

**CITY OF CHICO ARCHITECTURAL REVIEW AND  
HISTORIC PRESERVATION BOARD  
NOTICE OF INTENT TO ADOPT A  
NEGATIVE DECLARATION**

January 7, 2011

**NOTICE IS HEREBY GIVEN** that the City of Chico Architectural Review and Historic Preservation Board will conduct a public hearing on **Wednesday, February 2, 2011**, at 4:00 p.m. in Conference Room No.1 in the City Council Chamber Building located at 421 Main Street, regarding the following project:

**Eastwood Pointe Square AR 09-13 (Skyway Corners, LLC) located on the southwest corner of Bruce Road and Raley Boulevard** - Design review of a proposal to develop a 3.3-acre site with approximately 30,000 square feet of commercial space and associated parking. The subject site is identified by Assessor's Parcel Nos. 002-210-023, -024 and -025, is designated Community Commercial on the City of Chico General Plan Land Use Diagram, and is located in a CC Community Commercial zoning district. Questions regarding this project may be directed to Associate Planner Mike Sawley, who can be contacted at (530) 879-6812 or [msawley@ci.chico.ca.us](mailto:msawley@ci.chico.ca.us).

An initial study for environmental review has been prepared for the project. Based upon the information within the initial study, the Planning Services Department is recommending that a negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA). A negative declaration is a determination that a project will not have a significant impact on the environment. A 20-day public review period is being conducted on the proposed negative declaration, to begin on **Wednesday, January 12, 2011 and end at 4:00 p.m. on Wednesday, February 2, 2011**. During this time period, the initial study, negative declaration and all documents referenced therein shall be available for public review at the Planning Services Department, 411 Main Street, Second Floor, Chico, California, 95928, Monday through Friday from 8:00 a.m. to 5:00 p.m., excepting legal holidays. Comments relating to environmental concerns and the proposed negative declaration must be filed in writing to the Planning Services Department, P.O. Box 3420, Chico, CA 95927 during the public review period. The City of Chico will review all comments, and either adopt the negative declaration or determine that additional review is required.

Any person may appear and be heard at the public hearing. The Architectural Review and Historic Preservation Board may not have sufficient time to fully review materials presented at the public hearing. Interested parties are encouraged to provide written materials at least 8 days prior to the public hearing to allow distribution with the Board's agenda and thus, adequate time for the Board members to review. All written materials submitted in advance of the public hearing must be submitted to the City of Chico Planning Services Department, 411 Main Street, Second Floor, or mailed to P.O. Box 3420, Chico, CA 95927.

In accordance with Government Code Section 65009, if any person(s) challenges the action of the Architectural Review and Historic Preservation Board in court, said person(s) may be limited to raising only those issues that were raised at the public hearing described in this notice, or in written correspondence delivered to the Architectural Review Board at, or prior to, the public hearing.

**E/R PUBLISH: Wednesday, January 12, 2011**

cc: City Clerk/APC4/E-R/County Clerk/Aguilar/BEC/Mason/Merz/Admin/Dist. List

Acct. #: 862-510-5140

**County Clerk: Posted** \_\_\_\_\_ **through** \_\_\_\_\_  
(Date) (Date)



# NEGATIVE DECLARATION

## CITY OF CHICO PLANNING SERVICE DEPARTMENT

Based upon the analysis and findings contained within the attached initial study, a  negative declaration  mitigated negative declaration was adopted by the City of Chico Architectural Review and Historic Preservation Board on \_\_\_\_\_, 2011, for the following project:

**PROJECT NAME AND NUMBER:** Eastwood Pointe Square (AR 09-13)

**APPLICANTS NAME:** Skyway Corners Plaza, LLC

**PROJECT LOCATION:** Southwest corner of Bruce Road at Raley Boulevard

**PROJECT DESCRIPTION:** The project consists of construction of a 30,000 sq. ft. shopping center on a 3.3-acre, partially developed site.

**PREPARED BY:** Mike Sawley

**FINDING:** The attached Initial Study indicated that:

There is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or

The project could result in potentially significant effects, and mitigation measures were adopted for the project which will reduce the significant effects to a less than significant level.

