TO: Local Agency Formation Commission
FROM: Craig Sanders, Deputy Executive Officer
SUBJECT: LAFCo File 17-10 – City of Chico – Burnap Avenue Annexation No. 6
DATE: November 28, 2017, for the December 7, 2017, LAFCo Meeting

Summary
The City of Chico has proposed the annexation of seven parcels and a portion of the Burnap Avenue right-of-way to the City of Chico (See Exhibit A) in order to facilitate the development of a single-family subdivision. Staff recommends that the annexation include the remaining unincorporated section of the Burnap Avenue right-of-way and the 13 additional parcels fronting Burnap and Eaton Avenues. As modified, the annexation area would be approximately 10.4 acres in size and contain 20 residential parcels. This annexation would allow the extension of full City of Chico municipal services to the subject territory for existing and future residential uses. The proposal is a reorganization because the affected territory is within County Service Areas 114 and 164 and the Butte County Resource Conservation District, and some or all of the territory will be detached from these districts. The proposal substantially conforms to LAFCo policy and the Executive Officer recommends approval of this proposal.

General Application Information
Application Submitted: February 7, 2017
Application Deemed Complete: October 31, 2017
100% Landowner Consent: No
Notice and Hearing Required: Yes
Proponent: City of Chico City Council, by Resolution 99-16
Landowner: Numerous
Location: The territory is located at the southeast corner of Burnap Avenue and Eaton Road and extending southerly down Burnap Avenue and easterly along Eaton Road approximately 900 feet in each direction, in the north Chico area. The territory is located in Supervisorial District 3.

Proposal:
1. Proposed annexation of seven parcels and the adjacent portion of the Burnap Avenue right-of-way, totaling approximately 6.04 acres, to the City of Chico; and
2. Amended by Staff to include 13 additional adjacent developed parcels and the Burnap Avenue right-of-way to Eaton Road, totaling approximately 4.36 acres, to the City of Chico; and
3. Detachment of all or some parcels from CSA 114 (Chico Nitrates), CSA 164 (Butte County Animal Control District), and from the Butte County Resource Conservation District.

Requested Action: Adopt Resolution No. 6 2017/18 (Exhibit C) approving the annexation.
DISCUSSION AND ANALYSIS

Butte Local Agency Formation Commission

City of Chico - Burnap Avenue Annexation No. 6

Applicant: City of Chico
Date: December 7, 2017 @ 9:00 a.m.
File: 17-10

City of Chico
Burnap Avenue
Annexation No. 6

LAFCo File No. 17-10
City of Chico – Burnap Avenue Annexation No. 6
November 29, 2017
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**Background**

The proposed annexation would facilitate the extension of City of Chico municipal services to the affected territory to support existing and future residential uses. Staff recommends that 13 additional parcels and the remaining section of the Burnap Avenue right-of-way be added to the annexation proposal to create a logical boundary and support a more efficient provision of services. Staff recommends the proposal be modified to include the detachment of the territory from County Service Area 114 (Chico Nitrates) for parcels receiving sewer service, County Service Area No. 164 (Butte County Animal Control), and from the Butte County Resource Conservation District.

Following annexation:

- The subject territory will be detached from CSA No. 164 (Butte County Animal Control), as this service will be provided by the City of Chico;
- The subject territory will be detached from the Butte County Resource Conservation District, as this service is confined to unincorporated parcels only;
- The properties that will receive sewer service in subject territory will be detached from CSA 114 (Chico Nitrates). Butte County is no longer collecting the annual per parcel service charge for CSA 114 and the County is considering the dissolution of this CSA at some point in the near future.

**Project Site**

The subject territory is within the approximately 431-acre, 694-parcel north Chico unincorporated island area, which is 95% surrounded by the City of Chico. Due its large size (greater than 150 acres), the island is not eligible for protest waivers.

The annexation area is not within an identified nitrate “hotspot” area but it is believed that high groundwater levels found in some parts of the island area have reduced the effectiveness of septic systems, which may ultimately result in failed septic systems. A City of Chico sewer line is located on Burnap Avenue, but only from the southern-most parcel proposed for annexation southwards.

The territory fronts on Burnap Avenue and Eaton Road, both of which are public roads. All of Eaton Road is within, and maintained by, the City of Chico. Most of Burnap Avenue is within, and maintained by, the City of Chico. The portion of Burnap Avenue not within the City of Chico is the northerly 800-foot section terminating at Eaton Road.

The application submitted by the City consists of 7 parcels totaling 6.04 acres and including a 260-foot section of Burnap Avenue (see attached Burnap Avenue Annexation District No. 6 Exhibit “B”). LAFCo staff is recommending the addition of 13 adjacent parcels to the annexation area to meet the policies of creating logical boundaries, improving service delivery efficiencies and making progress towards eliminating island areas in the Chico SOI.
The following table provides information on existing land uses within the territory.

<table>
<thead>
<tr>
<th>Map Parcel</th>
<th>Size (acres)</th>
<th>APN</th>
<th>Current Land Use</th>
<th>County General Plan/Prezoning</th>
<th>Chico General Plan/Prezoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.92</td>
<td>007-150-012</td>
<td>Single-Family/Undeveloped</td>
<td>MHDR/MHDR</td>
<td>LDR/R2</td>
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<tr>
<td>2</td>
<td>2.42</td>
<td>007-150-053</td>
<td>Single-Family/Undeveloped</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>3</td>
<td>0.63</td>
<td>007-150-045</td>
<td>Single-Family/Undeveloped</td>
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<td>LDR/R1</td>
</tr>
<tr>
<td>4</td>
<td>0.53</td>
<td>007-150-044</td>
<td>Drainage Facilities</td>
<td>MHDR/MHDR</td>
<td>LDR/OS1</td>
</tr>
<tr>
<td>5</td>
<td>0.39</td>
<td>007-150-042</td>
<td>Drainage Facilities</td>
<td>Public/P</td>
<td>LDR/OS1</td>
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<tr>
<td>6</td>
<td>0.41</td>
<td>007-150-061</td>
<td>Undeveloped</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
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<tr>
<td>7</td>
<td>0.09</td>
<td>007-150-060</td>
<td>Drainage Facilities</td>
<td>MHDR/MHDR</td>
<td>LDR/OS1</td>
</tr>
</tbody>
</table>

