



City Manager

AGENDA ITEM
City Council
January 5, 2021 Agenda

TO: John N. Duckett, Jr., City Manager

FROM: Jessaca Lugo, Assistant City Manager
Presentation: Peter Bird, Associate Planner

DATE: January 5, 2021

SUBJECT: **Windsor Estates Phase 3** - General Plan Amendment GPA 19-01 (Land Use Map designation change, Policy LU-x modification); Rezone Z 19-07 (approval of Windsor Phase 3 PD, Amendment to Zone Map, and amendment to Shasta Lake Municipal Code Title 17 (Zoning) to add Section 17.67.070 – Adopted Planned Developments); and Tentative Subdivision Map SD 19-01

FILE NO.: GPA 19-01, Rezone Z 19-07, SD 19-01

RECOMMENDATION:

Staff recommends City Council consider the Planning Commission's recommendation, and take the following actions in the order listed:

1. **Conduct the first reading of an Ordinance** (Attachment A) by short title only:
 - a. Approving a **General Plan Amendment (GPA 19-01)** as indicated in the attached Ordinance:
 - i. From Industrial-Light (IL) to Suburban Residential (SR) of assessors parcels numbers 075-010-014 and a portion of 075-010-029 and,
 - ii. A modification of Land Use Policy LU-x as follows:

Prior to any approval of any entitlements, Area Plans shall be developed for those vacant lands referenced as the Peri Property, Eastern Washington Property, and the vacant lands **classified as Industrial-Light** to the north and south of the Pine Grove Avenue Extension. Costs of preparation of Area Plans shall be borne by the property owner/developer.
 - b. Approving a **Rezone (Z19-07)** as indicated in the attached Ordinance:

- i. From One-Family Residential (R1-B12) and Unclassified to Planned Development (PD), assessor's parcel numbers 075-010-014, 029, and 030; and,
- ii. Amending the City of Shasta Lake Municipal Code Chapter 17.67 by adding Section 070 – Adopted Planned Developments and adding the Windsor Estates Planned Development.

2. Adopt a Resolution (Attachment B):

- a. Approving **Tentative Subdivision Map SD 19-01**, Windsor Estates Phase 3; and
- b. Adopting the associated Mitigated Negative Declaration pursuant to Section 21080 (c) of the California Environmental Quality Act (CEQA) and subject to the required findings and mitigation measures; and
- c. Adopting the Mitigation Monitoring and Reporting Program

RECOMMENDED MOTION

Staff recommends City Council consider the Planning Commission's recommendation and take the following actions in the order listed:

Ordinance:

"I move the City Council City Council adopt the Ordinance, pursuant to the required findings, and amending the City of Shasta Lake General Plan and Municipal Code as set forth in the attached Ordinance."

Resolution:

"I move the City Council adopt the attached Resolution approving the Project subject to the required findings and the conditions of approval as set forth in the resolution, and further find the proposed project as mitigated will not result in a significant effect on the environment and a Mitigated Negative Declaration (MND) is appropriate pursuant to the requirements of CEQA (CEQA Guidelines Section 21080(c))."

PLANNING COMMISSION RECOMMENDATION:

On December 3rd, 2020, the Planning Commission conducted a public hearing to consider the project and obtain input on the Mitigated Negative Declaration and other discretionary actions associated with the proposed Windsor Estates Phase 3 project (Project), at which time they adopted Resolution PC 20-09 recommending to the City Council adoption of the MND and approval of the Project. The meeting of the Planning Commission can be viewed [here](#).

BACKGROUND:

Detailed information on the Project can be found in the attached Planning Commission staff report and associated MND (Attachment C). Public comment received before the public hearing and those presented at the December 3rd meeting of the Planning Commission identified two areas of particular concern that should be noted.

Parks:

Area residents and members of the Planning Commission identified the need for a community park to serve Windsor Estates residents. Funding sources and possible locations for a park were discussed at the public hearing. The significant obstacle to construction of park facilities for residents is adequate funding. As discussed in the Planning Commission Staff Report, the Developer, in-lieu of dedicating land for park facilities, will provide a fee of \$1,040 per parcel to be used at the City's discretion for the acquisition of land or construction of park facilities. In addition to this fee, the Park and Recreation Facilities Impact Fee of \$3,178 will be collected at the time a Certificate of Occupancy is issued for each new house.

As noted at the Commission hearing, the collection of these fees, in combination with impact fees collected from past phases of Windsor Estates will not provide adequate revenue to construct a neighborhood park for the area. To overcome the funding shortfall and complete a neighborhood park for the area, the City will need to leverage existing funds and funds collected from Windsor Phase 3 with grants when available.

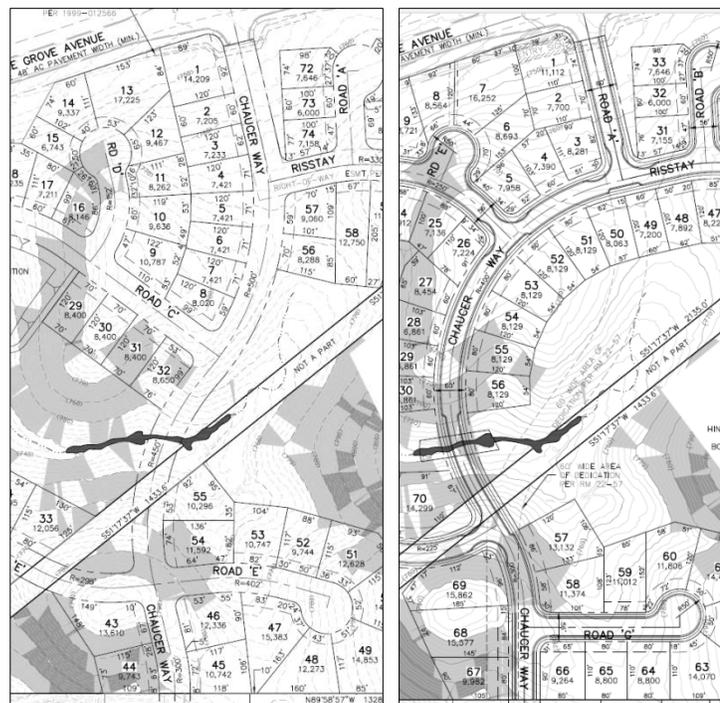
Streets:

A second area of concern voiced in the public comments and experienced in the current phases of Windsor Estates is neighborhood traffic speeds. The road design in the existing phases of Windsor Estates established wide streets meeting City standards. This has led to residents' complaints of excessive speeds in various areas of the subdivision.

Residents expressed a desire for traffic calming on neighborhood streets to address the perceived problem. Traffic calming generally includes a combination of measures that are designed to alter driver behavior and improve conditions for non-motorized street users and area residents.

Initially, Windsor Estates Phase 3 proposed the same road design as current phases; however, noting the elevation change and relative direct route of Chaucer Way through the subdivision, an alternative design including road realignment and traffic calming measures were incorporated to mitigate excessive vehicular speeds. Use of these measures is supported by current General Plan policies.

During the public comment period of the December 3rd meeting, Dennis Beck of the Shasta Lake Fire Protection District voiced his concern over reducing lane widths with the proposed traffic calming measures. After further review of the project, Chief Beck has since rescinded his comments, noting that the proposed traffic calming measures/road widths fall within the standards adopted by the Fire District.



Initial Design

Final Design

ENVIRONMENTAL DETERMINATION

California Environmental Quality Act (Public Resources Code):

The City as lead agency under the California Environmental Quality Act (CEQA) has prepared a Mitigated Negative Declaration (MND) and supporting Initial Study for the project and has provided public notice in compliance with Title 14, Chapter 3, Sections 15072 and 15073 of the California Code of Regulations. The Planning Commission recommended the City Council adopt a MND pursuant to Section 15070 et seq. of the California Code of Regulations, Title 14, Chapter 3 (California Environmental Quality Act Guidelines).

Notice of the availability of the Mitigated Negative Declaration/Initial Study was provided for public and agency review as required by law. The notice of availability was also posted with the State Office of Planning and Research CEQA Clearinghouse. The MND/Initial Study, comments received on the MND, as well as specific responses to relevant comments, are provided in the attachments to this report.

FISCAL IMPACTS:

The addition of 80 new homes to the City of Shasta Lake will increase property tax revenues to the City. The homes will be served by public utilities and participate in the current fee structure established for utility billing and requisite impact/connection fees. Maintenance of landscaped areas and drainage facilities will be funded through an assessment district with all 80 parcels participating. As the cost of services and impact fees are based on the City Council approved rate structure, and as fiscal impacts related to new landscaping and drainage facilities are covered by the assessment district, there will be no fiscal impact to existing residents of the City.

ATTACHMENTS:

- A. City Council Ordinance including GPA 19-01 and RZ 19-07
- B. City Council Resolution
- C. Planning Commission Staff Report with attachments including Mitigated Negative Declaration/Initial Study, comments received and Commission resolution.

DISTRIBUTION:

City Council
City Attorney

Attachment A: City Council Ordinance

ORDINANCE CC XX-XXX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE
APPROVING GENERAL PLAN AMENDMENT GPA 19-01 (LAND USE MAP DESIGNATION
CHANGE; POLICY LU-x MODIFICATION), REZONE Z 19-07 (APPROVAL OF WINDSOR
PHASE 3 PD, AMENDMENT TO ZONE MAP, AND AMENDMENT TO SHASTA LAKE
MUNICIPAL CODE TITLE 17 (ZONING) TO ADD SECTION 17.62.070 – ADOPTED PLANNED
DEVELOPMENTS)**

WHEREAS, the City of Shasta Lake (City) received an application for General Plan Amendment GPA 19-01 (Land Use Map designation change, Policy LU-x modification); Rezone Z 19-07 (approval of Windsor Phase 3 PD, Amendment to Zone Map, and amendment to Shasta Lake Municipal Code Title 17 (Zoning) to add Section 17.67.070 – Adopted Planned Developments); and Tentative Subdivision Map SD 19-01; and

WHEREAS, all of the discretionary applications are related but approved under separate resolutions or ordinances; and

WHEREAS, the subject property is identified as Assessor's Parcel Numbers 075-010-014, 029, and 030 located generally in the south central section of the City of Shasta Lake, on the south side of Pine Grove Avenue, west of Cascade Boulevard and east of Coeur D'Alene Avenue; and

WHEREAS, on January 5th, 2021 City Council conducted a duly noticed public hearing, considered the Planning Commission's recommendation and adopted Resolution CC XX-XXX certifying that the Mitigated Negative Declaration (SCH 2020100176) for the Project was completed in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code, State of California, §§21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 *et seq.*); 2) adopting the Mitigation Monitoring and Reporting Program; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHASTA LAKE DOES ORDAIN AS FOLLOWS:

SECTION 1: After hearing testimony, considering all evidence submitted into the administrative record, and engaging in due deliberation of the matters presented, City Council:

1. Finds and determines the above recitals are true and correct and have served as the basis, in part, for the actions set forth herein; and
2. Finds and determines, because City Council approved Resolution CC XX-XXX certifying the Mitigated Negative Declaration (SCH 2020100176), which analyzed the approvals contemplated by this Ordinance, the approval of actions included in this Ordinance complies with the California Environmental Quality Act (CEQA) (Public Resources Code §§21000 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 *et seq.*); and
3. Approves an amendment to the City's General Plan Land Use Map, as shown on **Exhibit A** to this Ordinance, for all parcels within the Windsor Estates Phase 3 project area from Industrial Light (IL) to Suburban Residential (SR); and
4. Approves an amendment to the General Plan Land Use Policy LU-x to state:
Prior to any approval of any entitlements, Area Plans shall be developed for those vacant lands referenced as the Peri Property, Eastern Washington

*Property, and the vacant lands **classified as Industrial-Light** to the north and south of the Pine Grove Avenue Extension. Costs shall be borne by the property owner/developer, and*

5. Approves an amendment to the City's Zoning Map, as shown on **Exhibit B** to this Ordinance, for all parcels within the Windsor Estates Phase 3 project area from Single Family Residential – B12 and Unclassified to Windsor Estates Phase 3 Planned Development; and
6. Approves an amendment to Shasta Lake Municipal Code Title 17 (Zoning) to add Section 17.67.070 – Adopted Planned Developments, included as **Exhibit C** to this Ordinance.
7. Approves the Rezone Z 19-07 - Windsor Estates Phase 3 Planned Development, included as **Exhibit D** to this Ordinance.

SECTION 2: Severability: If any provision of this ordinance or the applications thereof to any person or circumstances is held invalid, the remainder of the ordinance and the applications of such provision will remain in effect to the extent permitted by law.

SECTION 3: Effective Date: This ordinance shall be effective thirty (30) days following its second reading and posting as provided for by City Code.

I HEREBY CERTIFY that the foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of Shasta Lake held on the XX day of January, 2020 and was passed upon second reading at a regular meeting of the City Council of the City of Shasta Lake held on the XX day of January 2020.

PASSED, APPROVED, AND ADOPTED this XX day of January 2020 by the following vote:

AYES: FARR, KERN, MORGAN, WATKINS, POWELL
NOES: NONE
ABSENT: NONE

PAM MORGAN, Mayor

ATTEST:

TONI M. COATES, CMC, City Clerk

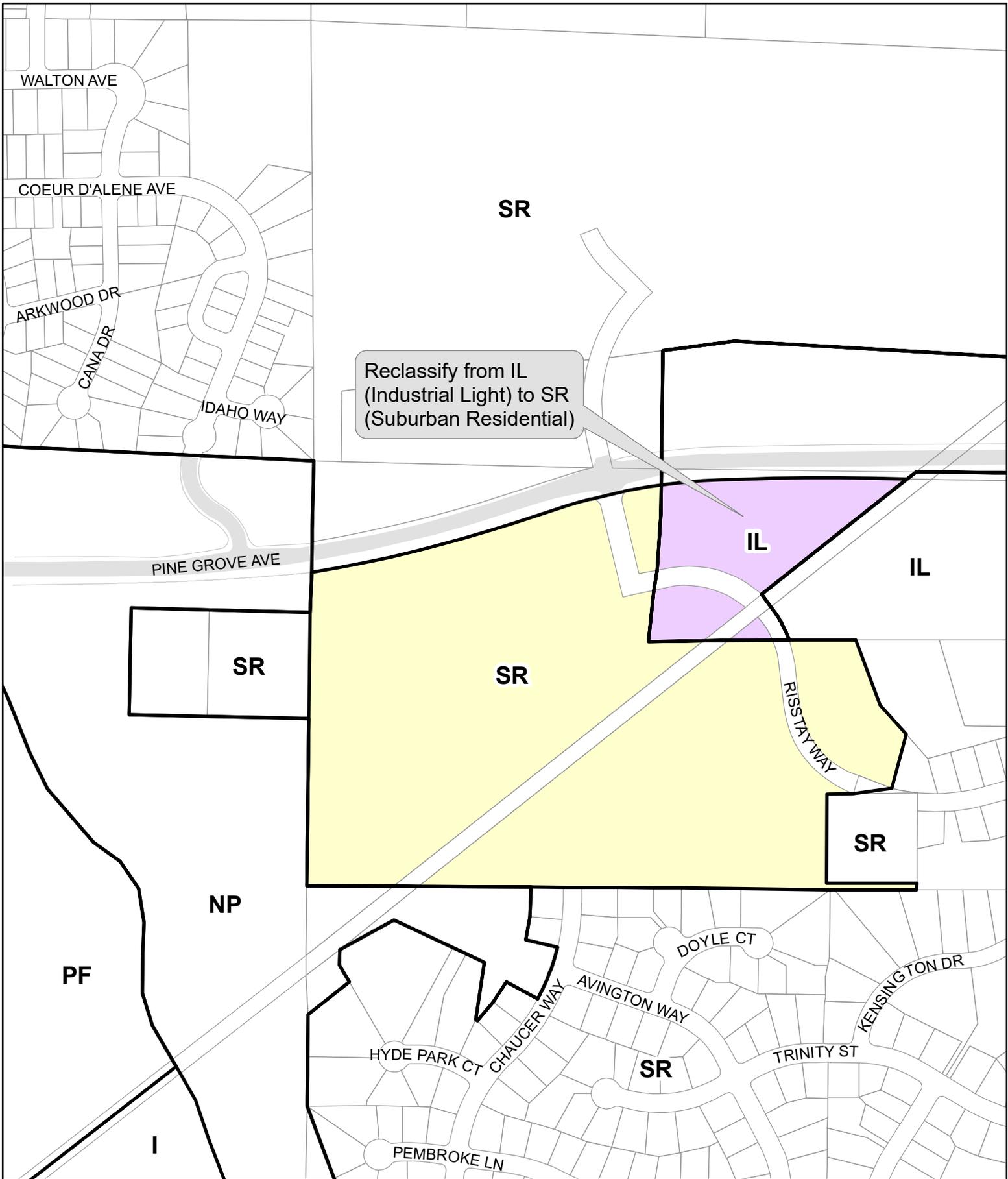
Exhibit A: Amendment to General Plan Land Use Map

Exhibit B: Amendment Zoning Map

Exhibit C: Section 17.67.070 – Adopted Planned Developments

Exhibit D: Rezone Z 19-07 - Windsor Estates Phase 3 Planned Development

Exhibit A: Amendment to General Plan Land Use Map



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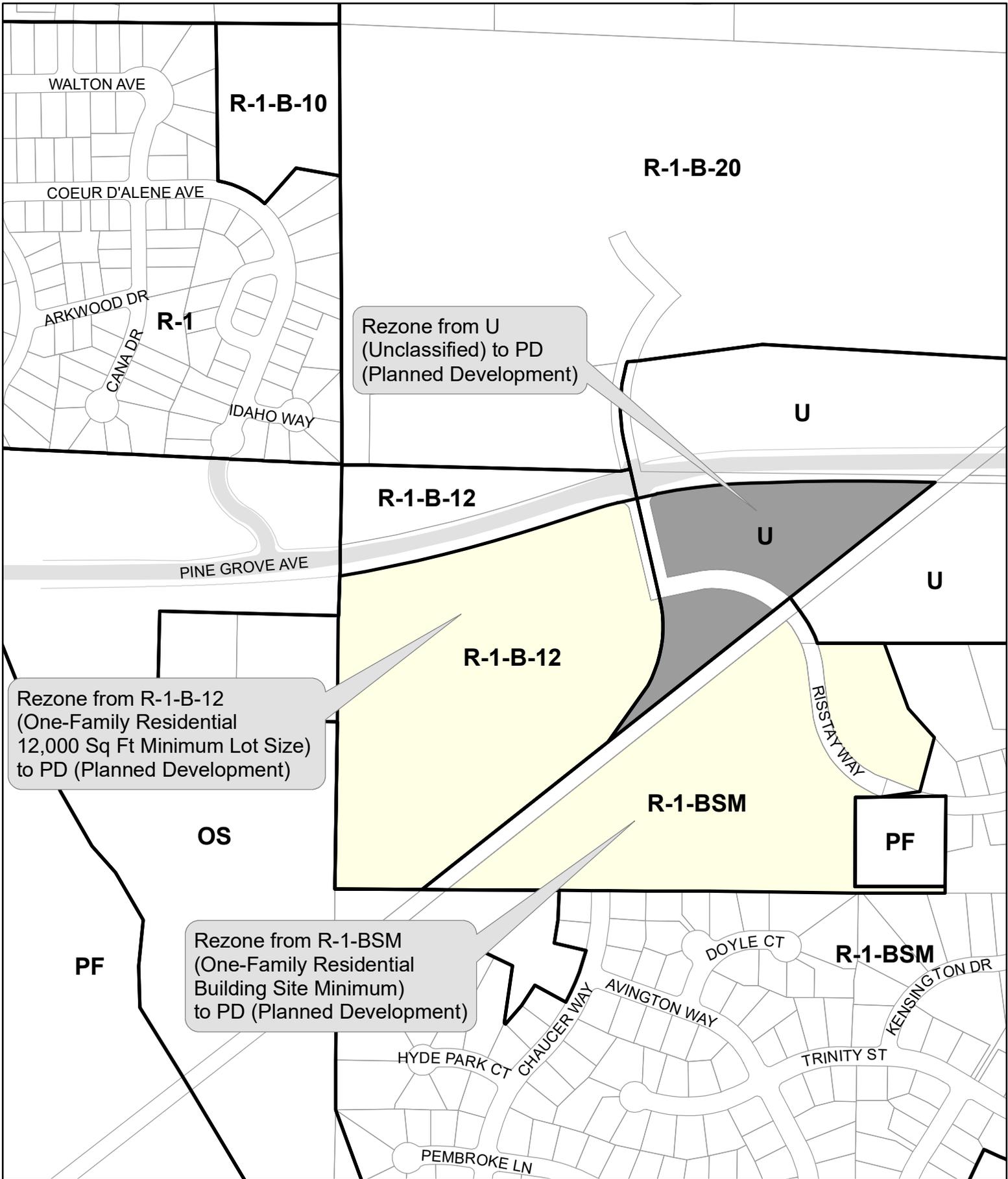
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MAP PRODUCED:
NOVEMBER 30, 2020

PROPOSED GENERAL PLAN MAP

WINDSOR ESTATES PHASE III
GPA-19-01
AP#: 075-010-014, -029, -030

Exhibit B: Amendment Zoning Map



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MAP PRODUCED:
NOVEMBER 30, 2020

PROPOSED ZONING MAP

WINDSOR ESTATES PHASE III

Z-19-07

AP#: 075-010-014, -029, -030

Exhibit C: Section 17.67.070 – Adopted Planned Developments

17.62.070 – Adopted Planned Developments

- Z 94-46 – CPD Twin View
- Z 95-02 – CPD Commercial Center
- Z 19-07 – Windsor Estates Phase 3 PD

Exhibit D: Rezone Z 19-07 - Windsor Estates Phase 3 Planned Development

All uses in Chapter 17.30 – One Family Residential and Chapter 17.62 - Planned Development District shall be permitted subject to provisions of said Chapters. Site Development Standards shall be those outlined in Chapter 17.30 with the exception of the following:

Yards. The following yard requirements apply, except as otherwise provided in [Section 17.84.020](#) of this title:

1. Front:
 - a. Main Structure, Twelve (12) feet
 - b. Garage, twenty (20) feet
2. Side, five feet (5) feet
3. Rear, fifteen (15) feet;

The following Design Guidelines shall be incorporated into this Planned Development.

Design Guidelines

Residences

The home and front yard, rather than the garage, must be the primary emphasis of the front elevation of the homes. Architecture should be oriented “forward” toward the street, activating the street scene.

Homes that occupy the corner lot on a residential street require an enhanced elevation on the corner-facing side yard.

Variable front-yard setbacks and variable side yard setbacks are encouraged to provide more interesting neighborhood street scenes.

Structures should be designed to create variety and interesting street scenes. There should be a significant difference in the exterior finish, massing and composition of adjacent houses. One design should not be repeated more often than every third house.

Accessory structures must be compatible with the materials and architecture of the primary dwelling on the property. Accessory structures may be constructed only on a lot containing a main dwelling unit.

Garages

Varied garage placements that deemphasize the garage door and place greater importance on home architecture is the broad goal of these guidelines. The impact of garages facing the street must be minimized by techniques such as varying garage-door patterns and utilization of deep-recessed door techniques, varying colors, splitting one large door into two (2) single doors or using alternative garage configurations, such as corner garages and detached or deep-recess garages. Floorplans incorporating a recessed garage placement shall be regularly incorporated into this development. At a minimum no less than 30% of the lots shall incorporate a recessed garage placement.

To achieve these goals each builder parcel should incorporate combinations of the following design features or variations thereof:

1. "Furr-out" (extend out) the garage wall plane 8" to 12" for front loaded street facing garages when the garage door is at the minimum setback. With other garage configurations, a range of 6" to 8" is recommended.
2. Install devices such as attached trellises beneath garage roof fascia and above garage-door header trims, or build detached trellises in front of the garage, spanning the driveway.
3. A porte-cochere is encouraged with a recessed garage plan because it creates an additional screened parking space and an occasional outdoor private space.
4. Create plans that place the garage at varied locations on the home site. Mid-recessed garages have strong emphasis on the living space of the home, with flexibility in exact depth of the garage from the front of the street.
5. Set the garage back to the rear of the lot. Garages may be attached or detached. This achieves more living space toward the street and creates additional usable side yard outdoor space.

Attachment B: City Council Resolution

RESOLUTION NUMBER CC XX-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE APPROVING TENTATIVE SUBDIVISION MAP SD 19-01, WINDSOR ESTATES PHASE 3

WHEREAS, City of Shasta Lake (City) received an application for General Plan Amendment GPA 19-01 (Land Use Map designation change, Policy LU-x modification); Rezone Z 19-08 (approval of Windsor Phase 3 PD, Amendment to Zone Map, and amendment to Shasta Lake Municipal Code Title 17 (Zoning) to add Section 17.67.070 – Adopted Planned Developments); and Tentative Subdivision Map SD 19-01; and

WHEREAS, all of the discretionary applications are related but approved under separate resolutions or ordinances; and

WHEREAS, the subject property is identified as Assessor's Parcel Numbers 075-010-014, 029, and 030 located generally in the south central section of the City of Shasta Lake, on the south side of Pine Grove Avenue, west of Cascade Boulevard and east of Coeur D'Alene Avenue; and

WHEREAS, on January 5th, 2021, City Council conducted a duly noticed public hearing, considered the Planning Commission's recommendation.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Shasta Lake hereby:

- A. Finds and determines the above recitals are true and correct and have served as the basis, in part, for the actions set forth herein; and
- B. Finds, after hearing testimony, considering the evidence presented, and engaging in due deliberation of the matters presented, the City Council, in the exercise of its independent judgment, and taking into consideration the comments and responses to comments included within the Mitigated Negative Declaration (MND):
 1. The City of Shasta Lake has conducted an initial study on the possible environmental consequences of the proposed project, which was completed and made available for public review on or about October 9, 2020; and
 2. A notice of the preparation and the posting of the proposed Mitigated Negative Declaration (MND) was duly posted and noticed in the Redding Record – Searchlight, a paper of general circulation on October 9, 2020 to invite comments from the public and interested persons as required by law; and,
 3. A 30-day review period for the MND was initiated on October 9, 2020 with the submittal of a Notice of Completion and MND to the State Clearinghouse for public review and distribution to responsible, trustee, and public agencies with jurisdiction over the resources affected by the Project (SCH # 2020100176); and,
 4. The initial study did not identify any significant effects on the environment which would result from the proposed project, as it is consistent with the Land Use Element of the General Plan, and the Final Environmental Impact Report prepared for adoption of the General Plan; and

5. Comments on the MND were received from California Departments of Fish and Wildlife and Toxic Substances Control and response was given; and,
6. As mitigated, the proposed project will not result in significant adverse impact on the environment, as it is subject to those conditions of project approval and mitigation measures, agreed to by the Developer, and reflected in the MND and resolution of approval; and,
7. As reflected in the information contained in the record, the establishment, operation and maintenance of the Project will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the area or be detrimental or injurious to property or improvements in the area or to the general welfare of the City; and,
8. Adopts the MND for the Windsor Estates Phase 3 project, attached as Exhibit A to this Resolution, finding that the MND is complete and in compliance with the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.) and CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.); and
9. Adopts the Mitigation Monitoring and Reporting Program attached as Exhibit B to this resolution.

C. Adopts the following findings pursuant to California Government Code §§66473.5 and 66474 (Subdivision Map Act):

1. Tentative Subdivision Map SD 19-01 is consistent with the Shasta Lake General Plan as adopted by City Council Ordinance CC XX-xxx (General Plan Amendment GPA 19-01).

The Tentative Subdivision Map includes subdivision of ±52 acres of undeveloped land (gross) into 80 lots in order to construct single-family dwelling units and associated accessory structures. A Preliminary Grading Plan is included. Parcel sizes indicated on the Tentative Map (TM) range from 6,000 square feet (SF) to 16,252 SF. It is anticipated various parcels will be significantly enlarged to accommodate private ownership of the non-buildable areas indicated as land outside of delineated lots on the TM. The 2.7-acre portion of parcel 075-010-029 on the north side of Pine Grove Avenue is not proposed for development. Ownership of this land will transfer to Shasta Verde Land Development, Inc. via a property line adjustment. The easterly portion of parcel 075-010-030 (east of fire access road) will be a designated remainder. No development or other action is proposed for this area. The net acreage of the development site (excluding the 2.7-acre portion of parcel 075-010-029 on the north side of Pine Grove Avenue, the 2.5-acre remainder parcel, road rights-of-way [ROW], easements, and steep slopes) is approximately 35 acres; thus, the net density of the project is 2.3 dwelling units per acre.

