

ZONING

17 Attachment 1

Outstanding Project Design Features and Components That Must Be Adopted Into the MRPD-O

1. Implementation of the Environmental Mitigations Measures.

Mitigation Measure Air-1: Implement Standard BCAQMD Mitigation Measures.

During construction activities, the project applicant shall do the following:

- Maintain all construction equipment in proper tune according to manufacturer's specifications.
- Maximize to the extent feasible, the use of diesel construction equipment meeting the CARB's 1996 or newer certification standard for off-road heavy-duty diesel engines.
- Water shall be applied by means of truck(s), hoses and/or sprinklers as needed prior to any land clearing or earth movement to minimize dust emission.
- Haul vehicles transporting soil into or out of the property shall be covered.
- A water truck shall be on site at all times. Water shall be applied to disturbed areas a minimum of 2 times per day or more as necessary.
- On-site vehicles shall be limited to a speed which minimizes dust emissions on unpaved roads.
- The contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours. The telephone number of the District shall also be visible to ensure compliance with District Rules 200 and 205 (Nuisance and Fugitive Dust Emissions).
- All visibly dry disturbed soil surface areas of operation shall be watered to minimize dust emission.
- Existing roads and streets adjacent to the project will be cleaned at least once per day unless conditions warrant a greater frequency.
- All visibly dry disturbed unpaved roads surface areas of operation shall be watered to minimize dust emission.
- Unpaved roads may be graveled to reduce dust emissions.
- Haul roads shall be sprayed down at the end of the work shift to form a thin crust. This application of water shall be in addition to the minimum rate of application.
- Vehicles entering or exiting construction area shall travel at a speed which minimizes dust emissions.

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- Construction workers shall park in designated parking areas(s) to help reduce dust emissions.
- Soil pile surfaces shall be moistened if dust is being emitted from the pile(s). Adequately secured tarps, plastic or other material may be required to further reduce dust emissions.

To reduce operational impacts, the following actions shall be taken:

- Link or minimize cul-de-sacs and dead-end streets, to encourage pedestrian and bicycle travel.
- Traffic calming modifications to project roads, such as narrower streets, speed platforms, bulb-outs and intersection modifications designed to reduce vehicle speeds, thus encouraging pedestrian and bicycle travel.
- Synchronize traffic signals along streets impacted by project development.
- Provide continuous sidewalks separated from the roadway by landscaping and on-street parking.
- Provide adequate lighting for sidewalks, along with crosswalks at intersections.
- Increase the building energy efficiency rating by 10% above what is required by Title 24 requirements. This can be accomplished in a number of ways (increasing attic, wall or floor insulation, etc.).
- Improve thermal efficiency of commercial and industrial structures as appropriate by reducing thermal load with automated and timed temperature controls, or occupancy load limits.
- Incorporate shade trees, adequate in number and proportional to the project size, throughout the project site to reduce building heating and cooling requirements.
- Use fleet vehicles that run on clean-burning fuels as may be practicable.

Responsibility: Project Applicant

Timing: Upon issuance of a grading permit and during project operation.

Enforcement: City of Oroville

Mitigation Measure Air-2: Apply Low Volatile Organic Compound Architectural Coatings.

During construction of the proposed project, use architectural coatings with a low volatile organic compound (VOC) content. The project-wide average VOC content of architectural coatings should be 50 grams per liter or less.

Responsibility: Project Applicant

Timing: Upon issuance of a grading permit and during project operation.

Enforcement: City of Oroville

Mitigation Measure Air-3: Apply Architectural Coatings over a Minimum of 25 Days.

ZONING

During construction of the proposed project, spread out application of architectural coatings over a minimum of 25 days. The purpose of this mitigation measure is to reduce the amount of architectural coatings applied on any single day.

Responsibility: Project Applicant

Timing: Upon issuance of a grading permit and during project operation.

Enforcement: City of Oroville

Mitigation Measure Air-4: Equipment Meets Tier 4 Emission Control Standards.

During the site preparation, grading, building construction, and paving phases of construction, all diesel-powered construction equipment will comply with Tier 4 emission control standards.

Responsibility: Project Applicant

Timing: Upon issuance of a grading permit and during project operation.

Enforcement: City of Oroville

Mitigation Measure Air-5: Limit Hearths to Natural Gas Fuel.

Prohibit the use of wood-burning stoves and fireplaces, limiting fuel for hearths to natural gas.

Responsibility: Project Applicant

Timing: At issuance of building permits

Enforcement: City of Oroville

Mitigation Measure Air-6: Provide parking reduction (BAMM Number 15).

