



CITY OF CHICO OFFICIAL PLANNING DIRECTOR INTERPRETATION

Authority: Chico Municipal Code Section 19.02.030 (Procedures for interpretations)

Applicable Code Sections: Official Zoning Map and Section 19.42.030 (Residential Zone General Development Standards)

Discussion: The properties located at 3263 and 3269 Shadybrook Lane, also identified as Assessor's Parcel Nos. 018-060-022 and 018-060-023, were created as lots 47 and 48 of the Pinnacles Phase 1 final map within the Canyon Oaks subdivision. The buildable portion of each lot is shown on the Official Zoning Map as being zoned RS-1, with a portion of the south end of each lot being zoned OS-1 due to the presence of steep slopes and environmental resources.

The single-family residence at 3263 Shadybrook Lane was constructed in 1997 with 10-foot side yard setbacks, consistent with RS-20 development standards. Side yard setbacks in the RS-1 zoning district are 20 feet, and have been so since at least 1996.

In researching the zoning for these two lots, staff determined that the buildable portion of both lots was originally zoned RS-20, via City Council adoption of Ordinance No. 1670 on October 14, 1986. These lots were also indicated as having a 20,000 square foot minimum size restriction on a diagram attached to a letter written by the Planning Director on March 29, 1995; such a restriction is consistent with RS-20 zoning. The first indication that the buildable portions of these lots were zoned RS-1 is found on a zoning map in 1998, which coincides with the City's transition to the electronic GIS mapping system. However, staff can find no evidence (such as an approved ordinance or rezone plat) which indicates that these properties were actually rezoned to RS-1.

Based on the above, it appears that an error was introduced into the Zoning Map in 1998, with these two lots being incorrectly shown as RS-1, when in fact they were (and are) zoned RS-20.

Interpretation:

The buildable portions of the two properties located at 3263 and 3269 Shadybrook Lane, created as Lots 47 and 48 of the Pinnacles Phase 1 final map, are zoned RS-20, and future development on these properties is subject to RS-20 development standards. GIS

staff shall correct the Official Zoning Map to show these two lots as being zoned RS-20.

This Official Interpretation is effective immediately and will not require an amendment to Title 19 Land Use and Development Regulations.



Mark Wolfe, Community Development Director

Date: April 17, 2014

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ORDINANCE NO. 1670
(Uncodified)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO
PREZONING PROPERTY LOCATED IN THE UNINCORPORATED
TERRITORY OF THE COUNTY OF BUTTE
(PREZONE NO. 99/CANYON OAKS AND ADJACENT LAND
(Initiated by Property Owner))

WHEREAS, the owner of that certain real property located in the unincorporated territory of the County of Butte, State of California, which is generally described as 710.6 acres, located east of the City limits, south of upper Bidwell Park (Assessor's Parcel Numbers 11-03-0-073-0 and 11-03-0-056-0) and which is depicted on the plat entitled "Plat to Accompany Prezone No. 99", copy of which is on file in the Office of the City Clerk, has filed a petition with the City Planning Commission to prezone such property from A-2 Unclassified (County) to R-1 Single Family Residence, RS-20 Suburban Residential/20,000 square foot minimum lot size, RS-1 Suburban Residential/one acre minimum lot size, RS-2 Suburban Residential/two acre minimum lot size, R-2 Medium Density Residence, OS-1 Primary Open Space, OS-2 Secondary Open Space land use classification; and

WHEREAS, the City Planning Commission, after having considered such prezone at a public hearing, duly noticed and held in the manner required by law, has also submitted to this Council, its report and recommendations on such prezone; and

WHEREAS, this Council, after considering such prezone as well as the report and recommendations of the Planning Commission at a public hearing, duly noticed and held in the manner required by law, now desires to approve such prezone,

DATE 10-15-86
AGENDA 10-14-86
COUNCIL _____
CLERK _____
MANAGER _____
DEP. C MGR. 1
ATTORNEY _____
ACM/ _____
ACM/ _____
C.S.D. _____
FINANCE _____
FIRE _____
PARK _____
PLANNING 1
POLICE _____
PUB. WKS. 1
PRESS _____
PUBLISH 10-23-86
CODE _____
Book Publg.

1 having determined that the public necessity, convenience and
2 general welfare will be served by such prezone; and

3 WHEREAS, this Council, after considering the Final
4 Environmental Impact Report for such prezone, is also prepared
5 to make the certifications and findings with regard to such
6 Environmental Impact Report as required by law.