Properties Proposed to be Added to the Annexation Area

<table>
<thead>
<tr>
<th>Map Parcel</th>
<th>Size (acres)</th>
<th>APN</th>
<th>Current Land Use</th>
<th>County General Plan/Prezoning</th>
<th>Chico General Plan/Prezoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>0.25</td>
<td>007-150-033</td>
<td>Single-Family Dwelling</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
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<tr>
<td>9</td>
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<td>007-150-034</td>
<td>Single-Family Dwelling</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>10</td>
<td>0.25</td>
<td>007-150-104</td>
<td>Single-Family Dwelling</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>11</td>
<td>0.25</td>
<td>007-150-105</td>
<td>Single-Family Dwelling</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>12</td>
<td>0.25</td>
<td>007-150-103</td>
<td>Single-Family Dwelling</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>13</td>
<td>0.25</td>
<td>007-150-107</td>
<td>Single-Family Dwelling</td>
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<td>LDR/R1</td>
</tr>
<tr>
<td>14</td>
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<tr>
<td>15</td>
<td>0.27</td>
<td>007-150-112</td>
<td>Single-Family Dwelling</td>
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<td>LDR/R1</td>
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<tr>
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<td>007-150-008</td>
<td>Single-Family Dwelling</td>
<td>MHDR/MHDR</td>
<td>LDR/R1</td>
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<tr>
<td>17</td>
<td>0.24</td>
<td>007-150-009</td>
<td>Single-Family Dwelling</td>
<td>MDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>18</td>
<td>0.24</td>
<td>007-150-010</td>
<td>Single-Family Dwelling</td>
<td>MDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>19</td>
<td>0.24</td>
<td>007-150-011</td>
<td>Single-Family Dwelling</td>
<td>MDR/MHDR</td>
<td>LDR/R1</td>
</tr>
<tr>
<td>20</td>
<td>0.30</td>
<td>007-150-052</td>
<td>Single-Family Dwelling</td>
<td>MDR/MHDR</td>
<td>LDR/R1</td>
</tr>
</tbody>
</table>

Parcels labeled 2, 3 and 6, in Exhibit A and the table above, are the subject of a City-approved Tentative Subdivision Map to create 23 single family residential parcels and 1 remainder parcel. The development project has a density of 6.95 dwelling units per acre consistent with the City's General Plan and R1 zoning. Parcel 2 is developed with a single-family dwelling, detached garage, barn and various other accessory buildings. The dwelling will be kept as part of the project. Parcel 3 is also developed with single-family dwelling which will be removed as part of the project.

Parcels 5 and 7 are publicly owned by Butte County and the Sacramento & San Joaquin Drainage District, respectively, and are used for the Shasta Union Drainage Assessment District (SUDAD) canal and associated facilities and will not be further developed. Parcel 1 is improved with a single-family residence and is not part of the development proposal.

The parcels proposed to be added to the annexation area are parcels 8 through 20. The addition of these parcels will have a de minimus impact on the issue of growth and environmental impacts as all of the parcels are developed with single-family homes consistent with the City of Chico General Plan and zoning.

The Butte County General Plan designates the parcels as Medium High Density Residential (1 to 14 dwelling units per acre) and the County has zoned these parcels Medium High Density Residential (MHDR). Parcel 5 located in the northeast corner of the annexation area has a General Plan Land Use designation of Public with a corresponding Public zoning.

The City of Chico General Plan designates all of the parcels within the requested annexation area and the additional annexation area as Low Density Residential with a density range of 2.1 to 7 dwelling units per acre. The City has prezoned most of the parcels R1 with the exception of Parcel...
1 which is prezoned R2 and parcels 4, 5, and 7 which are associated with the SUDAD ditch and are zoned OS1, primary open space.

The County General Plan designation would allow development of the requested annexation area at a much higher maximum density of 14 dwelling units per acre compared to the maximum density of 7 dwelling units in the City’s General Plan. The maximum density allowed by the City would be more consistent with the existing land uses in the area.

**Individual Factors for Consideration**

California Government Code §56668 provides a list of factors to be considered in the review of a proposal. The Commission’s review shall include, but is not limited to, consideration of these factors:

(a) **Population; land use; topography; proximity to other populated areas; the likelihood of significant growth in the area.**

The territory is primarily developed with single-family dwellings along with some vacant and underdeveloped property. The territory has an estimated population of 40 people. The site and surrounding area are level with no significant natural features that would affect the annexation. A maintained drainage conveyance channel runs through the northeastern portion of the proposed annexation area. With the provision of City of Chico sanitary sewer service, additional growth in the territory is possible consistent with the City of Chico General Plan Land use designation of low density residential allowing up to 7 dwelling units per acre. The existing County land use designation and zoning allows residential densities up to 14 dwelling units per acre potentially allowing for more development, however, that density could not be achieved without sanitary sewer service available only through annexation. A 23-lot subdivision for single-family residential development is proposed on 3.46 acres within the territory. The surrounding area is primarily single-family residential development with some apartments.

(b) **The need for organized community services; probable effect of the proposed annexation on the cost and adequacy of services and controls in the area and adjacent areas.**

The need for organized community services in the territory is to support existing and future residential and commercial uses in the territory, consistent with the City of Chico General Plan. The extension of community services such as sanitary sewer and public water will allow the City to efficiently utilize vacant and under developed land within its sphere of influence.

(c) **The effect of the proposed action and of alternative actions.**

The annexation area proposed by the City of Chico will allow the extension of services and as a result the development of 23 new single-family dwelling units in an area where the demand for new housing is high. The alternative action to include an additional 13 developed parcels and road right of way will not only allow the development of new homes but will promote the efficient delivery of services with respect to water, sewer, and road maintenance as well reducing the existing unincorporated island area. Impact to local government is nominal.

(d) **The conformity of the proposal with the adopted commission policies on providing planned, orderly, efficient patterns of urban development.**

The annexation of the subject territory to the City of Chico is consistent with the planned, orderly, and efficient patterns of urban development within the adopted Spheres of Influences of the affected agencies. The annexation will result in the provision of more effective and efficient municipal services to the territory and will result in an incremental decrease in size of an unincorporated island area.
(e) The effect of the proposal on agricultural lands.

No commercial or production agricultural uses are found in the territory. It appears that some animal keeping and hobby farming has occurred on the largest parcel in the annexation area but the territory is not identified as Prime Agricultural land. Annexation of the subject territory would not contribute to the loss of agricultural lands.

(f) Boundaries of the territory.