**ATTACHMENT:** Initial Study

## Initial Study

### City of Chico

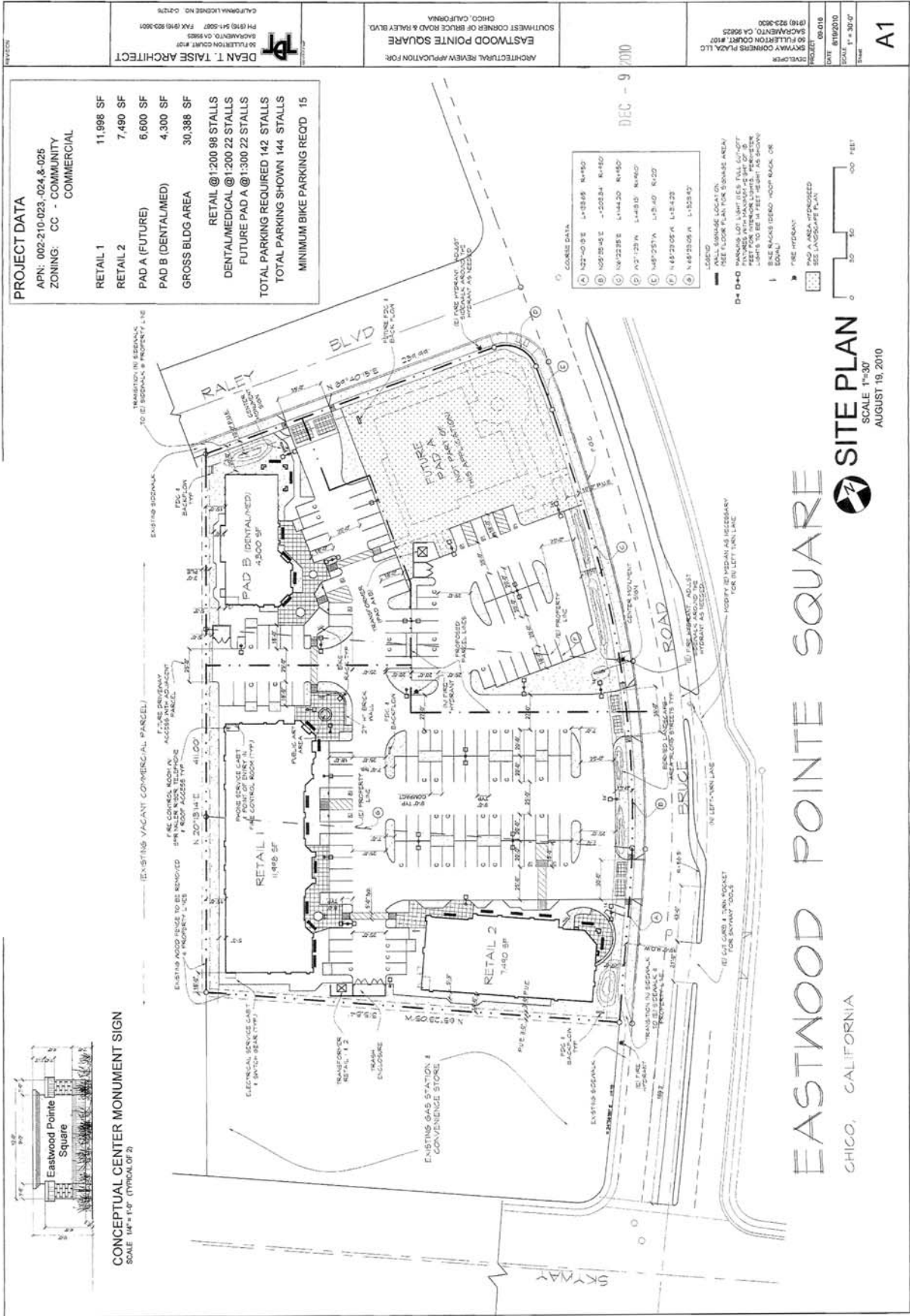
#### Environmental Coordination and Review