7 NOW, THEREFORE, be it ordained by the City Council of the
8 City of Chico as follows:

- 9 1. That all that certain real property situated in the
10 unincorporated territory of the County of Butte, State of
11 California, which is generally described as 710.6 acres,
12 located east of the City limits, south of upper Bidwell
13 Park (Assessor's Parcel Numbers 11-03-0-073-0 and
14 11-03-0-056-0) and depicted on the plat entitled "Plat to
15 Accompany Prezone No. 99", copy of which is on file in the
16 Office of the City Clerk, be and is hereby prezoned to a
17 City R-1 Single Family Residence, RS-20 Suburban
18 Residential/20,000 square foot minimum lot size, RS-1
19 Suburban Residential/One acre minimum lot size, RS-2
20 Suburban Residential/two acre minimum lot size, R-2 Medium
21 Density Residence, OS-1 Primary Open Space, OS-2 Secondary
22 Open Space land use classifications.
- 23 2. That upon annexation of such property to the incorporated
24 territory of the City of Chico, no building or structures
25 shall be erected, constructed, moved or altered on such
26 property nor shall such property or any building or
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structure located thereon be used for any purpose other than that now or hereafter permitted by the land use regulations adopted in the Chico Municipal Code which are applicable to the land use classification to which such property has been prezoned.

- 3. That in connection with its approval of such prezone, this Council certifies that the Final Environmental Impact Report for the prezone was completed in compliance with the requirements of the California Environmental Quality Act and the Environmental Review Guidelines adopted in Chapter 19R.04 of the Chico Municipal Code, that such Final Environmental Impact Report was presented to this Council and each member thereof prior to the adoption of this ordinance and that this Council and each member thereof reviewed and considered the information contained in the Final Environmental Impact Report prior to approving such prezone.
- 4. This ordinance incorporates the Canyon Oaks Final Environmental Impact Report and the Council's ordinance certifying the Final EIR and adopting findings.

1 Ordinance No. 1670 was adopted by the City Council of the
2 City of Chico at its adjourned regular meeting held on the
3 14th day of October , 1986, by the following vote:
4 AYES: Councilmembers Andrews, Hubert, Kumli, Nelson, Nichols and Willis.
5 NOES: Councilmember Enochs.
6 ABSENT: None.
7 ATTEST:

8
9 Barbara A. Evans

10 CITY CLERK

11
12 APPROVED AS TO FORM:

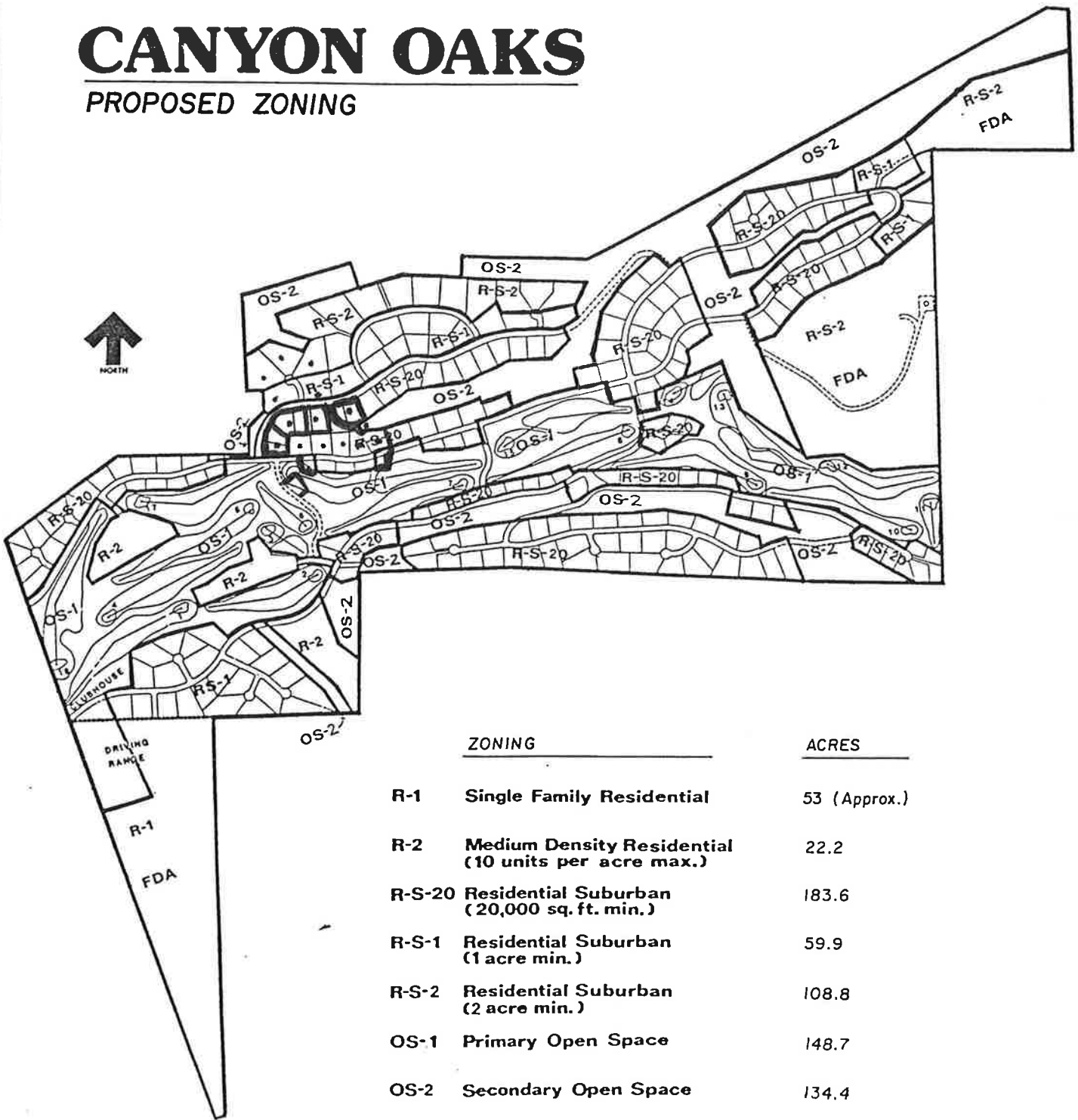
13
14 R. O. Bueh

15 CITY ATTORNEY

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CANYON OAKS

PROPOSED ZONING



ZONING	ACRES
R-1 Single Family Residential	53 (Approx.)
R-2 Medium Density Residential (10 units per acre max.)	22.2
R-S-20 Residential Suburban (20,000 sq. ft. min.)	183.6
R-S-1 Residential Suburban (1 acre min.)	59.9
R-S-2 Residential Suburban (2 acre min.)	108.8
OS-1 Primary Open Space	148.7
OS-2 Secondary Open Space	134.4
FDA Future Development Area	—
TOTAL	710.6 ACRES

CITY OF CHICO

PLAT TO ACCOMPANY
PREZONE #99 (E.M. West)

PLANNING OFFICE

DRAWN BY RA CHECKED BY JH
 DATE 9/8/86 SCALE NTS
 APPROVED BY [Signature]
 PLANNING DIRECTOR



COMMUNITY DEVELOPMENT
DEPARTMENT
PLANNING

5th & Main Streets
P.O. Box 3420
Chico, CA 95927
(916) 895-4851
Fax (916) 895-4825
ATSS 459-4851

March 29, 1995

E.M. West
California Park
Post Office Box 2327
Chico, California 95927

RE: Canyon Oaks Subdivision - Phase III

Dear Mr. West:

At your request, setback requirements for the northerly tier of lots in Canyon Oak have been reviewed. Based on the final EIR, tentative map and conditions of map approval, the following setbacks apply:

1. For those lots west of the Simmons' parcels (A.P. Nos. 011-030-044 and 045): A 250 foot setback from the rear (north) lot line shown on the tentative map is required. With the open space parcel depicted on the tentative map, the total setback from the north boundary of the Canyon Oaks site is approximately 375 feet. (Parcels 194 and 195 of the tentative map).
2. For those lots south of the Simmons' parcels. A 100 foot setback from the rear (north) lot line of the lots shown on the tentative map, corresponding to the south line of the Simmons parcels is required. (Parcels 196, 197, 198 and 199 of the tentative map).
3. For those lots east of the Simmons' parcels. A 100 foot setback from the rear (north) lot line of the lots shown on the tentative map is required. With the open space parcel depicted on the tentative map between the north line of the lots and the north boundary of the project, the total setback from the north boundary of Canyon Oaks is 306 feet. (Parcels 200, 203, 204, and 205 of the tentative map.)

Please feel free to contact me if you require any additional information or assistance regarding this matter.