The subject territory is parcel specific, with definite and certain boundaries. There are no conflicts with lines of assessment or ownership. The subject territory initiated by the City of Chico is legally uninhabited with nine registered voters. The proposed annexation area is inhabited with 26 registered voters. In the absence of a successful protest hearing and prior to the annexation being final, the City of Chico must submit a revised legal description and map of the territory that includes the 13 additional parcels and Burnap Avenue right-of-way.

(g) Consistency with city or county general and specific plans.

The proposal is consistent with the land use policies of the City of Chico. The City of Chico’s General Plan designates the territory as Low Density Residential and the City has prezoned the territory accordingly. Existing uses within the territory all appear to be consistent with the City’s General Plan and zoning. Any uses that are not consistent would be allowed to continue as legal, non-conforming uses. No specific plan has been adopted for this area.

(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The proposed annexation is consistent with the Sphere of Influence for the City of Chico. The territory is within County Service Area No. 114 (Chico Area Nitrates) and some territory utilizing sewer service will be detached from this district. The territory is within County Service Area No. 164 (Butte County Animal Control) and the territory will be detached from this district, as this service will be provided by the City of Chico. The territory will also be removed from the Resource Conservation District as only unincorporated parcels can be in the District.

(i) The comments of any affected local agency.

On March 1, 2017, LAFCo staff circulated the proposal for review and comment from local public agencies. Butte County Public Works and County Administration recommended the expansion of the original annexation area to create more a logical boundary. The Butte County Public Health department commented that septic failures have occurred in the area and that a Regional Water Quality Control Board prohibition is in effect. County Development Services noted that the property is in a B-2 compatibility zone for the Chico Municipal Airport.

(j) The ability of the receiving entity to provide the services.

The City of Chico provides general administration, community development, public works, sewer, police, fire protection, and other services within its incorporated area. The City of Chico, through its resolution of application, attests to its ability to extend municipal services to the territory without impact to existing City residents. The City of Chico’s financial difficulties have significantly improved over the last few years and the proposed annexation is not expected to have any positive or negative impact on the City’s ability to provide adequate municipal services to the territory.

In the Initial Study/Mitigated Negative Declaration prepared by the City of Chico for the annexation proposal, the City states that the modest increase in development potential would occur along an existing City street and would not overburden fire or police protection services, schools or recreation facilities, or other governmental services.
development within the territory will require payment of development impact fees to offset the cost of new facilities for police, fire, parks, and other public services that were anticipated along with general growth of the City analyzed by the Chico General Plan EIR.

(k) Availability of adequate water supplies.

Domestic water for the existing uses within the territory is provided by the California Water Service Company (Cal Water) or private on-site wells. Cal Water is the local water provider in the Chico area and the sole source of water for the Chico District is groundwater extracted from sub-basins of the Sacramento Valley Groundwater Basin. During the preparation of the City’s 2030 General Plan Update, Cal Water verified that they have the capacity to serve the entire General Plan build-out.

(l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs.

The territory is developed with single-family residential uses and vacant land. The annexation and the subsequent development of three parcels within the territory with a 23-unit, single-family dwelling, subdivision at 6.95 dwelling units per acre which will contribute towards the Regional Housing Needs Allocation for the City of Chico.

(m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

A legal notice of the public hearing for the proposed annexation was placed in the Chico Enterprise-Record and mailed to landowners and registered voters within 300 feet of the territory. Additionally, Staff sent a solicitation letter to all 13 landowners within the amended annexation boundary seeking their interest in annexation. As of the date of this staff report, three (3) landowners have indicated their opposition to annexation as discussed further below.

(n) Any information relating to existing land use designations.

As noted, the City of Chico General Plan designates the subject territory Low Density Residential and the City has prezoned the territory R1 and OS1. There are no other known land use conflicts or concerns.

(o) The extent to which the proposal will promote environmental justice.

The proposed reorganization is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups. The territory is not within a disadvantaged unincorporated community (DUC).

Based upon the above responses, the proposal appears to be consistent with the listed factors.

Applicable Butte LAFCo Policies

Section 2.0 (LAFCo General Policies and Standards) and Section 4.0 (Annexation and Detachments) of Butte LAFCo Policies and Procedures provides the Commission with general standards for annexation proposals. The relevant policies for consideration and guidance for this proposal include:

- Consistency of the proposal with the General Plan of the applicable planning jurisdiction. (2.10.1)
- The creation of logical boundaries. (2.11.2)
- Consistency of a proposal with the Sphere of Influence and Municipal Service Review of the affected jurisdiction(s). (4.1.1)
- Contiguity of a proposed annexation area to the jurisdictional boundaries of the annexing city. (4.1.3)
• Determination of the most efficient service provider. (4.2)

The proposal is substantially consistent with the above policies in that it:

• Is provided access from Burnap Avenue and Eaton Road, which are already in or substantially in, and maintained by, the City of Chico. A new road is also proposed which will be City maintained.
• Is more effectively served by the City of Chico police, fire, and public works services.
• Is an integral part of the social and economic interests of the City of Chico as a whole.
• Will result in orderly and logical jurisdictional boundaries and provide for the delivery of more effective and efficient public municipal services.
• Will further incrementally reduce an unincorporated island area.
• Is located within an urbanized area.

State law and Butte LAFCo Policies allow the Commission to add or remove parcels from an annexation proposal to ensure the creation of logical, efficient, and effective jurisdictional boundaries. Additionally, Butte LAFCo Policy 4.1.4 states that LAFCO will modify small, piece-meal annexations, to include additional territory in order to promote orderly annexation and logical boundaries, while maintaining a viable proposal.

North Chico Unincorporated Island Area

The subject territory is within the 431-acre, 694-parcel North Chico unincorporated island area, which is developed primarily with single-family dwellings. The proposed and/or amended Burnap Avenue Annexation Area No. 6 would incrementally reduce the island area. The remaining island area is the subject of discussion with the City of Chico for the preparation and adoption of a comprehensive annexation plan for all island areas. Staff expects that the City will enter into a Letter Agreement to initiate this larger island area no later than July 1, 2018. The end result is that any parcels not annexed as a part of this proposal will be included in a much larger anticipated annexation.

Plan for Services: Existing Service Agencies and Proposed Service Changes

The following table shows the services that are currently provided to the territory and the changes in service providers as a result of annexation to the City of Chico.