As described in the CEQA Air Quality Handbook, the following parking reduction percentages should be applied: Office 25%, Medical office 8%, Commercial 5%, Industrial 10%.

Responsibility: Project Applicant

Timing: At issuance of building permits

Enforcement: City of Oroville

Mitigation Measure Air-7: Bicycle and pedestrian paths (BAMM Number 33).

As described in the CEQA Air Quality Handbook, "Separate, safe and convenient bicycle and pedestrian paths connecting residential, commercial, and office uses" should be provided.

Responsibility: Project Applicant

Timing: At issuance of building permits

Enforcement: City of Oroville

Mitigation Measure Bio-1: Pre Construction Survey.

Prior to any vegetation removal during the period between March 1 and September 15 of any year, a preconstruction survey shall be conducted at least 15 days prior to

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initiating any ground disturbance at the project site. If Swainson's hawk, northern harrier, white-tailed kite, loggerhead shrike, or California black rail are identified on the project site, a 200-foot buffer shall be defined around any nests, and the city shall direct the project applicant to consult with a qualified biologist and/or California Department of Fish and Wildlife staff.

Implementation: Project Applicant

Timing: 15 days prior to initiating ground disturbance between March 1 and September 15

Enforcement: City of Oroville

Mitigation Measure Bio-2: Wetland Permitting.

Before granting additional development approvals related to the project site, the city shall conduct an updated Wetland Delineation and verify that the project has obtained required permits from the California Department of Fish and Wildlife (CDFW), the Central Valley Regional Water Quality Control Board (RWQCB) and/or the U.S. Army Corps of Engineers, including water quality certification and construction stormwater permit, Sections 401 and 404 permits, and final approval by CDFW. The project applicant shall implement all conditions of all required permits.

In January 6, 2010, the applicant requested a modification to their existing Department of the Army permit number SPK-2004-00404. The new letter issued February 18, 2010 supersedes the February 2, 2010 modification. The initial permit was issued on June 2, 2006, for the discharge of dredge or fill material into approximately 2.2 acres of waters of the United States, including wetlands, to construct a housing development. The site is located in Sections I and 36, Township 19 North, Range 4 East, MDB&M survey, in Butte County, California. The approved project description at the time the February 18, 2010 letter was issued involved construction of a commercial and residential development. Permit Number SPK-2004-00404 was modified as follows:

Special Conditions:

- 3b. In no case shall initiation of the construction of compensatory mitigation be delayed beyond June 1, 2015. Construction of compensatory mitigation shall be completed no later than 2016.

All other terms and conditions of the permit remain in full force and effect. Failure to comply with the terms and conditions of this authorization may result in the suspension or revocation of your permit.

Implementation: Project Applicant

Timing: Prior to approval of detailed development plans

Enforcement: City of Oroville

Mitigation Measure Noise-1: Windows and Insulation Facing Railroad Tracks and Table Mountain Boulevard.

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Residential units within the line of parcels closest to the Union Pacific Railroad (220 feet or closer), and units within parcels adjoining Table Mountain Boulevard should have the minimum amount of window areas facing the railroad tracks or Table Mountain Boulevard, as permitted by City standards. All windows should have a minimum Sound Transmission Class (STC) rating of 32, which can be accomplished with double-strength 1/8-inch panes, separated by a 1/4-inch air gap. Units facing the railroad line should also have a minimum of R13 insulation (3½ inches) and 1/2-inch gypsum board used for the interior wall surface. The STC rating is 44, which will result in an attenuation of 41 dB.

Responsibility: Project Applicant

Timing: Upon issuance of building permits

Enforcement: City of Oroville

Mitigation Measure Noise-2: Building Setback from Railroad Line.

The City will verify that all building setbacks are a minimum of 220 feet from the centerline of the Union Pacific railroad tracks.

Responsibility: Project Applicant

Timing: Upon issuance of building permits

Enforcement: City of Oroville

Mitigation Measure Traffic-1: Fair-Share Improvements.

Establish a fair share program and pay fair-share contributions to fund the following roadway improvements:

- Installing a traffic signal or roundabout at the intersection of Garden Drive and the southbound SR-70 ramps.
- Adding a northbound approach lane to the roundabout and widening of the circulating lane and receiving leg at the intersection of Washington Avenue and Montgomery Street.
- Adding an additional eastbound right turn lane, northbound left turn lane, and westbound separated left- and right- turn lanes at the intersection of Table Mountain Boulevard and Grand Avenue.
- Installing a traffic signal at the intersection of Table Mountain Boulevard and County Center Drive.

Responsibility: Project Applicant

Timing: Upon submission of a final subdivision map.

Enforcement: City of Oroville

Mitigation Measure Traffic-2: Bicycle Facilities.