Sincerely,

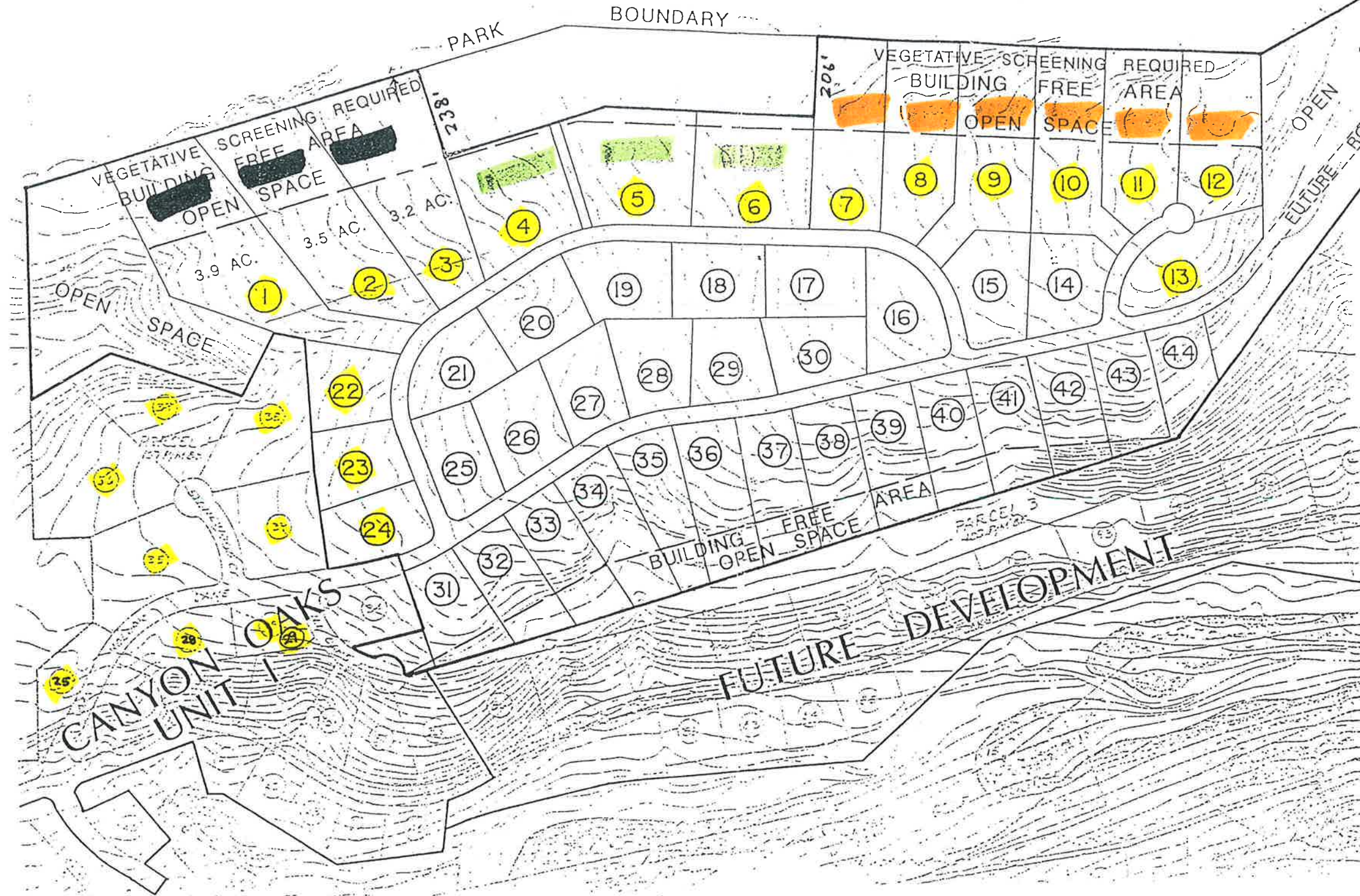

CLIF SELLERS
Planning Director

CS:kk

Canyon Oaks Sub.

cc: Sr. Plnr. Hayes

NOTE:
 CONTOURS COMPILED FROM EXISTING MAPS
 HAVE NOT BEEN VERIFIED BY FIELD SURVEYS.



SCALE 1" = 300'

LOTS 4 - 12
 2 ACRE MIN.

LOTS 13 - 30
 1 ACRE MIN.

LOTS 31 - 44
 20,000 S.F. MIN.

- 20' Ht. restriction
- 100' setback
- 375' setback
- 306' setback

PRELIMINARY LOT LAYOUT

PARCEL 6 (107 PM 88)

JANUARY 1995