<table>
<thead>
<tr>
<th>Service</th>
<th>Presently Provided By</th>
<th>Proposed Provider</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Protection</td>
<td>County of Butte</td>
<td>City of Chico</td>
</tr>
<tr>
<td>Police Protection</td>
<td>County of Butte</td>
<td>City of Chico</td>
</tr>
<tr>
<td>Code Enforcement</td>
<td>County of Butte</td>
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</tr>
<tr>
<td>Sewer Service</td>
<td>None</td>
<td>City of Chico</td>
</tr>
<tr>
<td>Domestic Water Service</td>
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</tr>
<tr>
<td>Agricultural Water Service</td>
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<td>None</td>
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<tr>
<td>Animal Control</td>
<td>County of Butte (CSA 164)</td>
<td>City of Chico</td>
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<tr>
<td>Solid Waste</td>
<td>Private Collector</td>
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</tr>
<tr>
<td>Road/Street Maintenance</td>
<td>Butte County/City of Chico</td>
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</tr>
<tr>
<td>Power Infrastructure</td>
<td>PG&amp;E</td>
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</tr>
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<td>Street Lighting</td>
<td>City of Chico</td>
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</tr>
<tr>
<td>Planning &amp; Zoning</td>
<td>Butte County</td>
<td>City of Chico</td>
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<tr>
<td>Schools</td>
<td>Chico Unified School District</td>
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<tr>
<td>Resource Conservation</td>
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<tr>
<td>Mosquito Abatement</td>
<td>Butte Co. Mosquito Abatement Dist</td>
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</tr>
<tr>
<td>Recreation</td>
<td>Chico Area Recreation &amp; Park Dist</td>
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</tr>
<tr>
<td>Storm Water Drainage</td>
<td>Butte County/City of Chico</td>
<td>No change</td>
</tr>
</tbody>
</table>
Some or all of the territory will be detached from the following districts:

- County Service Area No. 114 (Chico Area Nitrates) - Parcels to be connected to sewer service following annexation.
- County Service Area No. 164 (Butte County Animal Control) - All parcels, as this service will be provided by the City of Chico; and
- The Butte County Resource Conservation District - All parcels, as this service is restricted to unincorporated parcels only.

ADDITIONAL INFORMATION

Property Tax Agreement
In accordance with provisions of Revenue and Taxation Code §99, an Amended Master Property Tax Exchange Agreement was executed between the City of Chico and the Butte County Board of Supervisors on November 4, 1987. The agreement provides for the County to receive 55% of the property tax revenues, and the City to receive 45%.

Support/Protest
The City of Chico conducted a noticed public hearing on December 20, 2016, at which time the annexation proposal was initiated by Resolution No 76-16 for seven (7) parcels. There was no known opposition to the City's proposal at that time. Staff sent solicitation letters to the 13 additional parcel owners shown on Exhibit “A” (page 2 of this report) on November 6, 2017, seeking their input on being annexed. Three (3) responses in opposition have been received to date from landowners within the amended annexation area.

On November 14, 2017, hearing notices for the Commission’s December 7, 2017, public hearing on the annexation were mailed to all landowners and registered voters within 300 feet of the territory. On November 15, 2017, a legal notice regarding the Commission’s December 7 hearing on the annexation proposal was published in the Chico Enterprise-Record and placed on Butte LAFCo’s webpage.

Conducting Authority Proceedings

Option 1 - Original City Proposal

- As of the date of this report, the 7-parcel annexation proposed by the City of Chico is supported by five parcel owners and no written opposition from the remaining 2 parcel owners. LAFCo Staff noticed the landowners and registered voters within the territory pursuant to the provisions of California Government Code §56663 (Waiver of Protest Proceedings). This section allows the Commission to waive protest proceedings for an uninhabited annexation provided: The public hearing for the proposed annexation was noticed pursuant to the requirements of California Government Code §56157;
- The notice discloses to the registered voters and landowners that unless written opposition to the proposal is received before the conclusion of the commission proceedings on the proposal, the commission intends to waive protest proceedings.
- The notice discloses that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory.
- Written opposition to the proposal from landowners or registered voters within the affected territory is not received before the conclusion of the commission proceedings on the proposal.
Provided no written objections are received by the close of the hearing, the Commission may waive protest proceedings entirely and approve the annexation with no further actions required. This choice is favored by the applicant/developer of the 23 lot subdivision on parcels 2, 3 and 6 on the map above as the additional delays in approving this annexation as discussed below will be detrimental to meeting a spring construction schedule.

Option 2 - LAFCO Amended Proposal

As discussed above, LAFCO Staff proposed amending the City's proposal to include thirteen (13) additional adjacent and developed parcels in order to form a more logical boundary. As of the date of this report three (3) written objections: APN's 007-150-034 (Map parcel #9); 007-150-104 (Map parcel #10); and 007-150-103, (Map parcel #12) to the annexation proposal have been received from landowners within the amended annexation area. This known opposition will trigger conducting authority protest proceedings pursuant to California Government Code §57000. At a minimum, the protest proceedings will delay any annexation action for 51 days and may result in an election that would delay any final outcome for several more months or defeat the proposal entirely.

Based upon information from the Butte County Assessor’s Office and the Butte County Elections Office, the amended 20 total parcels proposed for annexation have a total assessed land value of $1,346,832 and contains 26 registered voters. As this annexation area is inhabited (12 or more registered voters) and there is not confirmation of 100% support, the annexation, if approved by LAFCo, will be set for a protest hearing by the Executive Officer. Pursuant to Government Code Section 57075, following the Protest Hearing, the Commission must either:

1. Terminate proceedings if 50% (13) or more of the registered voters residing in the affected territory file a written protest; or

2. Order the annexation subject to the confirmation of the registered voters residing in the affected territory if written protests have been filed by at least 25% (7) of the registered voters or 25% (5) of the landowners who own at least 25% ($336,708) of the assessed land value in the affected territory; or

3. Order the annexation without an election if written protests have been filed by less than 25% (7) of the registered voters in the affected territory and less than 25% (5) of the landowners who own at least 25% ($336,708) of the assessed land value in the affected territory.

Based on the three (3) opposition comments known as of the date of this report, it appears that the amended annexation would generate sufficient registered voter protests (7) to require a voter confirmation/election that could delay the annexation for several months and result in additional costs for the election.