The Project includes a General Plan amendment from Industrial Light (IL) to Suburban Residential (SR) and a modification to the lands shown and detailed in the Initial Study. Land Use Policy LU-x which states, "...*Area Plans shall be developed for those vacant lands ...to the north and south of the Pine Grove Avenue Extension*" will also be modified, as this requirement was directly related to the past expectation of the development of light industrial uses for the Project site.

The Project also includes a rezone of the site. Because the portion of parcel 075-010-029 on the north side of Pine Grove Avenue is not proposed for development, it is not included in the rezone. The current zoning designations are One-Family Residential 12,000 Square Foot Minimum Lot Size and Unclassified. Staff has determined that the project site will be rezoned to Planned Development (PD) in accordance with City of Shasta Lake Municipal Code Chapter 17.62.

2. The design and improvements of the proposed subdivision are consistent with the Shasta Lake General Plan as adopted by City Council Ordinance CC XX-XXX (General Plan Amendment GPA 19-01).

Final construction documents detailing the required improvements will be provided to the City for review before approval of the requisite grading permit. The City will review these plans for compliance with applicable standards.

3. The site is physically suitable for the proposed development.

The MND (SCH 2020100176) considered geology/topography, sensitive biological habitats, hydrology and other factors to determine the suitability of various areas of the site for development. The MND includes Mitigation Measures to protect biological habitats and other sensitive areas through avoidance and mitigation.

A Mitigation Monitoring and Reporting Program (MMRP) is proposed to ensure the effective implementation of the mitigation measures imposed by the City for the project. In addition, the MMRP provides a means of identifying corrective actions, if necessary, before irreversible environmental damage occurs.

4. The site is physically suitable for the proposed density of development.

The net density of the project is 2.3 dwelling units per acre and is consistent with the proposed Suburban Residential land use designation residential density of three dwelling units per acre.

5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The MND concludes the project, through avoidance and mitigation, is not likely to substantially and unavoidably injure fish or wildlife or their habitat. The MMRP ensures the effective implementation of the mitigation measures and provides a means of identifying corrective actions, if necessary, before irreversible environmental damage occurs.

6. The design of the subdivision and improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

There are no easements of record acquired by the public at large or easements established by judgment of a court within the project boundaries; therefore, the project would not conflict with any such easement. Access and use easements are identified with this tentative subdivision map and will be delineated on the Final Map.

D. Adopts the following findings pursuant to SLMC Chapter 12.36 Tree Conservation:

1. The condition of the trees, with respect to disease, form, general health, damage, public nuisance, danger of falling, proximity to existing structures, interference with utility services, good forestry practices, or damage to existing sidewalks and driveways, warrants their removal.

As described in the arborist report created for the Project, many trees within the area of potential affect (APE) are in poor condition and are dead, dying, or dangerous.

2. The preservation of all trees unreasonably restricts the economic potential of the property upon which the trees are situated.

Trees to be removed directly conflict with building pads, utility and driveway construction, or required grading necessary to develop the property consistent with established development standards required for all property within the City.

3. The set-aside area is particularly suitable for the planting and/or natural regeneration of replacement trees required to be planted by the developer.

The landscape areas, proposed by the Applicant, have sufficient space and conditions to accommodate additional tree planting.

4. Trees proposed for removal interfere with utility services or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than removal of the tree(s).

Trees to be removed directly conflict with building pads, utility and driveway construction, or required grading. No reasonable alternatives exist.

5. Construction proposed within the drip line of any tree will not cause harm or damage to such tree and any construction on the property can be accomplished without endangering the health of the remaining trees on the subject property.

Mitigation measures and conditions of project approval have been required to ensure to the greatest extent possible that the trees will be protected. Such conditions must be satisfied prior to commencement of tree removal and/or grading.

6. Tree removal as proposed will not result in soil erosion through the diversion or increased flow of surface waters that cannot be satisfactorily mitigated.

Mitigation measures, conditions, and compliance with established regulations ensure compliance with this finding.

7. Tree removal will not result in the degradation of any scenic resource and will not substantially degrade the existing visual character or quality of the site or its surroundings.

A significant number of trees will be replanted between the Project and the public right-of-way. This and the absence of a designated scenic resource or public viewshed in the area of project construction ensure compliance.

- E. After hearing testimony, considering all evidence submitted into the administrative record, and engaging in due deliberation of the matters presented, City Council hereby approves Tentative Subdivision Map SD 19-01 for the Windsor Estates Phase 3 project, attached as Exhibit C to this Resolution, subject to the following Conditions of Approval, to be fulfilled prior to recording of the Final Map unless otherwise noted:

CONDITIONS OF APPROVAL

1. The requirements of all concerned governmental agencies having jurisdiction including but not limited to the issuance of appropriate permits, shall be met. Evidence of the approval and issuance of all required permits or approvals from those agencies shall be provided in writing to the Development Services Director prior to the recordation of the Tentative Map.
2. The property owner, or the assigned agent, agrees to defend, indemnify, and hold harmless the City of Shasta Lake ("City"), its agents, officers and employees from any claim, action, or proceeding to attack, set aside, void, or annul the approval of this Tentative Map recorded hereunder. The City shall have sole discretion in selecting its defense counsel (unless there is a conflict, the City will use the City Attorney as its defense counsel). The City shall promptly notify the property owner, or the assigned agent, of any claim, action, or proceeding and shall cooperate fully in the defense (Subdivision Map Act Section 66474.9 (b)).
3. The Development Services Director or his/her designee may approve minor modifications to this Tentative Map. Any substantial revisions will require an amendment to this map be completed prior to recording of the Tentative Map unless otherwise noted.
4. This Tentative Map, and any Final Map recorded hereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 ("Subdivision Map Act"), and Title 16 of the Shasta Lake Municipal Code. Said maps shall also comply with the City of Shasta Lake's Municipal Code and Improvement Standards and Exceptions in effect when recorded.
5. All mitigation measures included in the Mitigation Monitoring and Reporting Program (MMRP) adopted by this Resolution shall be implemented as applicable.
6. The area of parcel 075-010-029 located north of Pine Grove Avenue shall be transferred via a separate Property Line Adjustment (PLA) application to the adjacent property owner. .
7. The Developer shall provide unrestricted ingress and egress to the property to the City of Shasta Lake for the purposes of installation, removal, maintenance, operation, inspection or any other required use of its public utility facilities.
8. Prior to improvement acceptance or certification of completion, the project engineer shall submit to the City written certification that all site grading, drainage improvements and erosion control measures are completed in compliance with approved plans.
9. Ownership of all new public utility or roadway facilities and related rights-of-way and easements shall be dedicated to the City prior to the acceptance of improvements by the City.

10. If Chaucer Way is not completed in the first phase of the project the Developer shall enter into an Agreement with the City and post security in the amount of 150% of the cost of completion of Chaucer Way.
11. At the time of submittal of improvement plans, the Developer shall pay a deposit and sign a Full Cost Recovery Agreement for plan review. The amount of the deposit shall be the amount established by City Council.
12. Prior to approval of improvement plans, the Developer shall pay a deposit and sign a Full Cost Recovery Agreement for improvement inspections. The amount of the deposit shall be the amount established by City Council.
13. Improvement plans for all grading, roads, drainage, utilities, and other public improvements, shall be prepared and sealed by a registered civil engineer, and shall be submitted to and approved by the City Engineer, and other concerned agencies as necessary, prior to issuance of a grading permit.
14. The engineered final grading plan, improvement plans, and specifications shall be reviewed and approved by the project geotechnical engineer prior to submittal of the improvement plans to the City to ensure recommendations contained in the final Geotechnical Study have been properly interpreted and implemented during design.
15. Final improvement plans shall provide locations for centralized mail-delivery units. The locations shall be reviewed and approved by the U.S. Postal Service and the Public City Engineer. Mail-delivery units shall be installed prior to occupancy of the first residential unit.
16. Final improvement plans shall provide locations for school bus stops. The locations shall be reviewed and approved by the Gateway Unified School District and the City Engineer.
17. Upon completion of required improvements, the Developer shall enter into a Maintenance Agreement with the City and shall post security in the amount of 10% of the cost of construction of the improvements to guarantee the work for a period of one year. The one-year period begins following completion of the work and the acceptance for maintenance by the City. The guarantee and warranty is against any defective work or labor done or defective materials furnished.
18. The Developer shall obtain an encroachment permit from the Public Works Department for the construction of new improvements that connect to established public facilities located within existing public right-of-way. All requirements of the encroachment permit shall be followed and completed as prescribed.
19. Sanitary sewer, water, electric, natural gas, and cable television distribution lines and associated utility facilities, and infrastructure required to accommodate automated meter reading by the City, shall be installed. These utilities shall be installed in accordance with the Shasta Lake Construction Standards and testing standards of the Public Works Department or other operating entity, and applicable fire flow safety standards. All required utilities shall be inspected and approved by the City or other operating entity prior to backfilling trench(s).
20. Fire hydrants shall be installed with the location of each to be reviewed by the Shasta

Lake Fire Protection District. All required hydrants should be in service prior to the acceptance of any improvements by the City and should be consistent with standards set forth by the City.

21. The Developer shall install all street signs (with the City approved road name), traffic delineation devices, warning and regulatory signs, guardrail, barricades, and other similar devices where required by the City Engineer. Signing shall be in conformance with Shasta Lake Construction Standards and the current State of California Uniform Sign Chart. Installation of traffic devices shall be subject to review and modification after construction.
22. Revisions to the W-Trans Traffic Impact Analysis, pursuant to corrections received from GHD November 19, 2020, shall be completed prior to approval of final improvement plans.
23. Installation of intersection warning signs along Pine Grove Avenue, as recommended by GHD, shall be completed.
24. Recommendations from the W-Trans Traffic Impact Analysis shall be incorporated into the project.
25. The Developer shall not reduce the vertical clearance between the conductors of any of the City's overhead transmission, distribution, or service lines and the ground of improved surfaces thereunder as set forth under General Order 95 of the Public Utilities Commission of the State of California.
26. The Developer shall provide adequate protection of the City's overhead and underground, transmission, distribution and service facilities (e.g., poles, towers, boxes, equipment, etc.) from vehicular damage by means of installing protective barriers, as determined by the Public Works and Electric Departments, prior to acceptance of the improvements by the City, or at such time deemed necessary to protect the public health and safety.
27. The Developer shall pay the cost for rearrangement, relocation, or removal of any City electric facilities or other public utilities caused by subdivision construction e.g., grading, street improvements, installation of curbs, gutters, sidewalks, water and sewer installations, etc.), whether inside or outside of the subject property where such work is a condition of or necessary to serve the development.
28. All required utilities shall be installed underground in accordance with the Shasta Lake Construction Standards.
29. Where underground utilities are located within required rights-of-way or under paved areas, such facilities shall be placed, or conduits installed to allow for future installation, prior to placing pavement or concrete. These installations shall be inspected and approved by the City prior to placing the pavement or concrete.
30. A minimum of two working days before the initial commencement of any permitted grading, digging, or mass land clearing work, Underground Service Alert (USA) and the Public Works Department shall be notified. This will allow sufficient lead-time to ensure that the locations are identified of all existing public underground utilities that could be affected, and arrangements can be confirmed for all necessary inspections

31. The local electric loop shall connect the 200 Amp 1PH primary from the Switch gear at Chaucer C-562 to the top of Risstay.
32. A 6" conduit shall be installed from the Switch gear at Chaucer S-561 to the north side of Pine Grove Ave for a future back tie connection.
33. The project engineer shall provide an Auto CAD file to the electric department for the design Phase on the project.
34. All electric substructure is the responsibility of the applicant I.E. Conduit, Boxes, Vaults Secondary Conductor.
35. Electric Equipment I.E. Transformers, Above Ground Junction Cabinets and Primary Conductor will be purchased by the City of Shasta Lake Electric Department with the Deposited funds from the Applicant. Amount to be determined at final design.
36. All site earthwork activities (e.g., site preparation, placement of engineered fill and trench backfill, construction of slab and pavement subgrades, etc.) shall be monitored by the geotechnical engineer as recommended in the final geotechnical report. All geotechnical inspections shall be arranged by the Developer at the Developer's expense. Detailed written inspection reports shall be provided to the City prior to acceptance of improvements or as otherwise requested by the City.
37. Brush, trees or other vegetation cleared for construction and/or land development purposes shall be removed or otherwise disposed of in a lawful manner prior to acceptance of improvements.
38. The Developer, at Developer's expense, shall be responsible for acquiring all necessary easements for off-site infrastructure improvements.
39. Required public utility easements for main utility lines (water, sewer, electric, etc.) shall not be fenced or otherwise barricaded in a manner that hinders access for utility installation, operation, maintenance, inspection and/or improvement. No building or structures shall be allowed within any public utility easement.
40. No trees or shrubs exceeding a mature height of 15 feet shall be allowed within the limits of any electric easement.
41. If rolled curb is utilized for the Project, hydraulic calculations shall be completed by the Developer's Engineer to verify gutter capacity and spacing of drainage inlets.
42. The project engineer shall provide gutter flow calculations showing that the existing drainage facilities on Pine Grove Avenue are adequate to convey existing drainage flow plus all additional new drainage flow being directed onto Pine Grove Avenue from the subdivision improvements.
43. The applicant shall construct improvements acceptable to the City along the Pine Grove Avenue frontage. These improvements shall include, sidewalk, landscaping, and pavement striping and marking, as well as additional improvements recommended by the traffic impact analysis.
44. The detention basins shall be designed such that the City can get equipment into the basin for maintenance purposes.

45. DDW separation standards shall be maintained at all times.
46. Continuous operation of the water transmission line shall not be interrupted.
47. Easements shall be shown for all public utilities. Minimum easement width is 15'.
48. Lots that are graded with engineered fill shall be designated on the final map.
49. A PRV assembly with a bypass shall be installed at the south end of Chaucer Way to intertie between Zone G and Zone I at that location.
50. An existing 14" sewer force main and 12" reclaimed water main are located generally within the Pine Grove Avenue ROW immediately adjacent to the WEP3 project. Under no circumstances shall these pipelines be disturbed during the course of construction of this project. Additionally, no fill or permanent structures (walls, etc) be placed either within the Pine Grove ROW or within 10' of the pipelines, should they be found to exist on private property.
51. Analysis of both the existing collection system in the vicinity of Lift Station 4 and the pump and force main configuration at Lift Station 4 shall be completed to ensure that the existing infrastructure can support the addition of WEP3. The Developer shall complete any additional improvements identified by the final analysis in compliance with CEQA.
52. The gravity sewer main running down Pine Grove Avenue shall be a minimum of 8" diameter, per the 2016 Wastewater Master Plan.
53. A final Drainage Study shall be prepared by a Registered Civil Engineer for the Project accounting for the phasing and ensure that all runoff requirements are met at each Phase of development. The methods shown shall not adversely affect adjacent or downstream properties. Storm drainage facilities shall be sized and installed in accordance with the subdivision improvement plans as approved by the City Engineer, and in accordance with the construction standards of the Public Works Department.
54. Recommendations from Geotechnical Engineer shall be incorporated into the project.
55. Extensions of any gas facilities shall require satisfactory utility easements or right-of-way at no cost to PG&E. The property owner, or the assigned agent, shall be responsible for satisfactory clearing of all vegetation in the route approved for use by PG&E.
56. Record improvement plans reflecting the as-constructed improvements with the Engineer's Declaration shall be submitted at the completion of construction. Record plans shall state that they are RECORD and shall be submitted in both hardcopy and digital formats, with hardcopy drawings submitted at full size on 24" x 36" mylar. Digital drawings shall be submitted in both AutoCAD (.dwg) format and Portable Document Format (.pdf).
57. The property owner, or the assigned agent, shall employ, or retain, engineers, surveyors, and such other appropriate professionals, licensed in the State of California, as are required to provide the expertise with which to prepare and sign accurate record drawings, and to provide adequate construction supervision.
58. All areas outside of the lots as designated on the Tentative Map shall be designated as

- non-buildable areas. The Final Map shall delineate all such areas to notify future property owners of development restrictions.
59. Prior to Certificate of Occupancy, a deed restriction indicating non-buildable areas designated on the Final Map shall be recorded on the individual property. Said restriction shall note the requirement for annual and regular vegetation maintenance. Said restriction shall run with the land and be transferred to each new property owner over time.
 60. Property lines as shown on the Tentative Map shall be extended to the subdivision boundaries. No land shall be dedicated to the City as "open space."
 61. The Developer shall construct a planted median, sign, and landscaping at the subdivision entrance located at the Pine Grove Avenue and Road "A" intersection. Final design is subject to the approval of the Assistant City Manager (Development Services Director) or his/her designee.
 62. On-Street parking along Road "A" shall be reviewed and approved by the City Engineer prior to approval of improvement plans.
 63. The driveway for lot 1 shall be located as far from the intersection of Pine Grove Avenue and Road "A" as possible in accordance with Shasta Lake construction standards.
 64. Lighting shall be provided at all intersections along Chaucer Way, Road "A", and Pine Grove Avenue. Lighting shall comply with all applicable regulations. The Developer shall provide to the City elevations and specifications of the required street lighting.
 65. Traffic calming measures (bulb outs) shall be constructed as indicated on the Tentative Map. The bulb outs shall be landscaped.
 66. All required public landscaping shall be designed to incorporate a variety of trees. Shading of streets and sidewalks is a primary goal when determining tree plantings in these areas. A final landscape plan prepared by licensed landscape architect shall be submitted with final improvement plans to verify compliance with all applicable standards. Final design shall be reviewed and approved by the Assistant City Manager (Development Services Director) or his/her designee.
 67. Improvements and plantings within corner-clip areas shall allow adequate vehicular lines of sight at intersections in accordance with Shasta Lake construction standards.
 68. The Developer shall establish a Community Facilities District to fund the ongoing maintenance of all public lighting and landscaped areas and of all drainage facilities .
 69. All landscaped areas shall be maintained in such a way as to avoid encroaching on the traveled way, as described in SLFPD Ordinance 97-1.
 70. A sound wall shall be constructed at the rear property lines of lots 1 through 14. Additional analysis as required in the MMRP shall be completed to determine if any additional lots require sound wall construction.
 71. The sound wall shall be constructed pursuant to the recommendations in the associated acoustical analysis. Construction shall utilize natural colors. The landscaped area between Pine Grove Avenue and any sound wall shall be designed to screen the wall to the greatest extent possible. The sound walls should be a simple design, of quality

materials, that will eventually be a background element screened by, or visually recede beyond the landscape materials Deer Creek Manor is an example of acceptable sound wall screening.

72. The area north of Pine Grove Avenue (as shown on the Tentative Map) shall be transferred to the adjacent property owner via a property line adjustment.
73. Three 15-gallon trees shall be planted per parcel prior to issuance of a certificate of occupancy for each dwelling unit. At a minimum, one of these trees shall be planted within 10 feet of the back of sidewalk. Planting shall be made so as to evenly space trees along the entire length of Project streets.
74. As proposed, the Project will preserve 34 protected trees and remove 107. Pursuant to the Ordinance, the Developer will replace the protected trees at a ratio of 3:1, totaling 321 trees. Replacement trees will be planted within the bulb-outs along Chaucer Way and Road "A," the frontage/slope areas along Pine Grove Avenue, the slope area along the east side of Road "A," and the entrance to the Project at Pine Grove Avenue and Road "A."
75. A final tree replacement plan prepared by licensed landscape architect or other qualified professional as determined by the Assistant City Manager shall be provided pursuant to SLMC Chapter 12.36 – Tree Conservation.
76. A vegetation management/fire-fuel reduction plan (Plan) shall be prepared and submitted for approval by the Shasta Lake Fire Protection District and Development Services Director in conjunction with subdivision improvement plans. The Plan shall address the entire subdivision site and as necessary, adjacent open space areas, and shall be prepared by a registered professional forester or other qualified professional. The objectives of the plan shall be to reduce fire fuel loads to establish an adequate fire-safety buffer between residential development and the adjacent open space areas prior to acceptance of improvements. All required fuel reduction work shall be completed as prescribed by the approved Plan.
77. Compliance with the vegetation management/fire-fuel reduction plan will be the sole responsibility of the associated property owner.
78. ALL VEGETATION WITHIN THE PROJECT shall be cut and maintained as per the current California Residential Code Section R337.1.5 prior to any request for final building approval or certificate of occupancy. Any remainders shall be maintained to a fire safe condition to minimize fire spread at no more than every 5 years after initial clearing.
79. This parcel is located in a "Very High Fire Hazard Severity Zone" and as such shall be developed according to the applicable provision of the California Building Code Chapter 7A and other code provisions for construction within "Very High Fire Hazard Severity Zones."
80. All roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pound and provide an aggregate base. This weight design shall include any bridges, culverts, or other road structures within the project that a road crosses within the proposed subdivision.
81. NO brush, timber, or other vegetative debris may be relocated to another location on site or off site to the subdivision and stockpiled without a plan in writing being submitted to

the Shasta Lake Fire Protection District and written approval being issued by the SLFPD.

82. Applicant shall dispose of any brush, trees, or other vegetation cleared for construction and/or land development purposes in accordance with all environmental laws applicable within the City of Shasta Lake and the Shasta Lake Fire Protection District.
83. A notation on the recorded subdivision map shall appear noting the vegetation maintenance requirement.
84. Pursuant to SLMC §16.08.100, the Developer shall pay a fee of \$1040.00 per parcel in lieu of the dedication of park land. This fee is in addition to the Park and Recreation Facilities Impact Fees collected at the time of Certificate of Occupancy.

F. Effective Date: Pursuant to Shasta Lake Municipal Code §16.08.130, the effective date of this Resolution is the effective date of City Council Ordinance CC XX-XXX (GPA 19-01, Z 19-07).

DULY PASSED AND ADOPTED this 5th day of January 2021 by the following vote:

AYES: FARR, KERN, MORGAN, WATKINS, POWELL
NOES: NONE
ABSENT: NONE

PAM MORGAN, Mayor

ATTEST:

TONI M. COATES, CMC, City Clerk

Exhibit A: Mitigated Negative Declaration

Exhibit B: Mitigation Monitoring and Reporting Program/Response to Comments

Exhibit C: Tentative Map

Exhibit A: Mitigated Negative Declaration

View the Environmental Document on the Project Website [Here](#)

<https://www.cityofshastalake.org/1128/Windsor-Estates---Phase-3>

Exhibit B: Mitigation Monitoring and Reporting Program/Response to Comments

MITIGATION MONITORING AND REPORTING PROGRAM
CITY OF SHASTA LAKE
WINDSOR ESTATES 3 SUBDIVISION
GENERAL PLAN AMENDMENT, REZONE, AND TENTATIVE MAP

INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines to provide for the monitoring of mitigation measures required of the City of Shasta Lake (City) Windsor Estates 3 Subdivision (project) as set forth in the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the project.

Section 15074(d) of the CEQA Guidelines requires each public agency to adopt a program for monitoring or reporting on revisions to a project and the measures the agency has imposed to mitigate or avoid significant environmental effects. An MMRP is required for the project because the IS/MND for the project identified potentially significant adverse impacts related to the implementation of proposed activities, and mitigation measures have been identified to reduce those impacts to a less-than-significant level.

CITY OF SHASTA LAKE ADOPTION OF THE MMRP

If City Council, as lead agency, decides to approve the project, it must concurrently adopt a MMRP. The adopted MMRP will be kept on file at the City of Shasta Lake City Hall, 4477 Main Street, Shasta Lake, CA 96019.

PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures. Mitigation is defined by CEQA Guidelines Section 15370 as a measure that does any of the following:

- Avoids impacts altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies impacts by repairing, rehabilitating or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

ROLES AND RESPONSIBILITIES

Unless otherwise specified herein, the City is responsible for taking all actions necessary to implement the mitigation measures according to the specifications provided for each measure and for demonstrating that the action has been successfully completed. The City will be responsible for monitoring implementation of the mitigation measures and for verifying that City staff, the developer, or a qualified contractor has completed the necessary actions for each measure. The City will designate a project manager to oversee the MMRP during the project implementation period. Duties of the project manager include the following:

- Ensure that routine inspections of the project's actions are conducted.
- Serve as liaison between the City and the City's contractor regarding mitigation monitoring issues (if appropriate).
- Complete forms and maintain records and documents required by the MMRP.
- Coordinate and ensure that corrective actions or enforcement measures are taken, if necessary.

MMRP SUMMARY TABLE

The MMRP table identifies the mitigation measures proposed for the project. These mitigation measures are reproduced from the IS/MND and are conditions of approval for the project. The table has the following columns:

- Mitigation Measure: Lists the mitigation measures identified in the IS/MND for a specific impact, along with the number for each measure as enumerated in the IS/MND.
- Monitoring Action: Identifies what actions the City shall take to comply with the mitigation measure.
- Monitoring Timing/Frequency: Identifies at what point in time, review process, or phase the mitigation measure will be completed.
- Date Checked/By Whom: Space to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

CONCLUSION

The MMRP contained herein will provide for monitoring of construction activities as necessary, on-site identification and resolution of environmental problems, and proper reporting by the City. The MMRP is to be used by City staff, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project. The MMRP and any related supporting documentation shall be maintained in the project file and be made available to the public upon request.

