR: 4,395 S.F. / 200 S.F. PER OCCUPANT = 21 MAX. (19 PROPOSED)
2ND FLOOR: 4,025 S.F. / 200 S.F. PER OCCUPANT = 20 MAX. (17 PROPOSED)
3RD FLOOR: 4,025 S.F. / 200 S.F. PER OCCUPANT = 20 MAX. (17 PROPOSED)
TOTAL OCCUPANCY 61 MAX. (53 PROPOSED)

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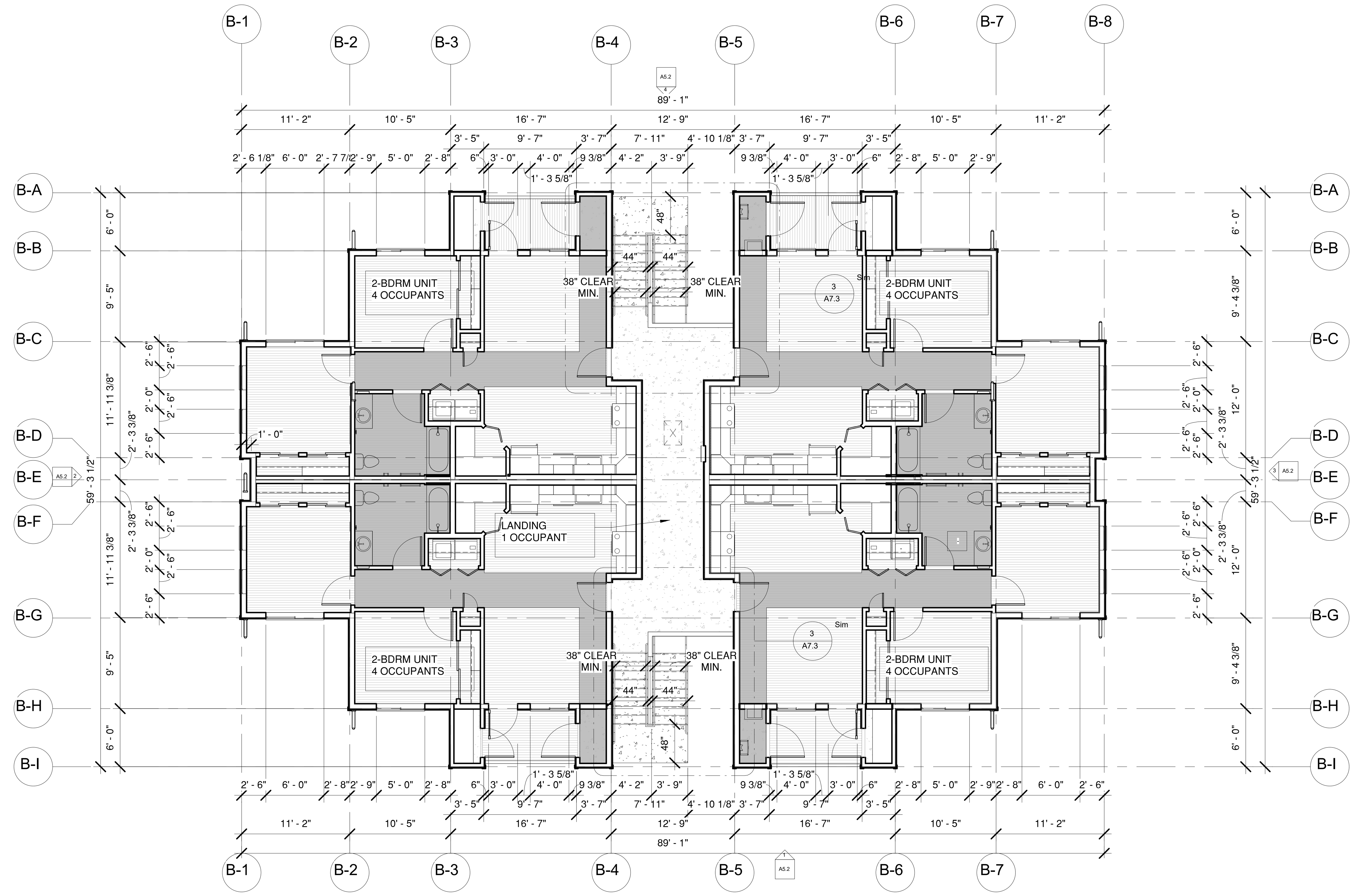
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A5.1A

FLOOR PLANS - BLDG. TYPE B

SCHEMATIC SET / NOT FOR CONSTRUCTION



1 3RD FLOOR PLAN - BLDG. TYPE B
1/8" = 1'-0"

OCCUPANCY CALCULATION FOR BUILDING TYPE B

1ST FLOOR: 4,395 S.F. / 200 S.F. PER OCCUPANT = 21 MAX. (19 PROPOSED)
2ND FLOOR: 4,025 S.F. / 200 S.F. PER OCCUPANT = 20 MAX. (17 PROPOSED)
3RD FLOOR: 4,025 S.F. / 200 S.F. PER OCCUPANT = 20 MAX. (17 PROPOSED)
TOTAL OCCUPANCY 61 MAX. (53 PROPOSED)

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PROJECT # AMG22-10

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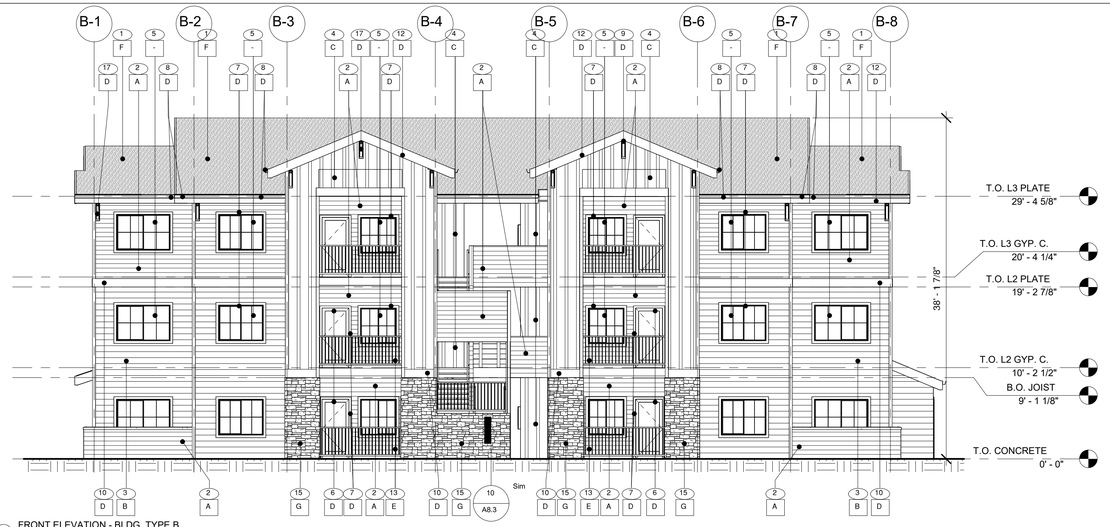
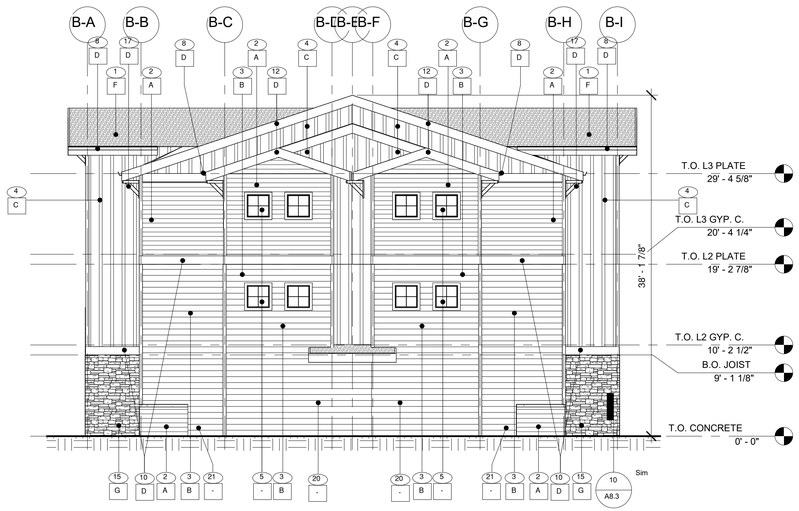
PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A5.1B
FLOOR PLAN - BLDG. TYPE B

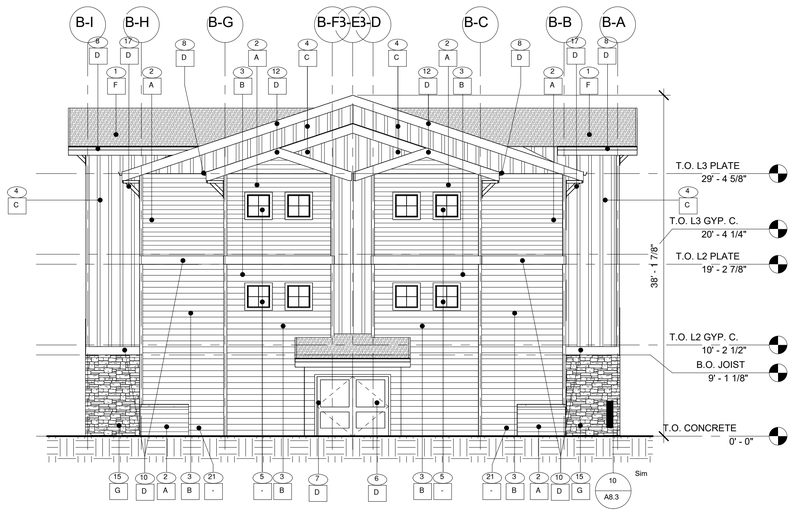
SCHEMATIC SET / NOT FOR CONSTRUCTION



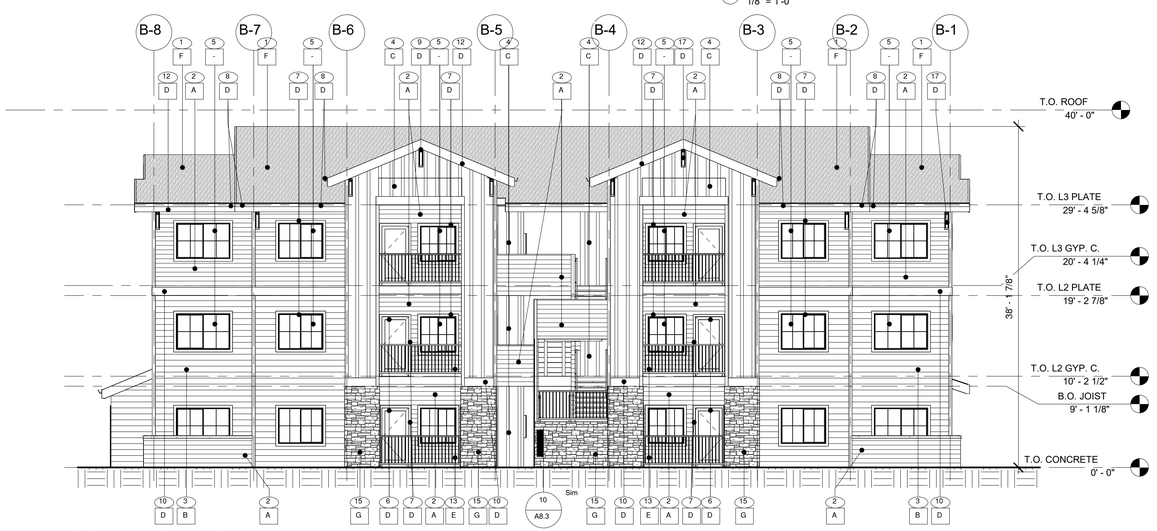
1 FRONT ELEVATION - BLDG. TYPE B
1/8" = 1'-0"



2 LEFT ELEVATION - BLDG. TYPE B
1/8" = 1'-0"



3 RIGHT ELEVATION - BLDG. TYPE B
1/8" = 1'-0"



4 REAR ELEVATION - BLDG. TYPE B
1/8" = 1'-0"

KEY NOTES

1. 20 YEAR TYPE 'A' COMPOSITE SHINGLE, TYP.
2. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 6" REVEAL OR APPROVED EQUAL.
3. PAINTED HORIZONTAL CEMENTITIOUS SIDING WITH 8" REVEAL OR APPROVED EQUAL.
4. PAINTED CEMENTITIOUS BOARD & BATTEN OR APPROVED EQUAL
5. WHITE VINYL WINDOWS. SEE FLOOR PLANS, WINDOW SCHEDULE, AND SPECIFICATIONS.
6. EXTERIOR DOOR. SEE FLOOR PLANS, DOOR SCHEDULE,AND SPECIFICATIONS, PAINT AS NOTED.
7. DOOR/WINDOW TRIM, PAINT AS NOTED.
8. PRE-FINISHED METAL GUTTER. SEE ROOF PLAN FOR EXTENT. COLOR AS NOTED, DOWNSPOUT TO MATCH.
9. NOT USED.
10. 2x HORZONTAL TRIM PAINTED, ALIGN TRIM AS SHOWN. SEE DETAIL 11/A8.1.
11. 4" VERTICAL TRIM, TYP.
12. 1x FINISH FASCIA, MDF OR EQUAL. SEE DETAILS.
13. METAL RAILING SYSTEM. COLOR AS NOTED. SEE BUILDING CROSS SECTIONS, DETAIL 1/A8.3, AND DETAIL 2/A8.3.
14. ARCHITECTURAL GABLE END VENT, PAINT AS NOTED.SEE ROOF PLANS.
15. CULTURED STONE, SET IN MORTAR BED WITHFLASHING AND WEEP SCREED. SEE SPECIFICATIONS.
16. COLUMN, POST, AND BEAM, REFER TO BUILDING CROSSSECTIONS & DETAILS.
17. WOOD TRIM OR ARCHITECTURAL FEATURE. SEE BUILDING SECTIONS.
18. PAINTED METAL HANDRAIL.
19. 42" TALL CONDENSOR UNIT SCREEN WALL.
20. EXTERIOR MEP EQUIPMENT, SEE MEP PLANS FOR MORE INFORMATION.
21. SEMI-RECESSED FIRE EXTINGUISHER CABINET PER SPECIFICATIONS.
22. GAS METER BANK. RE: PLUMBING DRAWINGS.
23. PRE-FINISHED ROOF TO WALL FLASHING PER DETAIL 12/A8.1.

MATERIAL FINISHES: BLDG. TYPE B

- A SHERWIN WILLIAMS SW 6274 "DESTINY" OR EQUAL.
- B SHERWIN WILLIAMS SW 7079 "PONDER" OR EQUAL.
- C SHERWIN WILLIAMS SW 6262 "MYSTERIOUS MAUVE" OR EQUAL.
- D GUTTERS, DOWN SPOUTS, EXTERIOR DOORS, TRIM BOARDS, BELLY BANDS, OUTRIGGERS, CORBELS, METAL FASCIA WRAP: COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
- E RAILINGS: COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL.
- F PABCO ARCHITECTURAL SHINGLES "WEATHERED WOOD" OR EQUAL.
- G CULTURED STONE TO MATCH COUNTRY LEDGESTONE "ASHFALL" OR EQUAL.

NOTES:

1) SOFFIT (NOT SHOWN) COLOR TO MATCH SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" OR EQUAL..
2) ALL VENT TERMINATIONS AND OTHER EXTERNAL UTILITY EQUIPMENT TO BE PAINTED TO MATCH THE ADJACENT WALL SURFACE.

Item 1.

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PROJECT
NELSON POINTE APARTMENTS
NELSON AVENUE
FOWLER, CA

A5.2

EXTERIOR ELEVATIONS - BLDG. TYPE B

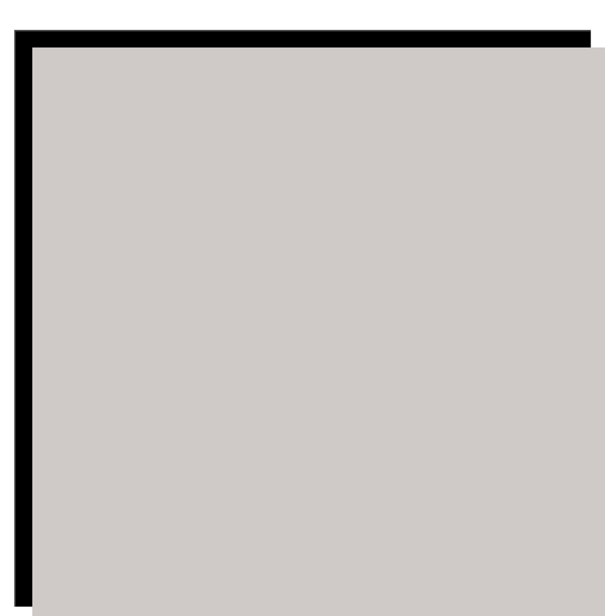
SCHEMATIC SET / NOT FOR CONSTRUCTION

1 BLDG. TYPE B - FRONT ELEVATION
3" = 1'-0"

2 BLDG. TYPE B - LEFT ELEVATION
3" = 1'-0"

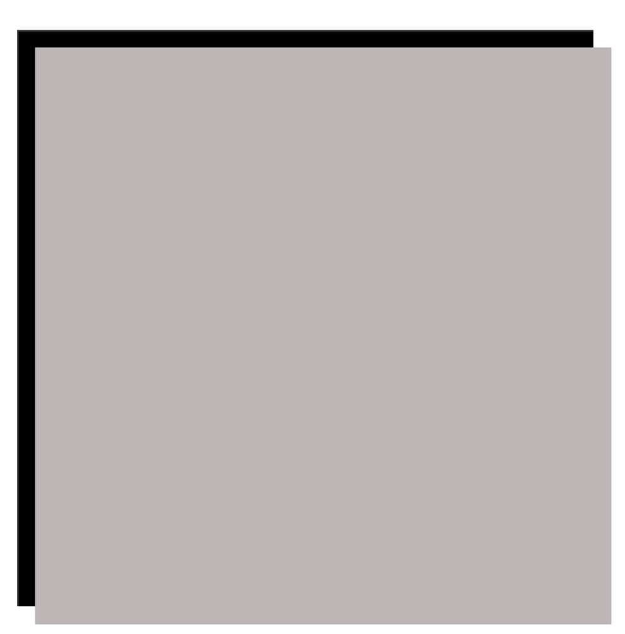
3 BLDG. TYPE B - REAR ELEVATION
3" = 1'-0"

4 BLDG. TYPE B - RIGHT ELEVATION
3" = 1'-0"



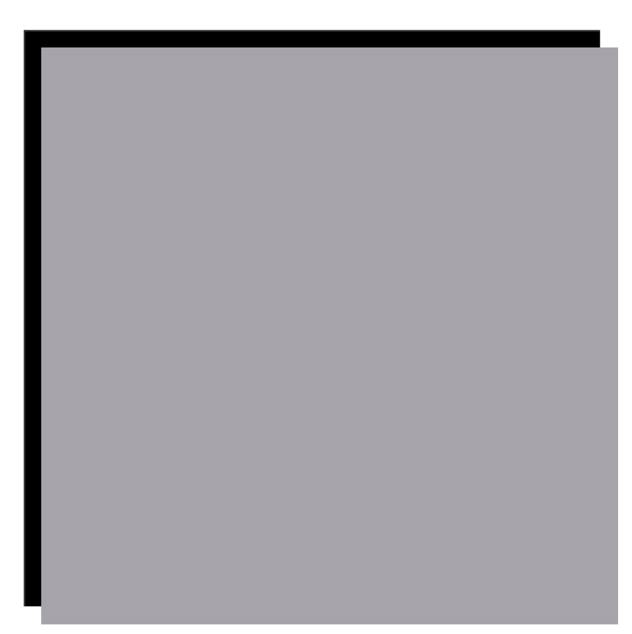
A **CEMENTITIOUS SIDING - 6" REVEAL**

COLOR TO MATCH "DESTINY"
SHERWIN WILLIAMS SW 6274
OR EQUAL



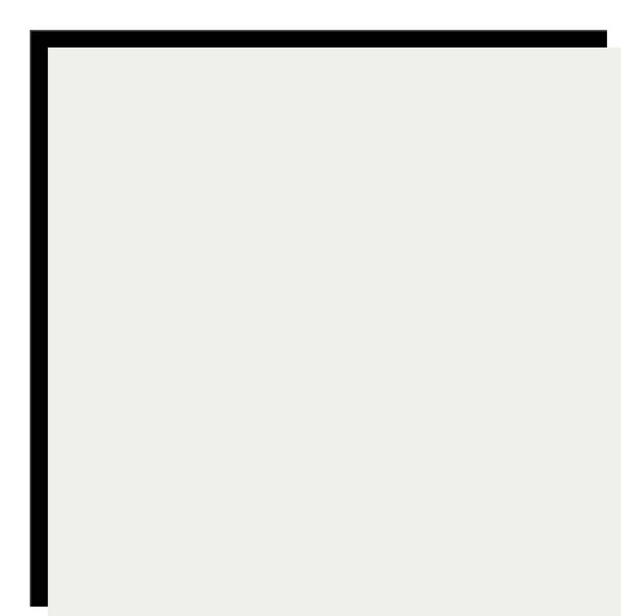
B **CEMENTITIOUS SIDING - 8" REVEAL**

COLOR TO MATCH "PONDER"
SHERWIN WILLIAMS SW 7079
OR EQUAL



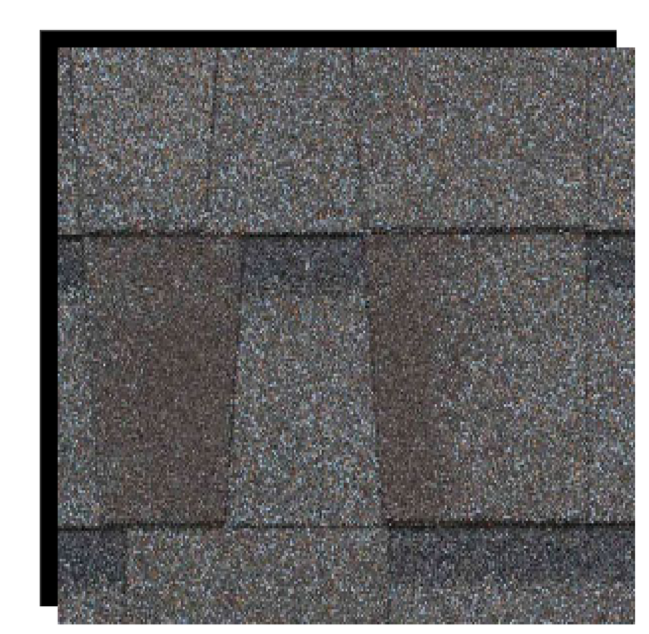
C **CEMENTITIOUS BOARD & BATTEN**

COLOR TO MATCH "MYSTERIOUS MAUVE"
SHERWIN WILLIAMS SW 6262
OR EQUAL



D **FASCIA, TRIM, DOORS, RAILINGS, GUTTERS, & DOWNSPOUTS**

COLOR TO MATCH "EXTRA WHITE"
SHERWIN WILLIAMS SW 7006
OR EQUAL



E **ROOFING**

"WEATHERED WOOD"
PABCO ARCHITECTURAL SHINGLES
OR EQUAL

F **CULTURED STONE**

CULTURED STONE TO MATCH
COUNTRY LEDGESTONE "ASHFALL" OR
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PROJECT

NELSON POINTE APARTMENTS

NELSON AVENUE

FOWLER, CA

A5.3

COLORED ELEVATIONS - BLDG. TYPE B

SCHEMATIC SET / NOT FOR CONSTRUCTION

2023-12-13 13:22

NOTES:

A. [GRAVEL] Place 2" depth ⅜" 'Sonoma Gold' crushed rock over landscape fabric in swales as shown, under stairways and utility access areas or as indicated on plan. Install 'Permaloc Clean Line' ⅜" x 4" aluminum edging with mill finish (MF), between crushed rock and adjacent shrub bed. Typical of all areas shown.

B. [COBBLE] Place a 12" wide 4-6" size cobble over landscape fabric in the detention basin, swales as indicated, in low lying areas or at drop inlets as required.Typical of all areas shown.

C. [DECOMP] 4" depth decomposed granite paving. Install in two 2" compacted lifts. Install 'Permaloc Clean Line' ⅜" x 4" aluminum edging with mill finish (MF), between lawn and adjacent shrub beds. Stake at every preformed loops with 12" stakes supplied from manufacturer with product.

D. Install 'Permaloc Clean Line' ⅜" x 4" aluminum edging with mill finish (MF), between lawn and adjacent shrub beds. Stake at every preformed loops with 12" stakes supplied from manufacturer with product.

E. The Landscape Contractor is responsible for obtaining a soils report. The soils test shall be collected after grading operations and prior to installation of landscape materials. The Landscape Contractor shall install all soil amendments, as recommended or better, to correct deficiencies noted by the soils report

F. Back fill the raised planters with 50 / 50 compost / soil

G. SOIL PREPARATION AND AMENDING:

1)After rough grading operations, the contractor is responsible for obtaining a soils report that provides an analysis of the existing soil that states what soil amendments are required for optimum planting growth. The contractor shall incorporate the recommended quantities by thoroughly cultivating all planting areas to a depth of eight (8) inches. Rough finish grade all areas.

2) Broadcast the following soil amendments. Quantities given are per 1,000 square feet of area.

Nitrogen stabilized and iron fortified compost:per soil analysis recommendations, or 4 cy for bid purposes

Pelletized fertilizer (21-0-0): 10lbs., or as per soil analysis recommendations

Soil Sulfur: per soil analysis recommendations

3) Cultivate and thoroughly incorporate the amendments into the top eight (8) inches of soil.

4) De-rock area to be planted by using a mechanical rock picker. All rocks larger than 1 inch in diameter are to be removed.

H. Install weed barrier filter fabric OVER drip irrigation components, manufactured of polypropylene, 28 mil thickness, and 2.6 ounces per square yard. DeWitt Pro-5, or equal. Secure fabric segments, to soil, with 6"x1"x6" steel 'U' shape pins. Overlap adjacent fabric segments a minimum of six (6) inches and secure with pins at twenty four (24) inches on center.

I. Install 3" depth fir bark mulch over the filter fabric on all shrub and ground cover planting areas. Bark mulch shall be wood residual derived and manufactured from Pine, White and/or Red Fir Tree bark. The material shall be equal to that referred to as 'Walk on Bark' in the trade.

J. Storm water treatment area. Refer to the civil engineer drawings for the area profile. Coordinate with the rough grading contractor exact areas. Provide a line item for back fill amendments as per the civil engineer specifications.

GENERAL NOTES:

A. THE LANDSCAPE PLANS WILL COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE (WELO)
ELEMENTS OF THE LANDSCAPE DOCUMENTATION PACKAGE:
(A) THE LANDSCAPE DOCUMENTATION PACKAGE SHALL INCLUDE THE FOLLOWING SIX (6) ELEMENTS:
(1) PROJECT INFORMATION:
(A) DATE
(B) PROJECT APPLICANT
(C) PROJECT ADDRESS (IF AVAILABLE, PARCEL AND/OR LOT NUMBER(S))
(D) TOTAL LANDSCAPE AREA (SQUARE FEET)
(E) PROJECT TYPE (E.G., NEW, REHABILITATED, PUBLIC, PRIVATE, CEMETERY, HOMEOWNER-INSTALLED)
(F) WATER SUPPLY TYPE (E.G., POTABLE, RECYCLED, WELL) AND IDENTIFY THE LOCAL RETAIL WATER PURVEYOR IF THE APPLICANT IS NOT SERVED BY A PRIVATE WELL
(G) CHECKLIST OF ALL DOCUMENTS IN LANDSCAPE DOCUMENTATION PACKAGE
(H) PROJECT CONTACTS TO INCLUDE CONTACT INFORMATION FOR THE PROJECT APPLICANT AND PROPERTY OWNER
(I) APPLICANT SIGNATURE AND DATE WITH STATEMENT, "I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE
(2) WATER EFFICIENT LANDSCAPE WORKSHEET:
(A) HYDROZONE INFORMATION TABLE
(B) WATER BUDGET CALCULATIONS
1. MAXIMUM APPLIED WATER ALLOWANCE (MAWA)
2. ESTIMATED TOTAL WATER USE (ETWU)
(3) SOIL MANAGEMENT REPORT:
(4) LANDSCAPE DESIGN PLAN:
(5) IRRIGATION DESIGN PLAN: AND
(6) GRADING DESIGN PLAN.

PAVED PARKING AREA SHADE CALCULATIONS

Shade Calculations

Botanical Name	Common Name	Quantity	Shade allowed	at 25%	at 50%	at 75%	at 100%	Total
Pistacia chinensis 'Keith Davey'	Chinese Pistache	10	1,256	0	0	4	6	7,536.00
Platanus x acerifolia 'Yarwood'	Bloodgood Sycamore	6	1,256	0	2	2	2	5,652.00
Zelkova serrata	Japanese Zelkova	16	1,256	0	10	3	3	12,874.00
Total Shade Allowed		**33**		**0**	**12**	**9**	**11**	**26,062.00**
parking lot area								**51,570.00**
paved area requiring 50% shade								**51,570.00**
50% shade required								**25,785.00**
Shade area Provided by carports								**13,759.00**
Shade area provided by trees								**26,062.00**
% shade provided by carports & trees								**77%**

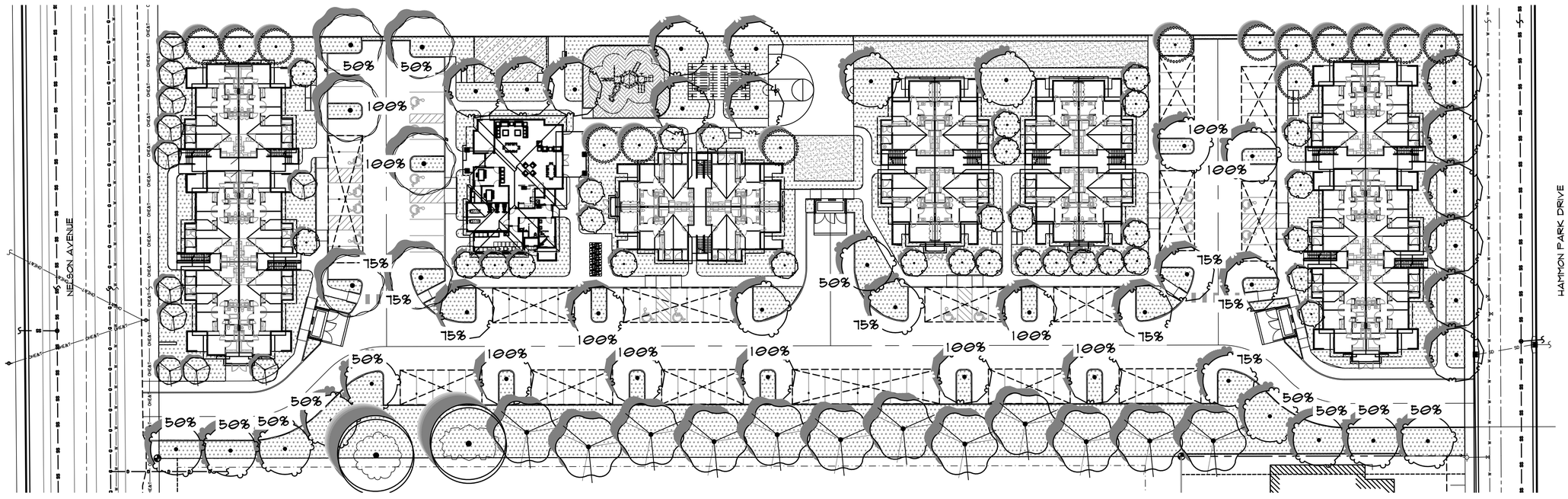
PLANT SCHEDULE

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
	CERCIS CANADENSIS `FOREST PANSY`	FOREST PANSY EASTERN REDBUD	15 GAL	STANDARD	9
	GINKGO BILOBA `PRINCETON SENTRY`	PRINCETON SENTRY GINGKO	15 GAL		22
	LAGERSTROEMIA X `TUSCARORA`	CRAPE MYRTLE CORAL PINK	15 GAL		11
	MAGNOLIA GRANDIFLORA `LITTLE GEM`	DWARF SOUTHERN MAGNOLIA	15 GAL		14
	PISTACIA CHINENSIS `KEITH DAVEY`	KEITH DAVEY CHINESE PISTACHE	15 GAL		24
	PLATANUS X ACERIFOLIA `YARWOOD`	LONDON PLANE TREE	15 GAL		6
	QUERCUS LOBATA	VALLEY OAK	15 GAL		12
	ZELKOVA SERRATA `VILLAGE GREEN`	SAWLEAF ZELKOVA	15 GAL		17

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING	QTY
SHRUB AREAS						
	ARTIFICIAL TURF FALL ZONE MATERIAL OVER FALL ZONE MATERIAL	ART TURF	---			1,789 SF
	DECOMPOSED GRANITE	4`` DEPTH	---			994 SF
	SHRUB & GROUND COVER	PLANTING AREA	---			54,992 SF
	TURF SOD	DROUGHT TOLERANT FESCUE BLEND	---	SOD		3,241 SF

* PF: WUCOLS SPECIES EVALUATION LIST-2004, REGION 2, SUNSET ZONE 9
** NO SUBSTITUTIONS WITHOUT PRIOR WRITTEN CONSENT FROM THE LAND. ARCH.
*** QUANTITIES LISTED ARE FOR INFORMATION ONLY, CONTRACTOR TO VERIFY ALL QUANTITIES FROM THE PLAN



"I HAVE COMPLIED WITH THE CRITERIA OF THE MODEL WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN"

0 30 60 90 feet
SCALE: 1" = 30'

NORTH

THOMAS H. PHELPS
LANDSCAPE ARCHITECTURE
IDLA, INC.
California Landscape Architect #4122
ID #LA-16771 * HI #LA-16112

P.O.BOX 170129
Boise, Idaho 83717
thp@idlainc.net
(208) 906-1300

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PROJECT # AMG22-10

Pacific West Architecture
425 E. 25TH STREET, SUITE 20

PROJECT
NELSON POINTE

2023-12-13 13:22

NOTES:

A. Place 2" depth ¾" 'Sonoma Gold' crushed rock over landscape fabric in swales as shown, under stairways and utility access areas or as indicated on plan. Install 'Permaloc Clean Line' 3/16" x 4" aluminum edging with mill finish (MF), between crushed rock and adjacent shrub bed. Typical of all areas shown.

B. Place a 12" wide 4-6" size cobble over landscape fabric in the detention basin, swales as indicated, in low lying areas or at drop inlets as required.Typical of all areas shown.

C. 4" depth decomposed granite paving. Install in two 2" compacted lifts. Install 'Permaloc Clean Line' 3/16" x 4" aluminum edging with mill finish (MF), between lawn and adjacent shrub beds. Stake at every preformed loops with 12" stakes supplied from manufacturer with product.

D. Install 'Permaloc Clean Line' 3/16" x 4" aluminum edging with mill finish (MF), between lawn and adjacent shrub beds. Stake at every preformed loops with 12" stakes supplied from manufacturer with product.

E. The Landscape Contractor is responsible for obtaining a soils report. The soils test shall be collected after grading operations and prior to installation of landscape materials. The Landscape Contractor shall install all soil amendments, as recommended or better, to correct deficiencies noted by the soils report

F. Back fill the raised planters with 50 / 50 compost / soil

G. SOIL PREPARATION AND AMENDING:

1)After rough grading operations, the contractor is responsible for obtaining a soils report that provides an analysis of the existing soil that states what soil amendments are required for optimum planting growth. The contractor shall incorporate the recommended quantities by thoroughly cultivating all planting areas to a depth of eight (8) inches. Rough finish grade all areas.

2) Broadcast the following soil amendments. Quantities given are per 1,000 square feet of area.

Nitrogen stabilized and iron fortified compost:per soil analysis recommendations, or 4 cy for bid purposes

Pelletized fertilizer (21-0-0): 10lbs., or as per soil analysis recommendations

Soil Sulfur: per soil analysis recommendations

3) Cultivate and thoroughly incorporate the amendments into the top eight (8) inches of soil.

4) De-rock area to be planted by using a mechanical rock picker. All rocks larger than 1 inch in diameter are to be removed.

H. Install weed barrier filter fabric OVER drip irrigation components, manufactured of polypropylene, 28 mil thickness, and 2.6 ounces per square yard. DeWitt Pro-5, or equal. Secure fabric segments, to soil, with 6"x1"x6" steel 'U' shape pins. Overlap adjacent fabric segments a minimum of six (6) inches and secure with pins at twenty four (24) inches on center.

I. Install 3" depth fir bark mulch over the filter fabric on all shrub and ground cover planting areas. Bark mulch shall be wood residual derived and manufactured from Pine, White and/or Red Fir Tree bark. The material shall be equal to that referred to as 'Walk on Bark' in the trade.

J. Storm water treatment area. Refer to the civil engineer drawings for the area profile. Coordinate with the rough grading contractor exact areas. Provide a line item for back fill amendments as per the civil engineer specifications.

GENERAL NOTES:

A. THE LANDSCAPE PLANS WILL COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE (WELO):
ELEMENTS OF THE LANDSCAPE DOCUMENTATION PACKAGE:
(A) THE LANDSCAPE DOCUMENTATION PACKAGE SHALL INCLUDE THE FOLLOWING SIX (6) ELEMENTS:
(1) PROJECT INFORMATION;
(A) DATE
(B) PROJECT APPLICANT
(C) PROJECT ADDRESS (IF AVAILABLE, PARCEL AND/OR LOT NUMBER(S))
(D) TOTAL LANDSCAPE AREA (SQUARE FEET)
(E) PROJECT TYPE (E.G., NEW, REHABILITATED, PUBLIC, PRIVATE, CEMETERY, HOMEOWNER-INSTALLED)
(F) WATER SUPPLY TYPE (E.G., POTABLE, RECYCLED, WELL) AND IDENTIFY THE LOCAL RETAIL WATER PURVEYOR IF THE APPLICANT IS NOT SERVED BY A PRIVATE WELL
(G) CHECKLIST OF ALL DOCUMENTS IN LANDSCAPE DOCUMENTATION PACKAGE
(H) PROJECT CONTACTS TO INCLUDE CONTACT INFORMATION FOR THE PROJECT APPLICANT AND PROPERTY OWNER
(I) APPLICANT SIGNATURE AND DATE WITH STATEMENT, "I AGREE TO COMPLY WITH THE REQUIREMENTS OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND SUBMIT A COMPLETE LANDSCAPE DOCUMENTATION PACKAGE
(2) WATER EFFICIENT LANDSCAPE WORKSHEET;
(A) HYDROZONE INFORMATION TABLE
(B) WATER BUDGET CALCULATIONS
1. MAXIMUM APPLIED WATER ALLOWANCE (MAWA)
2. ESTIMATED TOTAL WATER USE (ETWU)
(3) SOIL MANAGEMENT REPORT;
(4) LANDSCAPE DESIGN PLAN;
(5) IRRIGATION DESIGN PLAN; AND
(6) GRADING DESIGN PLAN.

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY
TREES					
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	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA	15 GAL.		14
	PISTACIA CHINENSIS 'KEITH DAVEY'	KEITH DAVEY CHINESE PISTACHE	15 GAL.		24
	PLATANUS X ACERIFOLIA 'YARWOOD'	LONDON PLANE TREE	15 GAL.		6
	QUERCUS LOBATA	VALLEY OAK	15 GAL.		12
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SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	SPACING	QTY
SHRUB AREAS						
	ARTIFICIAL TURF FALL ZONE MATERIAL OVER FALL ZONE MATERIAL	ART TURF	---			1,789 SF
	DECOMPOSED GRANITE	4`` DEPTH	---			994 SF
	SHRUB & GROUND COVER	PLANTING AREA	---			54,992 SF
	TURF SOD	DROUGHT TOLERANT FESCUE BLEND	---	SOD		3,241 SF

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- *** QUANTITIES LISTED ARE FOR INFORMATION ONLY, CONTRACTOR TO VERIFY ALL QUANTITIES FROM THE PLAN

PAVED PARKING AREA SHADE CALCULATIONS

Shade Calculations

Botanical Name	Common Name	Quantity	Shade allowed	at 25%	at 50%	at 75%	at 100%	Total
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Zelkova serrata	Japanese Zelkova	16	1,256	0	10	3	3	12,874.00
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parking lot area								51,570.00
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Shade area Provided by carports								13,759.00
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% shade provided by carports & trees								77%

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0 30 60 90 feet
SCALE: 1" = 30'

NORTH

THOMAS H. PHELPS
LANDSCAPE ARCHITECTURE
IDLA, INC.
California Landscape Architect #4122
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(208) 906-1300

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PROJECT # AMG22-10

PACIFIC WEST

Pacific West Architecture

PROJECT

NELSON POINTE

DC ENGINEERING
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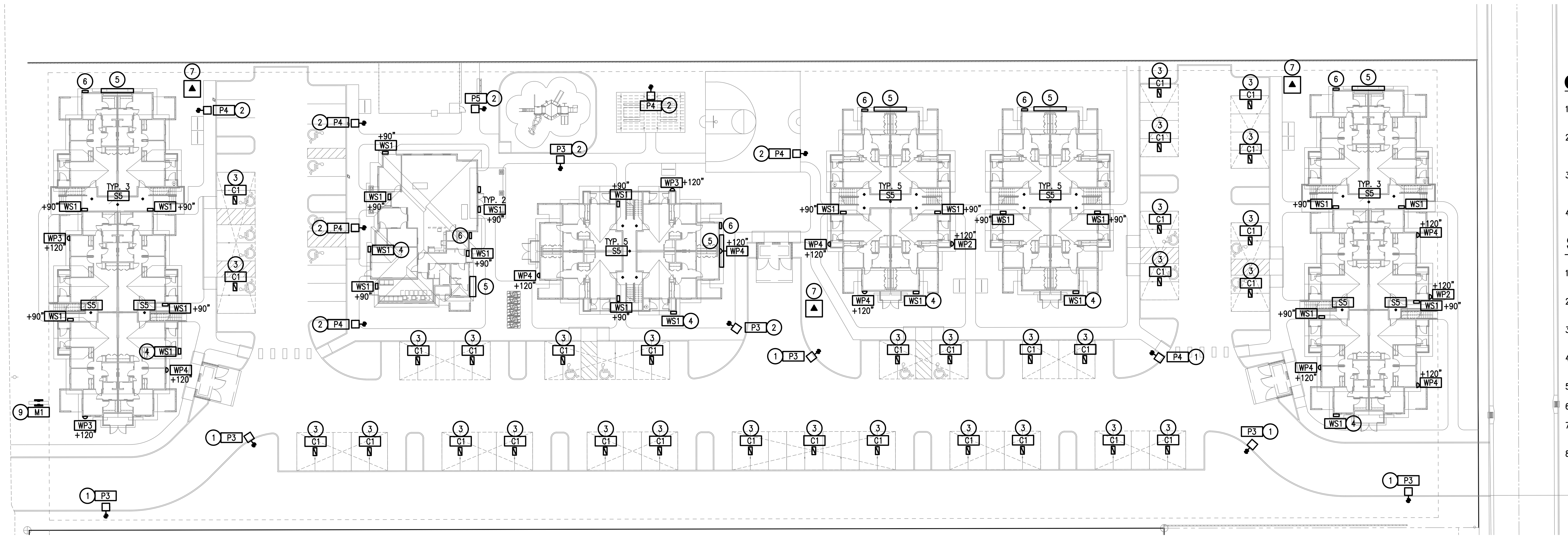
208.288.2181 Project:23DG06



SITE ELECTRICAL PLAN
SCALE: 1" = 30'-0"

GENERAL SITE NOTES:

1. CONTRACTOR SHALL CONTACT UNDERGROUND UTILITY LOCATING SERVICE PRIOR TO EXCAVATION FOR ELECTRICAL WORK.
2. CONTRACTOR IS RESPONSIBLE FOR COORDINATION WITH ALL OTHER SITE DISCIPLINES INCLUDING BUT NOT LIMITED TO TRADES ASSOCIATED WITH WATER, SEWER, AND GAS INSTALLATIONS.
3. ROUTE ALL EXTERIOR LIGHTING THROUGH A LIGHTING CONTACTOR. PROVIDE PHOTO-CELL ON ROOF AND ELECTRO-MECHANICAL 7-DAY TIME CLOCK ADJACENT TO CONTACTOR CABINET.
4. REFER TO SHEET E1.01 FOR LIGHT FIXTURE SPECIFICATIONS.