If the Commission is concerned about the outcome of the protest proceedings or does not wish to delay the annexation and related subdivision development, it may wish to remove those parcels with known opposition and approve a smaller annexation area with no opposition and waive the protest proceedings. The removal of the amended annexation parcels is not critical at this time as the City has indicated it will propose the much larger North Chico Annexation area within the coming year at which time these additional parcels will be included.

Environmental Analysis

The City of Chico is the lead agency for the proposal under the California Environmental Quality Act (CEQA). The City prepared and adopted a Mitigated Negative Declaration (Burnap Tentative Subdivision Map S 17-02) that analyzed the environmental impacts of the development of
annexed properties and the inclusion of the 13 additional developed parcels. The City’s Mitigated Negative Declaration found that the proposed annexation would have a less than significant environmental impact with the incorporation of three mitigation measures that address impacts to air quality, biological resources, and cultural resources. The City of Chico prepared a Mitigation Monitoring Program that identifies how the mitigation measures will be implemented. The Mitigated Negative Declaration/Mitigation Monitoring Program prepared by the City of Chico is attached to this report as Exhibit D.

As responsible agency, LAFCo is required to rely on the City’s environmental documentation in acting on the proposal, but must prepare and issue its own findings. Staff has reviewed the aforementioned Mitigated Negative Declaration/Mitigation Monitoring Program and believes that the City has made an adequate determination in that the proposed annexation will not directly result in any substantial impact to the environment.

CONCLUSION

The City of Chico is capable of providing full municipal services to the territory without impacting service levels provided to current City residents. The proposed annexation represents a reasonably logical extension of the City’s boundaries and services, and it will have no adverse impacts on any other agency’s ability to provide services. The annexation proposal substantially conforms to LAFCo policy and the Executive Officer recommends approval of this proposal.

ALTERNATIVES FOR COMMISSION ACTION

After reviewing this report and any testimony or materials that are presented, the Commission may take one of the following actions:

OPTION 1 – APPROVE the proposal as submitted and adopt Resolution 06 2016/17 approving the uninhabited annexation consisting of 7 parcels and Burnap Avenue right-of-way totaling 6.04 acres and waive protest proceedings if no written objections to the annexation proposal have been received from an affected landowner or registered voter within the affected territory prior to the conclusion of the public hearing. This is the preferred option as it appears likely that there will be sufficient protests of the amended proposal to trigger an election.

OPTION 2 - APPROVE the amended proposal for 20 parcels and direct staff to amend Resolution 06 2016/17 to approve the inhabited annexation consisting of 20 parcels and Burnap Avenue right-of-way totaling 10.4 acres and direct the Executive Officer to conduct protest proceedings. Based on known opposition, this option will trigger an election and delay the annexation for several months.

OPTION 3 - DENY the proposal

ACTION REQUESTED: Approve OPTION 1

Respectfully submitted,

Craig Sanders
Deputy Executive Officer
Attachments:
Exhibit A: Annexation Area Map (Page 2)
Exhibit B: City Annexation Area Map (Page 13)
Exhibit C: Draft LAFCo Resolution No. 06 2016/17 (Page 14)
Exhibit D: Notice of Determination and Mitigated Negative Declaration (Page 17)
RESOLUTION NO. 06 2016/17

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF BUTTE
MAKING DETERMINATIONS AND ORDERING THE ANNEXATION OF TERRITORY DESIGNATED AS 17-10 CITY OF CHICO REORGANIZATION BURNAP AVENUE ANNEXATION NO. 6

RESOLVED, by the Local Agency Formation Commission of the County of Butte, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the City of Chico in the County of Butte was heretofore filed by the City of Chico and accepted for filing on October 31, 2017, by the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56658, set December 7, 2017, as the hearing date on this proposal and gave the required notice of public hearing; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56665, has reviewed this proposal and prepared a report, including recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, this Commission called for and held a hearing on December 7, 2017, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this proposal and the report of the Executive Officer; and

WHEREAS, this Commission considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code Section 56668; and

NOW, THEREFORE, the Local Agency Formation Commission of the County of Butte DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. Environmental Action:

A. The Commission certifies that it has reviewed and considered the Mitigated Negative Declaration/Mitigation Monitoring Program prepared and adopted by the City of Chico for the annexation of the subject territory and development of three parcels within the territory with a 23 unit single-family residential subdivision. The Mitigated Negative Declaration/Mitigation Monitoring Program identified three environmental impacts associated with the apartment complex development but determined that these environmental impacts can be mitigated to a less than significant level. The Commission has reviewed the City of Chico’s Mitigated Negative Declaration/Mitigation Monitoring Program and has made no determination that would require supplementing that environmental document.

Section 2. General Findings and Determinations:

A. The Commission has considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, Butte LAFCo Policies
and Procedures, Sphere of Influence and General Plan consistency, the City of Chico Municipal Service Review, the Domestic Water and Wastewater Service Providers Municipal Service Review, and other factors specified in Government Code Section 56668 and as described in the staff report dated November 15, 2017 for the meeting of December 7, 2017.

B. The annexation area shall consist of seven (7) parcels, totaling approximately 6.04 acres, as submitted by the City of Chico, and described in Exhibit “A.”

C. This uninhabited annexation does not have 100% support of the affected landowners. The Commission conducted a public hearing for this proposal and receive no objections or protests for the proposed annexation area and directs the Executive Officer to waive protest hearings.

D. The purpose of the annexation to the City of Chico is to facilitate the annexation of parcels that will allow the extension of services to support a development project that is consistent with both the City and County zoning while incrementally decreasing the size of an unincorporated island within the Chico SOI.

E. The proposal is consistent with the City of Chico Sphere of Influence.

F. Pursuant to Butte LAFCO Policy 2.13.1, the Commission determines that agricultural and/or open space lands will not be adversely affected by this proposal as the territory is developed and is contiguous to lands that have been developed with urban uses and the territory does not contain any agricultural uses and is not considered to be “prime agricultural land” as defined in California Government Code §56064. Therefore, no conversion of designated agricultural or open space lands will occur as a result of the proposed annexation.

G. The parcels proposed for annexation will be detached from the following districts:
   1. County Service Area No. 114 (Chico Area Nitrates) for parcels to be connected to City sewer services;
   2. County Service Area No. 164 (Butte County Animal Control); and
   3. The Butte County Resource Conservation District.

H. The exchange of property tax revenues between the County of Butte and the City of Chico will be performed in accordance the Amended Master Property Tax Exchange Agreement, executed between the City of Chico and the Butte County Board of Supervisors on November 4, 1987.

