



DATE: January 26, 2017

TO: PLANNING COMMISSION

FROM: Brendan Vieg, Principal Planner (879-6806; brendan.vieg@chicoca.gov)
Mike Sawley, Senior Planner (879-6812; mike.sawley@chicoca.gov)
Kelly Murphy, Assistant Planner

RE: Workshop - Text Amendments to Title 19 of the Chico Municipal Code

SUMMARY

At its December 15, 2016 meeting, the Planning Commission held a public hearing to consider the General Plan Five-Year Review and Sustainability Indicators Report, and to provide recommendations to the City Council regarding: 1) text amendments to the Chico 2030 General Plan, 2) amendments to land use designations and zoning of various properties, and 3) amendments to Title 19 of the Chico Municipal Code (Land Use and Development Regulations).

Following its recommendations regarding amendments to the General Plan and rezonings, the Commission directed staff to hold a future public workshop regarding the Title 19 amendments in order to gain additional community input.

At this meeting, the Planning Commission will first hold a public workshop in Conference Room 1 of the City Council Chambers, and then reconvene the meeting to the Council Chambers in order to conduct a public hearing and make a recommendation to the City Council regarding the proposed Title 19 amendments.

Recommendation:

The Community Development Director recommends that the Planning Commission:

- 1) Hold a public workshop to discuss proposed amendments to Title 19 of the Chico Municipal Code;
- 2) Hold a public hearing regarding the proposed amendments to Title 19 of the Chico Municipal Code; and
- 3) Adopt Resolution 16-17 recommending City Council adoption of an ordinance to amend Title 19 of the Chico Municipal Code as set forth therein (see **Attachment A**).

Proposed Motion:

I move that the Planning Commission adopt Resolution No. 16-17 recommending City Council adoption of amendments to Title 19 of the Chico Municipal Code as set forth therein.

BACKGROUND

As part of the Five-Year Review, a number of amendments to Title 19 of the Chico Municipal Code (Land Use and Development Regulations) are proposed to implement Housing Element Actions, create consistency with policy direction in the General Plan, resolve minor inconsistencies in the Code, formalize interpretations made by the Community Development Director, clarify terms and definitions, and address direction by Council to gain efficiencies in implementation of the Code as called for by the General Plan's Economic Development Goals and Policies. The proposed amendments are catalogued as an attachment to the Planning Commission resolution recommending adoption of an ordinance to amend Title 19 (see **Attachment A**).

At its December 15, 2016 meeting, the Commission directed staff to hold a future public workshop regarding the Title 19 amendments in order to gain additional community input. A key factor in the Commission's request to hold a workshop was a desire to provide a venue to consider a series of concerns and recommendations outlined in a memo received from the Chico Chamber. The memo requested more time for discussion and made recommendations for additional Title 19 revisions that might streamline and enhance the City's development review process.

Since the December 15th Commission meeting, staff met with members of the Chamber group to review the comments and discuss opportunities for additional Title 19 amendments. The discussions resulted in greater understanding and agreement on key issues. **Attachment B** is an annotated version of the Chamber memo. It provides a summary of the dialogue that took place for each issue raised, and an updated status. Staff recommends utilizing the annotated memo to frame the workshop discussion, as well as any additional topics raised by workshop participants and Commissioners.

A number of issues raised in the Chamber memo are not related to Title 19, and staff recommends they not be discussed as part of the workshop. Further, after a careful review of existing and proposed Code language, a number of issues raised in the memo were determined to be adequately addressed and no additional changes needed. Staff is proposing additional Title 19 amendments in four issue areas, which are discussed in more detail below. Finally, there remain some broader issues where general disagreement remains, most notably, the role of the City's Architectural Review and Historic Preservation Board.

Summary of New Proposed Title 19 Amendments

Below is a summary of the new proposed Title 19 amendments:

1. Rezone Requirement for Minor Lot Line Adjustments (Chamber Memo Issue #3)

The Code currently requires that in the event two or more lots are proposed for consolidation through the approval of a lot line adjustment, parcel map, or tentative map so that a single lot is covered by two or more zoning districts, the application for adjustment or map approval must be accompanied by an application for rezoning the lot into a single

zoning district. There have been a number of recent examples where a minor lot line adjustment has resulted in the need for a costly and timely rezone with little or no apparent public benefit.

Newly proposed language provides for an exception from the rezone requirement when a small portion of a site (ten percent or less) would become split-zoned by a lot line adjustment. No rezone is required, and moving forward, “[f]or sites where one of the [zoning] district areas constitutes less than ten percent of the site, and is not a Special Purpose Zoning District (e.g., OS1, OS2), development of the site may occur in compliance with the predominant district.”

2. Increase Height Limits in Additional Zoning Districts (Chamber Memo Issue #8)

The annotated staff response to Chamber Memo Issue #8 provides good background on more recent Code changes related to height limits, and an ongoing concern related to potential incompatibility with adjacent residential uses. The discussions with the Chamber group has resulted a proposal to allow greater height in more zoning districts with a caveat that “[l]esser height may be required through the Design Review process where the parcel abuts an R district.” Staff believes the proposed language is a good balance. It provides an opportunity for more dense or intense infill and redevelopment, but provides staff and decision-makers with an important tool to reduce the height when a project is adjacent to residential zoning districts.

3. Parking Lot Shading (Chamber Memo Issue #11)

The annotated Chamber Memo provides good background on the suggestions provided by the Chamber group and staff considerations. Ultimately, staff agrees with the Chamber group on a number of issues and has proposed additional Title 19 amendments that:

- Reference the industry standard *Sunset Western Garden Book* for purposes of determining appropriate crown square footages for tree canopies when calculating shading for parking lot areas;
- Allow for a variety of shade calculation methodologies, which provides opportunities for more accurate computer-generated methodologies; and
- Provide for exceptions from the fifty percent parking lot shading requirement under extraordinary circumstances where a project design or site conditions preclude attainment of the standard. The deviation from the standard, however, must “be supported by a finding that the project has been demonstrated to be of greater quality or community benefit than might occur with a conventional development proposal.”

4. Minimum Lot Requirement in Foothill Overlay (Chamber Memo Issue #13)

Staff is unclear why there is a minimum lot area requirement of 6,000 sf in the Foothill Overlay. There are minimum lot area requirements established for all residential zoning districts found in other parts of Title 19 that are appropriate for the foothill environment. The proposed Title 19 amendments would remove the 6,000 sf minimum requirement.

Summary of Originally Proposed Title 19 Amendments

As a reminder, below is a summary of the original Title 19 amendments proposed and included in the Commission's December 15, 2016 staff report:

Definitions (CMC 19.04)

- Add or modify definitions for various terms used in the Code to improve clarity for users.

Review Authority (CMC 19.12)

- Add to Table 2-1 that the Board or Director shall forward a recommendation to the Commission, prior to Commission review of the project, as detailed in the Planned Development Permit (PDP) chapter under CMC 19.28.050.

Pre-application Neighborhood Meetings (CMC 19.16.020)

- Change the noticing radius for pre-application neighborhood meetings from 300 feet to 500 feet to be consistent with the required noticing for public hearings.
- Modify the list of information applicants must present at neighborhood meetings to be consistent with application requirements.

Site Design and Architectural Review (CMC 19.18)

- Amend section 19.18.024.B to clarify that the Board or Director is to forward a recommendation to the Commission on PDPs, as detailed later under CMC 19.28.050.
- Clarify that single-family residential housing units minor require design review when part of a dwelling group (i.e., multiple such units on the same site).
- Add to the required findings that design review projects shall be consistent with the City's adopted development standards.

Temporary Uses (CMC 19.22)

- Remove Code reference to CMC 19.76.080 (Garage and yard sales), as that section is recommended for deletion (see below).
- Fix typo under CMC 19.22.030.

Mobile Food Vendors – Operating Standards (CMC 19.23.040)

- Add an operating standard for the annual Fire Department certification and inspection of mobile food vendor facilities.

Planned Development Permits (CMC 19.28)

- Revise the requirements for PDP processing to eliminate old language requiring both conceptual and final review by the Commission. This two-step review process by the Commission is unnecessary, and has not been used since the 2013 Code amendments that formalized the process of obtaining a recommendation from the Board prior to final consideration by the Commission on PDPs.
- Add language pertaining to the review authority to provide for either the Board or

Director to forward a recommendation to the Commission on PDP applications. Achieves consistency with CMC 19.18.020.B.

Permit Implementation, Time Limits, Extensions (CMC 19.30.050)

- Extend the initial expiration date for all unexercised permits from one year to three years after the date of approval to be universally consistent throughout the Code.

Establishment of Zoning Districts (CMC 19.40)

Table 4-1, Zoning Districts (CMC 19.40.010)

- Lower the minimum density for the R2 (Medium Density Residential) zoning district from 7.1 to 6.0 dwelling units per gross acre. This change is also made under CMC 19.42.010.C and Table 4-5 in the following chapter.
- Change the Zoning Overlay district name for –AO from “Aircraft Operations” to “Airport Overflight” to better reflect its purpose. This change is also made in the Overlay Zones Chapter, under CMC 19.52.030.

Table 4-2, Allowed Uses and Permit Requirements For Residential Districts (CMC 19.42)

Add certain land uses and change the level of review required for various land uses in residential zones. Examples include:

- Allow “Private residential recreational facilities” and “Dwelling group” land uses by right in the R2, R3, R4 and RMU zones.
- Allow “Fraternity/sorority housing” by right in the R3, R4 and RMU zoning districts.
- Permit “Assisted Living Facility” and “Dormitory” as allowable uses in the RMU zone, subject to use permit authorization.
- Amend Table Footnote #6 to replace the criteria of operating “24 hours a day,” to specify that nighttime hours of operation that require use permit authorization are “between the hours of 10PM and 6AM”, consistent with the nighttime hours established by the General Plan for evaluating noise impacts.
- Allow “Supportive Housing” and “Transitional Housing” land uses by right in all residential zones as required by State law.

Table 4-3B, Residential Zone Development Standards (CMC 19.42.030)

- Re-order the criteria for minimum lot width in the R1 zoning district to place the most common criterion first.
- Allow detached garages without a second floor dwelling unit up to 25 feet in height by right in the R2 zoning district when a minimum 10-foot setback is provided from all property lines.
- Add Table Footnote #3 to allow reduced setbacks in the RMU zoning district when consistent with General Plan Community Design policies for mixed use projects.

Table 4-3C, Residential Zone General Development Standards (CMC 19.42.030)

- Reduce the required front yard setback from 15 feet to 10 feet in the R3, R4, and RMU zoning districts to provide site planning flexibility and advance General Plan infill policies.
- Allow detached garages without a second floor dwelling unit up to 25 feet in height by right in the R3, R4, and RMU zoning districts when a minimum 10-foot setback

is provided from all property lines.

Table 4-6, Allowed Uses and Permit Requirements For Commercial Districts (19.44.020)

Add, re-organize and/or consolidate certain land uses, and change the level of review required for various land uses in commercial zones. The changes generally reduce the level of review required for a proposed land use, allowing by right (denoted with a "P") certain uses that currently require use permit authorization (denoted with a "UP"), and establish that certain uses can be pursued through use permit authorization that are currently prohibited in a given zoning district (i.e., adding a "UP" where a cell is currently blank, which means the use is prohibited in the zone). Examples include:

- Allow "Beverage products, small scale, 2,500 sf max." by right in CC, CS, and CR zones, and with use permit authorization in the DS zone.
- Combine "Auditoriums and meeting halls" with "Theaters" and establish that "Theaters, auditoriums and meeting halls" are allowed by right in the CS zone, and with use permit authorization in the CN zone.
- Allow "Health/fitness clubs" by right in the DN and DS zones.
- Allow "Drug stores/pharmacies, 4,000 sq. ft. or less" by right in OR and OC zones.
- Allow "Grocery stores, 4,000 sq. ft. or less" by right in the OR, OC and CS zones.
- Allow "Hotel or motel" by right in the CR zone.
- Add a "Medical offices" land use and allow by right in the OR, OC, CN, CC and CR zones, and subject to Table Footnote #4 in the DN and DS zones.
- Allow "Repair/maintenance of consumer products under 2,500 sq. ft." by right in the OR, CN, DN, and DS zone.
- Amend Table Footnote #5 to replace the criteria of operating "24 hours a day," to specify that nighttime hours of operation that require use permit authorization are "between the hours of 10PM and 6AM", consistent with the nighttime hours established by the General Plan for evaluating noise impacts.

Table 4-7, Commercial/Office Zone General Development Standards (CMC 19.44.030)

- Reduce excessive minimum setbacks and structural heights in various commercial zones.
- Increase maximum structural height limits in the CS and CR zones from 45 feet to 57 feet to accommodate an additional floor.

CN and CC district special standards (CMC 19.44.040 and 19.44.050)

- Delete these zoning district-specific sections to reduce redundancy with other Code sections and adopted Design Guidelines. Re-number ensuing Code section.

Table 4-8, Allowed Uses and Permit Requirements For Manufacturing and Industrial Zoning Districts (19.46.020)

Add, re-organize and/or consolidate certain land uses, and change the level of review required for various land uses. The changes generally reduce the level of review required for new land uses in manufacturing and industrial zones. Examples include:

- Allow "Alternative fuel/recharging facilities," "Stone and cut stone products," and "Mortuary/funeral home" by right in the IOMU zone.
- Allow "Glass products" by right in the ML zone.

- Move “Leather products” down and combine with “Textile manufacturing” to read “Textile and leather products.”
- Allow “Storage, personal storage facility” by right in the ML, MG and IOMU zones.
- Allow “Community Gardens” by right in all zones.

Table 4-10, Allowed Uses and Permit Requirements For Airport Districts (CMC 19.48.030)

Enact changes that generally reduce the level of review required for new land uses in airport zones. Examples include:

- Allow the following uses by right in the AC and AM zones: “Schools – specialized education”, “Caretaker and employee housing”, “Banks and financial services”, “Printing and publishing – Computer/electronic”, “Business support services”, “Research and development”, and “Repair and maintenance – consumer products”.
- Permit “Health/fitness clubs” and “Restaurant with full bar” in AM zone with use permit authorization.
- Allow all restaurants by right in the A and AC zones, and small restaurants (less than 2,500 sq. ft.) by right in the AM zone.
- Permit “Offices, business and professional” in the AM zone, subject to use permit approval.
- Allow “Public safety and utility facilities” in all manufacturing/industrial zones.
- Amend Table Footnote #4 to refer to “review authority” instead of the Airport Architectural Committee, to be consistent with CMC 19.48.070.B.1.

Aircraft Operations (-AO) overlay zones (CMC 19.52.030)

- Re-name the –AO overlay “Airport overflight” to give it a more-intuitive name.
- Clarify that the Butte County Airport Land Use Commission may grant a consistency finding for new development and uses that do not meet the simplified ALUCP requirements reflected in the Chico Municipal Code.

