



Commissioner Perminder Bains, Chair

Commissioner Christine Alcocer

Commissioner Zac Repka

Commissioner Robert Norton, Vice-Chair

Commissioner Aaron Eller

Commissioner Malcolm Weston

Commissioner Donald Albers

October 4, 2016

7:00 PM

A. CALL TO ORDER

B. ROLL CALL

Commissioners Albers, Weston, Eller, Repka, Alcocer, Vice-Chair Norton and Chair Bains

C. PLEDGE OF ALLEGIANCE

D. APPEARANCE OF INTERESTED CITIZENS*

To address the Commission please step to the rostrum and state your name and address

E. APPROVAL OF MINUTES

1. Approval of Minutes from September 6, 2016, Regular Meeting

F. PUBLIC HEARING

2. Approval of Three-Year Extension of Tentative Subdivision, Live Oak Ranch II, Map Extension Request No. 16-16
3. Approval of Conditional Use Permit Amendment No. 16-17 for the Sikh Temple

G. ADJOURNMENT

Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$733, must be filed with the City Clerk, 9955 Live Oak Blvd., Live Oak, CA 95953, within 10 days of such action. If no appeal is filed within this time limit, the Commission action becomes final. The exception to this is rezonings – please check with the Planning Department, 9955 Live Oak Blvd., Live Oak, CA 95953, for the procedure. Mailed notices of the Council hearings will be accomplished in the same manner as the Planning Commission hearings unless additional notice is deemed necessary.

If you require auxiliary aids or services (e.g., signing services) to make a presentation to the Planning Commission, the City will be glad to assist you. Please contact the City offices (530) 695-2112 at least 72 hours in advance so such aids or services can be arranged.

*Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Members of the Commission will respond as best as they can to public comments but cannot take action or enter into a discussion on items not contained on the agenda. Public comment on public hearing agenda items will be permitted during the hearing.

LIVE OAK PLANNING COMMISSION MINUTES
REGULAR MEETING OF SEPTEMBER 6, 2016
City Hall – 9955 Live Oak Boulevard, Live Oak, CA 7:00 PM

A. CALL TO ORDER

The meeting was called to order at 7:00 p.m.

B. ROLL CALL

Commissioners Weston, Eller, Albers, Alcocer, and Chair Bains were present.
Commissioner Norton was absent.
Commissioner Repka arrived after the Pledge.

C. PLEDGE OF ALLEGIANCE

Commissioner Ellers led the Pledge of Allegiance

D. APPEARANCE OF INTERESTED CITIZENS

None were present

E. APPROVAL OF MINUTES

1. The minutes of August 16, 2016 regular meeting were approved with 1 revision;
 - Motion to approve with the correction for the Myrtle Street CUP as a motion was stated to” approve the Myrtle St. CUP for a residential unit within the Commercial Zoning District.”

Motion made to approve the August 16, 2016 Planning Commission meeting minutes with the 2 noted corrections. Seconded by Commissioner Albers.

AYES: 5

NOES: 0

ABSTAIN:1

Chairman Bains abstained as he was not at the August 16th meeting.

F. PUBLIC HEARINGS

2. Recommendation of the City of Live Oak Bicycle, Pedestrian, and Trails Plan

Staff gave the staff report presentation for the City of Live Oak Bike, Pedestrian, and Trails Plan. Introduced the Consultant from Alta, Rory Renfor. The Consultant gave a power point presentation on the Bike, Pedestrian, and Trails Plan.

Commissioner Weston asked about the regional plan looking outside the immediate area for connections.

Rory Renfor stated that the Plan did include a map showing the regional plan. However, the plan needed to focus on the immediate area as the Plan needed to have a set geographic area.

Commissioner Weston stated that on pg. 2-5 the direction needed to be corrected to “East” as the River park is east of the Town. He added that he liked the vision.

Commissioner Eller stated he takes several walks with his wife in the evening and he would like to see trails be connected as of right now there are trails that end and then pick up somewhere else.

Rory Renfor stated that the Plan helps with that regarding showing the big picture and helping to be a catalyst towards winning grants to complete trails.

Chairman Bains asked about Pennington Road, do we need to work with other jurisdictions?

Rory Renfor stated yes, we will need to work with other jurisdictions.

Chairman Bains stated that on Table 5-4 it does not list one of the streets, Elm St as it show is in Figure 5-5.

Commissioner Albers asked about future modes of transportation, does the plan include that discussion?

Rory Renfor stated the plan does not discuss future mode of transportation and stated his guess it would actually be a City Code issue.

With no further questions, a Motion was made.

Motion: Commissioner Weston made a motion to approve with the noted changes of the City of Live Oak Bike, Pedestrian, and Trail Plan

Second: Commissioner Eller

AYES: 6

NO: 0

G. ADJOURNMENT

The meeting was adjourned at 8:15 pm.



DATE: October 4, 2016
TO: City of Live Oak Planning Commission
FROM: June Cowles, Contract City Planner

Application: Tentative Subdivision Map Extension No. 16-16;
Applicant/Owner: Sunny Dale and Patrick Laughlin
Location/APN: Located west of Larkin Road and North of Pennington Road APN
006-600-004 and 006-600-013
Environmental: Previously adopted Mitigated Negative Declaration
General Plan: Low Density Residential
Zoning: Low Density Residential District R-1
Acres: Approximate 12.89 acres

RECOMMENDED ACTION:

Approve a three-year extension request to September 1, 2019 of Tentative Subdivision Map Extension Request No. 16-16, subject to the required Findings and project Conditions of Approval.

BACKGROUND:

In 2005, the Planning Commission approved a Tentative Subdivision Map TSM2005-0524, Live Oak Ranch II that created a 47 lot subdivision. In September 2007 a two-year extension was approved for TSM2005-0524. The State of California since then has approved several Assembly Bills and Senate Bills to extend current TSM in order to assist during the economic downturn. The current Live Oak Ranch II TSM expiration date is September 1, 2016. The applicant request letter for a three-year extension was received on August 23, 2016 to which extended the expiration date for another 60 days so that the request can reviewed by the Planning Commission.

PROJECT DESCRIPTION:

The applicant is requesting an extension of three years to comply with the conditions of approval for Tentative Subdivision Map 2005-0524. Pursuant to the Subdivision Map Act, Section 66452.11.

PROJECT ANALYSIS:

General Plan and Zoning Conformance:

The General Plan Land Use designation for the project site is Low Density Residential and the zoning is Single-family Residential District (R-1), the proposed TSM remains consistent with both the General Plan and Zoning District.

Time Extension of an Approved map (Subdivision Map Act and Live Oak Municipal Code:

As set forth in the Subdivision Map Act Sec 66452.6.e of the State Government Code tentative maps expire after two years if no final map is recorded. The person filing the tentative map may

subsequently request an extension of time to process a final map. The Planning Commission may grant an extension or extensions of a tentative map. Pursuant to section 16.20.220 of the Live Oak Municipal Code, the City's policy has been to grant extensions to give the City the opportunity to re-evaluate the map and surrounding area conditions. If granted, this will be the subdivision maps' last extension. Sec 66452.6.e of the Subdivision Map Act allows discretionary extensions up to five years. If the extension request is granted, this will be the last map extension approved for this subdivision by the City of Live Oak.

Staff recommends that the Planning Commission grant a three-year extension for the subdivision map to allow the applicant additional time to meet the July 2005 Conditions of Approval.

ENVIRONMENTAL ANALYSIS:

A Negative Declaration has been previously circulated and adopted for the project. The project site and surrounding conditions remain unchanged, and thus no new environmental impacts were identified.




ATTACHMENTS:

1. Project Vicinity Map
2. Orchard View I Tentative Subdivision Map
3. Proposed Conditions of Approval









Live Oak Subdivision Map

ZONING CITY OF LIVE OAK

MAP FEATURES

-  City Limit
-  Parcel Base
-  Pennington_Ranch_Update_09.21.04



ZONE CLASSIFICATION	
	R-1 SINGLE FAMILY RESIDENTIAL
	R-2 TWO-FAMILY RESIDENTIAL
	R-3 NEIGHBORHOOD APARTMENT
	R-4 GENERAL APARTMENT
	C-2 CENTRAL COMMERCIAL
	C-3 GENERAL COMMERCIAL
	M-1 LIGHT INDUSTRIAL
	M-2 GENERAL INDUSTRIAL

Live Oak Ranch II “Conditions of Approval”