Section 3. Conditions requested by LAFCO:

A. All LAFCO, County of Butte and State of California fees must be paid in full prior to filing the Certificate of Completion.

B. The legal description and map, if amended by action of the Commission, will be revised at the expense of the applicant, prior to filing the Certificate of Completion.

C. The map and legal description shall comply with the State Board of Equalization requirement and if rejected by the State Board of Equalization, will be revised at the expense of the applicant.
Section 4. The boundaries, as set forth in the proposal or as amended by action of the Commission, are hereby approved as submitted and are as described in Exhibits A and B attached hereto and by this reference incorporated herein.

Section 5. Waiver of Protest Proceedings:

A. Pursuant to California Government Code §56663 (Waiver of Protest Proceedings) the Commission waives protest proceedings for the annexation if no written objections to the proposed annexation are received from any landowner or registered voter within the territory prior to the close of the public hearing on the annexation.

B. If written objections to the proposed annexation are received from any landowner or registered voter within the territory prior to the close of the public hearing on the annexation, the Commission directs the Executive Officer to set the proposal for a protest hearing and give public notice of said hearing pursuant to Butte LAFCo Policy and California Government Code Section 57002.

Section 6. The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided in Section 56882 of the Government Code.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Butte, on the 7th day of December 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINS:

ATTEST:

Clerk of the Commission

CARL LEVERENZ, Chair
Butte Local Agency Formation Commission
Notice of Determination

To:  
| Office of Planning and Research | From:  
| U.S. Mail:  
| P.O. Box 3044  
| Sacramento, CA 95812-3044  
| Sacramento, CA 95814  
|  
| County Clerk  
| County of: Butte  
| Address: 155 Nelson Ave  
| Oroville, CA 95965  

From: City of Chico
Address: 411 Main Street
Contact: David Young
Phone: 530.879.8535

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2017082082

Project Title: Burnap Tentative Subdivision
Project Applicant: Chuck Tatreau

Project Location (include county): 2996 and 3000 Burnap Avenue, Chico CA 95973

Project Description:
The proposed project is an infill, small-lot subdivision and would divide the site into 23 new residential lots and one remainder residential lot. Gross density for the project would be 6.94 dwelling units per acre with an average lot size of 4,375 square feet. As indicated, the existing residence on the Remainder Lot would remain and the other residence and all outbuildings, on-site fences, and utility poles would be removed. The existing wells and septic systems would be abandoned pursuant to County Environmental Health requirements. Access to the project would be provided via Burnap Avenue.

This is to advise that the City of Chico (X Lead Agency or □ Responsible Agency)

has approved the above described project on 10-5-2017 and has made the following determinations regarding the above described project.

1. The project [□ will □ will not] have a significant effect on the environment.
2. □ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X were □ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X was □ was not] adopted for this project.
5. A statement of Overriding Considerations [□ was □ was not] adopted for this project.
6. Findings [X were □ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
City of Chico, 411 Main Street (2nd Floor), Chico CA 95925

Signature (Public Agency): ____________________________  Title: Senior Planner
Date: 10-10-2017  ____________________________ Date Received for filing at OPR: ____________________________

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

NAME AND ADDRESS OF LEAD AGENCY:
City of Chico Community Development Department
411 Main Street
Chico, CA 95928

APPLICANT:
Chuck Tatreau
9 Blackstone Court, Chico, CA 92926

FILING NO.

PROJECT:
Burnmap Tentative Subdivision Map (S 17-02) – SCH #2017082082

1. NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION
   [ ] A. Statutorily or Categorically Exempt
   $50.00 (Fifty Dollars) Butte County Clerk’s Filing Fee

2. NOTICE OF DETERMINATION - FEE REQUIRED
   [X] A. Negative Declaration
   $2,216.25 State Filing Fee
   $50.00 Butte County Clerk’s Filing Fee
   [ ] B. Environmental Impact Report
   $3,078.00 State Filing Fee
   $50.00 Butte County Clerk’s Filing Fee

3. [ ] OTHER (Specify) General Rule Exemption
   $50.00 Butte County Clerk’s Filing Fee

4. [ ] OTHER (Specify) General Rule Exemption
   $50.00 Butte County Clerk’s Filing Fee

TWO COPIES OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL
DOCUMENTS FILED WITH THE BUTTE COUNTY CLERK’S OFFICE.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING ANY ENVIRONMENTAL DOCUMENTS WITH
THE BUTTE COUNTY CLERK’S OFFICE.

THREE COPIES OF ALL NECESSARY DOCUMENTS ARE REQUIRED FOR FILING PURPOSES.

THE $50.00 HANDLING FEE IS REQUIRED PER FILING IN ADDITION TO THE FILING FEE SPECIFIED IN FISH
AND GAME CODE SECTION 711.4(d).

MAKE CHECKS PAYABLE TO COUNTY OF BUTTE.
MITIGATED NEGATIVE DECLARATION & MITIGATION MONITORING PROGRAM
CITY OF CHICO PLANNING DIVISION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PROJECT APPLICANT’S INCORPORATION OF MITIGATION INTO THE PROPOSED PROJECT:

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

[Signature]
Authorized Signature, Project Applicant

[Printed Name]

[Prepared by]
David Young, Senior Planning Consultant
Community Development Department

[Date]

[Adopted via]
Resolution No:
City of Chico Planning Commission

[Date]
Initial Study / Environmental Checklist  
City of Chico  
Environmental Coordination and Review

I. PROJECT DESCRIPTION

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

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

C. Application: Tentative Subdivision Map

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

E. Parcel Size: 3.46 acres

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

G. Zoning  
007-150-045 - (R1) Low Density Residential  
007-150-053 - (R1) Low Density Residential  
007-150-061 - (R1) Low Density Residential

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

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

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

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

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

The development would necessitate the removal of 24 of the 37 existing trees on the site, which will require compliance with CMC Chapter 16.66 regarding payment of in-lieu fees for tree replacement.
The project applicant is requesting modifications to the CMC Chapter 18.44 for: non-standard corner intersection radii, residential lot depths of less than 80 feet, non-right angle or radial side lot lines, allowance of double frontage lots, and allowance of non-standard street cross-sections. Any approval of the proposed subdivision in advance of the annexation will be contingent upon completion of the annexation process.