**City of Shasta Lake Windsor Estates 3 Subdivision Project
Mitigation Monitoring and Reporting Program**

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
Agriculture and Forestry Resources				
Implementation of Mitigation Measures 4.4.4 and 4.4.5				
Air Quality				
<p>MM 4.3.1</p> <p>The following measures shall be implemented to avoid/minimize short-term air quality impacts during construction. These measures shall be included on all grading and improvement plans and/or permits.</p> <ol style="list-style-type: none"> a. During all construction activities, all architectural coatings applied shall contain a low content of volatile organic compounds (VOC) (i.e., 100 grams/liter) as required by the California Green Building Code or Shasta County AQMD, whichever is more restrictive. b. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. c. All material excavated, stockpiled, or graded shall be sufficiently watered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering shall occur at least twice daily with complete coverage of the construction area, preferably in the mid-morning and after work is completed each day. d. All unpaved areas (including unpaved roads) with vehicle traffic shall be watered periodically or have dust palliatives applied for stabilization of dust emissions. e. All on-site vehicles shall be limited to a speed of 15 miles per hour on unpaved roads. f. All land clearing, grading, earth-moving, or excavation activities on the project site shall be suspended when sustained winds are expected to exceed 20 miles per hour. 	<p>BC</p> <ul style="list-style-type: none"> • Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> • Field check as needed to ensure compliance. 	<p>BC</p> <ul style="list-style-type: none"> • One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> • Field check as needed to ensure compliance. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>g. All material transported off-site shall be either sufficiently watered or securely covered to prevent a public nuisance.</p> <p>h. Prior to final occupancy, the applicant shall re-establish ground cover on the construction site through seeding and watering.</p> <p>i. Off-road construction equipment shall not be left idling for periods longer than 5 minutes when not in use.</p> <p>j. Trees and other vegetation cleared to accommodate the proposed project shall not be burned onsite and shall be disposed of in another lawful manner (e.g., chipping or mulching), as approved by the City.</p> <p>Responsibility: City Building Division</p>				
Biological				
<p>MM 4.4.1</p> <p>In order to avoid impacts to tree-roosting bats, one of the following measures shall be implemented:</p> <p>a. Prior to commencement of tree removal, a qualified bat biologist (i.e., an experienced bat biologist holding a California Department of Fish and Wildlife [CDFW] Scientific Collecting Permit) shall conduct a tree habitat assessment to identify trees with suitable bat roosting habitat (e.g., cavities, crevices, exfoliating bark, etc.).</p> <p>Trees determined to have suitable roosting habitat shall be removed only outside of the maternity season and winter season during the following times, or as otherwise approved/recommended by a qualified bat biologist.</p> <ol style="list-style-type: none"> Between approximately March 1 (or after evening temperatures rise above 45°F, and/or no more than ½ " of rainfall within 24 hours occurs), and April 15; or Between approximately September 1 and October 15 (or before evening temperatures fall below 45°F, and/or more than ½ " of rainfall within 24 hours occurs). <p>Trees shall be removed using the following two-step process to allow bats the opportunity to abandon the roost prior to tree removal. The two-step removal of bat habitat trees shall be conducted over two consecutive days.</p>	<p>BC</p> <p><i>Option A:</i></p> <ul style="list-style-type: none"> Review tree habitat assessment to confirm trees with suitable bat roosting habitat. <p><i>Option B:</i></p> <ul style="list-style-type: none"> Review night emergence survey and submit to CDFW. If necessary, establish suitable non-disturbance buffers. <p><i>Options A and B:</i></p> <ul style="list-style-type: none"> Confirm applicable measures are included in grading and improvement plans and/or permits. <p>DC</p> <p><i>Option A:</i></p> <ul style="list-style-type: none"> Ensure trees are removed using the two-step process. Ensure tree removal is instructed and supervised by a qualified bat biologist experienced with two-step removal procedures. 	<p>BC</p> <p><i>Option A:</i></p> <ul style="list-style-type: none"> One-time check of tree habitat assessment. <p><i>Option B:</i></p> <ul style="list-style-type: none"> One-time check of night emergence survey report. <p><i>Options A and B:</i></p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <p><i>Option A:</i></p> <ul style="list-style-type: none"> Field check as needed to ensure compliance with tree removal parameters. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>On day 1, non-habitat features (i.e., branches without cavities, crevices, or exfoliating bark) on bat habitat trees, shall be removed by hand (e.g., using chainsaws), and chippers shall be used wherever possible; this will cause a level of noise and vibration disturbance sufficient to cause bats to choose not to return to the tree for a few days after they emerge to forage.</p> <p>A qualified bat biologist experienced with two-step removal procedures shall instruct and provide initial supervision of tree cutting crews on day 1 so that they do not accidentally remove potential habitat features, which could result in direct mortality of bats.</p> <p>On the following day, the trees are removed. Any new tree cutting crew members added to the crew shall require instruction and initial supervision by a qualified bat biologist.</p> <p>b. If trees are removed outside of the time periods described under MM 4.4.1(a) above (or a time period otherwise approved/recommended by a qualified bat biologist), the following steps shall be taken prior to tree removal:</p> <p>A night emergence survey shall be conducted by a qualified bat biologist during acceptable weather conditions (taking into consideration rain, high winds, and night temperatures) to identify the presence of bats. Alternatively, if conditions allow, the bat biologist shall physically inspect roosts for the presence or absence of bats. The results of the survey shall be submitted to CDFW upon completion.</p> <p>If no active roosts are found no further action is required. If a roost is determined to be occupied, a suitable non-disturbance buffer, determined by the bat biologist in consultation with CDFW, shall be established until the young are capable of flight, as determined through additional monitoring by a qualified bat biologist.</p> <p>The survey shall be conducted no more than one week prior to the initiation of tree removal. If tree removal is delayed or suspended for more than one week after the survey, a subsequent survey shall be conducted.</p> <p>Responsibility: City Planning Division</p>	<p><i>Option B</i></p> <ul style="list-style-type: none"> • If required, ensure that the non-disturbance buffer is maintained. 	<p><i>Option B</i></p> <ul style="list-style-type: none"> • If required, field check as needed to ensure non-disturbance buffer is maintained. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>MM 4.4.2</p> <p>All construction-related activities, including staging, stockpiling of soils, and storage of construction equipment and materials, shall maintain a minimum 50-foot buffer from the upland edge of all wetlands and other waters of the U.S. and State that are outside the project footprint.</p> <p>The City, in consultation with the California Department of Fish and Wildlife, may approve a smaller buffer. Prior to commencement of any earth disturbance (e.g., clearing, grading, trenching, etc.), a qualified biologist, in consultation with the project engineer, shall delineate the buffer zones with temporary fencing. The buffer areas shall be periodically inspected by a qualified biologist throughout project construction to ensure the fencing is properly maintained.</p> <p>Responsibility: City Planning Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. Install temporary fencing under the supervision of a qualified biologist. <p>DC</p> <ul style="list-style-type: none"> Ensure fencing is properly maintained. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. One-time check of temporary fencing. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure fencing is properly maintained. 		
<p>MM 4.4.3</p> <p>The following measures shall be implemented to ensure adequate replacement of protected trees (any living tree, except gray pine, having at least one trunk of ten inches or more diameter at breast height):</p> <ol style="list-style-type: none"> Prior to issuance of a grading permit, a map exhibit depicting the species and size of protected trees proposed for removal shall be provided to the Development Services Director or his/her designee in order to determine tree replacement requirements. Once a determination is made regarding the number of protected trees to be removed, a Tree Replacement Plan shall be prepared by a certified arborist or landscape architect. In order to satisfy the intent of the City's Tree Conservation Ordinance, the Tree Replacement Plan shall prescribe one or a combination of the following measures: <ol style="list-style-type: none"> Three fifteen-gallon trees shall be planted on-site for each protected tree removed. This could include tree planting in on-site open space areas, street trees along Pine Grove Avenue, or additional trees planted on individual parcels. The size of a fifteen-gallon replacement tree may be increased to a 24-inch box and count as two replacement trees. 	<p>BC</p> <ul style="list-style-type: none"> Review and approve final tree removal map and Tree Replacement Plan. <p>DC</p> <ul style="list-style-type: none"> Verify implementation of the Tree Replacement Plan as specified in the Plan. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of tree removal map and Tree Replacement Plan. One-time confirmation of payment of in-lieu fees and/or recordation of deed restrictions (if necessary). <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure tree planting occurs in accordance with the Tree Replacement Plan. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>The Tree Replacement Plan shall identify the species, size, and location of all replacement trees. The replacement trees shall be native trees; and/or</p> <ol style="list-style-type: none"> 2. An alternative site(s) within the City limits shall be identified for additional tree planting that is required to satisfy the tree replacement ratio. Alternative sites may include, but are not limited to, local parks, schools, and public rights-of-way; and/or 3. An in-lieu fee shall be paid to the City to purchase trees that will be planted on public property, such as parks, schools, public rights-of-way, or at other public facilities. The in-lieu fee shall be based on the fair market value of the number of trees required as replacement trees that cannot be accommodated elsewhere; and/or 4. Deed restrictions shall be recorded to prohibit future development in an area of the property that contains protected trees in proportion to the number of trees proposed for removal, with credit given for implementation of one or more of the above measures. <p>Prior to issuance of a grading permit, the Tree Replacement Plan shall be submitted to the Development Services Director or his/her designee for approval. Implementation of the Tree Replacement Plan shall be verified by the City's Building Official in accordance with the Plan (e.g., prior to issuance of a Certificate of Occupancy for a dwelling unit).</p> <p>Responsibility: City Planning and Building Divisions</p>				
<p>MM 4.4.4</p> <p>Temporary construction fencing shall be installed and maintained at least six feet outside of the dripline of all oak trees to be preserved. The fencing around this "root protection zone" shall be maintained throughout construction.</p> <ol style="list-style-type: none"> a. No vehicle parking or materials stockpiling shall occur within the root protection zone. b. To the extent feasible, no construction activities (including grading, cutting, and trenching), shall occur within the root protection zone. If trenching or other work must occur within the root protection zone, the work shall be completed under the supervision of a certified arborist. <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> • Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> • Ensure exclusionary fencing is installed and maintained around the root protection zone. • Ensure any work occurring within the root protection zone is completed under the supervision of a certified arborist. 	<p>BC</p> <ul style="list-style-type: none"> • One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> • Field check as needed to ensure compliance with the mitigation measure. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>MM 4.4.5</p> <p>The potential for introduction and spread of noxious weeds shall be avoided/minimized by:</p> <ol style="list-style-type: none"> Using only certified weed-free erosion control materials, mulch, and seed. Limiting any import or export of fill material to material that is known to be weed free. Requiring the construction contractor to thoroughly wash all equipment at a commercial wash facility prior to entering the job site and upon leaving the job site. <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check to confirm compliance with mitigation measure. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance. 		
<p>MM 4.4.6</p> <p>To prevent the inadvertent entrapment of wildlife, the construction contractor shall ensure that at the end of each workday trenches and other excavations that are over one-foot deep have been backfilled or covered with plywood or other hard material. If backfilling or covering is not feasible, one or more wildlife escape ramps constructed of earth fill or wooden planks shall be installed in the open trench.</p> <p>Pipes shall be inspected for wildlife prior to capping, moving, or placing backfill over the pipes to ensure that animals have not been trapped. If animals have been trapped, they shall be allowed to leave the area unharmed.</p> <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check to ensure compliance with mitigation measure. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance. 		
<p>MM 4.4.7</p> <p>In order to avoid impacts to nesting migratory birds and/or raptors protected under the federal Migratory Bird Treaty Act and California Fish and Game Code §3503 and §3503.5, including their nests and eggs, one of the following shall be implemented:</p> <ol style="list-style-type: none"> Vegetation removal and other ground-disturbance activities associated with construction shall occur between September 1 and January 31 when birds are not nesting; or If vegetation removal or ground disturbance activities occur during the nesting season, a pre-construction nesting survey shall be conducted by a qualified biologist to identify active nests in and adjacent to the work area. The survey shall take into account acoustic impacts and line-of-sight disturbances 	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. If vegetation removal or construction occur between February 1 and August 31, check pre-construction survey report provided by biologist regarding the presence/ absence of active nests. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. One-time check of biologist's documentation and submittal to CDFW. If active nests are present, consultation with CDFW and USFWS as needed. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>occurring as a result of the project in order to determine a sufficient survey radius to avoid nesting birds. The results of the survey shall be submitted to the California Department of Fish and Wildlife upon completion. The survey shall be conducted no more than one week prior to the initiation of construction. If construction activities are delayed or suspended for more than one week after the pre-construction survey, the site shall be resurveyed.</p> <p>If active nests are found, the City of Shasta Lake shall consult with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service regarding appropriate action to comply with the Migratory Bird Treaty Act and California Fish and Game Code §3503. Compliance measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, seasonal work closures based on the known biology and life history of the species identified in the survey, as well as ongoing monitoring by biologists.</p> <p>Responsibility: City Planning Division</p>	<ul style="list-style-type: none"> Submit pre-construction survey report to CDFW. If active nests are present, consult with the CDFW and the U.S. Fish and Wildlife Service (USFWS). <p>DC</p> <ul style="list-style-type: none"> If active nests are present, inspect project area to verify that appropriate measures are implemented and maintained. 	<p>DC</p> <ul style="list-style-type: none"> If active nests are present, field check as needed to confirm that compliance measures are maintained. 		
Cultural Resources				
<p>MM 4.5.1</p> <p>In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, the City shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. The Treatment Plan shall be reviewed and approved by the City prior to resuming construction.</p> <p>Responsibility: City Planning Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> If any archaeological resources are encountered, confirm all construction activities stop within the affected area and a qualified archaeologist is contacted. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to confirm temporary construction stoppage within the buffer zone. The archaeologist shall specify the timing/ frequency of additional monitoring, as appropriate. 		
<p>MM 4.5.2</p> <p>Prior to commencement of any earth disturbance (e.g., clearing, grading, trenching, etc.), all construction personnel participating in the earth-disturbing activities and their supervisors shall receive training from a qualified archaeologist and/or Native American</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>representative regarding cultural and tribal cultural resources that may be present in the project site. Representatives from the Wintu Tribe of Northern California & Toyon-Wintu Center shall be given the opportunity to review the training materials and participate in the initial training.</p> <p>At a minimum, the training shall include a discussion of pertinent laws protecting cultural and tribal cultural resources, examples of resources that could be encountered in the project site, and procedures to be followed if resources are found.</p> <p>If new personnel are added to the project, the City shall ensure that they receive the mandatory training before starting work. The initial training session may be videotaped and presented to new personnel to satisfy the sensitivity training requirement.</p> <p>Responsibility: City Planning Division</p>	<ul style="list-style-type: none"> Confirm all applicable construction personnel complete training by a qualified archaeologist and/or Native American representative. <p>DC</p> <ul style="list-style-type: none"> Confirm new personnel complete worker awareness training. 	<ul style="list-style-type: none"> Check documentation of training to ensure compliance with the mitigation measure. <p>DC</p> <ul style="list-style-type: none"> Check documentation of training as needed. 		
<p>MM 4.5.3</p> <p>A minimum of one week in advance of any ground-disturbing activities (e.g., tree removal, clearing, grading, trenching, etc.), the Wintu Tribe of Northern California & Toyon-Wintu Center shall be notified and offered the opportunity for a Native American representative to voluntarily monitor ground-disturbing activities.</p> <p>Responsibility: City Planning Division</p>	<p>BC</p> <ul style="list-style-type: none"> Ensure notification of the Wintu Tribe in accordance with the mitigation measure. 	<p>BC</p> <ul style="list-style-type: none"> One-time notification of the Wintu Tribe. 		
<p>MM 4.5.4</p> <p>In the event that cultural resources or human remains of Native American descent are identified during earth disturbance, the Wintu Tribe of Northern California & Toyon Wintu Center shall be requested to provide a Native American monitor to observe subsequent earth-disturbing construction activities on potentially sensitive lands. Costs associated with such Native American monitoring shall be the responsibility of the Developer.</p> <p>Responsibility: City Planning Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> If any cultural resources or human remains of Native American descent are encountered, confirm notification of the Wintu Tribe in accordance with the mitigation measure. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance. 		
<p>MM 4.5.5</p> <p>In the event that human remains are encountered during construction activities, the City shall comply with §15064.5(e)(1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbance within 100 feet of the find shall be halted until the County coroner has been notified. If</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>the coroner determines that the remains are Native American, the coroner will notify the NAHC to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5(e) has been completed.</p> <p>Responsibility: City Planning Division</p>	<p>DC</p> <ul style="list-style-type: none"> If any human remains are encountered, confirm all construction activities stop within the affected area and contact the county coroner in accordance with the mitigation measure. If human remains are identified as Native American, complete the process detailed in §15064.5(e) of the CEQA Guidelines. 	<p>DC</p> <ul style="list-style-type: none"> Field check as needed to confirm temporary construction stoppage. Confirmation of compliance with mitigation measure as needed. 		
Geology and Soils				
Implementation of MM 4.9.1.				
<p>MM 4.7.1</p> <p>Prior to issuance of a grading permit, additional geotechnical testing shall be conducted as recommended in the January 17, 2020, CGI Technical Services, Inc., <i>Update to Geotechnical Report, Windsor Estates III, Shasta Lake, California</i>. Testing shall be conducted by a California registered geotechnical engineer, certified engineering geologist, or other qualified professional approved by the City Engineer or his/her designee.</p> <p>Responsibility: City Engineer</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm completion of additional geotechnical testing in accordance with mitigation measure. Confirm any recommendations are included in grading and improvement plans and/or permits. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of geotechnical testing results. One-time check of grading and improvement plans and/or permits. 		
<p>MM 4.7.2</p> <p>Prior to issuance of a grading permit, grading/improvement plans and other applicable plans shall be reviewed by a California registered geotechnical engineer, certified engineering geologist, or other qualified professional approved by the City Engineer or his/her designee to ensure that all recommendations included in the January 7, 2003, Brown & Mills, Inc., <i>Geotechnical Investigation Report, Proposed Residential Subdivision, Deer Creek Manor, Pine Grove Avenue, Shasta Lake, CA</i> are implemented. Applicable notes shall be placed on the attachment sheet to the improvement plans and in applicable project plans and specifications.</p> <p>Responsibility: City Engineer</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm review of grading/improvement plans and other applicable plans by a qualified professional in accordance with the mitigation measure. Confirm that applicable notes are included on the improvement plans and other applicable plans and specifications. 	<p>BC</p> <ul style="list-style-type: none"> One-time confirmation of applicable plan review by a qualified professional. One-time review of improvement plans and other applicable plans and specifications. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>MM 4.7.3</p> <p>Site earthwork activities shall be monitored by a qualified professional approved by the City Engineer or his/her designee as recommended in the January 7, 2003, Brown & Mills, Inc., <i>Geotechnical Investigation Report, Proposed Residential Subdivision, Deer Creek Manor, Pine Grove Avenue, Shasta Lake, CA.</i></p> <p>Responsibility: City Building Official</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Ensure monitoring is conducted in accordance with the mitigation measure. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance with the mitigation measure. 		
<p>MM 4.7.4</p> <p>If paleontological resources (fossils) are discovered during construction, all work within a 60-foot radius of the find shall be halted until a professional paleontologist can evaluate the significance of the find. If any find is determined to be significant by the paleontologist, the City shall meet with the paleontologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by a paleontologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. The Treatment Plan shall be reviewed and approved by the City prior to resuming construction.</p> <p>Responsibility: City Planning Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> If any paleontological resources are encountered, confirm construction activities stop within the affected area and a qualified paleontologist is contacted. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Consult with paleontologist as needed to determine appropriate course of action. One-time review of Treatment Plan, if required. Field check as needed to confirm implementation of Treatment Plan. 		
Hazards / Hazardous Materials				
<p>MM 4.9.1</p> <p>If blasting is required, prior to commencement of blasting activities, a Blasting Plan shall be prepared and submitted to the City's Building Official for review and approval to ensure that potential impacts with respect to noise, vibration, safety, and security are adequately addressed. All work shall be conducted under the direct supervision of a blaster holding a current license issued by Cal/OSHA.</p> <p>The Blasting Plan shall include, at a minimum, the following:</p> <p>a. Identification of licensed blaster(s) who will be conducting/supervising the work.</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. Review and approve Blasting Plan, if necessary. <p>DC</p> <ul style="list-style-type: none"> Ensure compliance with Blasting Plan. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. One-time review and approval of Blasting Plan. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance with the Blasting Plan. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>b. Plans, drawn to scale, showing blasting locations and distances from neighboring dwelling units and other structures.</p> <p>c. Identification of type and quantity of explosives, description of detonation devices, and description of the extent and duration of the blasting.</p> <p>d. Identification of Best Management Practices (e.g., matting or covering the blast area, etc.) that will be implemented to minimize noise and vibration from blasting and prevent structural damage and potential impacts to human health, safety, and the environment from the use of explosives.</p> <p>e. Procedures for pre-blast and post-blast structural inspections for structures within 300 feet of the blast site.</p> <p>f. Blasting notification procedures and a list of agencies/entities and potentially affected sensitive receptors to be notified. At a minimum, sensitive receptors within 300 feet of the blast site must be notified a minimum of 24 hours prior to blasting activities.</p> <p>Responsibility: City Building and Planning Divisions</p>				
<p>MM 4.9.2</p> <p>During construction, all areas in which work will be completed using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a fire break.</p> <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check to confirm compliance with the mitigation measure. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance with the mitigation measure. 		
Hydrology and Water Quality				
<p>MM 4.10.1</p> <p>Grading/improvement plans and specifications shall be prepared and signed by a civil engineer or other licensed professional as authorized by the California Business and Professions Code and shall incorporate best management practices (BMPs) to ensure compliance with the <i>NPDES General Permit for Waste Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)</i> and Chapter 13.36 (Storm Water Quality Management) of the Shasta Lake Municipal Code.</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm review of grading/improvement plans by a civil engineer or other qualified professional to ensure compliance with the Phase II MS4 permit and City storm water quality regulations. Review and approve Operations and Maintenance Plan for the 	<p>BC</p> <ul style="list-style-type: none"> One-time confirmation of plan/specification review by a civil engineer or other qualified professional. One-time review and approval of Operations and Maintenance Plan. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>Temporary and permanent BMPs shall be designed and constructed in accordance with the California Stormwater Quality Association (CASQA) BMP Handbook or equivalent handbook approved by the City. Plans shall be accompanied by an Operations and Maintenance Plan for the ongoing maintenance of post-construction measures in accordance with the Phase II MS4 permit.</p> <p>Prior to issuance of a grading permit or building permit, the plans and specifications shall be reviewed to ensure compliance with the applicable storm water regulations. In accordance with the Phase II MS4 permit, plan reviewers must be certified as a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD), pursuant to a State Water Board-sponsored program.</p> <p>Prior to issuance of a Certificate of Occupancy, BMPs shall be inspected by a QSD or a certified Qualified SWPPP Practitioner (QSP) as required by the Phase II MS4 permit to ensure that post-construction measures have been implemented.</p> <p>Responsibility: City Engineer and City Building Division</p>	<p>ongoing maintenance of post-construction measures in accordance with the Phase II MS4 permit.</p> <p>DC</p> <ul style="list-style-type: none"> Ensure inspections are completed by a QSD or QSP in accordance with the mitigation measure. <p>AC</p> <ul style="list-style-type: none"> Ensure that post-construction BMPs are properly maintained in accordance with the Operations and Maintenance Plan. 	<p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure implementation of construction and post-construction BMPs. <p>AC</p> <ul style="list-style-type: none"> Field check as needed to ensure that post-construction BMPs are properly maintained. 		
<p>MM 4.10.2</p> <p>The final drainage plan shall address the subdivision as a whole and shall address phasing of the subdivision to ensure that adequate detention is provided for each phase of development. The drainage plan shall be prepared by a licensed professional engineer and shall include the following:</p> <ol style="list-style-type: none"> Pre- and post-construction volume calculations for the 10-, 25- and 100-year design storm events for each drainage basin; runoff detention requirements shall be met for the three basins flowing to Churn Creek and the one basin flowing to Salt Creek. Verification that the existing detention basin in Phase 2, Unit 5, of the Windsor Estates subdivision has adequate capacity to accommodate flows from the proposed project. Detailed improvement plans for the drainage system, including detention basins, inlets, outlets, storm drain pipes, etc., in accordance with the City's construction standards. Additional information deemed necessary by the City Engineer to ensure that the project does not increase pre-development peak flows for the 10-, 25-, and 100-year design storm events. <p>Responsibility: City Engineer and City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Review and approve final drainage plan. Confirm that required drainage improvements are included in the improvement plans and other applicable plans. <p>DC</p> <ul style="list-style-type: none"> Ensure completion of drainage improvements. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of final drainage and improvement plans and other applicable plans. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure completion of drainage improvements. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
Noise				
Implementation of Mitigation Measure MM 4.3.1 and MM 4.9.1				
<p>MM 4.13.1</p> <p>Construction activities shall be limited to between the daytime hours of 7:00 A.M. and 7:00 P.M., Monday through Friday; and 8:00 AM to 5:00 PM on Saturdays. Construction activities shall be prohibited on Sundays and federal/state recognized holidays.</p> <p>Exceptions to these limitations may be approved by the City Engineer or City Building Official, or their designees, for activities that require interruption of utility services to allow work during low demand periods, or to alleviate traffic congestion and safety hazards.</p> <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Ensure compliance with time limitations for construction activities 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance. 		
<p>MM 4.13.2</p> <p>Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</p> <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check to ensure compliance. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance. 		
<p>MM 4.13.3</p> <p>Fixed construction equipment (e.g., compressors and generators) shall be located at the farthest practical distance from nearby residences.</p> <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm mitigation measure is included in grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check to ensure compliance. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of grading and improvement plans and/or permits. <p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure compliance. 		
<p>MM 4.13.4</p> <p>Prior to issuance of a grading permit for Phase 1 or Phase 2 of the subdivision, a qualified acoustical consultant shall review the final traffic study and grading plans to identify locations where a sound wall would be required to ensure compliance with the City's exterior noise level standards. Final improvement plans for the project shall</p>	<p>BC</p> <ul style="list-style-type: none"> Review and approve acoustical study. Confirm recommendations in the acoustical study are incorporated 	<p>BC</p> <ul style="list-style-type: none"> One-time review and approval of acoustical study. One-time review of improvement plans. 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
<p>identify the location and height of proposed sound walls. The City's Building Official shall verify that the proposed sound walls are installed in accordance with the final improvement plans.</p> <p>Responsibility: City Building Division</p>	<p>into grading and improvement plans and/or permits.</p> <p>DC</p> <ul style="list-style-type: none"> Ensure construction of the sound wall in accordance with approved plans. 	<p>DC</p> <ul style="list-style-type: none"> Field check as needed to ensure construction of the sound wall. 		
<p>MM 4.13.5</p> <p>Prior to issuance of a building permit for any two-story structure adjacent to Pine Grove Avenue, a qualified acoustical consultant shall review the construction plans and identify whether any measures over and above California Building Code and Energy Code requirements are needed to ensure compliance with the City's interior noise standards.</p> <p>Responsibility: City Building Division</p>	<p>BC</p> <ul style="list-style-type: none"> Ensure review by a qualified acoustical consultant of construction plans for two-story structures adjacent to Pine Grove Avenue. Ensure any recommended noise attenuation measures are incorporated into applicable building construction plans. <p>DC</p> <ul style="list-style-type: none"> Ensure implementation of noise attenuation measures. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of applicable construction plans by an acoustical consultant. One-time check of final construction plans to ensure implementation of recommended noise attenuation measures. <p>DC</p> <ul style="list-style-type: none"> Complete inspections as needed to ensure implementation of noise attenuation measures. 		
<p>Transportation</p>				
<p>MM 4.17.1</p> <p>The following measures shall be implemented to minimize the potential for traffic hazards associated with sight distance:</p> <p>a. The final improvement plans shall reflect restriping Pine Grove Avenue to include a westbound acceleration lane as recommended in the final W-Trans Traffic Impact Study for the Windsor Estates 3 project.</p> <p>b. All plant material and signage within a 30-foot triangle at the intersection of Chaucer Way and Pine Grove Avenue shall be no more than two feet in height above the curb level. Trees that are trimmed so that no branches extend lower than six feet above curb level are allowed.</p> <p>Responsibility: City Engineer and City Planning Division</p>	<p>BC</p> <ul style="list-style-type: none"> Confirm improvement plans include addition of acceleration lane. <p>DC</p> <ul style="list-style-type: none"> Confirm acceleration lane is installed in accordance with improvement plans. <p>AC</p> <ul style="list-style-type: none"> Ensure landscaping at Chaucer Way and Pine Grove Avenue does not impede sight distance. 	<p>BC</p> <ul style="list-style-type: none"> One-time check of improvement plans. <p>DC</p> <ul style="list-style-type: none"> One-time field check to ensure installation of acceleration lane. <p>AC</p> <ul style="list-style-type: none"> Field check landscaping as needed to ensure compliance with MM 4.17.1(b). 		

Mitigation Measure	Monitoring Action	Monitoring Timing/Frequency	Completion	
			Date	Initials
Tribal Cultural Resources				
Implementation of Mitigation Measures MM 4.5.2 - MM 4.5.4.				
Wildfire				
Implementation of Mitigation Measure MM 4.9.1. and MM 4.9.2				

BC = Before Construction

DC = During Construction

AC = After Construction



637-01

November 16, 2020

Peter Bird, Associate Planner
City of Shasta Lake
4477 Main Street
Shasta Lake, CA 96019

**SUBJECT: Responses to Comments and Mitigation Monitoring and Reporting Program:
Windsor Estates 3 Subdivision**

Dear Peter:

In accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code §21000 *et seq.*) and CEQA Guidelines (California Code of Regulations §15000 *et seq.*), an Initial Study/Mitigated Negative Declaration (IS/MND) for the Windsor Estates 3 Subdivision project was prepared and made available to the general public and interested agencies for a 30-day public review period that ended on November 9, 2020.

Pursuant to CEQA §21091(d)(1), the lead agency must consider comments it receives on a draft environmental impact report (DEIR), proposed negative declaration (ND), or proposed MND if those comments are received within the public review period. In accordance with §15088 of the CEQA Guidelines, the lead agency shall respond to comments that raise significant environmental issues.

The written response must be detailed, especially when specific comments or suggestions (e.g., revisions to the project to mitigate anticipated impacts) are not accepted by the lead agency. The level of detail contained in the response, however, may correspond to the level of detail provided in the comment (i.e., responses to general comments may be general). A general response may be appropriate when a comment does not contain or specifically refer to readily available information, or does not explain the relevance of evidence submitted with the comment (§15088 of the CEQA Guidelines).

Comments on the IS/MND were submitted by the following during the public review period:

Letter	Name	Agency/Entity
1	Gavin McCreary, Project Manager	Department of Toxic Substances Control
2	Curt Babcock, Habitat Conservation Program Manager	California Department of Fish and Wildlife

Each letter is included in its entirety in the attached Responses to Comments followed by the responses to the letters. As documented in the Responses to Comments, no substantial evidence was presented to support a fair argument that the proposed project would cause a significant impact on the environment, either directly or indirectly. Further, no revisions to the IS/MND or additional or revised mitigation measures are warranted. Also attached is the final Mitigation Monitoring and Reporting Program (MMRP) for adoption by the City Council.

Peter Bird
November 16, 2020
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Please feel free to contact me at **530.221.0440, ext. 7112**, or cthompson@enplan.com if you have any questions or require additional information.