Fraternity and sorority (-FS) overlay zone (CMC 19.52.090)

- Allow the –FS overlay in conjunction with RMU zoning, in addition to R3 and R4.

Fencing and Screening (CMC 19.60.060).

- Delete subsection G (*Fences Between Different Land Uses*), as it is redundant with other fencing requirements, and replace with subsection K to minimize reformatting.
- Revise subsection H (*Special Fencing or Wall Requirements*) to remove the stipulation that whichever use is established first shall construct the fence or wall. This subsection imposes a fencing requirement based on zoning, not use, and limiting its application to the use that is first established conflicts with its purpose in many situations.

Height measurement and height limit exceptions (CMC 19.60.070)

- Remove the reference to “use permit” under C.2, and add a minimum setback distance of 10-feet from any property line for detached garages, 15-25 feet in height without a second dwelling unit.
- Allow parapet walls to extend 6 feet above the height limit, rather than 4-feet.
- Remove the reference to “a maximum of three stories” for single-family dwellings

in RS and R1 Districts, as the number of stories does not necessarily correspond with the height of a structure above grade.

Setback regulations and exceptions (CMC 19.060.090)

Several minor changes are recommended in this section to reduce redundancy, improve clarity, rely on terms defined by the Code, and to eliminate ambiguous terms.

Accommodations for persons with disabilities (19.60.130)

Replace this section with language found in the Housing Element consistent with direction provided by the California Department of Housing and Community Development.

Landscaping Standards (19.68)

There are two main modifications recommended for the City's landscaping standards, as follows:

- Delete the façade remodel landscaping requirements under CMC 19.68.040.C, including Table 5-3. This Code requirement adds complexity, cost, and water usage to otherwise simple façade remodel projects, dissuading these types of improvements.
- Change the "Tree preservation measures" to "Tree preservation guidelines", correct inconsistent language, and better integrate with the requirements of CMC 16.66 (*Tree Preservation Regulations*). The changes would clarify that grading and improvements shall should not occur within drip lines of existing trees, but may be permissible when supported by a plan that specifically addresses the work that would take place within tree drip lines. Allowing improvements to encroach within tree drip lines will provide site planning flexibility that will reduce pressure to remove existing trees on constrained sites.

Parking and Loading Standards (CMC 19.70)

Several minor changes are recommended to the parking standards to be consistent with changes made elsewhere in the Code (such as in the land use tables), and to correct outdated references. The off-street loading space requirements under CMC 19.70.090.B, would also be revised to distinguish between side loading and rear loading configurations.

Standards for Specific Land Uses (CMC 19.76)

Modify the standards for accessory uses and structures (CMC 19.76.020) as follows:

- Add "trellis" as a type of accessory structure, similar to gazebos and patio covers.
- Change required setback for garage or carport from 10 feet to 20 feet.
- Add "ground-mounted solar arrays" as an accessory structure, similar to pools and ground-based antennas.

Modify the standards for drive-in and drive-through facilities (CMC 19.76.070) to provide flexibility for meeting driveway spacing criteria.

Delete CMC 19.76.080, "Garage and yard sales", as it is redundant with similar provisions under CMC 19.22.020.F.

Amend CMC 19.76.100, "Guest houses" to clarify that "temporary" means 30 days or less.

Clarify that CMC 19.76.110, "Mobile homes/manufactured housing" requires a perimeter foundation for manufactured housing located outside mobile home parks.

Modify CMC 19.76.120, "Outdoor retail sales and activities" to require minor design review, instead of use permit authorization, for outdoor retail displays and sales.

Revise CMC 19.76.130, "Second dwelling units" to simplify alleyway improvement requirements and eliminate minimum alleyway width.

Revise CMC 19.76.170, "Temporary dwellings" – change approval from a use permit to an over-the-counter approval subject to specific standards.

Revise CMC 19.76.180, "Infill Residential Flag Lots" to clarify that infill residential flag lots require Planning Commission approval of a parcel map or tentative subdivision map, and to eliminate the redundant neighborhood meeting requirement.

GENERAL PLAN CONSISTENCY

A General Plan consistency analysis was provided in the December 15, 2016 Planning Commission staff report, and as highlighted in the attached resolution (see **Attachment A**), the goal of the proposed Title 19 amendments is to create greater consistency with the policy direction provided in the General Plan.

ENVIROMENTAL REVIEW

The proposed Title 19 amendments would not result in an increase in development beyond that which was analyzed in the Final Environmental Impact Report (EIR) prepared and certified for the Chico 2030 General Plan update (State Clearinghouse #2008122038). The proposed Title 19 amendments represent a refinement of the General Plan adoption process, and in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162, are within the scope of the EIR.

FINDINGS

Findings were provided in the December 15, 2016 Planning Commission staff report, and are also found in the attached resolution (see **Attachment A**).

PUBLIC CONTACT

A display ad for the February 2, 2017 Planning Commission workshop and meeting was published in the January 23, 2017 *Chico Enterprise Record*. In addition, the notice was distributed to a list of interested parties.

DISTRIBUTION

PC Distribution
PP Vieg

External (via email)

Katie Simmons, Chico Chamber
Bill Webb, Butte Community Builders
DCBA
Butte Environmental Council
Interested Parties List

ATTACHMENTS

- A. Resolution recommending Council adoption of an ordinance to amend Title 19
- B. Annotated Chamber Memo

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RESOLUTION NO. 16-17

**RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION
RECOMMENDING CITY COUNCIL APPROVAL OF VARIOUS AMENDMENTS TO
TITLE 19 OF THE CHICO MUNICIPAL CODE
(CITY OF CHICO)**

WHEREAS, the City has prepared a Five-Year Review of the Chico 2030 General Plan to assess growth trends and analyze the effectiveness of the Plan's policy framework through the first five years of Plan implementation; and

WHEREAS, in connection with preparation of the Five-Year Review, a review of Title 19 of the Chico Municipal Code was undertaken to identify amendments that would implement Housing Element Actions, create consistency with policy direction in the General Plan, resolve minor inconsistencies in the Code, formalize interpretations made by the Community Development Director, clarify terms and definitions, and address direction provided by Council to identify refinements that will gain efficiencies in implementation of the Code; and

WHEREAS, the Planning Commission considered the various proposed amendments, staff report, and comments at a duly noticed public hearing held in the manner required by law; and

WHEREAS, the proposed amendments are a refinement of the General Plan adoption process, and in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed amendments are within the scope of the Final Environmental Impact Report (EIR) prepared and certified for the Plan in 2011.

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

1. The Planning Commission determines:

A. The proposed amendments are consistent with the General Plan; and

B. The proposed amendments are consistent with the other provisions of the City's Land Use and Development Regulations, Subdivision Regulations, and Design Criteria and Improvement Standards, and are compatible with the uses authorized in,

1 and the regulations prescribed for, the applicable zoning districts for which the
2 revisions are proposed.

3 2. The Planning Commission recommends that the City Council approve the amendments
4 to the Chico Municipal Code as set forth in Exhibit I.

5 THE FOREGOING RESOLUTION WAS ADOPTED by the Planning Commission at its
6 meeting held on February 2, 2017, by the following vote:

7 AYES:

8 NOES:

9 ABSENT:

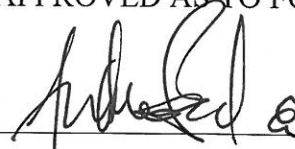
10 ABSTAINED:

11 DISQUALIFIED:

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13 ATTEST:

APPROVED AS TO FORM:

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15 _____
16 Mark Wolfe, Planning Commission Secretary

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16 Vincent C. Ewing, City Attorney

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18 *Pursuant to The Charter of the City of Chico, Section 906(E)
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Chapter 19.04 DEFINITIONS

Section:

- 19.04.010** Purpose, applicability.
19.04.020 Definitions of specialized terms and phrases.

19.04.020 Definitions of specialized terms and phrases.

A. Definitions, "A."

Animal Keeping (land use). The keeping or raising of farm animals including cattle, goats, horses, sheep, swine ~~(including pot bellied pigs)~~, fowl, and other animals not commonly regarded as household pets. Does not include cats, dogs, and other household pets, or exotic animals, which are separately defined.

D. Definitions, "D."

Density. For residential uses, density shall be calculated as follows:

1. **Density or gross density.** The number of dwellings per gross acre ~~of developable land.~~
2. **Vertical density.** The number of dwelling units per acre when site acreage is calculated as the gross floor area of all floors above the first floor that are devoted to residential use.

H. Definitions, "H."

Household Pets (land use). The raising or keeping of cats, dogs, birds, miniature pot-bellied pigs, or other common household pets, accessory to a residential use.

M. Definitions, "M."

Medical Offices. Facilities primarily engaged in furnishing outpatient dental, medical, mental health, surgical and other personal health services. See "Medical Services – Clinics and Laboratories."

Medical Services - Clinics and Laboratories (land use). A facility intended for the examination of clinical specimens for the purpose of providing information such as diagnosis, prognosis, prevention, or treatment of disease to improve the health of a patient. Facilities primarily engaged in furnishing outpatient dental, medical, mental health, surgical and other personal health services, and medical and dental laboratories.

O. Definitions, "O."

Offices (land use). Service establishments, including the following:

1. **Business Offices.** Establishments providing direct services to consumers, including insurance agencies, real estate offices, post offices (not including bulk mailing distribution centers, which are included under "Vehicle and Freight Terminals").
2. **Industrial Offices.** Large scale office uses, including telemarketing, claims processing, and similar office uses where large numbers of employees are housed in warehouse-sized buildings.
3. **Professional Offices.** Professional or government offices including:

Accounting, auditing, and bookkeeping services
Advertising agencies
Architectural, engineering, planning, and surveying services
Attorneys
Counseling services
Court reporting services
Data processing and computer services
~~Dental offices~~
Detective agencies and similar services
Educational, scientific, and research organizations
Employment, stenographic, secretarial, and word processing services
Financial Services
Government offices, including agency and administrative office facilities
Management, public relations and consulting services
~~Medical offices~~
Photography and commercial art studios
Telemarketing
Writer's and artist's offices outside the home

P. Definitions, "P."

Pet Shops (land use). Includes grooming or selling of dogs, cats, and similar small animals. Typical uses include dog bathing and clipping salons, pet grooming shops, and pet stores.

T. Definitions, "T."

Trellis. A semi-covered structure or frame open on two or more sides, sometimes referred to as a pergola or arbor.

DIVISION II. ADMINISTRATION OF LAND USE AND DEVELOPMENT REGULATIONS

Chapter 19.12 APPEALS

Section:

| | |
|------------------|--|
| 19.12.010 | Purpose |
| 19.12.020 | Appeal subjects and jurisdiction |
| 19.12.025 | Appeal of determinations of the Airport and Bidwell Park and Playground commissions |
| 19.12.030 | Filing of appeals |
| 19.12.040 | Administrative review. |

19.12.020 Appeal subjects and jurisdiction.

Determinations and actions that may be appealed, and the authority to act upon an appeal shall be as set forth in Table 2-1 and in this Chapter.

**TABLE 2-1
REVIEW AUTHORITY**

| Type of Permit or Decision | Architectural Review and Historic Preservation Board | Director | Zoning Administrator | Planning Commission | City Council |
|---|---|-----------------|-----------------------------|----------------------------|---------------------|
| Architectural/Design Review | Decision (1) | | | Decision (1) | Appeal |
| Certificates of Appropriateness | Decision (1) | | | | Appeal |
| Certificate of Demolition | Decision (1) | | | | Appeal |
| Designation of Historic Landmarks on the Historic Resources Inventory | Recommend | | | | Decision |
| Determination That an Application is Complete Pursuant to Chapter 19.16 | | Decision (2) | | | |
| Development Agreements | | | | Recommend | Decision |
| Foothill Development Permit | | Decision (2) | | | |
| Fraternity and Sorority House Permit | | Decision (2) | | | |
| General Plan, Specific Plan, Neighborhood Plan, Area Plan Amendments | | | | Recommend | Decision |
| Home Occupation Permits | | Decision (2) | | | |
| Interpretations | | Decision | | Appeal | |
| Land Use and Development Regulations Amendments | | | | Recommend | Decision |
| Minor Design Review | Appeal (3) | Decision | | | |

Chico, CA Code of Ordinances

| Type of Permit or Decision | Architectural Review and Historic Preservation Board | Director | Zoning Administrator | Planning Commission | City Council |
|--|--|------------------|----------------------|---------------------|--------------|
| Mobile Food Vendor Permits | | Decision (2) | | | |
| Planned Development Permits | <u>Recommend</u> | <u>Recommend</u> | | Decision | Appeal |
| Regulating plans and circulating plans pursuant to Division VI | | | | Decision | Appeal |
| Second Dwelling Unit Permit | | Decision (2) | | | |
| Sign Permits | | Decision (2) | | | |
| Specific Plans | | | | Recommend | Decision |
| Use Permits | | | Decision | Decision | Appeal (4) |
| Variances | | | Decision | Decision | Appeal (4) |
| Zoning Map Amendments | Recommend (5) | | | Recommend | Decision |
| Zoning Clearances | | Decision (2) | | | |

Notes:

(1) Architectural/design review decisions and decisions regarding applications for certificates of appropriateness or certificates of demolition rendered by the Architectural Review and Historic Preservation Board for projects requiring only the issuance of a building permit are appealed to the City Council.

Architectural/design review decisions rendered by the Architectural Review and Historic Preservation Board on projects requiring a discretionary permit from the Planning Commission and rendered after referral to the Architectural Review and Historic Preservation Board by the Planning Commission are appealed to the Planning Commission.

Architectural/design review decisions rendered by the Planning Commission are appealed to the City Council.

(2) This decision may be appealed pursuant to the administrative review process set forth in section 19.12.040.

(3) Director decisions are appealed to the Architectural and Historic Preservation Review Board. The Architectural Review and Historic Preservation Board decision on an appeal is final.

(4) Decisions on use permits and variances, whether made by the zoning administrator or planning commission, are appealable directly to the City Council.

(5) The Architectural Review and Historic Preservation Board shall make recommendations to the City Council regarding the creation or modification of landmark overlay zoning districts pursuant to Chapter 19.37.