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

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

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

L. City Contact:
David Young, Senior Planner, Phone: (530) 879-6535 david.young@chicoca.gov, City of Chico, 411 Main Street, Chico, CA 95928
PROPOSED SUBDIVISION
II. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

☐ Aesthetics  ☐ Geology/Soils  ☐ Noise
☐ Agriculture and Forest  ☐ Greenhouse Gas Emissions  ☐ Open Space/Recreation
☒ Air Quality  ☐ Hazards/Hazardous Materials  ☐ Population/Housing
☒ Biological Resources  ☐ Hydrology/Water Quality  ☐ Public Services
☒ Cultural Resources  ☐ Land Use and Planning  ☑ Tribal Cultural Resources
☐ Utilities  ☐ Transportation/Circulation

III. COMMUNITY DEVELOPMENT DIRECTOR DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☒ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a potentially significant impact or have a potentially significant impact unless mitigated, but at least one effect has been adequately analyzed in an earlier document pursuant to applicable legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT (EIR) is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION including revisions or mitigation measures that are imposed upon the proposed project. No further study is required.

_____________________________  ______________
Signature                  Date

David Young, Senior Planner
IV. EVALUATION OF ENVIRONMENTAL IMPACTS

- Responses to the following questions and related discussion indicate if the proposed project will have or potentially have a significant adverse impact on the environment.

- A brief explanation is required for all answers except "No Impact" answers that are adequately supported by referenced information sources. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors or general standards.

- All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

- Once it has been determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there is at least one "Potentially Significant Impact" entry when the determination is made an EIR is required.

- Negative Declaration: "Less than Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The initial study will describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 4, "Earlier Analysis," may be cross-referenced).

- Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D)].

- Initial studies may incorporate references to information sources for potential impacts (e.g. the general plan or zoning ordinances, etc.). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list attached, and other sources used or individuals contacted are cited in the discussion.

- The explanation of each issue should identify:
  a. The significance criteria or threshold, if any, used to evaluate each question; and
  b. The mitigation measure identified, if any, to reduce the impact to less than significant.
A. **Aesthetics**  
Will the project or its related activities:

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

**DISCUSSION:**

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

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

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

**A.5.** The project would introduce street lighting and typical residential outdoor lighting, similar to surrounding developed areas. The project must comply with Section 19.60.050 of the CMC which requires all exterior lighting be architecturally integrated with the character of all structures, energy-efficient, and shielded or recessed to lessen and confine direct glare and reflection, to the maximum extent feasible, within
the boundaries of the site. Exterior lighting is to be directed downward and away from adjacent properties and public rights-of-way. All lighting fixtures must be appropriate in scale, intensity, and height to the use they are serving. Mandatory compliance with CMC lighting requirements would reduce light or glare impacts to **Less Than Significant**.

**MITIGATION**: None Required.

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

**B.1.–B.5.** The project would not convert Prime or Unique Farmland, or Farmland of Statewide Importance. The California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program's 'Butte County Important Farmland 2010' map, identifies the project site as "Urban and Built-up Land" (see [ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/but10.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/but10.pdf)).

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

**MITIGATION**: None required.

---

*Attachment D*
C. Air Quality
Will the project or its related activities:

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

**DISCUSSION:**

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


<table>
<thead>
<tr>
<th>POLLUTANT</th>
<th>STATE</th>
<th>FEDERAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-hour Ozone</td>
<td>Nonattainment</td>
<td>--</td>
</tr>
<tr>
<td>8-hour Ozone</td>
<td>Nonattainment</td>
<td>Nonattainment</td>
</tr>
<tr>
<td>Carbon Monoxide</td>
<td>Attainment</td>
<td>Attainment</td>
</tr>
<tr>
<td>Nitrogen Dioxide</td>
<td>Attainment</td>
<td>Attainment</td>
</tr>
<tr>
<td>Sulfur Dioxide</td>
<td>Attainment</td>
<td>Attainment</td>
</tr>
<tr>
<td>24-Hour PM10**</td>
<td>Nonattainment</td>
<td>Attainment</td>
</tr>
</tbody>
</table>
**BUTTE COUNTY AMBIENT AIR QUALITY ATTAINMENT STATUS (September, 2014)**

<table>
<thead>
<tr>
<th></th>
<th>24-Hour PM2.5**</th>
<th>Annual PM10**</th>
<th>Annual PM2.5**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard</td>
<td>No Standard</td>
<td>Attainment</td>
<td>Nonattainment</td>
</tr>
<tr>
<td>No Standard</td>
<td>Attainment</td>
<td>Nonattainment</td>
<td>Attainment</td>
</tr>
</tbody>
</table>

**PM10:** Respirable particulate matter less than 10 microns in size.
**PM2.5:** Fine particulate matter less than 2.5 microns in size.

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

1) Temporary impacts resulting from construction-related activities (earth moving and heavy-duty vehicle emissions), and

2) Long-term indirect source emission impacts related to ongoing operations, such as motor vehicle usage, water and space heating, etc.

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

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

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

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

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

Attachment D
<table>
<thead>
<tr>
<th>LAND USE TYPE</th>
<th>Model Emissions for Project Greater Than</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Unit Residential</td>
<td>30 units</td>
</tr>
<tr>
<td>Multi-Family Residential</td>
<td>75 units</td>
</tr>
<tr>
<td>Commercial</td>
<td>15,000 square feet</td>
</tr>
<tr>
<td>Retail</td>
<td>11,000 square feet</td>
</tr>
<tr>
<td>Industrial</td>
<td>59,000 square feet</td>
</tr>
</tbody>
</table>

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

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

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


Examples of these types of measures include but are not limited to:
- Limiting idling of construction vehicles to 5 minutes or less.
- Ensuring that all small engines are tuned to the manufacturer's specifications.
- Powering diesel equipment with Air Resources Board-certified motor vehicle diesel fuel.
- Utilizing construction equipment that meets ARB's 2007 certification standard or cleaner.
- Using electric powered equipment when feasible.

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

D. Biological Resources

Will the project or its related activities:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species as listed and mapped in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?</td>
<td></td>
<td>x</td>
<td></td>
</tr>
</tbody>
</table>

Attachment D
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

5. Result in the fragmentation of an existing wildlife habitat, such as blue oak woodland or riparian, and an increase in the amount of edge with adjacent habitats.