Sincerely,



Carla L. Thompson, AICP
Senior Environmental Planner

Enclosures:

- Public Comment Letters and Responses
- Mitigation Monitoring and Reporting Program

RESPONSES TO COMMENTS

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

CITY OF SHASTA LAKE

WINDSOR ESTATES 3 SUBDIVISION GENERAL PLAN AMENDMENT, REZONE, AND TENTATIVE MAP

LEAD AGENCY:



City of Shasta Lake
P.O. Box 777
Shasta Lake, CA
530.275.7400

PREPARED BY:



3179 Bechelli Lane, Suite 100
Redding, CA 96002
530.221.0440

November 2020



Department of Toxic Substances Control



Jared Blumenfeld
Secretary for
Environmental Protection

Meredith Williams, Ph.D.
Director
8800 Cal Center Drive
Sacramento, California 95826-3200

Gavin Newsom
Governor

October 12, 2020

Mr. Peter Bird
City of Shasta Lake
4477 Main Street
Shasta Lake, CA 96019
PBird@cityofshastalake.org

MITIGATED NEGATIVE DECLARATION FOR WINDSOR ESTATES 3 – DATED
SEPTEMBER 2020 (STATE CLEARINGHOUSE NUMBER: 2020100176)

Mr. Bird:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for Windsor Estates 3 (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, work in close proximity to a roadway, work in close proximity to mining or suspected mining or former mining activities, presence of site buildings that may require demolition or modifications, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

1-1

DTSC recommends that the following issues be evaluated in the MND. Hazards and Hazardous Materials section:

1. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. Refiners in the United States started adding lead compounds to gasoline in the 1920s in order to boost octane levels and improve engine performance. This practice did not officially end until 1992 when lead was banned as a fuel additive in California. Tailpipe emissions from automobiles using leaded gasoline contained lead and resulted in aerially deposited lead (ADL) being deposited in and along roadways throughout the state. ADL-contaminated soils still exist

1-2

1-3

along roadsides and medians and can also be found underneath some existing road surfaces due to past construction activities. Due to the potential for ADL-contaminated soil DTSC, recommends collecting soil samples for lead analysis prior to performing any intrusive activities for the project described in the MND.

**1-3
Cont.**

3. If any sites within the project area or sites located within the vicinity of the project have been used or are suspected of having been used for mining activities, proper investigation for mine waste should be discussed in the MND. DTSC recommends that any project sites with current and/or former mining operations onsite or in the project site area should be evaluated for mine waste according to DTSC's 1998 Abandoned Mine Land Mines Preliminary Assessment Handbook (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/11/aml_handbook.pdf).

1-4

4. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead Contamination_050118.pdf).

1-5

5. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 *Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).

1-6

6. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

1-7

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP_App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

Mr. Peter Bird
October 12, 2020
Page 3

If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gavin McCreary". The signature is fluid and cursive, with the first name "Gavin" being more prominent than the last name "McCreary".

Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.Clearinghouse@opr.ca.gov

Mr. Dave Kereazis
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

LETTER 1

RESPONSES

Comment 1-1: The Commenter provides an overview of topics addressed in the comment letter.

Response 1-1: Comment noted.

Comment 1-2: The Commenter states that the IS/MND should acknowledge historic or future activities on or near the site that could result in the release of hazardous wastes/ substances on the project site. If such releases have or may occur, studies should be completed to identify the nature/ extent of the contamination and potential effects. The Commenter states that the IS/MND should identify the mechanism for initiating any required investigation and the agency that would be responsible for regulatory oversight.

Response 1-2: As stated in Section 4.9 of the IS/MND (Hazards and Hazardous Materials) under Question D (page 85), the following databases were reviewed to identify hazardous waste/substances clean-up sites in proximity to the proposed project.

- Department of Toxic Substances Control (DTSC) EnviroStor database.
- State Water Resources Control Board (SWRCB) GeoTracker Database.
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit.
- Cease and Desist Orders and Clean-Up and Abatement Orders from the SWRCB.

As documented in the IS/MND, DTSC records identify the nearest clean-up site as Valley Plating on El Cajon Avenue, approximately 0.75 miles northwest of the project site. SWRCB records identify the nearest clean-up site as Flying J on Shasta Dam Boulevard, approximately 1.2 miles northeast of the project site. Due to these distances, there is no potential that these clean-up sites would have resulted in contamination of the project site. Further, with the exception of overhead powerlines, dirt roads, and drainage improvements, there is no record or evidence of past improvements or activities in the area that could have resulted in the release of hazardous wastes/substances on the project site.

As stated on page 84 of the IS/MND under Questions A and B, hazardous substances stored and used at the residences would be limited to cleaning supplies, gasoline for landscaping equipment, fertilizers, pesticides, etc. There is nothing unique about the proposed project that would result in an increased risk of release of hazardous substances compared to other single-family residential subdivisions. Therefore, no additional analysis or revisions to the IS/MND are necessary.

Comment 1-3: The Commenter states that historical use of leaded gasoline in automobiles resulted in aerially deposited lead (ADL) in and along roadways throughout the State. Due to the potential for ADL-contaminated soil, DTSC recommends that soils on the project site be tested for ADLs prior to completing intrusive activities on the site.

Response 1-3: In the early 1970s, the U.S. Environmental Protection Agency established national regulations to gradually reduce the lead content in gasoline. In addition, in 1976, the California Air Resources Board (CARB) adopted regulations that led to a phase-out of lead in gasoline¹. As of January 1, 1992, California banned the use of leaded gasoline in motor vehicles (California Code of Regulations §2253.4 *et seq.*).

The section of Pine Grove Avenue between Cascade Boulevard and Ashby Road, including the section that fronts the project site, was constructed in the late 1990s and was opened as a public road in 1999. Therefore, there is no likelihood of ADL in the

¹ California Air Resources Board. 2020. Lead and Health (Website). <https://ww2.arb.ca.gov/resources/lead-and-health>.

project area as a result of leaded gasoline. No further analysis or revisions to the IS/MND are warranted.

Comment 1-4: The Commenter states that if any sites in the project area have been used or are suspected of having been used for mining activities, investigations for mine waste should be addressed in the IS/MND.

Response 1-4: As documented in Section 4.5 (Cultural Resources) of the IS/MND, the project area has been extensively surveyed over the years to identify potential historic resources. Because evidence of past mining activities could be considered a historic resource, such evidence would be noted in cultural resources surveys, including those identified on pages 57 and 58 of the IS/MND.

The Cultural Resources Inventory Report prepared by ENPLAN in 2019 for the City's Force Main Improvement project (confidential document on file at the Northeast Information Center, CSU, Chico), documents the results of prior surveys conducted within a half-mile radius of the project site. In 2007, a mining tailings pile and a prospecting pit were identified ± 0.25 miles from the project site.

As documented in the IS/MND (page 58), an ENPLAN archaeologist conducted a field survey of the project site on December 30, 2019. Although contemporary garbage and check dams were present on the site, no evidence of past mining activity in proximity to the project site was identified. Therefore, no further analysis or revisions to the IS/MND are warranted.

Comment 1-5: The Commenter states that if buildings or other structures are to be demolished, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk.

Response 1-5: There are no buildings or structures on the project site that would be demolished. Therefore, no additional response or revisions to the IS/MND are necessary.

Comment 1-6: The Commenter states that any imported soil should undergo sampling to ensure that the soil is free of contamination.

Response 1-6: As documented in Section 4.7 of the IS/MND (Geology and Soils) and required by MM 4.7.2, the project must comply with the recommendations included in the Geotechnical Investigation Report (Appendix D of the IS/MND). The Geotechnical Report requires that all imported soil and/or soil-aggregate mixtures used for engineered fill *"be sampled, tested and approved by the project Geotechnical Engineer prior to being transported to the site"* (page 14 of the Geotechnical Report).

As required by MM 4.7.2, this requirement must be noted on the improvement plans and in applicable project plans and specifications, and applicable plans and specifications must be reviewed by a California registered geotechnical engineer, certified engineering geologist, or other qualified professional approved by the City Engineer to ensure that all recommendations in the Geotechnical Report are implemented. Therefore, no further analysis or revisions to the IS/MND are necessary.

Comment 1-7: The Commenter states that if the project area has been used for agricultural, weed abatement, or related activities, investigation for organochlorinated pesticides should be addressed in the MND.

Response 1-7: A review of available historic aerial imagery does not show any evidence that the project area has been used for agricultural or other activities over the past 27 years. No evidence has been presented to indicate that organochlorinated pesticides have been used in the project area. No further analysis or revisions to the IS/MND are warranted.



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Northern Region
 601 Locust Street
 Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



LETTER 2

November 6, 2020

Peter Bird, Associate Planner
 City of Shasta Lake
 P.O. Box 777
 Shasta Lake, CA 96019

Subject: Review of the Mitigated Negative Declaration for Windsor Estates 3 Subdivision, General Plan Amendment, Rezone, and Tentative Map, State Clearinghouse Number 2020100176, City of Shasta Lake, Shasta County

Dear Peter Bird:

The California Department of Fish and Wildlife (Department) has reviewed the Mitigated Negative Declaration (MND) dated September 2020, for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act, California Public Resources Code section 21000 et seq. The Department commented formally on this Project January 3, 2020, during the early consultation period. The Department appreciates the incorporation of our comments into the MND.

2-1

Project Description

The Project as proposed includes "a Tentative Subdivision Map that would subdivide ±35 net acres into 80 lots. The project also includes a General Plan Amendment for a portion of the property from Light Industrial (IL) to Suburban Residential (SR) and a rezone from Unclassified (U) and Single-Family Residential-12,000 square-foot minimum lot size (R-1-B-12) to Planned Development. Main access to the subdivision would be from Pine Grove Avenue. Chaucer Way in the northern end of Phase 2 of the Windsor Estates Subdivision would be extended to Pine Grove Avenue." The Project is located within the City of Shasta Lake on the south side of Pine Grove Avenue, west of Cascade Boulevard and east of Ashby Road.

Comments and Recommendations

The Department has the following recommendations and comments as they pertain to biological resources:

Redding checkerbloom (*Sidalcea celata*)

During the early consultation period of this Project, the Department, ENPLAN, and the City of Shasta Lake exchanged emails regarding the rare plant rank of this species in response to the incorrect use of the Native Plant Protection Act (NPPA) by Gallaway Enterprises in the

2-2

Peter Bird, Associate Planner

November 6, 2020

Page 2

Biological Resource Assessment (BRA) dated May 2018. In the BRA, Gallaway recommended one of the mitigation measures be to notify the Department 10 days prior to affecting Redding checkerbloom to allow us to salvage the species. The 10-day notification process is taken from the NPPA and only applies to the 64 state-listed rare plants, which does not include Redding checkerbloom. The only protections afforded to this species comes from the CEQA process i.e. avoid, minimize, or mitigate impacts.

Redding checkerbloom is listed as a Rare Plant Rank 3 by the California Native Plant Society (CNPS), which as stated in the MND means CNPS lacks the necessary information to assign these plants to one of the other ranks or reject them. Most Rank 3 species do have taxonomic issues, but not all. In their 2012 status review of Redding checkerbloom, CNPS ranked the species as a 3 not because of taxonomic issues but instead because of the uncertainty about its distribution¹.

Many Rank 3 plants meet the definitions of CESA and are eligible for state listing. As stated in the MND, ENPLAN did consult with the Department and we did not have any additional information to add to what was already publicly available. Currently, there are 17 occurrences of this species listed in the Consortium of California Herbaria (ucjeps.berkeley.edu/consortium). The CNDDDB QuickView finder lists the species on 15 quadrangles. If Redding checkerbloom was abundant and widespread, the Department would expect to see observations in citizen science apps such as iNaturalist, and we have not.

The conservation of special status native plants and their habitats, as well as sensitive natural communities, is integral to maintaining biological diversity. The Department recommends the Lead Agency consider Redding checkerbloom a rare species based on the low number of occurrences and mitigate accordingly through avoidance, minimization, or mitigation of the impacts. Mitigation measures could include the following:

1. Redesigning the portion of the Project impacting Redding checkerbloom.
2. Project Applicant would collect seeds from at least 50 plants along maternal lines (one paper or cloth bag per plant) and arrange for them to be accepted for germination testing and long term conservation storage at a reputable conservation seed bank such as California Botanic Garden (formerly Rancho Santa Ana Botanic Garden) or Santa Barbara Botanic Garden.
3. Project Applicant would purchase and place a conservation easement over a parcel of land that has this species present onsite. Prior to purchase, the Project Applicant should coordinate with the Department.

Oak Woodland Habitat

On page 55 of the MND, it states, "CDFW does not consider this oak woodland a sensitive natural community..." The blue oak/gray pine woodland is not specifically listed as sensitive, but the Department does consider oak woodland to be an extremely vital ecosystem. In Shasta County, oak woodlands continue to be removed without any effective mitigation measures, resulting in a continuous regional loss of oak woodlands. Oak woodlands are important to a wide range of wildlife species and have higher levels of biodiversity than virtually any other terrestrial ecosystem in California. Oak woodlands provide

¹ California Native Plant Society. May 29, 2012. Rare Plant Status Review: *Sidalcea celata* Proposed New Add to Rank 3, G2G3/S2S3.

2-2
Cont.

2-3

Peter Bird, Associate Planner

November 6, 2020

Page 3

habitat for nearly half of the 632 terrestrial vertebrates species found in the state. Acorns are a key resource for deer, squirrels, turkeys, jays, quail, and bear. Standing dead trees provide an important habitat resource for raptors, bats, salamanders, and lizards. Coarse woody tree material lying on the ground, particularly large logs, is a very important wildlife habitat element because they retain moisture in a seasonally dry ecosystem.

Mitigation Measure 4.4.3 potentially replaces individual trees but it does not replace the ecological functions and values of the oak woodland proposed for removal. Under that mitigation measures the Project Applicant has the choice to do one or more of the following: (1) plant three fifteen gallon trees for each protected tree removed or (2) plant larger replacement trees to count as two replacement trees; (3) plant replacement trees at an off-site location; and/or (4) pay an in-lieu fee to the City to purchase trees that would be planted on public property. None of these recreate the oak woodland habitat removed by the Project. Oak woodlands are a community that includes the trees, as well as any understory plants, duff, and dead logs that provide ecosystem function and habitat for wildlife. The Department appreciates the oaks are being mitigated; however, we recommend and strongly encourage retaining and working around the existing mature, healthy oaks and the habitat features they provide; conserving existing oak woodland habitat at an appropriate ratio; or reestablishing oak woodland habitat in areas where it has been lost. Under any mitigation scenario that proposes to plant oaks, the Department recommends that replacement oaks come from nursery stock grown from locally sourced acorns, or from acorns gathered locally, preferably from the same watershed in which they were planted.

If you have any questions, please contact Amy Henderson, Senior Environmental Scientist (Specialist), at (530) 598-7194, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,

DocuSigned by:



5910E5B980854CF...

Curt Babcock

Habitat Conservation Program Manager

ec: Peter Bird, Associate Planner
City of Shasta Lake
pbird@cityofshastalake.org

State Clearinghouse
State.clearinghouse@opr.ca.gov

Amy Henderson
California Department of Fish and Wildlife
Amy.Henderson@wildlife.ca.gov

Habitat Conservation Planning Branch
CEQACommentLetters@wildlife.ca.gov

CHRON

2-3
Cont.

LETTER 2 RESPONSES

Comment 2-1: The Commenter states that CDFW is a Trustee Agency and has jurisdiction over the conservation, protection, and management of the State's fish, wildlife, native plants, and their habitat. CDFW is also a Responsible Agency and administers the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the State's fish and wildlife resources. The Commenter confirms his understanding of the proposed project.

Response 2-1: Comment noted.

Comment 2-2: The Commenter acknowledges that early consultation on the project included emails between CDFW, the City of Shasta Lake, and ENPLAN regarding Redding checkerbloom. The Commenter states that Redding checkerbloom is listed as a Rare Plant Rank 3 by the California Native Plant Society (CNPS). CNPS lacks the necessary information to assign Rank 3 plants to one of the other ranks or reject them; Redding checkerbloom is identified as a Rank 3 not because of taxonomic issues but because of the uncertainty about its distribution.

CDFW recommends that the City consider Redding checkerbloom a rare species based on the low number of reported occurrences and mitigate through avoidance, minimization, or mitigation of impacts.

Response 2-2: As stated in the IS/MND, page 47, on June 5, 2020, a Senior Environmental Scientist with CDFW provided written comments in an email stating that CDFW does not have any additional data to confirm that Redding checkerbloom is endangered, rare, or threatened pursuant to CEQA Guidelines §15380. Because no evidence was provided to confirm that the plant is considered endangered, rare, or threatened as defined by CEQA, no mitigation measures were included. As requested by CDFW during project consultation, a California Native Species Field Survey form was completed by an ENPLAN biologist and submitted to CDFW on June 16, 2020, for posting in the CNDDDB. No revisions to the IS/MND or additional mitigation measures are warranted.

Comment 2-3: The Commenter acknowledges that while CDFW does not specifically list blue oak/gray pine woodland as sensitive, the Department does consider oak woodland to be an extremely vital ecosystem that provides habitat for nearly half of the 632 terrestrial vertebrate species found in the state. Standing dead trees and coarse woody tree material lying on the ground, particularly large logs, are important wildlife habitat elements.

The Commenter states that MM 4.4.3 potentially replaces individual trees, but none of the potential options identified in MM 4.4.3 replace the ecological functions and values of the oak woodland that would be removed.

The Commenter recommends retaining and working around the existing mature, healthy oaks; conserving existing oak woodland habitat at an appropriate ratio; or reestablishing oak woodland habitat in areas where it has been lost.

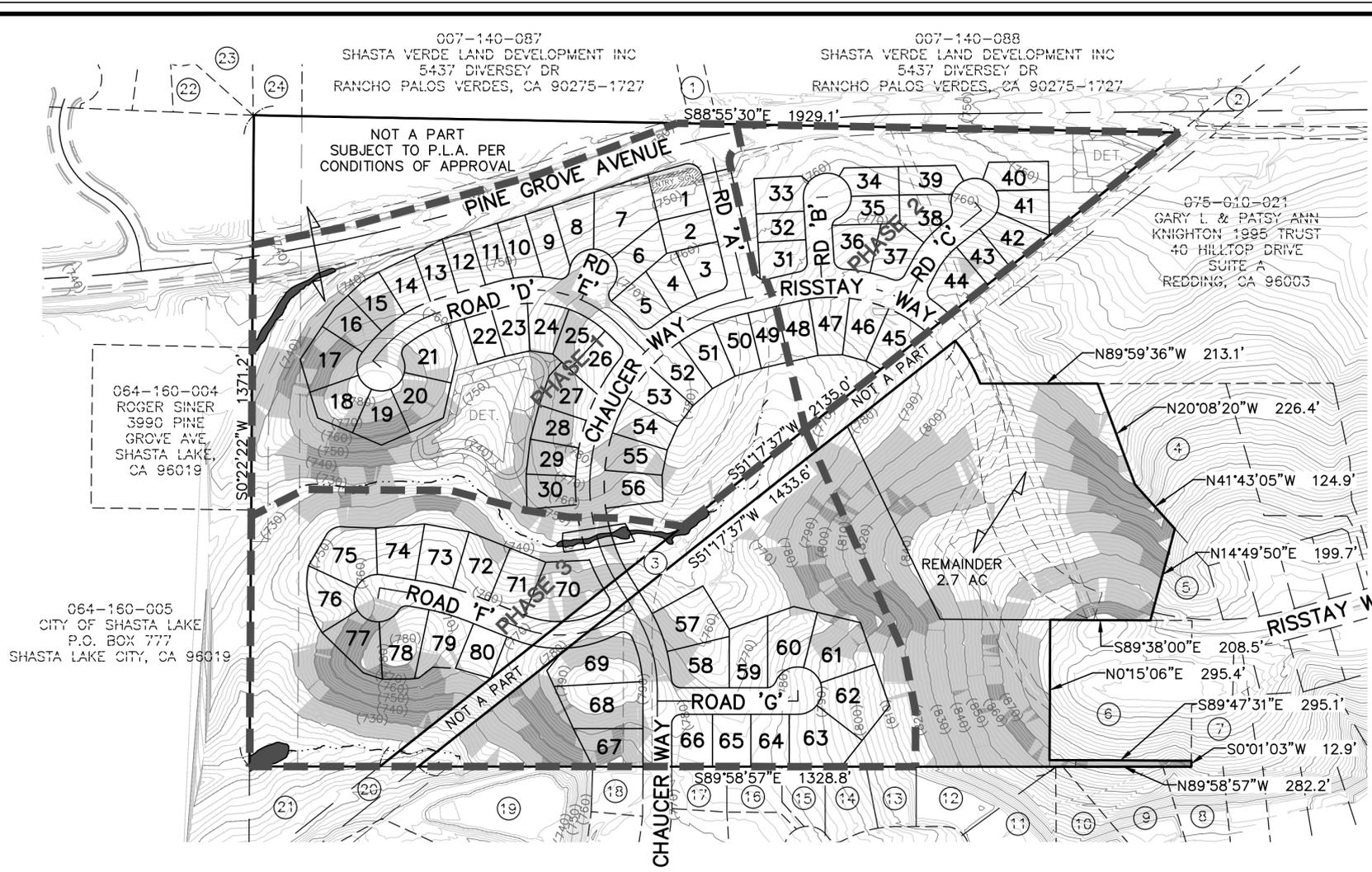
Response 2-3: As stated on page 50 of the IS/MND, the Tree Inventory completed by Sharrah Dunlap Sawyer (Appendix C of the IS/MND) identified 164 protected trees (as defined in Chapter 12.36, Tree Conservation, of the Shasta Lake Municipal Code) in the survey area, which includes the development site and steep areas adjacent to the development site. As indicated in the Tree Inventory, 57 protected trees would be retained, which represents almost 35 percent of protected trees in the survey area. As shown in Figure 3.1-1 on page 19 of the IS/MND (Tentative Map Cover Sheet), many of these trees are located in a 9.3-acre area that will remain undeveloped and continue to provide wildlife habitat.

MM 4.4.3 provides options for mitigation, including planting three 15-gallon trees for each protected tree removed; identifying an alternative site within the City for tree planting; paying an in-lieu fee to the City to purchase trees; and/or recording deed restrictions to prohibit future development in an area of the property that contains protected trees.

The Tree Replacement Plan must be approved by the City prior to issuance of a grading permit, and implementation of the Plan would be verified by the City's Building Official in accordance with the Plan.

Therefore, because the applicant is retaining approximately 35 percent of the protected trees on the property, including trees in a 9.3-acre area that will remain undeveloped and continue to provide wildlife habitat, and MM 4.4.3 provides for mitigation options to offset the loss of protected trees, no revisions to the IS/MND or additional mitigation measures are warranted.

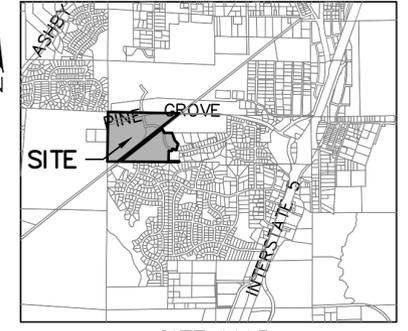
Exhibit C: Tentative Map



LEGEND:

- AREA OF 0-20% SLOPE (36.5 AC)
- AREA OF 20%-30% SLOPE (12.0 AC)
- AREA OF 30% AND GREATER SLOPE (3.5 AC)
- PHASE LINE
- WATERS OF THE U.S. PER DELINEATION FROM GALLAWAY ENTERPRISES DATED OCTOBER 2017

NOTES: EXISTING EASEMENT SHOWN IN DETAIL ON SHEET 7



SITE MAP
SCALE: NTS

CLIENT:
CORNERSTONE DEVELOPMENT GROUP INC.
P.O. BOX 71101
SHASTA LAKE, CA 96079
530-275-9227

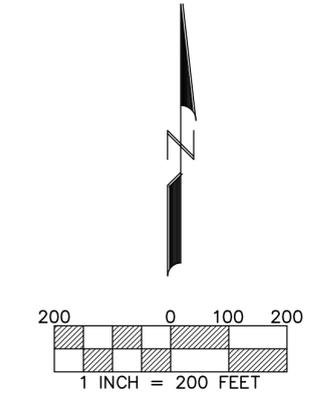
OWNER:
CORNERSTONE DEVELOPMENT GROUP INC.
P.O. BOX 71101
SHASTA LAKE, CA 96079
530-275-9227

ENGINEER:
GREG DUNBAR, P.E., LIC. # 56522
SHARRAH DUNLAP SAWYER, INC.
6590 LOCKHEED DRIVE
REDDING, CA 96002
530-221-1792

SITE DATA
A.P.# 075-010-014, 075-010-029, 075-010-030
EXISTING GENERAL PLAN: SR, IL
PROPOSED GENERAL PLAN: SR
EXISTING ZONING: R-1-B-12, UNCLASSIFIED
PROPOSED ZONING: R-1-PD
EXISTING USE: VACANT
PROPOSED USE: 80 LOT RESIDENTIAL SUBDIVISION
GROSS SITE AREA: 52.0 AC
AREA IN PINE GROVE R.O.W.: 2.6 AC
AREA IN REMAINDER: 6.2 AC
AREA IN POWER LINE EASEMENT: 2.4 AC
AREA IN STEEP SLOPE (OUTSIDE OF LOTS AND R.O.W.): 6.3 AC
NET AREA: 35.0 AC
TOTAL PROJECT UNITS: 80
GROSS DENSITY: 1.5 D.U./AC
NET DENSITY: 2.3 D.U./AC
ELECTRICITY: CITY OF SHASTA LAKE
WATER: CITY OF SHASTA LAKE
SEWER: CITY OF SHASTA LAKE
TELEPHONE: AT&T

ADJACENT PARCEL OWNERS

- | | | | |
|---|--|---|--|
| ① 007-140-089
CITY OF SHASTA LAKE
P.O. BOX 777
SHASTA LAKE CITY, CA 96019 | ⑦ 075-610-026
MARK A GUNLOGSON JR.
P.O. BOX 493276
REDDING, CA 96049 | ⑬ 075-580-021
AMANDA & KARL CARRICK
4173 DOYLE CT
SHASTA LAKE, CA 96019 | ⑰ 075-600-029
CITY OF SHASTA LAKE
P.O. BOX 777
SHASTA LAKE CITY, CA 96019 |
| ② 007-140-079
PG&E
3600 MEADOW VIEW DR
REDDING, CA 96002 | ⑧ 075-500-023
JAD ASSOCIATES
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ALBERT & DIANA WILLOUGHBY
REV TRUST
4159 DOYLE CT
SHASTA LAKE, CA 96019 | ⑳ 075-600-033
PG&E
3600 MEADOW VIEW DR
REDDING, CA 96002 |
| ③ 075-010-003
PG&E
3600 MEADOW VIEW DR
REDDING, CA 96002 | ⑨ 075-500-022
MICHAEL J & CRYSTAL NADEKER
4335 KENSINGTON DR
SHASTA LAKE, CA 96019-2268 | ⑮ 075-580-019
BILLY RAY HEATHCOCK
4145 DOYLE CT
SHASTA LAKE, CA 96019 | ㉑ 075-600-032
CITY OF SHASTA LAKE
P.O. BOX 777
SHASTA LAKE CITY, CA 96019 |
| ④ 075-610-001
HEATHER L & LARRY J SCOTT
4351 RISSTAY WAY
SHASTA LAKE, CA 96019 | ⑩ 075-500-021
THOMAS KONO
4327 KENSINGTON DR
SHASTA LAKE, CA 96019 | ⑯ 075-580-018
SUSAN C EDWARDS FAM TRUST 1998
4137 DOYLE CT
SHASTA LAKE, CA 96019 | ㉒ 006-910-031
WILLIAM RUSS ETAL
1941 JUAREZ LANE
REDDING, CA 96003 |
| ⑤ 075-610-011
GONZALEZ FAMILY REV
TRUST 2002
4301 RISSTAY WAY
SHASTA LAKE, CA 96019 | ⑪ 075-580-023
CHAD & SARAH M ALWARD
4197 DOYLE CT
SHASTA LAKE, CA 96019 | ⑳ 075-580-012
JOSEPH A WINTER &
MICHELLE M LIOUH
2875 CHAUCER WAY
SHASTA LAKE, CA 96019 | ㉓ 006-910-032
JACLYN CARR
3994 IDAHO WAY
SHASTA LAKE, CA 96019 |
| ⑥ 075-010-003
CITY OF SHASTA LAKE
P.O. BOX 777
SHASTA LAKE CITY, CA 96019 | ⑫ 075-580-022
TIMOTHY & BRIDGET ANN DEMATTIO
4185 DOYLE CT
SHASTA LAKE, CA 96019 | ㉔ 075-580-011
KENNETH K & MARGARET E KING
2875 CHAUCER WAY
SHASTA LAKE, CA 96019 | |



BASIS OF BEARINGS:
BEARINGS BASED UPON TWO FOUND MONUMENTS ALONG THE NORTHERLY LINE OF SECTION 6 AS SHOWN ON RECORD MAP, BOOK 22 AT PAGE 57, TAKEN AS SOUTH 88°55'30" EAST

**WINDSOR ESTATES 3
TENTATIVE MAP
COVER SHEET**

BEING A PORTION OF THE NORTH ½ OF THE NORTHWEST ¼ OF SECTION 6, T. 32N., R. 4W., M.D.M. IN THE CITY OF SHASTA LAKE, SHASTA COUNTY, CALIFORNIA

FOR
CORNERSTONE DEVELOPMENT GROUP, INC.