(Ord. 2185, Ord. 2374 §3, Ord. 2410 §10, Ord. 2439 §175, Ord. 2440 §8)

DIVISION III. LAND USE AND DEVELOPMENT PERMIT PROCEDURES

Chapter 19.16 APPLICATION FILING AND PROCESSING FEES

Section:

| | |
|------------------|---|
| 19.16.010 | Purpose, applicability |
| 19.16.020 | Pre-application neighborhood meetings. |
| 19.16.030 | Application filing |
| 19.16.040 | Application fees |
| 19.16.050 | Initial application review |
| 19.16.060 | Environmental assessment |
| 19.16.070 | Zoning clearance |

19.16.020 Pre-application neighborhood meetings.

This section applies to all projects on residentially zoned property, or on property located adjacent to residentially zoned property which require a discretionary permit issued by the planning commission or city council. All projects for such a discretionary permit shall require a pre-application neighborhood meeting in compliance with the requirements set forth below. The purpose of the meeting is to provide for early input by affected neighbors. While neighborhood consensus or agreement is desirable, it is not a required outcome of the neighborhood meeting.

A. - C. [NO CHANGES]

D. Applicant attendance at meeting. The applicant or a representative shall attend the neighborhood meeting and provide the following information:

1. A site plan graphically depicting existing conditions and surrounding land uses and structures.

2. A conceptual site plan showing sufficient information to gain an understanding of the proposed project. ~~the locations of all proposed structures, roads, parking areas, landscaping, and conceptual parcel lines with approximate dimensions and all proposed land uses.~~

~~3. Conceptual building design information and the proposed density of the project.~~

Applicants are encouraged to take minutes or otherwise create a written record of the presentation and points discussed at the meeting.

E. - H. [NO CHANGES]

Chapter 19.18 SITE DESIGN AND ARCHITECTURAL REVIEW

Section:

| | |
|------------------|-----------------------|
| 19.18.010 | Purpose. |
| 19.18.020 | Applicability. |

- 19.18.024 **Review authority.**
- 19.18.030 **Review of minor projects.**
- 19.18.040 **Exemptions.**
- 19.18.050 **Application requirements and procedures.**
- 19.18.060 **Findings.**
- 19.18.070 **Conformance to plans.**
- 19.18.080 **Expiration and extensions.**

19.18.024 Review authority.

A. [NO CHANGES]

B. Projects Requiring a Discretionary Permit. Site plan and architectural design review ~~of and approval for~~ projects which, in addition to a site plan and architectural design permit approval, require the issuance of a discretionary permit by the Commission or Council shall be conducted by the ARHPB or Director prior to the project's ~~review consideration~~ by the Commission or Council. ~~Any approval by the ARHPB or Director prior to Commission or Council consideration shall be deemed to be a recommendation to the Planning Commission or Council and may be modified by the Commission or Council at the time of its consideration of the discretionary permit.~~

(Ord. 2223; Ord. 2381 §2; Ord. 2410 §12)(Ord. 2435 §16)

19.18.040 Exemptions.

Site plan and architectural design review are not required for:

A. Detached single-family dwellings, including manufactured housing, and accessory structures for single-family dwellings. Except that dwelling groups or dwelling units which are the second unit on a parcel of property, are on an infill residential flag lot as defined in section 19.76.180, or are subject to a planned development permit shall be subject to site plan and architectural design review.

(Ord. 2185; Ord. 2223, Ord. 2363 §2)

19.18.060 Findings.

The ARHPB or Director, where authorized, shall determine whether or not a project adequately meets adopted City standards and design guidelines, based upon the following findings:

A. [NO CHANGES]

B. The proposed development, including the character, scale, and quality of design, are consistent with the purpose/intent of this chapter and ~~any the City's~~ adopted design guidelines and development standards;

C. - E. [NO CHANGES]

Chapter 19.22 TEMPORARY USES

Section:

- 19.22.010** **Applicability**
- 19.22.020** **Temporary uses, allowed by right**
- 19.22.030** **Temporary uses, subject to use permit**
- 19.22.040** **Condition of site**

19.22.020 **Temporary uses, allowed by right.**

The following temporary uses are allowed. Uses that do not fall within the categories defined below, or that do not operate in accordance with the standards specified below, shall comply with Section 19.22.030 (Temporary uses subject to use permit).

A. - E. [NO CHANGES]

F. Garage and Yard Sales in Residential Zones. Two garage or yard sales in any 12-month period, not exceeding 3 consecutive days each ~~and in compliance with Section 19.76.080~~, shall be deemed a use incidental to the residential use of a property. Garage or yard sales in excess of this limit shall be prohibited in all residential zones.

G. - N. [NO CHANGES]

19.22.030 **Temporary uses, subject to use permit.**

The following temporary uses may be allowed, subject to the issuance of a use permit. Uses that do not fall within the categories defined below shall comply with the use and development regulations and entitlement review provisions that otherwise apply to the property.

~~A. — Events on nonresidential zoned properties.~~ Carnivals, circuses, concerts, fairs, festivals, flea markets, food events, outdoor entertainment/sporting events rodeos, rummage sales, second- hand sales, and swap meets for up to 10 days; other events, including arts and crafts exhibits, and agricultural sales and events (such as pumpkin sales and corn mazes) for over 10 days; and farmers’ market that don’t meet the standards in Section 19.22.020(M). Offsite vehicle sales are allowed for no more than five days per event and no more than two annual events on the same property per auto dealer.

~~B. — Residence for an Ill, Convalescent, or Disable Friend or Relative. The placement of a mobile home or trailer as a temporary residence for an ill, convalescent or otherwise disabled friend or relative of the property owner, in compliance with Section 19.76.170 (Temporary dwellings).~~

19.22.040 **Temporary uses, subject to temporary dwelling unit permit.**

Where a temporary dwelling is a permitted use as set forth by the zoning district, and a proposed temporary dwelling unit complies with all of the standards contained in Section 19.76.170, a temporary residence for an ill, convalescent or otherwise disabled friend or relative of the property owner, shall be permitted pursuant to a temporary dwelling unit permit issued pursuant to this Chapter.

19.22.040050 **Condition of site.**

Each site occupied by a temporary use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the use, and shall thereafter be used in compliance with these Regulations.

(Ord. 2185)

Chapter 19.23 MOBILE FOOD VENDORS

Section:

| | |
|------------------|---|
| 19.23.010 | Purpose, applicability |
| 19.23.020 | Application |
| 19.23.030 | Action on mobile food vendor permits |
| 19.23.040 | Operating standards |
| 19.23.050 | Mobile foods vendors not meeting operating standards |

19.23.040 Operating standards.

Mobile food vendors shall comply with all of the following operating standards:

A. Comply with all federal, state and local laws and regulations, including but not limited to, those of the City of Chico and the Butte County Department of Environmental Health.

B. Submit to annual Fire Department inspection and certification of “Ansul” system, fuel storage and distribution, and fire extinguisher.

~~BC.~~ Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m. daily when adjacent to a residential zoning district, and limited to 6:00 a.m. to midnight when adjacent to a non-residential zoning district.

~~CD.~~ Store the mobile vehicle or trailer off-premises during non-business hours. All associated equipment, including tables and chairs, must be stored either off-premises or out of sight within an existing structure if on-premises.

~~DE.~~ Keep the site free of litter and debris generated by the business at all times. The permittee shall provide trash and recycling receptacles for customer use. Any waste associated with the mobile food vendor shall be removed daily from the site.

~~EF.~~ All waste discharges are to be done at a facility approved by the City of Chico Industrial Waste Pretreatment Program (CIPP), or a grease interceptor must be installed on-site. If requested, the permittee must provide to CIPP staff the name and address of where the wastewater is discharged.

~~FG.~~ Outdoor speakers and outdoor music shall not be permitted on the site. Signs shall be permitted on the vehicle only.

~~GH.~~ Any connection of the vehicle to an existing or new electrical service shall be inspected and approved.

~~HI.~~ Customer parking shall only be allowed in striped parking stalls. The permittee shall post a sign on the mobile food vendor during open hours stating this requirement.

~~IJ.~~ Permittee shall coordinate with the property owner to make restrooms available as needed to customers and employees.

(Ord. 2440 §13)

Chapter 19.28 PLANNED DEVELOPMENT

Section:

| | |
|------------------|---|
| 19.28.010 | Purpose |
| 19.28.020 | Applicability |
| 19.28.030 | Application filing, initial processing |
| 19.28.040 | Development Standards |
| 19.28.050 | Project review |
| 19.28.060 | Decision, findings, and conditions |
| 19.28.070 | Expiration |
| 19.28.080 | Use of property before final decision |
| 19.28.090 | Changes to a planned development permit |
| 19.28.100 | Extension |
| 19.28.110 | Previously approved planned developments |

19.28.030 Application filing, initial processing.

An application for a planned development permit shall be filed in compliance with Chapter 19.16 (Application Filing and Processing, Fees) and shall include all information specified in the Department handout for planned development permits. _

~~_____A._____Initiation.~~—A planned development permit may be initiated in one of the following manners:

~~A. 1.~~—Rezoning to -PD. Property may be rezoned to add the -PD overlay zone to any existing zoning district in compliance with Chapter 19.06 (Amendments to Plans and Zoning). All -PD overlay zones shall be noted by the -PD suffix combined with the underlying zoning district symbol, which shall be used on all land-use-related documents. Once rezoned, the property may only be developed in compliance with a planned development permit issued in compliance with this chapter; or

~~B. 2.~~—Other Zoning Districts. Property in any zoning district, other than a -PD overlay zone, may be developed in compliance with this chapter. Property for which a planned development permit is issued shall be considered as if it were zoned -PD.

~~_____B._____Conceptual Plan Review.~~—~~The Director shall review the conceptual plan application for completeness and forward a recommendation to the Commission. The Commission shall consider the conceptual plan application, together with the Director's recommendation, at a public hearing. The Commission shall render a determination as to whether or not the proposed project is consistent with the purpose of this chapter, and may provide suggestions for revisions to the project. The Commission may also at that time request additional information, including information to be used in preparation of the environmental assessment. The Director shall return the conceptual plan to the applicant with the Commission's suggestions/comments within 10 days of the date the application was considered by the Commission. If the application includes a companion tentative map, the review and return of the conceptual plan to the applicant shall be in compliance with Chapter 18.16 (Tentative Map Filing and Processing) of the Municipal Code.~~

~~_____C._____Final Development Plan.~~—~~The applicant shall prepare and submit a final development plan to the Department within one year of the date the conceptual plan was last~~

~~reviewed by the Commission. The final development plan application shall include all information required by the Director and Commission. If a final development plan is submitted more than one year following the Commission's concept plan determination, both conceptual and final review may be required.~~

~~D. Combined Review of Conceptual and Final Development Plans. In certain, limited cases, the conceptual plan review and final development plan approval may occur at the same Planning Commission meeting. In such cases a combined public hearing considering both the conceptual plan and final development plan shall be held. Combined review may be considered for:~~

- ~~1. Proposals involving only minor deviations from development standards;~~
- ~~2. Proposals involving a project of limited scope and scale.~~

(Ord. 2185; Ord. 2223; 2382 §4)

19.28.050 Project Review.

Each application shall be analyzed to ensure that it is consistent with the purpose/intent of this chapter and the City's Environmental Review Guidelines. To ensure implementation of General Plan policies relating to design, each application shall be reviewed by the Board or ~~Director which~~ shall forward a recommendation to the Commission in compliance with Chapter 19.18 (Site Design and Architectural Review). Any application which may involve grading shall require the submittal of preliminary grading plans for review and recommendation by the public works director and approval by the Commission.

(Ord. 2185; 2382 §6)(Ord. 2435 §22, Ord. 2439 §176, Ord. 2440 §17)

Chapter 19.30 PERMIT IMPLEMENTATION, TIME LIMITS, EXTENSIONS

Section:

| | |
|------------------|--|
| 19.30.010 | Purpose |
| 19.30.020 | Effective date of permits |
| 19.30.030 | Performance guarantees |
| 19.30.040 | Permit implementation - Commencement of use |
| 19.30.050 | Time limits and extensions |
| 19.30.060 | Changes to an approved project |
| 19.30.070 | Resubmittals |

19.30.020 Effective date of permits.

Home occupation permits shall be effective upon approval by the Director. Unless otherwise stated, Site design and architectural review, use permits, variances, and planned development ~~permits~~ for all other land use entitlements shall become effective on the 11th day following the date of application approval by the appropriate review authority, provided that no appeal of the review authority's action has been filed in compliance with Chapter 19.12 (Appeals). Development agreements, specific plans, and amendments to the General Plan, Zoning Map, and these Regulations shall become effective on the 31st day following the date of

approval by the Council. No permit, certificate, or other entitlement may be issued until the effective date.

(Ord. 2185, Ord. 2440 §19)

19.30.050 Time limits and extensions.

A. Time limits. Unless conditions of approval establish a different time limit or the permit is extended in compliance with this section, an entitlement not exercised within ~~one~~ three years of approval shall expire and be deemed void.

B. - F. [NO CHANGES]

Chapter 19.37 HISTORIC PRESERVATION

Section:

| | |
|------------------|---|
| 19.37.010 | Purpose. |
| 19.37.020 | Applicability. |
| 19.37.030 | Definitions. |
| 19.37.040 | Historic resource designation criteria. |
| 19.37.050 | Initiation of designation process. |
| 19.37.060 | Public hearings and decision. |
| 19.37.070 | Landmark designations for properties listed on national or state historic registers. |
| 19.37.080 | Amendment or removal from the Historic Resources Inventory. |
| 19.37.090 | Stay of work. |
| 19.37.100 | Certificate of appropriateness and certificate of demolition. |
| 19.37.110 | Economic hardship. |
| 19.37.120 | Exemptions. |
| 19.37.130 | Relocation as alternative to demolition. |
| 19.37.140 | Incentives for maintenance or development of landmark property. |
| 19.37.150 | Required maintenance for historic resources. |

19.37.140 Incentives for maintenance or development of landmark property.

The following incentives shall be available to owners of property listed on the Historic Resources Inventory to support the continued maintenance, rehabilitation, minor alteration, or further development of the property. The designation of a property on the Historic Resources Inventory shall not preclude redevelopment or further development of the property consistent with the requirements of this chapter.