##### I. PROJECT DESCRIPTION

- A. **Project Name:** Eastwood Pointe Square (AR 09-13)
- B. **Project Location:** The Property is located in south Chico on the southwest corner of Bruce Road and Raley Boulevard.
- C. **Type of Application(s):** Architectural Review
- D. **Assessor's Parcel Number(s):**  
002-210-023, 002-210-024, and 002-210-025.
- E. **City of Chico Zoning:**  
Community Commercial
- F. **General Plan designation:**  
Community Commercial
- G. **Environmental Setting:**  
The Eastwood Point Square site is located in the urbanized commercial area of southeast Chico, between Skyway and Raley Boulevard, along Bruce Road. To the south and west are developed commercial areas. To the north and east of the site are undeveloped open space areas. The 3.32-acre project site is partially occupied by a manufactured homes retailer (Serenity Homes) on parcels 002-210-024 and 002-210-025, while a remaining 1.26 acre portion is undeveloped and characterized as disturbed annual grassland. The site is bordered by Raley Boulevard to the north, Bruce Road to the east, and a gas station between the project site and the Skyway. The undeveloped portion of the site appears to have been rough graded in the past and is regularly mowed for fire safety.
- H. **Project Description:**  
The proposed Eastwood Pointe Square commercial center project consists of an alteration to a current commercial site, and development of an adjoining vacant property. The 3.32 acre site would consist of 4 buildings with a gross area of 30,388 sq ft. The project would include 144 parking spaces and 15 bike parking stalls. The project would have 3 entrances/exits, 2 would be along Bruce Road and one along Raley Boulevard. The project would include modifications to the section of Bruce Road in front of the site. This includes a left-turn lane for access to the entrance to north bound Bruce Road traffic and also uses an existing curb cut out and turn pocket for skyway tools. The sidewalk would be set back from the streets along the property line with a planter strip between the sidewalk and street. The Eastwood Pointe Square would consist of 2 retail buildings and (Retail 1, Retail 2) and 2 Pads (Pad A, and Pad B). Pad A is on the north east corner of the site, at the corner of Bruce Road and Raley Boulevard. This site would be developed in the future and is not part of the application.
- I. **Public Agency Approvals:** Site Design and Architectural Review
- J. **Applicant:** Skyway Corners Plaza, LLC. C/O Bill Hughs, 50 Fullerton Ct #107, Sacramento CA 95825
- K. **Prepared By:**  
Mike Sawley, Associate Planner, City of Chico, 411 Main Street, Chico, CA 95928  
Phone: (530) 879-6812, Email: msawley@ci.chico.ca.us, and  
Lyndon Powell, Planning Intern, City of Chico, 411 Main Street, Chico, CA 95928

**PROJECT LOCATION**





**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.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics           | <input type="checkbox"/> Hazards /Hazardous Materials | <input type="checkbox"/> Population/ Housing        |
| <input type="checkbox"/> Air Quality          | <input type="checkbox"/> Hydrology/ Water Quality     | <input type="checkbox"/> Public Services            |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use and Planning        | <input type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Cultural Resources   | <input type="checkbox"/> Noise                        | <input type="checkbox"/> Utilities                  |
| <input type="checkbox"/> Geology /Soils       | <input type="checkbox"/> Open Space/ Recreation       |   |

**III. PLANNING 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 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

12/21/2010  
\_\_\_\_\_  
Date

Mike Sawley  
\_\_\_\_\_  
Printed Name (for Mark Wolfe, Planning Director)

#### 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 the information sources cited in the parentheses following each question. 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 as well as general standards (e.g. the project will not expose sensitive receptors to pollutants based on a project-specific screening analysis).
- 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 operation 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 155063(c)(3)(D)]. Earlier analyses are discussed in Section 4 at the end of the checklist.
- 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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. 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?				X
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
3. Affect lands preserved under a scenic easement or contract?				X
4. 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?			X	
5. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

**DISCUSSION**

**A1.** The project site is not in the vicinity of a federally-designated Wild and Scenic River. Similarly, the site is not adjacent to any scenic roadways as identified in the Chico General Plan. The project site is West of Bruce Rd, Chico Municipal Code 19.66.20 states that the Foothill Area is defined as East of Cohasset Rd, North of Sycamore Diversion Channel, and East of Bruce Rd. Therefore the site is not subject to the Foothill Development Standards of the Chico General Plan and would result in **No Impact**.

**A2.** The project site does not contain scenic resources. The site is partially occupied by manufactured homes and the vacant parcel is highly disturbed. The site is not within a state scenic highway. All existing structures are to be removed and replaced by the proposed plan. The existing landscaping trees are small, in poor health, and would be replaced by project landscaping. Therefore the project is considered to have a **Less Than Significant Impact**.

**A3.** There are no scenic preserves or easements in the vicinity of the project site. The site will have **No Impact**.

**A4.** The project site is flat and not located in a foothill area. The improvements (landscaping, buildings, parking lot, and sidewalks) are not of significant size, and would not affect the character of its surrounding area. The new buildings would replace existing buildings and would not substantially change the existing character of the site. Therefore, the Eastwood Pointe Square is considered to have a **Less Than Significant Impact**.