- A. Preparation of the Final Map shall comply with all related provisions of the California Subdivision Map Act, the Live Oak Municipal Code, the Uniform Fire Code, and the Live Oak Public Works Improvement Standards.
- B. The development of the parcels of property created by this map shall be subject to the laws, rules, regulations, and construction standards in effect at the time a Building Permit is issued as to each particular parcel.
- C. Provide all improvements along Luther Road frontage including drainage, underground utility installation, curb, gutter, sidewalk per Live oak Municipal Code and development standards. Coordinate with the City and County Public Works Departments and City and County engineers to arrive at an acceptable design for Luther Road, including the connection to, and traffic control for Pennington Road.
- D. Provide water storage capacity for 47 homes prior to building construction. This shall consist of purchasing a minimum of 47,000 gallons of storage entitlement in a 1.4 million gallon water storage tank that is being designed and constructed. The Development Agreement/Subdivision Agreement will provide all details regarding fair-share compensation for the construction of this facility. This is a cost to be born by the developer, and is over and above the monies paid in impact fees. In order to satisfy the tentative development condition that the Subdivider provide water capacity or storage for 47 homes prior to construction. The City shall collect water storage capacity costs from Subdivider for Subdivider’s fair share of the cost to construct and install a 1.4 million gallon water storage tank in the city. Payment shall be made prior to recordation of final map in the estimated amount of: \$67,142.86 based upon the requirement of 1,000 gallons of water storage per dwelling unit, the water storage fee per dwelling unit shall be equal to 1/1400, or \$1,428.57 per dwelling unit. In lieu of actual construction costs, the subdivider will pay the City \$67,142.86 based on the estimated water storage tank cost of \$2,000,000 ($47 \times \$2,000,000.00 / 1,400 = \$67,142.86$).
 - a. If the cost to construct is less than the \$2,000,000.00, then the city will refund the proportional difference. By way of example, if the actual cost for construction of the 1.4 million gallon water storage facility is \$1,850,000.00, then the City will refund \$5,035.72 ($47/1400$ of $\$1,850,000.00 = \$62,107.14$). ($\$67,142.86 - \$62,107.14 = \$5,035.72$).
 - b. If the cost to construct is more than the \$2,000,000, then the developer will pay the City proportional difference prior to the issuance of any building permits. By way of example, if the actual cost for construction of the 1.4 million gallon water storage facility is \$2,100,000.00, then the Subdivider will pay the City an additional \$3,357.14 ($47/1400 \times \$2,100,000 = \$70,500.00$). ($\$70,500.00 - \$67,142.86 = \$3,357.14$).
 - c. If the cost to construct is more than \$2,000,000, the City will invoice the Subdivider. Payment shall be made with 10 days of receipt of invoice. If

Subdivider fails to timely pay the invoice, the City may withhold issuance of building permits or certificates of occupancy in addition to any other remedies available to City.

- E. Applicant to verify that adequate capacity exists with current water, sewer, and stormwater main lines along Luther and other adjacent roadways to support additional development. Should additional capacity be required, applicant will provide all additional capacity at his sole and separate expense.
- F. Provide traffic improvements to Luther Road, Kola Street, and N Street and other locations as specified in the CIRCULATION STUDY AND TRAFFIC IMPACT FEE ASSESSMENT. These improvements will include, but not be limited to, intersection improvements and roadway improvements. Any improvements that are required which are not determined to be entirely attributable to the Live Oak Ranch II subdivision impacts, will be reimbursable to an extent determined by the city engineer. This reimbursement will be accomplished through a reimbursement agreement to be entered into by the developer with the City at the time of the Subdivision Agreement.
- G. Dedication of sufficient property to provide for a minimum of 30' of street right-of-way east of the Section line comprising the centerline of Luther Road along the property frontage. On the west side of the Luther Road centerline, the applicant will be required to provide full improvements excluding the sidewalk and 5.5 foot wide R/W strip behind sidewalk.
- H. Provide frontage for all lots created by this subdivision solely along those streets created by the subdivision and to be dedicated to the City. No lots are to have frontage on or access to Luther Road. The Final Map shall provide a one (1) foot wide "No Access" strip on the lot side of the Luther Road right-of-way line along the entire length of each lot, which abuts said right-of-way.
- I. The city engineer and the director of public works must approve any variations from the Current City of Live Oak Public Works Improvement Standards for internal street design.
- J. On a document to be recorded concurrently with the Final Map the following items, to be implemented at the time of development of any of the parcels being created by the map, will be addressed:
 - a. Any Construction work within City right-of-ways shall be accomplished under an encroachment permit issued by the Public Works Department.
 - b. Any Construction work within County right-of-ways shall be accomplished under an encroachment permit issued by the Sutter County Public Works Department.
 - c. Water, fire and wastewater system improvements shall be designed and constructed in accordance with the City of Live Oak Public Works Improvement Standards, as approved by the Public Works Department.

All occupied structures located or constructed on the parcels created by this land division shall be connected to the City water system and the City sanitary sewer system.

- d. All occupied structures located or constructed on the parcels created by this land division shall be provided with underground natural gas, electric, telephone and cable television services.
 - e. All fees, exactions or any other charges or obligations applicable to the development of any particular parcel created by this map, shall be those that are in effect at the time a Building Permit is issued for the development of that particular parcel. (This applies to all fees, exactions or other charges whether or not they were in existence when the Tentative Map was filed and whether or not they have been modified or amended between the time of the filing of the Tentative Map and the issuance of a Building Permit).
 - f. Applicant/Developer shall pay water, sewer, and drainage connection and mitigation (AB 1600) fees in the amounts in effect at the time building permits are issued, subject to separate terms detailed in Development Agreement.
 - g. Survey monumentation in conformance with the requirements of the Live Oak Municipal Code, the California Land Surveyors Act and the California Subdivision Map Act shall be provided.
 - h. All easements of record that affect this property shall be shown on the Final Map.
- K. Prior to recording of the final map the Applicant/Developer shall execute a subdivision agreement with the City of Live Oak.
- L. Prior to recording of the final map the Applicant/Developer shall annex the subject property into, or establish a Special Assessment (SA) or Community Facilities District (CFD) as directed by the City in order to ensure adequate operational and maintenance funding availability. The SA or CFD will pay for any and all municipal services such as fire, police, parks, lighting, animal control, and any other identified municipal services. The Applicant/Developer will be responsible for all costs required to establish the SA or CFD. Should several developments be included in the initial SA or CFD, the costs will be shared on a proportional basis as determined by the City.
- M. Prior to recording of the Final Map, any public or landscaped areas within the boundaries of the subdivision (if any) will be annexed into a Special Assessment or Community Facility District in order to pay all future costs associated with operation and maintenance of those improvements.
- N. Prior to recording of the Final Map, the Applicant/Developer shall submit complete Public Improvement Plans and Specifications, along with all supporting documentation and calculations, prepared by a registered civil engineer in

accordance with LOMC § 16.20.180. The plans shall include the design of the on-site storm drainage detention facility, in accordance with the Live Oak Public Works Improvement Standards, which will collect and detain all runoff from the subdivision and meter the outflow (measured at the subdivision boundary) to no more than the predeveloped peak discharge from the site as required by Reclamation District No. 777. The plans, specifications, and calculations shall be submitted to Reclamation District No. 777 for approval. The developer shall pay for any and all costs for the review. The Final Map will not be approved and recorded until the City Engineer has approved all Public Improvement Plans and Specifications.

- O. Applicant/Developer shall construct such approved drainage facilities as are required to convey drainage from the subdivision being developed to acceptable natural drainage courses. Applicant/Developer shall include, as part of the Final design, a plan, and all necessary details to convert the proposed (shared) stormwater detention basin into a park/open space area.
- P. The Director of Public Works and the City Engineer, prior to final map approval, shall approve the design of any storm drainage facilities. All open ditches shall be filled and water directed to pipes and culverts per LOMC standards.
- Q. Applicant shall be solely responsible for any additional state or federal permits as may be required including, but not limited to, Army Corps of Engineers or California Department of Fish and Game.
- R. The Planning Director, Director of Public Works and the City Engineer will coordinate with the applicant the appropriate traffic calming solutions for proposed and future streets.
- S. Applicant/Developer to provide the city with electronic copies of all parcel maps and improvement details such as water, sewer, and drainage infrastructure details in a form that is compatible with, and able to integrate into, the City's GIS program.
- T. Should it be necessary to acquire any additional right of way for the purpose of access or infrastructure, the applicant will be responsible for any and all costs associated with such acquisition.
- U. Applicant/Developer to submit building and landscape plans to Design Review Board for approval prior to issuance of building permits (LOMC § 15.08.020).
- V. Applicant to integrate appropriate traffic calming measures into the design of the project. Those specific traffic calming measures will be presented to Planning Commission for approval at a future meeting, but before final design acceptance.



DATE: October 4, 2016
TO: City of Live Oak Planning Commission
FROM: June Cowles, Contract City Planner

Application: Conditional Use Permit Amendment No. 16-17;
Owner/Applicant: Sikh Temple Live Oak-Gridley/Dennis Nelson
Location/APN: 10461 Larkin Road, APN 006-370-003
Environmental: CEQA previously approved Mitigated Negative Declaration
General Plan: Small Lot Residential
Zoning: Small Lot Residential (R-2) Zone District

RECOMMENDED ACTION:

Approve Conditional Use Permit Amendment No. 16-17 for the Sikh temple located at 10461 Larkin Road, subject to the required Findings and project Conditions of Approval.

EXECUTIVE SUMMARY:

The applicant is requesting a Conditional Use Permit Amendment for a previously approved building to include a reduction of square-footage and height, and a revised building design. A Conditional Use Permit Amendment is required due to the revision of the building design.

BACKGROUND:

The Sikh Temple was approved at the December 20, 2012 Planning Commission meeting. The approved buildings (three in total) were approximately 28,760 square feet with the temple height of 50 feet 8 inches from at grade to the top of the dome. A mitigated negative declaration was approved with the Conditional Use Permit.