A. Modification of Development Standards. Upon receipt of an application, and when doing so to advance the purposes of this chapter, the Director may approve modifications from requirements for:

1. Setbacks;
2. Open space;

3. Parking;
4. Site coverage; and
5. Height.
6. Minimum residential density

B. – F. [NO CHANGES]

DIVISION IV. ZONING DISTRICTS, ALLOWABLE LAND USES, AND ZONE-SPECIFIC

Chapter 19.40 ESTABLISHMENT OF ZONING DISTRICTS

Section:

- 19.40.010** **Zoning districts, generally**
19.40.020 **Zoning district regulations**
19.40.030 **Special Planning Areas**

19.40.010 **Zoning districts, generally.**

Chico shall be divided into zoning districts which implement the General Plan. The following zoning districts are established, and shall be shown on the official Zoning Map. (Ord. 2185; Ord. 2231; Ord. 2320 §1, Ord. 2358 §10, Ord. 2427 §10)

**TABLE 4-1
ZONING DISTRICTS**

| Zoning Map Symbol | Zoning District Name | Primary General Plan Land Use Designation and Permitted Densities (1) |
|---|---------------------------------|--|
| Residential Zoning Districts | | |
| RS | Suburban Residential | Very Low Density Residential (VLDR) - 0.2 to 2 units per gross acre |
| R1 | Low Density Residential | Low Density Residential (LDR) - 2.1 to 7 units per gross acre or small lot subdivision, 19.42.010(C) |
| R2 | Medium Density Residential | Medium Density Residential (MDR) -7.1 <u>6</u> to 14 units per gross acre |
| R3 | Medium-High Density Residential | Medium-High Density Residential (MHDR) - 14.1 to 22 units per gross acre |
| R4 | High Density Residential | High Density Residential (HDR) - 20 to 70 units per gross acre |
| RMU | Residential Mixed Use (RMU) | Residential Mixed Use (RMU) (10 to 20 units per gross acre) (1) |
| Commercial and Office Zoning Districts | | |
| OR | Office Residential | Office Mixed Use (OMU) (6 to 20 units per gross acre) (2)(3) |

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| Zoning Map Symbol | Zoning District Name | Primary General Plan Land Use Designation and Permitted Densities (1) |
|--|---|---|
| OC | Office Commercial | Office Mixed Use (OMU) (6 to 20 units per gross acre) (2)(3) |
| CN | Neighborhood Commercial | Neighborhood Commercial (NC) (6 to 22 units per gross acre) (3) |
| CC | Community Commercial | Commercial Mixed Use (CMU) (6 to 22 units per gross acre) (3)(4) |
| DN DS | Downtown North Downtown South | Commercial Mixed Use (CMU) (6 to 22 units per gross acre) (3)(4) |
| CS | Commercial Services | Commercial Services (CS) |
| CR | Regional Commercial (CR) | Regional Commercial (CR) (6 to 50 units per gross acre) (2) |
| Manufacturing/Industrial Zoning Districts | | |
| IOMU | Industrial Office Mixed Use (IOMU) | Industrial Office Mixed Use (IOMU) (Up to a maximum of 14 units per gross acre) (3) |
| ML | Light Manufacturing/Industrial | Manufacturing and Warehousing (M&W) Industrial Office Mixed Use (IOMU) (7 to 14 units per gross acre) (3) |
| MG | General Manufacturing/Industrial | Manufacturing and Warehousing (M&W) |
| Airport Zoning Districts | | |
| A | Aviation | Public Facilities and Services (PFS) |
| AC | Airport Commercial | Commercial Services (CS) |
| AM | Airport Manufacturing/Industrial | Manufacturing and Warehousing (M&W) |
| AP | Airport Public Facilities | Public Facilities and Services (PFS) |
| Special Purpose Zoning Districts | | |
| SPA | Special Planning Area | Varies according to General Plan land plan for each SPA, zoning districts shall be consistent with conceptual land use plan |
| PQ | Public/Quasi Public Facilities | Public facilities and services (PFS) |
| OS1 | Primary Open Space | Primary Open Space (POS) |
| OS2 | Secondary Open Space | Secondary Open Space (SOS) |
| Overlay Zoning Districts | | |
| -AE | Airport Environs | Varies according to General Plan policies |
| -AO | Aircraft Operations <u>Airport Overflight</u> | Varies according to General Plan policies |
| -L | Landmark | All designations |
| -PD | Planned Development | All designations |
| -RC | Resource Constraint | Resource Constraint Overlay (RCO) |

| Zoning Map Symbol | Zoning District Name | Primary General Plan Land Use Designation and Permitted Densities (1) |
|-------------------|-------------------------------|--|
| -COS | Corridor Opportunity Site | Varies according to General Plan designation and primary zoning district |
| -SD | Special Design Considerations | Varies according to Title 19 |
| -FS | Fraternity and Sorority | Medium-High Density Residential -14.01 to 22 units per gross acre and High Density Residential -14.01 to 35 units per gross acre |
| -FD | Foothill Development | Varies according to General Plan designation |

Notes:

- (1) A zoning district may implement and be consistent with more than one General Plan land use designation.
- (2) When located Downtown or within a Corridor Opportunity Site, Residential Mixed Use has a minimum density of 15 dwelling units per gross acre up to a maximum of 70 dwelling units per gross acre.
- (3) If residential uses are incorporated horizontally, the minimum density shall be met, but if integrated vertically, there is no minimum density requirement.
- (4) When located Downtown or within a Corridor Opportunity Site, Commercial Mixed Use and Office Mixed Use have a maximum density of 60 dwelling units per gross acre.
(Ord. 2427 §10, Ord. 2440 §22)

19.40.020 Zoning district regulations.

A. – B. [NO CHANGES]

C. General Development Standards.

1. Site Divided by Zoning District Boundary. Where a site is divided by one or more district boundaries, the site shall be developed in compliance with the requirements of each district, as applicable.

2. Zoning of Vacated Streets and Alleys. Where a public street or alley is officially vacated, the zoning regulations applicable to the abutting property shall apply to the vacated street or alley. Exception: For sites where one of the district areas constitutes less than ten percent of the site, and is not a Special Purpose Zoning District (e.g., OS1, OS2), development of the site may occur in compliance with the predominant district or as described above, at the owner’s discretion.

3. Conflicts Between Provisions.

a. In the event of any conflict between the zoning district regulations of this division and the provisions of Division V (Site Planning and General Development Standards) the provisions of Division V shall control; and

b. In the event of any conflict between the zoning district regulations of this division and the provisions of any applicable development agreement or specific plan, the provisions of the development agreement or specific plan shall control.

4. Enclosed Buildings. Unless otherwise expressly permitted, all goods displayed and sold and all services performed shall be within an enclosed building.

D. Consolidated Lots in Two Zoning Districts. In the event two or more lots are proposed for consolidation through the approval of a lot line adjustment, parcel map, or tentative map in compliance with Title 18 (Subdivisions) of the Municipal Code so that a single lot is substantially covered by two or more zoning districts, the application for adjustment or map approval shall be accompanied by an application for rezoning of the lot into a single zoning district. Exception: No rezone application shall be required for lot line adjustments where the transfer area is less than ten percent of the receiving parcel.

Chapter 19.42 RESIDENTIAL ZONES

Section:

- 19.42.010** **Purpose, applicability**
- 19.42.020** **Residential zone land uses and permit requirements**
- 19.42.030** **Residential zone general development standards**
- 19.42.040** **Minimum lot area and density**

19.42.010 **Purpose, applicability.**

This chapter provides regulations applicable to development and new land uses in the residential zoning districts established by Section 19.40.010. The purposes of the individual residential zoning districts and the manner in which they are applied are as follows.

A. - B. [NO CHANGES]

C. R2 (Medium Density Residential) District. The R2 zoning district is applied to areas appropriate for medium density residential development with a mixture of housing types, including single-family homes, duplexes, and multi-family residential projects. The development standards and permit requirements of the R2 district are intended to preserve existing neighborhoods while providing for additional compatible development. Permitted densities range from a minimum of ~~7-16~~ to a maximum of 14 units per acre. The R2 zoning district is primarily intended to implement the Medium Density Residential land use designation of the General Plan.

D. - F. [NO CHANGES]

19.42.020 **Residential zone land uses and permit requirements.**

TABLE 4-2 - ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS

| LAND USE (1) | PERMIT REQUIREMENT FOR ZONE | | | | | | Subject to Standards in Section/Chapter: |
|--|-----------------------------|----|----|----|----|-----|--|
| | RS | R1 | R2 | R3 | R4 | RMU | |
| AGRICULTURAL, RESOURCE, & OPEN SPACE USES | | | | | | | |
| Animal keeping (Large Animals) | P | UP | | | | | 19.76.040 |
| Animal keeping (Small Animals) | P | P | P | | | | 19.76.040 |

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| LAND USE (1) | PERMIT REQUIREMENT FOR ZONE | | | | | | Subject to Standards in Section/Chapter: |
|--|-----------------------------|-------|-----------------|------------------|-----------------|-----------------|--|
| | RS | R1 | R2 | R3 | R4 | RMU | |
| Crop production, commercial | P(2) | | | | | | |
| Equestrian facilities | UP | | | | | | |
| Greenhouses, commercial | —UP(2) | | | | | | |
| Plant nurseries | UP | | | | | | |
| Community Gardens | P | P | P | P | P | P | 19.76.190 |
| RECREATION, EDUCATION, & PUBLIC ASSEMBLY USES | | | | | | | |
| Churches/places of worship | UP | UP | UP | UP | UP | UP | |
| Community centers/pavilions | UP | UP | UP | UP | UP | UP | |
| Golf courses, country clubs | UP | UP | UP | | | | |
| Health/fitness clubs | | | | UP | UP | UP | |
| Private residential recreational facilities | P | P | UP | UP | UP | UP | |
| Recreational vehicle (RV) parks | | | | UP | UP | | |
| Schools - Public and private | UP | UP | UP | UP | UP | UP | |
| Schools - Specialized education and training | UP | UP | UP | UP | UP | UP | |
| Theaters, auditoriums and meeting halls | | | | | | UP | |
| RESIDENTIAL USES | | | | | | | |
| Assisted living facilities for the elderly | UP | UP | UP | UP | UP | UP | |
| Dormitory | | | | UP | UP | UP | |
| <u>Dwelling group</u> | | | P(3) | P(3) | P(3) | P(3) | |
| Fraternity/sorority housing | | | | UP | UP | UP | 19.52.090 |
| Guest house | P | P | | | | P | 19.76.100 |
| Home occupations | P | P | P | P | P | P | 19.20 |
| Household pets | P | P | P | P | P | P | 19.76.040 |
| Live/work | | | | | | P | |
| Mobile home parks | | UP(3) | UP(3) | UP(3) | | | |
| Mobile homes/manufactured homes | P | P | P | P | P | P | 19.76.110 |
| Multi-family housing | | | P | P | P | P | |
| Residential accessory uses and structures | P | P | P | P | P | P | 19.76.020 |
| Residential care homes, 6 or fewer clients | P | P | P | P | P | P | |

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| LAND USE (1) | PERMIT REQUIREMENT FOR ZONE | | | | | | Subject to Standards in Section/Chapter: |
|--|-----------------------------|----------|----------|----------|----------|----------|--|
| | RS | R1 | R2 | R3 | R4 | RMU | |
| Residential care homes, 7 or more clients | UP | UP | UP | UP | UP | UP | |
| Rooming and boarding houses | | UP | UP | UP | UP | UP | |
| Second dwelling unit | P/UP(4) | P/UP(4) | P/UP(4) | | | P/UP(4) | 19.76.130 |
| Senior citizen congregate care housing | | UP | UP | P | P | P | |
| Single-family housing | P | P | P(3) | P(3) | | P(3) | |
| Single-room occupancy (SRO) housing | | | P | P | | P | 19.76.140 |
| <u>Supportive Housing</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Temporary dwellings | TU | TU | TU | TU | TU | TU | 19.76.170 |
| Temporary emergency shelters | P | P | P | P | P | P | 19.22 |
| <u>Transitional Housing</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Two-family housing/duplexes | | P/UP(5) | P | P | P | P | |
| RETAIL TRADE USES | | | | | | | |
| Accessory retail uses | | | | | | P | |
| Alcoholic beverage establishments | | | | | | UP (6) | |
| Art, antiques, collectibles, gifts | | | | | | P | |
| Drug stores/pharmacies, 4,000 sq.ft. or less | | | | | | P (6) | |
| Drug stores/pharmacies, 2,500 sq.ft. or less Or less than 2,500 sq.ft. or less | UP | UP | UP | UP | UP | P (6) | |
| Furniture, furnishings, and equipment stores | | | | | | UP | |
| Grocery stores, 4,000 sq.ft. or less | | | | | | P (6) | |
| Grocery stores, less than 2,500 sq.ft. | UP | UP | UP | UP | UP | P (6) | |
| Liquor stores | | | | | | UP (6) | |
| Pet shops | | | | | | UP | |
| Restaurants, 2,500 sq.ft. or less | | | | | | P (6) | |
| Restaurants, more than 2,500 sq.ft. | | | | | | UP (6) | |
| Retail stores, 2,500 sq.ft. or less | | | | | | P (6) | |
| Retail stores, more than 2,500 sq.ft. | | | | | | UP (6) | |

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| LAND USE (1) | PERMIT REQUIREMENT FOR ZONE | | | | | | Subject to Standards in Section/Chapter: |
|--|-----------------------------|----|----|----|----|--------|--|
| | RS | R1 | R2 | R3 | R4 | RMU | |
| Secondhand stores, less than 2,500 sq.ft. | | | | | | P | |
| SERVICES | | | | | | | |
| Automated teller machines (ATMs) | | | | | | P | |
| Banks and financial services, 4,000 sq.ft. or less | | | | | | P | |
| Bed and breakfast inns, 1 to 5 guest rooms | UP | UP | UP | UP | UP | UP | 19.76.050 |
| Catering services | | | | | | UP | |
| Community social services | | | | | | UP | |
| Day care facilities, child/adult day care centers | UP | UP | UP | UP | UP | UP | |
| Day care facilities, large family day care homes | P | P | P | P | P | P | 19.76.060 |
| Day care facilities, small family day care homes | P | P | P | P | P | P | |
| Mortuary/funeral home | | | | | | UP | |
| Offices, accessory to primary use | | | | | | P | |
| Offices, business and professional | | | | | | P | |
| Personal services, 2,500 sq.ft. or less | | | | | | P (65) | |
| Printing and publishing - computer/electronic | | | | | | UP | |
| Public utility or safety facilities | UP | UP | UP | UP | UP | UP | |
| Storage, accessory to residential project | UP | UP | UP | UP | UP | UP | |
| Storage, located on second floor or above | | | | | | P | |
| Storage, personal storage facility | UP | UP | UP | UP | UP | UP | |
| TRANSPORTATION & COMMUNICATION USES | | | | | | | |
| Alternative fuel/recharging facilities | | | | UP | UP | UP | |
| Parking facilities/vehicle storage | | | | | | UP | |
| Transit stations and terminals | | | | | | UP | |

KEY TO PERMIT REQUIREMENTS

| Symbol | Permit Requirement | Procedure is in Section/Chapter: |
|--------|--|----------------------------------|
| P | Permitted use, zoning clearance required. | 19.16.070 |
| UP | Conditional use, use permit required. (5) | 19.24 |
| PD | Conditional use, planned development permit required. | 19.28 |
| TU | Temporary use. | 19.22 |
| | Use not allowed. (See Section 19.02.020(E) regarding uses not listed.) | |

Notes:

- (1) See Chapter 19.04 for definitions of the listed land uses.
- (2) Use allowed only on a site of 1 acre or larger.
- (3) Allowed only within density requirements of General Plan Designation.
- (4) Use permit required for all second dwelling units in the SD-4 overlay zoning district, and special standards apply, per overlay district. Second dwelling units outside of the SD-4 overlay zone are allowed with a second dwelling unit permit if all development standards in 19.76.130 are met.
- (5) Consistent with the overall maximum density allowed and on corner parcels either as part of the subdivision approval process or by use permit.
- (6) Businesses which operate between the hours of 10PM and 6AM 24 hours a day or allow amplified music within 300 feet of a residential district require use permit approval.