6. Conflict with any local policies or ordinances, protecting biological resources?

**DISCUSSION:**

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

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

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

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

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

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

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

**MITIGATION:**

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

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

---

**E. Cultural Resources**

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

Attachment D
DISCUSSION:

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

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

MITIGATION:

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

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

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

Attachment D
**F. Geology/Soils**

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

**DISCUSSION:**

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

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

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

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

**MITIGATION:** None Required

<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>Will the project or its related activities:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

**DISCUSSION:**

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

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

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

A. Quantify greenhouse gas emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
B. Establish a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the plan would not be cumulatively considerable;
C. Identify and analyze the greenhouse gas emissions resulting from specific actions or categories of actions anticipated within the geographic area;
D. Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
E. Establish a mechanism to monitor the plan’s progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and
F. Be adopted in a public process following environmental review.

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

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

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

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

**MITIGATION**: None Required.

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

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

**DISCUSSION:**

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

H.4. State of California, Hazardous Waste and Substances Site List, also known as the Cortese List, is used by state and local agencies and by private developers to comply with CEQA requirements providing information about the location of hazardous materials sites. The project site is not on the Cortese list and was not identified in the General Plan as a site historically used to handle or store hazardous materials or associated with a
hazardous material-related release or occurrence. Project implementation would not create a significant hazard to the public or the environment and there is **No Impact**.

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

**MITIGATION:** None Required

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

Will the project or its related activities:

<table>
<thead>
<tr>
<th>Question</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Inundation by seiche, tsunami, or mudflow?</td>
<td>X</td>
<td></td>
<td></td>
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</tbody>
</table>

**DISCUSSION:**

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

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

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

I.2. Adequate water supplies are available to serve build-out of the proposed General Plan, which includes the project site and proposed residential uses. California Water Service Company (Cal Water) is the local water provider in the Chico area with the sole source of water for the Chico District, including the project site. Cal Water relies entirely on groundwater pumped from the Sacramento Valley Basin, which is characterized as having abundant supplies and having demonstrated a historical ability for its groundwater levels to recover quickly after drought events. Cal Water’s *Urban Water Management Plan for the Chico-Hamilton City District* indicates that potable water supplies were estimated to be 32,069 acre-feet in 2015 and are expected to increase to 42,550 acre-feet by 2040. Actual groundwater supplies available to Cal Water are significantly greater that the 2015-2040 supply totals reported in the Plan, as the company only pumps what it needs to meet customer demand (Based on the design capacity of its current wells, Cal Water could pump as much as 90,288 acre-feet/year). The proposed project is consistent with the General Plan Land Use Diagram, which was considered in the preparation of the UWMP. Project implementation and annexation would result in a net increase of approximately 23 to 37 acre-feet annually (assuming typical usage of 1 acre-foot per household per year), which represents roughly one-tenth of one percent of Cal Water’s 2015 supply of 32,069 acre-feet and its 2040 supply of 42,550 acre-feet. The project would increase impervious surface of the site but it not impede or interfere with basin groundwater recharge. Therefore, groundwater depletion and groundwater recharge impacts are considered **Less Than Significant**.
I.3.-I.6. The project site is relatively flat with little or no slope. Project development would alter the existing drainage patterns and increase impervious surfaces and increase runoff at the site; however, it would not result in substantial erosion or siltation on- or off-site, or create excessive runoff. The project would be required to comply with all City and State storm water management requirements during construction and operation.

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

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

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

MITIGATION: None Required

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

DISCUSSION:

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

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

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

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

- **Policy LU-4.2 (Infill Compatibility)** – Support infill development, redevelopment, and rehabilitation projects, which are compatible with surrounding properties and neighborhoods.

- **Policy CD-5.1 (Compatible Infill Development)** – Ensure that new development and redevelopment reinforces the desirable elements of its neighborhood including scale, style, and setback patterns.

- **Policy CD-5.3 (Context Sensitive Design)** – For infill development, incorporate context sensitive design elements that maintain compatibility and raise the quality of the area’s architectural character.

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

**MITIGATION**: None Required.

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**K. Mineral Resources.**

Would the project or its related activities:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
</table>

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**Attachment D**
1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? X

2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? X

**DISCUSSION:**

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

**MITIGATION:** None Required.

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

**DISCUSSION:**

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

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

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

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

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

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

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

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

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

**MITIGATION:** None Required
**M. Open Space/ Recreation**

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

**DISCUSSION:**

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

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

**MITIGATION:** None Required.

**N. Population/ Housing**

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

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

MITIGATION: None Required.

<table>
<thead>
<tr>
<th>O. Public Services</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Fire protection?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Police protection?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Schools?</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Parks and recreation facilities? (See Section J Open Space/Recreation)</td>
<td>X</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Other government services?</td>
<td>X</td>
<td></td>
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</tr>
</tbody>
</table>

DISCUSSION:

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

MITIGATION: None Required.

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

Will the project or its related activities:

<table>
<thead>
<tr>
<th>3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>X</td>
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</tr>
</tbody>
</table>

4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

<table>
<thead>
<tr>
<th>4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

5. Result in inadequate emergency access?

<table>
<thead>
<tr>
<th>5. Result in inadequate emergency access?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

<table>
<thead>
<tr>
<th>6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

DISCUSSION:

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

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

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

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

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

<table>
<thead>
<tr>
<th>Will the project or its related activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially Significant Impact</td>
</tr>
</tbody>
</table>

1. a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

   i) Listed or eligible for listing in the California Register or Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

   x

   ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

   x

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**DISCUSSION:**

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

### R. Utilities

<table>
<thead>
<tr>
<th>Will the project or its related activities have an effect upon or result in a need for new systems or substantial alterations to the following utilities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potentially Significant Impact</td>
</tr>
</tbody>
</table>

1. Water for domestic use and fire protection?

   x

2. Natural gas, electricity, telephone, or other communications?

   x

3. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

   x

4. Require or result in the construction of new water or wastewater treatment facilities or expansion of

   x

---

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

**DISCUSSION:**

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

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

**MITIGATION:** None Required.
V. MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>A. The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant with Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td>X</td>
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</table>

| B. The project has possible environmental effects which are individually limited but cumulatively considerable. (Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past, current and probable future projects). | | | | X |

| C. The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly. | | | | X |

**DISCUSSION:**

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


Chico Urban Area Nitrate Compliance Program http://www.nitratecompliance.org/


Sacramento Metropolitan Air Quality Management District. 2015. Northern Sacramento Valley Planning Area 2012 Triennial Air Quality Attainment Plan