SETTING:

The project site is 5.26 acres on Larkin Road. The site is a graded lot, with mature oak trees along Larkin Road. The area is transitioning from agricultural uses, primary orchard crops, to suburban type residential uses. The vicinity is planned in the City's General Plan for primarily residential uses and related activities, such as the church. The surrounding uses are listed below in the following table;

	Land Use	Zoning Designation	General Plan Designation
North	Agriculture Orchard	Small Lot Residential (R-2)	Small Lot Residential
South	Baptist Church	Small Lot Residential (R-2)	Small Lot Residential
East	Agriculture Orchard	Small Lot Residential/ Neighborhood Center Combining (R-2/NC)	Small Lot Residential with Commercial Mixed Use
West	Single family residences across Larkin Road	Commercial Mixed Use (CMU)	Commercial Mixed Use

PROPOSAL & ANALYSIS:

Conditional Use Permit Amendment:

A comparison of square footage and height of the previously approved building and the revised building is stated in the table below:

	Square footage	Height	Number of buildings
Previously approved building	28,760	50 feet 8 inches	3
Revised building	18,782	35 feet	1
Difference	9,978	14 feet 4 inches	2

Building Design:

The revised building architecture design includes several stone columns along each elevation. The front elevation includes small domes atop of the columns with a straight line parapet wall. The main entrance wall is the highest portion of the building as the line continues to the rear elevation. Intricate framed insets are also included along all elevations. Windows are located along the side and rear elevations. The building will include a coat of stucco as the main material of the building. Colors are depicted as variations of brown and cream colors as shown in Attachment 4.

Site Plan:

The site plan for the revised Sikh Temple is the equivalent to the approved site plan as the building is located back from Larkin Road, the parking lot surrounds the building, and a retention pond is located along the eastern property line. The existing oak trees along Larkin Road remain.

Landscaping:

The landscaping shown on the site plan is consistent with the previously approved project and the Zoning Ordinance requirements for parking lot shading and building landscaping. As stated, above the existing Oak trees along Larkin Road are shown on the site plan to be saved.

Parking:

The proposed site plan parking spaces are consistent with the Zoning Ordinance requirement for 235 parking spaces.

Lighting:

The proposed site plan includes parking lot and building lights. The project has been conditioned to be consistent with the Zoning Ordinance.

AGENCY & PUBLIC REVIEW:

City Department Review

This request was sent to all applicable City departments.

The following comments were received;

- The Fire Dept. stated that the rear parking lot aisle is very narrow and suggested moving the building closer to Larkin Road to widen the aisle. The FLD is not show on the plans, recommend a location not directly adjacent to the building.

The comments have been added as conditions of approval.

Public Notice

The project was advertised in The Appeal Democrat newspaper on September 23, 2016, and mailed to all property owners within 300 feet of the site. To date, no comments have been submitted either against or in support of this project. Any additional written comments received will be handed out at the Planning Commission hearing.

ENVIRONMENTAL REVIEW:

A Mitigated Negative Declaration was previously approved on December 20, 2012 with the approved project. The conditions from the approved mitigated negative declaration will be transferred to the Conditional Use Permit Amendment as the revised building design is less of an impact due to the reduction of height by 14 feet and the reduced square footage building by 9,978 square feet.

RECOMMENDATION:

Staff recommends the Planning Commission approve the Conditional Use Permit Amendment 16-17 for the revised Sikh Temple building design at 10461 Larkin Road subject to the Findings and Conditions of Approval attached to this staff report.

FINDINGS:

In order to approve a Conditional Use Permit Amendment, the Planning Commission must make specific findings regarding consistency with the General Plan, a determination that there will be no significant impacts to the surrounding neighborhood, and a determination that establishment of the operation will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City (per Live Oak Municipal Code Section 17.35.030). The required findings and analysis are attached.

Attachments:

1. Application and Project vicinity map
2. Previously Approved site plan and elevations
3. Proposed Revised site plan and elevations
4. Picture of Proposed revised building colors
5. Mitigated Negative Declaration Attachment A
6. Conditions of Approval

FINDINGS FOR APPROVAL

Per Section 17.35.030 of the Live Oak Municipal Code, at the conclusion of the public hearing for this project, in order to approve the application, or approve it with modifications and/or conditions, the Planning Commission must first make the following findings, based on the information in the record:

- 1. The proposal is consistent with the General Plan.** The proposed use, a church is consistent with the General Plan land use designation of Small Lot Residential as churches are considered to be components of residential neighborhoods.
- 2. The site for the proposed use is adequate in size and shape to accommodate said use and its associated yards, parking, landscaping and other improvements required by this Title and other relevant City standards.** The proposed use is consistent with the size, and associated yards required by the Zoning Ordinance. Landscape screening is provided along the property lines.
- 3. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.** The proposed church is located on Larkin Road which is a major collector, so traffic generated by the church will not be traveling on any local neighborhood streets. During Sunday services a considerable number of vehicle trips will be generated. However, this typically occurs during Sunday a.m. which are non-peak traffic hours. The traffic study prepared for the 2010 General Plan update indicated that Larkin Road performs as level of service A and is expected to deteriorate to a level of service D by 2030, which is within the acceptable range. The facility is required to pay the City's traffic mitigate fee which will mitigate its fair share of impacts on City streets. In 2012 the City staff and Caltrans felt there was no need for a traffic study for this project. The revised project is reduced in square footage by 9,978 and therefore less of an impact from the previously approved project.
- 4. The site design and the size and design of the building(s) will complement the neighboring facilities.** The proposed building design includes a reduction of the building height and a subdued design compared to the previously approved building design which better compliments the neighboring facilities (Please see Attachment 2 and 3). The materials are high quality and meet the intent of the City's Design Guidelines. The building contains articulation through insets, columns, and windows and the roof line is varied.
- 5. The establishment of the operation of the use will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.** As stated above, the surrounding area includes similar uses and is located on Larkin Road, designated as a major collector. The operation of the facility will not be detrimental to the public's health, safety, peace, comfort and general welfare of the public residing in the vicinity.

GENERAL APPLICATION FORM

Last Updated Jun 2016



Applicant Information

Name SIKIL TEMPLE Address P.O. BOX 158, LIVE OAK, CA 95953
Phone LIVE OAK - GRIDLEY Fax _____ E-mail _____

Property Owner Information (if different from applicant)

Name _____ Address _____
Phone _____ Fax _____ E-mail _____

Representative Information

Name DEMINIS NELSON Address 950 THARP RD. SUITE 501, Y.C. 95993
Phone 674-7501 Fax 674-7503 E-mail dnelson@syi'y.com

Property Description

Assessor Parcel Number(s) 06-370-003
Address/General Location 10961 LARKIN ROAD
Parcel Size 5.27 AC. Existing General Plan SLR Existing Zoning R-2

Project Description

Name of Project _____
Project Description (Please be complete, use separate sheet if needed)
SEE ATTACHED

Applicant Certification: I hereby certify that this application and all other documents and maps submitted are true and correct to the best of my knowledge and belief. (If the undersigned is different from the legal property owner, a letter of authorization from the owner must accompany this form). I agree to indemnify and hold harmless for all costs and expenses, including attorney's fees, incurred by City or held to be a liability of the City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the Applicant's project.

Signature [Signature] Date 9/6/16

CITY STAFF USE ONLY

Application Type:

General Plan Amendment _____ Use Permit (Major) _____ Tent Subdvn Map _____
Rezoning (Map) _____ Use Permit (Minor) _____ Tent Parcel Map _____
Rezoning (Text) _____ Use Permit (Amend) _____ Env: Neg Dec _____
Specific Plan _____ Variance _____ EIR _____
Specific Plan Amend _____ Design Review _____ Other _____

Total Fees \$ _____ Receipt# _____

Received By _____ Date _____

SIKH TEMPLE, LIVE OAK – GRIDLEY
10461 LARKIN ROAD, LIVE OAK, CA 95953

PROJECT DESCRIPTION:

Construct new 18,752 sq. ft. Temple facility and ancillary uses as described.

Prayer Hall/Foyer	8,646 sq. ft.
Dining Hall/Kitchen	7,150 sq. ft.
Women's Restroom/Bridal Room	1,500 sq. ft.
Priest Residence/Counseling	1,456 sq. ft.

The design is typical of a Sikh Temple. The design is symmetrical in nature, single story with boxed columns and traditional domes.

ENVIRONMENTAL INFORMATION FORM

Last updated Jan 2016

LIVE OAK

GENERAL INFORMATION

Name of Project SIKH TEMPLE LIVE OAK- GRIDLEY
Address 10461 LARKIN RD. LIVE OAK, CA 95953

PROPERTY SITE CHARACTERISTICS

Describe the existing use(s) of the site: AGRICULTURE - PREVIOUSLY ORCHARD USE

Surrounding Uses:

North PEACH ORCHARD
South BAPTIST CHURCH
East PEACH ORCHARD
West SINGLE FAMILY RESIDENCE

Describe any known cultural or historical aspects of the site: NONE

Describe any noise sources that now affect the site and the proposed use(s): NONE

Are there any known hazardous materials and/or toxic materials on the site or in the soil or is/was there an underground storage tank? NO

If "yes" explain _____

Are there any drainage or irrigation canals within 100 feet of the site? NO

If "yes" explain _____

PROJECT INFORMATION

Describe the proposed project

THIS TEMPLE REPLACE THE EXISTING TEMPLE LOCATED ON P STREET IN LIVE OAK. TEMPLE WILL HAVE TYPICAL RELIGIOUS ACTIVITIES ALONG W/ COMMUNITY ACTIVITIES

If project is phased, describe phases: _____

ENVIRONMENTAL INFORMATION FORM

Last updated Jan 2016

Describe how the following services will be provided:

Electricity: PG&E Gas: PG&E
 Water: CITY OF LIVE OAK Sewer: CITY OF LIVE OAK
 Stormwater Drainage: CITY OF LIVE OAK Solid Waste: CITY OF LIVE OAK

How will the project change the pattern, scale or character of the area surrounding the project?