19.42.030 Residential zone general development standards.

The requirements in Tables 4-3A, 4-3B and 4-3C shall apply to new land uses and structures, and alterations to existing land uses and structures, in addition to any applicable development standards (such as landscaping, parking and loading) in Division V. (Ord. 2185; Ord. 2223; Ord. 2243; Ord. 2263; Ord. 2378, Ord. 2427 §14)

**TABLE 4-3A
RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

| Development Feature | Requirement by Zoning District |
|---|--|
| | RS |
| Minimum Lot Size Minimum area | Determined by Section 19.42.040(A) (Minimum lot area and density). |
| Minimum width at front setback line | 80 ft. in RS-20; 100 ft. elsewhere. See the subdivision regulations for cul-de-sac lots. |
| Residential Density | 1 single-family unit per lot. 0.2 to 2 units per acre for subdivisions. |
| Setbacks Required | 20 ft. |

| Development Feature | Requirement by Zoning District |
|----------------------|---|
| | RS |
| Front | |
| Sides (each) | 10 ft. in RS-20; 20 ft. elsewhere. |
| Street side | |
| Rear | 20 ft. in RS-20; 30 ft. elsewhere |
| Accessory structures | See Section 19.76.020 (accessory uses and structures) |
| Site Coverage (1) | 40% |
| Height Limits | 35 ft. for housing units; 15 ft. for accessory structures; 25 ft. for accessory structures, with use permit approval; 15 feet for detached garages; 25 ft. for garages with a second floor dwelling unit; 25 ft. for garages without a second floor dwelling unit, with use permit approval. |

Notes:

(1) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04).

**TABLE 4-3B
RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

| Development Feature | Requirement by Zoning District | |
|-------------------------------------|--|--|
| | R1 | R2 |
| Minimum Lot Size Minimum Area | <u>Interior lots:</u> 4,500 sq.ft., or as determined by Section 19.42.040-A. <u>Corner lots:</u> 5,500 sq.ft., or as determined by Section 19.42.040-A. <u>Small lot subdivisions:</u> 3,500 to 4,499 sq.ft., in compliance with Section 19.76.150. Parcels smaller than 3,500 sq.ft. require PD permit approval (Chapter 19.28). | <u>Interior lots:</u> 4,000 sq.ft.; 3,960 sq.ft. with parkways. <u>Corner lots:</u> 4,400 sq.ft.; 4,250 sq.ft. with parkways. |
| Minimum width at front setback line | 70 ft. interior lots; 75 ft. corner lots for R1-10 & R1-15; otherwise For R1: 45 ft., interior lots; 50 ft., corner lots. <u>For R1-10 & R1-15: 70 ft. interior lots; 75 ft. corner lots.</u> See Title 18R, Design Criteria and Improvement Standards, for cul-de-sac lots. | 40 ft. interior lots, 48 ft. corner lots. |

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| Development Feature | Requirement by Zoning District | |
|----------------------------|---|--|
| | R1 | R2 |
| Residential Density | 2.1 minimum, 7 units maximum per acre for subdivisions; 1 single-family unit per lot, and 1 second unit in compliance with Section 19.76.130. | See Section 19.42.040-B (Minimum lot area and density). |
| Setbacks Required Front | <u>Lots of 4,500 sq.ft. or more:</u> 15 ft. for main buildings and 20 ft. for garages/carports. <u>Lots of 3,500 - 4,499 sq.ft.:</u> See Section 19.76.150 (Small-lot subdivisions). | 10 ft. for main buildings; 20 ft. for garages/carports unless the garage is accessed from a side entrance which does not result in vehicles blocking the public right-of-way and is approved by the Director. None required for condominiums, townhouses, and similar housing types. |
| Sides (each) | 4 ft.; 10 ft. for R1-10 and R1-15 | 4 ft.; plus 5 ft. additional for each story over the first where the setback abuts an RS or R1 district. |
| Street side | 10 ft. for main buildings; 20 ft. for garages/carports; 9 ft. for main buildings on lots with parkways. | 10 ft. for main buildings; 20 ft. for garages/carports. |
| Rear | 15 ft. for main buildings. <u>Lots of 3,500 - 4,499 sq.ft.:</u> See Section 19.76.150 (Small-lot subdivisions). | 15 ft. for main buildings; plus 5 ft. additional for each story over first where setback abuts RS or R1 zone. |
| Accessory structures | See Section 19.76.020 (Accessory uses and structures). | |
| Site Coverage | 50% single-story primary housing units; 40% multi-story primary housing units; 50% R1-10, and R1-15. | 60% |
| Minimum Open Space (1) | Not applicable. | 40% |
| Height Limits | 35 ft. for primary housing units; 25 ft. for second dwelling units (2); 15 ft. for accessory structures; 25 ft. for accessory structures, with use permit approval; 15 ft. for detached garages; 25 ft. for garages with a second floor dwelling unit (2) 25 ft. for detached garages without a second floor dwelling unit, with use permit approval. | 35 ft. for primary housing units; 25 ft. for second dwelling units (2); 15 ft. for accessory structures; 25 ft. for accessory structures, with use permit approval; 15 ft. for detached garages; 25 ft. for garages with a second floor dwelling unit (2); 25 ft. for detached garages without a second floor dwelling unit, with <u>a minimum setback distance of 10 feet from all property lines. use permit approval.</u> |

Notes:

- (1) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04).
- (2) A second dwelling unit permit or use permit is required for the second dwelling unit. (See Table 4-2.)

**TABLE 4-3C
RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

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| Development Feature | Requirement by Zoning District | | |
|-------------------------------------|---|--|-----|
| | R3 | R4 | RMU |
| Minimum Lot Size Minimum area | <u>Interior lots:</u> 4,000 sq.ft.; 3,960 sq.ft. w/parkway. <u>Corner lots:</u> 4,400 sq.ft., 4,250 sq.ft. w/parkways. | 7,500 sq.ft. | |
| Minimum width at front setback line | <u>Interior lots:</u> 45 ft. <u>Corner lots:</u> 50 ft. | 75 ft. | |
| Residential Density | See Section 19.42.040-B (Minimum lot area and density, residential density limitations) | | |
| Setbacks Required Front | 10 15 ft. for main buildings; 20 ft. for garages/carports; 14 ft. for main buildings on lots with parkways. | 10 15 ft. for main buildings; 20 ft. for garages/carports. | |
| Sides (each) | 5 ft.; plus 5 ft. additional for each story over the first where setback abuts an RS or R1 district. | | |
| Street side | 10 ft. for main buildings; 20 ft. for garages/carports. | | |
| Rear | 15 ft. for main buildings; plus 5 ft. additional for each story over the first where setback abuts an RS or R1 district. | 10 ft. for main buildings where rear yard abuts alley; 15 ft. elsewhere; plus 5 ft. additional for each story over the first where setback abuts an RS or R1 district. | |
| Accessory structures | See Section 19.76.020 (Accessory uses and structures). | | |
| Site Coverage (1) | 65% | 75% | |
| Minimum Open Space (2) | Determined through Design Review. | | |
| Height Limits | 45 ft. for primary housing units; 15 ft. for accessory structures and detached garages; 25 ft. for accessory structures and detached garages, with <u>a minimum setback distance of 10 feet from all property lines. use permit approval.</u> | 85 ft. for primary housing units in the R4 district; 45 feet for primary housing in the RMU district, and up to 65 feet in the Corridor and Downtown Opportunity Site overlay zones; 15 ft. for accessory structures; 25 ft. for accessory structures with use permit approval; 25 ft. for detached garages with a second floor dwelling unit; 25 ft. for detached garages without a second floor dwelling unit, with <u>a minimum setback distance of 10 feet from all property lines. use permit approval.</u> | |

Notes:

- (1) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04).
- (2) Minimum usable common or individual outdoor open space area. (Ord. 2427 §14)

19.42.040 Minimum lot area and density.

The minimum area for each parcel and the maximum density of residential development are determined by Section 19.42.030, except where otherwise determined by this section.

A. - D. [NO CHANGES]

**TABLE 4-5
RESIDENTIAL DENSITY LIMITATIONS**

| Housing Characteristic | Requirement by Zoning District | | | |
|-------------------------------------|---|---|--------------------|---|
| | R2 | R3 | R4 | RMU |
| Minimum Density | 7.16 units/acre | 14.1 units/acre | 20 units/acre | 10 units/acre |
| Maximum Density | 14 units/acre | 22 units/acre | 70 units/acre | 20 units/acre |
| Housing types allowed | Single-family units Two-family units Multi-family units | Single-family units (PD required) Two-family units Multi-family units | Multi-family units | Single-family units (PD required) Two-family units Multi-family units |
| Minimum building site area required | 6,000 sq.ft. of site area per two-family unit | 1,425 sq.ft. of site area per unit | | 900 sq.ft. of site area per unit |

Chapter 19.44 COMMERCIAL AND OFFICE ZONES

Section:

- 19.44.010** Purpose, applicability
- 19.44.020** Commercial/office zone land uses and permit requirements
- 19.44.030** Commercial and office zone general development standards
- ~~19.44.040~~ ~~CN district special standards~~
- ~~19.44.050~~ ~~CC district special standards -- outdoor storage~~
- 19.44.0460** DN district special standards.

19.44.020 Commercial/office zone land uses and permit requirements.

Table 4-6 identifies the uses of land allowed by these Regulations in each office and commercial zoning district, and the land use entitlement required to establish each use.

Where the last column of the table (“Subject to Standards in Section/Chapter”) includes a section or chapter number, the regulations in the referenced section/chapter apply to the use; however, provisions in other sections/chapters may apply as well.

(Ord. 2205; Ord. 2223; Ord. 2231; Ord. 2272; Ord. 2340; Ord. 2406, 2427 §17)

TABLE 4-6 - ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL ZONING DISTRICTS

Chico, CA Code of Ordinances

| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | | | | Subject to Standards in Section/Chapter: |
|---|----------------------------|----------|---------------|---------------|--------------------|--------------------|---------------|---------------|--|
| | OR | OC | CN | CC | DN | DS | CS | CR | |
| AGRICULTURAL, RESOURCE & OPEN SPACE USES | | | | | | | | | |
| Plant nurseries | | | UP | UP | | UP | P | P | |
| <u>Community Gardens</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>19.76.190</u> |
| MANUFACTURING & PROCESSING | | | | | | | | | |
| <u>Beverage products, small scale, 2,500 sf max.</u> | | | | <u>P</u> | | <u>UP</u> | <u>P</u> | <u>P</u> | |
| Food products, small scale, 2,500 sf max. | | | | P | | UP | P | <u>P</u> | |
| Handicraft industries, small scale manufacturing | | | | | | P(2) | P(2) | | |
| Laundries and dry cleaning plants | | | | | | | UP | | |
| Printing and publishing | | | | UP | | UP | P | | |
| Recycling - Large collection facility | | | | | | | UP | | |
| Recycling - Small collection facility | | | UP | UP | P(3) | P(3) | UP | P(3) | 19.60.060 |
| Wholesaling and distribution | | | | | | | P | | |
| RECREATION, EDUCATION & PUBLIC ASSEMBLY USES | | | | | | | | | |
| Auditoriums and meeting halls | | | UP | UP | P(4) | P(4) | UP | UP | (5) |
| Bowling alleys | | | | UP | | UP | P | UP | |
| Cardrooms | | | | UP | | UP | UP | UP | 5.32 |
| Churches/places of worship | UP | UP | UP | P | P | P | P | P | (5) |
| Community centers/pavilions | | | UP | UP | P(4) | P(4) | UP | UP | (5) |
| Health/fitness clubs | UP | UP | UP | P | UP P(4) | UP P(4) | P | P | |
| Indoor amusement/entertainment | | | UP | P | UP | UP | P | P | |
| Libraries and museums | UP | P | UP | P | P | P | P | P | |
| Membership organization facilities | | | | UP | P(4) | P(4) | UP | UP | |
| Nightclubs | | | | UP | UP | UP | P(5) | P(5) | 19.76.200 |
| Outdoor commercial recreation | | UP | UP | UP | | | UP | UP | |
| Private residential recreational facilities | UP | | UP | UP | P(4) | P(4) | UP | UP | |
| Recreational vehicle (RV) parks | | | | | | | UP | | |
| Schools - Public and private | UP | UP | UP | UP | UP | UP | UP | UP | |

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| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | | | | Subject to Standards in Section/Chapter: |
|---|----------------------------|------|-----------|----------|-----------|-----------|-------------|----------|--|
| | OR | OC | CN | CC | DN | DS | CS | CR | |
| Schools - Specialized education and training | UP | P | UP | P | P(4) | P(4) | P | P | |
| Temporary uses | TU | TU | TU | TU | TU | TU | TU | TU | 19.22 |
| Theaters, auditoriums and meeting halls—Live entertainment | | | <u>UP</u> | P | P | P | <u>UP</u> | P | |
| Theaters—Motion picture, 1 screen | | | | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Theaters—Motion picture, 2 or 3 screens | | | | <u>P</u> | <u>UP</u> | <u>UP</u> | <u>P</u> | <u>P</u> | |
| Theaters—Motion picture, 4 or more screens | | | | <u>P</u> | | <u>UP</u> | <u>P</u> | <u>P</u> | |
| RESIDENTIAL USES | | | | | | | | | |
| Assistant-Assisted living facilities for the elderly | UP | | | | | | | | |
| Caretaker and employee housing | | | | | | | UP | | |
| Emergency shelters | UP | UP | | UP | | | UP | | |
| Home occupations | P | P | | | | | | | 19.20 |
| Household pets | P | P | P | P | P | P | P | P | 19.76.040 |
| Live/work | P(4) | P(4) | P(4) | P(4) | P(4) | P(4) | <u>P(4)</u> | P(4) | |
| Mobile home parks | | | | | | | UP | | |
| Multi-family housing | UP | UP | P(4) | P(4) | P(4) | P(4) | | P(4) | |
| Residential accessory uses and structures | P | | | | | | | | 19.76.020 |
| Residential care homes, 6 or fewer clients | P | | P | | | | | | |
| Residential care homes, 7 or more clients | UP | UP | UP | UP | | | UP | | |
| Rooming and boarding houses | UP | UP | UP | | P(4) | P(4) | | | |
| Single-family housing | UP | | P(4) | P(4) | | | | | |
| Single-room occupancy (SRO) housing | | | | | P(4) | P(4) | | | 19.76.140 |
| Temporary emergency shelters | P | P | P | P | P | P | P | P | 19.22 |
| Two-family housing/duplexes | UP | UP | P(4) | P(4) | P(4) | P(4) | | | |
| RETAIL TRADE USES | | | | | | | | | |
| Accessory retail uses | P | P | P | P | P | P | P | P | 19.76.020 |
| Alcoholic beverage establishments | | | UP | P(5) | P(5) | P(5) | UP | P(5) | 19.44.0460 19.76.200 |