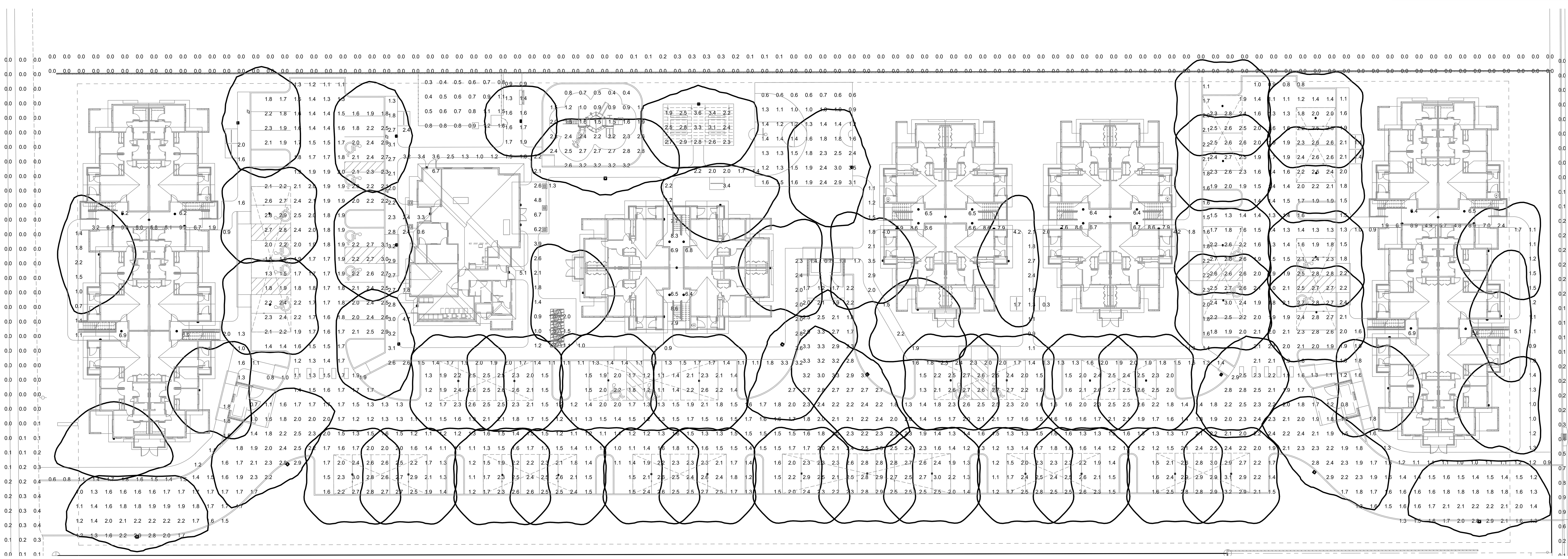
SITE KEY NOTES: (#)

1. REFER TO SITE POLE DETAIL 1 ON SHEET E1.01 FOR LIGHT POLES LOCATED IN VEHICLE IMPACT ZONES.
2. REFER TO SITE POLE DETAIL 2 ON SHEET E1.01 FOR LIGHT POLES LOCATED IN LANDSCAPE ZONES.
3. CARPORT LIGHTING. FIXTURE MOUNTED TO BOTTOM SIDE OF CARPORT ROOF STRUCTURE.
4. BUILDING MOUNTED ADDRESS LUMINAIRE. COORDINATE EXACT LOCATION AND MOUNTING HEIGHT WITH ARCHITECTURAL ELEVATION PLANS.
5. APPROXIMATE LOCATION OF BUILDING ELECTRICAL GEAR.
6. APPROXIMATE LOCATION OF LOW VOLTAGE EQUIPMENT 'BCP/TTB'.
7. APPROXIMATE UTILITY TRANSFORMER LOCATION. VERIFY WITH UTILITY SERVICE PLAN FOR EXACT LOCATION AND REQUIREMENTS.
8. MONUMENT SIGN LIGHTING. COORDINATE AIMING IN FIELD TO ILLUMINATE THE FACE OF THE SIGN ONLY.

LUMINAIRE SCHEDULE

TAG	MANUFACTURER	CATALOG NUMBER	LAMPS	WATTS	VOLTS	MOUNTING	DESCRIPTION
C1	LITHONIA	DSXSC LED 20C 350 30K T5W MVOLT	LED	25	120	SURFACE	CARPORT LIGHT FIXTURE
P3	LITHONIA	DSX1 LED P1 30K T3M MVOLT	LED	54	120	POLE	SITE LIGHT
P4	LITHONIA	DSX1 LED P1 30K T4M MVOLT	LED	54	120	POLE	SITE LIGHT
P5	LITHONIA	DSX1 LED P1 30K T5M MVOLT	LED	38	120	POLE	SITE LIGHT
S5	JUNO	JSF-7IN 10LM-30K-90CRI-MVOLT ZT-	LED	12.8	120	SURFACE	COMMON AREA SURFACE
WP2	LITHONIA	WSR LED P2 SR2 30K MVOLT	LED	29.2	120	WALL	EXTERIOR WALL PACK
WP3	LITHONIA	WSR LED P2 SR3 30K MVOLT	LED	29.2	120	WALL	EXTERIOR WALL PACK
WP4	LITHONIA	WSR LED P2 SR4 30K MVOLT	LED	29.2	120	WALL	EXTERIOR WALL PACK
WS1	LITHONIA	WPX1 LED P1 30K Mvolt	LED	11.5	120	WALL	BREEZEWAY WALL PACK

General Notes:
1. Design is based upon named manufacturer. Alternate manufacturers are acceptable, subject to compliance with the specified requirements.
2. Contractor shall provide and coordinate all fixture mounting accessories.
3. Refer to lighting plans for quantity of fixtures.
4. Pole shall be Lithonia Sqaure Straigth Steel, sized per site pole details.



SITE PHOTOMETRIC PLAN
SCALE: 1" = 30'-0"

GENERAL NOTES:

1. VALUES SHOWN INDICATE ESTIMATED ILLUMINATION LEVEL AT GRADE IN FOOT-CANDLES.

REVISIONS

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PROJECT #: AMG22-10

PACIFIC WEST ARCHITECTURE

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fax (208) 461-3267
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PROJECT
NELSON POINTE APARTMENTS
NELSON AVE.
OROVILLE, CA

E1.00

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DC ENGINEERING
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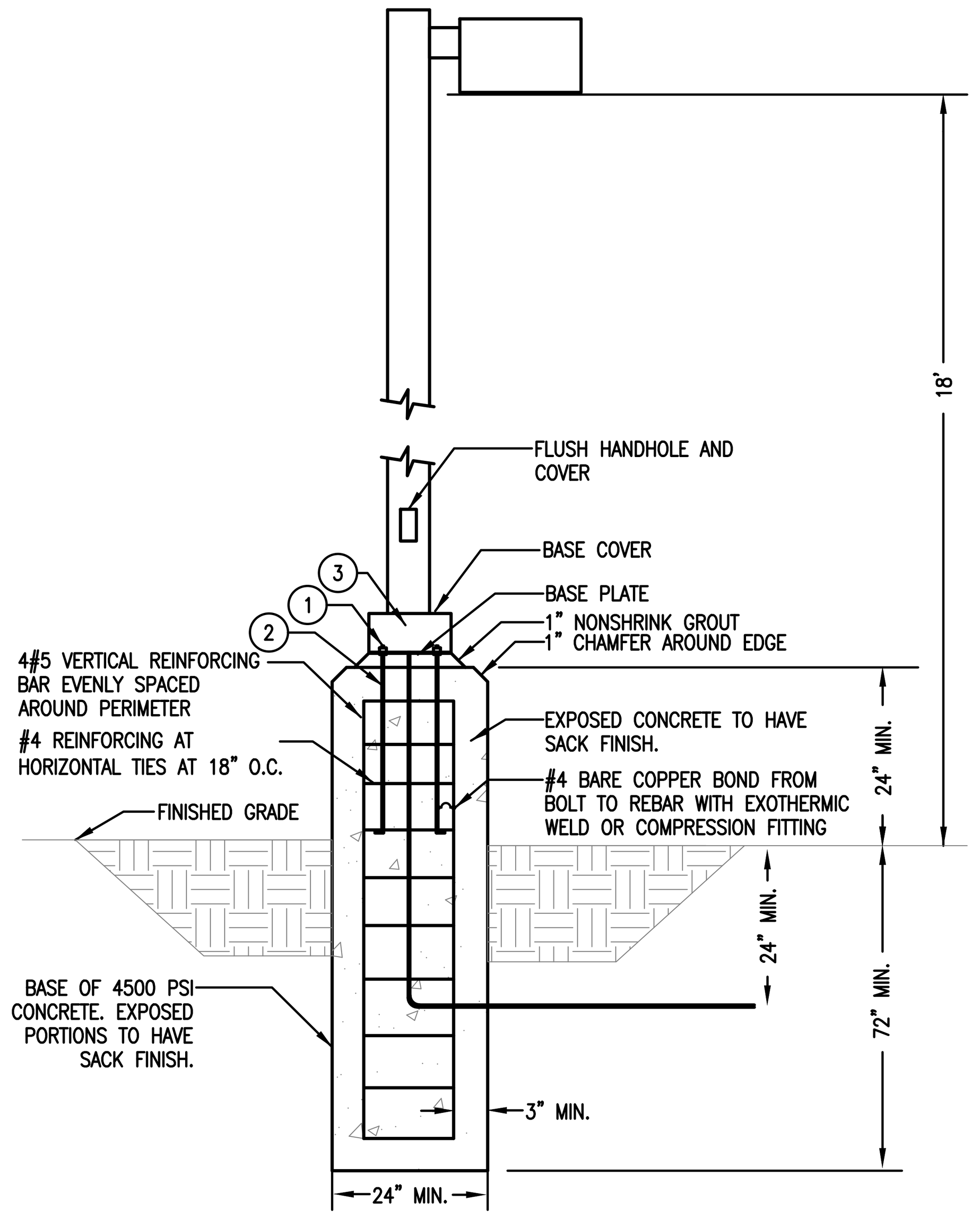
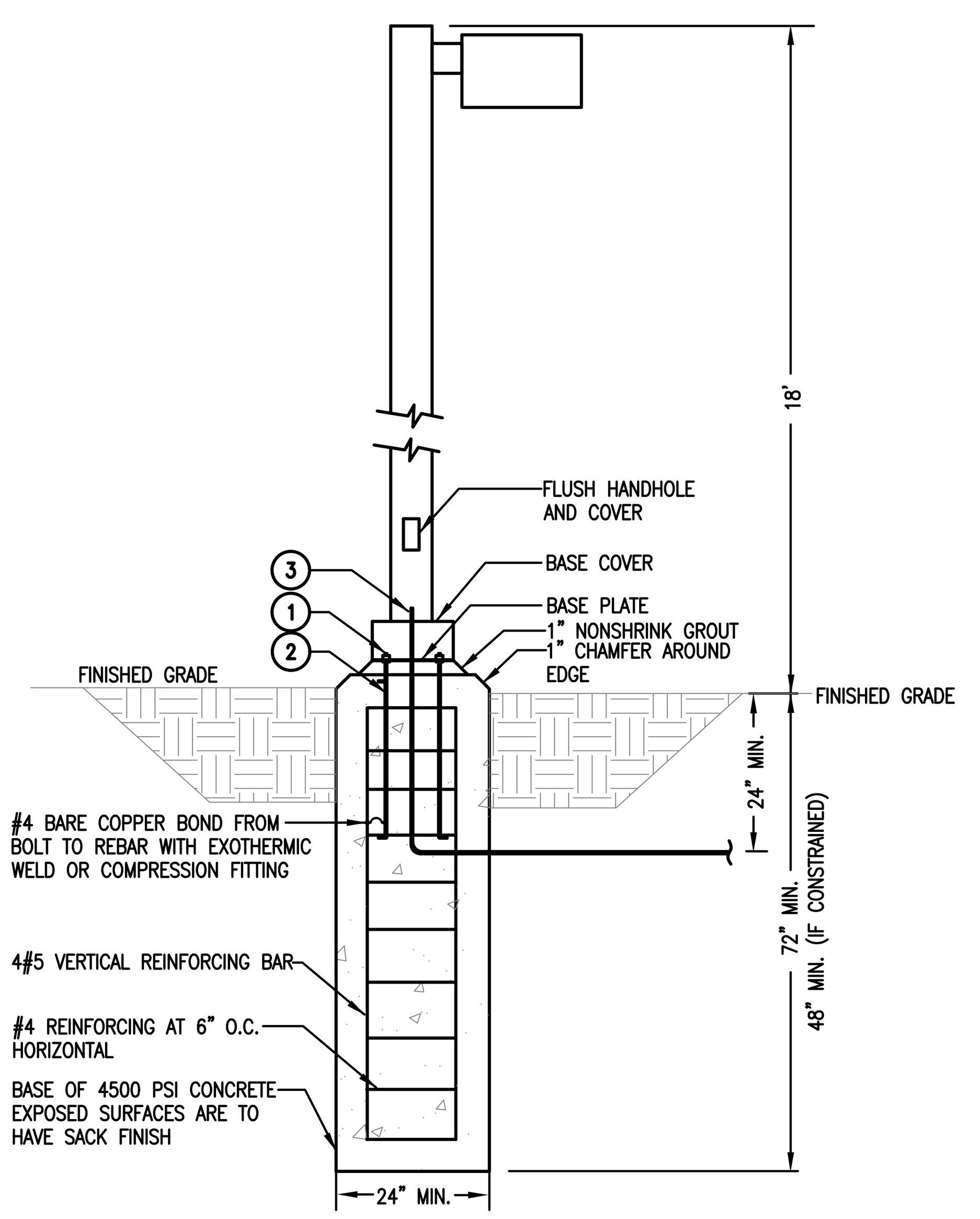
208.288.2181 Project:23DG06



POLE BASE DETAIL KEYED NOTES:

1. PROVIDE GALVANIZED LOCKNUTS AND LOCKWASHERS.
2. PROVIDE ANCHOR BOLTS TO MATCH PATTERN AS PROVIDED BY MANUFACTURER.
3. STUB 3/4"C–6" ABOVE POLE BASE.

1 ABOVE GRADE POLE BASE
SCALE: NTS



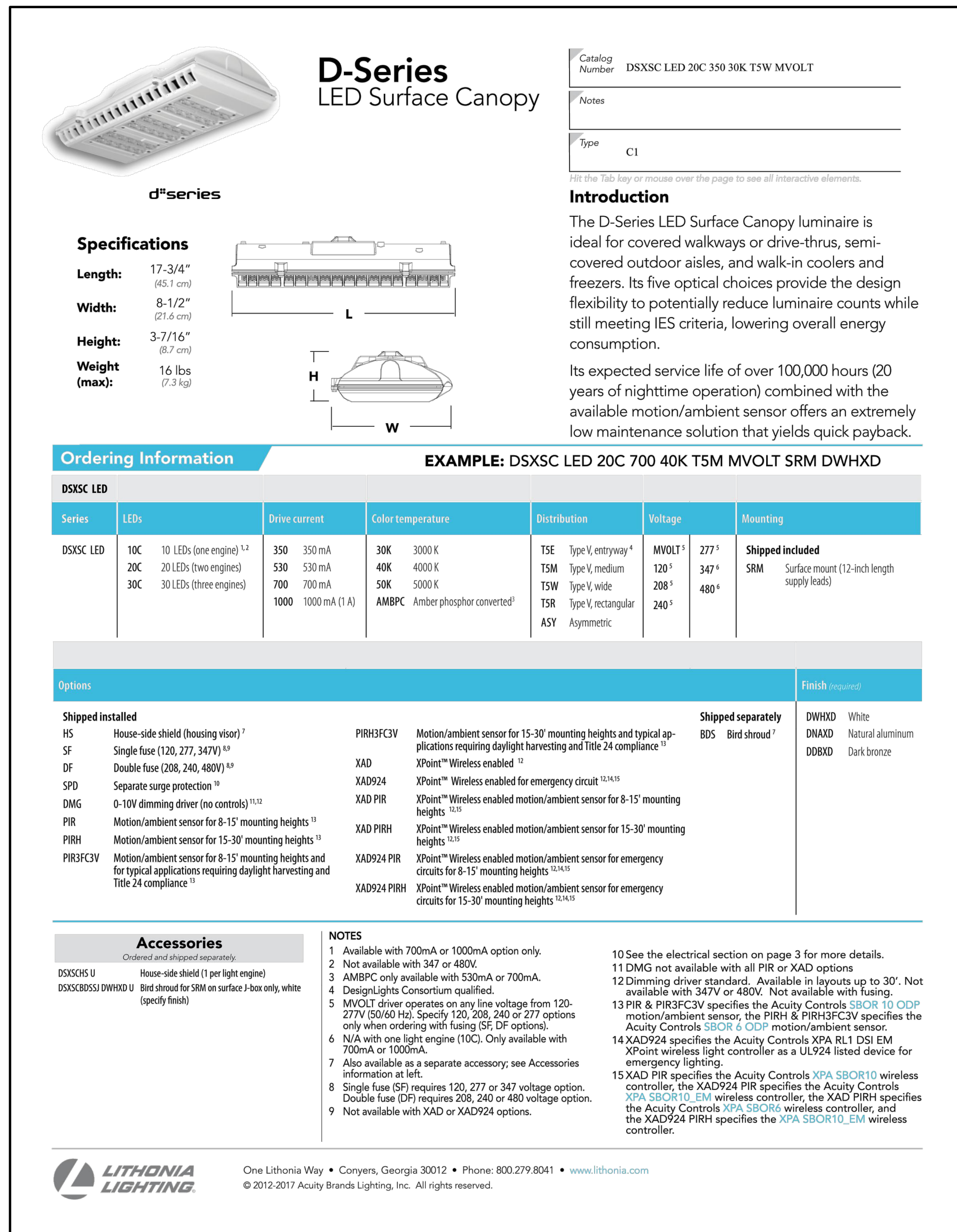
POLE BASE DETAIL GENERAL NOTES:

1. WHERE CONCRETE SLAB OR PAVING IS IN DIRECT CONTACT WITH POLE BASE, THE BASE IS CONSTRAINED AND THE FOOTING EMBED MAY BE REDUCED AS NOTED.

POLE BASE DETAIL KEYED NOTES:

1. PROVIDE GALVANIZED LOCKNUTS AND LOCKWASHERS.
2. PROVIDE ANCHOR BOLTS TO MATCH PATTERN AS PROVIDED BY MANUFACTURER.
3. STUB 3/4"C–6" ABOVE POLE BASE.

2 AT GRADE POLE BASE
SCALE: NTS



D-Series
LED Surface Canopy

Catalog Number: DSXSC LED 20C 350 30K T5W MVOLT
Type: C1

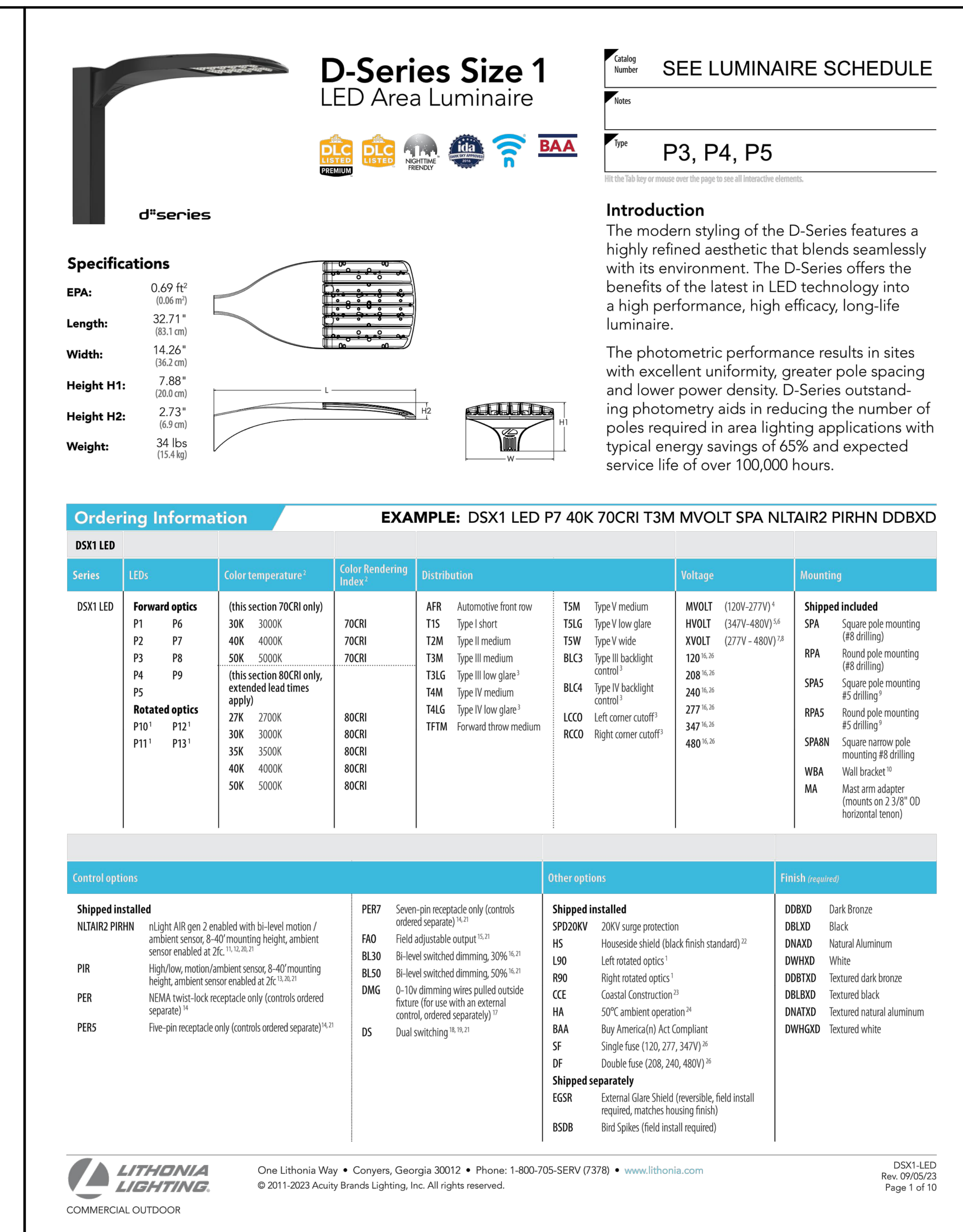
Introduction

The D-Series LED Surface Canopy luminaire is ideal for covered walkways or drive-thrus, semi-covered outdoor aisles, and walk-in coolers and freezers. Its five optical choices provide the design flexibility to potentially reduce luminaire counts while still meeting IES criteria, lowering overall energy consumption.

Its expected service life of over 100,000 hours (20 years of nighttime operation) combined with the available motion/ambient sensor offers an extremely low maintenance solution that yields quick payback.

Specifications: Length: 17-3/4"; Width: 8-1/2"; Height: 3-7/16"; Weight (max): 16 lbs

Ordering Information — EXAMPLE: DSXSC LED 20C 700 40K T5M MVOLT SRM DWHXD



D-Series Size 1
LED Area Luminaire

SEE LUMINAIRE SCHEDULE
Type: P3, P4, P5

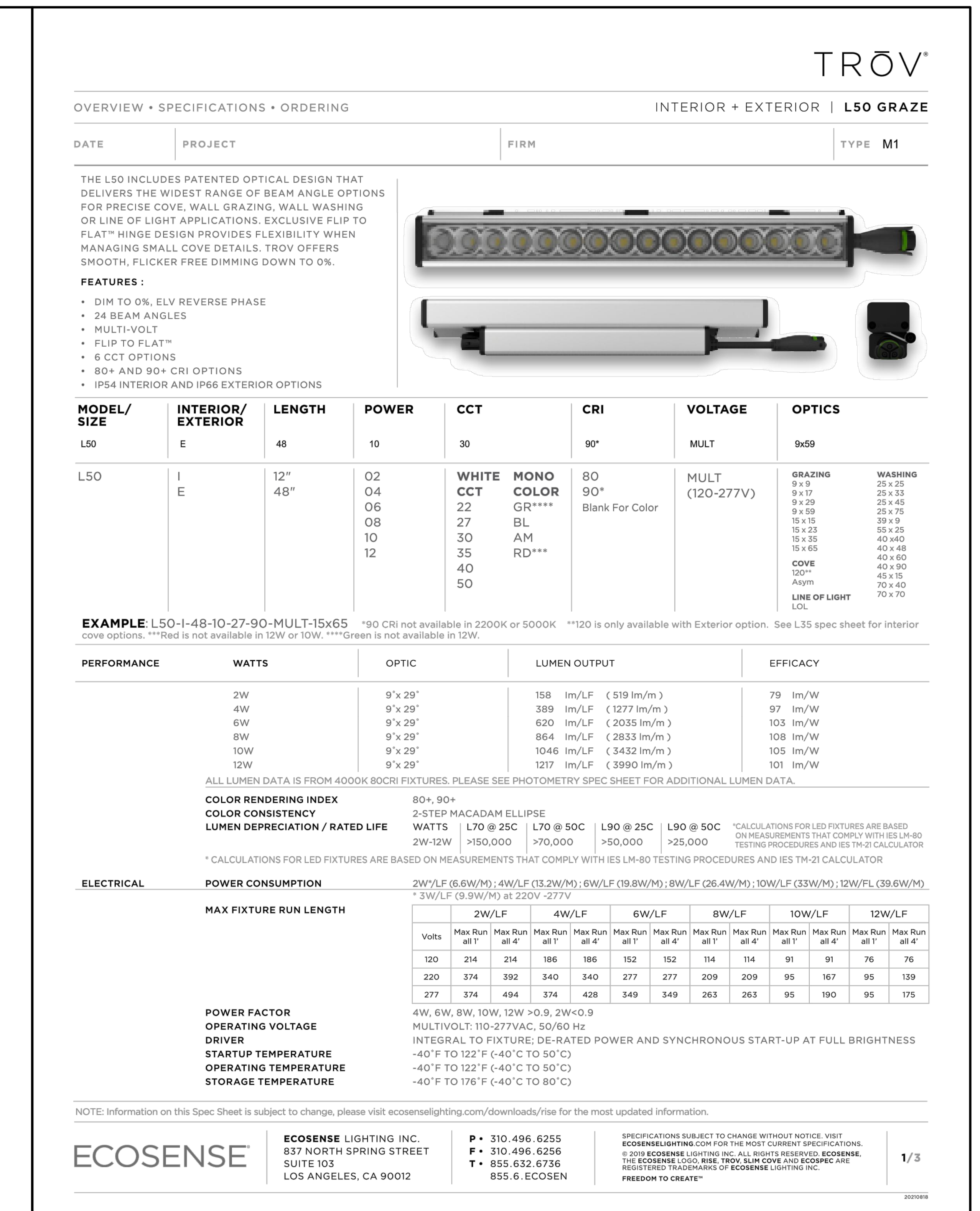
Introduction

The modern styling of the D-Series features a highly refined aesthetic that blends seamlessly with its environment. The D-Series offers the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire.

The photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. D-Series outstanding photometry aids in reducing the number of poles required in area lighting applications with typical energy savings of 65% and expected service life of over 100,000 hours.

Specifications: EPA: 0.69 ft²; Length: 32.71"; Width: 14.26"; Height H1: 7.88"; Height H2: 2.73"; Weight: 34 lbs

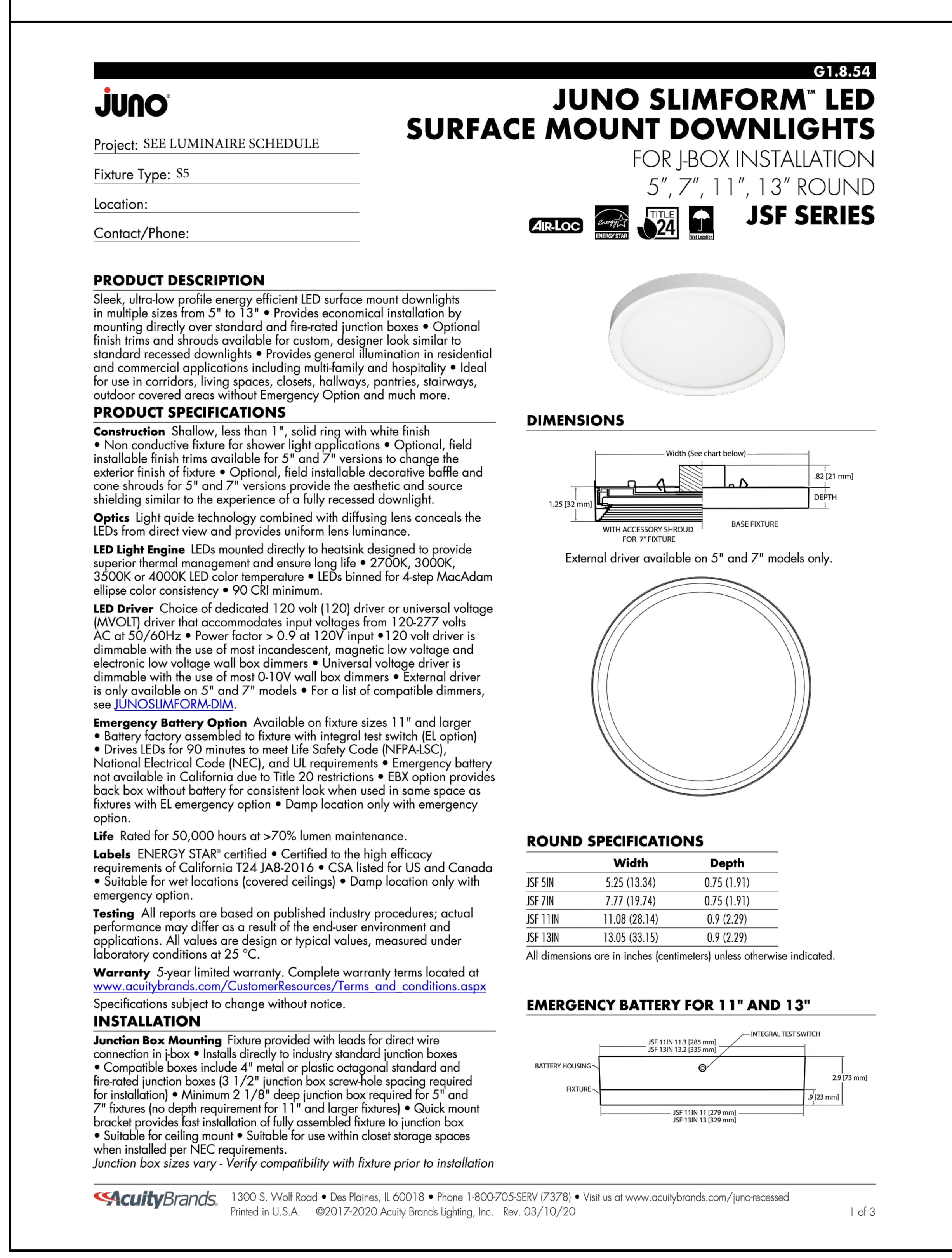
Ordering Information — EXAMPLE: DSX1 LED P7 40K 70CRI T3M MVOLT SPA NLTAIR2 PIRHN DDBXD



TRŌV

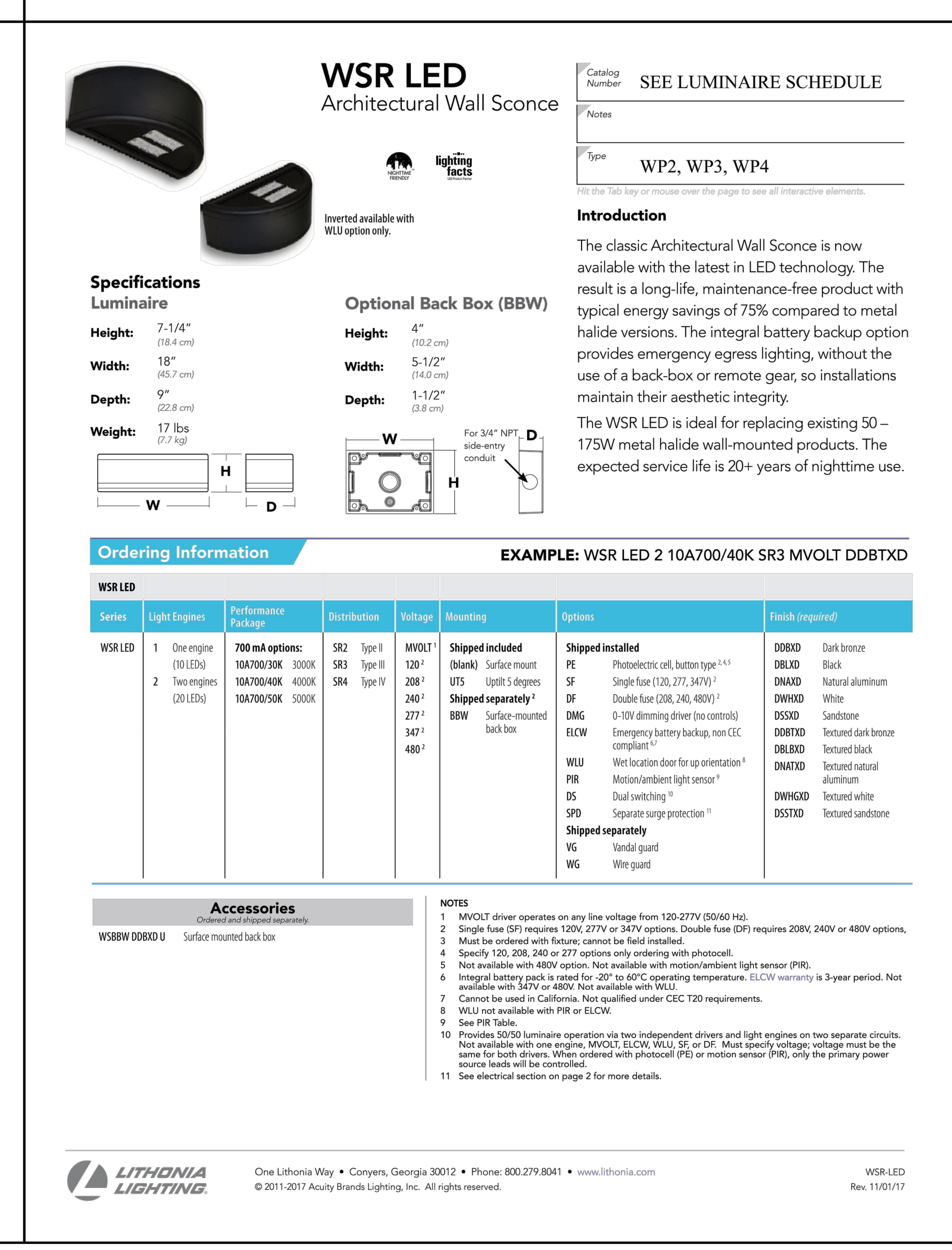
OVERVIEW • SPECIFICATIONS • ORDERING — INTERIOR + EXTERIOR | L50 GRAZE
TYPE M1

ECOSENSE LIGHTING INC., 837 NORTH SPRING STREET, SUITE 103, LOS ANGELES, CA 90012 — 1/3



G1.8.54
JUNO SLIMFORM™ LED SURFACE MOUNT DOWNLIGHTS
FOR J-BOX INSTALLATION
5", 7", 11", 13" ROUND
JSF SERIES

Project: SEE LUMINAIRE SCHEDULE
Fixture Type: S5



WSR LED
Architectural Wall Sconce

Catalog Number: SEE LUMINAIRE SCHEDULE
Type: WP2, WP3, WP4

Introduction

The classic Architectural Wall Sconce is now available with the latest in LED technology. The result is a long-life, maintenance-free product with typical energy savings of 75% compared to metal halide versions. The integral battery backup option provides emergency egress lighting, without the use of a back-box or remote gear, so installations maintain their aesthetic integrity.

The WSR LED is ideal for replacing existing 50–175W metal halide wall-mounted products. The expected service life is 20+ years of nighttime use.

Ordering Information — EXAMPLE: WSR LED 2 10A700/40K SR3 MVOLT DDBTXD

REVISIONS

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PROJECT #: AMG22-10

PACIFIC WEST ARCHITECTURE

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430 E. STATE STREET, SUITE 100
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PROJECT
NELSON POINTE APARTMENTS
NELSON AVE.
OROVILLE, CA

E1.01

SCHEMATIC SET / NOT FOR CONSTRUCTION

Attachment 4

AMG & ASSOCIATES

PO Box 260770
Encino, California 91316
Land Planning, Finance & Development
Tel. 818-380-2600
Fax. 818-380-2603

January 5, 2023

Amy Bergstrand, Housing Development Director
City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Density Bonus Request – Nelson Pointe Apartments

Ms. Bergstrand,

Pursuant to section 65915 et seq. of the California Government Code and Assembly Bill 2162, AMG & Associates, LLC and The Pacific Companies Inc. (jointly, the "Applicant") are requesting the below concessions for the development of The Nelson Pointe Apartments (the "Project") on APN 031-150-118 and 031-150-059 (jointly, the "Parcel"). The Project will consist of 36 two-bedroom units and 36 three-bedroom units. With the exception of the manager's unit, all units will be restricted to lower income households earning between 30% and 60% of the area median income ("AMI") for Butte County, adjusted for household size. Due to the high price of land and low investment returns, concessions and incentives are necessary and needed for the Project to be economically viable.

Density Bonus:

1) The Oroville Housing Element (the "Housing Element") permits a density of between 6 and 14 dwelling units per acre in the R2 zone, in which the Parcel is located. Accordingly, the Housing Element affords a permitted density of 53.62 dwelling units on the 3.83-acre Parcel, which is 19 dwelling units less than the 72 units we have submitted plans to construct. Accordingly, we request the City of Oroville grant a 34.27% increase to the allowable density.

   We are in compliance with the specifications enumerated in California state density bonus law in asking for this density bonus in that 71 of the proposed 72 units will be leased to extremely low or low income households, with the remaining unit reserved for an on-site resident manager. Thus, pursuant to California Government Code section 65915(f)(3)(D)(i), the Project entitles the Applicant to an 80% density bonus, of which we are merely requesting 34.27%.

Waivers:

1) Parking Reduction: Applicant hereby requests a parking reduction from the 126 parking stalls required per local code to 117 parking stalls. The parking count will remain above the state-mandated minimum per California Government Code 65915(p).

AMG & ASSOCIATES

PO Box 260770
Encino, California 91316
Land Planning, Finance & Development
Tel. 818-380-2600
Fax. 818-380-2603

2) Height Increase: Applicant hereby requests an increase in height from the 35 feet 0 inches specified in local code to between 38 feet 2 inches and 40 feet 0 inches for the tallest building. This height increase must be granted in order to reach the aforementioned density. If the development were confined to the 35 foot height limit, it would only be 2 stories tall and therefore would not be able to accommodate 72 units.

The primary purpose of California Density Bonus Law is to assist in the feasibility of affordable housing through the use of concessions that lead to a per-unit reduction cost. In the attached excel document, you will find a breakdown of the financial benefit that a density bonus will provide to this project as compared to the financial snapshot of a comparable 54 unit development, the densest allowed without a bonus. As our unit count increases, we begin to see more economies of scale and lower average per unit expenses. Correspondingly, the gross rent multiplier and capitalization rate decrease and increase respectively, signaling improved economic feasibility. Without the additional units, the return on investment would be too meager to justify the existence of a project.

Please feel free to contact me should you have any questions or concerns. We look forward to working with the City of Oroville to bring this development to fruition.

Sincerely,

Alexis Gevorgian
Managing Member, AMG & Associates, LLC

54 UNITS		
COSTS		
Cost of Land (Inclusive of Closing Costs)	$	482,500.00
PPU Land	$	8,935.19
PPU Hard Costs	$	306,842.00
PPU Soft Costs	$	77,850.00
PPU Financing Costs	$	19,961.00
TOTAL PPU	**$**	**413,588.19**
TOTAL PROJECT COST	**$**	**22,333,762.00**

REVENUE				
Projected Rents (Assuming 50% average affordability)	# Units	AMI	Rent/Unit/Year	Total Rent
2 Bedroom (Assuming 3 person household @ 50% AMI)	27	$ 76,500.00	$ 11,475.00	$ 309,825.00
3 Bedroom (Assuming 4 person household @ 50% AMI)	27	$ 85,000.00	$ 12,750.00	$ 344,250.00
Gross Rent				$ 654,075.00

EXPENSES	% of Gross Income	Total
Real Estate Taxes & Special Assessments	0.89%	$ 5,821.27
State Taxes	0.07%	$ 457.85
Insurance	1.86%	$ 12,165.80
Licenses	0.03%	$ 196.22
Fuel & Gas	0.12%	$ 784.89
Electricity	0.95%	$ 6,213.71
Water & Sewer	5.69%	$ 37,216.87
Trash Removal	1.66%	$ 10,857.65
Pest Control	0.14%	$ 915.71
Building & Maintenance Repairs	5.69%	$ 37,216.87
Building & Maintenance Supplies	2.84%	$ 18,575.73
Gardening & Landscaping	2.84%	$ 18,575.73
Management Fee	6.00%	$ 39,244.50
On-Site Manager	4.47%	$ 29,237.15
Other Payroll	1.90%	$ 12,427.43
Cleaning Supplies	0.47%	$ 3,074.15
Benefits	0.17%	$ 1,111.93
Payroll Taxes and Workers Comp	1.46%	$ 9,549.50
Advertising	0.47%	$ 3,074.15
Telephone	0.13%	$ 850.30
Legal & Accounting	0.52%	$ 3,401.19
Office Supplies & Expense	0.13%	$ 850.30
Miscellaneous Administrative	4.14%	$ 27,078.71
Replacement Reserves	4.65%	$ 30,414.49
TOTAL		$ 309,312.07
PER UNIT TOTAL		$ 5,728.00
NET OPERATING INCOME		$ 344,762.93

CALCULATIONS	
GROSS RENT MULTIPLIER (GRM)	34.15
CAPITALIZATION RATE	1.544%

DIFFERENCE IN GRM	**5%**
DIFFERENCE IN CAP RATE	**11.45%**

72 UNITS		
COSTS		
Cost of Land (Inclusive of Closing Costs)	$	482,500.00
PPU Land	$	6,701.39
PPU Hard Costs	$	292,874.00
PPU Soft Costs	$	73,315.00
PPU Financing Costs	$	21,879.00
TOTAL PPU	**$**	**394,769.39**
TOTAL PROJECT COST	**$**	**28,423,396.00**

REVENUE				
Projected Rents (Assuming 50% average affordability)	# Units	AMI	Rent/Unit/Year	Total Rent
2 Bedroom (Assuming 3 person household @ 50% AMI)	36	$ 76,500.00	$ 11,475.00	$ 413,100.00
3 Bedroom (Assuming 4 person household @ 50% AMI)	36	$ 85,000.00	$ 12,750.00	$ 459,000.00
Gross Rent				$ 872,100.00

EXPENSES	% of Gross Income	Total
Real Estate Taxes & Special Assessments	0.89%	$ 7,761.69
State Taxes	0.07%	$ 610.47
Insurance	1.70%	$ 14,825.70
Licenses	0.03%	$ 261.63
Fuel & Gas	0.12%	$ 1,046.52
Electricity	0.95%	$ 8,284.95
Water & Sewer	4.80%	$ 41,860.80
Trash Removal	1.66%	$ 14,476.86
Pest Control	0.14%	$ 1,220.94
Building & Maintenance Repairs	5.25%	$ 45,785.25
Building & Maintenance Supplies	2.70%	$ 23,546.70
Gardening & Landscaping	2.60%	$ 22,674.60
Management Fee	6.00%	$ 52,326.00
On-Site Manager	3.50%	$ 30,523.50
Other Payroll	1.90%	$ 16,569.90
Cleaning Supplies	0.47%	$ 4,098.87
Benefits	0.17%	$ 1,482.57
Payroll Taxes and Workers Comp	1.46%	$ 12,732.66
Advertising	0.47%	$ 4,098.87
Telephone	0.13%	$ 1,133.73
Legal & Accounting	0.52%	$ 4,534.92
Office Supplies & Expense	0.15%	$ 1,308.15
Miscellaneous Administrative	4.00%	$ 34,884.00
Replacement Reserves	4.25%	$ 37,064.25
TOTAL		$ 383,113.53
PER UNIT TOTAL		$ 5,321.02
NET OPERATING INCOME		$ 488,986.47

CALCULATIONS	
GROSS RENT MULTIPLIER (GRM)	32.59
CAPITALIZATION RATE	1.720%

Attachment 5

City of Oroville

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

PLANNING COMMISSION MEETING **Thursday, January 25, 2024**

RE: Modifications to Municipal Code Section 17.16.010 - Accessory Dwelling Unit Ordinance

SUMMARY: The Oroville Planning Commission will review proposed modifications to Municipal Code Section 17.16.010 bringing the City's Zoning Ordinance into compliance with new changes in State law regarding accessory dwelling units.

RECOMMENDATION: Staff recommends the following actions:

1. **Conduct a Public Hearing** on the proposed ordinance.
2. **Recommend that the City Council Adopt the Notice of Exemption** as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA).
3. **Adopt** the recommended Findings for the draft ordinance.
4. **Adopt** Resolution No. P2023-23 with recommendations to the City Council

APPLICANT:	City of Oroville
LOCATION: all residential zones	**GENERAL PLAN:** all residential land use designations **ZONING:** all residential zone districts **FLOOD ZONE:** various

ENVIRONMENTAL DETERMINATION: Categorically Exempt per Section 15303(a) of Title 14, California Code of Regulations.

REPORT PREPARED BY:	**REVIEWED BY:**
Lark McNeill, Senior Planner Interwest Planning Group	Patrick Piatt, Director Community Development Department

PROJECT DESCRIPTION AND BACKGROUND

HISTORY

Major changes in State accessory dwelling unit law occurred in 2022 and 2023, intended to significantly increase the number of accessory dwelling units constructed annually in the State of California. These changes also limit the ability of local agencies to regulate construction of the three types of accessory dwelling units: a detached or stand-alone Accessory Dwelling Unit (ADU), an attached ADU, and a Junior ADU (JADU). Some of these changes include:

1. Allowing both (ADU)s and (JADU)s on the same property, in addition to the primary residence, for a total of three residences on an existing single-family lot.
2. Allows the creation of accessory dwelling units in multi-family zones.
3. Properties with JADUs must be owner-occupied.
4. Both the primary residence and the ADU can be rented out. State law now allows local agencies to require ADUs to be “long-term” rentals of at least 30 days. The draft ordinance includes deed restriction requirements that no ADU or JADU may be rented out for less than sixty (60) days.
5. Detached ADUs can now be legally subdivided with city parcel map approval and may be sold independently of the primary residence, either through the standard parcel map process or the SB-9 process.
6. The city can generally require one new parking space for an ADU, a replacement space for a garage conversion, but no new spaces for a JADU.
7. A State requirement that the City provide preapproved ADU building plans for use by any property owner wishing to pay for the use beginning January 1, 2025.
8. ADUs and JADUs may be prohibited if the proposed property is in the designated Very High Fire Hazard Zone and has only one direct point of access to a state highway.

DISCUSSION

The proposed ordinance brings the city into compliance with the newest State laws regulating ADUs and JADUs. The adopted ADU ordinance must be submitted to HCD for approval.

The State has allowed ADUs for many years. The State Department of Finance states that 20,638 ADUs were constructed in 2022. The State continues to suffer from a shortage of housing units, and the Legislature decided to make it more economically feasible for average homeowners to construct an ADU on their property. The relatively high cost of constructing an ADU (currently $159,000 to $200,000 per ADU not including city permit fees) has restricted ADU development. Financial lending institutions have been reluctant in the past to loan funds to construct ADUs in addition to the existing home loan on a property. In the past year more lenders and appraisers have become better educated about the benefits of an ADU.

The Governor signed new bills this year which went into effect January 1, 2024, which greatly expand the ability of property owners to construct additional residences on their property. The new laws will allow a JADU, ADU and a primary residence on every single-family zoned property. ADUs can also be split from the original property through the parcel map process. This will allow the ADU owner to obtain a mortgage loan for the ADU.