Will the project result in any new noise source? NO

If "yes" explain: _____

Will the project create any new light sources or significant glare, other than street lighting? YES

If "yes" explain: PARKING LOT LIGHTING

Will the project produce new sources of dust, ash, smoke, fumes or odor? NO

If "yes" explain: _____

Describe any air pollutants, other than vehicle exhaust, which would be generated by this project: _____

Will the project store, use or dispose of any potentially hazardous materials, such as toxic substances, flammables or explosives? NO If "yes" explain _____

Please describe any other effects of the project that may be of an environmental consequence: _____

RESIDENTIAL PROJECTS:

Total number of lots: _____ Total number of residences: _____ Total acres _____

Gross density (units/acres) _____ Number of Floors: _____

If multiple-family, number of dwelling units with:

Studio _____ One bedroom _____ Two bedroom _____ Three bedroom _____

Parking: Number of spaces required: _____ Number of spaces proposed: _____

NON-RESIDENTIAL PROJECTS:

Proposed building square footage: 18,752 Maximum building height: 30.5' BLDG, 35' DOMES

Maximum height of other appurtenances (antennas, steeples, etc) 35' DOMES

Percentage of property covered by buildings: 8%

Parking: Number of spaces required: 235 Number of spaces proposed: 235

Anticipated number of employees: _____ Hours of Operation: _____ Hours of deliveries: _____

CERTIFICATION: I hereby certify that the statements and information furnished above are true and correct to the best of my knowledge.

Signature _____ Date 9/6/80

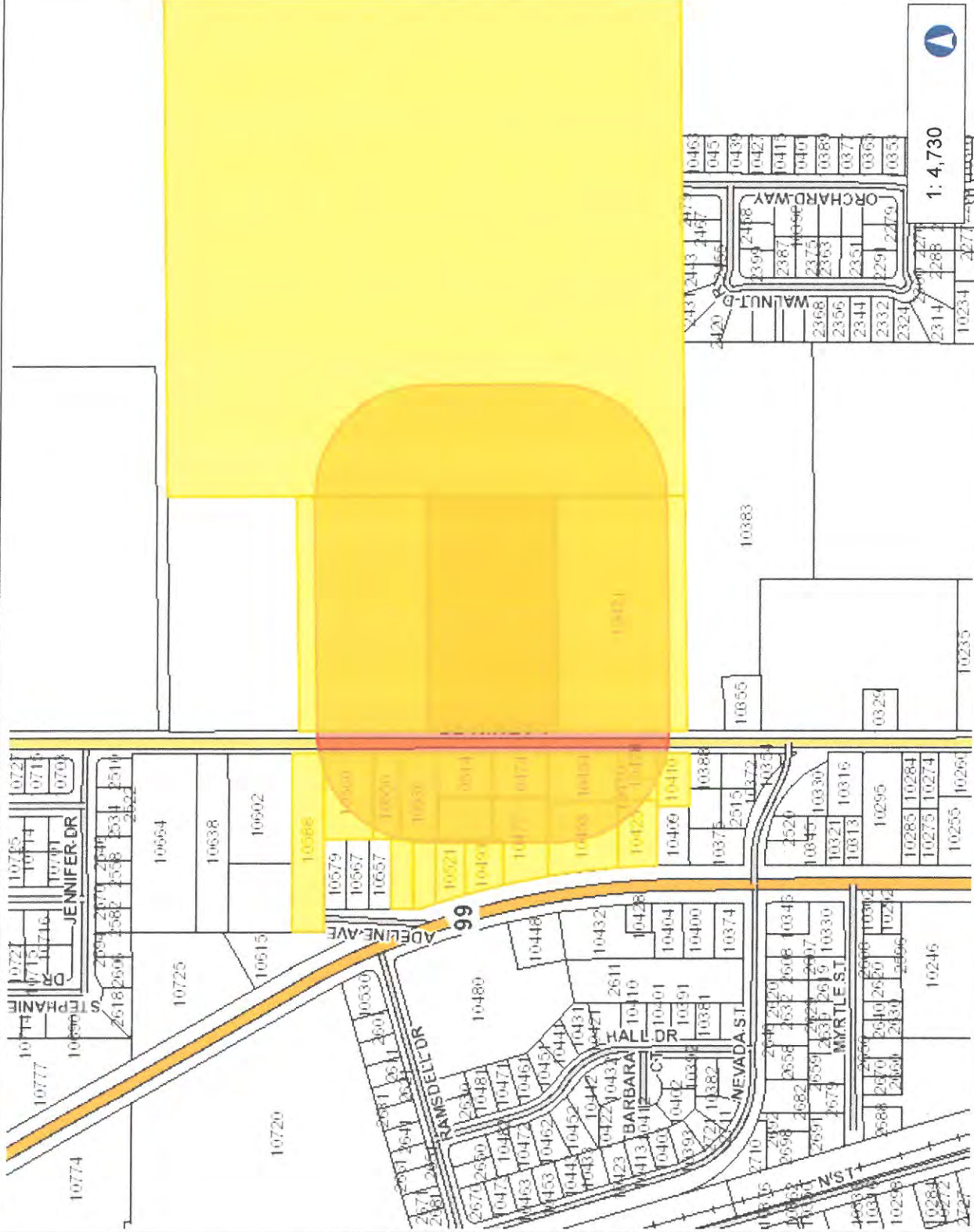
Name (Please Print) [Signature]

APN	OWNER_NAME	MAIL_ADDRESS	MAIL_CTYST	MAIL_ZIP
06-060-012	KIMURA REAL PROP ENTER LLC	P O BOX 127	LIVE OAK, CA	95953
06-060-024	STONE CAROLLE F	10430 LARKIN RD	LIVE OAK, CA	95953
06-370-003	SAHIB SHRI G	9939 P ST	LIVE OAK, CA	95953
06-060-028	AVALOS ENGELBERTO/HEATHER R	10550 LARKIN RD	LIVE OAK, CA	95953
06-030-004	SOHAL HARMINDER	10846 STEPHANIE DR	LIVE OAK, CA	95953
06-060-007	RUVALCABA ALFREDO E/JUVENTINA	9797 RICHMOND WAY	LIVE OAK, CA	95953
06-060-017	REMOCAL FAM LIV TR ETAL	PO BOX 768	BIGGS, CA	95917
06-060-029	PHIPPS SAM F/ ETAL	10536 LARKIN RD	LIVE OAK, CA	95953
06-060-010	BENAVIDEZ EDWARD A/VENUS Y	4217 VISTOSA ST	DAVIS, CA	95616
06-060-022	ENCINAS BARNEY/LEONOR	10560 LARKIN RD	LIVE OAK, CA	95953
06-060-030	CARTER REV '12 TR ETAL	10454 LARKIN RD	LIVE OAK, CA	95953
06-060-003	REMOCAL FAM LIV TR ETAL	P O BOX 768	BIGGS, CA	95917
06-060-013	KIMURA REAL PROP ENTER LLC	P O BOX 127	LIVE OAK, CA	95953
06-060-025	CARTER L&D FAM '05 TR ETAL	P O BOX 308	LIVE OAK, CA	95953
06-780-001	GILL FAM '15 TR ETAL	2941 RAILROAD AVE	YUBA CITY, CA	95991
06-370-004	SAHIB SHRI G	9939 P ST	LIVE OAK, CA	95953
06-060-027	RAMOS JULIO	10410 LARKIN RD	LIVE OAK, CA	95953
06-060-004	TINOCO EUFRACIO/ERNESTINA	1895 EAGER RD	LIVE OAK, CA	95953
06-060-011	KIMURA REAL PROP ENTER LLC	P O BOX 127	LIVE OAK, CA	95953
06-060-023	CURIEL ROGELIO/RAFAELA ETAL	10428 LARKIN RD	LIVE OAK, CA	95953
06-060-031	HUTCHISON MATTHEW/KAREN	10453 LIVE OAK BLVD	LIVE OAK, CA	95953
06-370-002	LANDMARK MISSIONARY BAPTIST	P O BOX 335	LIVE OAK, CA	95953

Sikh Temple 300' Radius

Legend

- Roads 1k - 10k
 - 1
 - 3
 - 4
 - 5
- Levees 1k - 30k
- Railroads
- Parcels 0k - 5ksym
- Parcels 0k - 5k