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| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | | | | Subject to Standards in Section/Chapter: |
|--|----------------------------|-----------|--------|----|----|---------|----------|----|--|
| | OR | OC | CN | CC | DN | DS | CS | CR | |
| Art, antiques, collectibles, gifts | | | | P | P | P | P | P | |
| Auto, mobile home and vehicles sales | | | | UP | | UP | P | P | |
| Auto parts sales without repair | | | UP | P | | UP | P | P | |
| Auto parts sales with repair | | | | UP | | UP | P | P | |
| Building material stores | | | | UP | | | P | P | |
| Drive-in and drive-through sales | | UP | UP (7) | UP | | UP (11) | UP | UP | 19.76.070 |
| Drug stores/pharmacies, 4,000 sq. ft. or less | <u>P</u> | <u>UP</u> | P | P | P | P | P | P | |
| Drug stores/pharmacies, more than 4,000 sq. ft. <u>or larger</u> | | | UP | P | UP | P | P | P | |
| Farm equipment and supplies sales | | | | | | | P | UP | |
| Furniture, furnishings, and equipment, 2,500 sq. ft. or less | | | P | P | P | P | P | P | |
| Furniture, furnishings, and equipment, more than 2,500 sq. ft. <u>or larger</u> | | | UP | P | UP | UP | P | P | |
| Grocery stores, 4,000 sq. ft. or less | <u>P</u> | <u>P</u> | P | P | P | P | <u>P</u> | P | |
| Grocery stores, 4,000 to 40,000 sq. ft. | | | UP | P | UP | P | P | P | |
| Grocery stores, more than 40,000 sq. ft. <u>or larger</u> | | | UP | P | UP | UP | | P | |
| Liquor stores - limited hours | | | P | P | UP | P | P | P | |
| Liquor stores | | | UP | P | UP | UP | P | P | |
| Outdoor retail sales and activities | | | P | P | | | P | P | 19.76.120 |
| Outdoor retail sales, temporary | TU | TU | TU | TU | TU | TU | TU | TU | 19.22 |
| Pet shops | | | UP | P | | UP | P | P | |
| Restaurants, 5,000 sq. ft. or less | P | P | P | P | P | P | P | P | |
| Restaurants, accessory, less than 5% of floor area | P | P | P | P | P | P | P | P | |
| Restaurants, more than 5,000 sq. ft. <u>or larger</u> | UP | UP | UP | P | P | P | P | P | |

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| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | | | | Subject to Standards in Section/Chapter: |
|---|----------------------------|----------|-----------|-----------|--------|------|-----------|-----------|--|
| | OR | OC | CN | CC | DN | DS | CS | CR | |
| Restaurant with full bar | | | UP | P(5) | P | P | P(5) | P(5) | 19.76.200 |
| Retail stores, general merchandise, 2,500 sq. ft. <u>or less</u> | | | P | P | P | P | P | P | |
| Retail stores, general merchandise, 2,500+ sq. ft. <u>or larger</u> | | | UP | P | P | P | P | P | |
| Secondhand stores, 2,500 sq. ft. or less | | | UP | P | P | P | P | P | |
| Secondhand stores, more than 2,500 sq. ft. <u>or larger</u> | | | | P | | UP | P | P | |
| Shopping centers, less than 200,000 sq. ft. <u>or less</u> | | | PD | P | | | | P | |
| Shopping centers, 200,000 sq. ft. or more <u>larger</u> | | | | P | | | | P | |
| Tasting rooms | | | P | P | P | P | P | P | |
| Walkup sales windows using public sidewalk | <u>P</u> | <u>P</u> | <u>UP</u> | <u>UP</u> | UP | UP | <u>UP</u> | <u>UP</u> | |
| Warehouse retail stores | | | | UP | | | P | P | |
| SERVICES USES | | | | | | | | | |
| Automated teller machines (ATMs), non-drive thru | P | P | P | P | P | P | P | P | |
| Banks and credit unions, 3000 sq. ft. or less | P | P | P | P | P | P | P | P | |
| Banks and credit unions, over 3,000 sq. ft. <u>or larger</u> | | P | P | P | | UP | P | P | |
| Bed and breakfast inns, 1 to 5 guest rooms | UP | | UP | UP | UP | UP | UP | UP | 19.76.050 |
| Business support services | | P | P | P | P(4) | P(4) | P | | |
| Car wash facility | | | | UP | | | P | P | |
| Car wash facility, self-service | | | UP | P | | | P | P | |
| Catering services | | | UP | P | UP | UP | P | | |
| Community social services | UP | UP | | UP | UP (8) | UP | UP | UP | |
| Construction or contractor's yard | | | | | | | P | | |
| Day care facilities, child/adult day care center | UP | UP | UP | UP | UP | UP | UP | UP | |

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| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | | | | Subject to Standards in Section/Chapter: |
|---|----------------------------|----------|---------------|----------|-------------|-------------------------|---------------|---------------|--|
| | OR | OC | CN | CC | DN | DS | CS | CR | |
| Day care facilities, large family day care homes | UP | UP | UP | UP | UP | UP | UP | UP | 19.76.060 |
| Day care facilities, small family day care homes | UP | UP | UP | UP | UP | UP | UP | UP | |
| Drive-in and drive-through services | | UP | UP(9) | UP | | | UP | UP | 19.76.070 |
| Financial services | P | P | P | P | P(4) | P | | P | |
| Gas station | | | UP | UP | | UP | UP | UP | 19.76.090 |
| Hotel or motel | | | | UP | UP | UP | P | UP | |
| Kennels and animal boarding | | | | | | | UP | UP | |
| <u>Medical offices</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P(4)</u> | <u>P(4)</u> | | <u>P</u> | |
| Medical services - Clinics and labs | P/UP(8) | UP | | P | UP | P(4) | P | P | |
| Medical services - Extended | UP | UP | | UP | | | | UP | |
| Medical services - Hospitals | | UP | | | | | | | |
| Mortuary/funeral home | | | | P | | UP | P | P | |
| Offices, accessory to primary use | | | P | P | P | P | P | P | |
| Offices, business and professional | P | P | P | P | P(4) | P(4) | | P | |
| Offices, temporary | TU | TU | TU | TU | TU | TU | TU | TU | 19.22 |
| Personal services, 2,500 sq. ft. or less | UP | P | P | P | P | P | P | P | |
| Personal services, more than 2,500 sq. ft. <u>or larger</u> | <u>UP</u> | UP | UP | P | P | P | UP | P | |
| Printing and publishing - Computer/electronic | | | | P | UP | UP | P | P | |
| Public safety and utility facilities | UP | UP | UP | UP | UP | UP | UP | UP | |
| Rental, indoor - small | | | UP | P | UP | P(4) | P | P | |
| Rental, outdoor - large | | | | UP | | | UP | UP | |
| Repair/maintenance - Consumer products, under 2,500 sq. ft. <u>or less</u> | <u>P</u> | | UP | P | <u>P(4)</u> | <u>UP(4)</u> | P | P | |
| Repair/maintenance - Consumer <u>products over</u> 2,500 sq. ft. <u>or larger</u> | <u>P</u> | | <u>UP</u> | P | P | P | P | P | |
| Repair/maintenance - Vehicle | | | | UP | | UP | P | P | |
| Research and development (R&D) | UP | UP | | P | P(4) | P(4) | P | P | |

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| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | | | | | Subject to Standards in Section/Chapter: |
|--|----------------------------|-------|-------------------------|-------|-------|-------|-------|-------|--|
| | OR | OC | CN | CC | DN | DS | CS | CR | |
| Storage, accessory only | P | P | P | P | P | P | P | P | |
| Storage, outdoor | | | | UP | | | P | UP | 19.60.060 |
| Storage, personal storage facility | | | UP | UP | | | P | UP | |
| Storage, second floor or above | P | P | P | P | P | P | P | P | |
| Veterinary clinics & animal hospitals, indoor | | | UP | UP | | | P | UP | |
| Veterinary clinics & animal hospitals, outdoor | | | UP | UP | | | UP | UP | |
| Walkup service windows using public sidewalk | P | P | UP | UP | UP | UP | UP | UP | |
| Warehousing | | | | | | | P | | |
| TRANSPORTATION & COMMUNICATION USES | | | | | | | | | |
| Alternative fuel/recharging facilities | | | UP | P | UP | P | P | P | |
| Broadcast studios | | P(10) | (9) P(10) | P(10) | P(2) | P(2) | P(10) | | 19.78 |
| Heliports | | | | | | | UP | | |
| Parking facilities/vehicle storage | | | | UP | UP | UP | UP | UP | |
| Pipelines and utility lines | P | P | P | P | P | P | P | P | |
| Telecommunications facilities | | P(10) | P(10) | P(10) | P(10) | P(10) | P(10) | P(10) | 19.78 |
| Transit stations and terminals | | UP | UP | UP | UP | UP | P | UP | |
| Truck stops | | | | | | | UP | | |

KEY TO PERMIT REQUIREMENTS

| Symbol | Permit Requirement | Procedure is in Section/chapter: |
|--------|--|----------------------------------|
| P | Permitted use, zoning clearance required. | 19.16.070 |
| UP | Conditional use, use permit required. (5) | 19.24 |
| PD | Conditional use, planned development permit required. | 19.28 |
| TU | Temporary use. | 19.22 |
| | Use not allowed. (See Section 19.02.020(E) regarding uses not listed.) | |

Notes:

- (1) See Chapter 19.04 for definitions of the listed uses.

- (2) With accessory retail use on site.
 - (3) Permitted only as accessory use and subject to architectural screening in compliance with Section 19.60.060.
 - (4) Use allowed only on second floor or above, or in basements. A use permit is required for ground-level occupancy, except for accessible units required by the Building Code, which are allowed by right.
 - (5) Businesses which operate ~~24 hours a day~~between the hours of 10PM to 6AM or allow amplified music within 300 feet of a residential district require use permit approval.
 - (6) Use allowed only on second floor or above.
 - (7) Drive-in and drive-through sales of pharmaceuticals incidental to the operation of drug stores/pharmacies may be allowed with a use permit in the CN Zoning District. No other drive-in or drive-through sales shall be permitted in the CN Zone.
 - (8) Use requires a use permit if the business hours are extended beyond Monday through Friday, 8 a.m. to 6 p.m.
 - (9) Drive-in and drive-through services incidental to the operation of banks and financial services may be allowed with a use permit in the CN Zoning District. No other drive-in or drive-through services shall be permitted in the CN Zone.
 - (10) See Chapter 19.78 for districts in which telecommunications facilities are permitted.
 - (11) Use only allowed on sites immediately adjacent to State Route 32 that take vehicle access no closer than 100 feet from State Route 32 travel way, and site design must provide for multi-modal access.
- (Ord. 2427 §17, Ord. 2440 §26, Ord. 2459 §1, Ord. 2461 §3)

19.44.030 Commercial and office zone general development standards.

The requirements in Table 4-7 shall apply to new land uses and structures, and alterations to existing land uses and structures, in addition to any applicable development standards (such as landscaping, parking and loading) in Division V.

(Ord. 2185; Ord. 2223, Ord. 2427 §19)

TABLE 4-7

COMMERCIAL AND OFFICE ZONE GENERAL DEVELOPMENT STANDARDS

| Development Feature | Requirement by Zoning District | |
|-------------------------------------|--|--|
| | OR | OC |
| Minimum Lot Size Minimum area | 6,000 sq.ft., interior lots 7,000 sq.ft., corner lots | 10,000 sq.ft. |
| Minimum width at front setback line | N.A. | |
| Residential Density | 6-20 units per gross acre. | 6-20 units per gross acre. |
| Setbacks Required (1) Front | 15 ft. | None required, except where the block is partly within <u>inside of the parcel abuts</u> an R zoning district, the same front setback shall be required as in the R district. |

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| Development Feature | Requirement by Zoning District | |
|------------------------|--|--|
| | OR | OC |
| Sides | 5 ft.; plus 5 ft. for each story over the first where setback abuts an RS or R1 district. | 10 ft. where the side of the parcel abuts an R district; none elsewhere |
| Street side | 10 ft. | |
| Rear | 10 ft. abutting an alley; 15 ft. elsewhere, plus 5 ft. for each story over the first where setback abuts an RS or R1 district. | |
| Accessory structures | See Section 19.76.020 (Accessory uses and structures). | |
| Landscaping | See Section 19.68.040 (Landscape installation requirements). | |
| Site Coverage, Maximum | 70% | 85% (2) |
| Height Limits | 35 ft. for main buildings; 25 ft. for accessory structures. | 45 ft.; 25 ft., within 25 ft. of an abutting R zoning district boundary. |

| Development Feature | Requirement by Zoning District | |
|-------------------------------------|--|--|
| | CN | CC |
| Minimum Lot Size Minimum area | 6,000 sq.ft., interior lots 7,000 sq.ft., corner lots | |
| Minimum width at front setback line | N.A. | |
| Residential Density | Up to 22 units per gross acre. 6 to 22 units per gross acre. In CN district, vertical or horizontal mixed use is required on sites 2 acres or greater, with no minimum residential density required for vertical mixed use. | <u>6 to 22 units per gross acre.</u> |
| Landscaping | See Section 19.68.040 (Landscape installation requirements). | |
| Setbacks Required (1) Front | None required, except where the block is partly within an R zoning district, the same front setback shall be required as in the R district. | |
| Sides | 20 ft. where the side of the parcel abuts an R district; none elsewhere. | 10 ft. where the side of the parcel abuts an R district; <u>lesser setbacks may be</u> |