BY
SHARRAH DUNLAP SAWYER, INC.

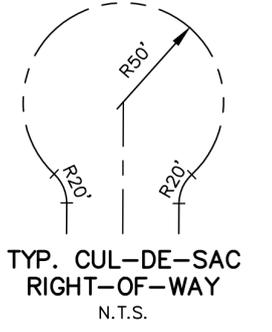
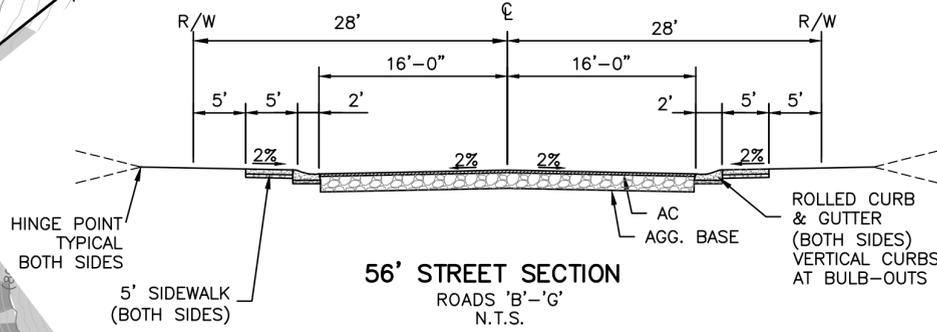
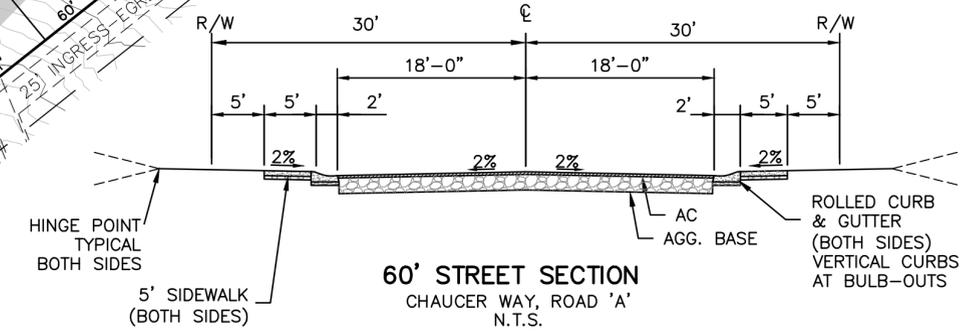
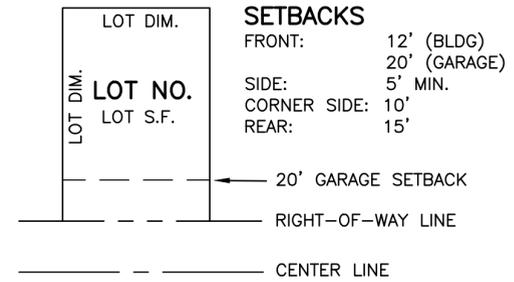
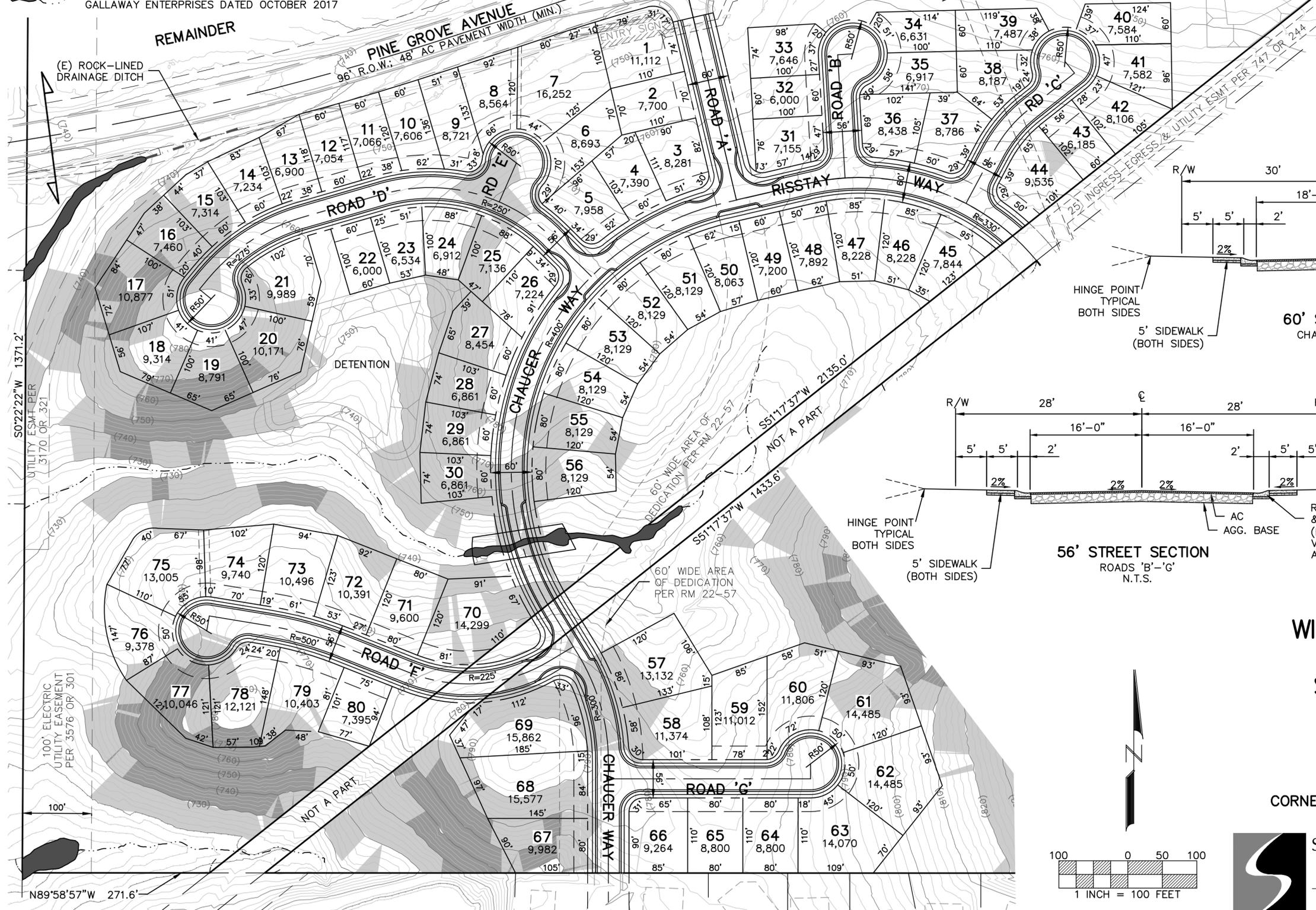
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LEGEND:

-  AREA OF 0-20% SLOPE
-  AREA OF 20%-30% SLOPE
-  AREA OF 30% AND GREATER SLOPE

 WATERS OF THE U.S. PER DELINEATION FROM GALLAWAY ENTERPRISES DATED OCTOBER 2017



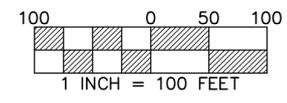
**WINDSOR ESTATES 3
TENTATIVE
SUBDIVISION MAP**

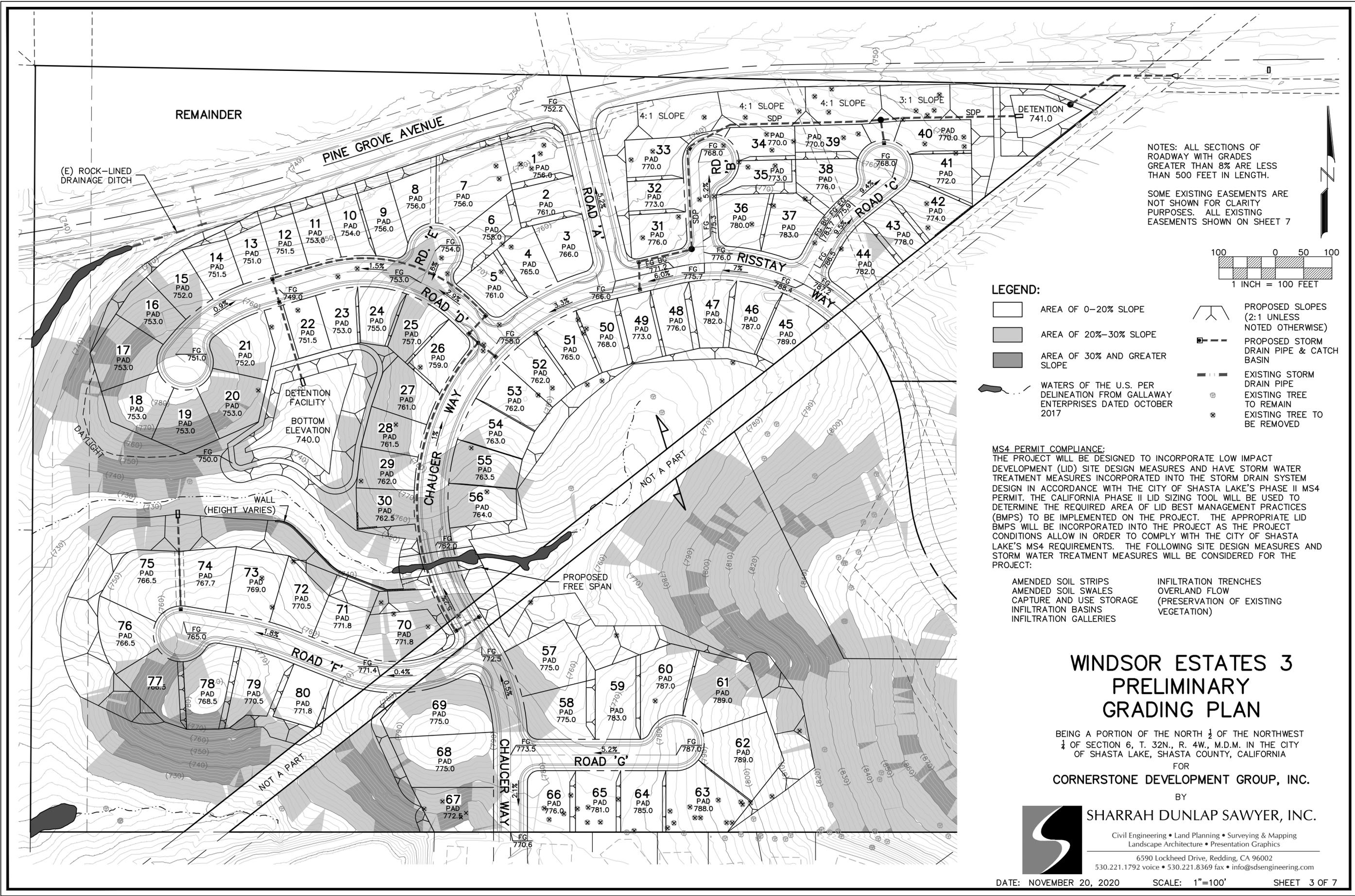
BEING A PORTION OF THE NORTH 1/4 OF THE NORTHWEST 1/4 OF SECTION 6, T. 32N., R. 4W., M.D.M. IN THE CITY OF SHASTA LAKE, SHASTA COUNTY, CALIFORNIA

FOR
CORNERSTONE DEVELOPMENT GROUP, INC.
BY

SHARRAH DUNLAP SAWYER, INC.

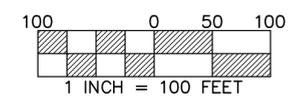
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NOTES: ALL SECTIONS OF ROADWAY WITH GRADES GREATER THAN 8% ARE LESS THAN 500 FEET IN LENGTH.

SOME EXISTING EASEMENTS ARE NOT SHOWN FOR CLARITY PURPOSES. ALL EXISTING EASEMENTS SHOWN ON SHEET 7



LEGEND:

- AREA OF 0-20% SLOPE
- AREA OF 20%-30% SLOPE
- AREA OF 30% AND GREATER SLOPE
- PROPOSED STORM DRAIN PIPE & CATCH BASIN
- EXISTING STORM DRAIN PIPE
- WATERS OF THE U.S. PER DELINEATION FROM GALLAWAY ENTERPRISES DATED OCTOBER 2017
- PROPOSED SLOPES (2:1 UNLESS NOTED OTHERWISE)
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED

MS4 PERMIT COMPLIANCE:
 THE PROJECT WILL BE DESIGNED TO INCORPORATE LOW IMPACT DEVELOPMENT (LID) SITE DESIGN MEASURES AND HAVE STORM WATER TREATMENT MEASURES INCORPORATED INTO THE STORM DRAIN SYSTEM DESIGN IN ACCORDANCE WITH THE CITY OF SHASTA LAKE'S PHASE II MS4 PERMIT. THE CALIFORNIA PHASE II LID SIZING TOOL WILL BE USED TO DETERMINE THE REQUIRED AREA OF LID BEST MANAGEMENT PRACTICES (BMPS) TO BE IMPLEMENTED ON THE PROJECT. THE APPROPRIATE LID BMPS WILL BE INCORPORATED INTO THE PROJECT AS THE PROJECT CONDITIONS ALLOW IN ORDER TO COMPLY WITH THE CITY OF SHASTA LAKE'S MS4 REQUIREMENTS. THE FOLLOWING SITE DESIGN MEASURES AND STORM WATER TREATMENT MEASURES WILL BE CONSIDERED FOR THE PROJECT:

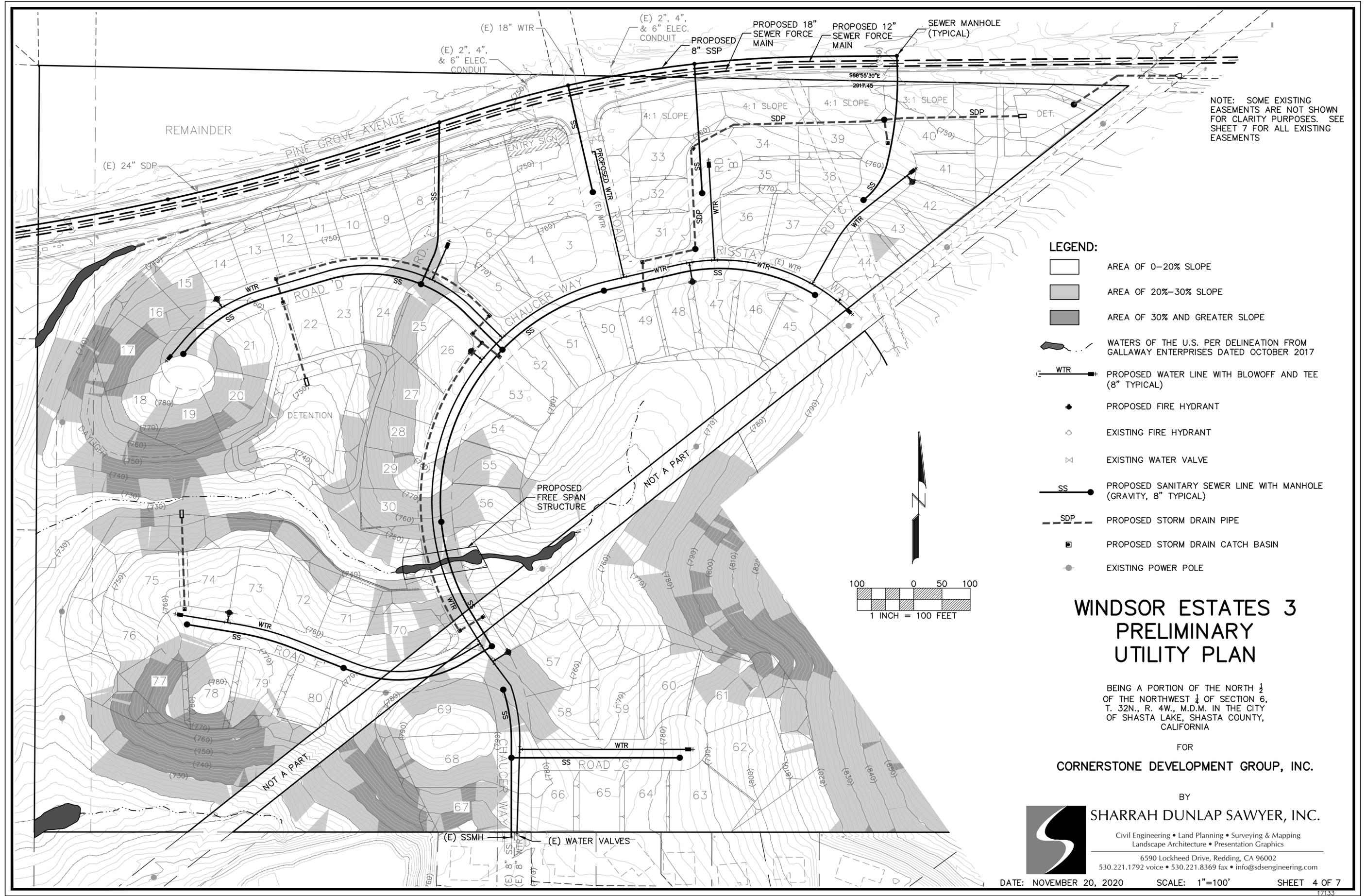
- AMENDED SOIL STRIPS
- AMENDED SOIL SWALES
- CAPTURE AND USE STORAGE
- INFILTRATION BASINS
- INFILTRATION GALLERIES
- INFILTRATION TRENCHES
- OVERLAND FLOW (PRESERVATION OF EXISTING VEGETATION)

WINDSOR ESTATES 3 PRELIMINARY GRADING PLAN

BEING A PORTION OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, T. 32N., R. 4W., M.D.M. IN THE CITY OF SHASTA LAKE, SHASTA COUNTY, CALIFORNIA

FOR
CORNERSTONE DEVELOPMENT GROUP, INC.
BY

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NOTE: SOME EXISTING EASEMENTS ARE NOT SHOWN FOR CLARITY PURPOSES. SEE SHEET 7 FOR ALL EXISTING EASEMENTS

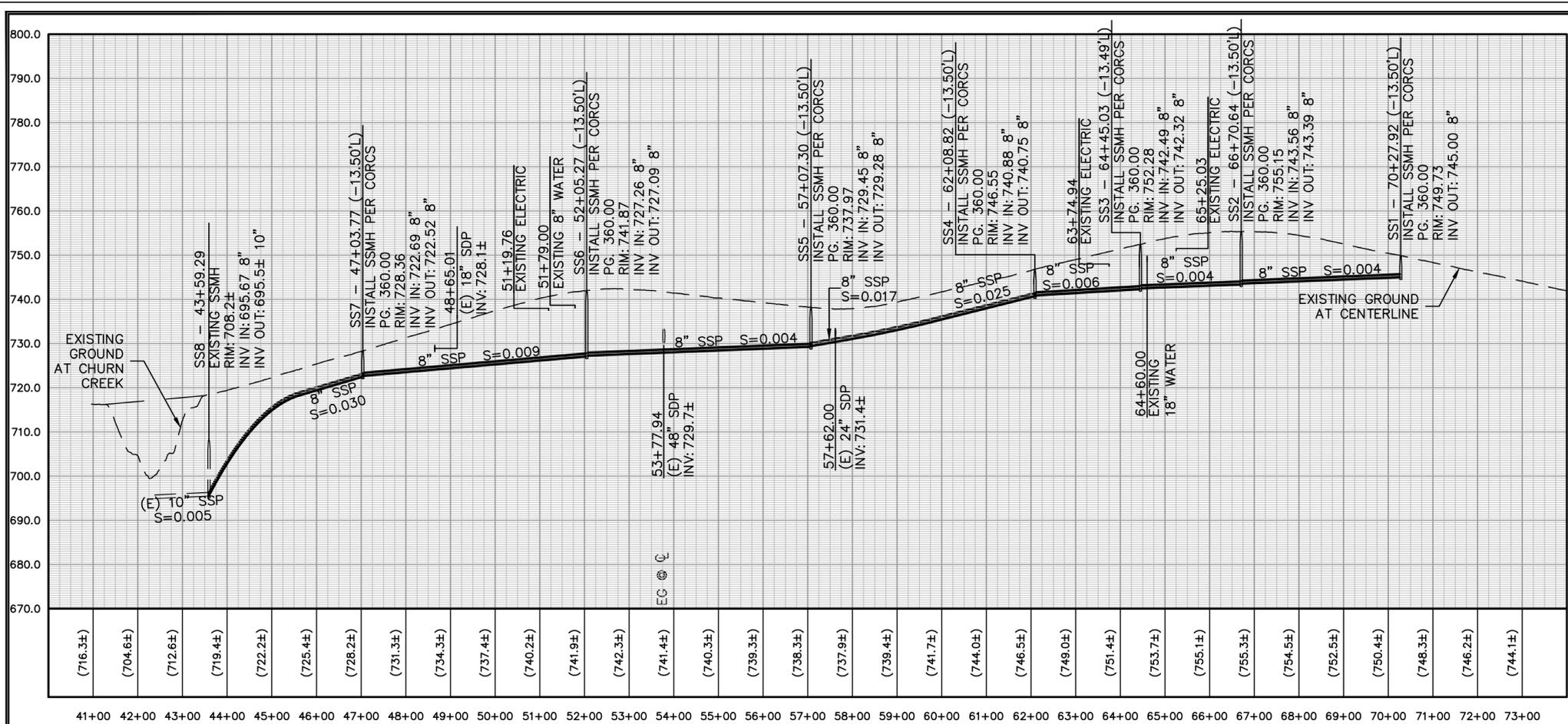
- LEGEND:**
- AREA OF 0-20% SLOPE
 - AREA OF 20%-30% SLOPE
 - AREA OF 30% AND GREATER SLOPE
 - WATERS OF THE U.S. PER DELINEATION FROM GALLAWAY ENTERPRISES DATED OCTOBER 2017
 - PROPOSED WATER LINE WITH BLOWOFF AND TEE (8" TYPICAL)
 - PROPOSED FIRE HYDRANT
 - EXISTING FIRE HYDRANT
 - EXISTING WATER VALVE
 - PROPOSED SANITARY SEWER LINE WITH MANHOLE (GRAVITY, 8" TYPICAL)
 - PROPOSED STORM DRAIN PIPE
 - PROPOSED STORM DRAIN CATCH BASIN
 - EXISTING POWER POLE

WINDSOR ESTATES 3 PRELIMINARY UTILITY PLAN

BEING A PORTION OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, T. 32N., R. 4W., M.D.M. IN THE CITY OF SHASTA LAKE, SHASTA COUNTY, CALIFORNIA

FOR
CORNERSTONE DEVELOPMENT GROUP, INC.

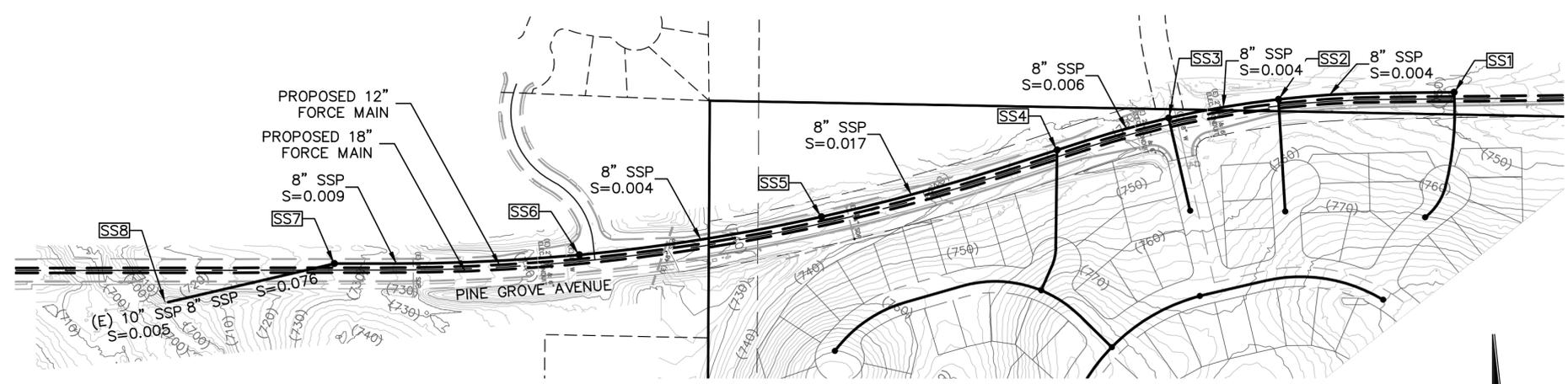
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LEGEND:
 SSP ● PROPOSED SANITARY SEWER LINE WITH MANHOLE (GRAVITY, 8" TYPICAL)

41+00 42+00 43+00 44+00 45+00 46+00 47+00 48+00 49+00 50+00 51+00 52+00 53+00 54+00 55+00 56+00 57+00 58+00 59+00 60+00 61+00 62+00 63+00 64+00 65+00 66+00 67+00 68+00 69+00 70+00 71+00 72+00 73+00

PROFILE
 VERT: 1"=20'
 HORZ: 1"=200'



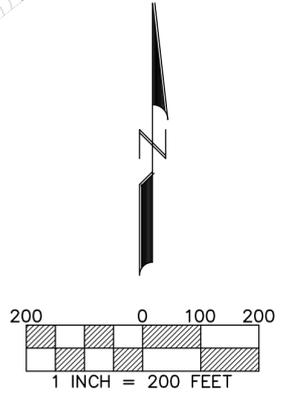
WINDSOR ESTATES 3 PRELIMINARY UTILITY PLAN