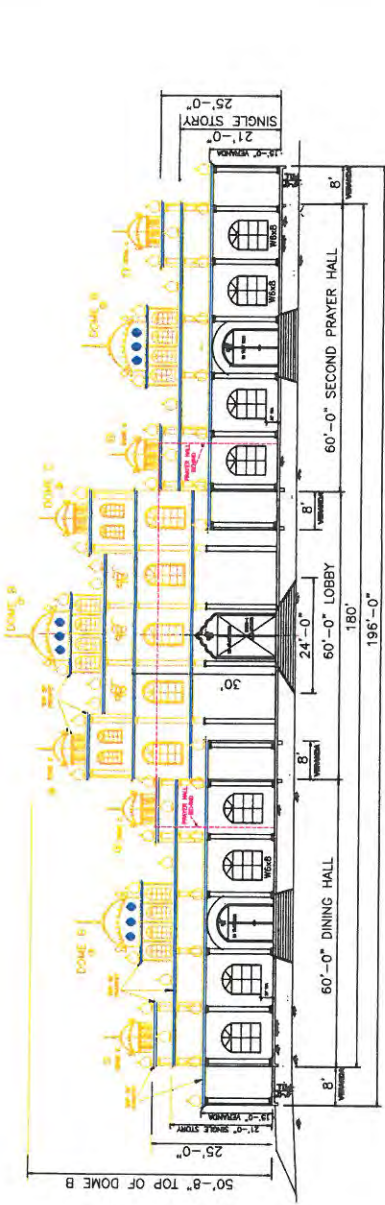
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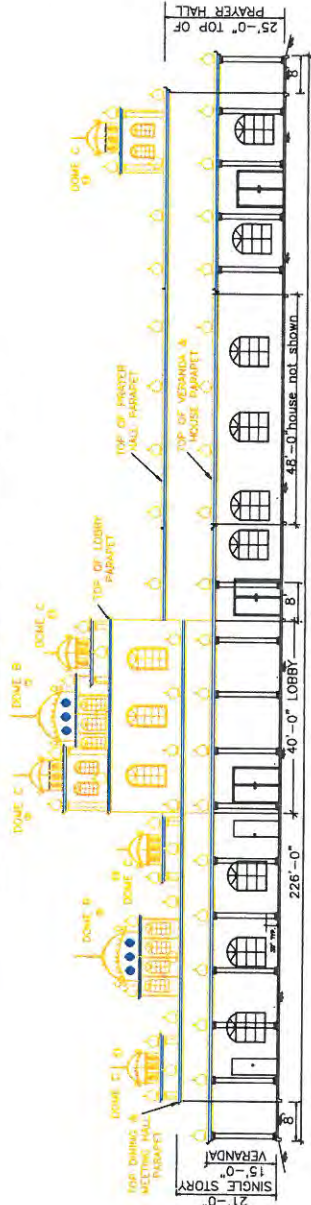
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



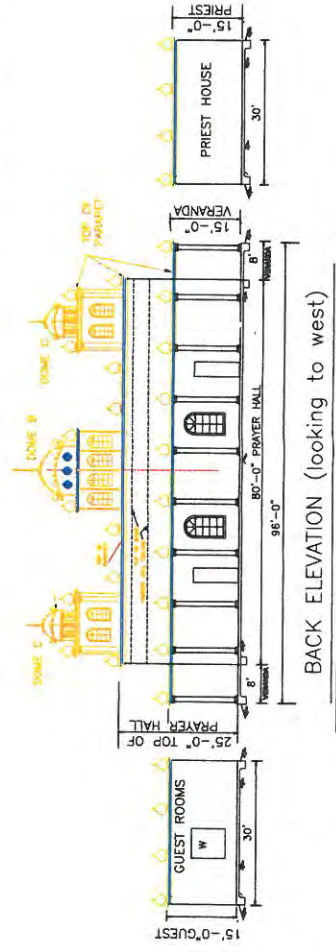
LIVE OAK



FRONT ELEVATION (looking to east)



SIDE ELEVATIONS (looking to north, south similar & opposite)



BACK ELEVATION (looking to west)



NO.	DESCRIPTION	DATE

KEY & ASSOCIATES
 CIVIL ENGINEERS
 14400 151st Avenue, Suite 100
 Richmond, BC V6V 2G9
 TEL: (604) 273-8888
 FAX: (604) 273-8889

GRIDLEY-LIVE OAK GURDWARA SAHIB
 10461 LARKIN ROAD, LIVE OAK, CALIFORNIA 95953
 DENNIS C. NELSON
 COMPANY
 10461 LARKIN ROAD, LIVE OAK, CALIFORNIA 95953
 TEL: (916) 435-1100
 FAX: (916) 435-1101
 WWW.DENNISNELSON.COM

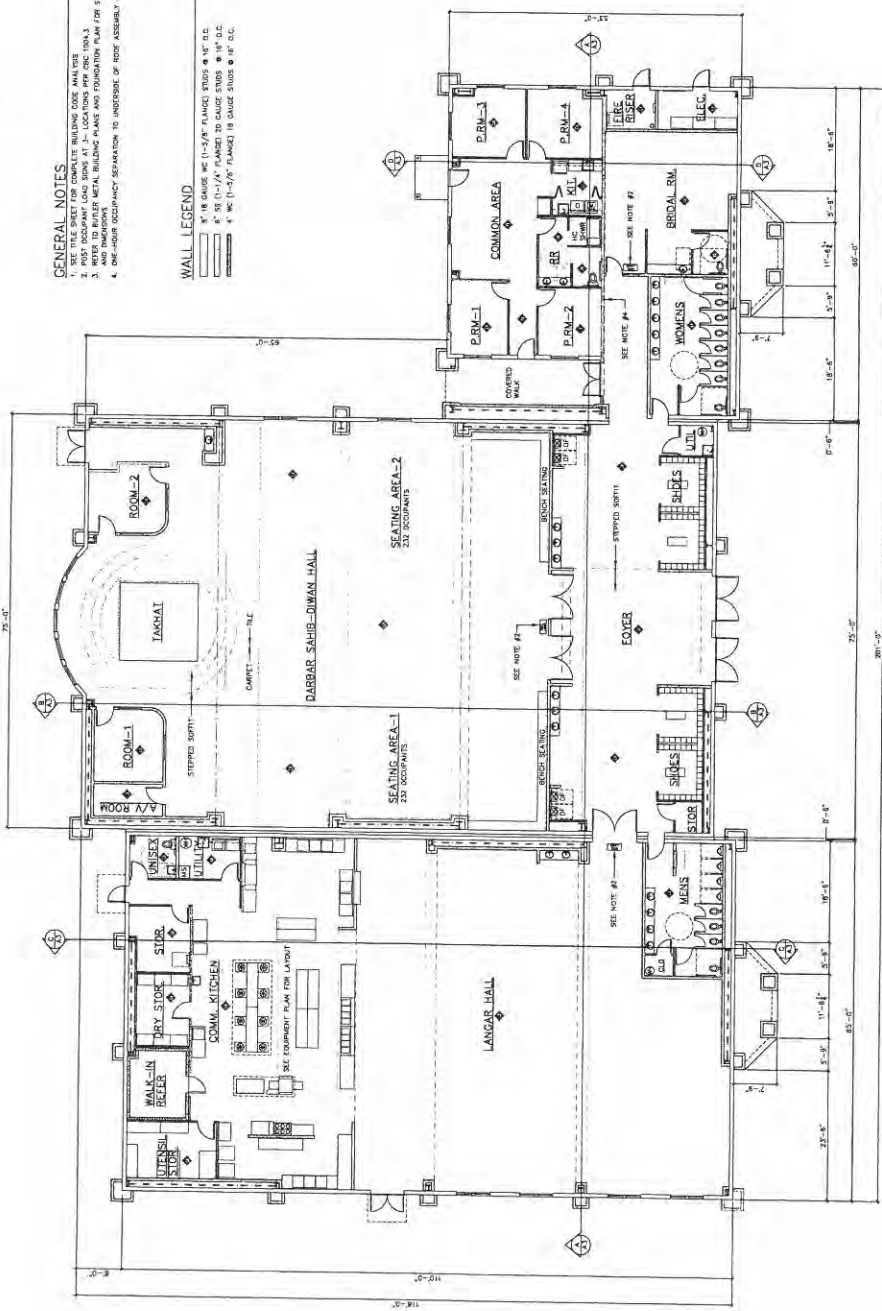
A2.0

BUILDING SUMMARY:

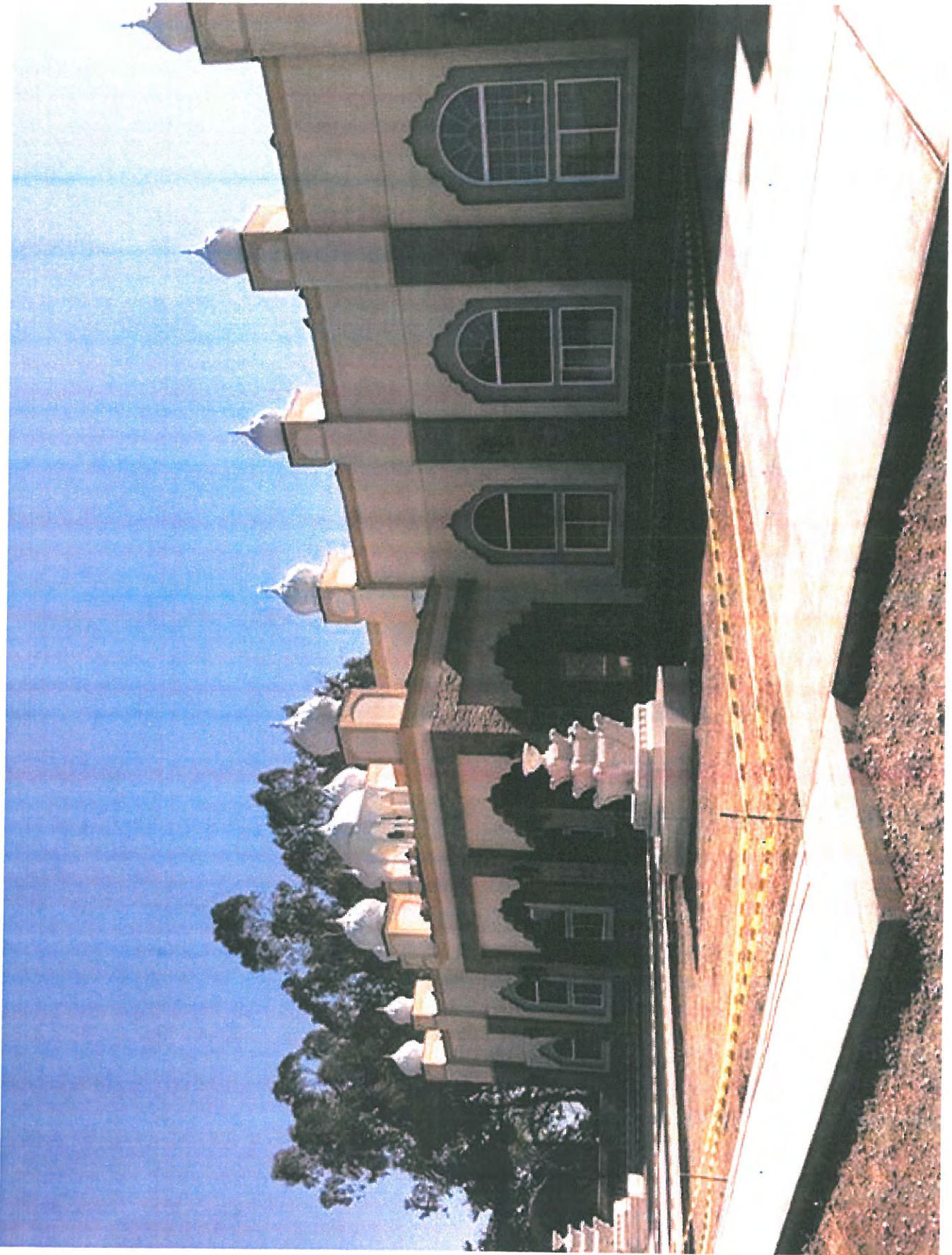
BUILDING USE	SO. FT.	OCC. TYPE	OCC. LOAD
DURHAM SHIP - DINING HALL	4,444 SF	A-1	244 (174 MET)
(INCLUDES PAPER & ANCILLARY USES)		A-2/A-3	282 (1,100 GROSS)
(INCLUDES KITCHEN & ANCILLARY USES)		A-3	27 (114 MET)
PROCESSES/STORAGE		B-2	7 (1,100 GROSS)
BUILDING AREA	18,700 SF		

- GENERAL NOTES:**
- SEE TITLE SHEET FOR COMPLETE BUILDING CODE AND USES.
 - REFER TO BARRIER WALL, BUILDING PLANS AND FOUNDATION PLAN FOR STEEL COLUMN PLACEMENT AND DIMENSIONS.
 - DO NOT PERFORM ANY REVISIONS TO DIMENSIONS OF ROOF ASSEMBLY - SEE PLANS FOR DETAIL.

- WALL LEGEND**
- 1" W GAUGE MC (1-1/2" FLANGE) STUDS @ 16" O.C.
 - 2" W GAUGE MC (1-1/2" FLANGE) STUDS @ 16" O.C.
 - 4" W GAUGE MC (1-1/2" FLANGE) STUDS @ 16" O.C.



OVERALL FLOOR PLAN



Notice of Determination

Form C

To:

Office of Planning and Research
For U.S. Mail: Street Address:
P.O. Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95814
Phone: (530) 695-2112

County Clerk

County of: Sutter County Clerk
Address: 433 2nd Street
Yuba City, CA 95991

From:

Public Agency: City of Live Oak
Address: 9955 Live Oak Blvd.
Live Oak, CA 95953
Contact: Andrea Redarond, Contract Planner

FILED

DEC 21 2012

Lead Agency (if different from above):

Address: BOARD OF SUPERVISORS
Contact: DONNA M. JOHNSTON
Clerk of the Board
Phone: By [Signature] Deputy

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

State Clearinghouse Number (if submitted to State Clearinghouse): n/a

Project Title: Sikh Temple Gridley Live Oak

Project Applicant: Paul Bagha, 376 North Lexington, Folsom, CA

Project Location (include county): East side of Larkin Avenue approximately 580 feet north of the intersection of Larking Road and Nevada Street APN 006-370-003.

Project Description:

Construction of a new 28,780 square foot place of worship that includes 300 parking spaces, a retention pond, priest guest residence, meeting halls, landscaping and lighting.

This is to advise that the City of Live Oak has approved the above described project on December 20, 2012
Lead Agency or Responsible Agency (Date)

and has made the following determinations regarding the above described project:

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

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: 9955 Live Oak Blvd, Live Oak, CA

Signature (Public Agency) [Signature] Title City Planner (Contract)

Date 12/21/2012

Date Received for filing at OPR

ATTACHMENT A

Environmental Checklist Form

1. **Project title:**
Sikh Temple Live Oak Gridley
2. **Lead agency name and address:**
City of Live Oak
9955 Live Oak Blvd.
Live Oak, CA 95953
3. **Contact person and phone number:**
Denis Cook, City Planner (530) 695-2112
4. **Project location:**
On the east side of Larkin Avenue approximately 580 feet north of the intersection of Larkin Road and Nevada Street. AP# 06-370-003
5. **Project sponsor's name and address:**
Sikh Temple Gridley
P.O. Box 158
Live Oak, CA 95953
6. **General plan designation:**
Smaller Lot Residential
7. **Zoning:** Small Lot
Residential (R-2) Zone
District
8. **Description of project:**
Construct a 28,780 square foot temple consisting of the following, located on a 5.26 acre lot:
 - Prayer Hall 8,800 sq. ft.
 - Meeting/Meditation Hall 6,500 sq. ft.
 - Dining Hall/Kitchen 8,000 sq. ft.
 - Lobby 2,400 sq. ft.
 - Priest, Guest residences 2,880 sq. ft.
 - 300 space parking lot and accompanying landscaping.
 - An approximately 30,000 square foot stormwater retention pond located at the rear of the property.
9. **Surrounding uses and setting:**
As the City expands this area is transitioning from agricultural uses, primary orchard crops, to suburban type residential uses. The vicinity is planned in the City's General Plan for primarily residential uses and related activities, such as this proposed church. Specifically, the neighboring uses are:
 - On-site – Recently planted peach orchard
 - North – Peach orchard

South – Baptist church
 East – Peach orchard
 West – Single family residences across Larkin Road.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

X	Aesthetics		Agriculture Resources		Air Quality
	Biological Resources	X	Cultural Resources		Geology /Soils
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

DETERMINATION: (To be completed by the Lead Agency)
 On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Denis Cook
Signature
Printed Name

Date 12/26/12

For: Live Oak

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Issues:

I. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		X		
c) Substantially degrade the existing visual character or quality of the site and its surroundings			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

I.a) The Live Oak General Plan has policies aimed at retaining and enhancing the scenic views of the Sutter Buttes (Policy DESIGN 14.1). The proposed building could ultimately block views of the Buttes from ultimate residential development east of this site. However, in a suburban setting on flat ground this is typical. The General Plan also encourages the use of landscaping

and planting of trees throughout the City for both aesthetic and environmental purposes, such as is proposed. This impact is considered to be less than significant.

I.b) There are two existing large native oak trees along the west side of this project. Their removal would cause a substantial aesthetic loss in the vicinity. A mitigation measure is included that requires saving these trees as described in the Arborist Valley Oak Report prepared for these trees for the unbuilt subdivision previously approved on this site.

Mitigation Measure 1. The two oak trees located along the western edge of the property shall be preserved as provided in the Arborist Valley Oak Report prepared by Howell It Is, dated June 18, 2005, prepared for the Sandpiper Subdivision previously approved for this property.

I.c) See I.a) and b) above.

I.d) The 300 space parking lot will be night lit. However, any parking lot lighting would be expected to meet City standards which includes an 18 foot height limit and that direct lighting shall be shielded from offsite uses and right-of-way. While this project will cause more light in the area, with City lighting standards met, it is not more than would be expected of a residential area with street lighting etc. Therefore this impact is considered to be less than significant.

II. AGRICULTURE RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	

II.a) The site consists of prime agricultural soils recently planted with peaches. The City of Live Oak, in working with Sutter County, has designated within its General Plan boundary, areas contiguous with the existing City that are appropriate for future urban growth, with the lands outside of that designated by the County for agricultural uses. The areas beyond the designated growth areas that are under the ongoing jurisdiction of Sutter County are designated by the County exclusively for agricultural and related uses. Since this property is within the area planned for urban growth, the proposal is consistent with both the Live Oak and Sutter County General Plans. Both of these general plans and their accompanying EIRs addressed the preservation of agricultural lands. As a result, only a small percentage of the entire county is subject to urban growth, with the remaining lands primarily planned for ongoing agricultural use. Therefore the impact on agriculture is less than significant impact.

II.b) The property is not zoned for agricultural use and is not within the Williamson Act. The property is zoned for residential type uses. The residential zone districts permit churches with an approved use permit.

II.c) See answer II.a) above.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?				X

III.a) through III.d) While increased auto traffic that is generated by the use of the temple will cumulatively contribute to air quality impacts, the Feather River Air Quality Management District did not provide comments that expressed any need for further studies on those impacts. Therefore the impacts are considered to be within an acceptable range and be less than significant.

III.e) The temple facility is not expected to create any objectionable odors.

IV. BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological			X	

resources, such as a tree preservation policy or ordinance?				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

IV.a) Because this land was historically extensively cultivated for agricultural purposes, and is presently planted as a peach orchard, there is no evidence of any wetland or other sensitive plant or wildlife areas remaining on-site. Previous and ongoing agricultural use has displaced native species of plants and animals except those varieties capable of co-existing with intensive agricultural practices and high densities of human population. According to the studies completed in 2010 for the Live Oak General Plan, the project site does not fall within any location that contains any special status migratory fish or wildlife species.