**A5.** All exterior lighting installed as a part of the project will be required to adhere to Chico Municipal Code requirements that all commercial and industrial lighting feature full-cut off designs and be directed downward. Therefore, the project would have **Less Than Significant Impact** on light or glare that would affect day or nighttime views.

Mitigation: None Required

<b>B. Air Quality</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Conflict with or obstruct implementation of the applicable air quality plans (e.g. Northern Sacramento Valley Air Basin 1994 Air Quality Attainment Plan, Chico Urban Area CO Attainment Plan, and Butte County Air Quality Management District Indirect Source Review Guidelines)?			X	
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.			X	
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)?			X	
4. Expose sensitive receptors to substantial pollutant concentrations?			X	
5. Create objectionable odors affecting a substantial number of people?				X

**DISCUSSION:**

**B.1–B.5:**

Construction

Currently, most of the effort to improve air quality in the United States and California is directed toward the control of five pollutants, called “criteria” air pollutants: photochemical oxidants (ozone), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), and inhalable particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Pollutants subject to federal ambient standards are referred to as “criteria” pollutants because the United States Environmental Protection Agency (EPA) publishes criteria documents to justify the choice of standards.

One of the primary reasons for air quality standards is the protection of those members of the population who are most sensitive to the adverse health effects of air pollution, termed “sensitive receptors”. The term sensitive receptors refers to specific population groups as well as the land uses where they would reside for long periods. Commonly identified sensitive population groups are children, the elderly, the acutely ill, and the chronically ill. Commonly identified sensitive land uses are residences, schools, playgrounds, child care centers, retirement homes or convalescent homes, hospitals, and clinics. Areas sensitive to air pollutants in or near the project area may include residential areas, schools, and elderly care facilities. Other sensitive areas include the nearest right-of-way where children and the elderly have continuous access to areas such as sidewalk areas or parks.

Construction-related activities such as grading and operation of construction vehicles would create a temporary increase in dustfall on the project site and within the immediate vicinity of the project site. According to the BCAQMD, Butte County is classified as a nonattainment area for ozone and particulate matter, including particulates 10 micron in size or less and 2.5 microns in size or less, as set forth in the following table dated January 2009 from the BCAQMD website.

<b>BUTTE COUNTY AMBIENT AIR QUALITY ATTAINMENT STATUS</b>		<b>(1/09)</b>
<i>POLLUTANT</i>	<i>STATE</i>	<i>FEDERAL</i>
1-hour Ozone	Nonattainment	NA
8-hour Ozone	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
Inhalable Particulates (PM10)	Nonattainment	Attainment
Inhalable Particulates (PM2.5)	Nonattainment	Nonattainment

Most of the dust generated should be large enough to quickly settle. In addition, existing City regulations require all grading plans to include a dust suppression plan specifying standard Best Management Practices (BMPs) which reduce the incidence of fugitive dust to a less than significant level. All demolition work is required to comply with National Emission Standard for Hazardous Air Pollutants (NESHAPS) regulations.

The construction aspects of the project and associated improvements (sidewalk, landscaping, etc.) must follow applicable Best Management Practices (BMPs), as required by the General Plan and Chico Municipal Code (CMC). Under current City policies, the developer would be required to ensure that the potential nuisance created by dust generation during construction activities did not cause significant impacts to adjacent developed properties. Pursuant to General Plan policy OS-I-8, the developer would be required to implement the following measures to reduce dust-related impacts during construction and grading on the site, throughout construction, until all surfaces are finished and/or landscaped:

- During clearing, grading, earth-moving, or excavation operations, fugitive dust emissions shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning or after work is done for the day.
- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 15 mph averaged over 1 hour.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by demolition, clearing, grading, earth-moving, or excavation operations shall be minimized at all times.
- Portions of the construction site to remain inactive longer than a period of 3 months shall be seeded and watered until grass cover is grown.
- All on site roads shall be paved as soon as feasible or watered periodically or chemically stabilized.

Long-term impacts

The project would result in indirect emissions from project-generated traffic and area sources such as natural gas combustion for space and water heating, and operation of landscape equipment. City standard BMPs for long term air quality as set forth in the City's Best Practices Manual are required to be included on all building plans. Adherence to BMP requirements would reduce potential long-term air quality impacts to a less than significant level. In addition, the development is consistent with the land use and cumulative buildout identified in the 1994 General Plan, and would not exceed those emissions anticipated by the General Plan EIR. Therefore the site is considered to have a **Less Than Significant Impact**.