Any limits on where ADUs are permitted may only be based on the adequacy of water and sewer service and on the impacts on traffic flow and public safety. The city may not deny an application for a ADU due to lack of parking. Parking for an ADU may now be located in the front, side or rear yard setback areas. No design standards may be applied to the ADU other than height limits specified in the draft ordinance, unless the ADU is proposed on the same property as a structure listed on the California Registry of Landmarks. In those cases, design criteria are allowed to be placed on the ADU so that it does not negatively impact the historic structure.

By law, JADUs are always attached to the primary residence and can be no larger than 500 square feet. Either the primary residence or the JADU must be owner occupied. JADUs may be created within the interior of an existing residence. They may be created by minor additions to an existing residence. They cannot be free standing from the primary residence.

A State “exemption ADU”, found in Government Code section 65852(e), is an ADU of up to 800 square feet, 16 feet in height, and with four-foot side and rear yard setbacks. Every property owner has the right to construct an “exemption ADU” on her/his property. To give an example of an 800 square foot unit, a typical residential garage is 20’x20’= 400 square feet in size. An 800 square foot ADU is approximately the size of two typical residential garages. State ADU Law requires that no lot coverage, floor area ratio, open space, or minimum lot size will preclude the construction of a statewide exemption ADU. However, local fees ultimately impact the size of an ADU a homeowner chooses to construct.

Allowable Fees

Most cities are finding that ADUs and JADUs are being constructed equal to or less than 750 square feet in size as larger ADUs and JADUs are subject to impact fees. ADUs and JADUs less than or equal to 750 square feet in size are exempt from impact fees but may be subject to separate water or sewer connection fees if requested by the property owner or required by the service provider. If an ADU is 750 square feet or larger, impact fees shall be charged proportionately in relation to the square footage of the ADU to the square footage of the primary dwelling unit. For example, a 2,000 square-foot primary dwelling with a proposed 1,000 square-foot ADU could result in 50 percent of the impact fee that would be charged for a new primary dwelling on the same site. In all cases, the impact fee for the ADU must be less than the primary dwelling.

School districts are authorized to levy impact fees for ADUs equal to or greater than 500 square feet pursuant to Section 17620 of the Education Code. ADUs less than 500

square feet in size are not subject to school impact fees. The Oroville Union High School and the Oroville City Elementary School Districts currently charge a combined total of $4.79 a square foot for new residential construction, applicable to all ADUs larger than 500 square feet.

Development Standards

The city's zoning ordinance requires a 20-foot front yard setback for RL Zones and 15 feet in R-1. The draft ordinance requires a minimum 20-foot front yard setback unless adherence to that setback prevents an ADU of at least 800 square feet from being constructed on a property. If this occurs, the ordinance provides that the front yard setback necessary to allow an ADU of no less than 800 square feet be required. The draft ordinance requires a minimum four-foot side, and rear yard setback for an ADU, consistent with State law. The city may not require a larger setback unless the proposed ADU is located on a site designated on the California Register of Historical Resources, or that is listed on the National Register of Historic Places. A larger setback than four feet may then be required as necessary to protect the architectural or historical significance of the primary structure.

One new parking space is required for an ADU, with several exceptions listed in the attached draft ordinance. ADU parking spaces will be allowed in the front, rear, and side yard setback areas. No new parking spaces are allowed to be required for JADUs. New state laws prohibit cities from denying an ADU application due to lack of an on-site parking space.

New in the laws effective January 1, 2024, detached ADUs may now be sold separately from the primary residence through the City's parcel map application process. The applicant must pay all applicable fees to divide the property. The advantage to creating a separate lot for an ADU is that more financing is available to finance the construction of the ADU if it is on a separate lot. A lot created for an ADU cannot be subdivided through this same process again.

Potential Condominium

Attached ADUs may be sold separately from the primary residence pursuant to the Davis-Stirling Common Interest Development Act (Part 5 (commencing with Section 4000) of Division 4 of the Civil Code). The Davis–Stirling Common Interest Development Act is the popular name of the portion of the California Civil Code beginning with section 4000, which governs condominium, cooperative, and planned unit development communities in California. Any ADU condominiums shall be created in conformance with all applicable objective requirements of the Subdivision Map Act (Division 2 (commencing with Section 66410)) and all objective requirements of the City's subdivision ordinance. This is an expensive process, so staff anticipates processing very few of these applications.

Predevelopment Cost Grants

The State has established a $100 million grant program to assist in the construction of ADUs on single-family residential properties. Butte County property owners with an annual income of less than $73,280.00 are eligible to apply for a CalHFA grant in the

amount of up to $40,000.00 for ADU predevelopment costs, such as soils reports, building permit fees, utility hookups, architectural and engineering fees. At $40,000.00 per grant, this is a total of 2,500 grants throughout the State.

Multi-family zoned ADUs
Effective January 1, 2024, accessory dwelling units are now allowed in multi-family zoned properties. Two detached accessory dwelling units are allowed on each multi-family property regardless of the zoning. Accessory units up to 25% of the number of existing units on a multi-family zoned property may be created within the existing floor area of the multi-family structure(s), or by constructing attached ADUs to the existing multi-family structure(s).

CHALLENGES

The city is served by the California Water Service Company, the City's sanitary sewer system, the Sewage Commission- Oroville Region (SCOR), South Feather Water and Power, the Thermalito Water & Sewer District (TWSD) and Lake Oroville Area Public Utilities District (LOAPUD). The general manager with SCOR indicated that there are approximately 1,500 residential service connections available at this time. After improvements to the sewer facility are begun next year, SCOR anticipates an additional 1,500 to 1,800 residential services connections will be available. Applicants will need to contact their providers directly to ascertain service availability.

FISCAL IMPACT

All ADUs and JADUs will pay applicable fees at the time building permit applications are submitted to the city.

PUBLIC NOTICE

The meeting date, time, and project description were published in the Oroville Mercury Register and posted at City Hall.

ATTACHMENTS

1. Resolution P2023-23
2. Notice of Exemption (CEQA)
3. Draft accessory dwelling unit ordinance dated 12-11-23.

17.16.010 Accessory dwelling units.

Purpose. Accessory dwelling units are intended to increase the supply of non-transient housing. Accessory dwelling units are permitted in all areas zoned to allow single-family or multifamily dwelling residential uses within the City limits unless the water and/or sewer provider indicates in writing to the City Building Department that it has insufficient capacity to serve the accessory or junior accessory dwelling unit. All accessory dwelling units must be rented out for terms longer than sixty (60) days. Any accessory dwelling unit may be rented separate from the primary residence. Any accessory dwelling unit (not including a junior accessory dwelling unit) may be sold separately from the primary residence as described in Government Code Section 65852.2(a)(10)(E) as amended.

Relationship with the General Plan and Zoning. Any Accessory Dwelling Unit or Junior Accessory Dwelling Unit which conforms with the requirements of this Chapter shall be deemed to be consistent with the General Plan designation and zoning for the parcel, regardless of any limitations on residential density imposed by the General Plan or zoning. Accessory Dwelling Units shall not be counted when determining residential density for conformance with General Plan or Zoning.

A. Definitions

1. "Accessory dwelling unit" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes an efficiency unit or a manufactured home, as defined in Section 18007 of the Health and Safety Code.

2. "Accessory structure" means a structure that is accessory and incidental to a dwelling located on the same lot.

3. "Efficiency unit" has the same meaning as defined in Section 17958.1 of the Health and Safety

Code.

4. “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

5. “Nonconforming condition” means a physical improvement on a property that does not conform to current zoning standards or building code.

6. “Objective standards” means standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal.

7. “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

8. “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

9. “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

10. “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

B. Permit Required.

1. A planning department application for an accessory dwelling unit or a junior accessory dwelling unit shall be considered and approved ministerially without discretionary review or a hearing, notwithstanding Government Code Section 65901 or 65906 or any City ordinance regulating the issuance of variances or special use permits. The City shall either approve or deny the planning department application to create or serve an accessory dwelling unit or a junior accessory dwelling unit within 60 days from the date the City receives a completed application if there is an existing single-family or multifamily dwelling on the lot.

2. If the planning department application to create or serve an accessory dwelling unit or a junior accessory dwelling unit is submitted with a building permit application to create a new single-family or multifamily dwelling on the lot, the City may delay approving or denying the planning department application for the accessory dwelling unit or the junior accessory dwelling unit until the City approves or denies the planning department application to create the new single-family or multifamily dwelling, but the planning department application to create or serve the accessory dwelling unit or junior accessory dwelling unit shall be considered without discretionary review or hearing. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the City has not approved or denied the completed planning department application within 60 days, the planning department application shall be deemed approved.

3. A certificate of occupancy for an accessory dwelling unit shall not be issued before the certificate of occupancy is issued for the primary dwelling. An existing legally permitted accessory structure, accessory living unit, or family care unit may be converted into an accessory dwelling unit consistent with the provisions of the Chapter.

4. A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit must be reviewed with the application for the accessory dwelling unit and issued at the same time as the building permit for the accessory dwelling unit.

C. If the City denies a planning department application for an accessory dwelling unit or junior accessory dwelling unit, the City shall, within the time period described within this section, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant.

D. Preapproved building plans. Beginning January 1, 2025, the City shall make available preapproved building plans for ADUs. The City will charge a reasonable fee for the use of the preapproved building plans. The City shall comply with Government Code Section 65852.27, as amended, regarding preapproved building plans for any type of accessory dwelling unit.

E. Addressing Accessory Dwelling Units. All accessory dwelling units shall be assigned an address. The Building Department will inform local agencies, service providers, and the United States Postal Service of the address of the proposed accessory dwelling unit followed by an identifying letter or number.

F. Junior accessory dwelling unit (JADU). "Junior accessory dwelling unit" means a unit that is no more than 500 square feet in size and contained entirely within an existing single-family structure. A junior accessory dwelling unit has the same definition as defined by the State of California at the time an application for a junior accessory dwelling unit is received by the City. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

1. JADUs can only be constructed on a site with a proposed or existing single-family dwelling.

2. No JADU may occupy more than 500 square feet of an existing residence.

3. A JADU may be located within an existing legally authorized single-family dwelling that does not meet setback requirements and it would not be considered an expansion of a legal non-conforming structure unless the conversion increases the non-conformity of the structure.

4. No additional on-site parking is required for a JADU.

5. A separate entrance to the JADU shall be provided.

6. A JADU may share a bath with the single-family dwelling or have its own bath.

7. A JADU is required to include an efficiency kitchen as defined in Section 17958.1 of the State of California Health and Safety Code.

8. For the purposes of fire and life protection ordinances and regulations, a JADU is to be considered part of the single-family dwelling.

9. A JADU shall not be sold separately from the primary residence.

G. Maximum Number of All Units. There are four categories of the allowed number of ADUs and JADUs on a single parcel. (A) One ADU and one JADU are permitted per lot. The JADU must be within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure that meets specified requirements such as exterior access and setbacks for fire and safety. (B) One detached new construction ADU that does not exceed four-foot side and rear yard setbacks. This ADU may be combined on the same lot with a JADU and cannot exceed a maximum unit size of 850 square feet. (C) Multiple ADUs within the portions of multifamily structures that are not used as livable space at the time of the conversion of the non-residential floor space to an ADU are permitted, and in up to 25 percent of the existing multifamily structures. (D) Up to two detached ADUs on a lot that has existing multifamily dwellings that are subject to height limits prescribed in Government Code Section 65852.2 (as amended at the time of the building permit application) and four-foot rear and side yard setbacks.

H. Location. A second dwelling unit may be either attached to or detached from the primary dwelling unit on the parcel. The City shall not issue a certificate of occupancy for an accessory dwelling unit before the City issues a certificate of occupancy for the primary dwelling.

I. Development Standards. ADUs shall be subject to the fees and charges allowed by the State of California at the time an application for an ADU is submitted to the City. ADUs shall conform to height, setback, site plan review, fees, charges, and other zoning requirements generally applicable to residential construction within the zone in which the ADU is located with the following exceptions:

1. The combined site coverage of the primary dwelling unit and any accessory structures on the parcel are limited to the maximum allowable site coverage in the underlying zone district. An ADU square footage is not included in calculating the maximum allowable site coverage in the underlying zone district. A minimum front yard setback in the applicable zone is required unless this setback would prohibit the construction of an ADU of less than 800 square feet on the subject property. When necessary to deviate from the front yard setback, the required minimum front yard setback to create an ADU of at least 800 square feet will be established on a case-by-case basis as demonstrated on the proposed ADU site plan. A minimum setback of no more than four (4) feet from the side and rear lot lines shall be required for an ADU.

2. An existing legally authorized accessory structure which does not meet front, rear or side yard setback requirements may be converted to an ADU or reconstructed to the same dimensions as the existing structure and converted to an ADU and would not be considered an expansion of a legal, non-conforming use unless the conversion increases the non-conformity of the structure.

3. For an ADU, off-street parking shall be provided in accordance with the provisions of Municipal Code Section 17.12.070, except that in districts with a minimum lot area of at least 5 acres, parking

spaces for the ADU may be surfaced with gravel. One (1) parking space is required per ADU, and the space may be provided through tandem parking. Parking for ADUs is allowed in front, rear and side setback areas. ADUs located: within one-half (½) mile walking distance of a public transportation stop along a prescribed route according to a fixed schedule, or located within one (1) block of a car share parking spot, or located entirely within the primary residence and the ADU does not result in a net increase in habitable floor area on the property, or located in an area where on-street permit parking is required, but such permits are not available to the tenant, or located within a designated historic district, are exempt from providing an additional off-street parking space.

4. All ADUs shall have exterior points of ingress and egress (door).

5. A maximum height of 16 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit.

6. A maximum height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed single family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. An additional two feet in height to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit is also permitted.

7. A maximum height of 18 feet for a detached accessory dwelling unit on a lot with an existing or proposed multifamily, multistory dwelling.

8. A maximum height of 25 feet or the height limitation in the local zoning ordinance that applies to the primary dwelling, whichever is lower, for an accessory dwelling unit that is attached to a primary dwelling. This clause shall not require a local agency to allow an accessory dwelling unit to exceed two stories.

9. The construction of ADUs units shall comply with City Building Code requirements in effect at the time of construction.

10. Fire sprinklers, however, shall not be required in an ADU or JADU if they are not required in the existing single-family or multifamily dwelling.

11. ADUs and JADUs are not allowed in a Very High Fire Hazard Zone as defined in Government Code Section 51178 unless the property has two separate points of direct access to a highway.

12. The property owner may elect to have a separate electrical and gas service provided to the JADU or ADU. The property owner may elect to have the JADU or ADU served by the existing electrical or gas service and will be required to upgrade any existing service connections as required by the building code or service provider.

13. Any ADU constructed on properties listed in the California Register of Historical Resources shall

conform to the City of Oroville Municipal Code Section 17.44.040, Downtown Historic Overlay as necessary to prevent adverse impacts on that property. Any ADU constructed on properties located within the Downtown Historic Overlay abutting a property listed in the California Register of Historical Resources shall conform to the City of Oroville Municipal Code Section 17.44.040, Downtown Historic Overlay as necessary to prevent adverse impacts to the listed property.

14. The total floor area for a detached ADU shall not exceed 1,200 square feet, except that in districts with a minimum lot size of at least 5 acres, the ADU floor area shall not exceed 2,000 square feet.

15. For an attached ADU, total floor space may not exceed one thousand (1,000) square feet or fifty (50) percent of the floor space of the existing or proposed single-family dwelling, whichever is less. In no instance shall the floor space of an attached ADU be restricted to less than one thousand (1,000) square feet for an attached ADU that provides more than one (1) bedroom or less than eight hundred fifty (850) square feet for an attached ADU that provides one (1) or less bedroom.

16. Notwithstanding any other provision of this section, an attached unit that qualifies as an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, shall be allowed regardless of the ratio between its floor area and the living area of the existing dwelling unit.

17. No setback shall be required for an existing living area or accessory structure or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an accessory dwelling unit or to a portion of an accessory dwelling unit.

K. Multi-family zoned property. At least one accessory dwelling unit is allowed within an existing multifamily dwelling, and accessory dwelling units up to 25 percent of the existing multifamily dwelling units are allowed by right. Multiple accessory dwelling units may be created within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. Up to two accessory dwelling units are allowed on each multi-family zoned property, subject to the height and setback restrictions in this ordinance.

L. Fees. ADUs up to 750 square feet are exempt from impact fees, and ADUs that are 750 square feet or larger may be charged impact fees but only such fees that are proportional in size (by square foot) to those for the primary dwelling unit. The construction of ADUs shall be subject to the payment of all fees applicable to the construction of a single-family dwelling on the same property.

M. Sale of Accessory Dwelling Units. Junior accessory dwelling units may not be sold separate from the primary residence on a legal lot.

N. Sale of Accessory Dwelling Unit by a Qualified nonprofit corporation. The City shall allow an accessory dwelling unit to be sold or conveyed separately from the primary residence to a qualified buyer as set forth in Government Code 65852.26 as amended, at the time an application under that section is submitted to the city. All conditions of Government Code 65852.26 apply, including but not

limited to the requirement for separate utilities for the ADU and a 45-year low-income restriction on the JADU or ADU, whichever is proposed.

(1) For purposes of this section, the following definitions apply:

(a) "Qualified buyer" means persons and families of low or moderate income, as that term is defined in Section 50093 of the Health and Safety Code.

(b) "Qualified nonprofit corporation" means a nonprofit corporation organized pursuant to Section 501(c)(3) of the Internal Revenue Code that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families who participate in a special no-interest loan program.

O. Use Restriction.

1. Prior to obtaining a building permit for an ADU or JADU, a deed restriction, approved by the City, shall be recorded with the County Recorder's office, which shall include the prohibition on the use of any dwelling on the subject parcel for transient habitation. The deed shall state the ADU or JADU lease agreement shall be for a term equal to or greater than sixty (60) days.

2. The property owner shall provide the city, upon written request, a copy of the rental agreement with the occupant of the ADU or JADU. The ADU or JADU may not be sub-let or rented out to another individual or entity by the occupant.

3. The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the zoning administrator, providing evidence that the ADU or JADU has in fact been eliminated. The City Building Department shall confirm this evidence in writing. The zoning administrator may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the zoning administrator's determination consistent with other provisions of this code. If the ADU or JADU is not entirely physically removed but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this code.

4. The deed restriction is enforceable by the zoning administrator or his/her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.

P. Conflicts If this ordinance conflicts with State law at the time an ADU or JADU building permit is submitted to the city, the State law shall govern. Where the Zoning Ordinance is silent, State law shall prevail for ADUs and JADUs.

ATTACHMENT 1

CITY OF OROVILLE
PLANNING COMMISSION RESOLUTION NO. P2023-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF OROVILLE, CALIFORNIA, recommending to the City of Oroville City Council modifications to Municipal Code Section 17.16.010 regarding accessory dwelling units.

WHEREAS, the State of California adopted significant changes to the State planning law regarding accessory dwelling units which go into effect February 1, 2024; and

WHEREAS, accessory dwelling units are intended to increase the supply of non-transient housing; and

WHEREAS, the City of Oroville Planning Commission held a public hearing on December 21, 2023, about proposed modifications to Section 17.16.010 of the City of Oroville Municipal Code, received public comment, and recommended adoption of a Notice of Exemption for modifications to Municipal Code Section 17.16.010, and modifications to Municipal Code Section 17.16.010 to the City Council.

FINDINGS:

1. The draft ordinance is categorically exempt from the California Environmental Quality Act pursuant to Section 15303(a), New Construction or Conversion of Small Structures, Title 14, CCR, §15303. This ordinance is applicable city-wide to existing residential properties and structures in compliance with State planning law.

2. The proposed regulations are consistent with State law pertaining to accessory dwelling units as of the date of this resolution.

3. The proposed regulations contained in the draft ordinance will encourage the construction of additional housing units within the City.

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

Section 1. That the Planning Commission recommends the City Council adoption of a Notice of Exemption pursuant to Section 15303(a), New Construction or Conversion of Small Structures, Title 14, CCR, §15303. This ordinance is applicable city-wide to existing residential properties and structures in compliance with State planning law. The additional residential units created through this ordinance are exempt from density restrictions pursuant to Government Code Section 65852.2.

Section 2. The Planning Commission recommends that the City Council adopt the proposed modifications to Municipal Code Section 17.16.010 to bring

this Section into compliance with Government Code Section 65852.2. as amended.

Section 3. The undersigned shall attest to the adoption of this Resolution.

PASSED AND ADOPTED by the Planning Commission of the City of Oroville at a regular meeting on January 25, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

_____
Carl Durling, Chairperson

ATTEST:

_____
Patrick Piatt, Director of Community Development

City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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: Revisions to Municipal Code Section 17.160.010. （Accessory Dwelling Unit Ordinance)

Project Location – City wide

Project Location – City: City of Oroville

Project Location – County: Butte

Description of Nature, Purpose, and beneficiaries of project: Adoption of revisions to a city-wide ordinance modifying regulations and development standards for residential accessory dwelling units.

Name of Public Agency Approving Project: City of Oroville

Name of Person or Agency Carrying Out Project: City of Oroville

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:
- Existing Facilities, Title 14, CCR, §15301.

☐ Statutory Exemption: State code number:

Reasons why project is exempt: This action has been determined to be exempt from the California Environmental Quality Act (CEQA) review as follows:

Existing Facilities, Title 14, CCR, §15301
A project is exempt from CEQA if it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This includes Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes). *This ordinance is applicable city-wide to existing residential properties and structures in compliance with State planning law. The additional residential units created through this ordinance are exempt from density restrictions pursuant to Government Code Section 65852.2.*

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: Wes Ervin

Telephone: (530) 538-2408

Signature: _____

Date: _____

☒ Signed by Lead Agency
☐ Signed by Applicant

City of Oroville

Patrick Piatt
Community Development Director

COMMUNITY DEVELOPMENT DEPARTMENT
1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2436 FAX (530) 538-2426
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PLANNING COMMISSION STAFF REPORT **Thursday, January 25, 2024**

RE: Revisions to Tentative Subdivision Map 22-02 at 2151 Grand Ave APN 030-120-060 for a 25-lot Community with Conventional Home Construction.

SUMMARY: The Planning Commission will consider approving Revised conditions to Tentative Subdivision Map No. TSM 22-02, which would separate an 8-acre parcel into 25 parcels for a medium low density manufactured housing subdivision.

RECOMMENDATION:

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

1. **APPROVE** Revisions to the conditions for Tentative Parcel Map No. 22-02; and
2. **APPROVE Resolution No. P2023-31 -- A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION APPROVING REVISED CONDITIONS FOR TENTATIVE SUBDIVISION MAP TSM 22-02 FOR THE 25-UNIT GRAND ACRES SUBDIVISION ON APN 030-120-060.**

APPLICANTS:	Trish Hopps
LOCATION: 2151 Grand Avenue, City of Oroville (APN 030-120-060)	**GENERAL PLAN:** MLDR (Medium Low Density Residential **ZONING:** RL (Residential Large Lot **FLOOD ZONE:** X (not in a flood plain)
ENVIRONMENTAL DETERMINATION: This action has been determined to be Exempt from the California Environmental Quality Act (CEQA) review pursuant to AB430.	
REPORT PREPARED BY: _____ Wes Ervin, Principal Planner Community Development Department	**REVIEWED BY:** _____ Patrick Piatt, Community Development Director

DISCUSSION

On August 24, 2023, the Planning Commission approved Tentative Subdivision Map TSM 22-02 as a 25-lot manufactured home community, complete with associated conditions relating to manufactured home development there. Since then, the applicant has decided to make the subdivision a conventional “stick-built” subdivision.

Staff requests approval from the Commission to modify the subdivision conditions to apply to conventional construction instead. The new conditions include:

1. Removing references to manufactured homes.
2. Adding a set of typical conditions for conventional construction, including varying building massing and elevations and styles and colors, requiring at least 4 different floor plans, and including relevant design guideline policies.
3. If the applicant chooses to build a community of manufactured homes, then the previous conditions would apply.

All other project features and conditions remain the same.

ENVIRONMENTAL REVIEW

This modified action has been determined to be Statutorily Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, Division 6, Chapter 3 of the California Code of Regulations”. The project is exempt from CEQA under AB430. Applicant conducted an AB430 hearing on January 10, 2023, prior to approving the exemption.

FISCAL IMPACT

None.

PUBLIC NOTICE

The original project was subject to an AB430 meeting in January 2023, and the Planning Commission hearing was published in the Mercury Register on August 12, 2023 and mailed to all property owners within 300 feet on July 21, 2023. This revision is not considered substantive, and thus does not require a new public hearing.

ATTACHMENTS

1. Draft Revised Conditions of Approval
2. Resolution No. P2023-31
3. Planning Commission Staff Report of August 24, 2023.

City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

LETTER OF APPROVAL –REVISED 1-25-24

RE: The Grand Acres Subdivision -- Tentative Subdivision Map TSM 22-02

Dear Ms. Hopps,

On August 24, 2023, the Oroville Planning Commission approved Tentative Map TSM 22-02.

CONDITIONS OF APPROVAL

Approved project: Trish Hopps plans to subdivide and develop an 8-acre-acre vacant and undeveloped parcel (APN 030-120-060) into 25 single-family ~~manufactured~~ home lots immediately west of 21st Street with access points off Grand Avenue and 21st Street. The project would include a 10,268 square-foot Lot A as a buffer from an existing off-site wetland and would also include protection for an existing Elderberry bush.

Improvements to the west side of 21st Street, the south side of Grand Avenue and the new interior streets include curbs, gutters and sidewalks. Storm drainage facilities are proposed throughout the project site, with connections tying in together internally, prior to tying into storm drainage facilities located within 21st street.

TSM 22-02 Engineer's Report and County Conditions

1. The Tentative Subdivision Map of May 30, 2023, has been approved subject to the conditions in the accompanying Engineer's Report dated August 17, 2023. All conditions must be met prior to approval of the Final Map.
2. Note that Condition E.1.b of the Engineers report should read "Convey to the County all abutters' rights……."
3. Since Grand Avenue is a county-maintained roadway, the following conditions of Butte County apply:

a. Pursuant to Butte County General Plan Policy CIR-P6.5, the applicant shall install frontage improvements along Grand Avenue, as well as associated improvements, including curb, gutter, sidewalk, road drainage, parkway, and dedications, in conformance with City of Oroville design standards.

b. Prior to the recordation of the final map, submit road and drainage improvement plans for Grand Avenue to the Land Development Division for the installation of required improvements, which shall include the City of Oroville improvements. Obtain an encroachment permit from Butte County Public Works for Grand Avenue and construct the road approach prior to the recordation of the final map. Adequate sight distance at the intersection of Street "A" and Grand Avenue shall be provided. Right of-way required for construction of road approach and roadside drainage shall be provided.

c. Prior to the recordation of the final map, relinquish Abutter's rights of access to Butte County along the Grand Avenue frontage except at approved access points. 4. Prior to the final inspection for the improvements along Grand Avenue, install all necessary traffic safety signs including stop signs within the County right-of-way.

The following specific conditions apply:

4. This subdivision ~~has been~~was originally approved as a manufactured home community with specific conditions relating to manufactured homes. Now that applicant intends to ~~If the project is~~ convert~~ed~~ to ~~a~~ conventional home construction, ~~an amendment to TSM 22-02 must be submitted for Planning Commission approval.~~the following conditions apply. A mix of manufactured and conventional construction is strongly discouraged.
5. Applicant shall obtain a will-serve letter from the Thermalito Water and Sewer District prior to approval of the Final Subdivision Map and conduct a capacity study with SC-OR.
6. The applicant shall provide a parkland dedication of 14,157 square feet as an in-lieu fee. The amount of the fee shall be determined and paid at the time of the filing of the Final Subdivision Map.
7. Applicant shall assist as needed in the process of annexation of the subdivision into Community Facilities Districts CFO2006-1 and CFO2006-2.
8. Fencing around the perimeter of the subdivision shall be wood at a minimum of 6-feet high.
9. A deed notice is required to be included in any parcel transfer document, which puts the buyer on notice that the house is within the airport area of influence and may therefore encounter discomfort, inconvenience or annoyance from the noise generated by operations at the airport.
10. Prior to acceptance of the final map, applicant shall execute and record a Landscape Maintenance agreement ensuring that all homeowners will adequately maintain their individual street frontages with proper irrigation and plantings.
11. Each lot shall be developed with a detached single-family residence ~~or manufactured home~~ designed in accordance with the City's residential development, parking, and design standards in OMC 17.28.020, 17.12.070, and the City of Oroville Design Guidelines of 2015. Additional requirements are as follows:

    a. No more than 25 lots for development with single family ~~manufactured~~ homes shall be created in this subdivision.

b. Applicant shall implement all conditions of approval of Tentative Subdivision Map 22-02 including access to and street improvements for the south side of Grand Avenue and the west side of 21st Street, and all interior roads to the subdivision.

c. Required lot development standards shall conform to the normal R-L development standards and as follows:

~~1) All manufactured homes shall conform to Oroville Municipal Code 15.36.010, which includes certain design, structural, material and age standards. For instance, all units must be on a permanent foundation, must have pitched roofs, must have color and siding materials found in conventionally built homes, must be 10 years old or newer, must be landscaped, must have garages or carports, must have paved driveways, and must have a medallion showing certification by the California Department of Housing and Community Development.~~

~~2)~~i. All homes shall include at least two parking spaces, at least one of which shall be covered.

ii. A minimum of **4 different floor plans** shall be utilized throughout the subdivision.

~~3)~~iii. Homes shall adhere as much as practicable to the goals, site planning, building design, landscape design, accessory structure and lighting guidelines of the City's adopted Residential Design Guidelines.

~~4)~~iv. Colors: Hue variations in adjacent homes shall be provided to create diversity. No adjacent home shall have the same color scheme. The front elevation shall have a minimum of a four-color paint scheme.

v. On corner lots, roof, window, and wall finish features shall be wrapped around to the street-side wall to continue the articulation of the front elevation and provide interest from the street.

~~5)~~vi. Fencing: Typical side yard fencing shall be solid and continuous wood fencing or equivalent, not greater than 6' in height. Any front yard fencing or shrubbery within the front yard setback shall be not greater than 42 inches in height. Fencing along the boundaries of the property shall be solid and continuous wood fencing not more than 6' in height, and subject to approval of the Planning Manager prior to installation.

vii. All fencing and landscaping shall be installed by the owner prior to issuance of occupancy permits, weather permitting. In cases where weather may delay fencing and landscaping installation, occupancy may be permitted with approval of the City and the buyer. In such cases, fencing and landscaping shall be installed at the earliest possible time.

12. Relevant Design Guideline Policies:

6.1.1 Garages should be set back a minimum of 5 feet from the primary front façade of the residence.

6.1.2 Design that minimizes views of garages is encouraged and should utilize side and rear entry garages as well as detached garages.

1.1.2 Building massing should be varied by employing a variety of techniques, such as recessed porches, bay windows, dormers and varying planes or setbacks. As appropriate to the style of the house, the roof forms should be varied.

3.1.1 Façades should be designed so as to include entries, porches and other architectural elements that relate to the human scale.

3.1.5 Additional architectural features, such as architectural trim with substantial depth and detail, window boxes, brackets, overhangs, trellises and lattices, should be used to enhance the visual interest of building façades.

5.1.1 Front porches are encouraged to facilitate activity in front yards and to provide a semi-public transition zone between the street and the residence.

5.1.2 Porches should be of a sufficient size to provide functional outdoor space.

6.1.1 A variety of materials should be used to emphasize a differentiation between the various components of the building.

6.1.4 The combination of materials on a building façade should be appropriate to its style and design.

6.1.7 Accent materials may be used to add interest and variety at a more intimate scale, such as along architectural elements such as cornices, or on portions of buildings or walls.

7.1.1 Exterior building colors should draw from the colors that are typically found in Oroville's natural environment.

8.1.2 Roofline variations may be used to demarcate primary building entrances.

8.1.4 Eaves should be of a depth that creates shadows on residential façades.

1.1.1 Landscaping should be an integral part of the overall site design, rather than used to camouflage unusable spaces or poor architectural design.

1.3.1 A well-coordinated palette of plant species should be employed.

2.1.2 The landscaping around a street-facing entry area should use planting materials to soften the transition between the entry area and the front setback.

2.1.3 A sidewalk extending from the front door to the public sidewalk is highly encouraged.

~~6)~~

Environmental Mitigation – from the Wetland and Biological Resources Assessment dated March 24, 2023

~~12.~~13. Applicant shall establish a 10,268 square foot wetland buffer parcel "Lot A" which will serve as a minimum 125-foot buffer from the existing wetland to the southeast. The buffer parcel shall be fully fenced off from the wetland and may have a public access easement from the end of the new cul-de-sac. The elderberry bush shall be protected from damage or vandalism.

~~13.~~14. Applicant shall adopt appropriate preventative and mitigative measures include avoiding the initiation of construction activities during the avian nesting season or performing preconstruction surveys for protected avian species that may occur in the area, including targeted surveys for Swainson's hawks and western burrowing owls.

General Conditions

~~14.~~15. 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 permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.

~~15.~~16. The project shall remain in substantial conformance with the Conditions of Approval, as adopted and described above. 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 or City Council, whichever is applicable.

~~16.~~17. The applicants shall have a current City of Oroville business license and any other applicable permit/license that may be required as part of any business operations.

~~17.~~18. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.

~~18.~~19. If deferred in accordance with OMC 3.32.145, all applicable development impact fees shall be paid prior to issuance of a building permit.

~~19.~~20. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.

~~20.~~21. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.

~~21.~~22. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.

~~22.~~23. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

Additional Draft Subdivision Construction and Occupancy Conditions –Civil Design Standards are in the Engineer's Report

Prior to site grading.

24. All grading, paving, excavation, and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state, and federal requirements.

25. A site grading, drainage and improvement plan shall be prepared by a Registered Civil Engineer, in conformance with City standards, and shall be submitted to and approved by the Public Works Department prior to any work on the site. This plan shall also show:

    I. The design of the sanitary sewer service system, including the type and size of the sanitary sewer line lateral, and the proposed point of connection the sewer main.
    II. Existing and proposed easements.
    III. Proposed elevations of finished improvements (parking area, onsite curbs, planters, etc.) within the project at an adequate level of detail to demonstrate drainage flow directions within the project boundaries.
    IV. A drainage and detention/retention facility sufficient that there is no increase in pre-project peak stormwater discharge from the site for a 2-year, 10-year and 100-year storm event. On-site storm drainage shall be collected and retained/detained on-site and then transported via underground conduit to an approved drainage facility.
    V. Drainage calculations to support the size of the detention or retention facility, and orifice calculations to support the design size of the stormwater flow control device.
    VI. Frontage improvements to include curb, gutters and sidewalk constructed to ADA standards; asphaltic concrete pave out (1-foot minimum, or wider if necessary) along new curb, gutter~~s~~ and sidewalk adequate to provide proper street drainage along the project frontage.
    VII. Location of streetlights to be constructed to City standards.

26. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbances of exposed top-soils, such as watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site.

27. All grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines in order to prevent degradation of ambient air quality.

Prior to the issuance of building permits.

28. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.

29. Landscape plans shall be approved by the Parks and Trees Department.

I. Planting shall be provided in as much of the front setback as is practical, excluding any areas with paved driveways or pedestrian paths. In no case shall more than 75% of the front setback be paved.

II. Where a side or rear property line is adjacent to a street, the site shall include a planting area along the property line with a width of at least 5 feet. Any fence around the property shall be located behind the planting area.

III. Plantings shall be drought tolerant and MWELO standards will apply.

IV. Landscaping shall be installed around the detention basin where visible from the street and adjacent residences.

30. The building plans shall include an architecturally compatible method of screening any roof mounted HVAC system, or if the units are placed on the ground, the unit shall be screened by landscaping or a decorative fence.

31. Applicant shall annex into a Landscape and Lighting Maintenance Assessment District (LLMAD) and Benefit Assessment District (BAD) prior to issuance of building permits.

Prior to construction.

32. Obtain encroachment permits from both the city and the county for any work in the public right-of-way, and from the County for any work along Grand Avenue.

33. All utilities shall be placed underground.

34. Developer will be responsible for the cost of all water improvements (meters, boxes, valves, lines, backflow devices, etc.), which are required to meet TWSD improvement standards. The cost of all fire lines and hydrants shall also be the developer's responsibility.

35. A Construction Storm Water Permit will be required by the State Water Resources Control Board if the project results in a disturbance (including clearing, excavation, filling and grading) of one or more acres. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. The Permit must be obtained from the State Water Resources Control Board prior to construction.

Prior to occupancy.

36. All required landscaping and irrigation improvements shall be installed prior to issuance of a certificate of occupancy.

37. Buildings shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).

38. Curb, gutter and sidewalk shall be constructed to City standards.

Other.

39. Street lighting shall be provided in accordance with City of Oroville requirements and accepted design criteria. A street lighting plan shall be submitted to the Public Works Department. Streetlight poles shall be spun aluminum or other material as approved by the Public Works Department.

40. Home models shall vary within the subdivision with no two same floor plans being adjacent to each other unless the floor plan is “flipped” and the exterior façade treatment is different. The same floor plans shouldn’t be built directly across from each other.

41. Hue variations in adjacent homes shall be provided to create diversity. No adjacent home shall have the same color scheme.

42. Minor changes may be approved administratively by the Community Development Director or designee upon receipt of a written request by the applicant or designee. Changes deemed to be major or significant in nature shall require a formal application for amendment.

43. Pursuant to Section 17.12.010, the buildings shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.

44. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.

45. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

46. 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 permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide defense for the City in any such action.

--- End of Conditions ---

If you have questions about the information in this letter, please contact me by e-mail at wervin@cityoforoville.org or by phone at (530) 538-2408.

Sincerely,

Wes Ervin
Planner
530-538-2408

RESOLUTION NO. P2023-31

A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION APPROVING REVISED CONDITIONS FOR TENTATIVE SUBDIVISION MAP TSM 22-02 FOR THE 25-UNIT GRAND ACRES SUBDIVISION ON APN 030-120-060.

WHEREAS, on August 24, 2023, the Planning Commission approved an application from Trish Hopps (Subdivider) to subdivide portions of a 8-acre parcel identified as APN 030-120-060 (Property) into 25 lots for manufactured homes; and

WHEREAS, the proposed map also created a 10,352 square-foot Lot A for purposes of wetland buffer and Elderberry bush isolation; and

WHEREAS, the applicant now decided to develop the subdivision as conventional "stick-built" construction; and

WHEREAS, the conditions of approval were tailored to manufactured home construction and should now be modified for conventional construction*; and*

WHEREAS, at a duly noticed public hearing on August 24, 2023, 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 Tentative Subdivision Map TSM 22-02 described herein, and also considered the City's staff report regarding the project; and

WHEREAS, the above revisions to the project construction type and revised project conditions are not considered substantive, and thus do not require a new public notice, and the previous findings are not changed.

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

The Planning Commission hereby approves the above modifications to Tentative Subdivision Map TSM 22-02.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and passed at a reguilar meeting of the Planning Commission of the City of Oroville held on the 25th of January, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: APPROVE:

_____ _____

KAYLA REASTER, ASSISTANT CITY CLERK CARL DURLING, CHAIRPERSON

City of Oroville

Patrick Piatt
Community Development Director

COMMUNITY DEVELOPMENT DEPARTMENT
1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2436 FAX (530) 538-2426
www.cityoforoville.org

PLANNING COMMISSION STAFF REPORT **Thursday, August 24, 2023**

RE: Tentative Subdivision Map 22-02 at 2151 Grand Ave APN 030-120-060 for a 25-lot Manufactured Home Community.

SUMMARY: The Planning Commission will consider Tentative Subdivision Map No. TSM 22-02, which would separate an 8-acre parcel into 25 parcels for a medium low density manufactured housing subdivision.

RECOMMENDATION:
City staff recommend that the Planning Commission take the following actions:

1. **APPROVE** Tentative Parcel Map No. 22-02; and
2. **APPROVE Resolution No. P2023-18 -- A RESOLUTION OF THE OROVILLE CITY PLANNING COMMISSION APPROVING TENTATIVE SUBDIVISION MAP TSM 22-02 FOR THE 25-UNIT GRAND ACRES MANUFACTURED HOME SUBDIVISION ON APN 030-120-060.**

APPLICANTS:	Trish Hopps
LOCATION: 2151 Grand Avenue, City of Oroville (APN 030-120-060)	**GENERAL PLAN:** MLDR (Medium Low Density Residential **ZONING:** RL (Residential Large Lot **FLOOD ZONE:** X (not in a flood plain)
ENVIRONMENTAL DETERMINATION: This action has been determined to be Exempt from the California Environmental Quality Act (CEQA) review pursuant to AB430.	
REPORT PREPARED BY: _____ Wes Ervin, Principal Planner Community Development Department	**REVIEWED BY:** _____ Patrick Piatt, Community Development Director

DISCUSSION

The existing 8-acre property is mostly vacant but contains one manufactured home, with several small sheds and agricultural structures. The vacant portion of the site primarily consists of seasonal grasses. This project, Grand Acres Subdivision, will subdivide the property into 25 (total) lots. The existing building will remain as lot number 19, which would be the largest lot at 17,347 square feet. The smallest lot would be 8,024 square feet and the average lot size is 10,106 square feet. Proposed density is 3.17 units per acre. Large Lot (RL) development standards allow for a minimum 8000 square foot lot size.

The allowable density for the project site's General Plan Land Use Designation is 3 to 6 dwelling units/acre. Development of the site will include construction of curb and gutter, and sidewalk improvements along the project facing side of 21st Street with 7 lots, and the two proposed streets providing access to the remaining 18 lots. These new streets will connect to Grand Avenue. Applicant is pursuing an Abandonment of 22nd street, an identified street with no improvements. The applicant would use half the street width (40-feet) of that abandonment for lot acreage.

The project will connect to existing public sewer and storm drain facilities along 21st Street. Drainage will be via oversized onsite storm drainpipes and leach trenches connected to the existing storm drain system on 21st Street and an existing bio-swale in the southern end of project site. A capacity study and will serve letters are in process with the Thermalito Water and Sewer District, which will be in the conditions of approval.

A biological survey and a wetland study were completed on March 24, 2023, with the recommendation to establish a 125-foot setback buffer from an existing wetland near the Southwest corner of the parcel. According to the survey, this buffer also encompasses an existing Elderberry shrub.[1] "Lot A" at 10,268 square feet will be set aside as that buffer, which can either remain vacant or used as a subdivision amenity such as a picnic area, dog park or playground. The buffer parcel shall be fully fenced off from the wetland and from Lots 22 & 23. The elderberry bush would also be similarly protected from damage or vandalism. Staff recommend that applicant either set up a voluntary assessment among homeowners for maintenance of Lot A, and/or maintain Lot A themselves.

Note that the Elderberry shrub is shown on the Tentative Map within Lot 23. If that is the actual case, the setback that is shown on the TSM to protect the bush applies.

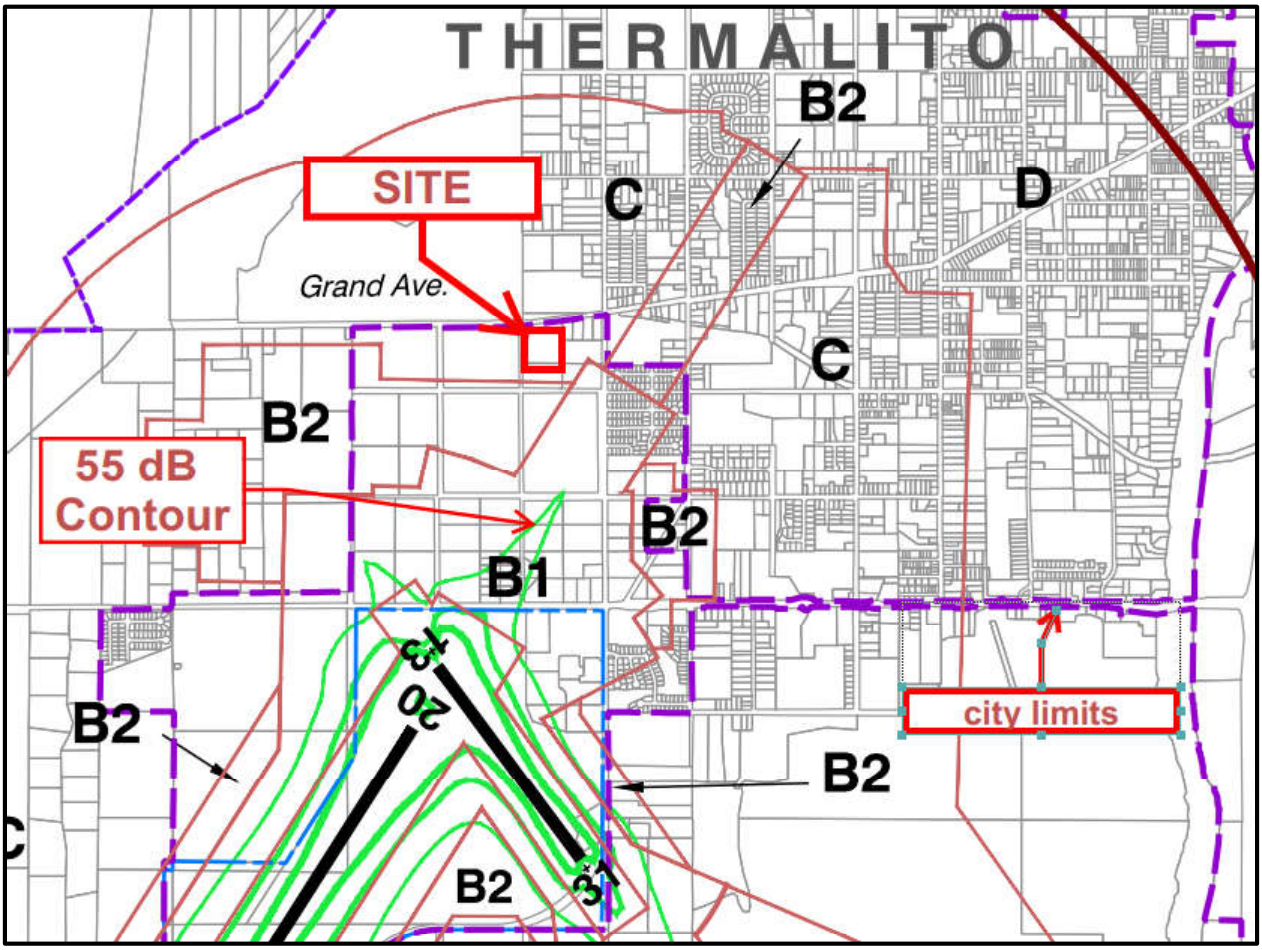
Parkland dedication. Oroville Municipal Code 16.16.185 requires new subdivisions to either dedicate 5 acres per 1,000 people or pay an in-lieu fee, but subdivisions with 50 or fewer lots are not required to dedicate land. With an average of 65 residents in the 25 units[2], this project would need to provide 0.325 acres, or 14,157 square feet. Lot A @ 10,268 s.f. does not qualify as a parkland dedication because of its size, remoteness, and problematic public access. Thus the applicant will be required to pay the fee. The amount of the fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated and shall be determined at the time of filing of the final map.

