

CITY OF CHICO
PUBLIC HEARING NOTICE AND NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the City of Chico Planning Commission will hold a public hearing on **October 5, 2017** at 6:30 p.m. in the City Council Chambers of the City Municipal Building located at 421 Main Street, regarding the following project:

Burnap Subdivision 2996 and 3000 Burnap Avenue; APNs 007-150-045, -053 and 061

– The proposed project is an infill, small-lot subdivision to divide a 3.4-acre site into 23 new residential lots and one remaining residential lot. The existing residence would be retained on the remaining lot, for a total of 24 single family residential lots. Gross density for the project would be 6.94 dwelling units per acre with an average lot size of 4,375 square feet. Access to the project would be provided via Burnap Avenue. Any City approval of the subject subdivision would be contingent upon annexation of the site to the City.

An initial study for environmental review has been prepared for the project. Based upon the information contained within the initial study, Planning staff is recommending that a Mitigated Negative Declaration (MND) be adopted for the project pursuant to the California Environmental Quality Act (CEQA). An MND is a determination that a project will not have a significant impact on the environment with the incorporation of mitigation measures. **A 30-day public review period is being conducted on the proposed MND, to begin on Monday, August 28, 2017, and end at 5:00 p.m. on Wednesday, September 27, 2017.** During this time period, the initial study, mitigated negative declaration and all documents referenced therein shall be available for public review at the City of Chico Planning Division, 411 Main Street, Second Floor, Chico, California, 95928, Monday through Friday from 8:00 a.m. to 5:00 p.m. The initial study and MND will also be available for review on the City's website at:

http://www.ci.chico.ca.us/planning_services/OtherPlanningDocumentsandReports.asp.

Comments relating to environmental concerns and the proposed MND must be filed in writing with the City of Chico Planning Division, via mail at P.O. Box 3420, Chico, CA 95927, or via email at david.young@chicoca.gov, during the designated 30-day review period.

Any comments received will be forwarded to the Planning Commission for consideration. Should you wish to submit comments, or if you have any questions regarding this project, please contact Senior Planning Consultant David Young at david.young@chicoca.gov (530) 879-6535. Additional information, including maps and files, may be viewed at the City of Chico Planning Division.

E/R PUBLISH: Monday, August 28, 2017



MITIGATED NEGATIVE DECLARATION & MITIGATION MONITORING PROGRAM CITY OF CHICO PLANNING DIVISION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Authorized Signature, Project Applicant



Printed Name

Prepared by: _____


David Young, Senior Planning Consultant
Community Development Department

8/25/17

Date

Adopted via: Resolution No: _____

City of Chico Planning Commission

Date