Mitigation: None Required

<b>C. Biological Resources</b> Will the project or its related activities result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 the MEA or in other local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in the MEA or in other local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.				X
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?				X
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?				X
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.				X
6. Conflict with any local policies or ordinances, protecting biological resources?				X

**DISCUSSION:**

**C1-C5:** A field survey of the project site was conducted on July 29, 2010, by Gallaway Consulting to determine if jurisdictional Waters of the U.S. and/or sensitive biological resources have potential to occur on the vacant portion of the site. The survey characterizes the undeveloped area as disturbed annual grassland. The site has been graded recently and contains no trees or shrubs aside from small landscaping trees in the developed portion of the site. The vacant portion of the site is regularly mowed to reduce fire hazards and has become dominated by invasive yellow starthistle, hedge parsley, foxtails, bindweed, spotted spurge and wild oat grasses. These plants are typical of disturbed annual grassland. The site does not contain any special status species. The survey concluded that the property does not support wetlands or any other habitat type aside from disturbed grassland. The regular maintenance, constant traffic, and small size of the site also likely preclude any tree nesting birds, or ground nesting raptors. Therefore **No Impact** would result from the proposed site.

**C6:** The project does not conflict with any local ordinance regarding wildlife. Therefore there would be **No Impact** to local policies or ordinances.

Mitigation: None Required

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

**DISCUSSION:**

**D.1:** Due to the chronically disturbed nature of the site, the proposed project is not considered likely to cause any adverse change to local or State historical resources. Therefore there would be **No Impact** to historical resources.

**D.2 – D.4:** The City of Chico Master Environmental Assessment for the General Plan (Figure 8-1) lists the site in an area of low to moderate archaeological sensitivity. Further, the existing vacant field has previously been graded, making the potential of excavating cultural resources low. Grading and construction activities for the project will be required to adhere to General Plan policy OS-I-51, which outlines appropriate protocols to be followed in the instance that archaeological resources or human skeletal remains are discovered during excavation activities. Halting construction work and observing the protocols for evaluating cultural resources in the case of a discovery is standard notation required on grading and building plans. Since existing General Plan policy and standard plan reviews require implementation of best management practices for archaeological resources, potential future impacts to archaeological resources are considered **less than significant**.

Mitigation: None Required

<b>E. Geology /Soils</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
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 evidence of a known fault? (Div. of Mines & Geology Special Publication 42)				X
b. Strong seismic ground shaking?				X
c. Seismic-related ground failure/liquefaction?				X
d. Landslides?				X

2. Result in substantial soil erosion or the loss of topsoil?	X
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?	X
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?	X
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?	X

DISCUSSION:

**E.1:** The City of Chico is located in one of the least active seismic regions in California and contains no active faults. Currently, there are no designated Alquist-Priolo Special Studies Zones within the Planning Area, nor are there any known or inferred active faults. Thus, the potential for ground rupture within the Chico area is considered very low. Under existing regulations, all future structures will incorporate CBC standards into the design and construction, which will adequately minimize potential impacts associated with ground-shaking during an earthquake. The potential for seismically-related ground failure or landslides is considered **less than significant**.

**E.2-4:** Development of the site will be subject to the city’s grading ordinance, which requires the inclusion of appropriate erosion control and sediment transport best management practices (BMPs) as standard conditions of grading permit issuance. Additionally, the city has developed a Storm Water Management Program (SWMP) per the Phase II requirements established by §402 of the Clean Water Act. All projects within the city’s jurisdiction must adhere to the applicable standards of the SWMP, which includes both construction activity and post-construction storm water discharge BMPs.

Furthermore, the city requires implementation of all applicable fugitive dust control measures, which further reduce the potential for construction-generated erosion. All projects disturbing greater than one acre must obtain a National Pollution Discharge Elimination Permit (NPDES) from the Regional Water Quality Control Board (RWQCB) per §402 of the Clean Water Act. Development of the site will also be required to meet all requirements of the California Building Code which will address potential issues of ground shaking, soil swell/shrink, and the potential for liquefaction.

As a result, potential future impacts relating to geology and soils are considered to be **less than significant**.

**E.5:** All structures would be connected to city sewer lines. There is currently a sewer line along Bruce Road adjacent to the site, which would be adequate to serve the proposed project. Therefore the site is considered to have **No Impact**.