[1] Wetland and Biological Resource Assessment, Grant Acres Project, Page 42
[2] Median persons per household in 2022 = 2.57 according to https://www.census.gov/quickfacts/fact/table/orovillecitycalifornia/HSD310221#HSD310221

County Jurisdiction. Grand Avenue is a county road in county jurisdiction. Applicant will be required to improve the south side of Grand Avenue to city standards, and to install and maintain appropriate landscaping. An encroachment permit from the County will be required for any work in the County right of way.

Airport proximity. This project is in Compatibility Zone C of the Butte County Airport Land Use Compatibility Plan. Zone C allows the local agency two density options, one low-density/rural (<0.2 du/acre) and the other high-density/suburban (>=4 units/acre). This project best fits with ALUC's high-density suburban classification based on the adjacent neighborhoods. The maximum density in Zone C is 20 units per acre.[3] The proposed 3.17 units per acre is lower than the 4 du/acre minimum, but since the densities are based on noise rather than the likelihood of accidents, and since the entire subdivision is outside the 55 Decibel noise contour, no concerns are anticipated.

[3] Butte ALUCP Policy 3.4.1(c)(4), Page 3-9 &-10



Manufactured home ordinance. The homes built in this subdivision must comply with Oroville Municipal Code 15.36.010, which includes certain design, structural, material and age standards. For instance, all units must be on a permanent foundation, must have pitched roofs, must have color and siding materials found in conventionally built homes, must be 10 years old or newer, must be landscaped, must have garages or carports, must have paved driveways, and must have a medallion showing certification by the California Department of Housing and Community Development.

ENVIRONMENTAL REVIEW

This action has been determined to be Statutorily Exempt from the California Environmental Quality Act (CEQA) review pursuant to Title 14, Division 6, Chapter 3 of the California Code of Regulations". The project is exempt from CEQA under AB430. Applicant conducted an AB430 hearing on January 10, 2023, prior to approving the exemption.

FISCAL IMPACT

None. Applicant has paid the required subdivision processing fees.

PUBLIC NOTICE

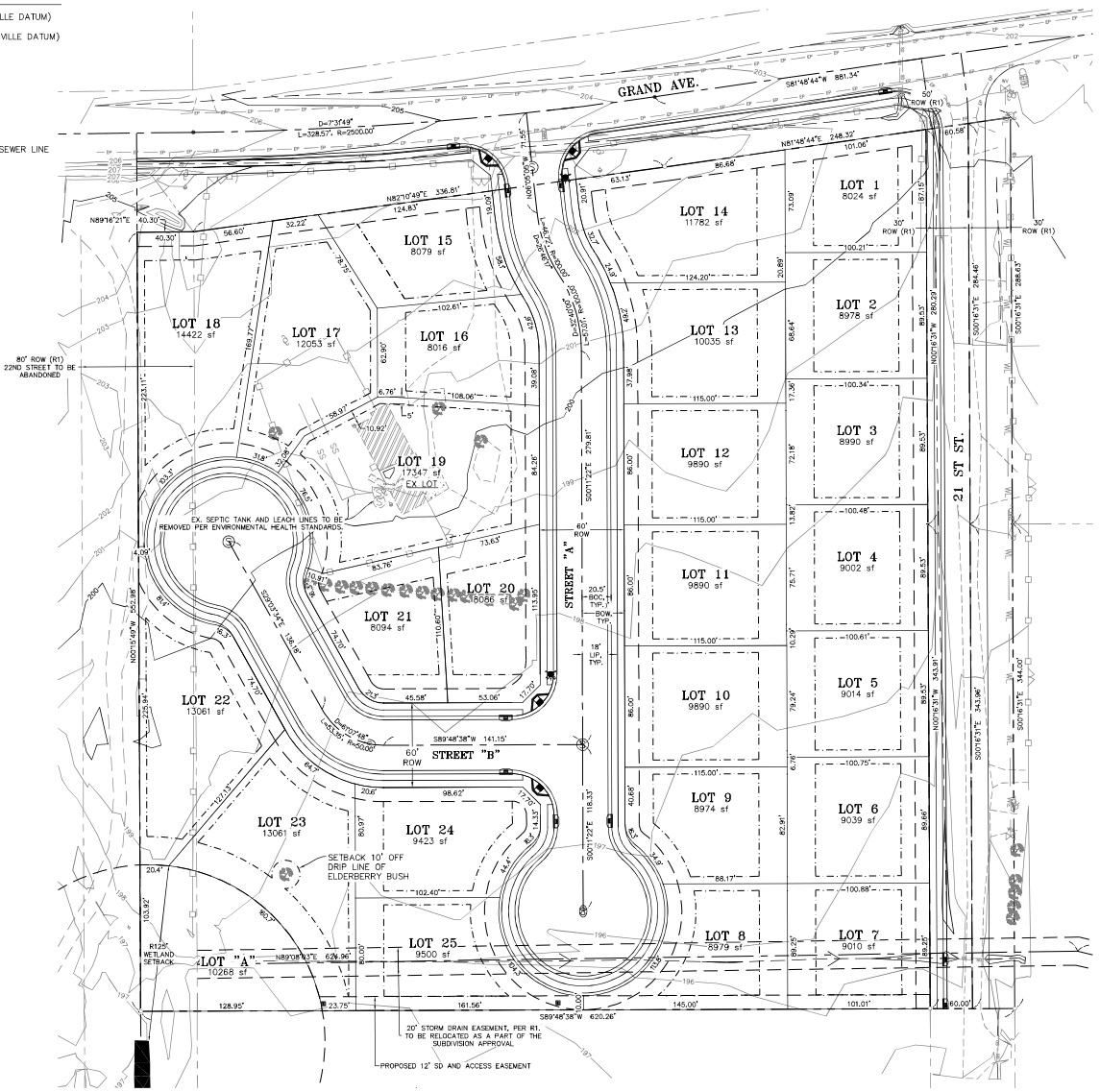
In addition to the AB430 meeting in January, this hearing was published in the Mercury Register on August 12, and mailed to all property owners within 300 feet on July 21, 2023.

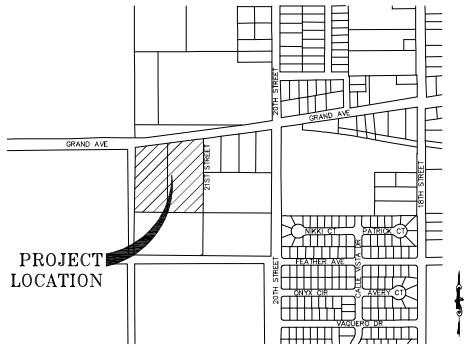
ATTACHMENTS

1. TSM 22-01 and application materials
2. Engineers Report
3. Biological Assessment
4. Resolution No. P2023-18
5. Draft Conditions of Approval
6. AB430 meeting Agenda of 1-10-2023
7. Notice of Exemption

LEGEND:

201	EXISTING GROUND CONTOUR (CITY OF OROVILLE DATUM)
205	PROPOSED GROUND CONTOUR (CITY OF OROVILLE DATUM)
	SUBDIVISION BOUNDARY
	PROPOSED LOT LINE
	CENTER LINE
	EASEMENT LINE
	BUILDING SETBACK LINE
S	EXISTING SANITARY SEWER MAN HOLE AND SEWER LINE
	PROPOSED CURB AND GUTTER
	PROPOSED CONCRETE AREA
125.02 EG 124.75 FG	EXISTING AND FINISH GRADE
	PROPOSED STORM DRAIN DROP INLET
EG	EXISTING GROUND ELEVATION
FG	FINISH GRADE ELEVATION
PUE	PUBLIC UTILITY EASEMENT
PSE	PUBLIC SERVICE EASEMENT
ROW	RIGHT OF WAY
BOC	BACK OF CURB
BOW	BACK OF WALK
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED
BSL	BUILDING SETBACK LINE
	EXISTING FENCE
	EXISTING FIRE HYDRANT
	PROPOSED FIRE HYDRANT
W	EXISTING WATER VALVE
	EXISTING BUILDING TO REMAIN
	EXISTING UTILITY POLE
	EXISTING GUY WIRE
	EXISTING TELEPHONE PEDESTAL
	EXISTING MAIL BOX





LOCATION MAP
NTS

SUBDIVISION NOTES:

1) PARCEL MAP INFORMATION:
GROSS ACREAGE: 7.892
NET ACREAGE: 7.026
TOTAL NUMBER OF LOTS: 25
UNITS PER GROSS ACRE: 3.17
AVERAGE LOT SIZE: 10,106 SF

2) GRADING WILL CONSIST OF THE CONSTRUCTION OF ROADWAYS AND BUILDINGS PADS. PRELIMINARY FINISH GRADES AND TYPICAL SECTIONS ARE SHOWN ON SHEET 2.

3) THE FINAL SUBDIVISION MAP WILL INCLUDE A 10' WIDE P.S.E. ALONG ALL LOT FRONTAGES AS SHOWN HEREON.

4) THE SUBDIVISION MAP LIES IN SHADED FLOOD ZONE "X" AS SHOWN ON FIRM MAP NUMBER 06007C0788E DATED JANUARY 6, 2011.

5) STORM WATER QUANTITY AND QUALITY WILL BE PROVIDED BY OVERSIZED STORM DRAIN PIPES AND STORM WATER LEACH TRENCHES CONNECTED TO THE EXISTING STORM DRAIN SYSTEM ON 21ST STREET.

6) EXISTING SEPTIC SYSTEMS TO BE ABANDONED IN ACCORDANCE WITH B.C.E.H.D. PERMIT REQUIREMENTS.

7) NO TREES WILL BE REMOVED AS A PART OF THIS PROJECT.

8) LOT "A" TO BE DEEDED TO THE CITY OF OROVILLE AS A CONSERVATION EASEMENT.

SURVEY LEGEND:

- ● FOUND BUTTE COUNTY WELL MONUMENT PER R1
- ○ FOUND 1/2" REBAR PER R1
- • CALCULATED POINT NOTHING SET OR FOUND

BUILDING SETBACKS

FRONT AND BACK YARDS: 20'
SIDE YARDS: 5'
SIDE YARDS ALONG STREET FRONTAGE: 10'
TYPICAL FOR ALL LOTS

RECORD REFERENCES:

(R1) – PARCEL MAP, BOOK 75 OF MAPS, PAGE 82

N
W E
S

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

OWNER:

TRISH HOPPS
901 BRUCE ROAD, SUITE 130
CHICO, CA 95928

SUBDIVIDER:

BUTTE CREEK PROPERTY CORPORATION
901 BRUCE ROAD, SUITE 130
CHICO, CA 95928
(530) 895-1512, EXT. 116

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:

030-120-060

ZONING:

PRESENT: RL-LARGE LOT RESIDENTIAL
FUTURE: RL-LARGE LOT RESIDENTIAL

LAND USE:

PRESENT: MLDR-MEDIUM LOW DENSITY RESIDENTIAL
FUTURE: MLDR-MEDIUM LOW DENSITY RESIDENTIAL

UTILITIES:

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

THIS TENTATIVE SUBDIVISION MAP WAS PREPARED BY ME OR UNDER MY DIRECTION.

BY: _____ DATE: 5/30/2023

WESLEY E. GILBERT
R.C.E. 31689
EXPIRES: 12/31/24

REGISTERED PROFESSIONAL ENGINEER WESLEY E. GILBERT No. 31689 EXP. 12/31/24 CIVIL STATE OF CALIFORNIA

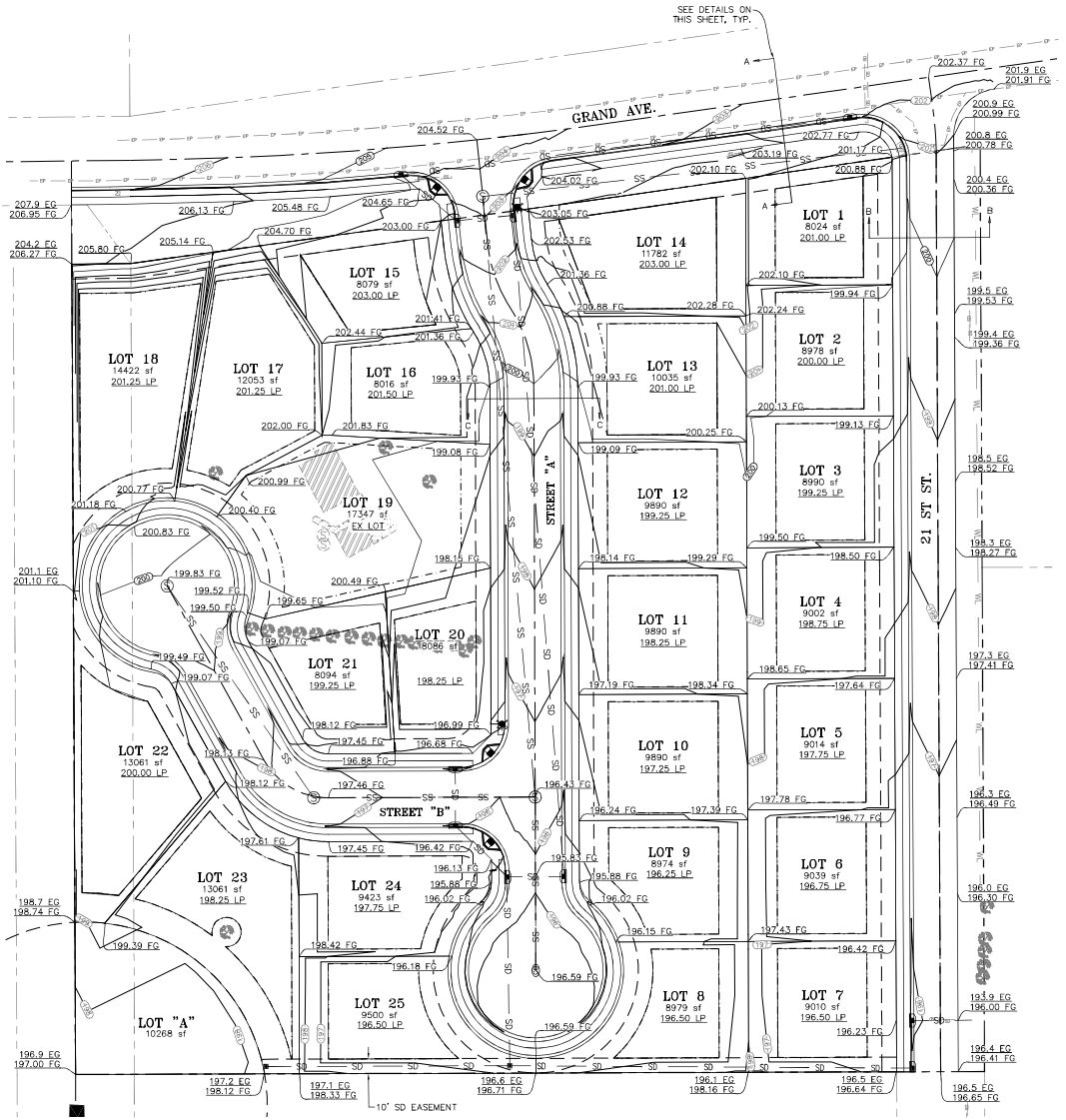
GRAND ACRES TENTATIVE SUBDIVISION MAP
S 23-**
(A PUBLIC STREET SUBDIVISION)

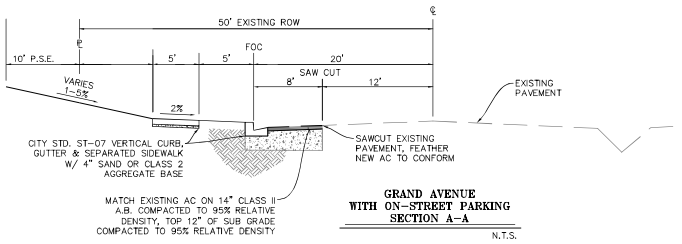
FOR
BUTTE CREEK PROPERTY CORPORATION

BEING PARCEL 4, AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED IN BOOK 75 OF MAPS, AT PAGE 82
CITY OF OROVILLE, COUNTY OF BUTTE
STATE OF CALIFORNIA

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

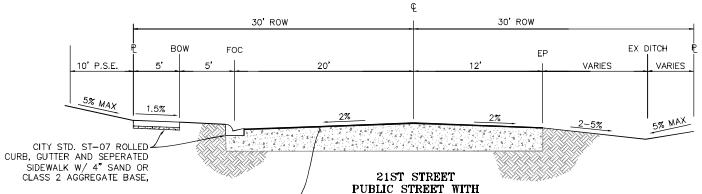
MAY 25, 2023





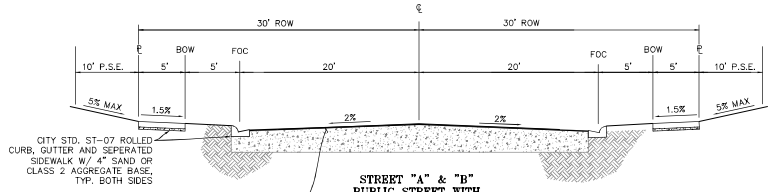
GRAND AVENUE WITH ON-STREET PARKING SECTION A-A

N.T.S.



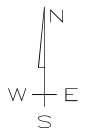
21ST STREET PUBLIC STREET WITH ON-STREET PARKING SECTION B-B

N.T.S.



STREET "A" & "B" PUBLIC STREET WITH ON-STREET PARKING SECTION C-C

N.T.S.



GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

GRAND ACRES TENTATIVE SUBDIVISION MAP
S 23-**
(A PUBLIC STREET SUBDIVISION)

FOR
BUTTE CREEK PROPERTY CORPORATION

BEING PARCEL 4, AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED IN BOOK 75 OF MAPS, AT PAGE 82
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STATE OF CALIFORNIA

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140 YELLOWSTONE DRIVE, SUITE 110
CHICO, CALIFORNIA 95973
(530) 809-1315

MAY 25, 2023

City of Oroville
Planning Division - Community Development Department
1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530) 538-2426
www.cityoforoville.org

TRAKIT#: PL2211-002

PLANNING DIVISION GENERAL APPLICATION

(Please print clearly and fill in all that apply)

APPLICANT'S INFORMATION		Project's:	Engineer
Name:	Trish Hopps	Name:	Whyatt Nixon
Address:	901 Bruce Road, Suite 130, Chico, CA 95928	Company:	W. Gilbert Engineering
Phone:	(530) 514-3140	Address:	140 Yellowstone Dr. Suite 110
Email:	hoppsie44@gmail.com	Phone:	(530) 809-1315
Is the applicant the Owner? ☐	If applicant is Not the owner, please provide owner /agent authorization on the reverse side.	Email:	whyatt@wgilbertengineering.com

DEVELOPMENT PROJECTS & OTHER APPLICATIONS (Please check all that apply)

☐	Annexation	☐	Landmark /Modification/Demolition	☐	Tentative Parcel Map
☐	Appeal	☐	Mining and Reclamation Plan	☑	Tentative Subdivision Map
☐	Development Review	☐	Pre-Application	☐	Use Permit
☐	Final Map	☐	Residential Density Bonus	☐	Variance
☐	General Plan Amendment/Rezone	☐	Temporary Use	☐	Wireless Communication Facilities
☐	Landmark Designation	☐	Tentative Map Extension	☐	Zoning Clearance
☐	Other: (Please Specify)				

ADMINISTRATIVE PERMITS (Please check all that apply)

☐	Adult Oriented Business	☐	Outdoor Storage	☐	Special Event
☐	Home Occupation	☐	Outdoor Display & Sales	☐	Street Closure
☐	Large Family Day Care	☐	Second Dwelling Unit	☐	Tree Removal
☐	Mobile Food Vendor	☐	Sign/Temporary Sign Permit		
☐	Other: (Please Specify)				

*Please provide a letter addressed to the Planning Division with a detailed description for the proposed project. Please include any site plans, maps, aerials, photos, and other relevant information that will help us in processing your application.
** Any time a set of plans is required, three (3) sets of drawings shall be submitted, unless otherwise directed.

PROJECT INFORMATION

Project Name: Grand Acres Subdivision	Proposed Structure(s) (Sq Ft.): 32,200 (23 -1,400sf houses)
Address: 2151 Grand Ave	Existing Structure(s) (Sq Ft.): 1,408
Nearest Cross Street: Grand Ave & 21st Street	Water Provider: Thermalito Water and Sewer
Assessor Parcel Number: 030-120-060	School District: Thermalito
Lot Size (Acres): 7.026	Number of Dwelling Units: 24

APPLICANT'S SIGNATURE

I hereby certify that the information provided in this application is, to my knowledge, true and correct.

Signature: W Whyatt Date: 10-3-22

OFFICE USE ONLY

General Plan:		Zoning:		Zoning Conformity:		APN:					
File#		Overlay Zoning:		Minimum Setbacks:	FY		RY		SY		

City of Oroville
Planning Division - Community Development Department
1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2430 FAX (530)
538-2426 www.cityoforoville.org

TRAKIT#: PL2211-002

TENTATIVE MAP APPLICATION

(Please print clearly and fill in/provide all that apply)

REQUIRED FOR A COMPLETE APPLICATION		TYPE OF MAP - Please select all that apply:	
☑	Completed and signed Application Forms	☐	**Tentative Parcel Map:** $3,500.34 (Deposit) + $210.02 (6% Tech Fee) = $3,710.36
☑	Application Fee(s) Paid	☑	**Tentative Subdivision Map:** $4,041.06 (Deposit) + $242.46 (6% Tech Fee) = $4,283.52
*Additional fees from the Fire Department and Public Works Division may apply for their review.		☐	**Vesting Tentative Map:** Same as Tentative Subdivision Map

MAP REQUIREMENTS

The tentative map shall be prepared in a manner acceptable to the city and shall be prepared by a registered civil engineer or licensed land surveyor. The tentative map shall be clearly and legibly drawn and shall contain not less than the following unless requested and specifically waived by the department director:

Four (4) 24" x 36' copies, folded to 8 ½" x 11", and one (1) 8 ½" x 11" copies of the tentative map and grading plan prepared by a Registered civil engineer, drawn to scale and containing the following:

a. Name and address of property owner of record, subdivider and engineer.
b. Project name, date prepared, north arrow, scale, and list of utility purveyors.
c. Vicinity map.
d. Existing zoning and land use.
e. Existing topography, note contour interval of site to 100%, with 2 or 5 foot intervals for slopes greater than 10%.
f. Type, location, and drip line of existing trees over 8 inches in diameter at breast height (DBH).
g. Location of existing structures, including wells and septic system, with notation "to remain" or "to be abandoned / removed."
h. Location, width, and direction of flow of each water course and any area subject to water inundation.
i. Location, width and name of existing streets, right-of-way or pavement.
j. Widths, location and identity of all existing and proposed easements.
k. Proposed street location, grade, centerline and radius of curves, pavement, right-of-way width and street names. Show typical sections of all streets.
l. Location and size of existing and proposed sanitary sewer mains, storm drains and fire hydrants.
m. Lot layout and dimensions including parcel size.
n. Proposed lot grading, building pad elevation, top and toe of cut and fill slopes, and approximate location of street grades. Include a separate grading plan for subdivisions.
o. Proposed trails, parks, school sites, and common areas for public or private use.
p. Phasing sequence, if any.
q. The subdivider, or subdivider's designated agent, shall file a tentative parcel map application with the Zoning Administrator. The submitted material shall conform to the requirements of the Zoning Administrator as to form and content. Rules governing form and content shall conform to the requirements of Section 66445 of the Government Code and shall require enough information to ensure adequate consideration.
r. The subdivider shall specify any deviation from city standards and the justification for such deviation.
s. The name or names of any geologist or soils engineer whose services were required in the preparation of the design of the tentative map.

Upon the written request of the subdivider, the department may waive any of the above tentative map requirements if the department determines that the type of subdivision does not justify compliance with these requirements, or if the department determines that other circumstances justify a waiver. The department may require other drawings, data, or information as deemed necessary by the department to accomplish the purposes of the Subdivision Map Act.

Vesting Tentative Maps are processed in the same manner as regular tentative maps with the exception that all discretionary approvals required prior to issuance of the construction permits must be obtained prior to action of the tentative map. Vesting maps must comply with City requirements and Subdivision Map Act requirements. A Vesting Map protects the right to develop and obtain building permit(s) even if land use regulations change between the time when n approvals are obtained and building permit(s) are issued.

REQUIRED DATA / REPORTS	
The tentative map shall be accompanied by the following data and reports:	
☒	1. **Street Names.** A list of proposed street names for any unnamed street or alley for review by the city engineer.
N/A	2. **Soils Report.** A preliminary soils report prepared in accordance with the provisions of chapter 70 (Excavation and Grading) of the Uniform Building Code shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the subdivision.
☒	3. **Title Report.** Current Title Report, less than 6 months old.
☐	4. **Environmental Review.** Information shall be submitted as required by the department to allow a determination on environmental review to be made in accordance with CEQA. The subdivider shall deposit and pay all fees as may be required for the preparation and processing of environmental review documents.
☒	5. **Preliminary Engineering Calculations.** Information shall be submitted as required by the standard engineering specifications to demonstrate the adequacy of the design of the proposed improvements. Such information shall include design parameters and engineering calculations.
N/A	6. **Phasing.** If the subdivider plans to file multiple final maps on the tentative map, he shall submit a written notice to this effect to the community development director.
N/A	7. **Arborist Report.** If oak trees exist on the property, 3 copies of an Arborist Report.
☐	8. **Other Reports.** Any other data or reports deemed necessary by the department.
An application will not be considered as complete until all of the information has been submitted to the Planning Department. Information required will vary by type of map (parcel / subdivision). Incomplete applications will not be processed.	

REQUIRED DATA / REPORTS	
By initialing below, I acknowledge and agree to the following:	
☑	1. The applicant shall defend, indemnify, and hold harmless the City, and each of its officers, employees and agents, from and against any and all claims, actions and proceedings, within the time period set forth in Government Code section 66499.37, to attack, set aside, void or annul any of the decisions or determinations which the City makes in connection with the approval of the tentative parcel map or with the adoption of any environmental document relating thereto under the California Environmental Quality Act (CEQA). The applicant shall reimburse the City and each of its officers, employees and agents for any costs, including but not limited to court costs, awards to plaintiff/ petitioner for costs and attorneys' fees and any other litigation expenses that the City may be required to pay to plaintiff/petitioner because of such approval or adoption. The City shall reasonably cooperate in the defense of any such litigation, which duty to cooperate shall include the following
☑	a. The City shall notify the applicant promptly of any claim, action or proceeding of which it becomes aware.
☑	b. The City shall have the right to retain legal counsel of its choice, at the sole cost and expense of the City, to defend the City in litigation, but such defense shall not relieve the applicant of any obligation imposed by this indemnity.
☑	c. The applicant shall have the right to approve any settlement.

APPLICANT'S SIGNATURE			
I hereby certify that the information provided in this application is, to my knowledge, true and correct.			
Signature:	[signature]	Date:	10/6/2022

OFFICE USE ONLY			
Approved By:		Date:	
Payment:		Number:	

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.
Technology cost recovery fees are non-refundable

AGENT AUTHORIZATION

To the City of Oroville, Department of Community Development

NAME OF AGENT:	Whyatt Nixon	PHONE NUMBER:	(530) 809-1315
COMPANY NAME:	W. Gilbert Engineering	EMAIL:	whyatt@wgilbertengineering.com
ADDRESS:	140 Yellowstone, Suite 110	CITY/ST/ZIP:	Chico, CA 95973

AGENT SIGNATURE: W Whyatt

Is hereby authorized to process this application on my/our property, identified as Butte County Assessor Parcel Number (s):

030-120-060

This authorization allows representation for all applications, hearings, appeals, etc. and to sign all documents necessary for said processing, but not including document (s) relating to record title interest.

Owner(s) of Record (sign and print name)

1)	TRISHA L. HOPPS Print Name of Owner	Signature of Owner	10-6-22 Date
2)	Pamela Serafine Print Name of Owner	Pamela Serafine Signature of Owner	10/6/22 Date
3)	Print Name of Owner	Signature of Owner	Date
4)	Print Name of Owner	Signature of Owner	Date
	Owner's Mailing Address	Owner's Email	Owner's Phone #

The Community Development Department operates on a full cost recovery for processing of permits. Staff will charge their time and any expenses associated with processing the application against the initial deposit. Fees that have been captured for the reimbursement of City expenses are non-refundable.

Technology cost recovery fees are non-refundable

W. GILBERT ENGINEERING
Civil Engineering / Land Surveying

140 Yellowstone Drive, Suite 110 • Chico, CA 95973
Phone: (530) 809-1315 • Fax: (530) 588-9030
www.wgilbertengineering.com

October 28, 2022

City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Attn: Wes Irvin

Subject: Grand Acres Tentative Subdivision Map
(APN 030-120-060)

Dear Wes:

The following items are enclosed for use in determining the completeness of an application for The Grand Acres Tentative Subdivision Map:

- Completed and signed Planning Division General Application
- Completed and signed Tentative Map Application
- Agent Authorization Form
- Grant deed
- Preliminary title report dated March 15, 2022
- Letter requesting waiver of preliminary soils investigation dated October 28, 2022
- Letter of proposed street name list
- Four (4) full-size copies and one (1) 11" by 17" copy of the Tentative Subdivision Map
- Check made out in the amount of $4,283.52 for application fees.

Please review the attached information and return any comments to this office for processing. Thank you for your assistance.

Sincerely,

W. Gilbert Engineering

Wesley E. Gilbert, P.E.
President, W.G. Civil Engineers, Inc.
dba W. Gilbert Engineering

Enclosures

Cc: Trish Hopps

DATE: **August 17, 2023**

TO: **PLANNING COMMISSION**

FROM: **Matt Thompson, Acting City Engineer**

RE: **Grand Acres Tentative Subdivision Map (22-02)**

This office has reviewed the vesting Tentative Map 22-02 and herewith submits the following findings and recommendations for same.

A. MODIFICATIONS TO TITLE 18R - 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 Public Works Director 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) The Subdivider shall construct City standard streets and appurtenant facilities in conformance with the typical sections. Street structural sections to be determined based upon findings from the Soils Report.:

1) Interior to subdivision – Full urban improvements.
2) Adjacent to subdivision – Full urban improvements.
3) Exterior to subdivision – Full urban improvements.

b) All corner lots shall be subject to intersection sight distance criteria as established by the Public Works Director. Appropriate easements shall be dedicated as needed on the Final Map.

c) Notice is hereby given to future owners of lots within this subdivision that the City of Oroville will require the construction of additional traffic circulation improvements under the circumstances described below. An appropriate note shall be placed on the Final Map.

d) Street names shall be approved concurrent with the improvement plans and prior to recordation of the Final Map**.**

2. Storm Drainage

a) Facility Construction

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

1) All storm drain facilities shall be accessible to City Maintenance vehicles via all weather, unobstructed access.
2) Interior to Subdivision - Curb, gutter, and an underground storm drain system with all appurtenances.
3) Future storm drainage needs outside of the project shall be examined to the extent that improvements to serve such areas need to be built within this subdivision. Said improvements shall be constructed by the Subdivider.
4) Adjacent to Subdivision - Curb, gutter and an underground storm drain system with all appurtenances along the subdivision frontage.

b) Future storm drainage needs outside of the project shall be examined to the extent that improvements to serve such areas need to be built adjacent to this subdivision. Said improvements shall be constructed by the Subdivider.

c) Exterior to Subdivision - An underground storm drain system discharging to _____ via _____.

d) On-Site Storm Drainage Disposal

1) One hundred percent on-site disposal of storm drainage may be utilized for this subdivision. It shall be designed for a full range of storm water runoff, up to and including a 100-year storm. On-site disposal shall be interim and coordinated with an ultimate storm drainage disposal design

e) NPDES Requirements

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

f) 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 Master Plan 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 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 Master Plan

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

The Storm Drainage Master Plan shall address the following elements:

j) <u>Storm Water Runoff Management</u>

The subdivision will be designed, constructed, and maintained compliance with "NPDES General Permit and Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Strom Sewer Systems (Order) Order No. 2013-0001-DWQ" Section E.12 "Post Construction Storm Water Management Program".

k) <u>Storm Drainage Analysis</u>

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.

l) 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 underground sanitary sewer system, with all appurtenances, serving all lots.Adjacent to Subdivision - An underground sanitary sewer system, with all appurtenances, along the subdivision frontage.Sanitary Sewer Analysis

2) 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

g) 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 Sewerage Commission - Oroville Region (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.

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. **Bicycle Facilities**

No bicycle facilities are required.

7. **Transportation Facilities**

The Subdivider is not required to construct bus turnouts, benches, or shelters.

8. **Street Trees**

Street trees shall be planted in accordance with the recommendation of the General Services Department as outlined in a memorandum dated _____ and attached hereto as Exhibit ___.

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 included in the Landscape Plan.

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.

D. SUBDIVISION GRADING

1. Soils Report

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

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

   Please be advised that the vicinity of this project has previously demonstrated shallow water tables that may rise to a shallow depth and impact subsurface drainage disposal facilities or otherwise reach the surface and impact surface drainage. The possibility of this condition shall be investigated, and its impact addressed. This investigation shall occur during the wet season to ensure that an accurate minimum depth to the water table is determined.

d) Verification that the site is suited to proposed BMPs.

2. Grading Standards

All subdivision grading shall be in conformance with Grading Standards, of the Oroville Municipal Code.

3. Grading Plan

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

a) The subdivision limits, contours and details of existing terrain and drainage.
b) Existing structures or other topographic features that are to remain undisturbed.
c) The proposed subdivision lots and streets, together with a schematic layout of the proposed storm drain system.
d) Existing ground elevations at all corners of proposed lots.

e) Proposed finished lot corner grades and finished pad grades.
f) Proposed lot grades indicating lot drainage.
g) Pertinent recommendations from the above required Geological and/or Soils Report.
h) Pertinent construction details to assure compliance with City of 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 Public Works Director for review and approval prior to the start of any work and shall be considered as part of the construction plans.

E. PROPERTY CONVEYANCES

1. Dedications

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

a) Dedicate, acquire or bear the cost of acquisition of public rights of way or easements as necessary to construct the public improvements required herein
b) Convey to the City all abutter's rights of access from the abutting lots of the subdivision to the following streets: **Grand Avenue**.
c) Dedicate a 10-foot-wide public service easement adjacent to public rights of way.
d) Dedicate a 3-foot-wide public utility easement adjacent to all side lot lines.

2. Abandonments

The right-of-way and easement abandonments depicted on the Tentative Map are approved. Said abandonments, in accordance with the provisions of the Subdivision Map Act, shall become effective upon Final Map recordation.

a) Right of Way to be abandoned: The easterly half of 22nd Street (40 feet).

F. OTHER PUBLIC SERVICES

1. Public Utilities

a) Underground Requirements

The Subdivider shall install the following utilities underground:

1) All new utilities serving this subdivision.
2) All existing utilities in public rights-of-way that are within or adjacent to this subdivision.

b) Easement Obstructions

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

2. Fire Protection

The Subdivider shall pay for the installation of fire hydrants within the subdivision in conformance with the recommendations of the Fire Department, City of Oroville. The recommendation for the installation of fire hydrants is shown on a copy of the Tentative Map on file in the Planning Services Department and the Office of the Chief, Fire Department.

3. United States Postal Service

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

G. 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.

H. Other Permits

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

I. DESIGN CRITERIA AND IMPROVEMENT STANDARDS

All public and joint-use private improvements shall be designed in accordance with the Oroville Municipal Code, except as modified by the conditions of approval for this subdivision.

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

J. ADMINISTRATIVE REQUIREMENTS

1. 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.

2. 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 beequal 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.

Matt Thompson, Acting City Engineer

Distribution:
Original - Planning
Development Engineering Subdivision File

NORTH VALLEY ENVIRONMENTAL

WETLAND & BIOLOGICAL RESOURCES ASSESSMENT

GRAND ACRES PROJECT
APN: 030-120-060-000
2151 GRAND AVENUE
OROVILLE, BUTTE COUNTY, CA 95965

PREPARED FOR:
TRISH HOPPS, PROPERTY OWNER

PREPARED BY:
NORTH VALLEY ENVIRONMENTAL, INC.
(530) 520-4724

MARCH 24, 2023

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ASSESSMENT PREPARERS

Jessica Kolstad, Principal Scientist
Dana Lee, Senior Biologist

ACRONYMS

BCEHD	Butte County Environmental Health Department
CALVEG	Classification and Assessment with Landsat of Visible Ecological Groupings
CARI	California Aquatic Resources Inventory
CEQA	California Environmental Quality Act
CDFG	California Department of Fish and Wildlife
CDFW	California Department of Fish and Wildlife
CFWC	California Fish & Wildlife Commission
CESA	California Endangered Species Act
CFGC	California Fish and Game Code
CFR	Code of Federal Regulations
CNDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CRPR	California Rare Plant Rank
CWA	Clean Water Act
EPA	Environmental Protection Agency
ESA	Endangered Species Act
GSA	Groundwater Sustainability Agency
HUC	Hydrologic Unit Code
MBTA	Migratory Bird Treaty Act
NPDES	National Pollutant Discharge Elimination System
NRCS	National Resource Conservation Service
NVE	North Valley Environmental
NWI	National Wetland Inventory
OHWM	Ordinary High-Water Mark
RWQCB	Regional Water Quality Control Board
SWRCB	State Water Resources Control Board
USACOE	U.S. Army Corps of Engineers
USDA	U.S. Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VELB	Valley Elderberry Longhorn Beetle
W/BRA	Wetland & Biological Resource Assessment

1.0 INTRODUCTION

1.1 OVERVIEW & PURPOSE

North Valley Environmental (NVE) prepared this Wetland & Biological Resources Assessment (W/BRA) for the approximately 7.6-acre Grand Acres Subdivision project in Oroville, Butte County, California. The assessed property is located on the southwest corner of Grand Avenue and 21st Street at 2151 Grand Avenue ("Project Area").

The purpose of this assessment is to gather information necessary to present and evaluate endangered, threatened, rare, and sensitive species and their habitats that may occur within the Project Area. This report describes the results of the site visits and review of existing information to assess the Project Area and adjacent areas for: (1) the potential to support special-status plant and wildlife species; (2) the potential presence of sensitive biological communities (e.g., wetlands or riparian habitats); and (3) the potential presence of other sensitive biological resources protected by local, state, and federal laws and regulation. Our assessment also includes an evaluation of how these habitats and species may be affected by proposed project activities and provides recommendations for minimizing and mitigating those potential impacts.

1.2 PROJECT LOCATION AND ENVIRONMENTAL SETTING

The Project Area consists of approximately 7.6-acres of residential land designated by Assessor's Parcel Number (APN) 030-120-060-000 and located at 2151 Grand Avenue in the city limits of Oroville, California (**Figure 1**). The Project Area is situated in the northwest corner of Section 14, in Township 19 North, Range 03 East, in the Oroville, California 7.5-minute USGS quadrangle. Site topography slopes subtly towards the southeast, from an elevation of approximately 207 feet above mean sea level (msl) in the northwest to approx. 199 ft msl in the southeast (**Figure 2**).

The Project Area is currently utilized for residential use and contains a manufactured home and various outbuildings in the northwest portion of the property. The remaining portions of the property are undeveloped and have been historically disced and mowed for fuel reduction purposes.

The parcel immediately south of the Project Area (APN: 030-120-052) is undeveloped and appears to have also been historically graded and/or disced. Single-family residences extend along the property's eastern border adjacent to 21st Street. The Project Area is bordered to the north and west by undeveloped land, including the Thermalito South Forebay California State Park to the northwest. Photographs of the Project Area are included in **Appendix A.**

FIGURE 1
PROJECT LOCATION

Grand Acres Project
2151 Grand Avenue
Oroville, CA 95965

FIGURE 2
SITE OVERVIEW

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

1.3 HYDROLOGY & HYDROGEOLOGY

The Project Area lies within the northern portion of the Thermalito Afterbay sub-watershed (HUC 12, 180201590201) of the Honcut Headwaters – Lower Feather River subbasin (HUC 8, 1802059, **Figure 8**). The nearest surface water body is the Thermalito Forebay, approximately 0.35 miles to the north-northwest. Site-generated stormwater currently flows along the subtle topographic gradient toward the southeast and largely infiltrates to groundwater. Impervious drainage ditches extend along the property's southern and western perimeters, directing subtle flows to a culvert beneath 21st Street that eventually connects to the municipal storm drain system east of 20th Street.

The Project Area is situated in the Sacramento Valley Groundwater Basin, in the northern portion of the Wyandotte Creek Subbasin (Basin ID 5-021) and is currently regulated by the Wyandotte Creek Groundwater Sustainability Agency (GSA ID: 406). Groundwater levels in this subbasin are currently considered generally stable and regionally flow from the foothill recharge areas in the north and east towards the south-southwest. Due to the influence of the nearby Thermalito Afterbay and Feather River, groundwater elevations in the northern portion of the subbasin (including near the Project Area) are generally stable between the spring and fall (Geosyntec, 2021).

1.4 SOILS AND LITHOLOGY

Site soils generally consist of Oroville-Thermalito-Fernandez-Thompsonflat complex soils, with 0-9 slopes% (**Figure 9**). These soils occur on terraces and are comprised of loams, sandy clay, extremely gravelly coarse sandy loam, gravelly clays, clays, and clay loams. Composed of four different soils, the soil complex ranges from somewhat poorly drained to moderately well drained and have varying runoff class. They are deep with no tendency to pond, although regional soils in the Oroville/Thermalito area have a high flooding frequency. Permeability generally varies from 0.00 to 0.06 inches/hour. A Web Soil Survey report mapping general soil types and characteristics is included in **Appendix E**.

Test pit excavations were performed as part of the Project Area's wetland delineation, which identified homogenous sandy and silty clays throughout the property. Homogenous soil profiles were uniform throughout the site and top 12" of soil, consistent with historic discing and/or grading activities. No soil profile horizons were observed in the test pits (Appendix B).

Site soils overlay fluvial gravel deposits from the Feather River and Plio-Pleistocene and Pliocene loosely consolidated sandstone, shale, underlain by the Riverbank Formation, Laguna Formation and Tuscan formation (Lower Tuscan, Unit B).

1.5 PROPOSED PROJECT DESCRIPTION

Project developers propose to divide the parcel into 24 lots (ranging from 8,060 to 16,514 square feet) for future development of single-family homes. Grading will consist of the construction of building pads and roadways, including a cul-de-sac connecting to Grand Avenue in the center portion of the parcel. As part of the project, the public right of way (ROW) for 22nd Street will be abandoned. Zoning for the property is currently Large-Lot Residential (RL), with a General Plan Land Use Designation of Medium-Light Density Residential (MLDR). The Project Area is located in the city limits of Oroville. Water and sanitary sewer services will be provided by the Thermalito Water & Sewer District (following proper abandonment of the onsite residential septic system per BCEHD requirements) and will include new storm drain and sewer extensions. Stormwater will be directed into storm drainpipes and leach trenches connected to the existing storm drain system on 21st Street.

Grading, grubbing and earth disturbing activities will be minimal, as the Project Area is \ largely level. No trees will be removed as part of the project. A current assessor's parcel map and proposed Tentative Subdivision Map are included on **Figures 6 and 7.**

2.0 METHODOLOGY

2.1 CONSULTED RESOURCES

Prior to our field survey, NVE performed a review of available geological, hydrological and biological resources to better understand site characteristics, adjacent habitats, and special status species likely to occur in the vicinity. North Valley Environmental performed the following tasks as part of our preliminary review:

- Review of plant and animal species listed in the California Department of Fish & Wildlife's (CDFW) California Natural Diversity Database (CNDDB) within the Project Area's USGS 7.5-minute quadrangle (Oroville) and eight adjacent quadrangles (**Appendix D**).
- Query of CDFW's CNDDB RareFind 5 database for recorded observations of special status plant and animal species within a five-mile radius of the Project Area (**Figure 4**)
- Retrieval and review of the U.S. Fish and Wildlife Service's (USFWS) iPac Official Species list for federally listed special status species located within the Project Area vicinity (**Appendix D**)
- Review of the California Native Plant Society's (CNPS) Inventory of Rare & Endangered Plants in California for the Project Area's USGS 7.5-minute quadrangle (Oroville) and eight adjacent quadrangles (**Appendix D**)

- Assessment of alliance-based vegetative communities following Sawyer et al.'s A Manual of California Vegetation, Second Edition to determine if the Project Area contains floristic-based sensitive natural communities
- Review of the USFWS National Wetland Inventory (NWI) for previously mapped wetlands and aquatic features (**Figure 10**)
- Review of EcoAtlas' California Aquatic Resources Inventory (CARI) for mapped surface waters and associated riparian areas (**Figure 11**)
- Review of the USDA Forest Service's Classification and Assessment with Landsat of Visible Ecological Groupings (CALVEG) system for structural-based vegetative cover communities (**Figure 12**)
- Review of the USDA NRCS Web Soil Survey & Soil Survey Geographic Database (SSURGO) to determine if hydric soils may occur within the Project Area (**Appendix E**)
- Query of California Wildlife Habitat Relationship (CWHR) System to obtain a list of native plants and animals that may occur in the vicinity of the Project Area
- Review of USFWS Threatened and Endangered Critical Habitat Report and Map Viewer to determine if designated or proposed critical habitat extends in the Project Area (**Figure 13**)

The following onsite surveys were performed as part of this assessment:

- Wetland delineation conducted by FISHBIO biologists on February 16, 2023 (**Appendix B**)
- Biological field survey conducted by North Valley Environmental on February16, 2023
- Botanical field survey conducted by North Valley Environmental on March 17, 2023.