Require provisions for bicycle use within the boundaries of the project site, including well lit bicycle parking facilities within the office/retail components of the

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development. Encourage businesses to provide shower and locker facilities for employees.

Responsibility: Project Applicant

Timing: Upon submission of a final subdivision map.

Enforcement: City of Oroville

Mitigation Measure Utilities-1: Sewer Conveyance Improvements.

In order for wastewater from the project site to be conveyed to the closest existing point of connection to the City sewer system, the SSMP prescribes a new lift station, 1,740 feet of new 6-inch force main and 1,700 feet of replacement 8-inch gravity pipe. These improvements are designated as Element 3 (CIP Project No. 3T) and are development driven and developer funded. In order to accommodate development of the proposed project, the lift station size will require a 271 gpm capacity. CIP Project 3T will need to be fully completed to serve the Project, and will need completion prior to any occupancies. The sewer lift station specified as 183 gpm will need to be increased to 271 gpm to serve the proposed project. This improvement will be funded by the developer. The developer may engage in a negotiated reimbursement agreement with the City for reimbursements from impact fees for future connections. The estimated cost of CIP Project 3T is \$860,000, with an additional cost to be determined for the increased capacity at the lift station.

Other portions of the conveyance route to the WWTP include SSMP Element 2 projects. These are projects that are also development driven, that require the upsizing of existing pipes to accommodate increased flows from future development, and are primarily developer funded. There are two Element 2 projects listed in the City's SSMP, one on Table Mountain Boulevard (CIP Project 2E) and one through the downtown area (CIP Project 2D).

CIP Project 2E will be required to support flows from the project based on the City's best available data. Each of three pipe sections associated with this project must be upsized from existing 10" pipes to 15". This improvement will be funded by the developer. The developer may engage in a negotiated reimbursement agreement with the City for reimbursements from impact fees for future connections. The estimated cost of CIP Project 2E is \$150,000.

15 of 17 pipes included in CIP Project 2D will be required to support flows from the project. These existing pipe sections must be upsized from existing 18" and 20" pipes to 24". This improvement will be funded by the developer. The developer may engage in a negotiated reimbursement agreement with the City for reimbursements from impact fees for future connections. The estimated cost of CIP Project 2D is \$1.7 Million.

Use of hydraulic simulation may reduce the number of pipe improvements to accommodate project flows. The final improvements required will be at the discretion of the City.

Responsibility: Project Applicant

ZONING

Timing: Upon submission of a final subdivision map.

Enforcement: City of Oroville

2. Transportation and Circulation Standards.
 - a. A traffic study has been prepared and all traffic impacts have been identified for which a mitigation plan has been submitted, as described above.
 - b. A plan for permanent maintenance, including funding for that maintenance of private streets and similar areas for private ownership shall be required.
 - c. Public transportation facilities and services, including but not limited to different multi-modal forms of transportation and alternative vehicle fueling facilities and services shall be required.
 - d. Develop a plan for permanent maintenance, including funding for that maintenance of public or private roadway landscaping throughout the development plan.
3. Architectural and Building Design Standards.
 - a. The property development standards will require an amendment prior to submitting construction plans for the issuance of building permits to establish appropriate distances between buildings, architectural standards, cluster development, and other development standards for the specific uses.
 - b. Graphic and written materials depicting conceptual building elevations; proposed landscaping improvements; a proposed sign program; and the physical arrangement of buildings shall be required.
4. Landscaping and Other Amenities.
 - a. The property development standards will require an amendment prior to submitting construction plans for the issuance of building permits to establish appropriate amounts of landscaping, open space, public park spaces, public art, and other project amenities.
 - b. A Landscape Architect shall prepare the landscape plans for the development area (or each specific phase of the development area).
 - c. A landscape installation and maintenance agreement will be required for the entire development area.
5. Facility Operations and Maintenance. Develop a plan for permanent maintenance, including funding for that maintenance, for, but not limited to: landscaping, street lights, stormwater detention, private and public streets throughout the development, and identify whether the areas are for dedication to the public or private ownership.
6. Development Plan Modification: Review and Approval Process. Develop the procedural process for what constitutes minor modifications to the development plan, with a listing of what modifications can be approved administratively by the zoning administrator, and what actions can be approved as a discretionary action by the planning commission.

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7. Development Plan Utilities.
 - a. Water and sewer system studies have been prepared and all impacts and system requirements have been identified for which a mitigation plan has been developed.
 - b. The permanent operation and maintenance, including funding for the installation of the utilities will be submitted as part of the development plan.
 - c. All utilities for the project site will be installed underground, without exception, unless adopted in this ordinance by the city council.