Mitigation: None Required

<b>F. Greenhouse Gas Emissions</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Will the project or its related activities:</b>				
1. Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

**F.1-2:** In October 2006, the City of Chico City Council signed the U.S. Conference of Mayor's Climate Protection Agreement confirming the City's commitment to reduce GHG emissions. By signing the Agreement, the City agreed to strive to meet or beat the Kyoto Protocol GHG emission reduction target of 7% below 1990 levels by 2012. In addition, California Governor's Executive Order S-3-05 and the Global Warming Solutions Act of 2006 (AB 32, Health & Safety Code, Section 38501[a]) establish a statewide goal of reducing GHG emissions to 1990 levels (or by approximately 25% from 2005 levels) by 2020, and a GHG emission reduction of 80% by 2050.

To assist the City in implementing the U.S. Mayor's Agreement, the Council formed a Sustainability Task Force (STF). The STF has overseen the development of a communitywide greenhouse gas emissions inventory and is currently finalizing a Climate Action Plan (CAP) aimed at meeting GHG reduction targets. Although the draft CAP has not been officially adopted by the City Council, it has undergone several reviews by the Council and the general framework of the draft CAP is not likely to change. The draft CAP uses a phased approach as follows:

	Target Date	Goal for Annual Citywide Emissions*	Incremental Reduction Needed to Meet Goal*
<b>Phase 1</b> – Reduction to 2005 levels	December 2012	515,990	80,142
<b>Phase 2</b> – 10% below 2005 levels	December 2015	464,391	89,762
<b>Phase 3</b> – 25% below 2005 levels	December 2020	386,992	146,671
Total Reduction Needed by 2020			316,575

\* All units are metric tons of carbon dioxide equivalent, or MteCo2

As of September 2010, approximately 78% of the reduction needed to meet the Phase 1 goal had been achieved, and the remainder is expected to be met through a combination of efforts that do not correspond with imposing requirements on private development projects such as the proposed project. The remaining phase 1 efforts include measures by City government operations, residential energy efficiency programs, alternative transportation programs, waste reduction programs, and community outreach and education.

A project is considered to have a potentially significant impact with regard to GHG emissions if it conflicts with or fails to include measures necessary for the implementation of the City's Climate Action Plan (CAP). The proposed project is not subject to and will not conflict with any of the measures being pursued under Phase 1 of the draft CAP applicable at this time. Therefore, with regard to greenhouse gas emissions the impact of the proposed project is considered to be **Less Than Significant**.

Mitigation: None Required

<b>G. Hazards /Hazardous Materials</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
2. 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?				X
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
4. 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?				X
5. 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?				X
6. 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?				X
7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
8. 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?				X

**DISCUSSION:**

**G.1 – G.8:** The development of the property would not result in the generation or use of a significant amount of hazardous materials. The property is not identified as a hazardous site in the General Plan EIR or the Master Environmental Assessment, nor is it listed as a state or federal hazardous waste site (pursuant to Governmental Code Section 65962.5). There are no active, public or private air strips within the surrounding area of the proposed site. The site is not within any airport land use compatibility zone for either the Chico Municipal Airport or the Ranchoero Airport. The proposed site is within 1 mile radius of an existing Chico Fire Department Station. Future development on the property would not interfere with an adopted emergency response plan or emergency evacuation plan. The property is near wild land fire areas to the north and east, however these areas are physically separated from the project site by a firebreak in the form of Bruce Road and Raley Boulevard. Therefore the project is considered to have **No Impact** with regard to hazardous materials.

Mitigation: None Required

<b>H. Hydrology/ Water Quality</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Violate any water quality standards or waste discharge requirements?			X	
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)?			X	
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?			X	
4. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
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?			X	
6. Otherwise substantially degrade water quality?				X
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?				X
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
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?				X
10. Inundation by seiche, tsunami, or mudflow?				X

**DISCUSSION:**

**H.1, H.2:** Under the existing General Construction Permit requirements of the National Pollutant Discharge Elimination System (NPDES), development of the site will require preparation of a storm water pollution prevention plan (SWPPP) that incorporates water quality control Best Management Practices (BMP's). The implementation of water quality control BMPs as a part of compliance with would minimize the impacts from construction of the proposed project to a level that is **Less Than Significant**.

**H.3-H.5:** Development would result in an increase in surface water runoff due to reduced absorption from the addition of impervious surfaces. Storm water quality and quantity treatment would be provided in accordance with the City's Best Practices Technical Manual with review and approval by the Engineering Division. The potential impacts from changing drainage patterns and increasing surface runoff would be **Less Than Significant Impact**.