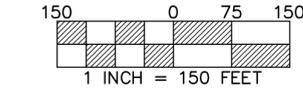
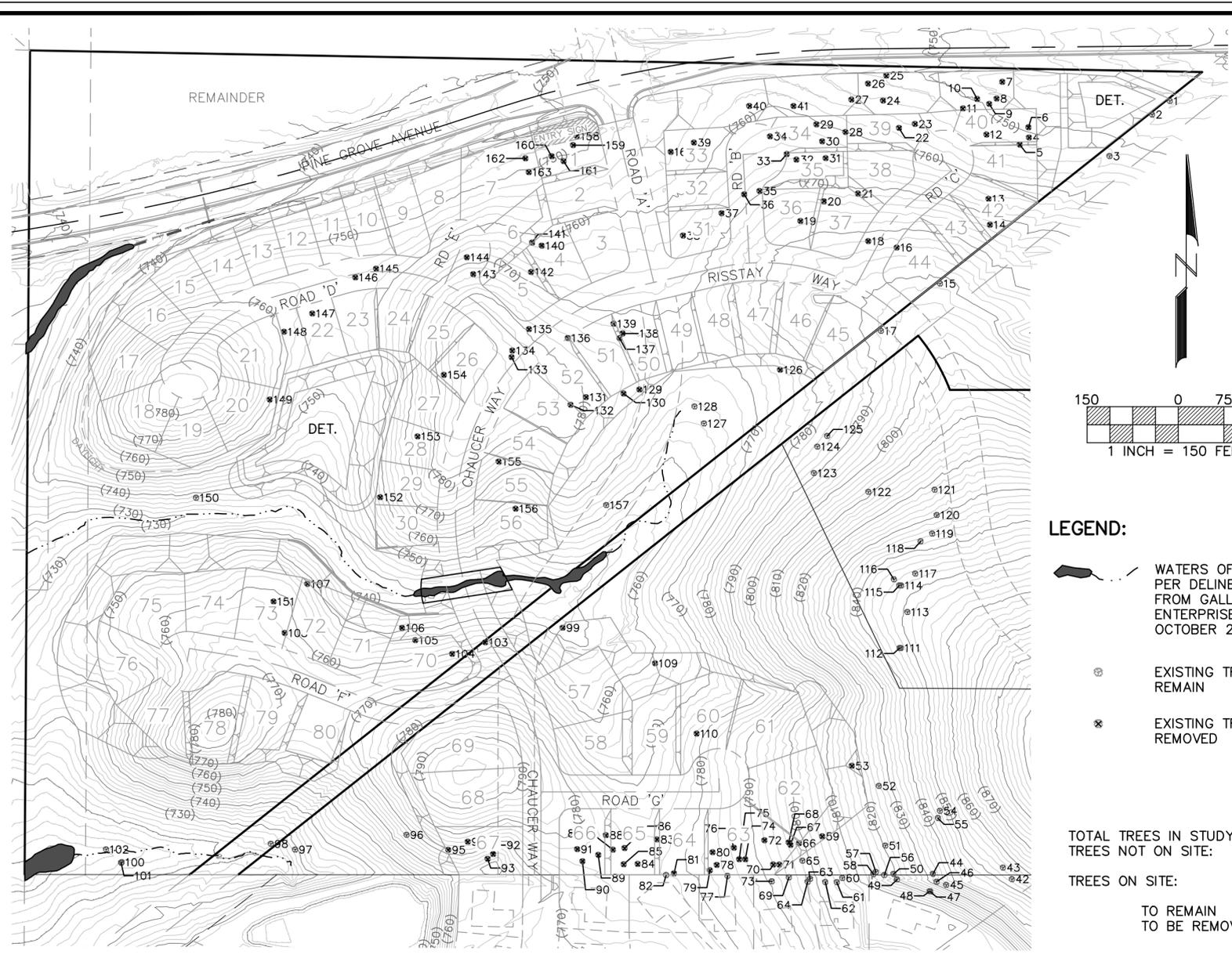
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 OF THE NORTHWEST 1/4 OF SECTION 6,
 T. 32N., R. 4W., M.D.M. IN THE CITY
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FOR
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LEGEND:

- WATERS OF THE U.S. PER DELINEATION FROM GALLAWAY ENTERPRISES DATED OCTOBER 2017
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED

TOTAL TREES IN STUDY: 164
 TREES NOT ON SITE: 23
 TREES ON SITE: 141
 TO REMAIN: 34
 TO BE REMOVED: 107

Tree #	Species	DBH	Cond.	Health	Remain	Remove
89	Qk	F16,13,10	G	G		X
90	Qd	13	G	G		X
91	Qk	15	G	G		X
92	Qw	F11,+	G	G		X
93	Qw	12	G	G		X
94	Qw	S12,11,10,+	G	G		X
95	Qw	S10,+	G	G		X
96	Qw	S17,+	P	P	X	
97	Qd	16	P	P	X	
98	Qd	15	G	G	n/a	n/a
99	Qd	18	G	G		X
100	Ps	13	G	G	X	
101	Ps	13	G	G	X	
102	Ps	22	G	G	X	
103	Qw	16	G	G	n/a	n/a
104	Qw	F13,11	G	G		X
105	Qk	S10,10,10,+	G	G		X
106	Qw	11	G	G		X
107	Qk	S10,+	G	G		X
108	Qk	S10,+	G	G		X
109	Qd	20	G	G		X
110	Qw	23	P	P		X
111	Qw	S12,11,+	G	G	X	
112	Qw	S13,11,+	G	G	X	
113	Qw	S14,+	G	G	X	
114	Qw	S15,13	G	G	X	
115	Qw	S11,+	G	G	X	
116	Qw	13	G	G	X	
117	Qk	10	G	G	X	
118	Qk	S12,10	G	G	X	
119	Qk	S10,+	G	G	X	
120	Qk	S11,+	G	G	X	
121	Qk	28	G	G	X	
122	Qk	14	G	G	X	
123	Qk	30	P	P	X	
124	Qw	19	G	G	X	
125	Qk	S11,11,10,+	G	G	X	
126	Qk	19	G	G		X
127	Qk	S17,15,13	G	G	X	
128	Qk	11	G	G	X	
129	Qk	S11,11,+	G	G		X
130	Qw	15	G	G		X

Tree #	Species	DBH	Cond.	Health	Remain	Remove
131	Qk	S10,+	G	G		X
132	Qk	21	P	G		X
133	Qk	S11,10,+	G	G		X
134	Qw	10	G	G		X
135	Qk	S11,10,+	G	G		X
136	Qk	F10,+	G	G		X
137	Qk	13	G	G		X
138	Qk	S12,+	G	G		X
139	Qk	F15,12	G	G		X
140	Qw	18	G	G		X
141	Qk	S11,+	G	G		X
142	Qk	S10,+	G	G		X
143	Qk	20	G	G		X
144	Qk	F10,+	G	G		X
145	Qw	S10,+	G	G		X
146	Qk	S11,+	G	G		X
147	Qw	S13,+	G	G		X
148	Qw	S11,+	G	G		X
149	Qw	F14,10	P	G		X
150	Qw	S12,+	G	G	X	
151	Qk	S10,+	G	G		X
152	Qk	14	G	G		X
153	Qw	22	G	G		X
154	Qw	13	G	G		X
155	Qk	S10,+	G	G		X
156	Qw	11	G	G		X
157	Qw	S15,15	G	G	X	
158	Ps	15	G	G		X
159	Qw	S14,+	G	G		X
160	Qw	14	G	G		X
161	Qw	S12,+	G	G		X
162	Qw	11	G	G		X
163	Ps	10	P	G		X
164	Qw	S10,11,+	G	G		X

TREE LEGEND:

- Qd BLUE OAK
- Qk BLACK OAK
- Qw LIVE OAK
- Ps FOOTHILL PINE
- S STUMP SPROUTS
- F FORKED TREE W/FORK BELOW D.B.H.
- + MORE THAN ONE STEM UNDER 10" D.B.H.
- G GOOD HEALTH
- P POOR HEALTH
- n/a TREE FOUND NOT TO BE ON PROPERTY

Tree #	Species	DBH	Cond.	Health	Remain	Remove
1	Qd	F13,12,12	G	G	n/a	n/a
2	Qd	12	G	G	n/a	n/a
3	Qd	17	G	G	n/a	n/a
4	Qd	18	G	G		X
5	Qd	14	G	G		X
6	Qd	20	G	G		X
7	Qd	29	G	G		X
8	Qd	14	G	G		X
9	Qd	12	G	G		X
10	Qd	18	G	G		X
11	Qd	16	G	G		X
12	Qd	16	G	G		X
13	Qk	S10,10	G	G		X
14	Qk	26	G	G		X
15	Qk	S,11,11,10,10	G	G	n/a	n/a
16	Qk	F11,11	G	G		X
17	Qk	S19,16,X	G	G	n/a	n/a
18	Qk	13	G	G		X
19	Qk	F21,19	G	G		X
20	Qk	10	G	G		X
21	Qk	F10,+	G	G		X
22	Qd	16	G	G		X

Tree #	Species	DBH	Cond.	Health	Remain	Remove
23	Qd	F10,10	P	P		X
24	Qd	19	G	G		X
25	Qd	13	G	G		X
26	Qd	14	G	G		X
27	Qd	16	G	G		X
28	Qd	20	G	G		X
29	Qd	15	G	G		X
30	Qd	14	G	G		X
31	Qd	12	G	G		X
32	Qk	17	P	P		X
33	Qd	F12,+	G	G		X
34	Qd	F13,11,+	G	G		X
35	Qd	12	P	P		X
36	Qd	14	G	G		X
37	Qk	12	G	G		X
38	Qk	F12,11,+	G	G		X
39	Qw	F14,12	G	G		X
40	Qd	15	G	G		X
41	Qd	12	G	G		X
42	Qw	S10,10,10	G	G	n/a	n/a
43	Qw	11	G	G		X
44	Qw	F15,13,12	G	G	X	

Tree #	Species	DBH	Cond.	Health	Remain	Remove
45	Qw	14	G	G	n/a	n/a
46	Qw	13	P	P	n/a	n/a
47	Qw	12	G	G	n/a	n/a
48	Qw	F11,+	G	G	n/a	n/a
49	Qw	13	P	P	n/a	n/a
50	Qw	S11,+	G	G	X	
51	Qd	19	G	G	X	
52	Qk	29	G	G	X	
53	Qk	29	G	G		X
54	Qw	19	G	G	X	
55	Qw	F21,10	G	G	X	
56	Qw	13	G	G	n/a	n/a
57	Qw	11	P	P	X	
58	Qw	F11,11	G	G	X	
59	Qw	F15,12	G	G		X
60	Qw	11	G	G	n/a	n/a
61	Qk	S11,11,11,+	G	G	n/a	n/a
62	Qw	15	G	G	n/a	n/a
63	Qw	12	G	G	n/a	n/a
64	Qk	F13,11,+	G	G	n/a	n/a
65	Qd	34	G	G	X	
66	Qk	11	G	G		X

Tree #	Species	DBH	Cond.	Health	Remain	Remove
67	Qd	11	P	P		X
68	Qd	13	P	P		X
69	Qk	12	G	G	n/a	n/a
70	Qw	14	G	G		X
71	Qk	S12,+	G	G		X
72	Qk	S14,+	G	G		X
73	Ps	22	G	G	n/a	n/a
74	Qw	12	G	G		X
75	Qw	S12,+	G	G		X
76	Qw	10	G	G		X
77	Qk	S12,12,11	G	G	n/a	n/a
78	Qk	10	G	G		X
79	Qw	11	G	G		X
80	Qw	F17,+	G	G		X
81	Qw	11	G	G		X
82	Qw	11	G	G	n/a	n/a
83	Qk	F22,17	G	G		X
84	Qk	F24,19,18,15	G	G		X
85	Qk	F12,+	G	G		X
86	Qk	F13,11	G	G		X
87	Qw	15	G	G		X
88	Qk	26	G	G		X

NOTE: REPLACEMENT TREES SHALL BE PROVIDED IN ACCORDANCE WITH THE STANDARDS IN SECTION 12.36.070 OF THE CITY OF SHASTA LAKE MUNICIPAL CODE. THIS INCLUDES THE NUMBER AND SPECIES OF TREES TO BE PLANTED AND TIMING FOR REPLANTING.

WINDSOR ESTATES 3 TREE INVENTORY SHEET

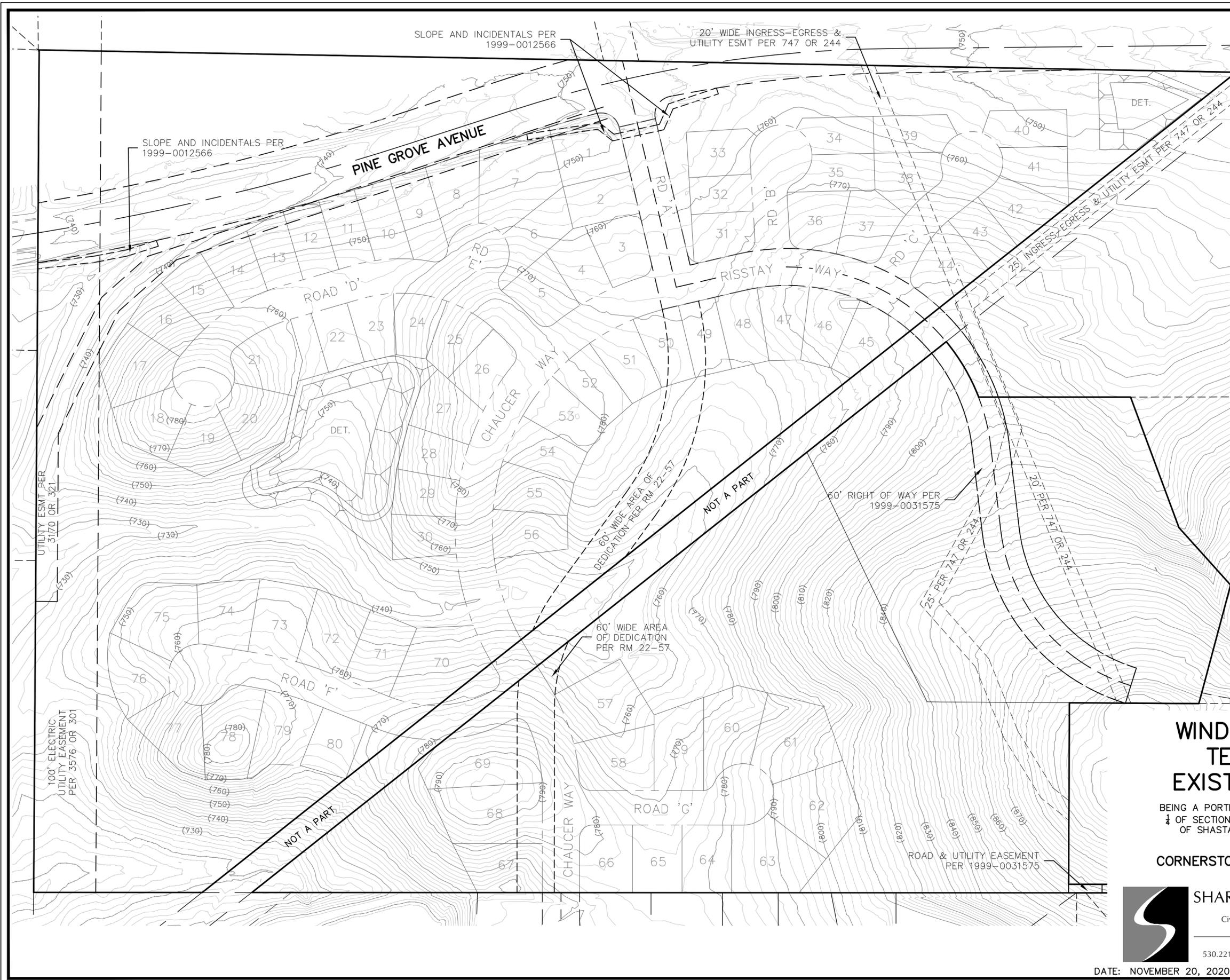
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FOR
CORNERSTONE DEVELOPMENT GROUP, INC.
 BY



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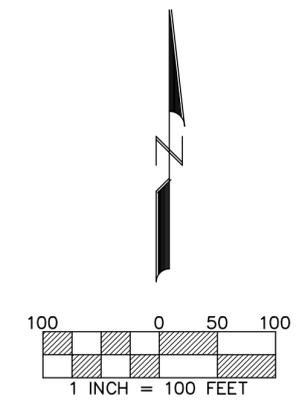
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ROAD & EASEMENT DATA

AREA IN R.O.W.:	5.5 AC (240,992 S.F.)
AREA IN PINE GROVE R.O.W.:	2.6 AC (112,101 S.F.)
SLOPE & INCIDENTALS PER 1999-0012566	5,365 S.F.
UTILITY EASEMENT PER 3170 OR 321	36,737 S.F.
POLE LINE EASEMENT PER 3576 OR 301	3.2 AC (137,061 S.F.)
25' INGRESS/EGRESS & UTILITY PER 747 OR 244	19,583 S.F.
20' INGRESS/EGRESS & UTILITY PER 747 OR 244	18,668 S.F.
ROAD & UTILITY PER 1999-0031575	742 S.F.
RIGHT-OF-WAY PER 1999-0031575	1.9 AC (82,345 S.F.)

NOTE: MANY OF THESE EASEMENTS OVERLAP WITH OTHER EASEMENTS. NO ADJUSTMENTS WERE MADE TO COMPENSATE FOR OVERLAP WITH THESE AREAS.



**WINDSOR ESTATES 3
TENTATIVE MAP
EXISTING EASEMENTS**

BEING A PORTION OF THE NORTH 1/4 OF THE NORTHWEST 1/4 OF SECTION 6, T. 32N., R. 4W., M.D.M. IN THE CITY OF SHASTA LAKE, SHASTA COUNTY, CALIFORNIA

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Attachment C: Planning Commission Staff Report



CITY OF SHASTA LAKE

PLANNING COMMISSION MEETING
STAFF REPORT
December 3, 2020

Staff Assigned: Peter Bird, Associate Planner

Project: Windsor Estates Phase 3
File: GPA 19-01, Z19-07, SD 19-01,
Assessor's Parcel #: 075-010-014, 029, 030
Location: South of Pine Grove Avenue, generally west of Cascade Boulevard and east of Coeur D'Alene Avenue

Applicants Cornerstone Development, Inc.
Property Owner Cornerstone Development, Inc.
Representatives Cornerstone Development, Inc./SDS Engineering
Significant / Applicable [California Environmental Quality Act](#) (Public Resources Code)
Legal Authority [State Subdivision Map Act](#) (Government Code)
[State Planning and Zoning Act](#) (Government Code)
[Title 17 \(Zoning\), Title 16 \(Subdivision\), Title 15 \(Grading, Erosion Control, and Hillside Development\), Title 12 \(Tree Conservation\)](#), of the Municipal Code (SLMC)

Environmental Determination: Pursuant to Section 21080 (c) of the California Environmental Quality Act (CEQA) Guidelines, a Mitigated Negative Declaration should be adopted. SCH Number 2020100176

STAFF RECOMMENDATION:

Staff recommends the City of Shasta Lake Planning Commission forward Windsor Estates Phase 3, including General Plan Amendment GPA 19-01, Re-zone Z 19-07, and Tentative Map SD 19-01 (Project) to the City Council with a recommendation for approval, as the Project, as conditioned, would not be detrimental to the public health, safety, and welfare of the community or neighboring property owners. The Project is consistent with the General Plan and Zoning Designations for the property as amended, and as conditioned, will meet the standards required by all City Departments and responsible agencies.

Staff further recommends that the Planning Commission adopt the associated resolution (Attachment A) recommending approval of the Project; and, pursuant to Section 21080 (c) of the California Environmental Quality Act (CEQA) the adoption of the associated Mitigated Negative Declaration.

RECOMMENDED MOTION:

Staff recommends the Commission make the following motion:

"I move the Planning Commission adopt the attached resolution recommending approval of the Project subject to the required findings and the conditions of approval as set forth in the attached resolutions, and further find the proposed project as mitigated will not result in a significant effect on the environment and a Mitigated Negative Declaration is appropriate (CEQA Guidelines Section 21080(c)).

PROJECT DESCRIPTION:

Cornerstone Development Group, Inc. (Developer) is proposing to subdivide ±52 acres of undeveloped land (gross) into 80 lots in order to construct single-family dwelling units and associated accessory structures. A Preliminary Grading Plan is included. Parcel sizes indicated on the Tentative Map (TM) range from 6,000 square feet (SF) to 16,252 SF. It is anticipated various parcels will be significantly enlarged to accommodate private ownership of the non-buildable areas indicated as land outside of delineated lots on the TM. The 2.7-acre portion of parcel 075-010-029 on the north side of Pine Grove Avenue is not proposed for development. Ownership of this land will transfer to Shasta Verde Land Development, Inc. via a property line adjustment. The easterly portion of parcel 075-010-030 (east of fire access road) will be a designated remainder. No development or other action is proposed for this area. The net acreage of the development site (excluding the 2.7-acre portion of parcel 075-010-029 on the north side of Pine Grove Avenue, the 2.5-acre remainder parcel, road rights-of-way [ROW], easements, and steep slopes) is approximately 35 acres; thus, the net density of the project is 2.3 dwelling units per acre.

As shown in Exhibit C of the associated City Council Resolution, Windsor Estates Phase 3 is proposed to be constructed in three phases. It is estimated that installation of utilities, paving of on-site streets, and development of building pads would occur over a three- to four-month period for each phase. The timeframe for home construction would depend on market demands.

The entire project site was designated for residential development at the time the City incorporated in 1993. In 1999, in light of construction of Pine Grove Avenue between Cascade Boulevard and Ashby Road, a portion of the property that fronts Pine Grove Avenue was designated as Industrial Light (IL) to allow for warehousing, distribution, manufacturing, research and development, and similar uses.

Since that time, the City has recognized that industrial uses may not be appropriate along Pine Grove Avenue due to the proximity of existing residential uses (e.g., Windsor Estates, Coeur D'Alene, and Deer Creek Manor Subdivisions), and anticipated mixed-use commercial-residential development projects along Pine Grove Avenue (e.g., the previously proposed Heritage Grove project north/northeast of the project site).

The Project includes a General Plan amendment from Industrial Light (IL) to Suburban Residential (SR) and a modification to the lands shown and detailed in the Initial Study. Land Use Policy LU-x which states, "*...Area Plans shall be developed for those vacant lands ...to the north and south of the Pine Grove Avenue Extension*" will also be modified, as this requirement was directly related to the past expectation of the development of light industrial uses for the Project site.

The Project also includes a rezone of the site. Because the portion of parcel 075-010-029 on the north side of Pine Grove Avenue is not proposed for development, it is not included in the rezone. The current zoning designations are One-Family Residential 12,000 Square Foot Minimum Lot Size and Unclassified. Staff has determined that the project site will be rezoned to Planned Development (PD) in accordance with City of Shasta Lake Municipal Code Chapter 17.62.

Where required, a sound wall along Pine Grove Avenue will be constructed to ensure compliance with the City's noise standards. The existing separated sidewalk along Pine Grove Avenue, west of the project site will be extended along the property's frontage. Landscaping, including street trees, will be planted adjacent to the sidewalk in accordance with City requirements. Utility infrastructure (water, sewer, electric, natural gas, and telephone) will be extended to the project site from Pine Grove Avenue and/or the existing terminus of Chaucer Way. Two detention basins are proposed to control runoff during storm events.

Construction activities will include clearing, grading, excavation, trenching, underground utility installation, road paving and striping, and construction of dwelling units. It is anticipated that all work associated with initial site work, installation of utilities, construction of streets, and development of building pads, would be conducted using conventional construction equipment (e.g., excavators, scrapers, graders, dozers, backhoes, forklifts, cranes, paving equipment, etc.). Construction of dwelling

units would occur using conventional construction methods. Staging for construction equipment and materials would occur on the project site.

PROJECT LOCATION:

The project site is located on the south side of Pine Grove Avenue, generally west of Cascade Boulevard and east of Coeur D'Alene Avenue in Section 6, Township 32N, Range 4W, of the U.S. Geological Survey (USGS) Project City 7.5- minute quadrangle; Latitude 40° 39' 50"; Longitude -122° 22' 20" (centroid).

The proposed project would include all or portions of the following Assessor's Parcels:

075-010-003: This parcel is owned by Pacific Gas & Electric Company and contains overhead power lines. Roads would be constructed across this parcel and cut/fill slopes would be constructed on the parcel.

075-010-015: This parcel is owned by the City of Shasta Lake and is part of a planned road corridor between Pine Grove Avenue and Risstay Way. This segment of road would be constructed as part of the proposed project.

075-010-018: This parcel is owned by the City of Shasta Lake and is part of a planned road corridor between Pine Grove Avenue and Risstay Way. No development action is proposed for this parcel; however, it is included in the proposed General Plan Amendment and rezoning.

075-010-014, -029, and -030: These parcels are owned by Cornerstone Development Group and are proposed for residential development.

075-010-029 (north of Pine Grove): This portion of parcel 029 is located on the north side of Pine Grove Avenue. It is owned by Cornerstone Development Group and is separated from the main body of the parcel by Pine Grove Avenue. This portion of 029 will be transferred via a property line adjustment to the adjacent [property owner, Shasta Verde Land Development, Inc; it is noted in this document only because it is part of a legal parcel on which development is proposed.

075-010-030 (east of fire access road): This portion of parcel as 075-010-030 will be the designated remainder. No development or other action is proposed for this area.

PROJECT SETTING:

The Project site and adjacent open land consists of blue oak-foothill pine vegetation with small patches of dense mixed chaparral habitat dominated by manzanita. The overall topography of area is relatively hilly or rolling terrain.

As indicated in the Project's environmental document, surface water runoff on the site flows in a variety of directions, depending on location. A few ephemeral drainages and seasonal swales occur within the western portion of the site that all flow off-site toward Churn Creek, which is located approximately 700 feet west of the Project site. Stormwater infrastructure will be constructed to accommodate any increase in runoff.

The Property ranges in elevation from 740 to 900 feet above sea level and is sloped between 5-15 percent, with isolated areas of slopes 20 percent or greater. Soils within the survey area are loams with a natural restrictive layer ranging from 21 to more than 50 inches in depth.

The City of Shasta Lake operates and maintains water, sewer, streets, and electric infrastructure within the City. Additional infrastructure will be constructed to accommodate the Project's projected needs.

Properties south of the project site include single-family residences in previous phases of the Windsor Estates Subdivision. Single-family residences in the Deer Creek Manor Subdivision are located to the

east. Properties to the west include two single-family residences and the City's Wastewater Treatment Plant. Pine Grove Avenue borders the project site to the north. Properties north of Pine Grove Avenue in the project area include single-family residences in the Coeur D'Alene Avenue Subdivision to the northwest, and undeveloped land to the north.

GENERAL PLAN AND ZONING DESIGNATIONS FOR SURROUNDING USES

SURROUNDING PROPERTIES	GENERAL PLAN AND ZONING	EXISTING USE
Subject Property	GP=SR/IL Zone =R1-B12/U	Vacant Land
North	GP=SR/IL Zone =R1-B20/U	Vacant Land
South	GP=SR/NP Zone =R1-BSM/OS	Single-Family Res./Vacant Land
East	GP=SR/IL Zone =R1-BSM/PF/U	Single-Family Res/Vacant Land
West	GP=NP Zone =R1-B12/OS	Single-Family Res/Vacant Land

LEGEND

GENERAL PLAN

IL= Industrial Light

SR= Suburban Residential

NP= Natural Resources Protection – Community Park

ZONING

U= Unclassified

R1-B12/20 = Single Family Residential – Minimum Lot Size 12,000sf/20,000sf

OS = Open Space

PF = Public Facilities

ANALYSIS

Road Design

The main access to the subdivision will be from Pine Grove Avenue. Chaucer Way, in the northern end of Phase 2 of the Windsor Estates Subdivision, will be extended to Pine Grove Avenue and will be constructed in accordance with City standards for a residential collector street (60-foot ROW, with two 18-foot driving lanes, and curbs, gutters, and sidewalks on both sides of the street). The remainder of the streets in the subdivision would be constructed as residential local streets (56-foot ROW, with two 16-foot driving lanes, and curbs, gutters, and sidewalks on both sides of the streets). Exceptions to City standards may be approved to accommodate rolled curbs throughout the subdivision.

As the main entrance of the Project, Road "A" will be designed with an entrance sign, landscaping, and a center median. On-street parking on this street will be prohibited.

Traffic Calming

Bulb-outs are proposed at strategic locations along Chaucer Way and Road "A" in an effort to promote pedestrian safety and implement speed reduction measures. In these areas, the street will be reduced to two 12-foot driving lanes for short sections. This measure will also promote multi-modal transportation, urban greening, and address comments received from concerned citizens on the Project.

Staff has reviewed comments received from Shasta Lake Fire Protection District (SLFPD) November 10, 2020 related to the proposed traffic calming/safety measures along Chaucer Way and Road "A". Staff recommends the following SLFPD comments be excluded from the Project conditions:

- *If the development proceeds as submitted on the tentative maps dated September 23, 2020, the road labeled as "Chaucer Way" shall...NOT BE REDUCED from the existing width of the existing Chaucer Way...for the entire length of the newly constructed road... Fire apparatus and other heavy emergency vehicles will not be able to pass any other vehicle through a roadway of any less width than the existing Chaucer Way.*

- *If properly designed, speed cushions (preferred) or speed humps (possible alternate) may be approved by the Shasta Lake Fire Protection District after design submittal, review, and approval by this agency. SPEED BUMPS SHALL NOT BE USED.*

The determination to exclude these comments is based on the adopted SLFPD Ordinance 97-1 and the California Code of Regulations. All reduced width sections of Chaucer Way and Road "A" will retain 12 foot lane width, and all landscaped areas will be maintained in perpetuity (see below).

SLFPD Ordinance 97-1 states:

"All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow with a one foot shoulder on either side of the roadway..."

California Code of Regulations [14 CCR §1273.01](#) states:

"All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements.