3.0 REGULATORY BACKGROUND

There are several federal, state, and local laws, regulations, and/or policies that provide the legal framework for the protection of wetlands and biological resources in the vicinity of the Project Area. The following regulations may apply to the proposed project:

3.1 FEDERAL LAWS & REGULATIONS

ENDANGERED SPECIES ACT (ESA)

The federal Endangered Species Act (ESA) was enacted in 1973 to protect species that are endangered or threatened with extinction. The USFWS and National Marine Fisheries Service (NMFS) maintain lists of federally endangered and threatened plant and animal species (referred to as "listed species"). "Proposed" or "candidate" species are those that are being considered for listing and are not protected until they are formally listed as threatened or endangered.

Under the ESA, authorization must be obtained from the USFWS or NMFS prior to the "take" (defined as: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct) of any listed species. Take under the ESA includes direct injury or mortality to individuals, disruptions in normal behavioral patterns resulting from factors such as noise and visual disturbance and impacts to habitat for listed species.

The ESA requires that federal agencies reviewing a project within their jurisdiction must determine whether any federally listed threatened or endangered species could be present in the Project Area and whether the project will have a potentially significant impact on such species, jeopardize the continued existence of any species proposed to be listed under the ESA, or result in the destruction or adverse modification of critical habitat designated for such species. The ESA also provides for designation of critical habitat, which are specific geographic areas containing physical or biological features determined essential to the conservation of the species. Protections afforded to designated critical habitat apply only to actions that are funded, permitted, or carried out by federal agencies.

Actions that may result in take of an ESA listed species must obtain an Incidental Take Permit under ESA Section 10 (for projects that don't require federal funding or permitting), or undergo the interagency consultation described in ESA Section 7 (required for projects with a federal nexus, such as ACOE).

MIGRATORY BIRD TREATY ACT (MBTA)

The Migratory Bird Treaty Act (MBTA) is an international treaty that prohibits the taking, killing, possession of, or harm to nearly every native migratory bird species that breeds in North America. Activities that involve the removal of trees, shrubs, grasses, or result in ground disturbance have the potential to affect bird species protected by the MBTA. Consequently, vegetation removal and ground disturbance activities in areas with suitable breeding habitat should be conducted outside of the breeding season (approx. March 1-August 31 for Butte County). If construction is to occur during breeding season, a qualified biologist must determine if there are any MBTA-protected birds, nests and/or eggs present in the Project Area prior to vegetation removal or ground disturbance activities. If active nests are located or presumed present, appropriate avoidance measures (e.g., spatial or temporal buffers) must be implemented. In the United States, the MBTA is regulated by the USFWS, and protected species are listed in 50 CFR 10.13. Bald eagles and golden eagles

are further protected under the federal Bald and Golden Eagle Protection Act and additional state protections for birds are provided under CFCG 3503 and 3513.

SECTION 404 – CLEAN WATER ACT

The United States Army Corps of Engineers (USACOE) and the U.S. Environmental Protection Agency (EPA) regulate the discharge of dredged or fill material into jurisdictional waters of the United States, under Section 404 of the Clean Water Act (CWA).

The term "waters of the United States" encompasses waters susceptible for use in commerce, including interstate waters and wetlands, all other waters (intrastate waterbodies, including wetlands), and their tributaries (33 CFR 328.3). Federal jurisdictional wetlands exhibit at least one of three indictors (hydrophytic vegetation, hydric soil, wetland hydrology) according to the USACOE *Wetlands Delineation Manual* and generally include swamps, marshes, bogs, vernal pools, and similar areas that are saturated for a duration sufficient to support wetland vegetation. Other waters of the United States include seasonal or perennial water bodies (e.g., lakes, stream channels, drainages, ponds, other surface water features) that exhibit an ordinary high-water mark (OHWM) but lack indicators associated with wetland waters.

The placement of fill material into Waters of the U.S. generally requires an individual or nationwide permit from the USACOE under Section 404 of the CWA. Nationwide permits are general permits issued to cover particular fill activities. All nationwide permits have general conditions that must be met for the permits to apply to a particular project, as well as specific conditions that apply to each nationwide permit. General permits are pre-authorized and are issued to cover similar activities that are expected to cause only minimal adverse environmental effects.

SECTION 401 – CLEAN WATER ACT

The CWA requires that an applicant for a Section 404 permit (to discharge dredged or fill material into waters of the United States) first obtain a certificate from the appropriate state agency stating that the fill is consistent with the State's water quality standards and criteria. The State Water Resources Control Board (SWRCB) develops criteria for allowable discharges and appoints authority to the state's nine Regional Water Quality Control Boards (RWQCB) to grant National Pollutant Discharge Elimination System (NPDES) permits or waivers based on these standards and criteria.

Any activity or facility that will discharge waste (such as soils/sediment from construction activities) into surface waters must obtain an NPDES permit or waiver from the RWQCB. The SWRCB additionally requires additional Waste Discharge Requirements under Porter-Cologne to protect aquatic resources that are outside federal jurisdiction.

A request for certification or waiver is submitted to the Regional Board at the same time a 404 application is filed with the USACE. The regional board has 60 days to review the application and act on it. Because no USACE permit is valid under the CWA unless "certified" by the state, these boards may effectively veto or add conditions to any USACE permit. If the USACE determines that they have no regulatory authority on the Project Area

and determine that a CWA Section 404 permit is not required, the project proponent may still be responsible for obtaining the appropriate CWA Section 401 permit (or waiver) from RWQCB for impacts to Waters of the State (as the definition of "waters of the state" is broader than "waters of the United States").

3.2 STATE LAWS & REGULATIONS

CALIFORNIA ENDANGERED SPECIES ACT (CESA)

The CESA was enacted in 1984 and is implemented by the California Fish and Wildlife Commission (CFWC) and the California Department of Fish & Wildlife (CDFW). The CFWC maintains list of threatened and endangered species and CDFW provides enforcement of the act. CESA regulations include take protection for threatened and endangered plants on private lands, as well as extending this protection to candidate species that are proposed for listing as threatened or endangered. The definition of a "take" under CESA (defined as: to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill) only applies to direct impact to individuals, and does not extend to habitat impacts or harassment (unlike the ESA).

The CESA requires that state agencies reviewing a project within their jurisdiction must determine whether any state listed threatened, endangered, or candidate species could be present in the Study Area and whether the project will have a potentially significant impact on such species. CDFW may issue an Incidental Take Permit under CESA to authorize take if it is incidental to otherwise lawful activity and if specific criteria are met.

FULLY PROTECTED SPECIES (CFGC 3511, 4700, 5050, 5515)

Animals listed as Fully Protected Species in the California Fish and Game Code (CFGC) cannot be taken or possessed at any time (with exception of necessary scientific research and conservation purposes). CDFW is responsible for protecting these species and by law cannot issue an Incidental Take Permit for animals designated as Fully Protected Species.

SPECIES OF SPECIAL CONCERN

CDFW also designates certain species, subspecies, or distinct populations as Species of Special Concern (SSC), which satisfy one or more of the following criteria:

- Is extirpated from the State or, in the case of birds, in its primary seasonal or breeding role.
- Is listed as Federally-, but not State- threatened or endangered.
- Meets the State definition of threatened or endangered but has not formally been listed.

- Is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status.
- Has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for State threatened or endangered status.

CESA prohibits the take of California listed animals and plants in most cases, but CDFW may issue Incidental Take Permits under special conditions.

RARE & ENDANGERED PLANTS (CFGC 1900-1913)

The Native Plant Protection Act was enacted to preserve, protect, and enhance endangered or rare native plants in the state. CDFW maintains the list of plants that meet the definition of endangered (prospects for survival and reproduction are in immediate jeopardy) or rare (occurs in such small numbers throughout its range that it may become endangered if its present environment worsens). CDFW prevents take of these species unless authorized through the Incidental Take Permit.

The California Native Plant Society (CNPS) also maintains a list of California native plant species that are threatened with extinction due to low populations and/or limited distribution. This information is published in the Inventory of Rare and Endangered Vascular Plants of California, and ranked according to the following criteria:

- Rank 1A: Plants presumed extinct in California
- Rank 1B: Plants rare, threatened, or endangered in California or elsewhere
- Rank 2A: Plants presumed extirpated or extinct in California, but not elsewhere
- Rank 2B: Plants rare, threatened, or endangered in California, but more numerous elsewhere
- Rank 3: Plants about which we need more information
- Rank 4: Plants of limited distribution

CNPS Rank 1 and Rank 2 species are considered special-status species that require additional consideration prior to site modification/development. Specific Rank 3 and Rank 4 species are also considered under CEQA protection.

LAKE & STREAMBED ALTERATION AGREEMENTS (CFGC 1600-1616)

CFGC Section 1602 requires that a state or local government agency, public utility, or private entity must notify CDFW if a proposed Project will "substantially divert or obstruct the natural flow or substantially change the bed, channel or bank of any river, stream, or lake designated by the department in which there is at any time an existing fish or wildlife resource or from which these resources derive benefit..."(Section 1601). CDFW's jurisdictional limit generally extends to the top of the streambank or at the outer edge of

riparian vegetation, whichever is wider. If fish or wildlife resources may be adversely affected by the activity, CDFW may propose mitigation measures that will allow protection of those resources through a Lake and Streambed Alteration Agreement with the project proponent.

CALIFORNIA PORTER-COLOGNE WATER QUALITY CONTROL ACT

The Porter-Cologne Water Quality Control Act established the SWRCB and RWQCBs as the principal state agencies for coordinating and controlling water quality in California. Each of California's nine regional boards must prepare and periodically update basin plans that set water quality standards and dictate actions to control point and non-point sources of pollution to maintain these standards. The Porter-Cologne Water Quality Control Act applies to both surface water and groundwater, and states "all discharges of waste into the waters of the State are privileges, not rights." All dischargers are subject to regulation under the Porter-Cologne Water Quality Control Act, including both point and non-point source dischargers.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

California Environmental Quality Act (CEQA) Guidelines Section 15380(b) permits species to be considered rare or endangered even if not recognized as such by the ESA, CESA or other statues, if the species can be shown to meet certain criteria. These criteria have been modeled after the definition in the ESA and allows a public agency to undertake a review to determine if a significant effect on a species would occur due to project impacts, allowing agencies to protect a species until state or federal protections are issued, (if warranted).

CDFW has developed a list of special species that warrant additional consideration under CEQA, which generally includes all the taxa listed in the CNDDB, regardless of their legal or protection status. This catalog includes lists developed by other organizations such as the Audubon Watch List Species, the Bureau of Land Management Sensitive Species, and USFWS Birds of Special Concern, and CNPS Rank 3 and Rank 4 plants that are particularly unique to the locale (e.g., range limit, low abundance/low frequency, limited habitat) or are otherwise considered locally rare. Movement and migratory corridors for native wildlife and wildlife nursery sites are also given special consideration under CEQA.

3.3 LOCAL LAWS AND REGULATIONS

CITY OF OROVILLE GENERAL PLAN - 2030

The City of Oroville 2030 General Plan lists the following applicable goals and policies in its Open Space, Natural Resources, and Conservation (OPS) Element:

Goal 8: Preserve and protect all special-plant species, species that are candidates for federal or State listing, State species of special concern, and CNPS listed plant species.

- 8.1: Require a biological assessment of any proposed Project Area where federally-, or State-listed species or critical habitat may be present.
- 8.2: Require a habitat-based site assessment during the project design phase to determine the potential for special-status species to occur within a proposed Project Area. If potential habitat for special-status plant or animal species is identified, additional focused surveys may need to be conducted during the appropriate season.
- 8.6: If special-status plant or animal species are found to be located within a development site, the developer shall mitigate project impacts in accordance with state and federal law. Examples of mitigation may include:
    - If special-status plant or animal species are found to be located within a development site, the developer shall mitigate project impacts in accordance with State and federal law. Examples of mitigation may include:
    - Redesign the proposed project to avoid and minimize impacts.
    - Restrict construction to specific seasons based on project specific special-status species issues (e.g., minimizing impacts to special-status nesting birds by constructing outside of the nesting season).
    - Confine construction disturbance to the minimum area necessary to complete the work.
    - Mitigate for the loss of special-status species by purchasing credits at an approved conservation bank (if a bank exists for the species in question), funding restoration or habitat improvement projects at existing preserves in Butte County, or purchasing or donating mitigation lands.
    - Maintain a minimum 100-foot buffer on each side of all riparian corridors, creeks and streams for special-status and common wildlife. (Ruddy Creek would be an example of where this applies.)
    - Establish setbacks from the outer edge of special-status species habitat areas.
    - Prohibit livestock grazing or drainage into the setback of special-status species habitat areas. Construction of barriers to prevent compaction damage by foot or vehicular traffic.

Goal 9: Protect areas of significant wildlife habitat and sensitive biological resources to maintain biodiversity among plant and animal species in the City of Oroville and surrounding area.

- 9.2: Minimize loss of wetland value or acreage consistent with the needs of wildlife and humans, to the extent practicable and as regulated by State and federal law.
- 9.5: Require the preparation of a site-specific tree management and preservation report by a certified arborist or urban forester for development proposals on sites that contain significant oak woodlands and related habitat. This report shall include recommendations for the retention of healthy mature trees wherever feasible and promote the concept of oak regeneration corridors within project design.
- 9.6: Protect sensitive plant and wildlife habitat from destruction and intrusion by incompatible land uses where appropriate. All efforts to protect sensitive habitats should consider:
    - Sensitive habitat and movement corridors in the areas adjacent to development sites, as well as on the development site itself.
    - Prevention of habitat fragmentation and loss of habitat connectivity.
    - Use of appropriate protection measures for sensitive habitat areas such as non-disturbance easements and open space zoning.
    - On-site or off-site habitat restoration as a potential mitigation, with a no net loss of habitat policy. Potential mitigation or elimination of impacts through mandatory clustering of development, and/or project redesign.

9.7: Protect native plant species in undisturbed portions of a development site and use native species for replanting in disturbed portions of the Project Area

Goal 10: Protect riparian, riverine, and open water habitats.

- 10.1 Require an appropriately sized buffer or setback, as determined by a qualified biologist, on each side of a riparian corridor, creeks, stream, wetland, or pond. Development shall be prohibited within established setback areas for these riparian corridors, creeks, stream, wetland, ponds, and waterways.

Goal 11: Protect water quality and quantity in creeks, lakes, natural drainages, and groundwater basins.

- 11.1: Maintain the natural condition of waterways and flood plains to ensure adequate groundwater recharge and water supply where feasible, given flood control requirements.
- 11.2: Minimize impermeable paving that negatively impacts surface water runoff and groundwater recharge rates.

- P11.3: Protect surface and groundwater resources from contamination from runoff containing pollutants and sediment, through implementation of the Central Valley Regional Water Quality Control Board's (CVRWQCB) Best Management Practices.

4.0 ASSESSMENT FINDINGS

4.1 BIOLOGICAL FIELD SURVEY

A general biological survey of the Project Area was conducted by North Valley Environmental on February 16, 2023. The Project Area was traversed on foot for the survey, which sought to determine (1) plant communities present within the Project Area, (2) if existing conditions provided suitable habitat for any special-status plant or wildlife species, and (3) if sensitive habitats are present.

Our survey occurred on cool, clear, and breezy morning. According to rainfall data collected at the Oroville Municipal Airport, the region received approx. 0.4" of rain twelve days prior to our field survey. The weather had been clear, sunny, and relatively warm in the previous week, providing ideal conditions to observe wetland features and juvenile vegetation growth. Prior to our survey, the region had received above average cumulative rainfall (approximately 25 inches at the Oroville Dam).

All exterior portions of the property were visually inspected, including the fenced backyard behind the residential unit in the northwest portion of the Project Area. All plant and wildlife species encountered during the survey were documented and are included in **Appendix C.**

During both our preliminary review and biological survey, it was apparent that the Project Area had been historically graded and/or disced. Large undeveloped areas north and west of the Project Area exhibit distinct hummocky, mima mound-like topographic features (small, irregularly spaced, circular natural mounds) and wetland swale features. In contrast, topography of the Project Area is relatively flat, with a series of linear irrigation/drainage ditches and raised earthen berms extending around the parcel perimeter.

The Project Area consist of approximately 7.6-acres of ruderal and disturbed annual grasslands within and along the edge of residential development. A stand of mature eucalyptus trees (approximately 40) extends just south of the residential complex, which could provide nesting and roosting habitat for several avian species. A lone, stressed elderberry shrub is present in the southwest corner of the property. The only other trees and shrubs include non-native ornamentals and large mallow shrubs (*Malva* sp.). Several rodent (likely longed-tailed vole) burrows (1-1.5" diameter) were observed along the western margin of 21st Street. Gopher mounds were evident throughout the southern extent of the Project Area. Photographs taken during the biological and botanical surveys are included in **Appendix A.**

4.2 WETLAND DELINEATION

On February 16, 2023, FISHBIO biologists performed a wetland delineation of the Project Area. The delineation was conducted according to the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual and its 2008 Arid West Regional Supplement (USACE, 1987). The property was surveyed for potential federal and/or state jurisdictional wetlands and "other waters of the U.S." in accordance with the 2014 Corps Field Guide to the Identification of the Ordinary High-Water Mark (OHWM) for Non-perennial Streams in the Arid West Region of the Western United States.

No wetlands or other waters of the U.S. or waters of the State were identified within the Project Area. Pervious irrigation/drainage ditches extend along the eastern and southern property lines, which were not classified as potentially jurisdictional waters according to FISHBIO surveyors (although these findings have not yet been verified by the USACOE). The complete delineation report is included in **Appendix B**.

Vernal pools, swales, and seasonal wetlands were observed of the western adjacent parcel (APN: 030-230-103), including an isolated wetland pool approximately 25' southwest of the Project Area ("adjacent wetland"). The observed area was inundated with approximately six inches of water at the time of the delineation survey and botanical survey (Feb. 16, 2023 and March 17, 2023). Although no sensitive status plants or animals were observed during the two site surveys, vernal pool fairy shrimp (*Branchinecta lynchi*) have previously been identified in the vicinity, potentially on the western adjacent parcel (details in **Section 6.4**). The adjacent wetland had been visibly impacted by historical off-road vehicle (ORV) use and the typical wetland pool envelope and terrestrial upland habitat has been largely destroyed.

The adjacent wetland area is located upgradient of the Project Area, bisected by an agricultural drainage ditch and pervious berm and would not be impacted by fill or discharges from the site during or after development given appropriate setbacks, grading design, and avoidance measures. Additional considerations and recommendations regarding adjacent wetland habitat are included in **Section 6.5.** The wetland delineation map is included in **Figure 3.**

4.3 BOTANICAL FIELD SURVEY

A follow-up botanical survey was performed by NVE biologists on March 17, 2023 to better identify plant species later in the blooming cycle. The follow-up survey occurred on a sunny afternoon following three days of clear weather. NVE biologists largely focused their survey in the western and southwestern portions of the Project Area, in the vicinity of the adjacent wetland habitat. No special status plants were observed in the Project Area or around the adjacent wetland habitat within 50' of the Project Area.

4.4 TERRESTRIAL HABITAT & VEGETATION COMMUNITIES

The dominant vegetation type in the Project Area consists of ruderal and annual grassland species, a majority of which are non-native and commonly found in disturbed areas. Ruderal habitats include areas that have been significantly altered by human activities and may contain structures, gravel roads, paved areas, or cultivated areas of disturbed vegetation (including repeated discing and mowing). A majority of the Project Area has been historically disced for fuel reduction purposes, with small margins of intact ruderal vegetation along the property margins. Gravel extends from a driveway off Grand Avenue to the residence in the northwest, and throughout the fenced backyard, where a large storage building was previously located. The Project Area includes 21st Street, which is also covered in compacted gravel.

Based on relative coverage estimates conducted during our field survey, the open grassy areas throughout the Project Area generally resemble wild oats and annual brome grasslands (Avena spp. – Bromus spp. Herbaceous Semi-Natural Alliance), according to the methods and alliance membership rules presented in Sawyer et. al.'s *A Manual to California Vegetation*, 2009.

Observed dominant non-native grass species include wild- and slender- oats (*Avena fatua, Avena barbata*), soft chess (*Bromus hordeaceus*), hare barley (*Hordeum murinum*), rip-gut brome (*Bromus diandrus*), annual bluegrass (*Poa annua*), medusa-head (*Elymus caput-medusae*), and perennial ryegrass (*Festuca perenne*). Common broad-leaved plants include Mediterranean storksbill (Erodium malacoides), long-beaked filaree (*Erodium botrys*), rough hawkbit (*Leontodon saxatilis*), common vetch (*Vicia sativa*), rose clover (*Trifolium hirtum*), cutleaf geranium (Geranium dissectum), prickly lettuce (Lactuca serriola), naked buckwheat (*Eriogonum nudum*), narrow-leaved soap plant (*Chlorogalum angustifolium*), vinegarweed (*Trichostema lanceolatum*), and black mustard (brassica nigra). Native grasses were uncommon and included some widely dispersed purple needlegrass (*Nassella pulchra*). Various non-native ornamentals were observed in the northern portion of the property (daffodil/*narcissus*, etc.). Species observed during the biological and botanical surveys are listed in **Appendix C**.

Figure 3 - Aquatic Resource Delineation Map

4.5 WILDLIFE

Based on a review of the referenced documents listed in **Section 2.1**, wildlife likely to be present in the general site vicinity include the following species:

TABLE 1: WILDLIFE IN GENERAL VICINITY	
Amphibians:	Sierran tree frog (*Pseudacris sierra*), American bullfrog (*lithobates catesbeianus*), California slender salamander (*Batrachosps attenuates*)
Reptiles:	Southern alligator lizard (*Elgaria multicarinata*), western fence lizard (*Sceloporus occidentalis*), western whiptail (*Aspidoscelis tigris*), common garter snake (*Thamnophis elegans*), North American racer (*Colber constrictor*), gopher snake (*Pituphis catenifer*), California king snake (*Lampropeltis californiae*), western rattlesnake (*Crotalus oreganus*)
Birds:	Western bluebird (*Sialia mexicana*), western meadowlark (*Sturnella neglecta*), Brewer's blackbird (*Euphagus cyanocephalus*), house wren (*Troglodytes aedon*), scrub jay (*Aphelocoma californica*), northern mockingbird (*Mimus polyglottos*), California quail (*Callipepla californica*), killdeer (*Charadrius vociferous*), phainopepla (*Phainopepla nitens*), lark sparrow (*Chondestes grammacus*), white- and golden-crowned sparrows (*Zonotrichia* sp.), American pipit (*Anthus rubescens*), black phoebe (*Sayornis nigricans*), spotted towhee (*Pipillo maculatus*), common tern (*Sterna hirundo*), Red-tailed hawk (*Buteo jam*aicensis), rough-legged hawk (*Buteo lagopus*), American kestrel (*Falco sparverius*), Cooper's hawk (*Accipiter cooperii*), short-eared owl (*Asio flammeus*), burrowing owl (*Athene cunicularia*), turkey vulture (*Cathartes aura*), osprey (*Pandion haliaetus*), wild turkey (*Meleagris gallopavo*), snowy egret (*Egretta thula*), great egret (*Ardea alba*), and various gulls, loons, grebes and other waterfowl residing in the Thermalito Forebay north of the Project Area.
Mammals:	Long-tailed vole (*Microtus longicaudus*), Botta's pocket gopher (Thomomys bottae), deer mouse (*Peromyscus californicus*), California ground squirrel (*Otospermophilus beecheyi)*; black-tailed jackrabbit (*Lepus californicus*), raccoon (*Procyon lotor*), striped skunk (*Mephitis mephitis*), gray fox (*Urocyon cinereoargenteus*), coyote (*Canis latrans*), bobcat (*Lynx rufus*) and black-tailed deer (*Odocoileus hemionus*).

Species that would utilize the ruderal habitat and annual grasslands that comprise the Project Area primarily include small mammals (ground squirrels, voles, mice, gophers, jackrabbits), small reptiles (alligator lizards, western fence lizards, common garter snakes) and a variety of ground- and tree-nesting avian species. Species observed during the biological and botanical surveys are listed in **Appendix C**.

4.6 FEDERAL CRITICAL HABITAT

USFWS Critical Habitat is designated for areas that provide necessary habitat elements essential for the survival and/or conservation of a species listed as threatened or endangered in the federal Endangered Species Act (ESA). These areas require special consideration and/or protection due to their ecological importance. NVE reviewed the USFWS Critical Habitat Map Viewer for final and proposed critical habitat. **The Project Area does not contain proposed or designated USFWS critical habitat.**

4.7 CALIFORNIA SENSITIVE NATURAL COMMUNITIES

CDFW sensitive natural communities are natural vegetative habitats that are either unique, of relatively limited distribution, or of particularly high wildlife value. NVE queried the CNDDB and assessed the alliance-specific habitat of the Project Area to determine if any sensitive natural communities exist within the Project Area. **The Project Area does not contain CDFW sensitive natural communities.**

4.8 SPECIES HABITAT ASSESSMENT

NVE performed a species habitat assessment to determine if the Project Area could support special-status species known to occur in the region. Habitat was evaluated based on vegetation composition, physical features (elevation, soils, micro-climates, etc.), land use of site and surrounding area, available resources (forage/prey, nesting substrates, etc.), historical species range and connectivity to suitable habitat. The potential for each special-status species to occur in the Project Area was then evaluated according to the following criteria:

Potential for Occurrence:

- **None.** Habitat within the Project Area is unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime, etc.);
- **Low.** Few of the habitat components meeting the species requirements are present, and/or the species is not known to recently occur in the vicinity (within a five-mile radius). The species is not likely to be found in the Project Area;
- **Moderate.** Some of the habitat components meeting the species requirements are present, and the species is known to recently occur within a five-mile radius. The species has a moderate probability of being found in the Project Area;
- **High**. All of the habitat components meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site; or
- **Present.** Species is observed on the site or has been recorded (i.e., CNDDB, other reports) on the site recently.

The habitat assessment is intended to identify the presence or absence of suitable habitat for each special-status species known to occur in the vicinity to determine its potential to occur in the Project Area. In cases where little information is known about species occurrences and habitat requirements, the species evaluation was based on best professional judgment of NVE biologists.

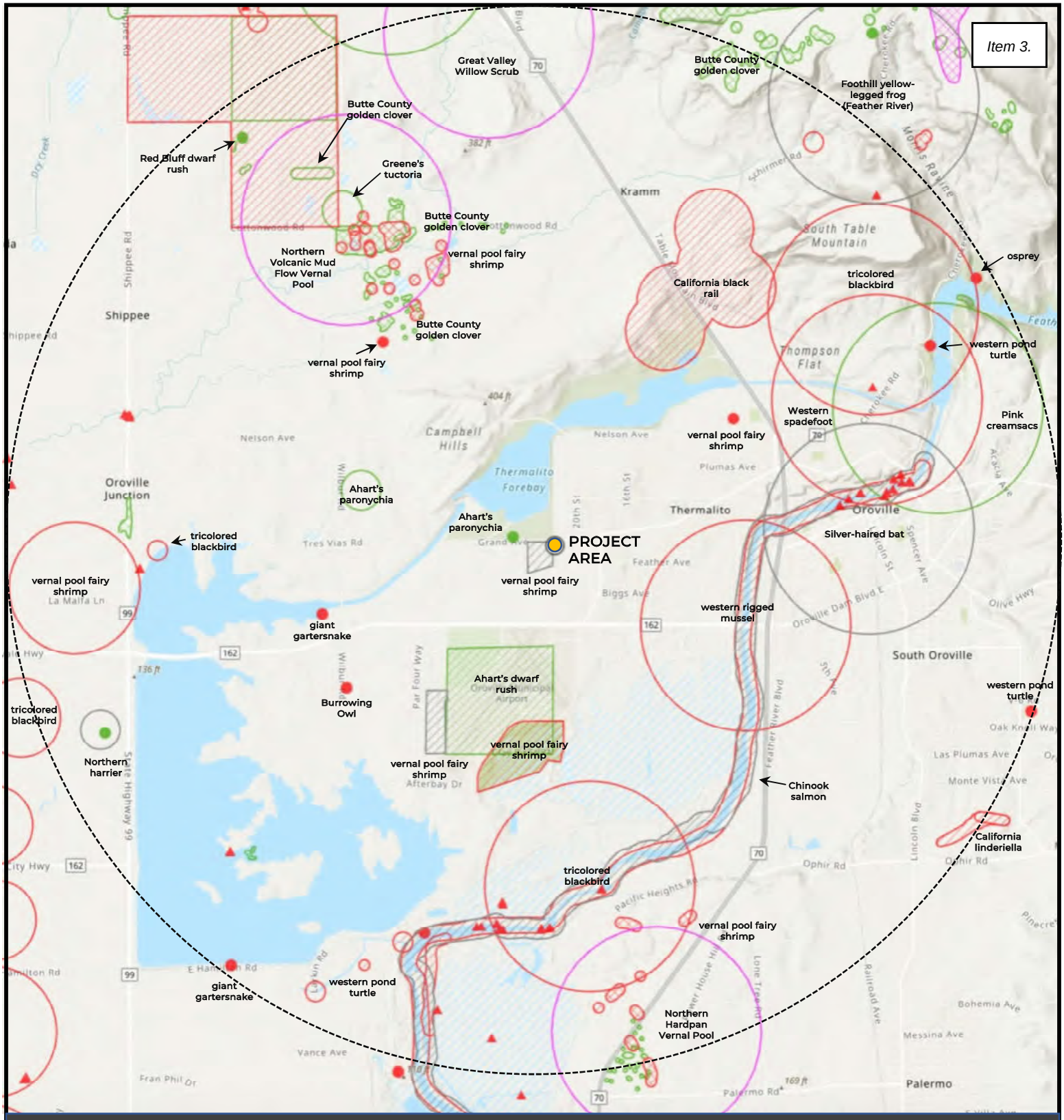
4.9 SPECIAL STATUS SPECIES ASSESSMENT

Plants and animals are considered a Special-Status Species if they satisfy one or more of the following criteria:

- Listed as threatened or endangered, (or are candidates for listing) under the California Endangered Species Act (CESA) or the Federal Endangered Species Act (ESA);
- Listed as a Species of Special Concern (SSC) by CDFW;
- Designated as rare, protected, or fully protected pursuant to California Fish and Game Code Section 3511 (birds), 4700 (mammals) or 5050 (reptiles and amphibians);
- Listed by the California Native Plant Society (CNPS) as Rank 1A, 1B, 2A or 2B;
- Protected under the Migratory Bird Treaty Act (MBTA) or the Bald and Golden Eagle Protection Act; and/or
- Species that are otherwise protected under policies or ordinances at the local or regional level as required by the California Environmental Quality Act (CEQA)

A complete list of special status species is included in the state and federal species lists in **Appendix D**. Listed species that have been documented in the CNDDB within a five-mile radius of the Project Area are mapped on **Figure 4.** An assessment of the potential for each special-status species to occur within the Project Area is provided in **Table 2**.

For species with a moderate or high potential to occur within the Project Area, but which have not been observed on the site, the biological surveys conducted for this report may not be sufficient to determine presence or absence of a species to the specifications of regulatory agencies. In these cases, further protocol-level special-status species surveys may ultimately be necessary to obtain permits or approvals from regulatory agencies.



CDFW'S CNDDB. BIOS Viewer. Accessed 2/3/23. https://apps.wildlife.ca.gov/bios6/?bookmark=327

1 mile

5 Mile Radius from Project Area

N

- Plant (80m)
- Plant (specific)
- Plant (non-specific)
- Plant (circular)
- Animal (80m)
- Animal (specific)
- Animal (non-specific)
- Animal (circular)
- Terrestrial Comm. (80m)
- Terrestrial Comm. (specific)
- Terrestrial Comm. (non-specific)
- Terrestrial Comm. (circular)
- Aquatic Comm. (80m)
- Aquatic Comm. (specific)
- Aquatic Comm. (non-specific)
- Aquatic Comm. (circular)
- Multiple (80m)
- Multiple (specific)
- Multiple (non-specific)
- Multiple (circular)
- Sensitive EO's (Commercial only)

FIGURE 4
CNDDB OCCURENCES

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

Table 2: Special-Status Species, Natural Communities, Associated Habitats and Potential for Occurrence in Project Area

	SPECIES	FEDERAL STATUS	STATE STATUS	CDFW/CNPS STATUS	HABITAT TYPE	POTENTIAL FOR OCCURRENCE	LOCATION (QUAD)
Amphibians	foothill yellow-legged frog *Rana boylii pop. 2*	Proposed Threatened	Threatened	-	This species can be found in a variety of chaparral and woodland habitats and requires partly-shaded, shallow streams and riffles that contain rocky substrate. Tadpoles require water for at least three to four months to complete development. Breeding occurs from March to May.	**None.** The Project Area lacks suitable aquatic habitat required by the species. There is only one CNDDB occurrence of this species, identified in 1912. It's largely assumed this species no longer occurs within the vicinity.	Oroville
	California red-legged frog *Rana draytonii*	Threatened	-	SSC	Habitat includes suitable areas within one to two miles of a breeding site that stays moist and cool through the summer; this includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, or manmade structures (i.e., culverts, livestock troughs, spring-boxes, abandoned sheds). Breeding sites are generally found in deep, still or slow-moving water (greater than 2.5 ft) and can have a wide range of edge and emergent cover. California red-legged frogs can breed at sites with dense shrubby riparian or emergent vegetation, such as cattails, tulles, or overhanging willows or can proliferate in ponds devoid of any emergent vegetative cover (i.e., stock ponds). The species breeds from late November to late April.	**None.** This species is assumed to be extirpated from the central valley. The Project Area lacks suitable aquatic habitat required by the species and there are no CNDDB occurrences within a five-mile radius.	Oroville
	western spadefoot *Spea hammondii*	-	-	SSC	Inhabits burrows within grassland and valley foothill hardwood woodland communities. Requires deep soils (approx. three feet of sandy or gravelly media) near vernal, shallow, slow-moving, temporary pools formed by heavy winter rains for reproduction. Nocturnal and almost completely terrestrial, entering water only to breed. Spends most of its life buried underground in earth-filled burrows, and active for only a short period each year, typically between October to May, depending on rainfall. Breeds late winter through March.	**Low.** There's a low potential for these species to breed in the vernal pools on the adjacent property and inhabitant burrows within the Project Area, however there are no recent (within the last 30 years) CNDDB occurrences within a ten-mile radius, and there was no indication of this species during the site surveys or documentation of toad presence during previous brachiopod surveys on this property. Based on the impaired condition of the adjacent vernal pools and repeated discing of the Project Area, presence of this species is unlikely.	Oroville
	bald eagle *Haliaeetus leucocephalus*	Delisted / MBTA	Endangered	FP	This species occurs near ocean shores, lakes, rivers, rangelands and coastal wetlands for nesting and wintering; nesting occurs within one-mile of a water source with abundant fish near mountain forests and woodlands. Prefers ponderosa pines for nesting.	**Low.** The Project area does not contain nearby mountain forest or woodland habitat or contain trees large/strong enough to support a nest for this species. There are no CNDDB occurrences within a five-mile radius.	Oroville
	tricolored blackbird *Agelaius tricolor*	-	Threatened	SSC	Forages in grasslands, open fields, pastures, blackberry brambles, etc. Nests near large freshwater marshes/wetlands. Requires dense nesting habitat that is protected from predators, is within 3-5 miles from a suitable foraging area containing insect prey and is within approximately 0.3 miles of open water. Suitable foraging habitat includes wetland, pastureland, rangeland, dairy farms, and some irrigated croplands (silage, alfalfa, etc.). Nests occurs from mid-March to early August but may extend into October and November in the Sacramento Valley region.	**Low**. Although the Project Area contains potential foraging habitat and is located close to open water, there is no suitable nesting habitat for this species within the Project Area. There has only been one recent (within last 30 years) occurrence of this species within a five-mile radius (CNDDB Occurrence #901), for a large colony located northwest of the Thermalito Afterbay, approx. 3.75 miles west of the Project Area.	Oroville
	California black rail *Laterallus jamaicensis coturniculus*	-	Threatened	FP	Occurs in tidal emergent wetlands dominated by pickleweed, in brackish marshes dominated by bulrushes with pickleweed and in freshwater wetlands dominated by bulrushes, cattails, and saltgrass. Species prefers high wetland areas, away from areas experiencing fluctuating water levels. Requires vegetation providing adequate overhead cover for nesting. Eggs are laid March-June.	**None.** The Project Area does not contain marshland, wetlands or adequate vegetative cover (bulrushes and cattails) preferred by this species.	Oroville
	burrowing owl *Athene cunicularia*	-	-	SSC	Found in annual and perennial grasslands that contain small-mammal burrows, although may also occupy manmade culverts, debris piles, etc. Prefer open areas with sandy soils. Some populations have adapted to urban landscapes and may occupy roadsides and open lots near development. The nesting season is from February to August (with most activity occuring between March and May).	**Moderate.** The Project Area contains suitable foraging and burrowing habitat and there has been one CNDDB occurrence within a five-mile radius (Occur. No. 1003), identified in similar habitat in 2006. Several rodent burrows were observed throughout the site during both surveys.	Oroville
	golden eagle *Aquila chrysaetos*	MBTA	-	FP | WL	Found in open mountains, foothills, plains, open country. Requires open terrain. In the north and west, found over tundra, prairie, rangeland, or desert; very wide-ranging in winter, more restricted to areas with good nest sites in summer. Does not require close proximity to lakes and marshes (as preferred by bald eagles).	**Low.** The Project Area does not contain suitable nesting habitat preferred by this species.	Oroville
	Swainson's hawk *Buteo swainsoni*	MBTA	Threatened	-	Inhabits grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, alfalfa or grain fields that support a stable rodent prey base. Breeds March to late August.	**Moderate.** The Project Area contains suitable foraging habitat (presence of small rodents and prey) and the mature eucalyptus stand in the Project Area may provide suitable nesting habitat. There have been two recent CNDDB occurrences within a ten-mile radius (Occur. No. 1530 & 2046).	Biggs, Palermo
	northern harrier *Circus hudsonius*	MBTA	-	SSC	Found in marshes, fields, and prairies, in both wet and dry habitats where there is good ground cover. Usually found in marshes, especially in nesting season, but sometimes will nest in dry open fields. Harriers nest on the ground, mostly within patches of dense, often tall, vegetation in undisturbed areas.	**Low.** The Project Area is continually mowed and lacks the dense ground vegetation that this species prefers for nesting. There are no recent (within the last 30 years) CNDDB occurrences within a nine quadrangle/ten-mile radius.	Biggs

Table 2: Special-Status Species, Natural Communities, Associated Habitats and Potential for Occurrence in Project Area

	SPECIES	FEDERAL STATUS	STATE STATUS	CDFW/CNPS STATUS	HABITAT TYPE	POTENTIAL FOR OCCURRENCE	LOCATION (QUAD)
Birds	white-tailed kite *Elanus leucurus*	MBTA	-	FP	Year-round resident in coastal and valley lowlands with scattered trees and large shrubs, including undisturbed grasslands, marshes and agricultural areas. Uses herbaceous lowlands with variable tree growth and dense population of voles. Substantial groves of dense, broad-leafed deciduous trees used for nesting and roosting. Nests in trees (generally upper third of those 10-160' tall), of which the type and setting are highly variable. Preys on small mammals and other vertebrates. Main requirements seem to be trees for perching and nesting, and open ground with high populations of rodents (California voles). Often found next to deciduous woodlands and tend to avoid heavily grazed areas. Prefer patchy habitats and rolling hills.	**Low.** Although the Project Area contains marginal foraging and nesting habitat, this species prefers undisturbed grassland areas and there are no CNDDB occurrences within a nine quadrangle/ ten-mile radius.	Shippee
	American peregrine falcon *Falco peregrinus anatum*	Delisted / MBTA	Delisted	FP	Year-round resident and winter visitor. Occurs in a wide variety of habitats, though often associated with coasts, bays, marshes and other bodies of water. Nests on protected cliffs and also on man-made structures including buildings and bridges. Preys on birds, especially waterbirds. Forages widely.	**Low.** The Project Area does not contain suitable nesting habitat preferred by this species, however may visit the vicinity due to proximity to the Thermalito Forebay.	Oroville Dam
	greater sandhill crane *Antigone canadensis tabida*	MBTA	Threatened	FP	Sandhill Cranes range from Siberia and Alaska to California's Central Valley. They prefer large freshwater marshes, prairie ponds, marshy tundra during summer and on grainfields or prairies during migration and in winter.	**None.** The Project Area does not contain suitable nesting or foraging habitat and there are no CNDDB occurrences within a five-mile radius.	Hamlin Canyon, Biggs
	purple martin *Progne subis*	MBTA	-	SSC	In California, isolated colonies breed around woodland edges and clearings in mountain forest. A long-distance migrant, most wintering in Amazon Basin and returning in spring to breed (mainly April and May). Usually nests in colonies, placing nests in cavities, mostly old woodpecker holes.	**None.** The Project Area lacks the habitat required for colonial cavity nesting and is not located near woodland habitat. There are no CNDDB occurrences within a five-mile radius.	Bangor
	bank swallow *Riparia riparia*	MBTA	Threatened	-	A migratory colonial nester inhabiting lowland and riparian habitats west of the deserts during spring - fall. Majority of current breeding populations occur along the Sacramento and Feather rivers in the north Central Valley. Requires vertical banks or cliffs with fine textured/sandy soils for nesting (tunnel and burrow excavations). Nests exclusively near streams, rivers, lakes or the ocean. Breeds May-July.	**None.** The Project area lacks banks and cliffs within streams or rivers required by the species for nesting.	Palermo
	yellow-headed blackbird *Xanthocephalus xanthocephalus*	MBTA	-	SSC	Breeds and nests in marshes, freshwater sloughs, and marshy lake borders. Prefers dense habitat, such as tall cattails growing in water up to 3-4' deep. Forages around marshes and also commonly in open pastures, plowed fields, cattle pens, feedlots.	**Low.** The Project Area does not contain suitable nesting habitat and there are no CNDDB occurrences within a five-mile radius.	Biggs
	loggerhead shrike *Lanius ludovicianus*	MBTA	-	SSC	Found in semi-open country with lookout posts, wires, trees, and scrub. Breeds in any kind of semi-open terrain, from large clearings in wooded regions to open grassland or desert with a few scattered trees or large shrubs. In winter, may be in totally treeless country if fences or wires provide hunting perches. Birds may impale prey on barbed wire or sharp thorny bushes. Prey on large insects, small birds and rodents. Nests are built in dense (and often thorny) trees or shrubs, usually 5-30' above the ground.	**Low.** Although the Project Area contains marginal open foraging habitat, there are few perches and no thorny bushes or fencing to impale prey. In addition, the Project Area does not contain dense nesting habitat preferred by this species and there are no CNDDB occurrences within a five-mile radius. There was one occurrence within a ten-mile radius, identified in 2002 (Occur. No. 19).	Shippee
	yellow warbler *Setophaga petechia*	MBTA	-	SSC	Frequents open to medium-density woodlands and forests with a heavy brush understory in breeding season. In migration, found in a variety of sparse to dense woodland and forest habitat.	**None.** The Project Area lacks the woodland habitat and brush cover preferred by this species and there are no CNDDB occurrences within a five-mile radius.	Shippee
	long-eared owl *Asio otus*	MBTA	-	SSC	Favored habitat includes woodlands and conifer groves with dense trees for nesting and roosting and open country for hunting. Generally avoids unbroken forest and only overwinters in the great valley. Nest site is usually in tree, 4-30' above ground, usually at about mid-level in tree; sometimes in giant cactus or on cliff ledge.	**None.** The Project Area lacks the mature-growth dense forests preferred by this species and there are no CNDDB occurrences within a five-mile radius.	Hamlin Canyon
	great gray owl *Strix nebulosa*	MBTA	Endangered	-	Generally favors country with mix of dense conifer forest for nesting and roosting, and open meadow and marsh areas for hunting. In the west, mostly found around meadows in mountain forest. Usually uses an old abandoned nest of other large bird, such as goshawk, raven, Osprey; sometimes nests on top of broken-off snag or stump, rarely on the ground. Site usually 10-50' above ground. A pair may reuse the same nest for several years.	**None.** The Project Area lacks the mature-growth dense forests preferred by this species and there are no CNDDB occurrences within a five-mile radius.	Hamlin Canyon
	California Spotted Owl *Strix occidentalis occidentalis*	MBTA	-	SSC	Found in mature old-growth forests and wooded canyons. For a nesting site, prefers a large hollow tree in deep forest, in cave or crevice in cliff, or occasionally in old stick nest of hawks or other large birds.	**None.** The Project Area lacks the mature-growth dense forests preferred by this species and there are no CNDDB occurrences within a five-mile radius.	Berry Creek