**H.6-H.10:** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 06007C0510 D dated April 20, 2000, the site is located in Zone X, which is outside the 500 year flood plain, therefore, the project would not expose people or structures to a significant risk of loss, injury or death involving flooding or related events. Therefore there would be **No impact**.

Mitigations: None Required

<b>I. Land Use and Planning</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Conflict with General Plan or Specific Plan policies or zoning regulations?				X
2. Results in a physically divide an established community?				X
3. Results in a conflict with any applicable Resource Management or Resource Conservation Plan?				X
4. Result in substantial conflict with the established character, aesthetics or functioning of the surrounding community?			X	
5. Results in a project that is a part of a larger project involving a series of cumulative actions?			X	
6. Result in displacement of people or business activity?			X	
7. Conversion of viable prime agricultural land and/or land under agricultural contract to non-agricultural use, or substantial conflicts with existing agricultural operations? (Viable agricultural land is defined as land on Class I or Class II agricultural soils of 5 acres or greater, adjacent on no more than one side to existing urban development.)				X

DISCUSSION:

**I.1:** The Site is designated Community Commercial on the General Plan Diagram and is zoned CC Community Commercial. The proposed shopping center is consistent with these designations and no specific plan is applicable to the project site. Therefore, there would be **No Impact**.

**I.2:** The project is located on the edge of an established commercial area. The development of this project would be consistent with the surrounding area. Construction of this project would not divide any community; therefore there would be **No Impact**.

**I.3:** There are no resource management or resource conservation plans for the area. Therefore there would be **No Impact**.

**I.4:** The project site is partially occupied by an existing manufactured home sales yard. The Eastwood Pointe Square project would replace the current business and develop the adjacent parcel (APN# 002-210-023). This change would alter the aesthetic character of the site, but the impact on the surrounding community is expected to be a **Less Than Significant Impact**.

**I.5:** Although development of the project site is expected to occur in phases, this analysis considers full development of the site. Therefore, the project is expected to have a **Less Than Significant Impact**.

**I.6:** Currently there is a manufactured homes sales yard (Serenity Homes) on a portion of the site. The business owner has been informed by the landowner of the proposed project and is in the process of consolidating inventory to move to another existing location of the business. Therefore, this impact is considered to be **Less Than Significant**.

**I.7:** The subject site has been designated for commercial development in the City's General Plan and is not located upon prime agricultural soils as identified in the City's General Plan EIR. Therefore there would be **No impact**.

Mitigation: None Required

<b>J. Noise</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Will the project or its related activities:				
1. Exposure of residents in new hotels, motels, apartment houses, and dwellings (other than single-family dwellings) to interior noise levels (CNEL) higher than 45 dBA in any habitable room with windows closed?				X
2. Exposure of sensitive receptors (residential, parks, hospitals, schools) to exterior noise levels of 60 dBA or higher?				X
3. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
4. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
5. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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?				X
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?				X

DISCUSSION:

**J.1:** Residents of apartments, motels, hotels, and other non-single family dwellings are not in the vicinity of this project and therefore would not be affected by the project. With regard to these types of receptors, the proposed project would result in **No Impact**.

**J.2-J.5:** The project site is located to the east of SR 99 where noise is generated from vehicle traffic. The project is also along Bruce Road and near where it intersects Skyway. These arterial and minor arterial roads also generate noise from vehicle traffic. Other than temporary noise events related to project construction, which is regulated by the City's noise ordinance, the project would not result in the exposure of existing nearby residents or sensitive receptors to excessive noise levels. The project site is not within the boundaries of an airport land use plan and is not in the vicinity of any private airstrip.

Construction related activity would increase the noise level in the project vicinity for a temporary period. Project contractors would be required to comply with Chapter 9.38 of the Chico Municipal Code, which sets forth the City's standards for construction generated noise and limits the hours of construction activities within the City. Further, once the use is commenced on site the operators would still have to comply with Chapter 9.38 of the Chico Municipal Code. Therefore the impact is considered to be **Less Than Significant**.

**J.6 – J.7:** The Municipal Airport is over 5.9 miles north of the project site, with a smaller airport 4.3 miles west. Thus, the site is not located within an airport land use plan and there would be **No Impact** regarding people or land uses at the airport or within the vicinity of a private airstrip.

Mitigation: None Required

<b>K. Open Space/ Recreation</b> Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Affect lands preserved under an open space contract or easement?				X
2. Affect an existing or potential community recreation area?				X
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?				X
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?				X

**DISCUSSION:**

**K.1 - K.4:** The site is not in an open space contract, nor does it contain an open space easement, or affect potential community recreation area. The construction of a commercial center would not increase the need for additional park services, nor does it require the construction or expansion of recreational facilities. By nature of the project, there would be **No Impact** on these facilities.