Landscaping

Project landscaping that falls within the public right-of-way includes bulb-outs along Chaucer Way/Road "A," the frontage/slope areas along Pine Grove Avenue, the slope area along the east side of Road "A," and the entrance to the Project at Pine Grove Avenue and Road "A." To fund the proper care and maintenance of these areas, the Developer has agreed to form a Lighting and Landscape Assessment District. This commitment will ensure the ongoing maintenance requirements and compliance with the City of Shasta Lake Municipal Code (SLMC) will be funded in perpetuity. Items of particular concern for the roadside landscaping include water efficiency, sight distances, tree survival, and tree trimming to ensure sight distances and a clear lane of travel.

Where sound walls are required, landscaping should become the dominant element in the corridor rather than a masonry wall. Masonry walls along public corridors should be a simple design, of quality materials, that will eventually be a background element screened by, or visually recede beyond the landscape materials.

A landscape plan prepared by licensed landscape architect shall be submitted for review with the improvement plans for each subdivision phase.

A note shall be placed on face of the Final Map as notice that the City will require the Developer to establish a funding mechanism to maintain all common Lighting and Landscape facilities

Lighting

SLMC [Section 17.84.050](#) provides the following guidance for lighting:

"All lighting, exterior and interior, shall be designed and located so as to confine direct lighting to the premises. A light source shall not shine upon or illuminate directly on any surface other than the area required to be lighted. No lighting shall be of the type or in a location such that constitutes a hazard to vehicular traffic, either on private property or on abutting streets."

The Project will include street lighting and lighting for the residential uses. Compliance with this Section of the SLMC and applicable State law will be verified in two phases. Initially, during the development and checking of the final construction documents, the Developer will provide to the City elevations and specifications of the required street lighting for verification. As the project moves to the vertical

construction phase, staff will review building permit applications. Part of this review will include analysis of exterior and interior lighting.

Sound Wall

An Environmental Noise Assessment was completed in 2006 by Bollard Acoustical Consultants, Inc. (BAC), for a previously proposed subdivision on the project site. The purpose of the Assessment was to identify potential noise impacts and necessary mitigation measures to ensure compliance with applicable noise standards.

The Environmental Noise Assessment provides an estimate of future traffic noise based on noise emission factors for automobiles, medium trucks, and heavy truck, with consideration given to vehicle volume, speed, roadway configuration, distance to the receiver, and the acoustical characteristics of the site.

The outdoor activity areas for some of the proposed parcels would be exposed to traffic noise levels from Pine Grove Avenue in excess of the City's 60 dB Ldn noise standard. As stated in the Bollard Noise Assessment, solid noise barriers could be used to effectively reduce predicted future noise levels at the proposed backyard areas. The effectiveness of a barrier is dependent upon blocking line-of-sight between the source and receiver, and is improved with increasing the distance the sound must travel to pass over the barrier as compared to a straight line from source to receiver.

The Bollard Noise Assessment states, in general, if the line of sight from a noise source to a noise receiver is intercepted, noise levels at the receiver will be reduced by approximately 5 dB; therefore, if noise barriers are constructed to intercept line of sight from roadway traffic to the outdoor activity areas of the residences adjacent to Pine Grove Avenue, compliance with the City's exterior noise level standard of 60 dB Ldn will be achieved. Suitable materials for these barriers include masonry block, precast concrete panels, or other massive materials (surface density of 4 pounds per square foot).

Mitigation Measure 4.13.4 requires that prior to issuance of a grading permit for Phase 1 or Phase 2 of the subdivision, a qualified acoustical consultant must review the final traffic study and grading plans to identify locations where a sound wall would be required to ensure compliance with the City's exterior noise level standards. Final improvement plans for the project shall identify the location and height of proposed sound walls. The City's Building Official shall verify that the proposed sound walls are installed in accordance with the final improvement plans.

Phasing

As previously stated, the Project will develop in three phases. Each phase is required to construct all necessary infrastructure to serve that phase. Anticipated phasing will be initiated during the spring of 2021. Each phase will be recorded with a phased final map.

Comments received from SLFPD indicate a desire for Chaucer Way to be fully constructed during the initial phase of the project. The comment states, "*The entire length of this connection from Pine Grove Avenue to the existing Chaucer Way SHALL BE CONSTRUCTED AND COMPLETED as part of the initial phase of this subdivision.*" This requirement appears to be inconsistent with the District's adopted Ordinance 97-1.

SLFPD Ordinance 97-1 requires that after a development exceeds 50 parcels or is designed to be occupied by more than 150 persons, "*the project shall be required to construct a continuous road system that provides a minimum of two (2) paved access roads designed in accordance with Department of Public Works Development Standards.*"

Additionally, pursuant to the same ordinance, "*The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:*

- parcels zoned for less than one acre-800 feet
- parcels zoned for 1 acre to 4.99 acres-1320 feet

Ordinance 97-1 sets requirements related to timing of road construction for a project of this nature. As the comment received from the District exceeds the adopted standards, staff recommends its exclusion from the Project conditions.

As an alternative, staff has included a requirement that the developer provide surety for the complete construction of Chaucer Way if it is not constructed during the first phase of the project.

Grading

Grading within the City of Shasta Lake is regulated by [SLMC Chapter 15.08](#) – Grading Erosion and Hillside Development. Review of this ordinance and approval of a grading permit is required for the Project. The data contained in the preliminary grading plan that was included with the Project application assists staff in determining conditions of approval and identifying any issues with site design that may need further review.

This Chapter provides guidance/requirements for all grading projects within the City. Of particular concern is SLMC §15.08.270 – Design Standards for Hillside Development. This Section outlines additional design requirements for projects located within a “Hillside Area.” Pursuant to the definitions within this Chapter:

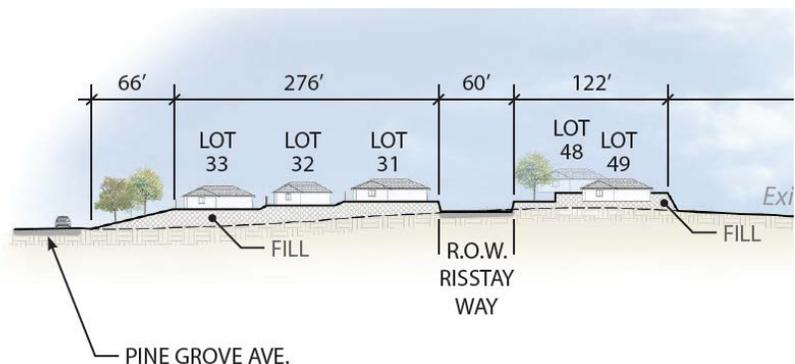
“Hillside Area” means a parcel or portion of a parcel that:

1. Contains an average slope over twenty (20) percent and a height differential of twenty (20) feet or more within the area having an average slope of twenty (20) percent or more; and
2. Where development of the project would be prominently visible from a substantial land area, including public streets and highways, public parks and open space areas, and neighboring properties; or
3. Where, due to the soil classification, the potential for erosion is high.

As the area proposed for development does not meet the criteria outlined above, the additional design requirements §15.08.270 do not apply to this Project.

General Plan Policy LU-r states: *All residential designated lands in excess of 30 percent slope shall not be developed. Development on slopes in excess of 20 percent may be considered subject to additional design requirements as part of a land division map or building permit submission. At a minimum the following shall be provided: comprehensive grading, erosion and landscaping plans; a soils report by a soils engineer with specific recommendations; and a visual impact analysis, depending on the project location.*

The average slope of the site, including areas not proposed for development, is approximately 11%. The tentative map does indicate small pockets of slopes in excess of 20% on several proposed lots. The small pockets of steep slopes shown on the tentative map are computer generated. If the slopes were calculated using several contour intervals, these areas of 30% slope would disappear. Leaving these parcels in their natural state would result in large cut and fill slopes into these areas due to the elevations of the adjacent lots. The Developer has proposed to create level building pads, thereby eliminating the slopes within the buildable area of the lots. This measure will maintain continuity of design along the proposed neighborhood streets. Additionally, the cut/fill slopes located beyond the first row of houses adjacent to Pine Grove Avenue will not be visible from the



road.

The City Engineer has reviewed the preliminary grading plan. The applicant is required to obtain a grading permit prior to any land clearing or grading. Final grading/construction documents will be reviewed at this time. Further discussion on grading is included in the Project initial study.

Drainage/Hydrology

The proposed development will increase the amount of impervious surface and potential storm water runoff. The project will to accommodate storm water runoff from the property that is an increase from existing conditions to minimize the potential for flooding.

The City Engineer has reviewed the preliminary drainage and hydrology report provided by the developer. He determined sufficient information has been provided to ensure the project can be constructed in compliance with applicable standards

Prior to the recording of the Final Map or approval of final improvement plans, the developer is required to submit a final plan prepared for the subdivision by a Registered Civil Engineer to determine how drainage will be properly managed for the Project.

The methods shown shall not adversely affect adjacent or downstream properties. Storm drainage facilities shall be sized and installed in accordance with the subdivision improvement plans as approved by the City Engineer, and in accordance with the construction standards of the Public Works Department.

The Final Map shall include easements for common drainage facilities as reviewed and approved by the City Engineer. A note shall be placed on face of the Final Map as notice that the City will require the developer to establish a funding mechanism to maintain all common storm drainage facilities.

Tree Conservation

New subdivision development must comply with the requirements of the City's Tree Conservation Ordinance. The Ordinance recognizes that the preservation of healthy trees will sometimes conflict with normal land development considerations such a proper drainage, grading, circulation, safety, lot configuration and utilities. With most developments, it will not be practical to preserve all healthy trees given the necessity of addressing other design and public safety requirements.

As proposed, the Project will preserve 34 protected trees and remove 107. Pursuant to the Ordinance, the Developer will replace the protected trees at a ratio of 3:1, totaling 321 trees. Replacement trees will be planted within the bulb-outs along Chaucer Way and Road "A," the frontage/slope areas along Pine Grove Avenue, the slope area along the east side of Road "A," and the entrance to the Project at Pine Grove Avenue and Road "A."

At a minimum, three 15-gallon trees shall be planted per parcel prior to issuance of a certificate of occupancy for each dwelling unit (a total of 240 15-gallon trees for 80 parcels).

In summary, approximately **561 fifteen-gallon trees** will be planted in conjunction with this project.

In concurrence with the final improvement plans, and once the final determination is made regarding the number of protected trees to be removed, a certified arborist or landscape architect shall prepare a Tree Replacement Plan.

Further information regarding tree replacement is included in the Initial Study.

Parks

The SLMC includes the following requirements that apply to the Project:

[SLMC §13.08.050](#) requires park and recreation facilities impact fees to be paid prior to issuance of a building permit for new residential development. The purpose of the fee is to provide for the planning, acquisition, improvement, expansion, and financing of public parks, playground, and recreational facilities. The fee for permits issued in 2020 is \$3,178 per single-family residence.

[SLMC §16.08.100](#) requires the dedication of land for park or recreational purposes as a condition of approval for a tentative map. The amount of land to be dedicated may not exceed one acre per 100 lots or fraction thereof. In combination with or in lieu of such dedication or offer of dedication, the Planning Commission shall require payment of an in-lieu fee for park and recreational purposes. The in-lieu fee is in addition to the park and recreation facilities impact fee.

The City's Park System Master Plan included a recreational demand and needs assessment, as well as recommendations for types and locations of future parks and recreation facilities based on build-out of the City's General Plan. Recommendations for mini parks, neighborhood parks, community parks, special use parks, natural open space areas, and trails/pathways were included.

The Parks System Master Plan does not identify any mini parks, neighborhood parks, community parks, or special use parks in the project area. The Master Plan shows a trail system along the property frontage on Pine Grove Avenue, and an off-site open space area and trail system along Churn Creek to the west. The GoShasta Active Transportation Plan identifies a "community walking connection" on Pine Grove Avenue between Jorzack Way and Ashby Road.

In order to satisfy the requirement for a trail system along Pine Grove Avenue, the existing separated sidewalk along Pine Grove Avenue, west of the project site, will be extended along the property's frontage. Landscaping, including street trees, will be planted adjacent to the sidewalk in accordance with City requirements.

The Project does not include dedication of land for parks, but will provide the requisite fees to offset Project impacts to existing parks and the creation of new facilities.

Improvements

Requirements for on and off-site infrastructure improvements are often a result of the development of vacant land. Utility infrastructure (water, electric, natural gas, and telecommunications) would be extended through the project site from the current northern terminus of Chaucer Way to Pine Grove Avenue. The sewer lines would be extended from Chaucer Way to serve the southern areas of the project site and from Pine Grove Avenue to serve the northern areas of the site. A new sewer main will be installed within the Pine Grove Avenue right-of-way, connecting the Project to the existing wastewater Pump Station 4.

Final design of all required improvements will be reviewed when final improvement plans are submitted for the Project.

Re-Zone

The Project will be rezoned to Planned Development (PD) in accordance with SLMC [Chapter 17.62](#), which states:

The purpose of the planned development (PD) district is to provide for developments that, because of a mix of building types, land uses or residential lot sizes, do not fit within the parameter of standard zone districts...

The change in zoning to a Planned Development provides flexibility not found in other Districts within the City of Shasta Lake. As a benefit to the Developer, this PD provides for varying building setbacks that will provide needed flexibility in the placement of buildings on the smaller lots. The proposed setbacks for the Project are as follows:

Front	12ft (House)
	20ft (Garage)
Side	5ft
Corner Side	10ft
Rear	15ft

The City will see a benefit from this PD as increased architecture standards will lead to a better sense of place and avoid a repetitious or monotonous neighborhood layout. This is achieved by requiring varied garage placements that deemphasize the garage door and place greater importance on home architecture, requiring an enhanced elevation on the corner-facing side yard, utilizing the reduced front-yard and side yard setbacks to provide more interesting neighborhood street scenes, and requiring a significant difference in the exterior finish, massing and composition of adjacent houses. One design should not be repeated more often than every third house.



When considering an application for a PD, SLMC §17.62.040 requires that a *“conceptual development plan for the project”* be submitted. This plan must provide sufficient information for a thorough analysis of the application. In compliance with this requirement, staff has reviewed all information included with the submittal of the tentative map application and related PD exhibit (Attachment B).

At the time improvement plans or building plans are submitted to the City, staff will verify consistency with the approved conceptual development plans and with the intent of this Section to ensure reasonably close conformity.

The re-zone includes an amendment to Shasta Lake Municipal Code Title 17 (Zoning) to add Section 17.67.070 – Adopted Planned Developments, included in the proposed City Council Ordinance (Attachment A).

General Plan Amendment

As previously stated, the Project includes a General Plan amendment from IL to Suburban Residential (SR) and a modification to the lands shown and detailed in the Initial Study. Land Use Policy LU-x which states, *“...Area Plans shall be developed for those vacant lands ...to the north and south of the Pine Grove Avenue Extension”* will be modified as follows:

Prior to any approval of any entitlements, Area Plans shall be developed for those vacant lands referenced as the Peri Property, Eastern Washington Property, and the vacant lands **classified as Industrial-Light** to the north and south of the Pine Grove Avenue Extension. Costs shall be borne by the property owner/developer.

Agency/Public Comment

Responsible and Trustee agencies, City departments, and the public have reviewed the project and provided comments. The public and agency responses contained in Attachment C and D were submitted to the Development Services Department and are incorporated into the Project where applicable. Comments regarding the environmental document are included as Exhibit B of the proposed City Council Resolution (see Attachment A of this report).

General Plan Consistency

The proposed Project is consistent with the City's General Plan by supporting the adopted goals, objectives, policies and implementation measures including but not limited to the following:

1. General Objective 1-3. To develop public trust and confidence that the objectives, policies, and implementation measures shall be faithfully adhered to and equitably applied to all land use matters.
2. Objective I-6. To ensure that administration of the planning process is characterized by: The efficient and expeditious handling of planning matters through the coordination and communication of the various departments and divisions of the City and other government agencies
3. Objective FS-1. Protect development from wildland and non-wildland fires by requiring development to incorporate design measures responsive to the risk from this hazard.
4. Objective W-(5). Require the use of *Best Management Practices* to control runoff from all new development, including the issuance of building permits.
5. Objective LU-1. Promote a development pattern which will accommodate, consistent with the other objectives of the Plan, the growth which will be experienced by City of Shasta Lake during the planning period (1999-2020), and as such period is extended by future revisions of the Plan.

B. Environmental Determination

1. The City of Shasta Lake has conducted an initial study on the possible environmental consequences of the proposed project, which was completed and made available for public review on or about October 9, 2020; and
2. The initial study did not identify any significant, unavoidable impacts on the environment that cannot be mitigated which would result from the proposed project.
3. A notice of the preparation and the posting of the proposed Mitigated Negative Declaration (MND) was duly posted and noticed in the Redding Record – Searchlight, a paper of general circulation, on October 9, 2020 to invite comments from the public and interested persons as required by law.
4. A 30-day review period for the IS/MND was initiated on October 9, 2020 with the submittal of a Notice of Completion and IS/MND to the State Clearinghouse for public review and distribution to responsible, trustee, and public agencies with jurisdiction over the resources affected by the Project (SCH # 2020100176).
5. Responses to Comments on the MND from responsible, trustee, and public agencies have been provided.

PLANNING COMMISSION OPTIONS

The Planning Commission has several options with respect to the applicant's request at this time:

1. **Approve The Project Permit.** The Planning Commission may take action to approve the Project by adopting the attached Recommendation, as presented or as amended by the Planning Commission.
2. **Continue Action In Order To Obtain Additional Information or Make Significant Changes to the Resolution.** The Planning Commission may desire additional information or require further

investigations. The Commission has the option to continue the matter to a certain future date in order to accomplish these efforts.

- 3. Deny The Project.** The Planning Commission may determine, after hearing testimony during the public hearing, to deny the Project. A denial must be based on specific findings that the proposed use would be detrimental to the public health, safety, and welfare.

Enclosed:

Attachment A: Resolutions/Ordinance

Attachment B: Development Plan

Attachment C: Agency/Department Comment

Attachment D: Public Comment

Attachment A: Resolutions/Ordinance

RESOLUTION NUMBER PC 20-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SHASTA LAKE RECOMMENDING CITY COUNCIL ADOPT THE MITIGATED NEGATIVE DECLARATION (SCH# 2020100176); ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM; APPROVE GENERAL PLAN AMENDMENT GPA 19-01 (LAND USE MAP DESIGNATION CHANGE; POLICY LU-x MODIFICATION), REZONE Z 19-07 (APPROVAL OF WINDSOR ESTATES PHASE 3 PD, AMENDMENT TO ZONE MAP, AND AMENDMENT TO SHASTA LAKE MUNICIPAL CODE TITLE 17 (ZONING) TO ADD SECTION 17.62.070 – ADOPTED PLANNED DEVELOPMENTS); AND APPROVE TENTATIVE SUBDIVISION MAP SD 19-01 (WINDSOR ESTATES PHASE 3)

WHEREAS, the City of Shasta Lake (City) received an application for General Plan Amendment GPA 19-01 (Land Use Map designation change, Policy LU-x modification); Rezone Z 19-08 (approval of Windsor Phase 3 PD, Amendment to Zone Map, and amendment to Shasta Lake Municipal Code Title 17 (Zoning) to add Section 17.67.070 – Adopted Planned Developments); and Tentative Subdivision Map SD 19-01; and

WHEREAS, the subject property is identified as Assessor's Parcel Numbers 075-010-014, 029, and 030 located generally in the south central section of the City of Shasta Lake, on the south side of Pine Grove Avenue, west of Cascade Boulevard and east of Coeur D'Alene Avenue; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code sections 2100 *et seq.*) and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, sections 15000 *et seq.*), the City of Shasta Lake as Lead Agency determined an Mitigated Negative Declaration (MND) would be prepared for the Project; and

WHEREAS, the public comment period was held from October 9, 2020 through November 9, 2020 (30 days), and comments on the MND were received from two agencies during the public review period; and

WHEREAS, a duly noticed public hearing was conducted on December 3, 2020 to obtain public comments; and

NOW, THEREFORE, BE IT RESOLVED by the City of Shasta Lake Planning Commission as follows:

A. FINDINGS AND DETERMINATION:

The Planning Commission of the City of Shasta Lake hereby finds and determines the above recitals are true and correct and have served as the basis, in part, for the recommendations set forth below.

B. RECOMMENDATION: California Environmental Quality Act (Public Resources Code)

After hearing testimony, considering the evidence presented, and engaging in due deliberation of the matters presented, the Planning Commission hereby recommends that the City of Shasta Lake City Council, in the exercise of its independent judgment, and taking into consideration the comments and responses to comments included within the Mitigated Negative Declaration (MND):

- a. Adopt the MND for the Windsor Estates Phase 3 project, attached as Exhibit A proposed Resolution of the City Council, finding that the MND is complete and in compliance with the California Environmental Quality Act (Public Resources Code

Sections 21000 et seq.) and CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.); and

- b. Adopt the Mitigation Monitoring and Reporting Program attached as Exhibit B proposed Resolution of the City Council; and find,
- c. The City of Shasta Lake has conducted an initial study on the possible environmental consequences of the proposed project, which was completed and made available for public review on or about October 9, 2020; and
- d. A notice of the preparation and the posting of the proposed Mitigated Negative Declaration (MND) was duly posted and noticed in the Redding Record – Searchlight, a paper of general circulation on October 9, 2020 to invite comments from the public and interested persons as required by law; and,
- e. A 30-day review period for the MND was initiated on October 9, 2020 with the submittal of a Notice of Completion and MND to the State Clearinghouse for public review and distribution to responsible, trustee, and public agencies with jurisdiction over the resources affected by the Project (SCH # 2020080262); and,
- f. The initial study did not identify any significant effects on the environment which would result from the proposed project, as it is consistent with the Land Use Element of the General Plan, and the Final Environmental Impact Report prepared for adoption of the General Plan; and
- g. Comments on the MND were received from California Departments of Fish and Wildlife and Toxic Substances Control and response was given; and,
- h. As mitigated, the proposed project will not result in significant adverse impact on the environment, as it is subject to those conditions of project approval and mitigation measures, agreed to by the Developer, and reflected in the MND and resolution of approval; and,
- i. As reflected in the information contained in the record, the establishment, operation and maintenance of the Project will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the area or be detrimental or injurious to property or improvements in the area or to the general welfare of the City.

C. Recommendation: General Plan Amendment, Rezone, Tentative Map

After reviewing and considering the General Plan for the City of Shasta Lake, the Planning Commission recommends that the City Council consider the attached Resolution, Ordinance, and Attachments thereto; and,

- a. Approve General Plan Amendment GPA 19-01, which consists of:
 - i. A modification of the Land Use Map changing lands designated as Industrial-Light to Suburban Residential, as indicated in Exhibit A to the proposed Ordinance of the City Council; and,
 - ii. A modification of Land Use Policy LU-x as follows:

Prior to any approval of any entitlements, Area Plans shall be developed for those vacant lands referenced as the Peri Property, Eastern Washington

Property, and the vacant lands **classified as Industrial-Light** to the north and south of the Pine Grove Avenue Extension. Costs shall be borne by the property owner/developer.

- b. Approve Rezone Z 19-07 approving the Windsor Estates Phase 3 Planned Development, a modification to the City of Shasta Lake Zoning Map, and amending Shasta Lake Municipal Code Title 17 (Zoning) to add Section 17.67.070 – Adopted Planned Developments as indicated in Exhibit C to the proposed Ordinance of the City Council; and,
- c. Approve Tentative Subdivision Map SD 19-01 for the creation of 80 parcels, attached as Exhibit C to the proposed Resolution of the City Council.

DULY PASSED AND ADOPTED this 3rd day of December, 2020 by the following vote:

AYES:

NOES:

ABSENT:

Darlene Brown, Chair

Planning Commission,

City of Shasta Lake, State of California

ATTEST:

Jessaca Lugo, Assistant City Manager
Planning Commission Secretary

Attachments:

Attachment B: Development Plan

Site Data

Client: Cornerstone Development Group, Inc.
 Owner: Cornerstone Development Group, Inc.
 Engineer: Sharrah Dunlap Sawyer, Inc.

APN: 075-010-014, 075-010-029, 075-010-030
 Existing General Plan: SR, IL
 Proposed General Plan: SR
 Existing Zoning: R-1-B-12, Unclassified
 Proposed Zoning: R-1-PD
 Existing Use: Vacant
 Proposed Use: 80 Lot Residential Subdivision

Gross Site Area: 52.0 AC
 Area in Pine Grove Avenue R.O.W.: 2.6 AC
 Area in Remainder: 6.2 AC
 Area in Power Line Easement: 2.4 AC
 Area in Steep Slope: 6.3 AC
 (outside of lots and R.O.W.)
 Net Area: 35.0 AC
 Total Project Units: 80
 Gross Density: 1.5 D.U./AC
 Net Density: 2.3 D.U./AC

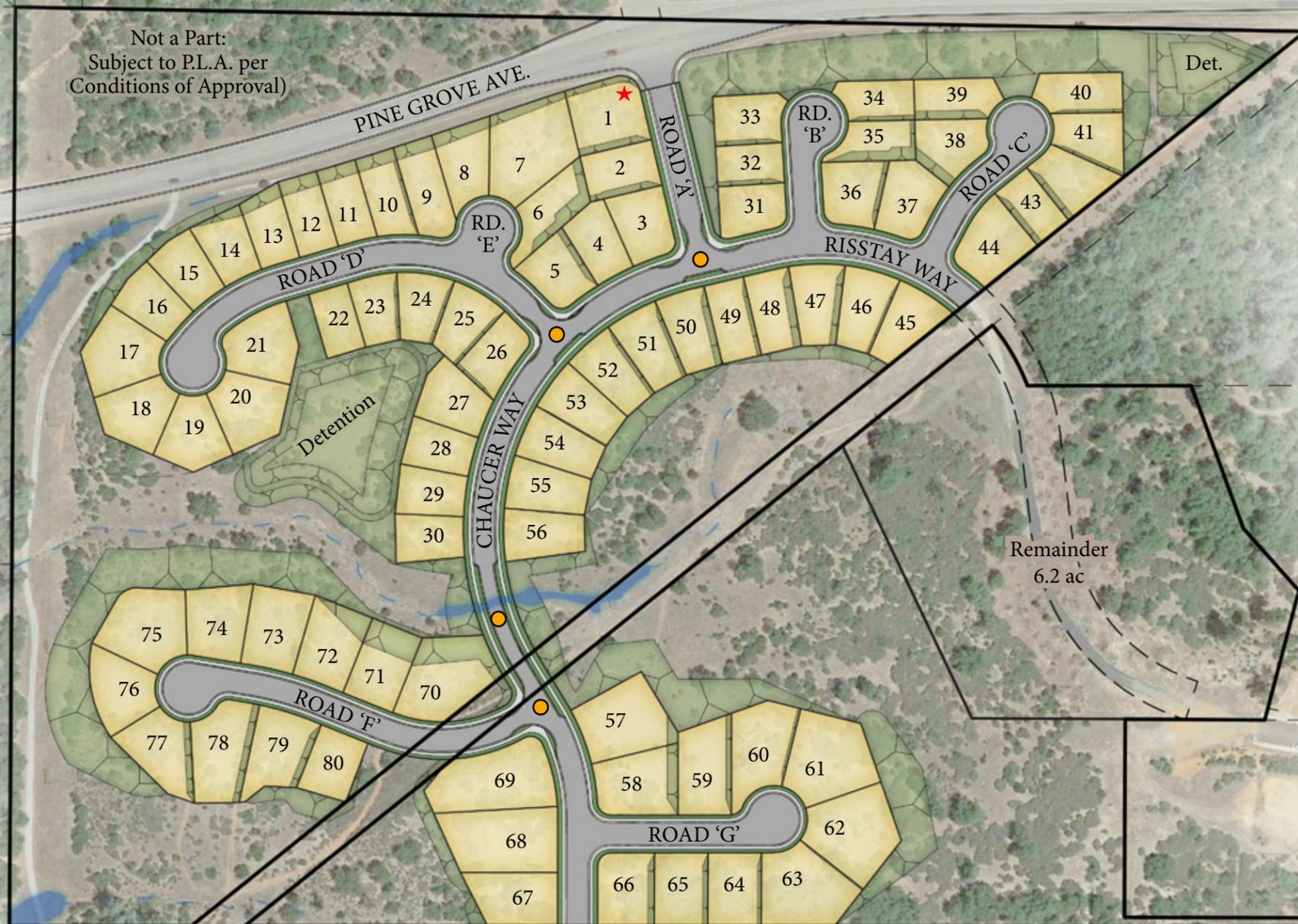
- ★ Subdivision entry sign on sound wall
- Bulbouts for speed attenuation and visual interest