IV.b) Because of its previous agricultural grading and use, no riparian habitat exists on the site.

IV.c) Same as in b. above, there are no wetlands on the subject property.

IV.d) See a. above.

IV.e) There are two large native Valley Oak trees remaining on the property. They are located near the western property line near the Larkin Road right-of-way. Although the City of Live Oak has not adopted a tree preservation ordinance, Mitigation Measure 1, proved above, requires the protection of these two trees.

IV.f) While a HCP/NCCP Plan is being developed for the Sutter/Yuba area, no plan has been adopted and no preliminary information is yet publicly available. However, preliminary studies indicate that orchards, such as is planted on this site, do not have high habitat values.

V. CULTURAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporati on	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?			X	
c) Directly or indirectly destroy a unique				

paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

V.a-d) There are no structures on the property. The soils in the project area have been disturbed for years by deep plowing for agricultural. The site does not contain any historic buildings or other historical features and it is not located in an area of high archaeological potential, particularly for village sites which were generally established near natural water courses. Due to these facts, no archaeological or historical resources are likely to remain on this site. The discovery of archaeological resources is regulated by existing statute. In the case that a historical or archeological feature is uncovered during the construction phase, two mitigation measures shall be added that provides direction and action if archaeological resources or human remains are discovered. With these mitigations included, any potential significant impacts are reduced to less than significant.

Mitigation Measure 2: If subsurface deposits believed to be cultural in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior’s Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the finding. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the National Register of Historic Places/State Register. If a potentially eligible resource is encountered, then the archaeologist, City of Live Oak, and project proponent shall arrange for proper mitigation. With this mitigated measure the project is expect to have a less than significant impact.

Mitigation Measure 3: There are no known burial sites within the project area. However, if unanticipated human remains are discovered during the course of project development and construction, the provisions of California Health and Safety Code shall apply. Therefore, no further disturbance will occur until the Sutter County Coroner makes the necessary findings as to origin and disposition of the remains, pursuant to California Public Resources Code Section 5097.98 and 5097.99. If the County Coroner determines the remains to be Native American, the Coroner is required to contact the Native American Heritage Commission within 24 hours. Adherence to California Health and Safety Code would ensure that the project’s impacts to human remains are at a level that is considered less than significant.

VI. GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to				

potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Discussion of Impacts

VI.a)i-ii) All of Sutter County is situated in a UBC Risk Zone 3 and rated VIII by the Modified Mercalli Intensity Scale. The greatest potential for damage resulting from a distant earthquake is the possibility of damage to a dam on the Sacramento or Feather Rivers. Engineering studies of those dams indicates an adequate safety margin exists. There is no Alquist-Priolo zone within the Live Oak area.

Like most of central California, the site can be expected to be subjected to seismic ground shaking at some future time. All buildings and other improvements would be designed and installed in accordance with California Building Code requirements for Seismic Risk Zone 3. Because the project appears to be located in this zone, the probability of significant groundshaking is low. The structures that are built during the course of the project would be designed and installed in accordance with California Building Code standards for the appropriate Seismic Hazard Zone. As a result, there are no potentially significant geologic impacts.

VI.a)iii) The Live Oak area, including the project site, is not in a high potential liquefaction area. Specific construction techniques may be recommended for buildings to be constructed on the site if the soil report identifies any potential adverse soil characteristic. The project will result in less than significant impact.

VI.a)iv) The area is very flat and is not subject to landslides.

VI.b) Erosion potential within the area is very low due to the flat/level nature of the area. Therefore the Live Oak area is considered to be located in a “none to slight” erosion zone. In addition, a storm water pollution prevention plan will be required by the California Regional Water Quality Control Board for any soil disruption greater than 1 acre in size. The requirements of the permit will address potential soil erosion and water quality issues. Therefore there are no potential significant environmental impacts due to erosion.

VI.c & d) Information from the Department of Water Resources indicates that the Sutter Basin area is not susceptible to subsidence based on current and historical levels of groundwater. The potential is also low for high expansion of soils around Live Oak due to the alluvial nature of the soil deposits and low clay content. Subsidence is typically identified as a potential problem because numerous agricultural wells in an area creating significant groundwater withdrawal. However, groundwater withdrawal has occurred over many years and land subsidence has never been a problem. This project is not expected to substantially increase groundwater withdrawal over the previous agricultural operation that occurred on the property. The impact is therefore less than significant.

VI.e) The facility will be connected to the City wastewater collection system. There will be no septic tanks or alternative wastewater disposal systems associated with the project.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Discussion of Impacts

VII.a, b, c) The development of the property as a Sikh Temple will not involve the use or transportation of significant amounts of hazardous materials. The development of the land will not increase the chance for spills or releases of hazardous materials because none of these

materials will be used in significant amounts during the construction process. Although the incidence of spills and releases of hazardous materials is statistically small, the Fire Department practices with other agencies to provide fast and appropriate response.

VII.d) The California Environmental Protection Agency for Hazardous Waste and Site list, "Cortese List", indicates that there are no hazardous substance sites either on the project site or in the general vicinity. Since the project site has not been previously developed, contamination problems are not expected to be significant. Based on this information, the potential contamination for the site is considered to be less than significant impact.

VII.e & f) There are no known public or private airports within two miles of the site, therefore there is no potential impact.

VII.g) The facility will be constructed to adopted City standards for driveways, parking areas, etc., which provides adequate ingress and egress for emergency vehicles.

VII.h) The City of Live Oak and the adjacent unincorporated area is either urbanized or in agricultural use. Most agricultural uses are irrigated and typically not subject to wildland fires. Any new urban development must comply with current California Uniform Building Code and Uniform Fire Code standards and will not result in increased wildland fire hazards. Therefore the potential impacts from wildland fires associated with this project are less than significant.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion			X	

or siltation on- or off-site?				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?				X

VIII.a) As a result of this project the majority of the surface of the property will become impervious, thereby increasing the amount of stormwater runoff generated from this property. However, the rear portion of this property will be utilized as a three foot deep stormwater retention pond that is designed to hold all stormwater originating from this site. Further, the project will be designed so that stormwater released from the facility will be metered into the existing drainage system located in Larkin Road so as not to increase runoff from what it is today.

VIII.b) A portion of the property will have irrigated landscaping. Since the City utilizes groundwater as its water source, the developed site will cause the need for the use of more groundwater. However, studies done as part of the update of the City's General Plan, indicates there is adequate groundwater available for the 20 year planning period. Further, the amount of

groundwater needed to irrigate the proposed landscaping is not expected to exceed what was historically used to irrigate the site for agricultural uses.

VIII.c),d),e) The project will not significantly alter the drainage pattern of the area. As it presently exists as an orchard there is typically little runoff generated from the site. When constructed all of the surface runoff will flow into an on-site stormwater retention pond located at the rear of the property and then metered into the city storm drain system located in Larkin Road at a rate no higher than created by existing conditions.

VIII.f) A storm water pollution prevention plan will be required by the California Regional Water Quality Control Board. The requirements of the permit will address potential soil erosion and water quality issues. Therefore there are no potential significant environmental impacts due to degradation of water quality.

VIII.g), h) and i) The site is not within a 100 year floodplain.

VIII.j) The site is on flat ground and far removed from any bodies of water that could create a seiche or tsunami or mudflow. There is no potential impact.

IX. LAND USE AND PLANNING -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

IX.a) This project is on the perimeter of the existing Live Oak community and thus will not divide the community.

IX.b) The Live Oak General Plan designates the property as Small Lot Residential and the zoning is the same. Churches are permitted with a use permit in this zone district. No general plan amendment or rezoning is needed by this proposed project. There is no specific plan covering this area.

IX.c) While there is currently being prepared a Sutter/Yuba HCP/NCCP, there is no public document yet available for review. Studies completed for the 2010 area-wide general plan update did not indicate that any significant wildlife or plant habitats existed in the vicinity.

X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

X.a & b) According to the Live Oak General Plan and supporting environmental documents prepared for the the general plan, there are no known commercial mineral resources within the City.

XI. NOISE -- Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? .				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

XI.a) Other than during the initial construction phase, religious facilities typically are considered to not generate significant noise levels. An exception may be during certain large religious events but these are not considered to be regular events that would cause any significant impacts.

XI.b) Other than during the initial construction phase, this development is not associated with ground borne vibrations or ground borne noise levels as it does not generate an increase in truck traffic, train or other possible ground borne source vibrations that exceed the established standards of the Noise Element of the General Plan. Therefore, impacts are considered less than significant.

XI.c) Additional traffic to area roads will incrementally increase road noise. Noise on local streets within the neighboring subdivision will not be significant as the amount and frequency of traffic will not be enough to create a noise level above 60 dB, as indicated in the General Plan Noise Element.

XI.d) During the construction phases of the project, noise from construction activities would add to the noise environment in the project vicinity. This activity would be sporadic and temporary, typically lasting several months. Therefore, this impact would be less than significant.

XI.e & f) The project is not located near a municipal airport or private airstrip so the project would not expose people to excessive noise levels associated with airport/airstrip uses. Therefore, there is no impact relating to this issue.

XII. POPULATION AND HOUSING - - Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other				X

infrastructure)?				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

XII. a) People do not typically move to a community due to a religious facility. Further, religious facilities are not a significant generator of jobs that would cause people to relocate to the community.