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	SPECIES	FEDERAL STATUS	STATE STATUS	CDFW/CNPS STATUS	HABITAT TYPE	POTENTIAL FOR OCCURRENCE	LOCATION (QUAD)
	least Bells vireo *Vireo bellii pusillus*	Endangered	Endangered	-	Summer resident of low riparian habitats near water and dry river bottoms. This species prefers willows, baccharis, mesquite and other low, dense vegetation for nesting.	**Low.** The Project area lacks riparian habitat and dense vegetation preferred by the species and there are no CNDDB occurrences within a five-mile radius.	Shippee
Crustaceans	vernal pool fairy shrimp *Branchinecta lynchi*	Threatened	-	-	Found in vernal pools, seasonal wetlands, and stagnant ditches, generally with 4-6" of standing water. Inhabit small, clear-water sandstone-depression pools and grassed swale, earth slump, or basalt flow depression pools.	**None in Project Area. Known to occur on adjacent property.** The Project Area does not contain vernal pools or seasonal wetlands that are inundated long enough to support this species. Additionally, the Project site has been disced regularly for weed/fire suppression. There are known occurrences of this species on the westward adjacent parcel, identified in 2005 (Occur. No. 405).	Oroville
Crustaceans	vernal pool tadpole shrimp *Lepidurus packardi*	Endangered	-	-	Inhabits vernal pools and swales in the Sacramento Valley containing clear to highly turbid water. Pools commonly found in grass bottomed swales of unplowed grasslands. Some pools are mud- bottomed and highly turbid.	**None.** The Project Area does not contain vernal pools or seasonal wetlands that are inundated long enough to support this species. Additionally, the Project site has been disced regularly for weed/fire suppression. The adjacent wetland pool is not deep enough to support this species.	Oroville
Fish	green sturgeon *Acipenser medirostris*	Threatened	-	-	Found within the Sacramento and San Joaquin rivers and Delta. They primarily spawn in the upper mainstem of the Sacramento River.	**None.** There are no water features within or near the Project Area that could support fish species.	Oroville
Fish	riffle sculpin *Cottus gulosus*	-	-	SSC	Found in permanent, cool, headwater streams where riffles and rocky substrates predominate throughout the Central Valley drainage.		Oroville
Fish	hardhead *Mylopharodon conocephalus*	-	-	SSC	Found in the Sacramento River and it's tributaries.		Berry Creek, Biggs, Palermo
Fish	steelhead *Oncorhynchus mykiss*	Threatened	-	-	Found in the Sacramento and San Joaquin Rivers and their tributaries.		Oroville
Fish	chinook salmon *Oncorhynchus tshawytscha*	Threatened	Threatened	-	Found in the Sacramento River and it's tributaries.		Oroville
Insects	Crotch bumble bee *Bombus crotchii*	-	Candidate Endangered	-	Range largely restricted to California, favoring grassland and scrub habitats. Typical of bumble bees, nests are usually constructed underground. Can persist in semi-natural habitats surrounded by development. Food plants include Lupinus, Salvia, Asclepias, Medicargo, Phacelia and Chaenactis.	**Low.** The Project Area does not contain the food plants/native flora favored by this species and there are no CNDDB occurrences within a ten-mile radius.	Cherokee
Insects	western bumble bee *Bombus occidentalis*	-	Candidate Endangered	-	Occurs in a wide variety of habitat types. Nests are constructed annually in pre-existing cavities, usually on the ground (e.g. mammal burrows). Bumble bees require plants that bloom and provide adequate nectar and pollen throughout the colony's life cycle, generally from early February to late November.	**Low.** The vicinity does not contain significant native flora or suitable food source throughout the duration of this species life cycle and there are no CNDDB occurrences within a ten-mile radius.	Cherokee
Insects	valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	Threatened	-	-	Only found in elderberry shrubs, usually in branches of an inch or greater in diameter and generally associated with adjacent riparian habitat.	**Low.** There is one isolated elderberry shrub is located in the southwest corner of Project Area, however a majority of the stems are not large enough (>1") to support VELB. VELB Survey performed per USFWS's Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle. There are no other elderberry shrubs or riparian habitat within 800 m and no VELB exit holes were found. Still, consultation and mitigation with USFWS will be required unless the shrub can be properly avoided.	Biggs, Palermo
Mammals	western mastiff bat *Eumops perotis californicus*	-	-	SSC	Common species of low elevations in California. Crevices in steep cliff faces or in the roof eaves of buildings of two or more stories (needs vertical faces to take flight).	**Low.** The Project Area does not contain tall buildings or cliffs for roosting and there are no CNDDB occurrences within a five-mile radius.	Oroville
Mammals	pallid bat *Antrozous pallidus*	-	-	SSC	Occupies a variety of habitats including grasslands, shrublands, woodlands, and forests from sea level up through mixed conifer forests. The species is most common in open, dry habitats with rocky areas for roosting. A yearlong resident in most of the range. Prefers rocky outcrops, cliffs, and crevices with access to open habitats for foraging.	**Low.** The Project Area does not contain the roosting habitat prefered by this species and there are no CNDDB occurrences within a five-mile radius.	Berry Creek
Mammals	Townsends big-eared bat *Corynorhinus townsendii*	-	-	SSC	Prefers mesic habitats. Gleans from brush or trees or feeds along habitat edges. Requires caves, mines, tunnels, buildings, or other human-made structures for roosting. Associated with a wide variety of habitats from deserts to mid-elevation mixed coniferous deciduous forest. Females form maternity colonies in buildings, caves and mines and males roost singly or in small groups. Foraging typically occurs in open forests.	**Low.** The Project Area does not contain the cavernous roost sites typically associated with this species and there are no CNDDB occurrences within a five-mile radius.	Oroville

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	SPECIES	FEDERAL STATUS	STATE STATUS	CDFW/CNPS STATUS	HABITAT TYPE	POTENTIAL FOR OCCURRENCE	LOCATION (QUAD)
Reptiles	western pond turtle *Emys marmorata*	-	-	SSC	Western pond turtles are full aquatic and require ponds, marshes, rivers, streams and irrigation ditches with dense riparian and shrub growth. Requires basking sites and suitable upland habitat including sandy banks or grassy open field for reproduction.	**None.** There is not a perennial water source within or adjacent to the Project Area.	Oroville
	giant garter snake *Thamnophis gigas*	Threatened	Threatened	-	Preferred habitat includes densely vegetated ponds, seasonal ponds and open hillsides. Vegetation, such as cattails, bulrushes and spike rushes are used as cover. Generally only found between sea level and approximately 400' elevation.	**Low.** The Project Area lacks suitable aquatic habitat or vegetative cover preferred by this species.	Shippee, Biggs
	coast horned lizard *Phrynosoma blainvillii*	-	-	SSC	Inhabits valley-foothill hardwood, conifer and riparian habitats, as well as pine-cypress, juniper woodlands, chaparral, and coastal scrub. Within these communities, the species requires a micro habitat of sandy soils for burying, open areas for sunning, and shrub cover for protection.	**Low.** The Project area lacks woodland, riparian and chaparral habitat preferred by the species and there are no CNDDB occurrences within a five-mile radius.	Oroville
Communities	Great Valley Cottonwood Riparian Forest	-	-	-	Found along perennial creeks and rivers throughout the Central Valley.	**None.** No suitable habitat in or near the Project Area.	Oroville
	Great Valley Willow Scrub	-	-	-	Located within dense, winter-deciduous, broad-leafed riparian forest habitat. The tree canopy is usually fairly well closed and characterized by dense populations of *Acer negundo, Juglans hindsii, Platanus racemosa, fremontii,* and/or *Salix spp* .	**None.** No suitable habitat in or near the Project Area.	Oroville
	Northern Basalt Flow Vernal Pool	-	-	-	Associated with low- to mid-elevation seasonally flooded depressions on impermeable soils above basalt formations.	**None.** No suitable habitat in or near the Project Area.	Oroville
	Northern Hardpan Vernal Pool	-	-	-	Associated with seasonally flooded depressions on impermeable soils or rock.	**None.** No suitable habitat in the Project Area due to historic grading and discing.	Biggs, Palermo, Hamlin Canyon
	Northern Volcanic Mud Flow Vernal Pool	-	-	-	Associated with seasonally flooded depressions on impermeable soils or rock.	**None.** No suitable habitat in the Project Area due to historic grading and discing.	Shippee
	Aharts paronychia *Paronychia ahartii*	-	-	1B.1	An annual herb inhabiting well drained, rocky outcrops and volcanic upland of cismontane woodland, valley and foothill grassland and vernal pool communities (Feb-Jun).	**Low.** The Project Area lacks the rocky outcrops, cismontane woodland, and vernal pool habitat preferred by species. Due to historical discing activities, the site contains homogenous, clay-rich soils not favored by this species. Despite this, populations have been observed north of the Project Area in the Thermalito Forebay State Recreation Area and the species was given extra consideration during the biological and botanical surveys. There are two occurrences listed in the CNDDB within a five-mile radius, identified in 2003 and 2004 (Occur. No. 59 & 60). None observed during site surveys.	Oroville
	Butte County golden clover *Trifolium jokerstii*	-	-	1B.2	Found in valley and foothill grassland (mesic), Vernal pools (Mar-May).	**Low.** The Project Area does not contain vernal pool habitat and has been impacted by historic discing activities and introduction of non-native species. There are five recent CNDDB occurrences with a five-mile radius, all north of the Project Area in suitable habitat (Occur. No. 1, 2, 9, 11, 12). None observed during site surveys.	Oroville
	Red Bluff dwarf rush *Juncus leiospermus var. leiospermus*	-	-	1B.1	Grows within vernal pools, altered vernal pools and grasslands with vernal swale complexes. Species specializes on higher, less mesic edges of vernal pools.	**Low.** The Project Area does not contain vernal pool habitat and has been impacted by historic discing activities. There is one CNDDB occurrence within a five-mile radius, identified in 2002 (Occur. No. 4 and 12). None observed during site surveys.	Oroville
	Butte County meadowfoam *Limnanthes floccosa ssp. Californica*	Endangered	Endangered	1B.1	Found in valley and foothill grassland (mesic), generally around perimeter of undisturbed vernal pool habitat (Mar-May).	**None.** The Project Area does not contain vernal pool habitat and has been historically disced. There are two CNDDB occurrences with a five-mile radius, identified in 1995 and 2008 (Occur. No. 31 & 48). None observed during site surveys.	Oroville
	woolly rose-mallow *Hibiscus lasiocarpos var. occidentalis*	-	-	1B.2	Occurs in freshwater marshes and swamps (June-Sep).	**Low.** The Project area lacks suitable wetlands and marsh communities preferred by the species and there are no recent (within the last 30 years) CNDDB occurrences with a five-mile radius. None observed during site surveys.	Oroville
	pink creamsacs *Castilleja rubicundula var. rubicundula*	-	-	1B.2	Usually found in meadows and seeps, but may grow in valley and foothill grassland, and openings in chaparral and cismontane woodland. Often found on serpentine soils (Apr-Jun).	**Low.** The Project area lacks cismontane woodland, meadows, seeps and grassland habitat preferred by the species and has been impacted by historic discing activities. There is one CNDDB occurrence within five miles of the project area (Occur. No. 5). None observed during site surveys.	Oroville

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	SPECIES	FEDERAL STATUS	STATE STATUS	CDFW/CNPS STATUS	HABITAT TYPE	POTENTIAL FOR OCCURRENCE	LOCATION (QUAD)
Vascular Plants	Aharts dwarf rush *Juncus leiospermus var. ahartii*	-	-	1B.2	Found in mesic valley and foothill grassland habitats, largely restricted to acidic soils in swales and shallow areas within low-elevation Northern Basalt Flow, Northern Claypan, Northern Hardpan, and Northern Volcanic Mudflow vernal pool types (Mar-May).	**Low.** No suitable vernal pool habitat in the Project Area due to historic grading and discing. There are two CNDDB occurrences within a five-mile radius, identified in 1993 and 2008 (Occur. No 4 & 12). None observed during site surveys.	Palermo, Biggs
	Greenes tuctoria *Tuctoria greenei*	Endangered	Rare	1B.1	Limited to vernal pool habitat in open grassland on the eastern side of the Sacramento and San Joaquin Valleys (May-July (Sep).	**Low.** The Project area lacks the vernal pool habitat preferred by the species and has been repeated disced. Non-native annual species dominate the landscape. There are two CNDDB occurrences within a five-mile radius (2002).None observed during site surveys.	Shippee, Biggs, Hamlin Canyon
	Sanford's arrowhead *Sagittaria sanfordii*	-	-	1B.2	Grows along marshes and shallow freshwater swamps. Blooms from May-Oct(Nov).	**Low.** The Project area lacks suitable marsh and swamp communities preferred by the species. There is one CNDDB occurrence with a five-mile radius (2003). None observed during site surveys.	Berry Creek, Biggs
	Jepson's onion *Allium jepsonii*	-	-	1B.2	Found in chaparral, cismontane woodland and lower montane coniferous forest (Apr-Aug).	**None.** The Project area lacks cismontane woodland, chaparral and lower montane coniferous forest preferred by this species and there are no CNDDB occurrences within a ten-mile radius. Generally considered outside this species range. None observed during site surveys.	Berry Creek, Cherokee
	big-scale balsamroot *Balsamorhiza macrolepis*	-	-	1B.2	Occurs in chaparral, cismontane woodland, valley and foothill grassland, sometimes on serpentine soils (Mar-Jun).	**Low.** The highly disturbed nature of the Project Area resulting from historic discing provides poor-quality habitat, and this species is not known to occur in such conditions. There are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Shippee
	Colusa layia *Layia septentrionalis*	-	-	1B.2	Found in chaparral, cismontane woodland and valley and foothill grassland habitat, prefers sandy and serpentine soils (Apr-May).	**Low**. The Project area lacks the conditions (soil types and habitats) preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Cherokee
	Lewis Roses ragwort *Packera eurycephala var. lewisrosei*	-	-	1B.2	Grows in chaparral, cismontane woodland and lower montane coniferous forest habitats (Apr-Aug).	**Low**. The Project area lacks the habitat (chapparal, cismontane woodland) preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Cherokee, Berry Creek
	dissected-leaved toothwort *Cardamine pachystigma var. dissectifolia*	-	-	1B.2	Occurs in chaparral and lower montane coniferous forest. Prefers serpentine soils (Mar-Jul).	**Low**. The Project area lacks the habitat (chapparal, lower montane coniferous forest) preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Berry Creek, Cherokee
	Hoovers spurge *Euphorbia hooveri*	Threatened	-	1B.2	Restricted to vernal pools in valley and foothill grasslands on volcanic mudflow or clay substrate between 75 to 400 feet eleavtion (in Butte County) (July-Sep (Oct)).	**Low.** The Project area lacks the vernal pool habitat preferred by the species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Hamlin Canyon
	veiny monardella *Monardella venosa*	-	-	1B.1	Found in open grassland habitat and requires heavy clay soils with deep cracks, generally of volcanic or serpentine origin (May-Jul).	**Low.** The Project area lacks the soils preferred by this species. Non-native annual species dominate the landscape. There are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Cherokee, Hamlin Canyon
	Brazilian watermeal *Wolffia brasiliensis*	-	-	2B.3	Limited to shallow freshwater marshes and wetlands (Apr-Dec).	**None.** The Project area lacks the wetland and marsh habitat in which the species occurs. There are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Palermo
	adobe-lily *Fritillaria pluriflora*	-	-	1B.2	Usually found in adobe soils in chaparral, cismontane woodland, and foothill grassland habitat (Feb-Apr).	**Low.** The Project Area lacks adobe soils and habitat preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Shippee
	Butte County checkerbloom *Sidalcea robusta*	-	-	1B.2	Occurs in chaparral and cismontane woodland (May-Jul).	**Low.** The Project area lacks the cismontane woodland and chaparral habitat preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Hamlin Canyon, Cherokee
	white-stemmed clarkia *Clarkia gracilis ssp. Albicaulis*	-	-	1B.2	Found in chaparral and cismontane woodland (Apr-Jun).	**None.** The Project area lacks the cismontane woodland and chaparral habitat preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Berry Creek

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SPECIES	FEDERAL STATUS	STATE STATUS	CDFW/CNPS STATUS	HABITAT TYPE	POTENTIAL FOR OCCURRENCE	LOCATION (QUAD)
Mildreds clarkia *Clarkia mildrediae ssp. Mildrediae*	-	-	1B.3	Prefers granitic and sandy soils in cismontane woodland and lower montane coniferous forest habitat (Mar-Aug).	**None.** The Project area lacks the cismontane woodland and lower montane coniferous forest habitat preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Berry Creek
Mosquins clarkia *Clarkia mosquinii*	-	-	1B.1	Prefers rocky substrates in cismontane woodland and lower montane coniferous forest; Often identified along roadsides (May-Jul).	**None.** The Project area lacks the cismontane woodland, lower montane coniferous forest habitat and rocky soils preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Berry Creek, Cherokee, Oroville Dam
fern-leaved monkeyflower *Erythranthe filicifolia*	-	-	1B.2	Prefers slow draining ephemeral seeps within chaparral, lower montane coniferous forest and meadow habitats (Apr-Jul).	**Low.** The Project area lacks the chaparral and lower montane coniferous forest habitat preferred by this species and there are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Berry Creek
slender Orcutt grass *Orcuttia tenuis*	Threatened	Endangered	1B.1	Found in vernal pool habitat, preferably in gravelly soils on substrates of volcanic origin, such as Northern Volcanic Ashflow and Northern Volcanic Mudflow vernal pools (May-Sep(Oct)).	**Low.** The Project Area lacks the gravelly soils and vernal pool habitat required by this species. There are two CNDDB occurrences within a five-mile radius, both identified in 2008. None observed during site surveys.	Palermo
Sierra blue grass *Poa sierrae*	-	-	1B.3	Prefers openings in lower montane coniferous forest (Apr-Jul).	**Low.** This species is generally found higher in the foothills and prefers montane coniferous forests. There are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Berry Creek
Aharts buckwheat *Eriogonum umbellatum var. ahartii*	-	-	1B.2	Prefers openings and slopes in chaparral and cismontane woodland; Often found on serpentine soils (Jun-Sep).	**Low.** This species is generally found higher in the foothills and prefers slopes and serpentine soils. There are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Berry Creek, Cherokee
recurved larkspur *Delphinium recurvatum*	-	-	1B.2	Occurs in sandy or clay alkaline soils, generally in annual grasslands or in association with saltbush scrub or valley sink scrub habitats, ranging in elevation from 100 to 2,000 feet above sea level (Mar-Jun).	**Low.** The highly disturbed nature of the Project Area resulting from historic discing provides poor-quality habitat, and this species is not known to occur in such conditions. There are no CNDDB occurrences within a five-mile radius. None observed during site surveys.	Shippee

MBTA = Protected by the Federal Migratory Bird Treat Act
SSC = CDFW State Species of Special Concern
FP = CDFW Fully Protected Species
WL = CDFW Watch List Species

CNPS California Rare Plant Rank (CRPR)
1B = Rare or Endangered in California or elsewhere
2B = Rare or Endangered in California but more common elsewhere
0.1 = Seriously Threatened
0.2 = Fairly Threatened
0.3 = Not very Threatened

POTENTIAL FOR OCCURRENCE CRITERIA

None : Habitat of the Project Area is clearly unsuitable for the species' requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime, etc.).
Low : Few of the habitat components meeting the species' requirements are present, and/or the species is not known to recently occur within a five-mile radius. The species is not likely to be found in the Project Area.
Moderate : Several of the habitat components meeting the species' requirements are present, and the species is known to occur within a five-mile radius. The species has a moderate probability of being found in the Project Area.
High : All of the habitat components meeting the species' requirements are present and the species is known to recently occur within a five-mile radius. The species has a high probability of being found in the Project Area.
Present : Species is observed on the site or has been documented (i.e., CNDDB, other reports) recently in the Project Area.

5.0 SPECIAL-STATUS PLANTS

A majority of the special-status plant species listed in the CNDDB occur in or near vernal pool habitat, in different plant communities than those present in the Project Area (often at higher elevations), or in high-quality grassland habitat. Because of the history of discing and disturbance, surrounding residential land use, and change in hydrologic regime, the remaining grassland is likely too low in quality to support these special-status plant species. Based on a habitat assessment and results of two field surveys (February 16 & March 17, 2023), none of the 26 special-status plant species known to occur in the Project Area's quadrangle (Oroville) and eight adjacent quadrangles (Palermo, Biggs, Oroville Dam, Shippee, Hamlin Canyon, Cherokee, Bangor, and Berry Creek) are likely to occur in the Project Area.

Several species have the potential to occur in the wetland habitat on the western adjacent parcel (APN 030-230-103), although none were observed within 50' of the Project Area during the surveys performed on February 16th and March 17th. A pervious agricultural ditch and elevated disced, earthen berm bisect the wetland habitat from the Project Area, creating a topographic and hydrologic break and interrupting the natural wetland pool "terrestrial habitat" (the area adjacent to and within 250 feet of a vernal pool) and "envelope" (the area adjacent to and within 100 feet of a vernal pool) (Calhoun and Klemens, 2002).

6.0 SPECIAL STATUS WILDLIFE

A majority of the special-status wildlife species listed in the CNDDB occupy habitats not found within the Project Area. Habitat suitability for many grassland-associated species in the Project Area has been reduced by repeated discing of the Project Area and surrounding residential development. These factors have also reduced or eliminated the potential for riparian and aquatic species to occupy the Project Area.

Of the 38 special-status wildlife species known to occur in the Project's quadrangle (Oroville) eight adjacent quadrangles (Palermo, Biggs, Oroville Dam, Shippee, Hamlin Canyon, Cherokee, Bangor, and Berry Creek), two have moderate potential to occur in the Project Area (western burrowing owl and Swainson's hawk). The Project Area also provides suitable habitat for migratory and nesting birds and raptors protected by the Migratory Bird Treaty Act and Fish & Game Code and contains a single elderberry shrub that provides habitat for the federally threatened valley elderberry longhorn beetle (VELB). In order to minimize potential impacts to listed species, NVE recommends several avoidance and mitigation measures, as summarized in **Section 6.0.**

	TABLE 3: SPECIAL STATUS WILDLIFE IN PROJECT AREA		
	SPECIES	SPECIAL STATUS	POTENTIAL TO OCCUR
PROJECT AREA	Western Burrowing Owl *Athene cunicularia*	CA Species of Special Concern	Moderate
	Swainson's Hawk *Buteo swainsoni*	California Threatened U.S. Bird of Conservation Concern	Moderate
	Migratory & Nesting Birds *Several species*	Protected by MTBA	Moderate
	Valley Elderberry Longhorn Beetle *Desmocerus californicus dimorphus*	Federally Threatened	Low Consultation/mitigation will be required if elderberry shrub cannot be properly avoided
ADJACENT WETLAND	Vernal Pool Fairy Shrimp *Branchinecta lynchi*	Federally Threatened	None within Project Area High Potential on adjacent property Requires 250' setback or mitigation/consultation

The wetland habitat on the western adjacent parcel (APN 030-230-103) may provide suitable habitat for vernal pool fairy shrimp (*Branchinecta lynchi*), which are federally threatened with extinction. Presence of special-status species must be assumed in the absence of recent consecutive wet- and dry-season or two-year wet season brachiopod surveys. Avoidance and minimization measures must be implemented to avoid indirect impacts to vernal pool habitat and associated wildlife. With special-status species' presence assumed, the USFWS requires a standard 250' buffer or consultation and/or mitigation will be required (additional recommendations in **Section 6.5**). Based on the impaired condition of the wetland pool and the topographic/hydrologic break between the wetland area and Project Area, USFWS may approve a reduced construction setback buffer.

6.1 WESTERN BURROWING OWL

The western burrowing owl (*Athene cunicularia*) is a small, long-legged owl with a round head, white eyebrows, and yellow eyes that stands seven to ten inches tall. Burrowing owls typically favor flat, open, annual or perennial grassland or shrubland habitat with sparse or nonexistent tree or shrub canopy cover. They generally nest in burrows that have been constructed and abandoned by small mammals such as ground squirrels or badgers. Manmade substrates, such as pipes or debris piles, may also be occupied in place of burrows. They are most active at dawn and dusk and perch top of their burrows and other low structures to forage and watch for predators. Their diet consists of insects, and small mammals, reptiles, and amphibians. The breeding season for burrowing owls is generally from late March through May and the species exhibits high site fidelity, often returning to previously occupied burrows. Some burrowing owls have adapted to urban landscapes, including open lots, roadsides, and landscaped areas near development.

There has been one reported CNDDB occurrence within five miles of the Study Area, during which an adult was observed above a burrow located 2.25 miles to the southwest in 2006 (CNDDB Occurrence No. 1003). Although this species was not observed during the site surveys, there is potential that burrowing owls are present within the Project Area due to the presence of suitable nesting and foraging habitat, rodent burrows, and previous occurrences in the vicinity.

Project activities, including vegetation removal and ground disturbance, may affect this species by causing auditory, vibratory, and/or visual disturbance of a sufficient level to cause burrow abandonment.

To minimize impacts to the western burrowing owl, the following avoidance and minimization measures are recommended:

If possible, project activities including vegetation removal or grading shall be initiated outside of the burrowing owl nesting season (February 1 – August 31).
If construction cannot be conducted outside of the nesting season, the following avoidance and minimization measures shall be implemented: ▪ For construction occurring during the breeding season (February 1 – August 31), prior to any ground disturbing activities within the site, a pre-construction survey for western burrowing owls shall be conducted by a qualified biologist within 14 days of ground disturbing activities per the recommendations described in the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993). ▪ If an active burrowing owl nest is observed within 250 feet of the project footprint, a 250-foot buffer should be established and CDFW contacted for further consultation.

6.2 SWAINSON'S HAWK

The Swainson's hawk *(Buteo swainsoni)* is listed as threatened under the California ESA and is a candidate for listing as threatened or endangered under the federal ESA. This species is a migratory raptor that typically nests in or near valley floor riparian habitats during the spring and summer. Swainson's hawks forage in grassland and agricultural areas, wherever abundant small mammals are available. Their diet largely consists of voles, gophers, mice, small birds, small reptiles, and insects and they are often found near agricultural fields (alfalfa, row crops, grain fields, etc.) where harvesting activities flush out prey.

Swainson's hawks usually nest in large native trees such as cottonwoods, oaks, or willows, but will occasionally nest in eucalyptus (such as the small grove observed in the Project Area). This species generally nests in the top third of tall, mature trees with good cover and vantage, although will occasionally nest in shrubs, on telephone poles, and on the ground. Swainson's hawks exhibit high mate and nest site fidelity, often returning to the same nesting site year after year.

Swainson's hawks were previously common throughout California, but the loss of riparian nesting trees and grassland foraging habitat has caused a significant decline in their population.

According to the CNDDB, there have been two Swainson's hawk nest sites within the Oroville quadrangle and surrounding eight quadrangles (greater than a ten-mile radius). The closest nesting site is approximately miles six miles south of the Project Area, adjacent to the Feather River in the Oroville Wildlife Area (CNDDB Occurrence No. 1530). This nest site was repeatedly used in 2002, 2003, 2005, 2006, 2011 and 2012. A nearby nest was identified and fledged young in 2015 (last documented use). The nests were located in cottonwood trees surrounded by riparian habitat (with a 2006 nest located in a mistletoe clump). A second nesting area was identified proximately 8 miles south of the Project Area, in an open grove surrounded by grasslands and vernal pool complex habitat (CNDDB Occurrence No. 2046). Nests were constructed/occupied in 2007, 2008, 2009, 2010 (last documented use) in an exposed grove of eucalyptus and cottonwood trees.

To minimize impacts to the Swainson's hawk, the following avoidance and minimization measures are recommended:

A protocol-level nesting raptor survey shall be conducted within seven days prior to the initiation of Project activities to determine the presence or absence of active Swainson's hawk nests within the Project Area and 500 feet of the Project boundary, where feasible. If an active Swainson's hawk nest is found, no work should occur within 500 feet of the active nest and CDFW shall be consulted for additional guidance.
At the time of preparation of this document, there are no documented active Swainson's hawk nest sites (considered active if used within at least one of the last five years) within ten miles of the Project Area. Records indicate that the last nest site within a ten-mile radius was used in 2015. If a new nest site is identified prior to construction, additional mitigation may

be required consistent with the Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California (CDFW 1994). A qualified biologist should query the CNDDB immediately prior to land-clearing activities to confirm there are no new nest sites within a ten-mile radius of the Project Area.

6.3 MIGRATORY BIRDS AND RAPTORS

The Project Area contains suitable nesting habitat for a variety of ground and tree- nesting avian species protected by the MBTA and CFGC. Baseline protections for most native birds under federal law and state codes include active nests (those with eggs or young). Project activities, such as vegetation removal and ground disturbance associated with development, would have the potential to affect these species by causing direct mortality of eggs or young, or by causing auditory, vibratory, and/or visual disturbance of a sufficient level to cause abandonment of an active nest. A majority of the birds protected by MTBA and CFGC are not recorded in the CNDDB, so a lack of recent data does not indicate a lack of presence. Protected species have a moderate potential to occur in the Project area based on the Project Area's foraging and nesting habitat (eucalyptus trees) and proximity to the Thermalito Afterbay.

To avoid impacts to avian species protected under the MBTA and the CFGC, the following avoidance and minimization measures are recommended:

Project activities including vegetation removal or grading shall be initiated outside of the bird nesting season (February 1 – August 31).

If Project activities cannot be initiated outside of the bird nesting season, the following alternative mitigations are recommended:

- A qualified biologist will conduct a pre-construction survey within 250 feet of the Project Area, where accessible, within 7 days prior to the start of Project activities.
- If an active nest or burrow (i.e. containing egg(s) or young) is observed within the Project Area or in an area adjacent to the Project Area where impacts could occur, then a species protection buffer will be established. The species protection buffer will be defined by the qualified biologist based on the species, nest type, and tolerance to disturbance. Construction activity shall be prohibited within the buffer zones until all young have fledged or the nest fails as determined by a qualified biologist. Nests shall be monitored by a qualified biologist every two weeks.

6.4 VALLEY ELDERBERRY LONGHORN BEETLE

A single blue elderberry shrub (*Sambucis spp*.) was identified in the southwest corner of the property (**Figure 5**). Elderberry shrubs are obligate larval host plants for the federally threatened Valley Elderberry Longhorn Beetle (VELB, *Desmocerus californicus dimorphus)*. VELB are only found in association with elderberry shrubs, and shrubs with branches that are one inch or greater in diameter are generally assumed to contain the threatened beetles. In the late spring and early summer (typically June), VELB lay eggs on elderberry leaves and/or stems. Hatched larva bore into the elderberry shrub and excavate the pith to create voids or "feeding galleries." The larva bores a small exit hole through the elderberry stem and plugs the hole with shavings before returning to the feeding gallery to pupate. Pupation lasts approx. 30 days, after which adult beetles emerge from the previously created exit holes to consume the elderberry foliage, breed, ley eggs, and restart this life cycle (March-July) (USFWS, 2017).

The elderberry shrub was surveyed for VELB occupancy and habitat suitability according to USFWS's *Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle*. No VELB exit holes were observed but the bush itself appeared to be very stressed as evidenced by several dead branches. According to the CNDDB, there are no VELB occurrences within five miles of the Project Area and only two occurrences within a ten-mile radius, both observed in 1991. The closest riparian habitat is poor in quality and approximately 0.75 miles to the east (Ruddy Creek). Based on the findings of our survey and assessment, it's very unlikely the shrub has been historically or is currently occupied by VELB. Regardless, VELB is a federally threatened species and consultation with USFWS may be required if impacts to the elderberry shrub cannot be avoided. Compensation for impacts to the shrub may include transplanting the elderberry and purchasing credits at a USFWS approved bank per USFWS *Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle* (2017); However, due to the shrub's isolated non-riparian location and absence of VELB exit holes, the USFWS may determine that mitigation is not required. The determination regarding mitigation will be made by the USFWS during consultation.

Should the Project propose to avoid the elderberry shrub, the following avoidance and minimization measures are recommended:

Fencing: All areas to be avoided during construction activities will be fenced and/or flagged as close to construction limits as feasible.
Education: An educational pamphlet will be attached to the development plans, describing the status of the VELB, its host plant and habitat, the need to avoid damaging the elderberry shrub, and the possible penalties for noncompliance.
Avoidance area: Activities that may damage or kill an elderberry shrub (e.g., trenching, paving, etc.) may need an avoidance area of at least 3 meters (10 feet) from the drip-line, depending on the type of activity.

Timing: As much as feasible, all activities that could occur within 50 meters (165 feet) of an elderberry shrub, will be conducted outside of the flight season of the VELB (March - July).
Trimming: Trimming may remove or destroy VELB eggs and/or larvae and may reduce the health and vigor of the elderberry shrub. To minimize adverse effects to VELB when trimming, trimming will occur between November and February and will avoid the removal of any branches or stems that are ≥ 1 inch in diameter. Measures to address regular and/or large-scale maintenance (trimming) should be established in consultation with the USFWS.
Chemical Usage: Herbicides will not be used within the dripline of the shrub. Insecticides will not be used within 30 meters (98 feet) of an elderberry shrub. All chemicals will be applied using a backpack sprayer or similar direct application method.
Mowing: Mechanical weed removal within the dripline of the shrub will be limited to the season when adults are not active (August - February) and will avoid damaging the elderberry.

Note: Implementing the standard 250-foot buffer (or USFWS-approved reduced buffer) from the adjacent wetland area would also encompass and protect the elderberry shrub.

6.5 VERNAL POOL FAIRY SHRIMP

Vernal pool fairy shrimp *(Branchinecta lynchi)* occupy grassland vernal pools or similar seasonal wetlands. They require cool water with low alkalinity and low total dissolved solids and tend to be found in smaller pools about six inches deep that stay flooded for relatively short periods. Vernal pool fairy shrimp typically hatch when the first rains of the year fill vernal pools. Adult fairy shrimp only live for one season while water is present. This species only occurs in suitable habitat in limited regions of California and southern Oregon. The largest threat facing this species is a reduction of vernal pool habitat due to development and climate change.

According to data available on the CNDDB, the adjoining 76-acre property (assumed to include the 27.08-acre APN 030-230-103) was surveyed for brachiopods in October and December of 2005 (by Brett Helm & Gallaway Consulting, Inc.). According to available records, vernal pool fairy shrimp cysts were identified in fourteen of the 51 onsite vernal pools during dry sampling in December, and adults were identified in at least three pools in October (CNDDB Occurrence No. 405). NVE submitted public record requests to the City of Oroville and the Butte County Division of Environmental Health in attempt to review previous brachiopod survey reports, however no records have been located as of the date of this report.

It's unknown whether the pool within proximity to the Project Site contained fairy shrimp and/or fairy shrimp cysts, however given the suitable habitat and nearby occurrence, their presence must be assumed in the absence of recent dry and wet season sampling. No vernal

pool crustations were observed during the two site surveys, although we did not sample for the species and cannot say definitively if they occur here or not. The adjacent wetland pool contains suitable habitat for federally listed vernal pool fairy shrimp. In the absence of consecutive wet- and dry- season or multi-year wet-season surveys for listed vernal pool branchiopods following the USFWS Guidelines, the species' presence must be assumed.

There are regulatory setbacks established for vernal pools and other seasonal wetlands, which may contain vernal pool crustaceans. The purpose of a setback is to buffer the wetland from the indirect impacts of development, such as polluted runoff. According to the Programmatic Consultation for vernal pool crustaceans, all construction activities must remain a minimum of 250 feet from any vernal pool to avoid impacts. Thus, all development must occur a minimum of 250 feet from the margin of any vernal pool in order to achieve total avoidance of impacts, unless a lesser buffer is approved by the U.S. Fish and Wildlife Service.

NVE proposes that a reduced setback (i.e., 125 or 150 feet) is warranted for this situation, given the impaired condition of the wetland habitat and the topographic/ hydrologic break between the adjacent property and the Project Area. As described in **Section 4.2**, the adjacent wetland area is upgradient of the Project Area and bisected by a pervious irrigation/drainage ditch and elevated berm. Given appropriate setback and grading design, development of the Project Area would not divert runoff from entering the wetland area or deliver discharges to the wetland area (resulting in direct and/or indirect impacts). In addition, development landscaping would be limited to prevent the additional spread of invasive species (although the Project Area and adjacent wetland area is already largely dominated by non-native annual species.)

Project proponents can also elect to sample the wetland pool to determine if vernal pool fairy shrimp are present. A complete sampling survey requires completion of two full wet season surveys (within a 5-year period) or two consecutive seasons of one full wet season survey and one dry season survey (performed according to USFWS brachiopod survey guidelines). USFWS permits and written permission from the adjacent property owner would be required to pursue sampling for presence.

To protect adjacent wetland habitat and potential special-status species, the following avoidance and minimization measures are recommended:

The project proponent shall install flagging to delineate the U.S. Fish and Wildlife Service approved buffer zone (250-foot or reduced subject to USFWS approval) which may contain listed vernal pool branchiopod species to avoid potential indirect impacts to these listed species. These areas will be avoided by all construction personnel. The fencing shall be inspected before the start of each workday and maintained by the contractor until completion of the Project. The fencing may be removed only when the construction of the Project is completed.
Construction timing will be confined to the summer and fall months when waters of the United States and suitable habitat within the Project Area are dry and wildlife dormant.

The contractor shall ensure, when feasible, that activities that are inconsistent with the maintenance of the suitability of vernal pool crustacean habitat and the associated on-site watershed are prohibited. These include, but are not limited to: ▪ The alteration of existing topography that may alter hydrology into habitat for Federally listed vernal pool crustaceans. ▪ The placement of any equipment within suitable habitat; and dumping, burning, and/or burying of rubbish, garbage, or any other wastes and fill materials within 250 feet of habitat (or other USFWS-approved buffer).
The Project proponent shall include a copy of the Biological Opinion (BO), as applicable, within its construction documents making the primary contractor responsible for implementing all requirements and obligations included within the BO, and to educate and inform all other contractors involved in the Project as to the requirements of the BO.
The contractor will be responsible for understanding and following the guidelines set forth in the Section 404 permit and Section 401 water quality certification and the contractor will avoid and minimize potential construction-related water quality impacts through compliance with the RWQCB by preparing and submitting the following water quality permits and plans. ▪ A National Pollutant Discharge Elimination System (NPDES) storm water permit for general construction activities. ▪ A Notice of Intent to obtain proper coverage under the State Construction General Permit.
During construction activities silt fencing will be erected as necessary to prevent dust from drifting into adjacent vernal pool depressions.

Final site development plans will inform if the proposed project would result in direct or indirect impacts to adjacent wetland habitat. Development within the setback buffer established by U.S. Fish and Wildlife would require mitigation for impacts to vernal pools and associated special-status species. Consultation with the USFWS is needed to determine the extent of mitigation that will be required to address impacts. Final acreages of vernal pool habitat will be determined during the permitting/consultation process, as wetland surveyors did not have permission to survey the adjacent property.

7.0 CONCLUSIONS

The most significant consideration for development for this parcel is the wetland habitat located southwest of the Project Area on the adjacent property (APN 030-230-103). Although the wetland habitat is upgradient of the Project Area and bisected from the Project Area by an irrigation ditch and elevated earthen berm, federally threatened vernal pool fairy shrimp have been documented on the adjacent property. The U.S. Fish and Wildlife Service has a standard minimum 250-foot setback buffer from any wetland pool that may contain federally listed brachiopods. Given the impaired condition of the adjacent wetland pool and the topographic/ hydrologic break between the adjacent property and the Project Area, the U.S. Fish and Wildlife Service may approve a reduced setback buffer, however consultation and/or mitigation will be required to ensure listed species are not adversely impacted. The Project Area also contains a lone elderberry shrub, which is located within the proposed adjacent wetland setback area. A map showing the standard 250-foot wetland setback (containing listed brachiopods) and proposed 125-foot setback is included on **Figure 5.** There were no special-status plants identified or likely to occur within the Project Area.

Other preventative and mitigative measures include avoiding the initiation of construction activities during the avian nesting season or performing preconstruction surveys for protected avian species that may occur in the area, including targeted surveys for Swainson's hawks and western burrowing owls.

Implementation of all recommended mitigation measures would ensure project impacts would be less than significant with mitigation incorporated.

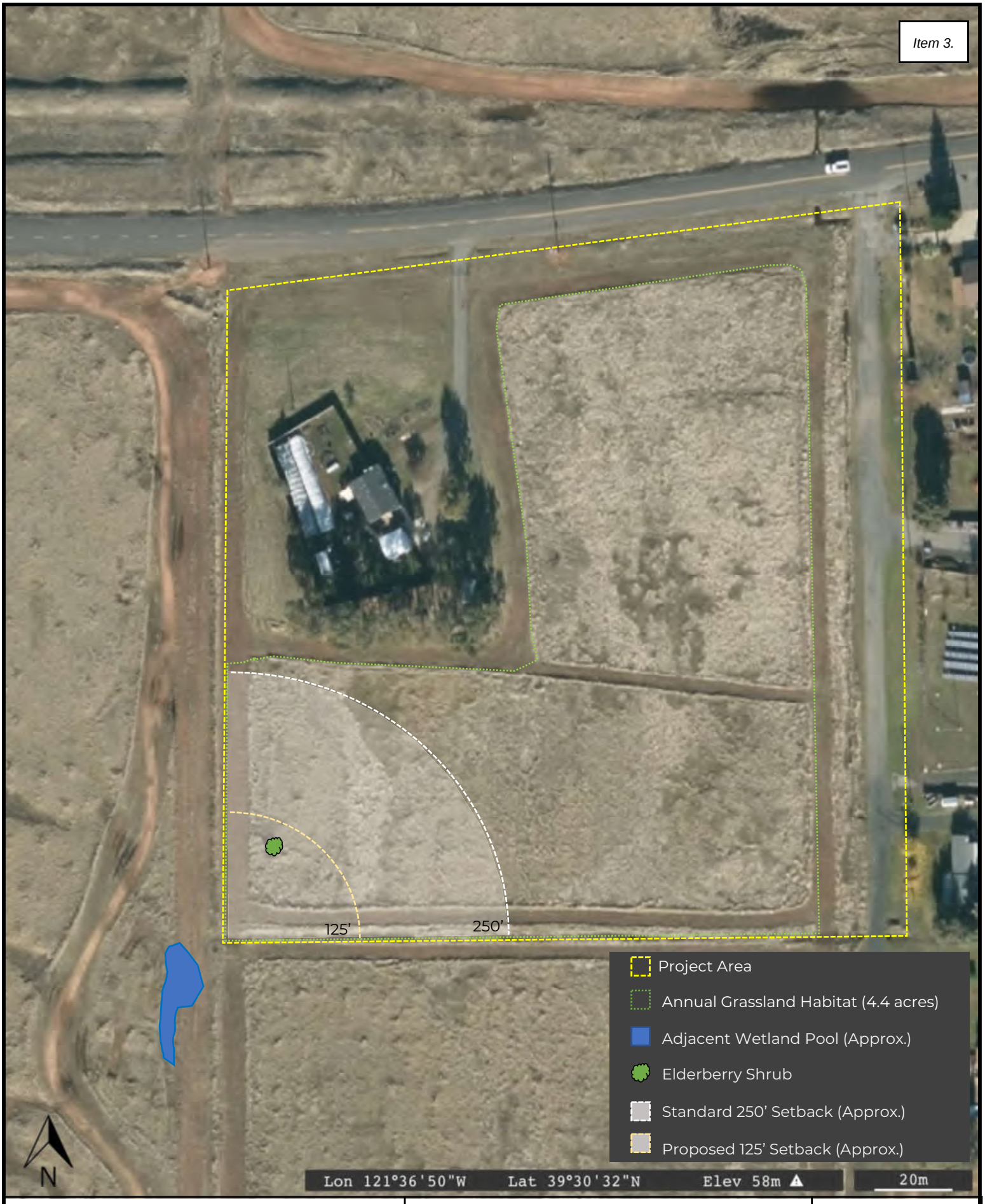

FIGURE 5
POTENTIAL SETBACKS

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

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APPENDIX A	SITE PHOTOGRAPHS	A

View southwest from northeast corner of Project Area (corner of 21st Street & Grand Avenue)

View north from southeast corner of property (21st Street on right)

SITE PHOTOGRAPHS
BIOLOGICAL SURVEY – FEBRUARY 16, 2023

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

View northeast from southwest corner of Project Area. Note location of elderberry shrub.

View south from northwest corner of Project Area (22nd Street ROW on right)

SITE PHOTOGRAPHS
BIOLOGICAL SURVEY – FEBRUARY 16, 2023

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

View west from southeast property corner

View east from northwest corner of Project Area (Grand Avenue on left)

SITE PHOTOGRAPHS
BIOLOGICAL SURVEY – FEBRUARY 16, 2023

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

Elderberry shrub observed in southwest corner of Project Area. VELB Survey performed per USFWS's *Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle*. No exit holes found.

SITE PHOTOGRAPHS

BIOLOGICAL SURVEY – FEBRUARY 16, 2023

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

Southwest property corner, with adjacent wetland area on right, bisected by irrigation ditch and pervious berm (view northeast). Approximate property line denoted in orange.

Wetland pool on adjacent property, approximately 25 feet southwest of Project Area (view southwest from southwest property corner). Approximate property line denoted in orange.

SITE PHOTOGRAPHS

BOTANICAL SURVEY - MARCH 17, 2023

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

APPENDIX B	WETLAND DELINEATION	B

Grand Acres Wetland Delineation Report

February 2023

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Date Submitted
March 22, 2023

Executive Summary

This report presents the results of a field study to delineate wetlands defined by the 1987 U.S. Army Corps of Engineers (USACE, 1987) Wetlands Delineation Manual and its 2008 Arid West Regional Supplement. We also assessed potentially federal and/or state jurisdictional wetlands and "other waters of the U.S." in the Study Area in accordance with the 2014 Corps Field Guide to the Identification of the Ordinary High-Water Mark (OHWM) for Non-perennial Streams in the Arid West Region of the Western United States.

The total acreage surveyed was 7.892 acres. We determined that there are no wetlands or other waters of the U.S. or water of the State. The entire survey area consists of upland habitat.

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Acronyms and Abbreviations

NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
NWPL	National Wetland Plant List
OHWM	Ordinary High-Water Mark
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
UTM	Universal Transverse Mercator coordinate system
WRIA	Water Resource Inventory Area
WIS	Wetland Indicator Status
OBL	Obligate Wetland Plant
FACW	Facultative Wetland Plant
FAC	Facultative Plant
FACU	Facultative Upland Plant
UPL	Upland Plant
NI	Indicator status not known in this region

Chapter 1. Introduction

FISHBIO has prepared this Wetland Delineation report for 7.892 acres located in the City of Oroville, California. The purpose of this Delineation is to document aquatic resource boundary determinations for review by regulatory authorities. The property is owned by Trish Hopps (901 Bruce Road, Suite 130, Chico Ca 95928) and is seeking subdivision by Butte Creek Property Corporation (901 Bruce Road, Suite 130, Chico Ca 95928). The subdivider seeks to develop and divide the property into 24 lots for single family homes to be constructed. Engineer drawings are provided by W. Gilbert Engineering (140 Yellowstone Drive, Suite 110, Chico, CA 95973) and presented as Appendix B.

The current land use is medium low density residential and zoned as large lot residential. There is an existing single-family home located in the northwest quarter of the property. The property to the west of the study area appeared to have multiple wetlands with standing water at the time of the field survey. The property to the south looked similar to the study area but with more slope. To the east of the study area and east of 21st St. are multiple low-density houses on one-to-two-acre parcels. North of the study area and north of Grand Ave is an undeveloped 18-acre parcel.

Chapter 2. Location

The study area is a single parcel (APN: 030-120-060) 7.892 acres. The property is location within the city of Oroville, Butte County, California, southwest of the intersection of Grand Ave. and 21st St. There is an existing residence on the property with physical address of 2151 Grand Ave., Oroville, CA 95965. The center of the property is at latitude: 39.508573°, longitude: -121.612450°.

Chapter 3. Methods

Background research was collected to provide guidance for subsequent field surveys and included collecting and reviewing historical aerial photography, topographical maps (USGS data file for California; via ESRI GIS database), Natural Resources Conservation Service (NRCS) Soil Survey maps (USDA-NRCS online database; Appendix B), and U.S. Fish and Wildlife Service's (USFWS) National Wetlands Inventory (NWI) maps (USFWS data file for California; via ESRI GIS database; Appendix B). These sources were used to determine the most likely areas of potential wetlands occurrences. FISHBIO biologists surveyed the study area February 2023.