Mitigation: None Required

<b>L. Population/ Housing</b> Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?			X	
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
4. Conflict with General Plan population growth rates for its planning areas in conjunction with other recently approved development?				X

**DISCUSSION:**

**L.1:** The project would increase business activity at the site, but this additional activity is not likely to result in substantial population growth. Therefore, this impact is considered to be **Less Than Significant**.

**L.2-L.3:** The area is zoned for commercial uses and there are no existing residential units on the project site. Therefore, the project would have **No Impact** on population growth or displace any existing housing.

Mitigation: None Required

<b>M. Public Services</b> Will the project or its related activities have an effect upon or result in a need for altered governmental services in any of the following areas:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1. Fire protection?			X	
2. Police protection?			X	
3. Schools?				X
4. Parks and recreation facilities? (See Section J Open Space/Recreation)				X
5. Maintenance of public facilities, including roads, canals, etc.?			X	
6. Other government services?			X	

**DISCUSSION:**

**M.1, M. 2, M. 5, and M.6:** Fire protection for the project area is provided by the City of Chico Fire Department. The City Police Department is responsible for enforcing State laws and City ordinances in the area of the project site. The expansion would not require any additional police or fire personnel. Development of the site will require payment of development impact fees to offset the cost of new facilities for police, fire, and other government services. Impacts to police, fire, and other government services are therefore considered to be **Less Than Significant**.

**M.3-M.4:** The proposed project does not include a residential component and would not result in any additional demand on public parks or recreation facilities. Therefore the project is considered to have **No Impact**.

Mitigation: None Required

<b>N. Transportation/Circulation</b> Will the project or its related activities:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?			X	
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?			X	
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?				X
4. Substantially increase hazards due to a design feature			X	

(e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

5. Result in inadequate emergency access? X

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? X

**DISCUSSION:**

**N.1 – N.2, N.6:** Area roadways have been designed to accommodate the future buildout of the area based on traffic projections from the General Plan land use designations for the area. The proposed project would be required to install road improvements along Bruce Road and Raley Boulevard along the project frontage, consistent with the respective roadway designs. These improvements would include: relocating the sidewalk from the curb to along the property line, creation of three points of ingress/egress to the site, and a left turn lane through the center median on Bruce Road to provide access for northbound Bruce Road traffic. With the required roadway improvements traffic impacts from the project are considered **Less Than Significant**.

**N.3:** There are no airstrips or airports in the vicinity of the project site. The project site is not within any airport land use plans. There would be **No Impact** to air traffic.

**N.4 – N.5:** All roadway improvements will be required to adhere to adopted roadway design standards. Application of these standards would ensure that the project would not increase traffic hazards. The project includes moving the sidewalk to the property line, creating a parkway strip between the travel lanes and sidewalk. This would create a safer place for pedestrians to walk along the site. Therefore, this impact is considered to be **Less Than Significant**.

Mitigation: None Required

**O. Utilities**

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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. Water for domestic use and fire protection?			X	
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2. Natural gas, electricity, telephone, or other communications?			X	
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3. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
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4. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
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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?			X	
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6. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
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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?			X	
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8. Be served by a landfill with sufficient permitted			X	
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capacity to accommodate the project's solid waste disposal needs?

9. Comply with federal, state, and local statutes and regulations related to solid waste? X

**DISCUSSION:**

**O.1-O.7:** All utilities (water, storm drain, sewer, gas, phone, and electric facilities) currently serve the site and have available capacity to serve the proposed project. As a result, impacts are considered to be **less than significant**.

**O.8 and O.9:** Available capacity exists at the City's landfill to accommodate waste generated by the project. Potential impacts would be **less than significant**.

Mitigation: None Required

**V. MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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.			X	
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:** Based on the preceding environmental analysis, the application of existing regulations will ensure that all potential impacts from the proposed project, including those related to biological and cultural resources, would be minimized or avoided, and that the project will not result in direct or indirect adverse effects on human beings or the environment, nor result in significant cumulative impacts.

**VI. REFERENCES**

- City of Chico General Plan, 1994.
- City of Chico Master Environmental Assessment, Blaney Dyett/Michael Brandman Associates, January, 1994. 994.
- Field Survey, Gallaway Consulting, July 29, 2010.