XII.b & c) There will be no existing housing removed as part of this project.

XIII. PUBLIC SERVICES --	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			X	
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

XIII.a) The temple will generate some additional need for public services. Water and sewer service, including water, sewer and stormwater drainage, will need to be extended onto the site, There likely will be few additional calls for public safety responses to the facility. Water and sewer service and stormwater drainage is already located in Larkin Avenue in front of the project, and religious facilities are not known for creating any above normal need for emergency responses. This site is identified for development in the Live Oak General Plan, therefore these public services are already planned for this area.

XIV. RECREATION --	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

XIV.a) The project does not create any new residences that would utilize local recreational facilities nor would the temple likely utilize city parks so no impact on local parks is anticipated.

XIV.b) No new recreational facilities are proposed by the project.

XV. TRANSPORTATION/TRAFFIC -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections?)			X	
b) Exceed, either individually or cumulatively, a level of service standard				

established by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

XV.a & b) Larkin Road is designated in the 2010 General Plan as a two lane major collector that is presently performing at a level of service A. Because the majority of traffic generated by the church will occur during non-peak hours, the project is not expected to significantly decrease the level of service of Larkin Road or other nearby streets. For this reason, neither the City Engineer nor Caltrans was requested a traffic study be prepared for this project.

XV.c) There are no nearby airports.

XV.d) The streets around the proposed facilities are straight and intersect perpendicularly.

XV.e) As discussed in part d) above, all of the streets meet full city standards.

XV.f) The parking to be provided by the temple meets all City standards.

XV.g) The local streets are designed to City standards as will the parking lot. The project will also include bike racks, and adequate pedestrian access.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment				

requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

XVI a & b) Both the City's water and wastewater treatment facilities have available capacity to serve this project. The water and wastewater master plans, prepared as part of the General Plan update, identified long terms needs to expand the facilities as the community grows. This religious facility would be a small but incremental part of that growth. Regarding water, the plan identifies adequate groundwater to accommodate the growth of the City for many years although it identifies the need for additional wells over time. Similarly, even though the wastewater treatment plant is not presently at capacity, the plans indicate the facility can be expanded over time to accommodate growth of the entire general plan area. The city has established both sewer and water connection fees to pay for the plant expansions as the community grows.

XVI.c) A stormwater collection line already exists in Larkin Avenue in front of the project that the facility will connect to.

XVI.d) The City's Water Master Plan determined that adequate ground water exists to serve the growth of the City for many years. That study also identifies the need to add more wells to the system as growth occurs. As a result the City has adopted water connection fees that will pay for the expansion of the water system as the community grows.

XVI.e) The City's new wastewater treatment plant has adequate capacity to serve this temple.

XVI.f) The Ostrum Road landfill, operated by Recology Yuba-Sutter, has many years of available capacity. Further, Recology Yuba-Sutter operates an extensive recycling program that will extend the life of the landfill for even longer.

XVI.g) Recology Yuba-Sutter operates the solid waste system within Sutter and Yuba counties, including the City of Live Oak, within all federal, state and local statutes.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

REFERENCES

City of Live Oak 2030 General Plan

City of Live Oak Zoning Regulations

Air Quality

- City of Live Oak Environmental Impact Report for the General Plan

Cultural Resources

- Public Resources Code Section 5097.98 and 5097.99

Geology and Soils

- Live Oak General Plan

Hydrology and Water Quality

- Live Oak Water Master Plan
- Live Oak Wastewater Collection system Master Plan
- Live Oak City Code.
- FIRM Maps, FEMA

Traffic and Transportation

- General Plan Circulation Element
- General Plan EIR – Traffic and Transportation Study

Utilities and Service System

- City of Live Oak Master Drainage Study
- City of Live Oak Public Works Construction Standards
- Environmental Impact Report for the Live Oak General Plan
- City of Live Oak 2010 Wastewater Collection System Master Plan
- City of Live Oak 2010 Water Master Plan

SIKH TEMPLE CONDITIONAL USE PERMIT AMENDMENT #16-17

CONDITIONS OF APPROVAL & MITIGATION MEASURES

1. The project is for an 18,782 square foot place of religious worship as provided on the site plan and the project description in the staff report. The project shall be developed in substantial compliance with the approved site plan and project description. All construction and public improvements shall comply with all related provisions of the Live Oak Municipal Code, and the Live Oak Public Works Improvement Standards, except as provided below:

Construct an 18,782 square foot temple consisting of the following, located on a 5.26 acre lot.

- Temple 18,782 sq.ft
 - 235 parking lot and accompanying landscaping
 - A stormwater retention pond located along the eastern property line
2. Buildings are to be fitted with fire sprinklers. Fire sprinkler plans and design calculations are to be submitted to the Sutter County Fire Chief for review and approval prior to issuance of the building permits. Fire sprinkler plans may have to be sent out for review with the applicant charged for those costs.
 3. The building shall be located so that Fire will be able to safely access around the building to the satisfaction of the Fire Department prior to issuance of the building permits.
 4. The FLD is recommended to be located not directly adjacent to the building. Location will be to the satisfaction of the Fire Dept.
 5. The construction phase(s) of the project shall implement all FRAQMD standards to reduce the impacts of fugitive dust. The applicant/lead contractor must submit the fugitive dust control plan prior to beginning work. The applicant shall submit to FRAQMD payment if Indirect Source Fee (Rule 7.10) upon issuance of building permits by the City. Any boilers or other type of equipment that requires a permit to operate shall be obtained from FRAQMD.
 6. While no perimeter fencing is required, if it is utilized, the fencing along the front half of the property shall consist of wrought iron, as shown on the site plan for the property entrance, or a material of equal quality as approved by the City Planner.

7. The approval of this use permit also rescinds the entire Sandpiper Subdivision map previously approved for the same property and adjacent properties to the north.
8. The required perimeter landscaping on the north and east sides of the property shall be widened to 10 feet and landscaped to buffer the facility from view from future residences, as required by Sec. 17.15.100.B.
9. The trash enclosure shall be at least 10 feet deep and 20 feet wide.
10. The street trees shown on the site plan shall be placed in the middle of the required 10 foot wide landscape strip, not in the public right-of-way.
11. All parking lot lighting shall not exceed 18 feet in height as required by Sec. 17.26.040.
12. The applicant shall prepare a complete set of public improvement plans, in accordance with Live Oak Public Works Improvement Standards, for the Larkin Road frontage.
13. Curb, gutter and sidewalk alignment on Larkin Road shall match the existing improvements at the south end of the property. Curb and gutter shall be 6' Barrier Curb per Live Oak Standard Detail 202.
14. The minimum street structural section for Larkin Road shall match the existing improvements at the south end of the property and consist of 3 inches of Type A or B hot mix asphalt on 12 inches of Class 2 aggregate base.
15. The applicant shall coordinate with P.G.&E. for relocation and/or replacement of the utility (street light) pole near the south end of Larkin Road frontage. Replacement of this pole with a P.G.&E. direct burial steel street light pole is required.
16. A complete pre/post development drainage analysis, in accordance with the Live Oak Improvement Standards, shall be submitted for review. This analysis shall determine the required size of the on-site detention facility designed to detain the 100 year storm, as well as size the on-site conveyance facilities.
17. The allowable discharge from the property to the 30 inch storm drain in Larkin Road shall be in accordance with the Live Oak Improvement Standards.
18. The property owner shall enter into an agreement with the City, in accordance with the Live Oak Improvement Standards, requiring the property owner to maintain the detention facility.
19. The applicant shall agree to indemnify, defend and hold harmless the City or its agents, officers and employees from and against any and all claims, actions, demands or proceedings (including damage, attorney fees and other court cost awards) against the City or its agents, officers or employees to attach, set aside, void or annul an approval of the City, advisory agency, appeal board or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. In providing any defense under this Paragraph, the applicant shall use counsel reasonably acceptable to the City. The City shall promptly notify the applicant of any claim, action, demands or proceeding and the City

shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim, action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless as to that action. The City may require that the applicant post a bond, in an amount determined to be sufficient, to satisfy the above indemnification and defense obligation. Applicant understands and acknowledges that City is under no obligation to defend any claim, action, demand or proceeding challenging the City's actions with respect to the permit or entitlement.

Mitigation Measures

- MM1. The two oak trees located along the western edge of the property shall be preserved as provided in the Arborist Valley Oak Report prepared by Howell It Is, dated June 18, 2005, prepared for the Sandpiper Subdivision previously approved for this property. This means that the area within the drip lines of those trees shall remain undisturbed.
- MM2. If subsurface deposits believed to be cultural in origin are discovered during construction, all work must halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, shall be retained to evaluate the significance of the finding. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the National Register of Historic Places/State Register. If a potentially eligible resource is encountered, then the archaeologist, City of Live Oak, and project proponent shall arrange for proper mitigation.
- MM3. There are no known burial sites within the project area. However, if unanticipated human remains are discovered during the course of project development and construction, the provisions of California Health and Safety Code shall apply. Therefore, no further disturbance would occur until the Sutter County Coroner makes the necessary findings as to origin and disposition of the remains, pursuant to California Public Resources Code Section 5097.98 and 5097.99. If the County Coroner determines the remains to be Native American, the Coroner is required to contact the Native American Heritage Commission within 24 hours. Adherence to California Health and Safety Code would ensure that the project's impacts to human remains are at a level that is considered less than significant.

Respectfully submitted,



City Planner