Chapter 4. Existing Conditions

4.1 Landscape Setting

The study area lies in the Honcut Headwaters- Lower Feather watershed (Hydrologic Unit Code 18020159) at approximately 200 feet in elevation above mean sea level (msl). According to Natural Resource Conservation Service (NRCS), the Study Area is comprised of Oroville-Thermalito-Fernandez-Thompsonflat complex, with 0-9% slopes.

According to the NRCS, Oroville-Thermalito-Fernandez-Thompsonflat complex, soils occur on terraces and are comprised of loams, sandy clay, extremely gravelly coarse sandy loam, gravelly clays, clays, and clay loams. Composed of four different soils, the soil complex ranges from somewhat poorly drained to moderately well drained and have a low to very high runoff class. They are deep with no tendency to pond, although Oroville soils have a high flooding frequency. Permeability varies from 0.00 to 0.06 inches per hour.

The study area appears to have been historically disturbed, possibly graded. The terrain is mostly uniform with 1.1% slope from northwest to southeast. There are man-made drainage ditches that extend along the southern and eastern sides of the parcel. The ditches channel runoff from the Project Area towards the southeast corner of the parcel, where the two ditches converge and enter a culvert beneath 21st Street. The perimeter of the property appeared to be disced with the past year and from aerial imagery it appears to have been disced annually for a couple of decades. An elevated earthen berm (approximately 1-2’ above grade) extends around the eastern, southern, and western property perimeter. At least a quarter of the property appears to be mowed regularly.

4.2 Aquatic Resources

Hydrology

The field surveys took place in February 2023 after above normal rain in January 2023, 9.9 inches at Oroville dam (ORO, CDEC). Cumulative precipitation for the 2023 water year on February 16, 2023, survey date, was 24.92 inches as measured at Oroville dam (ORO, CDEC).

Nearest USGS blue-line is an un-named stream approximately 1,000 ft southeast of the study area. The un-named stream on USGS map runs east to west for approximately 2.35 miles where it drains to the Thermalito Afterbay.

4.3 Sensitive Plants, Fish, Wildlife, and Cultural/Historic Properties

Vegetation on the 7.892-acre parcel was fairly homogeneous. Due to timing of the survey most perennial and annual vegetation was not yet flowering. The dominant grasses consisted of non-native perennial ryegrass (*Festuca perennis*) and wild oats (*Avena* sp.). The most common broad-leaved plants were Storksbill (*Erodium cicutarium*), Long-beak stork's bill (*Erodium botrys*), and Buck's-horn plantain (*Plantago coronopus*). There is a single blue elderberry (*Sambucus mexicana*) at the southwest corner of the property and a row of non-native invasive red gum eucalyptus (*Eucalyptus camaldulensis*) adjacent to the existing house near the center of the property.

Chapter 5. Results

5.1 Wetland Features

A physical survey of the 7.892-acre parcel was conducted by FISHBIO biologists Jim Inman and Patrick Cuthbert on February 16, 2023. Five sample sites were selected to represent geographic and biological variability within the survey area. None of the survey points met criteria for wetland designation. There was one wetland pool identified southwest of the survey area (Appendix A) on the adjacent property and is identified on the aquatic resource Delineation Map for setbacks on any planned future development. The wetland pool location and approximate size was identified using aerial imagery as access to the adjacent property had not been acquired.

5.2 Non-Wetland Features

There is a man-made drainage ditch along the south, and east perimeter of the study area that drains to the southeast corner of the property where the two ditches converge and enter a culvert beneath 21st Street. (Appendix A).

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Appendices

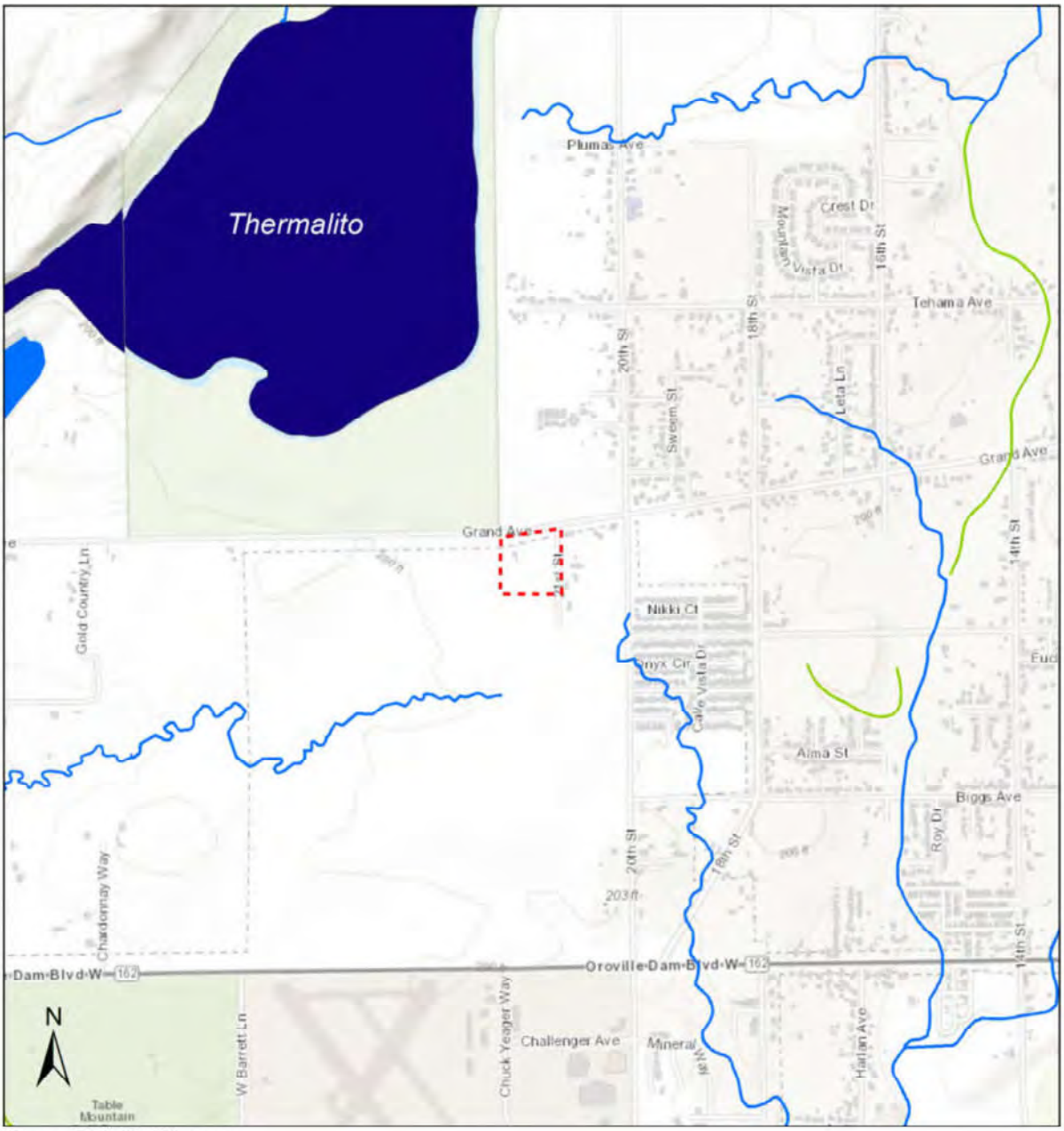
Appendix A – Aquatic Resources Delineation Map

Appendix B – Supporting Maps

Vicinity Map

Source: USGS Topographic 7.5 minute Quadrangle - Oroville, Butte Co. CA.

National Wetlands Inventory Map



NRCS Soil Survey Map

Source: ESRI World Imagery

Oroville-Thermalito-Fernandez-Thompsonflat complex, 0 to 9 percent slopes

0 250 500

Feet

Date: February 16, 2023

Appendix C – On-site Photographs

Photo of 2151 Grand Ave., Oroville, CA 95965, taken from southeast corner facing northwest.

Photo of sample point P01, photo taken facing east.

Photo of sample point P02, photo taken facing southeast.

Photo of sample point P03.

Photo of sample point P04.

Photo of sample point P05, photo taken facing west

Appendix D – Plant List

Plant species found within the survey area

Scientific Name	Common Name	Wetland Indicator Status
Erodium botrys	Long-beak stork's bill	FACU
Erodium cicutarium	Storksbill	UPL
Eucalyptus camaldulensis	Red gum eucalyptus	FAC
Festuca perennis	Perennial ryegrass	FACU
Juncus effusus	Soft rush	FACW
Narcissus tazetta	Bunch-flowered daffodil	NI
Plantago coronopus	Buck's-horn plantain	FAC
Rumex crispus	Curly dock	FAC
Sambucus mexicana	Blue elderberry	FACU
Taraxacum officinale	Common dandelion	FACU

Wetland Indicator Status (WIS):

OBL =	Obligate Wetland Plant, occurs in aquatic resources > 99% of time
FACW =	Facultative Wetland Plant, occurs in aquatic resources 67-99% of time
FAC =	Facultative Plant, occurs in aquatic resources 34-66% of time
FACU =	Facultative Upland Plant, occurs in aquatic resources 1-33% of time
UPL =	Upland Plant, occurs in uplands > 99% of time
NI =	indicator status not known in this region

WETLAND DETERMINATION DATA FORM - Arid West Region

Project/Site: Grand Acres | City/County: Oroville/Butte | Sampling Date: 02/16/2023
Applicant/Owner: North Valley Environmental | State: CA | Sampling Point: p01
Investigator(s): Jim Inman/Patrick Cuthbert | Section, Township, Range: S0T19NR3E
Landform (hillslope, terrace, etc): Terrace | Local relief (concave, convex, none): none | Slope (%): 1
Subregion (LRR): LRRC | Lat: 39.50807225 | Long: -121.61176185 | Datum: WGS84
Soil Map Unit Name: Oroville-Thermalito-Fernandez-Thompsonflat complex, 0-9 slopes% | NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No X (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X		
Hydric Soil Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?**	Yes ____ No X
Wetland Hydrology Present?	Yes X	No ____		

Remarks:
Above average precipitation, 2x average rain in January. Saturated soil but non-hydric soils and does not meet criteria for hydrophobic vegetation.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 5)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	
Herb Stratum (Plot size: 5)			
1. *Festuca perennis* / Italian rye grass	80	Yes	FACU
2. *Plantago coronopus* / Cut leaf plantain	10	No	FAC
3. *Taraxacum officinale ssp. officinale* / Common dandelion	5	No	FACU
4.			
5.			
6.			
7.			
8.			
	95	= Total Cover	
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 5 % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	10	x 3 =	30
FACU species	85	x 4 =	340
UPL species	0	x 5 =	0
Column Totals:	95 (A)		370 (B)

Prevalence Index = B/A = 3.89

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-13	7.5R 3/2	85	7.5R 3/6	10	C	M	Sandy Clay	
0-13	7.5R 2.5/2	5				M	Sandy Clay	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) (except MLRA 1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

Redox feature do not meet distinct criteria for sandy redox (S5)

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required: check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____

Water Table Present? Yes _____ No X Depth (inches): _____

Saturation Present? Yes X No _____ Depth (inches): 13

(includes capillary fringe)

Wetland Hydrology Present? Yes X No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Above average precipitation, 2X average precipitation in January

WETLAND DETERMINATION DATA FORM - Arid West Region

Project/Site: Grand Acres | City/County: Oroville/Butte | Sampling Date: 02/16/2023
Applicant/Owner: North Valley Environmental | State: CA | Sampling Point: p02
Investigator(s): Jim Inman/Patrick Cuthbert | Section, Township, Range: S0, T19N, R3E
Landform (hillslope, terrace, etc): Terrace | Local relief (concave, convex, none): none | Slope (%): <1
Subregion (LRR): LRRC | Lat: 39.50830082 | Long: -121.61244915 | Datum: WGS84
Soil Map Unit Name: Oroville-Thermalito-Fernandez-Thompsonflat complex, 0-9 slopes% | NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No X (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?**	Yes ____ No X
Hydric Soil Present?	Yes ____	No X		
Wetland Hydrology Present?	Yes ____	No X		

Remarks:
Above average precipitation, 2x average rain in January. Saturated soil but non-hydric soils and does not meet criteria for hydrophobic vegetation.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 5)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	
Herb Stratum (Plot size: 5)			
1. *Plantago coronopus* / Cut leaf plantain	25	Yes	FAC
2. *Erodium cicutarium ssp. cicutarium* / Redstem stork's bill	25	Yes	UPL
3. *Festuca perennis* / Italian rye grass	15	Yes	FACU
4. *Taraxacum officinale ssp. officinale* / Common dandelion	5	No	FACU
5.			
6.			
7.			
8.			
	70	= Total Cover	
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 30 % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	25	x 3 =	75
FACU species	20	x 4 =	80
UPL species	25	x 5 =	125
Column Totals:	70 (A)		280 (B)

Prevalence Index = B/A = 4.0

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-13	7.5R 2.5/2	100					Sandy Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) (except MLRA 1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required: check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____

Water Table Present? Yes _____ No X Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No X Depth (inches): _____

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Arid West Region

Project/Site: Grand Acres | City/County: Oroville/Butte | Sampling Date: 02/16/2023
Applicant/Owner: North Valley Environmental | State: CA | Sampling Point: p03
Investigator(s): Jim Inman/Patrick Cuthbert | Section, Township, Range: S0, T19N, R3E
Landform (hillslope, terrace, etc): Terrace | Local relief (concave, convex, none): none | Slope (%): 1
Subregion (LRR): LRRC | Lat: 39.50806751 | Long: -121.61330573 | Datum: WGS84
Soil Map Unit Name: Oroville-Thermalito-Fernandez-Thompsonflat complex, 0-9 slopes% | NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No X (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes		No	X	
Hydric Soil Present?	Yes		No	X	**Is the Sampled Area**
Wetland Hydrology Present?	Yes		No	X	**within a Wetland?** Yes ____ No X

Remarks:
Above average precipitation, 2x average rain in January.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Sambucus nigra ssp. cerulea* / Blue elderberry	13	Yes	FACU
2.			
3.			
4.			
	13	= Total Cover	

Sapling/Shrub Stratum (Plot size: 5)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	

Herb Stratum (Plot size: 5)			
1. *Plantago coronopus* / Cut leaf plantain	30	Yes	FAC
2. *Erodium cicutarium ssp. cicutarium* / Redstem stork's bill	10	Yes	UPL
3. *Taraxacum officinale ssp. officinale* / Common dandelion	10	Yes	FACU
4. *Achnatherum occidentale* / Western needlegrass	10	Yes	FACU
5.			
6.			
7.			
8.			
	60	= Total Cover	

Woody Vine Stratum (Plot size: 30)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 40 % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 5 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 20.0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	30	x 3 =	90
FACU species	33	x 4 =	132
UPL species	10	x 5 =	50
Column Totals:	73 (A)		272 (B)

Prevalence Index = B/A = 3.73

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-13	7.5R 2.5/2	97	7.5R 5/8	3	C	M	Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) (except MLRA 1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required: check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____

Water Table Present? Yes _____ No X Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No X Depth (inches): _____

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Arid West Region

Project/Site: Grand Acres | City/County: Oroville/Butte | Sampling Date: 02/16/2023
Applicant/Owner: North Valley Environmental | State: CA | Sampling Point: p04
Investigator(s): Jim Inman/Patrick Cuthbert | Section, Township, Range:
Landform (hillslope, terrace, etc): Terrace | Local relief (concave, convex, none): none | Slope (%): 1
Subregion (LRR): LLRC | Lat: 39.50934938 | Long: -121.61333569 | Datum: WGS84
Soil Map Unit Name: Oroville-Thermalito-Fernandez-Thompsonflat complex, 0-9 slopes% | NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No X (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?**	Yes ____ No X
Hydric Soil Present?	Yes ____	No X		
Wetland Hydrology Present?	Yes ____	No X		

Remarks:
Above average precipitation, 2x average rain in January.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	

Sapling/Shrub Stratum (Plot size: 5)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	

Herb Stratum (Plot size: 5)			
1. *Plantago coronopus* / Cut leaf plantain	30	Yes	FAC
2. *Festuca perennis* / Italian rye grass	15	Yes	FACU
3. *Hypochaeris glabra* / Smooth cats ear, Smooth cat's-ear	15	Yes	UPL
4. *Erodium cicutarium ssp. cicutarium* / Redstem stork's bill	10	No	NI
5. *Erodium botrys* / Big heron bill	3	No	FACU
6.			
7.			
8.			
	73	= Total Cover	

Woody Vine Stratum (Plot size: 30)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum 10 % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 33.3 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	30	x 3 =	90
FACU species	18	x 4 =	72
UPL species	25	x 5 =	125
Column Totals:	73 (A)		287 (B)

Prevalence Index = B/A = 3.93

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-13	7.5R 2.5/2	80	7.5R 3/4	10	C	M	Clay Loam	
0-13			10R 2.5/1	10		M	Clay Loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) (except MLRA 1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

Does not meet criteria for F6, dark surface in loam and clay soils.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required: check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____

Water Table Present? Yes _____ No X Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No X Depth (inches): _____

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM - Arid West Region

Project/Site: Grand Acres | City/County: Oroville/Butte | Sampling Date: 02/16/2023
Applicant/Owner: North Valley Environmental | State: CA | Sampling Point: p05
Investigator(s): Jim Inman/Patrick Cuthbert | Section, Township, Range: S0, T19N, R3E
Landform (hillslope, terrace, etc): Terrace | Local relief (concave, convex, none): none | Slope (%): 1
Subregion (LRR): LLRC | Lat: 39.50942906 | Long: -121.61180767 | Datum: WGS84
Soil Map Unit Name: Oroville-Thermalito-Fernandez-Thompsonflat complex, 0-9 slopes% | NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No X (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS - Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ____ No X
Hydric Soil Present? Yes ____ No X
Wetland Hydrology Present? Yes ____ No X

Is the Sampled Area within a Wetland? Yes ____ No X

Remarks:
Above average precipitation, 2x average rain in January.

VEGETATION - Use scientific names of plants.

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
	0	= Total Cover	
Sapling/Shrub Stratum (Plot size: 5)			
1.			
2.			
3.			
4.			
5.			
	0	= Total Cover	
Herb Stratum (Plot size: 5)			
1. *Festuca perennis* / Italian rye grass	100	Yes	FACU
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	100	= Total Cover	
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
	0	= Total Cover	

% Bare Ground in Herb Stratum ____ % Cover of Biotic Crust ____

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	0	x 3 =	0
FACU species	100	x 4 =	400
UPL species	0	x 5 =	0
Column Totals:	100 (A)		400 (B)

Prevalence Index = B/A = 4.0

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No X

Remarks:
Monoculture of dense Perennial ryegrass

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-12	7.5R 3/6	97	10R 2.5/1	3	C	M	Sandy Loam	Some gravel

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) (**LRR C**)
- ___ 1 cm Muck (A9) (**LRR D**)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1) (except MLRA 1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Vernal Pools (F9)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) (**LRR C**)
- ___ 2 cm Muck (A10) (**LRR B**)
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (TF2)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

Does not meet distinct criteria for sandy redox

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required: check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres along Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- ___ Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____

Water Table Present? Yes _____ No X Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No X Depth (inches): _____

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

APPENDIX C	OBSERVED SPECIES LIST	C

OBSERVED SPECIES LIST

February 16, 2023 & March 17, 2023

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

PLANTS

Common Name	Scientific Name
wild oats	Avena fatua
soft chess / soft brome	Bromus hordeaceus
rip gut brome	Bromus diandrus
medusa-head	Elymus caput-medusae
perennial ryegrass	Festuca perenne
Mediterranean storksbill	Erodium malacoides
long-beaked filaree	Erodium botrys
rough hawkbit	Taraxacum officinale
winter vetch	Vicia villosa
rose clover	Trifolium hirtum
bunch flowered daffodil	Narcissus tazetta
blue elderberry	Sambucus mexicana
annual bluegrass	Poa annua
perennial ryegrass	Festuca perenne
hare barley	Hordeum murinum
cutleaf geranium	Geranium dissectum
prickly lettuce	Lactuca serriola
naked buckwheat	Eriogonum nudum
narrow-leaved soap plant	Chlorogalum angustifolium
vinegarweed	Trichostema lanceolatum
black mustard	brassica nigra
purple needlegrass	Nassella pulchra
Johnny tuck/butter and eggs	Triphysaria eriantha
common fiddleneck	Amsinckia intermedia
Red gum eucalyptus	Eucalyptus camaldulensis
curly dock	Rumex crispus
soft rush	Juncus effusus
common dandilion	Taraxacum officinale
buckhorn plantain	Plantago lanceolata
frying pan poppy	Eschscholzia lobbii (adjacent property)
greater quaking grass	Briza media

WILDLIFE

Common Name	Scientific Name
pocket gopher	Thomomys bottae
long-tailed vole	Microtus longicaudus
Brewer's blackbird	Euphagus cyanocephalus
turkey vulture	Cathartes aura
black-tailed jackrabbit	Lepus californicus

APPENDIX D	SPECIAL STATUS SPECIES LISTS	D

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713

In Reply Refer To:
Project Code: 2023-0040585
Project Name: Grand Acres Subdivision

February 01, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Project Code: 2023-0040585
Project Name: Grand Acres Subdivision
Project Type: Residential Construction
Project Description: The Site consists of approximately 7.6-acres located at 2151 Grand Avenue in Thermalito, Butte County, California. Project developers plan to divide the parcel into 24 lots (ranging from 8,060 to 16,514 square feet each) for future development of single-family homes. The zoning for the property is currently Large-Lot Residential (RL), with a General Plan Land Use Designation of Medium-Light Density Residential (MLDR).

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@39.50879495,-121.61242413089231,14z

Counties: Butte County, California

Endangered Species Act Species

There is a total of 8 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Reptiles

NAME	STATUS
Giant Garter Snake *Thamnophis gigas* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4482	Threatened

Fishes

NAME	STATUS
Delta Smelt *Hypomesus transpacificus* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/321	Threatened

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate
Valley Elderberry Longhorn Beetle *Desmocerus californicus dimorphus* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7850	Threatened

Crustaceans

NAME	STATUS
Conservancy Fairy Shrimp *Branchinecta conservatio* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp *Branchinecta lynchi* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp *Lepidurus packardi* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/2246	Endangered

Flowering Plants

NAME	STATUS
Butte County Meadowfoam *Limnanthes floccosa ssp. californica* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4223	Endangered

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Palermo (3912145) OR Oroville (3912155) OR Biggs (3912146) OR Shippee (3912156) OR Oroville Dam (3912154) OR Bangor (3912144) OR Cherokee (3912165) OR Berry Creek (3912164) OR Hamlin Canyon (3912166))
 AND Taxonomic Group IS (Dune OR Scrub OR Herbaceous OR Marsh OR Riparian OR Woodland OR Forest OR Alpine OR Inland Waters OR Marine OR Estuarine OR Riverine OR Palustrine OR Ferns OR Gymnosperms OR Monocots OR Dicots OR Lichens OR Bryophytes OR Fungi)
 AND CNPS List IS (1A OR 1B OR 1B.1 OR 1B.2 OR 1B.3 OR 2A OR 2B OR 2B.1 OR 2B.2 OR 2B.3)
 AND Habitat IS (Valley & foothill grassland)

Grand Acres Project
2151 Grand Avenue
Oroville, CA

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
adobe-lily	PMLIL0V0F0	None	None	G2G3	S2S3	1B.2
Fritillaria pluriflora						
Ahart's dwarf rush	PMJUN011L1	None	None	G2T1	S1	1B.2
Juncus leiospermus var. ahartii						
Ahart's paronychia	PDCAR0L0V0	None	None	G3	S3	1B.1
Paronychia ahartii						
big-scale balsamroot	PDAST11061	None	None	G2	S2	1B.2
Balsamorhiza macrolepis						
Butte County golden clover	PDFAB40310	None	None	G2	S2	1B.2
Trifolium jokerstii						
Butte County meadowfoam	PDLIM02042	Endangered	Endangered	G4T1	S1	1B.1
Limnanthes floccosa ssp. californica						
Colusa layia	PDAST5N0F0	None	None	G2	S2	1B.2
Layia septentrionalis						
pink creamsacs	PDSCR0D482	None	None	G5T2	S2	1B.2
Castilleja rubicundula var. rubicundula						
recurved larkspur	PDRAN0B1J0	None	None	G2?	S2?	1B.2
Delphinium recurvatum						
Red Bluff dwarf rush	PMJUN011L2	None	None	G2T2	S2	1B.1
Juncus leiospermus var. leiospermus						
veiny monardella	PDLAM18082	None	None	G1	S1	1B.1
Monardella venosa						

Record Count: 11

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
bald eagle *Haliaeetus leucocephalus*	ABNKC10010	Delisted	Endangered	G5	S3	FP
bank swallow *Riparia riparia*	ABPAU08010	None	Threatened	G5	S2	
California black rail *Laterallus jamaicensis coturniculus*	ABNME03041	None	Threatened	G3T1	S1	FP
California red-legged frog *Rana draytonii*	AAABH01022	Threatened	None	G2G3	S2S3	SSC
chinook salmon - Central Valley spring-run ESU *Oncorhynchus tshawytscha pop. 11*	AFCHA0205L	Threatened	Threatened	G5T2Q	S2	
Crotch bumble bee *Bombus crotchii*	IIHYM24480	None	Candidate Endangered	G2	S2	
foothill yellow-legged frog - Feather River DPS *Rana boylii pop. 2*	AAABH01052	Proposed Threatened	Threatened	G3T2	S2	
giant gartersnake *Thamnophis gigas*	ARADB36150	Threatened	Threatened	G2	S2	
greater sandhill crane *Antigone canadensis tabida*	ABNMK01014	None	Threatened	G5T5	S2	FP
green sturgeon - southern DPS *Acipenser medirostris pop. 1*	AFCAA01031	Threatened	None	G2T1	S1	
least Bell's vireo *Vireo bellii pusillus*	ABPBW01114	Endangered	Endangered	G5T2	S2	
steelhead - Central Valley DPS *Oncorhynchus mykiss irideus pop. 11*	AFCHA0209K	Threatened	None	G5T2Q	S2	
Swainson's hawk *Buteo swainsoni*	ABNKC19070	None	Threatened	G5	S3	
tricolored blackbird *Agelaius tricolor*	ABPBXB0020	None	Threatened	G1G2	S1S2	SSC
valley elderberry longhorn beetle *Desmocerus californicus dimorphus*	IICOL48011	Threatened	None	G3T2T3	S3	
vernal pool fairy shrimp *Branchinecta lynchi*	ICBRA03030	Threatened	None	G3	S3	
vernal pool tadpole shrimp *Lepidurus packardi*	ICBRA10010	Endangered	None	G4	S3	
western bumble bee *Bombus occidentalis*	IIHYM24252	None	Candidate Endangered	G3	S1	

Record Count: 18

CNPS Rare Plant Inventory

CALIFORNIA NATIVE PLANT SOCIETY

Search Results

27 matches found. Click on scientific name for details

Search Criteria: CRPR is one of [1A:1B:2A:2B] , 9-Quad include [3912154:3912155:3912166:3912156:3912164:3912165:3912145:3912144:3912146

▲ SCIENTIFIC NAME	COMMON NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK
Allium jepsonii	Jepson's onion	Alliaceae	perennial bulbiferous herb	Apr-Aug	None	None	G2	S2	1B.2
Balsamorhiza macrolepis	big-scale balsamroot	Asteraceae	perennial herb	Mar-Jun	None	None	G2	S2	1B.2
Cardamine pachystigma var. *dissectifolia*	dissected-leaved toothwort	Brassicaceae	perennial rhizomatous herb	Feb-May	None	None	G3G5T2Q	S2	1B.2
Castilleja rubicundula var. *rubicundula*	pink creamsacs	Orobanchaceae	annual herb (hemiparasitic)	Apr-Jun	None	None	G5T2	S2	1B.2
Clarkia gracilis ssp. *albicaulis*	white-stemmed clarkia	Onagraceae	annual herb	May-Jul	None	None	G5T3	S3	1B.2
Clarkia mildrediae ssp. *mildrediae*	Mildred's clarkia	Onagraceae	annual herb	May-Aug	None	None	G5T3?	S3?	1B.3
Clarkia mosquinii	Mosquin's clarkia	Onagraceae	annual herb	May-Jul(Sep)	None	None	G2	S2	1B.1
Delphinium recurvatum	recurved larkspur	Ranunculaceae	perennial herb	Mar-Jun	None	None	G2?	S2?	1B.2
Eriogonum umbellatum var. *ahartii*	Ahart's buckwheat	Polygonaceae	perennial herb	Jun-Sep	None	None	G5T3	S3	1B.2
Erythranthe filicifolia	fern-leaved monkeyflower	Phrymaceae	annual herb	Apr-Jun	None	None	G2	S2	1B.2
Euphorbia hooveri	Hoover's spurge	Euphorbiaceae	annual herb	Jul-Sep(Oct)	FT	None	G1	S1	1B.2
Fritillaria pluriflora	adobe-lily	Liliaceae	perennial bulbiferous herb	Feb-Apr	None	None	G2G3	S2S3	1B.2
Hibiscus lasiocarpos var. *occidentalis*	woolly rose-mallow	Malvaceae	perennial rhizomatous herb (emergent)	Jun-Sep	None	None	G5T3	S3	1B.2
Juncus leiospermus var. *ahartii*	Ahart's dwarf rush	Juncaceae	annual herb	Mar-May	None	None	G2T1	S1	1B.2
Juncus leiospermus var. *leiospermus*	Red Bluff dwarf rush	Juncaceae	annual herb	Mar-Jun	None	None	G2T2	S2	1B.1
Layia septentrionalis	Colusa layia	Asteraceae	annual herb	Apr-May	None	None	G2	S2	1B.2
Limnanthes floccosa ssp. *californica*	Butte County meadowfoam	Limnanthaceae	annual herb	Mar-May	FE	CE	G4T1	S1	1B.1

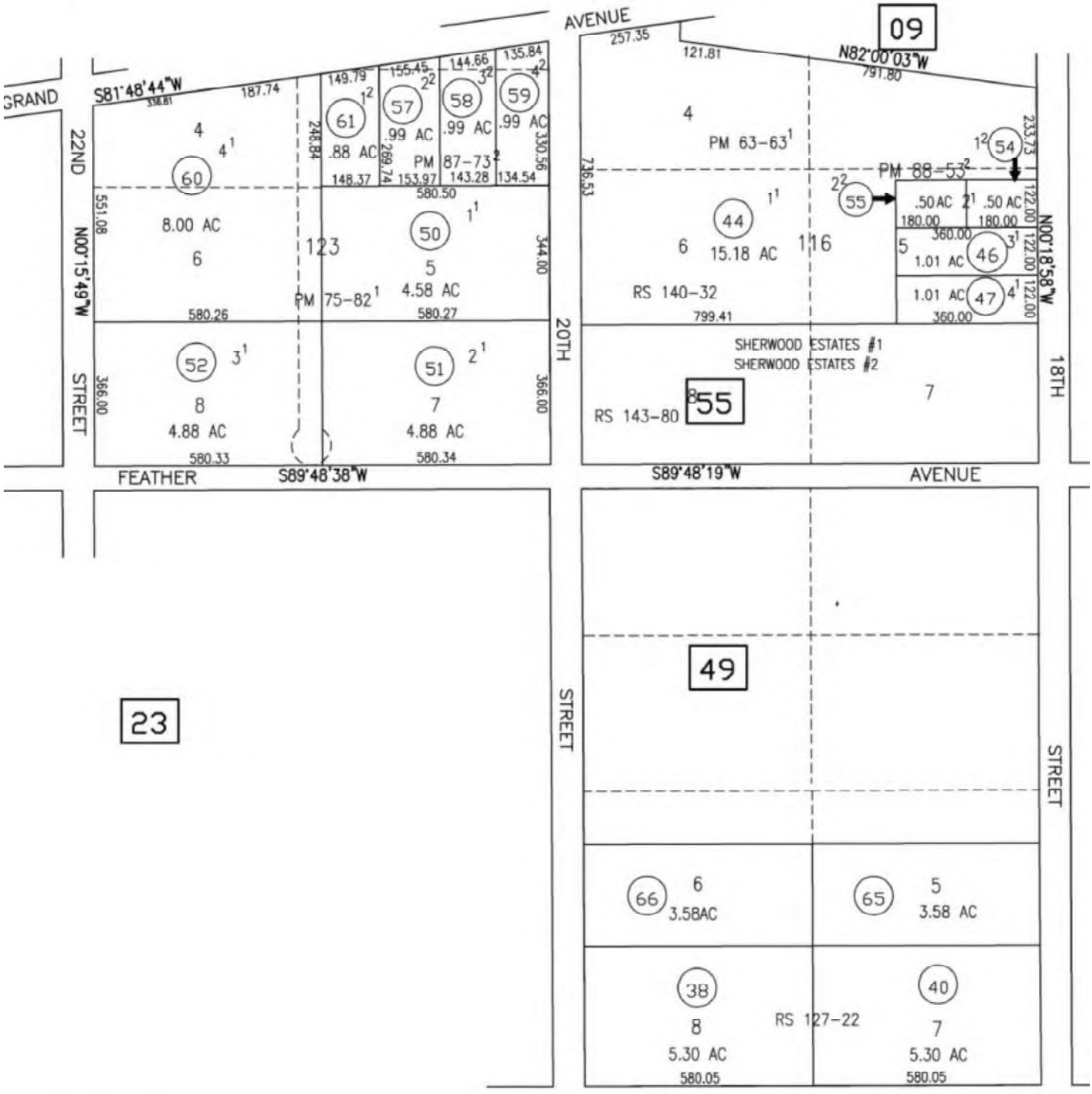
Monardella venosa	veiny monardella	Lamiaceae	annual herb	May-Jul	None	None	G1	S1	1B.1
Orcuttia tenuis	slender Orcutt grass	Poaceae	annual herb	May-Sep(Oct)	FT	CE	G2	S2	1B.1
Packera eurycephala var. *lewisrosei*	Lewis Rose's ragwort	Asteraceae	perennial herb	Mar-Jul(Aug-Sep)	None	None	G4T2	S2	1B.2
Paronychia ahartii	Ahart's paronychia	Caryophyllaceae	annual herb	Feb-Jun	None	None	G3	S3	1B.1
Poa sierrae	Sierra blue grass	Poaceae	perennial rhizomatous herb	Apr-Jul	None	None	G3	S3	1B.3
Sagittaria sanfordii	Sanford's arrowhead	Alismataceae	perennial rhizomatous herb (emergent)	May-Oct(Nov)	None	None	G3	S3	1B.2
Sidalcea robusta	Butte County checkerbloom	Malvaceae	perennial rhizomatous herb	Apr-Jun	None	None	G2	S2	1B.2
Trifolium jokerstii	Butte County golden clover	Fabaceae	annual herb	Mar-May	None	None	G2	S2	1B.2
Tuctoria greenei	Greene's tuctoria	Poaceae	annual herb	May-Jul(Sep)	FE	CR	G1	S1	1B.1
Wolffia brasiliensis	Brazilian watermeal	Araceae	perennial herb (aquatic)	Apr-Dec	None	None	G5	S2	2B.3

Showing 1 to 27 of 27 entries

Suggested Citation:

California Native Plant Society, Rare Plant Program. 2023. Rare Plant Inventory (online edition, v9.5). Website https://www.rareplants.cnps.org [accessed 22 February 2023].

APPENDIX E	SUPPLEMENTAL MAPS & DATA	E



All Assessors' maps are prepared for local property assessment purposes ONLY. Parcels shown thereon may not comply with State and local subdivision ordinances. No liability is assumed for use of information shown on any Assessors' map. ALL ACREAGES APPROXIMATE PER RECORDED INFORMATION.

Assessor's Map No. 30-12
County of Butte, Calif.

CREATED BY	CREATED ON 12-01-1998
REVISED BY SL	REVISED ON 07-18-2017
	EFFECTIVE 2018-19 ROLL
Compiled By The Butte County Assessor's Office	

FIGURE 6
PARCEL MAP

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

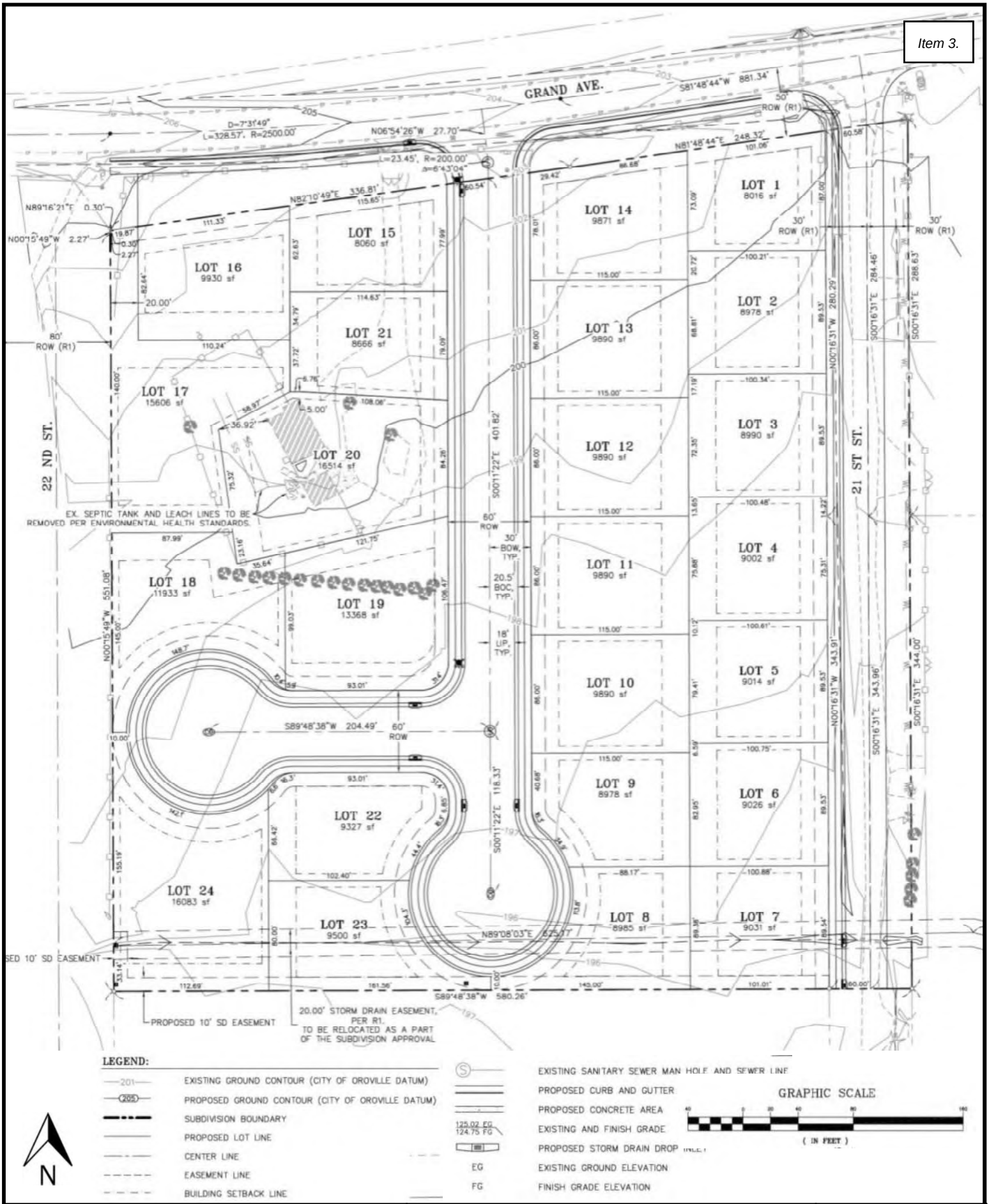
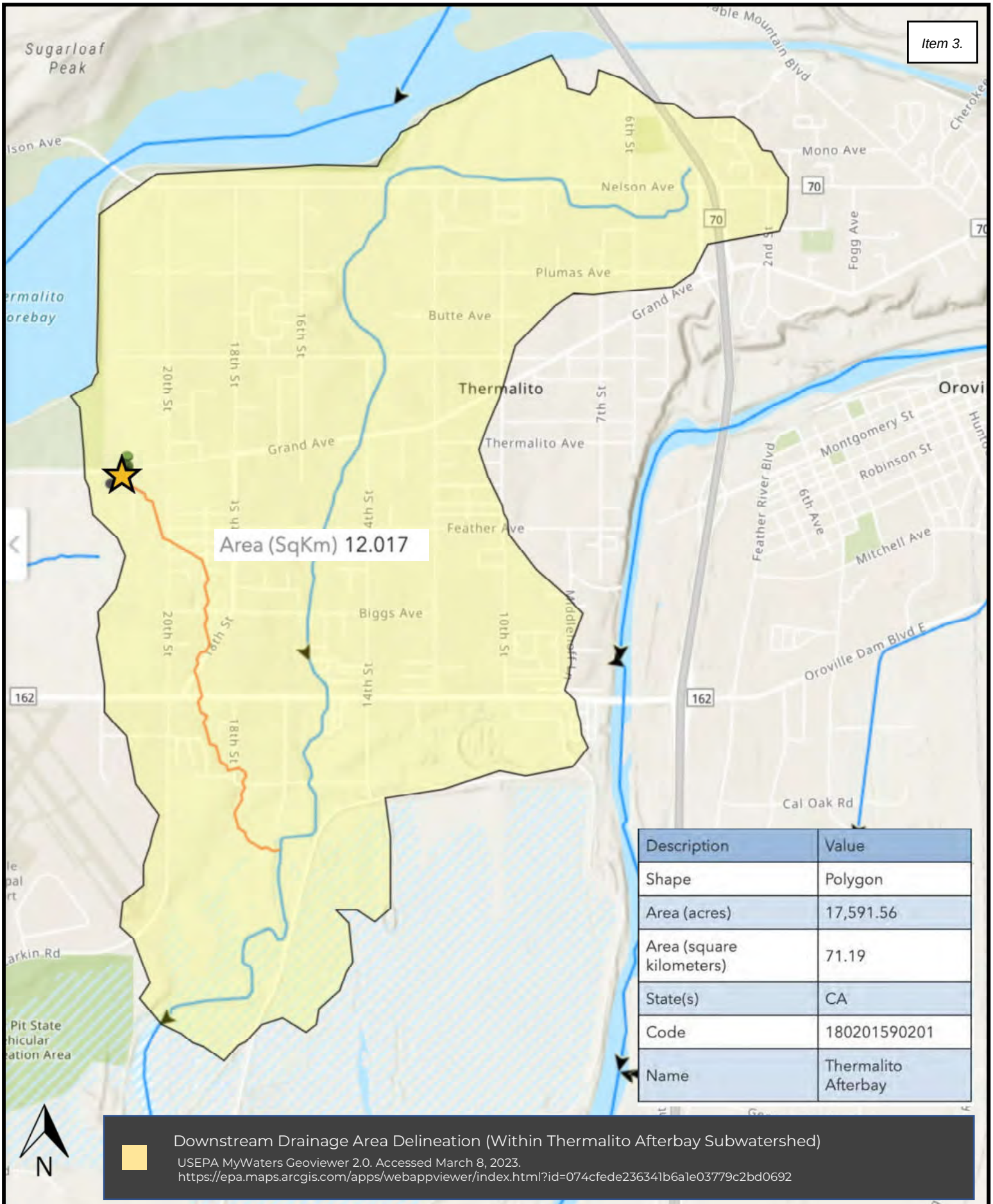


FIGURE 7
PROPOSED PROJECT MAP

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965



Description	Value
Shape	Polygon
Area (acres)	17,591.56
Area (square kilometers)	71.19
State(s)	CA
Code	180201590201
Name	Thermalito Afterbay

Downstream Drainage Area Delineation (Within Thermalito Afterbay Subwatershed)

USEPA MyWaters Geoviewer 2.0. Accessed March 8, 2023.
https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=074cfede236341b6a1e03779c2bd0692

FIGURE 8
DRAINAGE AREA

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

FIGURE 9

SOIL TYPES

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

Mapped Wetland Resources – U.S. Fish & Wildlife Service National Wetland Inventory

USFWS National Wetlands Inventory. Wetlands Mapper. Accessed 1/26/23/ https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

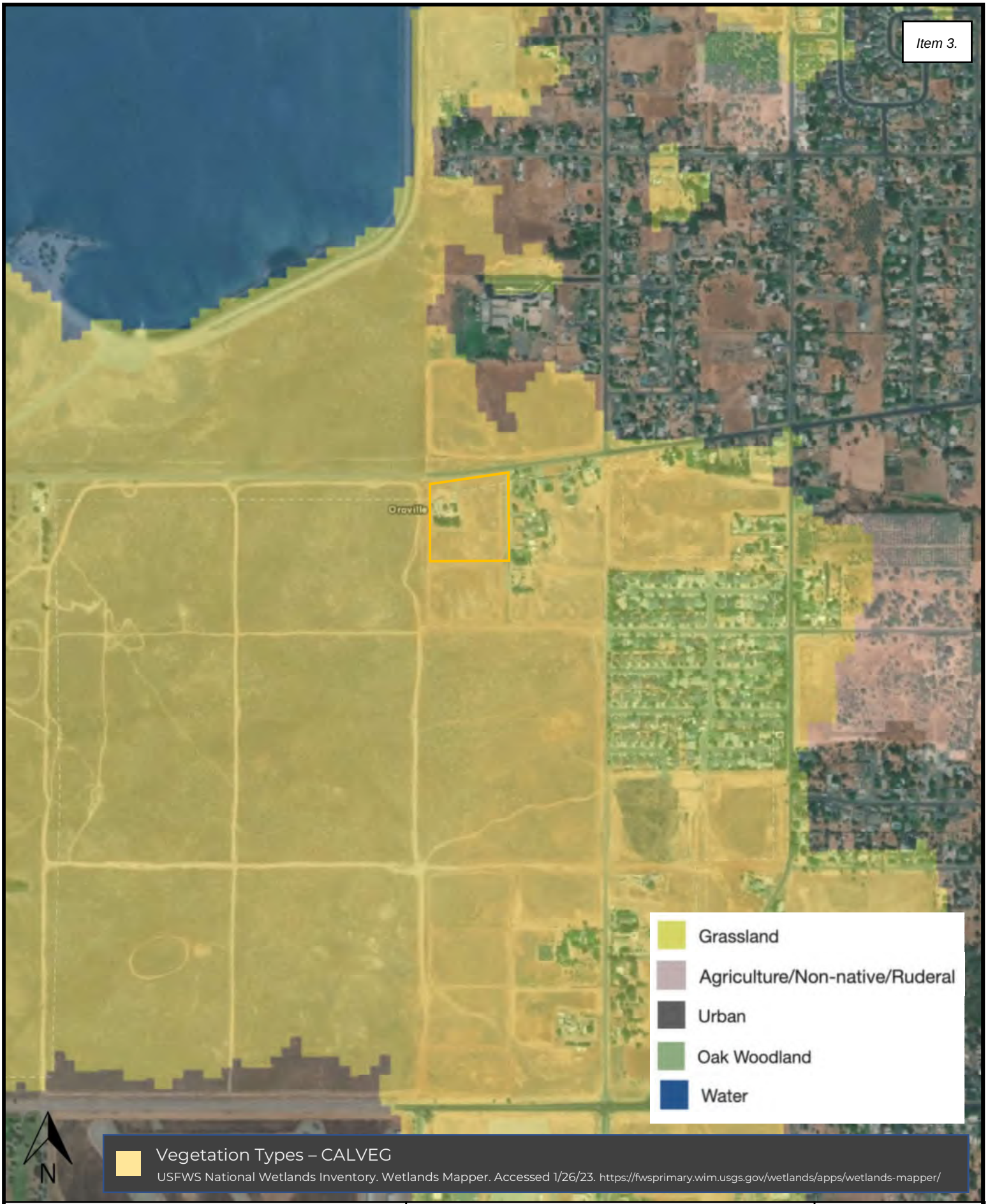
FIGURE 10
WETLAND RESOURCES - USFWS

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

EXISTING AQUATIC RESOURCES - CARI
Source: California Wetlands Monitoring Workgroup (CWMW). EcoAtlas. Accessed January 28, 2023. https://www.ecoatlas.org.