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| Development Feature | Requirement by Zoning District | |
|------------------------|--|--|
| | CN | CC |
| Street side | 10 ft. where the side of the parcel abuts an R district; none elsewhere. | <u>approved through the Design Review process when abutting an alley. No setback required</u> none elsewhere. |
| Rear | 20 ft. where the side of the parcel abuts an R district; none elsewhere. | 10 ft. where the rear of the parcel abuts an R district; none elsewhere. |
| Accessory structures | See Section 19.76.020 (Accessory uses and structures). | |
| Site Coverage, Maximum | 90% | 95% (2) |
| Height Limits | 35 ft. for main buildings; 15 ft. for accessory structures; 25 ft. for accessory structures, with use permit approval. | <u>57 ft.</u> 45 ft. <u>Lesser height may be required through the Design Review process where the parcel abuts an R district.</u> |

| Development Feature | Requirement by Zoning District | |
|---------------------------------|---|---|
| | DN | DS |
| Minimum Lot Area | 10,000 sq.ft. | |
| Residential Density | 6 to 22 units per gross acre. | 6 to 22 units per gross acre. |
| Landscaping | See Section 19.68.040 (Landscape installation requirements). | |
| Setbacks Required Front | None required, except where the block is partly within an R zoning district, the same front setback shall be required as in the R district. | |
| Sides (each) (1) Street side | 10 ft. where the side of the parcel abuts an R district; none elsewhere. | |
| Rear (1) | 10 ft. where the rear of the parcel abuts an R district; none elsewhere. | |
| Accessory structures | See Section 19.76.020 (Accessory uses and structures). | |
| Site Coverage, Maximum | 100%(2) See Section 19.68.040 (Landscape installation requirements). | |
| Height Limits | 85 ft. Minimum height of two stories for new construction | 85 ft. Minimum height of two stories for new construction |

| Development Feature | Requirement by Zoning District | |
|---------------------|--------------------------------|------------------------------|
| | CS | CR |
| Minimum Lot Area | 10,000 sq.ft. | |
| Residential Density | None allowed. | 6 to 50 units per gross acre |

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| Development Feature | Requirement by Zoning District | |
|--------------------------------|---|---|
| | CS | CR |
| Landscaping | See Section 19.68.040 (Landscape installation requirements). | |
| Setbacks Required (1) Front | None required, except where the block is partly within an R zoning district, the same front setback shall be required as in the R district. | |
| Sides | 10 ft. where the side of the parcel abuts an R district; none elsewhere. | 10 ft. where the side of the parcel abuts an R district; none elsewhere. 10 ft. where the side of the parcel abuts an R district; none elsewhere. |
| Street side | 10 ft. where the side of the parcel abuts an R district; none elsewhere. | 10 ft. where the side of the parcel abuts an R district; none elsewhere. |
| Rear | 10 ft. where the side of the parcel abuts an R district; none elsewhere. | 10 ft. where the side of the parcel abuts an R district; none elsewhere. |
| Accessory structures | See Section 19.76.020 (Accessory uses and structures). | |
| Site Coverage, Maximum | 95%(2) See Section 19.68.040 (Landscape installation requirements). | 95%(2) See Section 19.68.040 (Landscape installation requirements). |
| Height Limits | 57 45 ft. <u>Lesser height may be required through the Design Review process where the parcel abuts an R district.</u> | 57 45 ft. <u>Lesser height may be required through the Design Review process where the parcel abuts an R district.</u> |

Notes:

- (1) A minimum 6-foot landscape buffer shall be included along the rear or side property line abutting the residential use.
- (2) The Architectural Review and Historic Preservation Board may require less coverage and more landscaped open area to provide visual relief or contrast, or to screen incompatible or obtrusive features. (Ord. 2427 §19, Ord. 2435 §23, Ord. 2440 §27)

~~19.44.040 — CN district special standards.~~

~~———— The following requirements apply within the CN zoning district in addition to the general development standards in Table 4-7.~~

~~———— A. ——— Indoor Uses Required. All goods and services shall be displayed, sold, or performed entirely within an enclosed structure unless allowed as temporary or seasonal pursuant to Chapter 19.22.~~

~~———— B. ——— Proximity of Buildings to Street. Commercial buildings at a maximum of 25 feet in height in neighborhood centers are encouraged to be located at the back of the sidewalk. In these cases, sidewalks shall be widened to a minimum of 8 feet and shall include street tree plantings.~~

~~———— C. ——— Vehicle Access. Projects shall be designed to provide vehicle access ways to the rear or side of proposed structures. Vehicle access ways shall have a minimum width of 20 feet, and shall have corners with a minimum radius of 20 feet.~~

~~———— D. ——— Commercial Vehicles. Accessory commercial vehicles with a maximum carrying capacity of 1.5 tons may be stored outdoors. Larger vehicles shall be stored only within a structure.~~

~~———— E. ——— Location of Residential Uses. All residential uses shall be located above the ground floor.~~

~~———— F. ——— Vertical or horizontal mixed use is required on sites of two acres or greater. (Ord. 2185, 2427 §21, Ord. 2440 §28)~~

19.44.050 ——— CC district special standards — outdoor storage.

~~———— Outdoor storage areas within the CC zoning district shall not occupy more than 20% of the site area and shall comply with the standards set forth in Section 19.76.120. (Ord. 2185, Ord. 2427 §22)~~

19.44.0460 DN district special standards.

Limitation on Use - Alcoholic Beverage Establishments. No bar or drinking establishment shall be allowed in the DN (Downtown North) zoning district except:

A. - C. [NO CHANGE]

**Chapter 19.46
MANUFACTURING/INDUSTRIAL ZONES**

Section:

- 19.46.010 Purpose, applicability**
- 19.46.020 Manufacturing/industrial zone land uses and permit requirements**
- 19.46.030 Manufacturing/industrial zone general development standards**
- 19.46.040 Manufacturing/industrial zoning district performance standards**

19.46.020 Manufacturing/industrial zone land uses and permit requirements.

Table 4-8 identifies the uses of land allowed by these Regulations in each industrial/manufacturing zoning district, and the land use entitlement required to establish the use. Where the last column of the table (“Subject to Standards in Section/Chapter”) includes a section or chapter number, the regulations in the referenced section/chapter apply to the use; however, provisions in other sections/chapters may apply as well.

(Ord. 2185; Ord. 2205; Ord. 2223, Ord. 2342, Ord. 2427 §25)

TABLE 4-8 - ALLOWED USES AND PERMIT REQUIREMENTS FOR MANUFACTURING & INDUSTRIAL ZONING DISTRICTS

| LAND USE (1) | PERMIT REQUIREMENTS BY ZONE | | | Subject to Standards in Section/Chapter: |
|---|-----------------------------|----------|-----------|--|
| | ML | MG | IOMU | |
| AGRICULTURAL, RESOURCE, & OPEN SPACE USES | | | | |
| Agricultural processing uses | P | P | UP | |
| Animal keeping | UP | UP | UP | 19.76.040 |
| Greenhouses, commercial | P | P | P | |
| <u>Community Gardens</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>19.76.190</u> |
| MANUFACTURING & PROCESSING USES | | | | |
| Beverage production | P | P | P | |
| Chemical products | UP | P | | |
| Clothing products | P | P | P | |
| Concrete, gypsum, and plaster products | | P | | |
| Electrical and electronic equipment, instruments | P | P | UP | |
| Food products | P | P | P | |
| Furniture/fixtures manufacturing, cabinet shops | P | P | UP | |
| Glass products | <u>UP</u> | P | UP | |
| Handicraft industries, small-scale manufacturing | P | P | P | |
| <u>Leather products</u> | <u>P</u> | <u>P</u> | <u>P</u> | |
| Lumber and wood products | P | P | UP | |
| Machinery manufacturing | P | P | P | |
| Metal fabrication, machine, and welding shops | P | P | P | |
| Motor vehicles and transportation equipment | P | P | P | |
| Paper products | | P | | |
| Paving materials | | P | | |
| Pharmaceuticals | P | P | P | |
| Plastics and rubber products | UP | P | UP | |
| Printing and publishing | P | P | P | |
| Recycling - Composting | | P | | 19.60.060 |
| Recycling - Large collection facility | P | P | | 19.60.060 |
| Recycling - Reverse vending machines | P | P | <u>UP</u> | 19.60.060 |
| Recycling - Scrap and dismantling yards | UP | P | UP | 19.60.060 |
| Recycling - Small collection facility | P | P | P | 19.60.060 |
| Slaughterhouses and rendering plants | | UP | | |
| Stone and cut stone products | P | P | <u>UP</u> | |
| Structural clay and pottery products | | P | | |
| Textile <u>and leather products</u> manufacturing | P | P | P | |
| Wholesaling and distribution | P | P | P | |
| RECREATION, EDUCATION & PUBLIC ASSEMBLY USES | | | | |
| Adult entertainment businesses | P | P | | 19.76.030 |

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| LAND USE (1) | PERMIT REQUIREMENTS BY ZONE | | | Subject to Standards in Section/Chapter: |
|---|-----------------------------|------------------|------------------|--|
| | ML | MG | IOMU | |
| Community centers/pavilions (as an accessory use) | UP | | UP | |
| Health/fitness clubs | UP | | UP | |
| Indoor Amusement/Entertainment Centers (less than <u>2,5,000</u> sq. ft.) | P | P | P | |
| Indoor Amusement/Entertainment Centers (more than <u>2,5,000</u> sq. ft.) | UP | UP | UP | |
| Nightclubs | | | UP | 19.76.200 |
| Recreational vehicle (RV) parks | UP | UP | | |
| Schools - Specialized education and training | P | P | P | |
| Temporary events | UP | UP | UP | 19.22 |
| RESIDENTIAL USES | | | | |
| Caretaker housing | P | P | P | |
| Emergency shelters | UP | | UP | |
| Live/work | UP | | P | |
| Residential Care homes 7 or more clients | UP(2) | | | |
| Temporary emergency shelters | P | P | P | 19.22 |
| RETAIL TRADE USES | | | | |
| Accessory retail sales | P | P | P | 19.76.020 |
| Building material stores | P | | | |
| Farm equipment and supplies | P | P | | |
| Fuel dealers | P | P | | |
| Gas stations | UP | UP | UP | 19.76.090 |
| Outdoor retails sales and activities | P | | | 19.76.120 |
| Outdoor retail sales, temporary | TU | | TU | 19.22 |
| Restaurant occupying 5,000 sq. ft. or less | P | P | P | |
| Sales/rental yards | P | P | | |
| Tasting rooms | | | UP | |
| SERVICES | | | | |
| Business support services | P | P | P | |
| Catering services | P | P | P | |
| Construction or contractor's yard | P | P | | |
| Day care facilities, child or adult day care center | UP | | UP | |
| Kennels and animal boarding | UP | UP | UP | |
| Laundries and dry cleaning plants | P | P | UP | |
| Mortuary/funeral home | | | UP | |
| Offices, business and professional | | | P | |
| Offices, industrial | P | | P | |
| Offices, temporary | UP TU | UP TU | UP TU | 19.22 |
| Printing and publishing | P | | P | |
| Printing and publishing - Computer/electronic | P | | P | |
| Public safety and utility facilities | P | P | P | |

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| LAND USE (1) | PERMIT REQUIREMENTS BY ZONE | | | Subject to Standards in Section/Chapter: |
|--|-----------------------------|-----|------|--|
| | ML | MG | IOMU | |
| Repair and maintenance - Vehicle | P | P | UP | |
| Research and development (R&D) | P | P | P | |
| Storage, accessory | P | P | P | |
| Storage, outdoor | P | P | | 19.60.060 19.76.120 |
| Storage, personal storage facility | UP | UP | UP | |
| Veterinary clinics/animal hospitals, outdoor uses | UP | UP | | |
| Veterinary clinics/animal hospitals, within structures | P | P | P | |
| Warehousing | P | P | | |
| TRANSPORTATION & COMMUNICATION USES | | | | |
| Alternative fuel/recharging facilities | P | P | UP | |
| Broadcast studios | P | P | UP | |
| Heliports | UP | UP | | |
| Parking facilities/vehicle storage | P | P | | |
| Pipelines and utility lines | P | P | UP | |
| Telecommunications facilities | (3) | (3) | (3) | 19.78 |
| Transit stations and terminals | P | P | P | |
| Truck stops | P | P | | |
| Vehicle and freight terminals | P | P | | |

KEY TO PERMIT REQUIREMENTS

| Symbol | Permit Requirement | Procedure is in Section/chapter: |
|--------|--|----------------------------------|
| P | Permitted use, zoning clearance required. | 19.16.070 |
| UP | Conditional use, use permit required. | 19.24 |
| TU | Temporary use. | 19.22 |
| | Use not allowed. (See Section 19.02.020(E) regarding uses not listed.) | |

Notes:

- (1) See Chapter 19.04 for definitions of the listed land uses.
- (2) A use permit may be issued for a residential care home with 7 or more clients in the ML district only when the facility also includes on-site vocational training or employment for the clients residing at the facility.
- (3) See Chapter 19.78 for districts in which telecommunications facilities are permitted. (Ord. 2427 §25, Ord. 2435 §24, Ord. 2440 §29, Ord. 2461 §4)

19.46.030 Manufacturing/industrial zone general development standards.

The requirements in Table 4-9 shall apply to new land uses and structures, and alterations to existing land uses and structures, in addition to any applicable development standards (such as landscaping, parking and loading) in Division V of this title.
(Ord. 2185, Ord. 2427 §26)

**TABLE 4-9
MANUFACTURING/INDUSTRIAL ZONE GENERAL DEVELOPMENT STANDARDS**

| Development Feature | Requirement by Zoning District | | |
|------------------------------|---|----|--|
| | ML | MG | IOMU |
| Minimum Lot Area | As necessary to comply with all applicable requirements of these Regulations. | | |
| Setbacks Required Front | None required, except where the block parcel abuts is partly within an R zoning district, the same front setback shall be required as in the R district. | | |
| Sides (each), Street side | 20 ft. where the side of the parcel abuts an R district; none elsewhere. (1) | | |
| Rear | 20 ft. where the rear of the parcel abuts an R district; none elsewhere. (1) | | |
| Landscaping | See Section 19.68.040 (Landscape installation requirements.) | | |
| Site Coverage, Maximum | 95% | | 75% |
| Height Limits | <u>57-45 ft. Lesser height may be required through the Design Review process where the parcel abuts an R district.</u> | | <u>45-57 ft. Lesser height may be required through the Design Review process where the parcel abuts an R district.</u> |

Notes:

(1) A minimum 6-foot landscape buffer shall be included along the rear or side property line abutting the residential use.