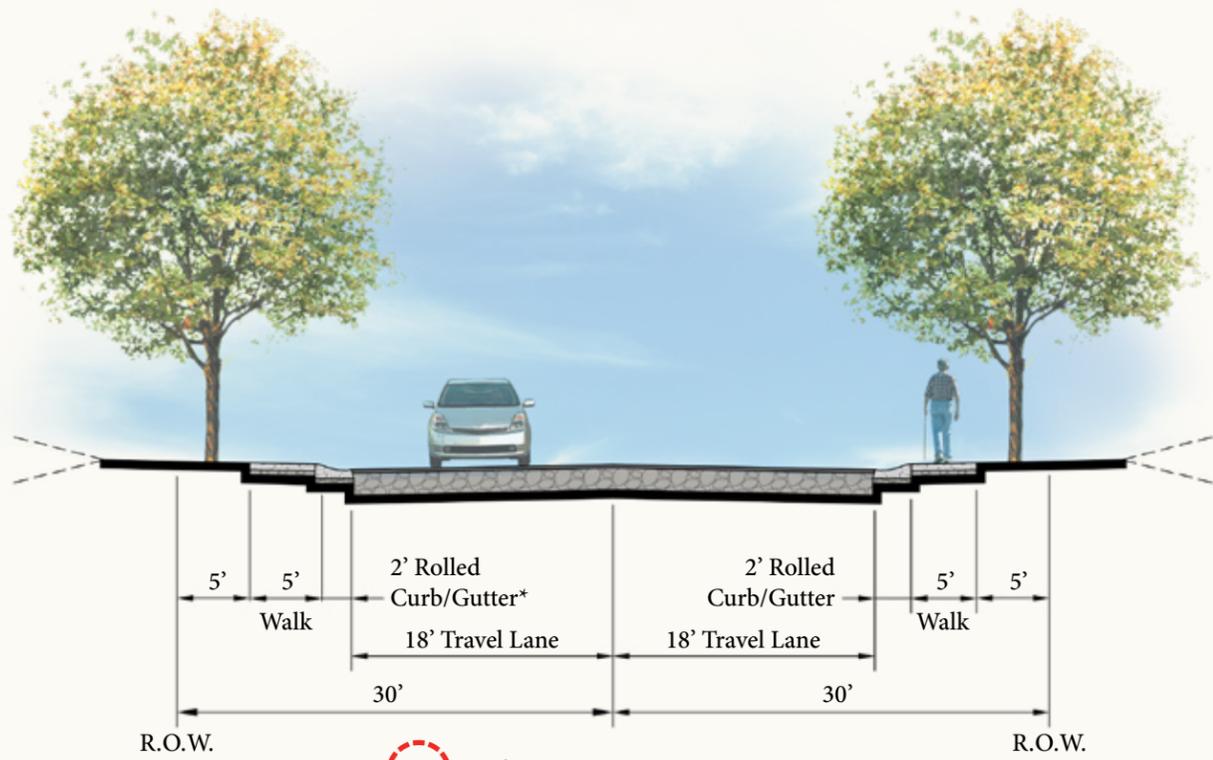


Windsor Estates III

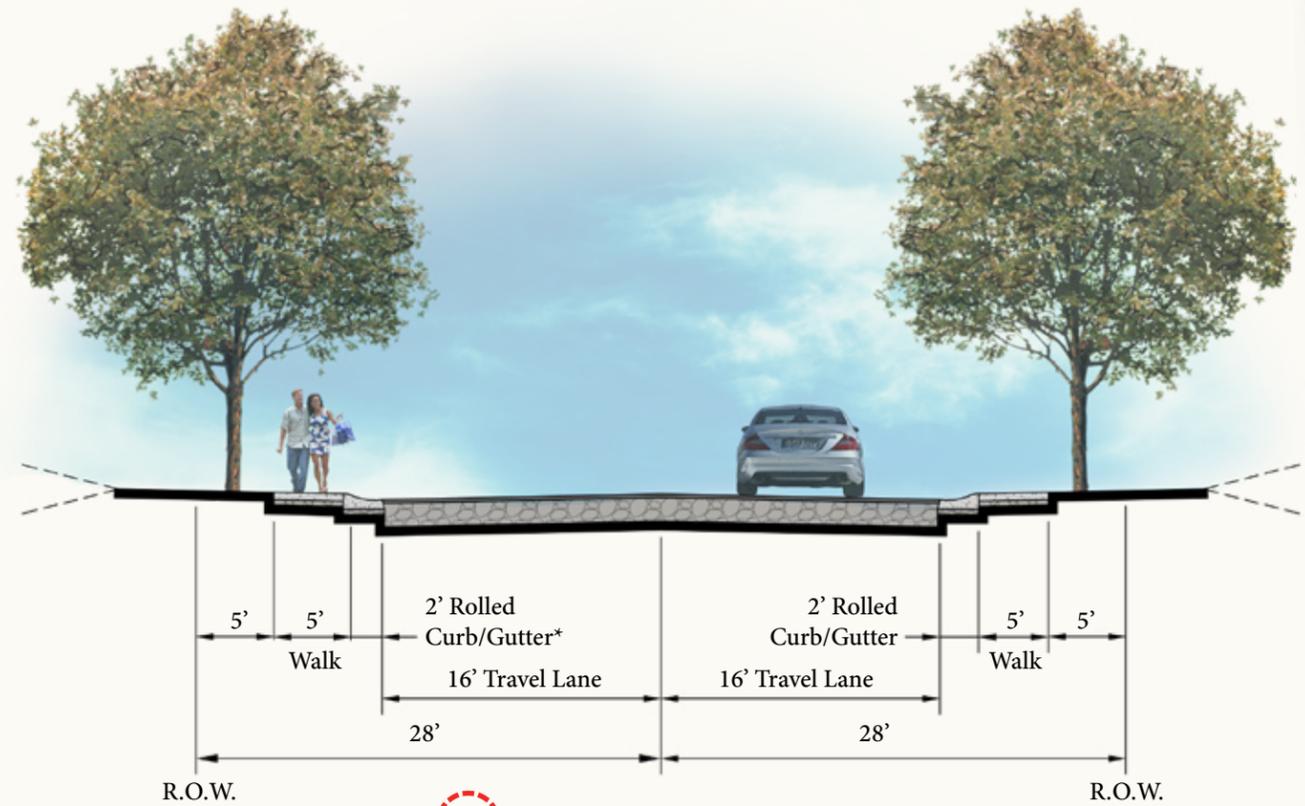
November 20, 2020

Job No. 17.0133





A 60' STREET SECTION
Not to Scale



B 56' STREET SECTION
Not to Scale



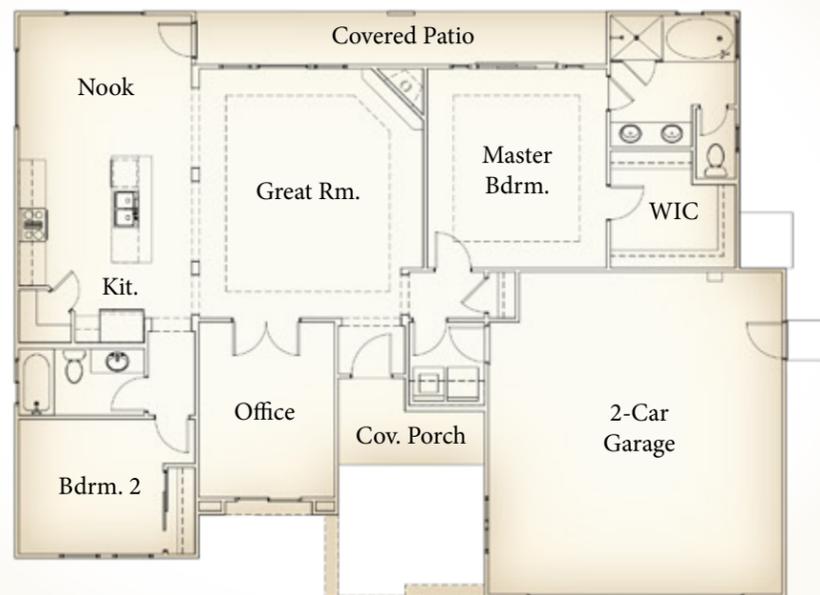
Not to Scale

Windsor Estates III

*Vertical curb with gutter proposed at bulbouts.



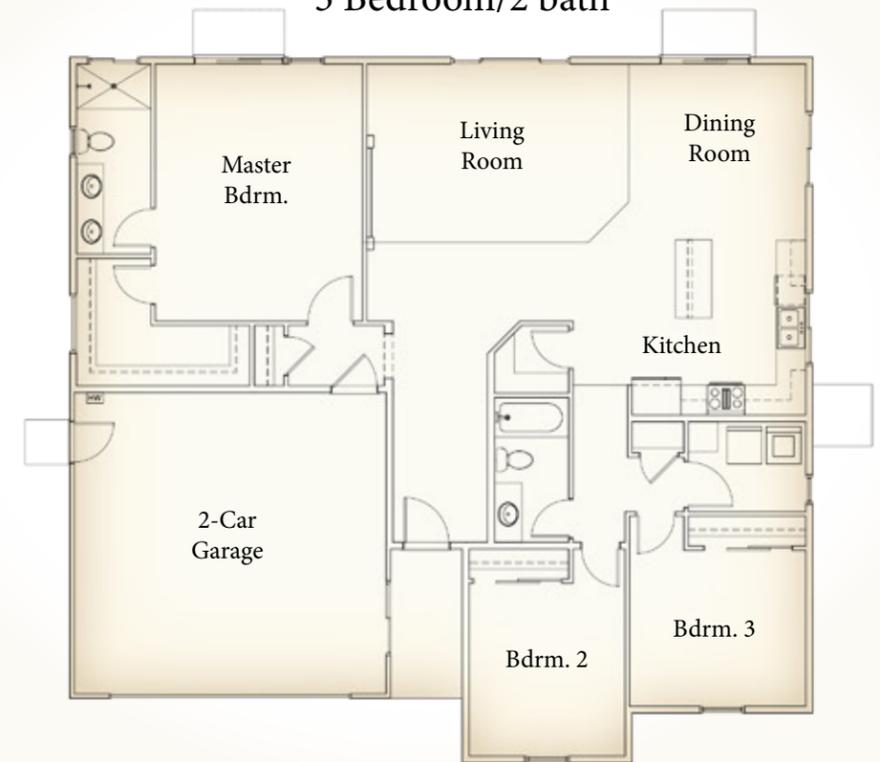
1530 s.f.
2 Bedroom/2 bath/Office



1568 s.f.
3 Bedroom/2 bath



1724s.f.
3 Bedroom/2 bath



60' Minimum Lot Width



Typical Lot Diagram

Setbacks

- Front: 12' (Building)
20' (Garage)
- Side: 5' Minimum
- Corner Side: 10'
- Rear: 15'

Note: Houses shown are representative of typical home styles proposed. Actual floorplans and elevations are subject to change.

Windsor Estates III

Attachment C: Agency/Department Comment

COSL Public Works

1. The City will discuss allowing rolled curb installation for this subdivision as requested by the applicant; however, the City is not making a commitment at this time that this proposal will be accepted. The reason that rolled curb is not allowed as a part of the COSLCS is based on insufficient gutter storage during larger storm events. Other locations where have had rolled curb installed (i.e. Windsor Estates Phase 2) have seen street and sidewalk flooding in low slope areas during these events. This may be able to be mitigated with additional drainage inlet installation. It is likely that hydraulic calculations will be required to be performed by the Developer's Engineer to support this request and to back up the proposed spacing of drainage inlets in WEP3.
2. The lot layout is a primary factor for the tentative map. If this is being deferred, then it needs to be conditioned appropriately so the City is not left with any open space to maintain beyond the detention basins.
3. The applicant shall construct improvements acceptable to the City along the Pine Grove Avenue frontage. These improvements shall include, but not be limited to, sidewalk, landscaping, and pavement striping and marking, as well as additional improvements recommended by the TIS.
4. It does not appear that all new easements required for public utilities have been identified. The missing easements are where utilities cross areas that are not contained in building lots at this time, and this is one of the main issues with allowing the lot lines to exist as-is on the TM. Utilities that fit this condition are the sewer mains on Roads B and C. Additionally, easements for the storm drain pipe along the north side of Lots 34, 39, and 40 are not identified – if it is the Developer's intent that the City will maintain the storm drain pipe at this location, then the pipeline will need to be centered in a 15' easement, and not be placed on slopes so steep that it can't be accessed with equipment.
5. The detention basins need to be designed such that the City can get equipment into the basin for maintenance purposes. It appears that the side slopes are all 2:1, which is fairly steep to drive wheeled vehicles down (It is not clear what the side slope of either detention basin is. The City recommends that the Developer's Engineer review the access road into the Deer Creek Manor Subdivision detention basin for reference.
6. DDW separation standards must be maintained at all times. Continuous operation of the water transmission line is absolutely critical. This transmission main shall be located and shown on the preliminary utility plan to establish that required utility clearances can be maintained. Further, it shall be determined if cover issues will exist as a result of the grading planned for the site (less than 3' of cover or greater than 5' of cover) or if the transmission main will need to be relocated such that it is within paved street areas.
7. The Engineer shall be aware that substantial research and work will be required to make the connection at Manhole SS8 (AKA Manhole K1A). There are existing utility vaults immediately north of the existing manhole with electric utilities running easterly from them, and room needs to be left to allow the future force main bridge transitions to occur. If there is any question as to how or whether this connection can be made, it is suggested that an actual design effort be made prior to the completion of the TM to determine this connection to ensure the project can proceed as planned.
8. During the grading/encroachment permit phase, the City will require gutter flow calculations showing that drainage is adequate to be conveyed down Road "A" and Pine Grove.

9. Open space areas shall either be owned and maintained by a homeowner's association, or lot lines shall be extended to the subdivision boundaries.
10. Easements shall be shown for all public utilities on private properties. Minimum easement width is 15'.
11. Lots that are graded with engineered fill should be designated on the final map.
12. A PRV assembly with a bypass shall be installed at the south end of Chaucer Way to intertie between Zone G and Zone I at that location.
13. An existing 14" sewer force main and 12" reclaimed water main are located generally within the Pine Grove Avenue ROW immediately adjacent to the WEP3 project. Under no circumstances shall these pipelines be disturbed during the course of construction of this project. Additionally, no fill or permanent structures (walls, etc) be placed either within the Pine Grove ROW or within 10' of the pipelines, should they be found to exist on private property.
14. Analysis of both the existing collection system in the vicinity of Lift Station 4 and the pump and force main configuration at Lift Station 4 shall be completed to ensure that the existing infrastructure can support the addition of WEP3.
15. The gravity sewer main running down Pine Grove Avenue shall be a minimum of 8" diameter, per the 2016 Wastewater Master Plan.
16. The WEP3 project is being split up into Phases. A final Drainage Study shall be prepared and account for the phasing, and ensure that all runoff requirements are met at each Phase of development.
17. Recommendations from Geotechnical Engineer shall be incorporated into the project.

COSL Electric

1. The local electric loop connects the 200 Amp 1PH primary from the Switch gear at Chaucer C-562 to the top of Risstay.
2. A 6" conduit will need to be installed from the Switch gear at Chaucer S-561 to the north side of Pine Grove Ave for a future back tie connection.
3. The electric department will need an Auto CAD file for the design Phase on the project.
4. All required Easements will be the responsibility of the applicant.
5. Applicant is calling out a 3 phase project. The electric 200 amp local loop will connect Chaucer and Risstay. What the applicant is calling Phase 1 is the farthest point from either connection. This will need to be addressed in the improvement plans.
6. All electric substructure is the responsibility of the applicant I.E. Conduit, Boxes, Vaults Secondary Conductor.
7. Electric Equipment I.E. Transformers, Above Ground Junction Cabinets and Primary Conductor will be purchased by the City of Shasta Lake Electric Department with the Deposited funds from the Applicant. Amount to be determined at final design.

Shasta Lake Fire Protection District

1. ALL VEGETATION WITHIN THE PROJECT shall be cut and maintained as per the current California Residential Code Section R337.1.5 prior to any request for final building approval or certificate of occupancy. Any remainders shall be maintained to a fire safe condition to minimize fire spread at no more than every 5 years after initial clearing.
2. Every effort should be made to connect Risstay Way within this project to the end of the existing Risstay Way within Deer Creek Manor Subdivision.
3. This parcel is located in a "Very High Fire Hazard Severity Zone" and as such shall be developed according to the applicable provision of the California Building Code

Chapter 7A and other code provisions for construction within "Very High Fire Hazard Severity Zones."

4. If the development proceeds as submitted on the tentative maps dated September 23, 2020, the road labeled as "Chaucer Way" shall from the point of connection to the north end of the existing "Chaucer Way" in Windsor Estates Phase II to continue to be the point of connection and main entrance to the subdivision at Pine Grove Avenue NOT BE REDUCED from the existing width of the existing Chaucer Way (which is approximately 35 feet of asphalt with 3 foot curb and gutter systems on each side for a total roadway improvement width of 41 feet) for the entire length of the newly constructed road. Fire apparatus and other heavy emergency vehicles will not be able to pass any other vehicle through a roadway of any less width than the existing Chaucer Way. The entire length of this connection from Pine Grove Avenue to the existing Chaucer Way SHALL BE CONSTRUCTED AND COMPLETED as part of the initial phase of this subdivision. If properly designed, speed cushions (preferred) or speed humps (possible alternate) may be approved by the Shasta Lake Fire Protection District after design submittal, review, and approval by this agency. SPEED BUMPS SHALL NOT BE USED.
5. All roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pound and provide an aggregate base. This weight design shall include any bridges, culverts, or other road structures within the project that a road crosses within the proposed subdivision.
6. All new water connections shall be at least 1" tap at the water main serving the individual lot and all valves, service piping, and water meter shall be at least 1" in size to accommodate new dwellings that are all required to have a residential fire sprinkler system installed at the time of construction. Longer pipe runs for flag lots or pipe runs that require a number of tight turns to reach the dwelling water meter may require larger piping. Even after this upgrade to 1" a fire pump and/or pressure tank may be required to meet flows.
7. Hydrants are to be installed with the type and location of each to be pre-approved by the Shasta Lake Fire Protection District and all hydrants serving any given Unit/Phase/or area shall be in service prior to the start of construction on the first lot in that area. Water system and hydrant flows will be installed and conform with the California Fire Code as amended and adopted by the Shasta Lake Fire Protection District. Residential fire flows with the minimum requirement being 1,000 gallons per minute in addition to maximum daily demand of the existing and proposed development.
8. Construction debris:
 - a. Brush and timber removed during the construction of roads shall be removed or otherwise disposed of prior to filing the final map.
 - b. Brush and timber removed during construction of driveways and building sites shall be removed or otherwise disposed of prior to the final inspection and approval by the Shasta Lake Fire Protection District and/or Building Department.
 - c. NO brush, timber, or other vegetative debris may be relocated to another location on site or off site to the subdivision and stockpiled without a plan in writing being submitted to the Shasta Lake Fire Protection District and written approval being issued by the SLFPD.
 - d. Applicant shall dispose of any brush, trees, or other vegetation cleared for construction and/or land development purposes in accordance with all environmental laws applicable within the City of Shasta Lake and the Shasta Lake Fire Protection District. If burning is proposed written approval of the City of Shasta Lake and a permit issued by the Shasta County Air Quality Management District and approved by the Shasta Lake Fire Protection District shall be required. Prior to approval and start of work on the subdivision all vegetation on the

- subject parcel(s) and on the property of the applicant shall be cut, thinned, or otherwise fully in compliance with the Vegetation Maintenance standards as adopted by the Shasta Lake Fire Protection District. Any open spaces, green belts, or otherwise undeveloped lands within the boundary of lands considered a part of the proposed project shall have in place a Vegetation Management Plan signed and approved by the Shasta Lake Fire Protection District prior to the start of work on the project. Areas otherwise designated by the City of Shasta Lake as "no build" zones shall be noted on the individual property deeds or other real estate documents as requiring annual and regular vegetation maintenance and transferred to each new property owner over time. A notation on the recorded subdivision map shall also appear noting the vegetation maintenance requirement.
9. Buildings shall be provided with a street address marker that is located with respect to the nearest roadway and visible from the roadway the site is addressed on so as to be clearly visible at all times and visible from both directions of travel. Numbers shall be a minimum of four (4) inches in height, 1/2" stroke, reflectorized and shall contrast in color with the background (Black on White, White on Black, or similar sharp contrast in color; NO brass, gold, silver, chrome or other polished finishes).
 10. "Chaucer Way" is required to connect through. In this we believe that the "Phase" numbers of "Phase 2" and "Phase 3" should be swapped and that the road be connected through. We realize that the actual "Phase" number does determine build order however no matter what order development is planned the connections at both ends of "Chaucer Way" be done as early as possible and otherwise guaranteed by whatever documentation is necessary to make sure it is fully built out regardless of whether any of the cul-de-sacs are built. This will allow all development within the Windsor Estates Phase III to be constructed as soon as the appropriate other infrastructure has been completed for the proposed development area.
 11. It is with our strongest recommendation that "Road A" become an extension of "Chaucer Way" and that a dividing line for "Risstay Way" begins at the lot line corner common to Lots 49/50. This would then mean that everything that is currently listed as "Chaucer Way" that is east of the lot corner common to Lots 49/50 would become an extension of "Risstay Way". This would mean that lots 45, 46, 47, 48, and 49 would all be addressed on "Risstay Way" (unless the corner lots 31, 36, 37, and 44 face "Risstay Way" and then they would also be address on "Risstay Way"). The net effect would mean that "Road A" disappears as a stand alone road name and becomes part of the main road leading to Windsor Estates Phase II and is already listed as the main road through the Windsor Estates Phase III tentative map.

Attachment D: Public Comment

October 27, 2020

City of Shasta Lake City
POB 777
4477 Main Street
Shasta Lake, Ca. 96019

Attn: Planning Commission
Re: Phase 3 of Windsor Estates

We moved to the Windsor Estates subdivision last winter...our home is now almost 5 years old and the floorpan was just what we wanted. We chose a home on a flat parcel partly due to our experiences with another homes that had drainage issues in the same type of clay and soil- one in the Ozarks, one in rural Red Bluff. That Red Bluff home was custom built and we we noticed the drainage issues the builder was no longer in business. We had to correct the mistake of the builder in regards to drainage around our home at our own expense.

Within a month of moving to Windsor Estates, we became aware that 3 of our neighbors have had serious settling issues with their homes. One has had several specialists over to inspect the damage created in just 4 years and he reported that several other neighbors have serious cracks or were unable to open their sliding patio doors. He showed us the gap between his cement walkway and his walls at that time. In new homes only 4 years old this seems incredible. He felt that the grading and back-filling were the culprits. What will happen when these homeowners want to sell their homes? They will need to disclose these issues or pay to have them remedied before they can sell or hope they aren't sued for non-disclosure if they fail to reveal this issue.

Then we noticed the perpetual flow of water on Avington Street on the west side-which has directly affected at least 3 neighbors just south of the Avington/Pembroke intersection. I don't think a homeowner should have to install a sump pump or be unable to use their swimming pool due to a year round spring. Several of those homeowners have told us they have contacted Shasta Lake City about this problem so I am assuming the city is aware of this issue. I am not a geologist or engineer but having lived on hilly rural properties with similar clay/rock soil I knew exactly where our seasonal springs were on both properties. How could a year round spring not be detected during construction by the builder, the contractor and the city inspectors!

During several weeks of rain last winter, we noticed that quite a few of the homes with very steep backyards that are fairly common in this area had red clay water flowing into the streets. Why do so many of the lots have extreme slopes in the backyards in this development? We have noticed many attempts to modify these backyards and resolve drainage issues in several areas as we walk the neighborhood. None of the homeowners were happy about having to resolve this issue at their own expense.

So my concern is this: I believe construction in this type of geology needs to be Much More Closely Monitored as there are existing problems in Windsor Estates Phase 1 and 2 already. The terrain and soil composition of the proposed phase appears to be exactly the same as the existing development and hope that homeowners will not be burdened with the expense, worry and remediation of problems associated with poor drainage and serious settling.

By the way- In our search for a home, several local realtor/brokers suggested we not look in Windsor Estates without revealing their reasons. I wonder now if some of these issues might be the reasons. I love the neighborhood and the location but I am very disappointed that some neighbors are so distraught over preventable issues.

One last concern about this project is the lack of a park for this development. The children have no safe place to play and meet other neighbor children and families. I think parks build communities and since there are no school playgrounds or trails in the development, a park is the answer. The private portable basketball stands left in the streets are a perpetual hazard for all motorists and especially emergency vehicles. I should think Cornerstone Development and the city could provide some type of park for all the homeowners to enjoy. I understand that the planning Commission is trying to find a location as well as the funding to move forward on this issue. I believe I know the location of the 7 acre tract that is being considered (from speaking with Peter Bird) as we have noticed this horrid blighted area with old trailers with broken windows and missing doors and lots of trash that is actually quite near a creek. We actually refused to consider several homes close to this parcel due to this awful mess. We were very surprised to see all the trash on this lot due to the proximity to that creek as we know code enforcement is rightfully vigilant regarding protection of waterways. When we owned a ranch which contained Dibble Creek in Tehama County, we found code enforcement to be most efficient and effective in forcing a neighbor to clean up hazardous trash near the creek.

We look forward to hearing about progress in cleaning up that parcel and possibly creating a park in an area that could be beautiful.

Thank you for your consideration of my concerns.



Julie Renier
4047 Hyde Park Court
Shasta Lake, Ca 96019

From: [Peggy King](#)
To: [Peter Bird](#)
Subject: Regard Public Comments on Cornerstone Development at Pine Grove/Chaucer Way
Date: Tuesday, November 3, 2020 11:59:42 AM

Peter:

Thank you for showing me how to access the documents related to the proposed project on your website. Our comments are as follows:

Our house is located on Chaucer Way right next to the proposed development. While we are not thrilled about the project going forward, we respect the right of Cornerstone Development/Mike Nadeker to develop his property. In fact, if the property is to be developed, we would rather see Cornerstone/Mike do it as he has demonstrated he keeps his construction sites clean and neat....more so than other construction projects we have seen in the area. He has also been proactive in informing residents of any construction issues that may affect them.

Having said all that, we want to go on record of STRONGLY objecting to any development that doesn't control the speed of traffic that will be moving back and forth in front of our house!!!! We currently reside on what is essentially a dead end street and the only traffic is us, our neighbors, and a few delivery vehicles. Young kids living in the neighborhood and our grandkids ride bikes on the street. We realize that things will change, but we have observed (while walking in the area) the problems the residents living in the area (on Trinity and Autumn Harvest) have with some people entering or exiting Windsor Estates. I regularly have some idiot tailgating me down Trinity while I am driving 25 mph entering or exiting the subdivision.

With Chaucer Way connecting to Pine Grove, there are about 70 - 80 households living above us that will use Chaucer to access their homes. Combine this with visitors, gardeners, and delivery trucks that service these homes, that will be a lot more traffic going by than we have been used to (the folks living on Trinity will appreciate it). Yeah, I know, if we didn't want traffic we should have located on a cul-de-sac. However, we estimate that with lengthening Chaucer Way, it will be about 1.5 miles in length, and a drop of over 200 feet, plenty of distance for a distracted/late for work, school or appointment driver to get up to a very excessive speed! We regularly hear tires squealing in the morning and at night when some vehicles come down Chaucer and turn right onto Avington. If these vehicles are allowed to proceed unimpeded straight down to Pine Grove, the new development has created a very unsafe situation for the residents on the current northern section of Chaucer Way!!

Peter, you mentioned the new development will have some speed controls. We would like to hear more about these and experience with their effectiveness. What about speed bumps? I

know they are not popular with fire departments and garbage trucks, but from personal experience (if they are severe enough) they work. Also, what about putting a three way stop at the corner of Avington and Chaucer Way? I know this intersection is not "part" of the development, but the increase in traffic and speed through this area will be caused by the development.

Our last comment on the development is with the clearing of the property, it will be an attraction for dirt bikes and buggies, especially riding in the water retention areas. We experienced this when development was going on above us a few years ago. (They always seemed to show up when I was getting the barbeque going on my patio.) While this is not a safety issue (with us), it sure is an annoyance. I know, with time they will have less area to ride on (they still ride in the water retention area next to us). Any thoughts?

Ken and Peggy King
Chaucer Way
Shasta Lake City