FIGURE 11
AQUATIC RESOURCES - CARI

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965

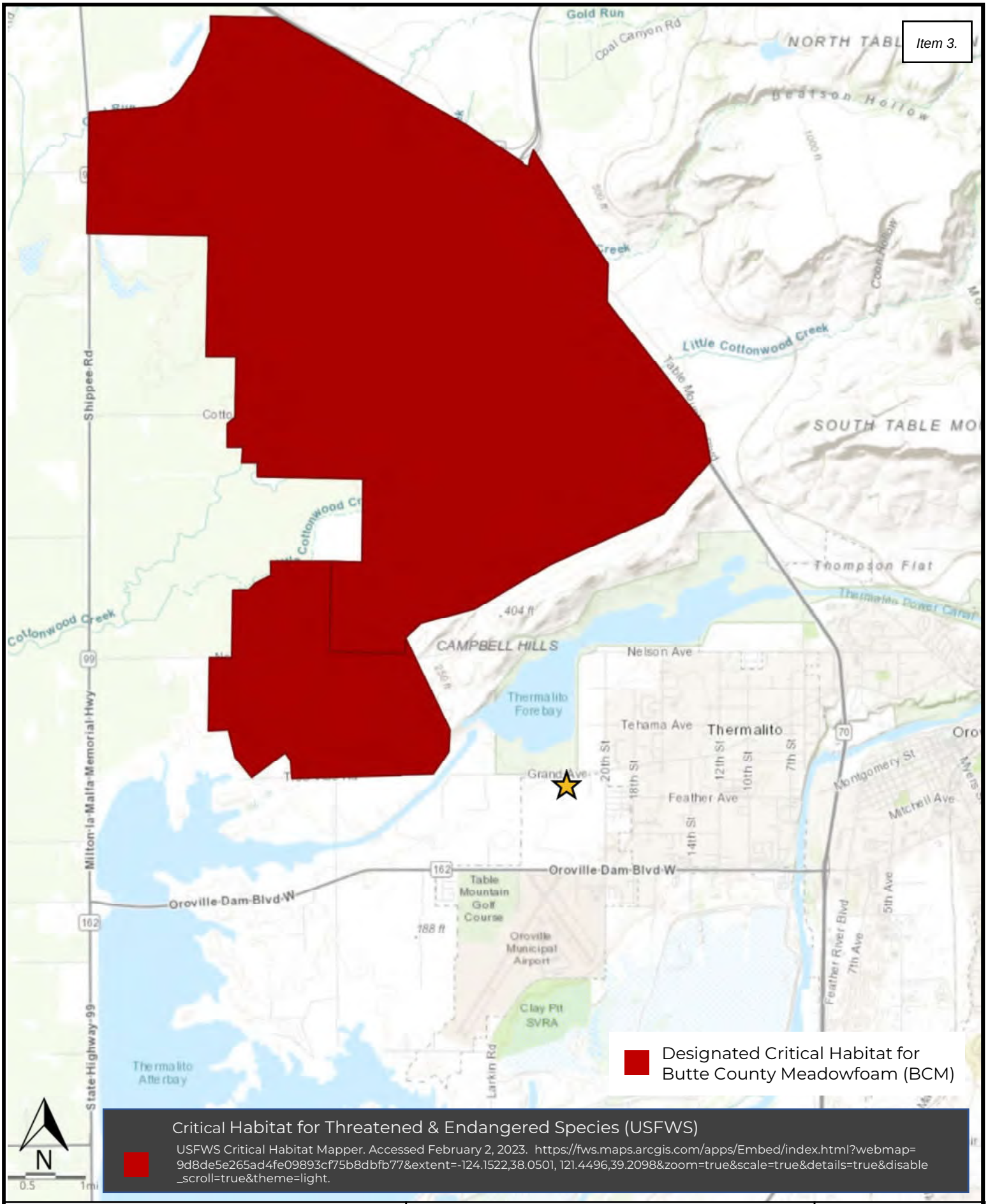


Vegetation Types – CALVEG

USFWS National Wetlands Inventory. Wetlands Mapper. Accessed 1/26/23. https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

FIGURE 12
VEGETATION TYPES - CALVEG

Grand Acres Project
2151 Grand Avenue
Oroville, Ca 95965



Critical Habitat for Threatened & Endangered Species (USFWS)

USFWS Critical Habitat Mapper. Accessed February 2, 2023. https://fws.maps.arcgis.com/apps/Embed/index.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77&extent=-124.1522,38.0501,121.4496,39.2098&zoom=true&scale=true&details=true&disable_scroll=true&theme=light.

FIGURE 13 MAPPED CRITICAL HABITAT	Grand Acres Project 2151 Grand Avenue Oroville, Ca 95965	

United States Department of Agriculture

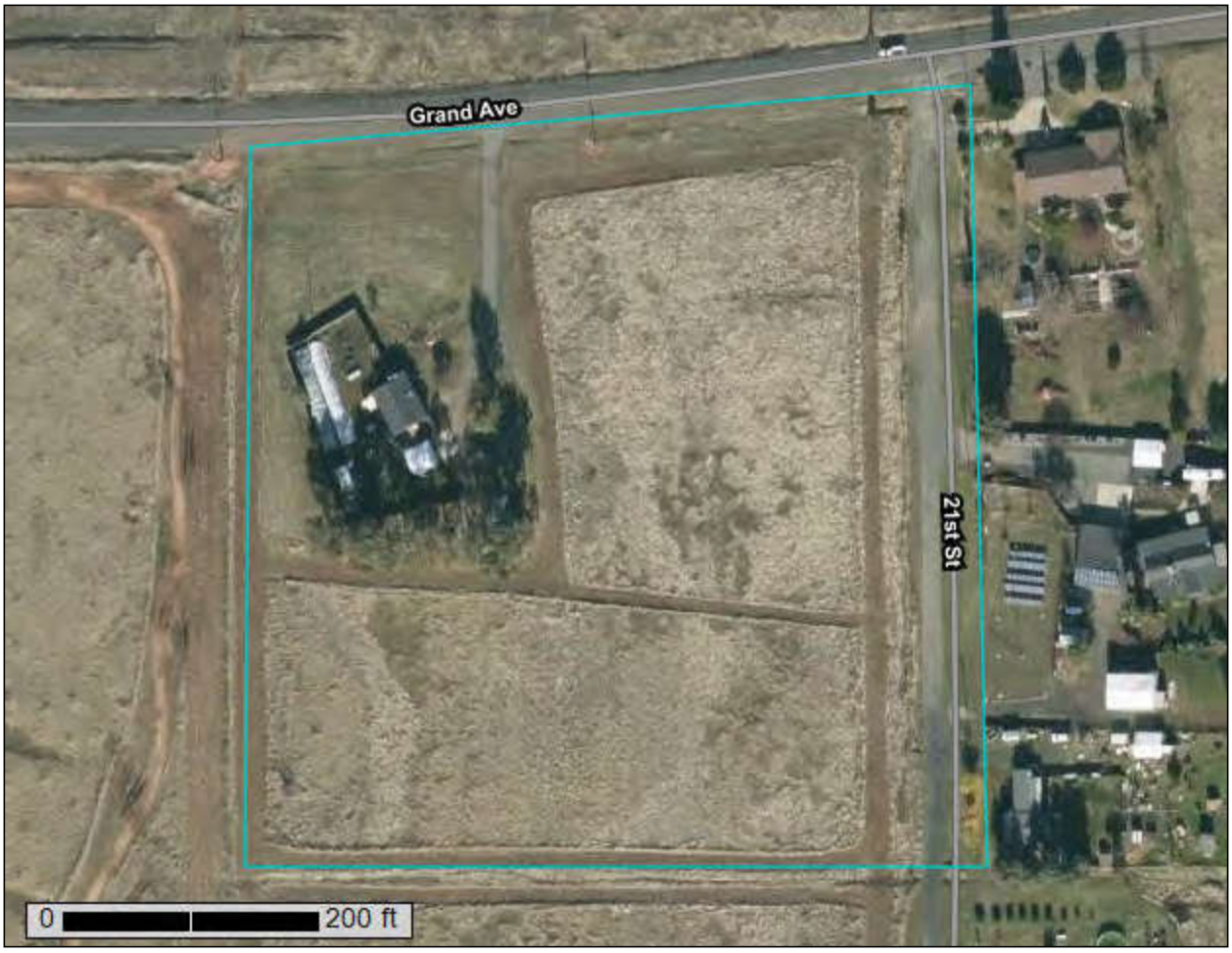
NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Butte Area, California, Parts of Butte and Plumas Counties

Grand Acres Project



Custom Soil Resource Report
Soil Map (Grand Acres Project)

Map Scale: 1:1,370 if printed on A portrait (8.5" x 11") sheet.

N

Meters
0 20 40 80 120

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

Map Unit Legend (Grand Acres Project)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
603	Oroville-Thermalito-Fernandez-Thompsonflat complex, 0 to 9 percent slopes	7.7	100.0%
Totals for Area of Interest		**7.7**	**100.0%**

Map Unit Descriptions (Grand Acres Project)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the

development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas.* Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Butte Area, California, Parts of Butte and Plumas Counties

603—Oroville-Thermalito-Fernandez-Thompsonflat complex, 0 to 9 percent slopes

Map Unit Setting

National map unit symbol: hgxg
Elevation: 110 to 260 feet
Mean annual precipitation: 20 to 26 inches
Mean annual air temperature: 61 to 63 degrees F
Frost-free period: 250 to 255 days
Farmland classification: Not prime farmland

Map Unit Composition

Oroville, gravelly fine sandy loam, and similar soils: 30 percent
Thermalito, sandy loam, and similar soils: 25 percent
Fernandez, sandy loam, and similar soils: 15 percent
Thompsonflat, fine sandy loam, and similar soils: 15 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Oroville, Gravelly Fine Sandy Loam

Setting

Landform: Terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Microfeatures of landform position: Swales
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy and gravelly alluvium over clayey and gravelly alluvium over cemented loamy and gravelly alluvium derived from igneous and metamorphic rock

Typical profile

A - 0 to 2 inches: gravelly fine sandy loam
BAt - 2 to 6 inches: gravelly sandy loam
Bt1 - 6 to 13 inches: gravelly clay loam
2Bt2 - 13 to 17 inches: gravelly clay
2Btg - 17 to 23 inches: gravelly sandy clay
3Bqm1 - 23 to 31 inches: cemented extremely gravelly material
3Bqm2 - 31 to 60 inches: cemented extremely gravelly material

Properties and qualities

Slope: 0 to 9 percent
Depth to restrictive feature: 20 to 40 inches to duripan
Drainage class: Poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very low (0.00 to 0.00 in/hr)
Depth to water table: About 0 to 40 inches
Frequency of flooding: None
Frequency of ponding: Frequent
Available water supply, 0 to 60 inches: Very low (about 2.7 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: D
Ecological site: R017XY902CA - Duripan Vernal Pools
Hydric soil rating: Yes

Description of Thermalito, Sandy Loam

Setting

Landform: Terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Microfeatures of landform position: Mounds
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy and gravelly alluvium over clayey and gravelly alluvium over cemented sandy and gravelly alluvium derived from igneous and metamorphic rock

Typical profile

A - 0 to 2 inches: sandy loam
Bt1 - 2 to 6 inches: gravelly sandy loam
Bt2 - 6 to 12 inches: sandy clay loam
Bt3 - 12 to 18 inches: gravelly sandy clay loam
Bt4 - 18 to 23 inches: gravelly sandy clay loam
Bt5 - 23 to 25 inches: gravelly sandy clay loam
2Bt6 - 25 to 29 inches: gravelly clay
2Bt7 - 29 to 32 inches: gravelly clay
3Bqm - 32 to 60 inches: cemented gravelly material

Properties and qualities

Slope: 0 to 9 percent
Depth to restrictive feature: 20 to 40 inches to duripan
Drainage class: Somewhat poorly drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very low (0.00 to 0.00 in/hr)
Depth to water table: About 14 to 40 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 3.7 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C/D
Ecological site: R017XY902CA - Duripan Vernal Pools
Hydric soil rating: No

Description of Fernandez, Sandy Loam

Setting

Landform: Terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread

Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Fine-loamy alluvium over clayey and gravelly alluvium over cemented sandy and gravelly alluvium derived from igneous and metamorphic rock

Typical profile

A - 0 to 2 inches: sandy loam
Bt1 - 2 to 6 inches: sandy clay loam
Bt2 - 6 to 18 inches: sandy clay loam
2Bt3 - 18 to 28 inches: clay loam
2Bt4 - 28 to 44 inches: clay loam
2Bt5 - 44 to 57 inches: clay
2Bt6 - 57 to 65 inches: gravelly clay
2Bt7 - 65 to 73 inches: gravelly clay loam
3Btq - 73 to 85 inches: cemented gravelly material

Properties and qualities

Slope: 0 to 9 percent
Depth to restrictive feature: 60 to 81 inches to duripan
Drainage class: Moderately well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 40 to 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 8.7 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Ecological site: R017XY902CA - Duripan Vernal Pools
Hydric soil rating: No

Description of Thompsonflat, Fine Sandy Loam

Setting

Landform: Terraces
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy alluvium over clayey alluvium over sandy and gravelly alluvium derived from igneous and metamorphic rock

Typical profile

A - 0 to 3 inches: fine sandy loam
Bt1 - 3 to 7 inches: fine sandy loam
Bt2 - 7 to 11 inches: sandy clay loam
Bt3 - 11 to 15 inches: sandy clay
2Bt4 - 15 to 22 inches: gravelly sandy clay
3Btq1 - 22 to 35 inches: extremely gravelly sandy clay loam
3Btq2 - 35 to 45 inches: extremely gravelly coarse sandy loam
3Btq3 - 45 to 53 inches: extremely gravelly coarse sandy loam
3Btq4 - 53 to 66 inches: extremely gravelly coarse sandy loam

3Btq5 - 66 to 80 inches: extremely gravelly coarse sandy loam

Properties and qualities

Slope: 0 to 9 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.09 to 0.23 in/hr)
Depth to water table: About 40 to 81 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.2 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Ecological site: R017XY905CA - Dry Alluvial Fans and Terraces
Hydric soil rating: No

Minor Components

Unnamed, frequent long ponding

Percent of map unit: 2 percent
Landform: Terraces
Microfeatures of landform position: Vernal pools
Hydric soil rating: Yes

Unnamed, loamy, duripan 10 to 20 inches

Percent of map unit: 2 percent
Landform: Terraces
Microfeatures of landform position: Swales
Hydric soil rating: Yes

Vistarobles

Percent of map unit: 2 percent
Landform: Terraces
Microfeatures of landform position: Swales
Hydric soil rating: Yes

Palexeralfs, fine, greater than 60 inches deep

Percent of map unit: 2 percent
Landform: Terraces
Hydric soil rating: No

Redding

Percent of map unit: 1 percent
Landform: Terraces
Microfeatures of landform position: Mounds
Hydric soil rating: No

Unnamed, clayey-skeletal shallow to duripan

Percent of map unit: 1 percent
Landform: Terraces
Microfeatures of landform position: Swales
Hydric soil rating: Yes

Unnamed, fine-loamy deep to duripan

Percent of map unit: 1 percent
Landform: Terraces
Microfeatures of landform position: Mounds
Hydric soil rating: No

Unnamed, fine-loamy, duripan 20 to 40 inches

Percent of map unit: 1 percent
Landform: Terraces
Microfeatures of landform position: Swales
Hydric soil rating: No

Aquerts, fine, duripan 20 to 40 inches

Percent of map unit: 1 percent
Landform: Terraces
Microfeatures of landform position: Vernal pools
Hydric soil rating: Yes

Unnamed, fine deep to duripan

Percent of map unit: 1 percent
Landform: Terraces
Microfeatures of landform position: Swales
Hydric soil rating: No

Unnamed, loamy-skeletal mod deep to duripan

Percent of map unit: 1 percent
Landform: Terraces
Microfeatures of landform position: Mounds
Hydric soil rating: No

Soil Information for All Uses

Soil Reports

The Soil Reports section includes various formatted tabular and narrative reports (tables) containing data for each selected soil map unit and each component of each unit. No aggregation of data has occurred as is done in reports in the Soil Properties and Qualities and Suitabilities and Limitations sections.

The reports contain soil interpretive information as well as basic soil properties and qualities. A description of each report (table) is included.

Water Features

This folder contains tabular reports that present soil hydrology information. The reports (tables) include all selected map units and components for each map unit. Water Features include ponding frequency, flooding frequency, and depth to water table.

Hydrologic Soil Group and Surface Runoff (Grand Acres Project)

This table gives estimates of various soil water features. The estimates are used in land use planning that involves engineering considerations.

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The four hydrologic soil groups are:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas.

Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based on slope, climate, and vegetative cover. The concept indicates relative runoff for very specific conditions. It is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal. The classes are negligible, very low, low, medium, high, and very high.

Report—Hydrologic Soil Group and Surface Runoff (Grand Acres Project)

Absence of an entry indicates that the data were not estimated. The dash indicates no documented presence.

Hydrologic Soil Group and Surface Runoff–Butte Area, California, Parts of Butte and Plumas Counties			
Map symbol and soil name	**Pct. of map unit**	**Surface Runoff**	**Hydrologic Soil Group**
603—Oroville-Thermalito-Fernandez-Thompsonflat complex, 0 to 9 percent slopes			
Oroville, gravelly fine sandy loam	30	Very high	D
Thermalito, sandy loam	25	Very high	C/D
Fernandez, sandy loam	15	Low	C
Thompsonflat, fine sandy loam	15	High	C

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United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

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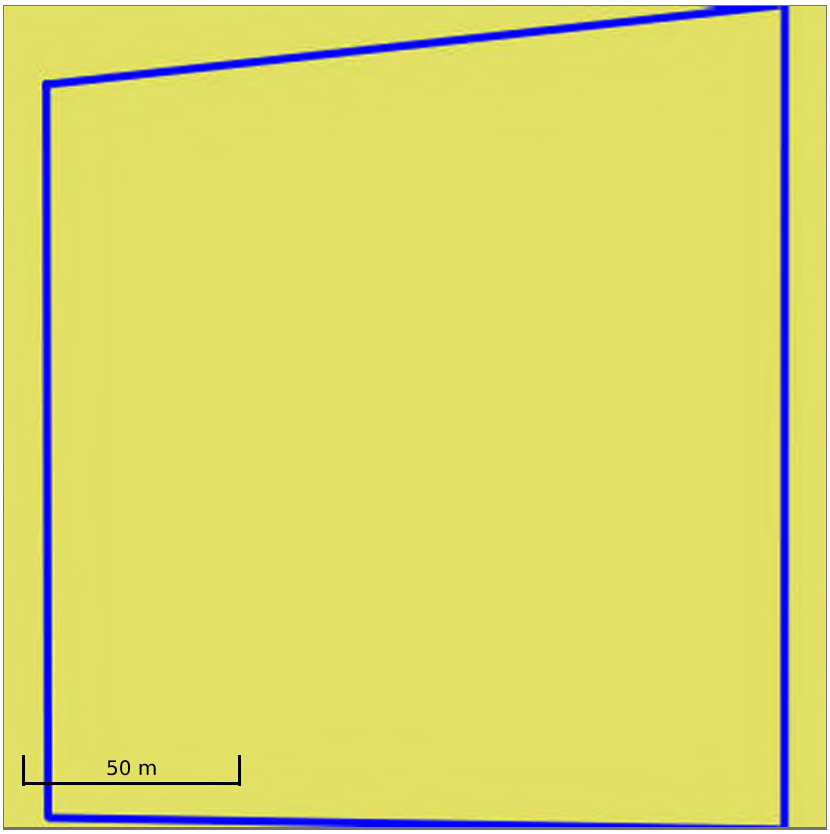
CALVEG Habitat Types



CALVEG is a USDA Forest Service product providing a comprehensive spatial dataset of existing vegetation cover over California. The data were created using a combination of automated systematic procedures, remote sensing classification, photo editing, field based observations.

Analyses are based on a crosswalk of the CALVEG classifications to the California Wildlife Habitat Relationships CWHR). CWHR is a state-of-the art information system for California's wildlife developed upon the life history, geographic range, habitat relationships, and management information on species of amphibians, reptiles, birds, and mammals known to occur in the state. CWHR products aid in understanding, conserving, and managing California's wildlife.

For more information on CALVEG: http://www.fs.usda.gov/detail/r5/landmanagement/resourcemanagement/?cid=stelprdb5347192

For more information on CWHR: https://www.wildlife.ca.gov/Data/CWHR

Total area classified: 2.8 ha / 6.8 acres / 0.011 mi^2

Table of CALVEG Habitats in the Profiled Region. *of area classified

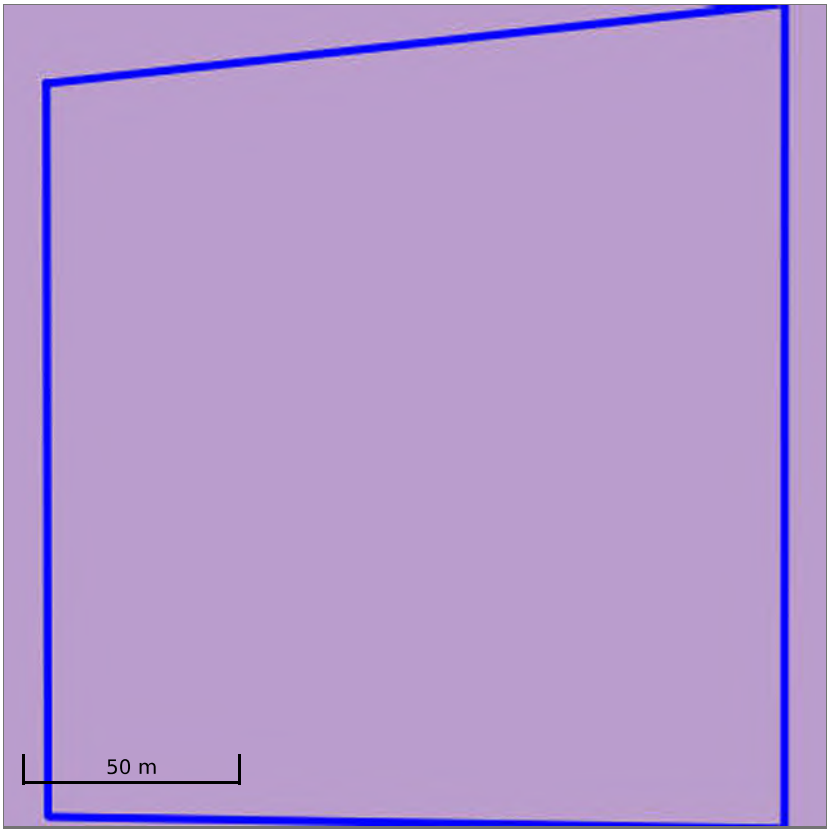
Habitat Type	Area (ha)	Area (acres)	Area (%*)
Annual Grass	2.8	6.8	100.0%

Soil Survey Geographic Database (SSURGO) Hydric Soils

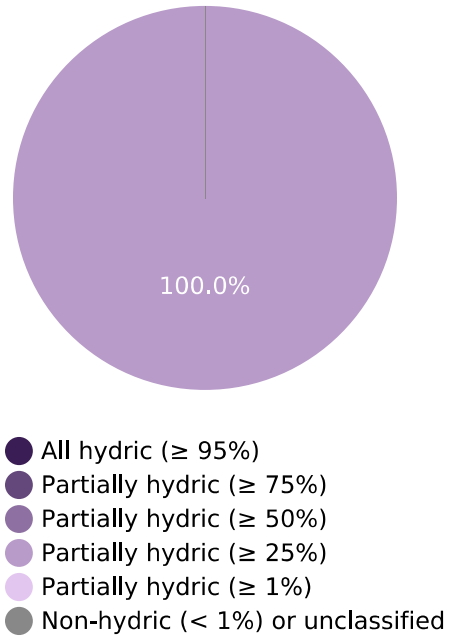
SSURGO depicts information about the kinds and distribution of soils on the landscape. The soil map and data used were prepared by soil scientists as part of the Natural Resources Conservation Service's National Cooperative Soil Survey. EcoAtlas displays the percent of hydric soils and the soil taxonomies present at a location.

Hydric soils are defined as those soils that form under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil. Under natural conditions, hydric soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of wetland vegetation. This information can be used to help identify places that have been or likely will be wetlands, and determine what types of vegetation will be supported by the soils.

For more information visit https://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/survey/?cid=nrcs142p2_053627.



Profile area represented by Hydric Soils:
7.5 acres / 0.012 mi^2 out of a total of 7.5 acres.



Hydric Type	Area (acres)	Percent area
All hydric (≥ 95%)	0.0	0.0%
Partially hydric (≥ 75%)	0.0	0.0%
Partially hydric (≥ 50%)	0.0	0.0%
Partially hydric (≥ 25%)	7.5	100%
Partially hydric (≥ 1%)	0.0	0.0%
Non-hydric (< 1%) or unclassified	0.0	0.0%

City of Oroville

COMMUNITY DEVELOPMENT DEPARTMENT

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

January 10, 2023

PUBLIC MEETING AGENDA

1. Purpose / format of meeting
    a. This meeting is to provide the public with information on the proposed development, not to debate the project or its elements. There will be a time for questions at the end of the meeting.

2. AB430
    a. Assembly Bill 430, The Camp Fire Housing Assistance Act of 2019 allows for housing projects in Oroville and other nearby cities to have a streamlined ministerial approval process and bypass the California Environmental Quality Act (CEQA) provided that certain conditions are met.

        i. At least 2/3 of the development square footage is designated for residential use.
        ii. one public meeting on the proposed development before submitting an application
        iii. The applicant will need to submit evidence that the development meets the sustainability standards (green building standards) outlined in AB430 **65913.15.**
        iv. The development cannot be located within a special flood hazard area, prime farmland, wetlands, very high fire hazard severity zone, hazardous waste site, earthquake fault zone, regulatory floodway, conservation area or habitat for protected species. See section **65913.15** of AB430 for definitions of the above.
        v. The site is no more than 50 acres.
        vi. The site is zoned for residential use or residential mixed-use development.
        vii. The site is consistent with zoning, subdivision and design standards of the local government.

3. Applicant presentation – Applicant will present its project to the public.

4. Q & A

City of Oroville

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*** DRAFT***LETTER OF APPROVAL

RE: The Grand Acres Subdivision -- Tentative Subdivision Map TSM 22-02

Dear Ms. Hopps,

On August 24, 2023, the Oroville Planning Commission approved Tentative Map TSM 22-02.

CONDITIONS OF APPROVAL

Approved project: Trish Hopps plans to subdivide and develop an 8-acre-acre vacant and undeveloped parcel (APN 030-120-060) into 25 single-family manufactured home lots immediately west of 21st Street with access points off Grand Avenue and 21st Street. The project would include a 10,268 square-foot Lot A as a buffer from an existing off-site wetland and would also include protection for an existing Eldeberry bush.

Improvements to the west side of 21st Street, the south side of Grand Avenue and the new interior streets include curbs, gutters and sidewalks. Storm drainage facilities are proposed throughout the project site, with connections tying in together internally, prior to tying into storm drainage facilities located within 21st street.

TSM 22-02 and Engineer's Report

The Tentative Subdivision Map of May 30, 2023 has been approved subject to the conditions in the accompanying Engineer's Report dated August 17, 2023. All conditions must be met prior to approval of the Final Map.

The following specific conditions apply:

1. Applicant shall obtain a will-serve letter from the Thermalito Water and Sewer District prior to approval of the Final Subdivision Map and conduct a capacity study with SC-OR.

2. The applicant shall provide a parkland dedication of 14,157 square feet as an in-lieu fee. The amount of the fee shall be determined and paid at the time of the filing of the Final Subdivision Map.
3. Applicant shall assist as needed the process of annexation of the subdivision into Community Facilities Districts CFO2006-1 and CFO2006-2.
4. Fencing around the perimeter of the subdivision shall be wood at a minimum of 6-feet high.
5. A deed notice is required to be included in any parcel transfer document, which puts the buyer on notice that the house is within the airport area of influence and may therefore encounter discomfort, inconvenience or annoyance from the noise generated by operations at the airport.
6. Prior to acceptance of the final map, applicant shall execute and record a Landscape Maintenance agreement ensuring that all homeowners will adequately maintain their individual street frontages with proper irrigation and plantings.
7. Each lot shall be developed with a detached single-family residence or manufactured home designed in accordance with the City's residential development, parking, and design standards in OMC 17.28.020, 17.12.070, and the City of Oroville Design Guidelines of 2015. Additional requirements are as follows:
    a. No more than 25 lots for development with single family dwellings or manufactured homes shall be created in this subdivision.
    b. Applicant shall implement all conditions of approval of Tentative Subdivision Map 22-02 including access to and street improvements for the south side of Grand Avenue and the west side of 21st Street, and all interior roads to the subdivision.
    c. Required lot development standards shall conform to the normal R-L development standards and as follows:
        1) All manufactured homes shall conform to Oroville Municipal Code 15.36.010, which includes certain design, structural, material and age standards. For instance, all units must be on a permanent foundation, must have pitched roofs, must have color and siding materials found in conventionally built homes, must be 10 years old or newer, must be landscaped, must have garages or carports, must have paved driveways, and must have a medallion showing certification by the California Department of Housing and Community Development.
        2) All homes shall include at least two parking spaces, at least one of which shall be covered.
        3) Homes shall adhere as much as practicable to the goals, site planning, building design, landscape design, accessory structure and lighting guidelines of the City's adopted Residential Design Guidelines.
        4) Colors: Hue variations in adjacent homes shall be provided to create diversity. No adjacent home shall have the same color scheme. The front elevation shall have a minimum of a four-color paint scheme.
        5) Fencing: Typical side yard fencing shall be solid and continuous wood fencing or equivalent, not greater than 6' in height. Any front yard fencing or shrubbery within the front yard setback shall be not greater than 42 inches in height. Fencing along the boundaries of the property shall be solid and

continuous wood fencing not more than 6' in height, and subject to approval of the Planning Manager prior to installation.

6) All fencing and landscaping shall be installed by the owner prior to issuance of occupancy permits, weather permitting. In cases where weather may delay fencing and landscaping installation, occupancy may be permitted with approval of the City and the buyer. In such cases, fencing and landscaping shall be installed at the earliest possible time.

Environmental Mitigation – from the Wetland and Biological Resources Assessment dated March 24, 2023

1. Applicant shall establish a 10,268 square foot wetland buffer parcel "Lot A" which will serve as a minimum 125-foot buffer from the existing wetland to the southeast. The buffer parcel shall be fully fenced off from the wetland and may have a public access easement from the end of the new cul-de-sac. The elderberry bush shall be protected from damage or vandalism.
2. Applicant shall adopt appropriate preventative and mitigative measures include avoiding the initiation of construction activities during the avian nesting season or performing preconstruction surveys for protected avian species that may occur in the area, including targeted surveys for Swainson's hawks and western burrowing owls.

General Conditions

1. 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 permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.
2. The project shall remain in substantial conformance with the Conditions of Approval, as adopted and described above. 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 or City Council, whichever is applicable.
3. The applicants shall have a current City of Oroville business license and any other applicable permit/license that may be required as part of any business operations.
4. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.

5. If deferred in accordance with OMC 3.32.145, all applicable development impact fees shall be paid prior to issuance of a building permit.
6. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.
7. All grading, paving, excavation and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state and federal requirements.
8. The project shall comply with the City's noise ordinance as found in the OMC Chapter 9.20.
9. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

Additional Draft Subdivision Construction and Occupancy Conditions –Civil Design Standards are in the Engineer's Report

Prior to site grading.

1. All grading, paving, excavation, and site clearance, including that which is exempt from obtaining a permit, shall be performed in conformance with the City's Engineering Design Standards; the Municipal Code; the requirements of the State Regional Water Quality Control Board; and any other applicable local, state, and federal requirements.
2. A site grading, drainage and improvement plan shall be prepared by a Registered Civil Engineer, in conformance with City standards, and shall be submitted to and approved by the Public Works Department prior to any work on the site. This plan shall also show:
    I. The design of the sanitary sewer service system including the type and size of the sanitary sewer line lateral, and the proposed point of connection the sewer main.
    II. Existing and proposed easements.
    III. Proposed elevations of finished improvements (parking area, onsite curbs, planters, etc.) within the project at an adequate level of detail to demonstrate drainage flow directions within the project boundaries.
    IV. A drainage and detention/retention facility sufficient that there is no increase in pre-project peak stormwater discharge from the site for a 2-year, 10-year and 100-year storm event. On-site storm drainage shall be collected and retained/detained on-site and then transported via underground conduit to an approved drainage facility.
    V. Drainage calculations to support the size of the detention or retention facility, and orifice calculations to support the design size of the stormwater flow control device.
    VI. Frontage improvements to include curb, gutters and sidewalk constructed to ADA standards; asphaltic concrete pave out (1-foot minimum, or wider if necessary) along

new curb, gutters and sidewalk adequate to provide proper street drainage along the project frontage.

VII. Location of streetlights to be constructed to City standards.

3. All construction projects are required to implement dust control measures to reduce particulate matter emissions due to disturbances of exposed top-soils, such as watering of active areas where disturbance occurs, covering haul loads, maintaining clean access roads, and cleaning the wheels of construction vehicles accessing disturbed areas of the site.

4. All grading and paving shall be conducted in compliance with the Butte County Air Quality Management District's Indirect Source Guidelines in order to prevent degradation of ambient air quality.

Prior to the issuance of building permits.

5. Applicable construction plans, calculations, specifications, applications, forms, etc. shall be submitted to the Building Division for review prior to the start of any construction activities requiring a building permit. All applicable plan review and impact fees shall be paid at time of submittal.

6. Landscape plans shall be approved by the Parks and Trees Department.

    I. Planting shall be provided in as much of the front setback as is practical, excluding any areas with paved driveways or pedestrian paths. In no case shall more than 75% of the front setback be paved.

    II. Where a side or rear property line is adjacent to a street, the site shall include a planting area along the property line with a width of at least 5 feet. Any fence around the property shall be located behind the planting area.

    III. Plantings shall be drought tolerant and MWELO standards will apply.

    IV. Landscaping shall be installed around the detention basin where visible from the street and adjacent residences.

7. The building plans shall include an architecturally compatible method of screening any roof mounted HVAC system, or if the units are placed on the ground, the unit shall be screened by landscaping or a decorative fence.

8. Applicant shall annex into a Landscape and Lighting Maintenance Assessment District (LLMAD) and Benefit Assessment District (BAD) prior to issuance of building permits.

Prior to construction.

9. Obtain encroachment permits from both the City and the county for any work in the public right-of-way, and from the County for any work along Grand Avenue.

10. All utilities shall be placed underground.

11. Developer will be responsible for the cost of all water improvements (meters, boxes, valves, lines, backflow devices, etc.), which are required to meet TWSD improvement standards. The cost of all fire lines and hydrants shall also be the developer's responsibility.

12. A Construction Storm Water Permit will be required by the State Water Resources Control Board if the project results in a disturbance (including clearing, excavation, filling and grading) of one or more acres. Construction activities that result in a land disturbance of less than one acre, but which are part of a larger common plan of development, also require a permit. The Permit must be obtained from the State Water Resources Control Board prior to construction.

Prior to occupancy.

13. All required landscaping and irrigation improvements shall be installed prior to issuance of a certificate of occupancy.

14. Buildings shall be addressed per City requirements. Building numbers shall comply with City Code 17.20.050(A).

15. Curb, gutter and sidewalk shall be constructed to City standards.

Other.

16. Street lighting shall be provided in accordance with City of Oroville requirements and accepted design criteria. A street lighting plan shall be submitted to the Public Works Department. Streetlight poles shall be spun aluminum or other material as approved by the Public Works Department.

17. Home models shall vary within the subdivision with no two same floor plans being adjacent to each other unless the floor plan is "flipped" and the exterior façade treatment is different. The same floor plans shouldn't be built directly across from each other.

18. Hue variations in adjacent homes shall be provided to create diversity. No adjacent home shall have the same color scheme.

19. Minor changes may be approved administratively by the Community Development Director or designee upon receipt of a written request by the applicant or designee. Changes deemed to be major or significant in nature shall require a formal application for amendment.

20. Pursuant to Section 17.12.010, the buildings shall conform to the performance standards of the Oroville Municipal Code to minimize any potential negative effects that the buildings, structures, lighting or use could have on its surroundings, and to promote compatibility with surrounding uses and areas.

21. The applicant shall ascertain and comply with the requirements of all City, County, State, Federal, and other local agencies as applicable to the proposed project.

22. Applicant hereby certifies that any and all statements and information provided as part of the application are true and correct to the best of their knowledge and belief. Any misinformation provided, whether intentional or unintentional, that was considered in the issuance of this permit may be grounds for revocation.

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 permit or any environmental or other documentation related

to approval of this permit. Applicant further agrees to provide defense for the City in any such action.

--- End of Conditions ---

If you have questions about the information in this letter, please contact me by e-mail at wervin@cityoforoville.org or by phone at (530) 538-2408.

Sincerely,

Wes Ervin
Planner

RESOLUTION NO. P2023-18

A RESOLUTION OF THE OROVILLE PLANNING COMMISSION APPROVING TENTATIVE SUBDIVISION MAP TSM 22-02 FOR THE PROPOSED GRAND ACRES MANUFACTURED HOME SUBDIVISION ON PARCEL # 030-120-060.

WHEREAS, the City has received an application from Trish Hopps (Subdivider) to subdivide portions of a 8-acre parcel identified as APN 030-120-060 (Property) into 25 lots for manufactured homes; and

WHEREAS, the proposed map will also create a 10,352 square-foot Lot A for purposes of wetland buffer and Elderberry bush isolation; and

WHEREAS, the design of the proposed subdivision is illustrated on the tentative subdivision map received by the City on November 4, 2022, which map has been assigned the file number TSM 22-02, and a copy of which is attached to this resolution as Exhibit "A"; and

WHEREAS, the Property is designated by Oroville's General Plan Diagram as *Medium Low Density Residential* (MLDR) and the Zoning Map designation of this area is Residential Large Lot (RL)*; and*

WHEREAS, the Subdivider is proposing 25 lots on 8 acres for a resulting density of 3.17 units per acre and an average lot size of 10,106 square feet; and

WHEREAS, Tentative Subdivision Map TSM 22-02 has been reviewed by the City Engineer, who has provided a set of conditions to meet prior to final map approval; and

WHEREAS, approval of the Tentative Subdivision Map first requires specific findings; 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 Tentative Subdivision Map TSM 22-02 described herein, and also considered the City's staff report regarding the project.

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

The Planning Commission hereby makes the findings below and approves Tentative Subdivision Map TSM 22-02.

FINDINGS

Required Findings for the Tentative Subdivision Map:

Pursuant to OMC Section 16.12.020(D), the City Engineer has reviewed TSM 22-02 and has deemed the map complete. The required Engineer's Report is attached.

Per OMC Section 16.12.020(F), the Planning Commission shall disapprove a tentative map if it determines that any of the following conditions apply:

1. The proposed subdivision is inconsistent with the general plan or applicable specific plans.

   The subdivision is consistent with the General Plan, including several polices relating to community design, housing, and transportation. The most important consistency is that this project is already properly zoned with a land use designation consistent with that zoning, and no changes are contemplated. There are no applicable specific plans encompassing this parcel.

2. The site is not physically suitable for the proposed density or type of development, or for the physical infrastructure required to support that development.

   The site is immediately adjacent to single-family residential development, and very near several small subdivisions similar to this project. The current zoning of RL has anticipated development as residences. Infrastructure is available and adequately serving residential development nearby and this applicant will be required to expand and/or improve the existing infrastructure to adequately serve the project.

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

   The biological and wetland assessment completed for this project has identified no wetlands or significant habitat requiring mitigation, with the exception of recommending a 125-foot buffer area at the Southeast corner to separate the housing from a nearby offsite wetland and an existing elderberry bush. None of the project's other effects will cause environmental damage to fish or wildlife or their habitat.

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

   The subdivision was designed in accordance with Oroville Municipal Code requirements and consultation of the Oroville Design Guidelines for site design to preserve view sheds and natural features, provide development with outdoor activity options, and connectivity to surrounding neighborhoods. The design of the subdivision is similar to neighboring development that has not been shown to cause public health problems.

5. A preliminary soils report or geological hazard report indicates adverse soil or geological conditions, and the subdivider has failed to demonstrate to the

satisfaction of the city engineer and planning commission that the conditions can be corrected.

The site has been shown to be safe to develop in the site's soil types, and the City Engineer is satisfied with the findings of said report.

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

   There are no conflicting public easements. The subdivision will create new public and utility easements and improve to city standards two existing roadways (21st Street and Grand Avenue) along the length of the project site.

7. The proposed subdivision violates the provisions of this Chapter and no exception has been granted.

   The Engineer's Report confirms that the proposed subdivision does not violate the provisions of this chapter and no exception has been granted.

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

   The property is already appropriately zoned RL (Residential Large Lot) and the zoning will not need to change. The manufactured homes planned to be built on the future parcels will be required to conform to OMC 15.36.010.

9. The proposed subdivision would violate any other city ordinance or any city code provision.

   The proposed subdivision will not violate any other city ordinance or city code provision.

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

    The Thermalito Sewer and Water (TWSD) Agency, which serves water and collects sewer discharges, is not operating under any corrective action or compliance orders.

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 24th of August 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: APPROVE:

_____ _____

KAYLA REASTER, ASSISTANT CITY CLERK CARL DURLING, CHAIRPERSON

City of Oroville

Patrick Piatt
Director

COMMUNITY DEVELOPMENT DEPARTMENT
1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2436 FAX (530) 538-2426
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PLANNING COMMISSION STAFF REPORT **Thursday, January 25, 2024**

RE: Membership on the Development Review Committee

SUMMARY: The Oroville Planning Commission will consider naming a new Commissioner to be on the Development Review Committee (DRC).

RECOMMENDATION: Staff recommends the following actions:

1. **Select a new DRC member to replace Commissioner Jensen.**

APPLICANTS:	None
LOCATION city-wide	**GENERAL PLAN:** NA **ZONING:** NA **FLOOD ZONE:** NA
ENVIRONMENTAL DETERMINATION:	Not a project under CEQA .
REPORT PREPARED BY: _____ Wes Ervin, Planner Community Development Department	**REVIEWED BY:** _____ Patrick Piatt, Director Community Development Director

DISCUSSION

Oroville Municipal Code 17.56.040 establishes the Development Review Committee and specifies that its membership includes two Planning Commissioners. It also specifies the rotation among Planning Commissioners.

The DRC meets the second Thursday of each month at 3:30 pm, but the time is flexible to meet the needs of its members.

Commissioner Warren Jensen has been a member of the Committee longer than 6

months and should be replaced. Commissioner Terry Smith is then scheduled to become the new DRC Chair.

Most Commissioners have served on the DRC:

Current members:
- Warren Jensen, current chair
- Terry Smith

Past members
- Carl Durling
- Glenn Arace
- Natalie Sheard
- Wyatt Jenkins

Not yet a member
- Marissa Hallen

FISCAL IMPACT
None.

PUBLIC NOTICE
None required.

Attachments:
1. OMC 17.56.040

17.56.040 *Development review* committee.

A. **Required**. The *development review* committee shall be made up of 2 planning commissioners, one serving as chairperson and the other as a committee member, along with the zoning administrator, chief building official, fire chief/fire marshal, director of public works, economic *development* manager, and director of parks and trees, and if necessary, director of business assistance and housing, and the police chief shall make up the *development review* committee. The applicant and/or their representative are encouraged to attend the DRC meeting.

The *development review* committee shall have one chairperson and one committee member represented by 2 planning commissioners. A planning commissioner shall serve for a period of 3 months or a quarter of the year as chairperson of the DRC, after which time the commissioner who was acting as a committee member shall replace the previous chairperson. A planning commissioner who was not previously assigned to the DRC will then fill the vacant committee member position. This rotation will give each planning commissioner an opportunity to conduct the *development review* committee meetings as a chairperson.

DRC meetings are open to the public but are not formally noticed.

B. **Optional Advisory Members**. The *development review* committee may also include other advisory members to participate in an advisory role. These advisory members shall be qualified by reason of training or experience in land *development*, city planning, public art, or structural design.

C. **Duties of the Committee**. The *development review* committee shall be responsible to meet, discuss, evaluate, and *review* all discretionary *development* applications and the designs of structures and other site improvement projects for multifamily dwelling units, commercial or industrial uses, and any new construction, or a remodel project of 25% or greater, of a single-family dwelling unit within the historic area or DH-O as specified in Chapter 17.52. (Ord. 1749 § 4; Ord. 1787 § 2)