Chapter 19.48 AIRPORT ZONES

Section:

- 19.48.010** Purpose, applicability
- 19.48.020** Airport zone review authority
- 19.48.030** Airport zone land uses and permit requirements
- 19.48.040** Interference with aircraft operations prohibited
- 19.48.050** Use permit findings
- 19.48.060** Airport zone general development standards
- 19.48.070** Site design and architectural review for airport projects
- 19.48.080** Effect of prior agreements, leases, and licenses
- 19.48.090** Nonconforming uses under prior agreements

TABLE 4-10 - ALLOWED USES AND PERMIT REQUIREMENTS FOR AIRPORT ZONING DISTRICTS

KEY TO PERMIT REQUIREMENTS

| Symbol | Permit Requirement | Procedure is in Section/Chapter: |
|--------|---|----------------------------------|
| P | Permitted use, zoning clearance required. | 19.16.070 |
| UP | Conditional use, use permit required. | 19.24/19.48.020 |
| TU | Temporary use. | 19.22 |
| | Use not allowed. | |

| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | Subject to Standards Section/Chapter: |
|--|----------------------------|-------|-------|----|---------------------------------------|
| | A(2) | AC(3) | AM(4) | AP | |
| MANUFACTURING & PROCESSING USES | | | | | |
| Aviation parts and equipment | P | UP | P | | |
| Beverage production | | | P | | |
| Boats and watercraft | | | P | | |
| Chemical products | | | UP | | |
| Clothing products | | | P | | |
| Communications components and systems | UP | | P | | |
| Computer products and systems | UP | | P | | |
| Electrical and electronic equipment, instruments | | | P | | |
| Food products | | | UP | | |
| Furniture/fixtures manufacturing, cabinet shops | | | P | | |
| Glass products | | | UP | | |
| Handicraft industries, small-scale manufacturing | | | P | | |
| Laundries and dry cleaning plants | | | UP | | |
| Lumber and wood products | | | P | | |
| Lumber processing and molding | | | P | | |
| Machinery manufacturing | UP | UP(3) | UP | | |
| Metal fabrication, machine, and welding shops | UP | | P | | |
| Motor vehicles and transportation equipment | | | UP | | |
| Paper products (excluding pulping) | | | P | | |
| Paving materials | | | UP | | |
| Pharmaceuticals | | | P | | |
| Plastics and rubber products | UP | | P | | |
| Printing and publishing | | | P | | |
| Recycling - Large collection facility | | | UP | | |
| Recycling - Reverse vending machines | | | UP | | |
| Recycling - Small collection facility | | | UP | | |

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| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | Subject to Standards Section/Chapter: |
|---|----------------------------|-----------|-----------|-----------|---------------------------------------|
| | A(2) | AC(3) | AM(4) | AP | |
| Stone and cut stone products | | | P | | |
| Structural clay and pottery products | | | P | | |
| Wholesaling and distribution | UP | UP | P | | |
| RECREATION, EDUCATION & PUBLIC ASSEMBLY USES | | | | | |
| Health/fitness clubs | | UP | <u>UP</u> | | |
| Libraries and museums | UP | UP | <u>P</u> | | |
| Membership organization facilities | UP | UP | | | |
| Model/radio-controlled aircraft courses | UP | | | | |
| Schools - Specialized education and training | UP | <u>UP</u> | <u>UP</u> | | |
| RESIDENTIAL USES | | | | | |
| Caretaker and employee housing | | <u>UP</u> | <u>UP</u> | | |
| RETAIL TRADE USES | | | | | |
| Accessory retail sales | <u>UP</u> | <u>UP</u> | <u>UP</u> | | 19.76.020 |
| Alcoholic beverage establishments | UP | UP | | | <u>19.76.200</u> |
| Gas stations | UP | UP | | | 19.76.090 |
| Restaurants – less than 2,500 sq. ft. | <u>UP</u> | <u>UP</u> | <u>P</u> | | |
| <u>Restaurants – more than 2,500 sq. ft.</u> | <u>P</u> | <u>P</u> | | | |
| Restaurant with full bar | UP | UP | <u>UP</u> | | 19.76.200 |
| SERVICES | | | | | |
| Automated teller machines (ATMs) | P | P | UP | UP | |
| Banks and financial services | | <u>UP</u> | <u>P</u> | | |
| Business support services | UP | <u>UP</u> | <u>UP</u> | | |
| Equipment and vehicle rental | UP | UP | UP | UP | |
| Hotel or motel | | UP | | | |
| Kennel and animal boarding | | UP | UP | | |
| Offices, business and professional | | UP | <u>UP</u> | | |
| Offices, industrial | | <u>P</u> | UP | | |
| Offices, temporary | | TU | TU | TU | 19.22 |
| Personal services | | <u>UP</u> | | | |
| Printing and publishing - Computer/electronic | | <u>UP</u> | <u>UP</u> | | |
| Public safety and utility facilities | <u>UP</u> | <u>UP</u> | <u>UP</u> | <u>UP</u> | |
| Repair and maintenance - Consumer products | | <u>UP</u> | P | | |
| Repair and maintenance - Vehicle | | | UP | | |
| Research and development (R&D) | UP | <u>UP</u> | P | | |
| Storage, accessory | | | UP | | |
| Storage, outdoor | | | UP | | 19.60.060 |
| Warehousing | | | P | | |
| TRANSPORTATION & COMMUNICATIONS | | | | | |
| Airports | P | UP | UP | P | |
| Heliports | P | UP | UP | P | |
| Parking facilities/vehicle storage | P | UP | UP | UP | |
| Pipelines and utility lines | UP | P | P | UP | |

| LAND USE (1) | PERMIT REQUIREMENT BY ZONE | | | | Subject to Standards Section/Chapter: |
|--------------------------------|----------------------------|-------|-------|-----|---------------------------------------|
| | A(2) | AC(3) | AM(4) | AP | |
| Telecommunications facilities | (5) | (5) | (5) | (5) | 19.78 |
| Transit stations and terminals | P | | | | |
| Vehicle and freight terminals | UP(3) | UP | UP | | |

Notes:

- (1) See Chapter 19.04 for definitions of the listed land uses.
- (2) All land uses in the A zone must be aviation-related.
- (3) All land uses permitted by use permit in the AC zone must be either related to airport activities, serve employees working in the airport zones, or otherwise compatible with the operational characteristics of the airport and the economic development goals of the airport.
- (4) Permitted uses in the AM zone must be conducted entirely within a building or sight-obscuring fence that has been reviewed by the [Airport Architectural Committee review authority](#).
- (5) See Chapter 19.78 for districts in which telecommunications facilities are permitted.

19.48.060 Airport zone general development standards

The requirements in Table 4-11 shall apply to new land uses and structures, and alterations to existing land uses and structures, in addition to any applicable development standards (such as landscaping, parking and loading) in Division V (Site Planning and General Development Standards).

A. Site Planning Standards.

**TABLE 4-11
AIRPORT ZONE GENERAL DEVELOPMENT STANDARDS**

| Development Feature | Requirement by Zoning District | | | |
|--------------------------------|---|----|----|----|
| | A | AC | AM | AP |
| Minimum Lot Area (1) | As necessary to comply with all applicable requirements of these Regulations. | | | |
| Setbacks Required (2) Front | 20 ft., at least 10 ft. of which shall be landscaped. No vehicle parking shall be allowed within any front setback less than 40 ft. in depth, and parking shall be located a minimum of 10 ft. from the street right-of-way. In the case of a corner parcel, the property owner shall have the option of choosing the yard which shall be the front setback, except that all property adjacent to Airpark Boulevard shall have its front setback on Airpark Boulevard. | | | |
| Sides, rear | 10 ft. | | | |
| Site Coverage (3) | 70% | | | |
| Height Limits (4) | 40 ft. | | | |

Notes:

- (1) Minimum area for lots proposed in new subdivisions.
 - (2) Minimum setbacks required for all structures. See Section 19.60.090 (Setback regulations and exceptions) for the measurement of and exceptions to these setback requirements. The Airport Commission, Planning Commission, or Zoning Administrator may modify or eliminate setback requirements through the use permit process (Chapter 19.24).
 - (3) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04). The remaining portions of the site that may not be covered with structures shall be permanently maintained as landscaped open space. The Airport Architectural Committee or Architectural Review and Historic Preservation Board may require less coverage and more landscaped open area to provide visual relief or contrast, or to screen incompatible or obtrusive features.
 - (4) Maximum height of structures. See Sections 19.52.0320 (~~Airport overflight Aircraft operations~~ overlay zones) and 19.60.070 (Height measurement and height limit exceptions). The Airport Commission, Planning Commission, or Zoning Administrator may approve higher structures, up to a maximum of 387 feet above mean sea level, through the use permit process (Chapter 19.24). (Ord. 2427 §30)(Ord. 2435 §28)
- B. - D. [NO CHANGES]

Chapter 19.52 OVERLAY ZONES

Section:

- | | |
|------------------|--|
| 19.52.010 | Purpose, applicability |
| 19.52.020 | Airport environs (-AE) overlay zone |
| 19.52.030 | Airport overflight Aircraft operations (-AO) overlay zones |
| 19.52.040 | Landmark (-L) overlay zone |
| 19.52.050 | Planned development (-PD) overlay zone |
| 19.52.060 | Resource Constraint (-RC) overlay zone |
| 19.52.070 | Special design considerations (-SD) overlay zone |
| 19.52.080 | Corridor Opportunity Site (-COS) overlay zone |
| 19.52.090 | Fraternity and sorority (-FS) overlay zone |
| 19.52.100 | Foothill Development (-FD) overlay zone |

19.52.030 ~~Airport overflight Aircraft operations~~ (-AO) overlay zones.

- A. - D. [NO CHANGES]
- E. Permit Requirements. Development and new land uses within the -AO overlay zones shall obtain the land use entitlements as required by this division in the primary zoning district. New development or land uses that are inconsistent with the standards contained in this chapter shall nonetheless be deemed consistent if the proposal is found by the Butte County Airport Land Use Commission to be consistent with the ALUCP.
- F. [NO CHANGES]

19.52.080 Corridor Opportunity Site (-COS) overlay zone.

- A. - C. [NO CHANGES]

D. Development Standards. In addition to the standards of the primary zoning district and all other applicable provisions of these regulations, the following criteria apply:

1. Density. Residential Mixed Use: 15 units/acre minimum, 70 units/acre maximum. Office Mixed Use and Commercial Mixed Use: Up to 60 units/acre.
2. Maximum Height Limit: 65 feet and unless the underlying zoning district permits a greater maximum height.
3. Off-Street Parking Reduction. Proposed development may provide off-street parking at a lower rate as provided ~~of 25 percent fewer spaces than normally required~~ by Chapter 19.70.

19.52.090 Fraternity and sorority (-FS) overlay zone.

- A. [NO CHANGES]
- B. Applicability. The -FS overlay zone may be combined with the R3, ~~and~~ R4, and RMU residential zoning districts.
- C. [NO CHANGES]

19.52.100 Foothill Development (-FD) overlay zone.

- A. - E. [NO CHANGES]
- F. Development Standards for Projects Within the -FD Overlay Zone. The following development standards apply to all projects within the -FD Overlay Zone.
 1. - 3. [NO CHANGES]
 - ~~4. Minimum Lot Area. The minimum lot area for new residential subdivisions shall be 6,000 square feet, except where housing units are clustered and the project is approved through a planned development permit in compliance with Chapter 19.28 (Planned Development).~~
 54. Clustered Development. In clustered development, dwelling units shall be grouped on more level or gently sloping terrain so as to reduce grading alterations on steeper slopes that shall be preserved in a natural state.
 65. Maximum Density Calculation. To retain the natural features of hillsides, densities shall be reduced as slope increases. Each property to be developed shall be divided into cells of similar slope, using the average slope ranges listed in Table 4-16. The maximum density of the base zoning is then multiplied by the relevant reduction factor assigned to each cell to determine the maximum allowable density for each cell.
 76. Exterior Lighting. Lighting for new project sites and new streets shall be shielded to avoid glare and the spill of light to surrounding areas. Street lighting shall consist of multiple, shielded, low-intensity, pedestrian-scale lighting fixtures instead of fewer, taller fixtures.
 87. Retaining Walls. Large retaining walls shall be broken into elements and terraces to avoid creating a uniform plane and landscaped to screen them from view (See Figure 4-3).
 98. Street Design.
 - a. Street Layout. Streets shall follow the natural contours of the terrain, where possible, to minimize the need for grading. Cul-de-sacs and loop roads should be

used where necessary to fit the natural contours and topography, subject to the approval of the City Engineer and Fire Department.

b. Reduced Street Widths. Streets may be designed without parking lanes when the result is a substantial decrease in cutting and/or filling. Streets may be reduced as provided for in Title 18R, Design Criteria and Improvement Standards.

~~109~~. Site and Structure Design. Site and structure design shall visually blend structures with the surrounding terrain.

a. Lot Line Locations. Lot lines should be placed at the top of slope areas.

b. Location of Structures. Structures should be sited in a manner that will:

(1) Minimize the creation of flat pads by using compact, split-level designs;

(2) Preserve vistas from public places; and

(3) Preserve visually significant rock outcroppings, natural hydrology, native plant materials, and areas of visual significance.

c. Architectural Design. Buildings shall demonstrate the following design principles:

a. Building scale that complements the character of the foothills and avoids massive forms that dominate public views of the foothills.

b. Varying setbacks, building heights, foundation designs, building forms, materials, and colors that blend structures into the terrain.

c. Building facades with varied planes and overhangs as a means to create changing shadow lines that further break up massive forms.

d. Incorporation of single story elements, setbacks, roof pitches, and landscaping for wall surfaces facing public viewsheds (See Figure 4-4).

e. Roof pitches placed to generally follow the angle of the slope, but with variation to avoid a monotonous appearance.

f. Medium to dark earth tone colors used for building elevations and roof materials.

g. Surface materials to blend with the landscaping and natural vegetation, such as textured stucco, wood, natural brick, and coarse block.

h. Rough-textured roof materials (and in some cases terra cotta and metal) in a muted, darker tone, including browns, grays and greens.

~~110~~. Grading and Drainage.

a. Grading shall be designed to conserve natural topographic features and appearances by retaining major natural topographic features (for example, canyons, knolls, ridgelines, and prominent landmarks), by minimizing the amount of cut and fill, and by means of landform grading to blend graded slopes and benches with the natural topography (See Figure 4-5).

b. Grading plans shall identify slopes that are to be landform graded. "Landform grading" shall mean a contour grading method that creates artificial slopes with curves and varying slope ratios in the horizontal plane designed to simulate the appearance of surrounding natural terrain.

c. All graded areas shall be protected from wind and water erosion, in compliance Titles 16 (Buildings and Construction) and 16R (Building Standards). Interim erosion control plans, certified by the project engineer, shall be required.

d. Exposed slopes shall be replanted with non-invasive but self-sufficient trees, shrubs, and groundcover that are compatible with existing surrounding vegetation, to help blend manufactured and natural slopes and to protect slopes from soil erosion.

e. Grading that would create a slope exceeding a ratio of 3:1 requires a report and a stabilization study that indicates a greater permissible slope, unless it is determined by the Director that site conditions (as supported by data) do not warrant the report and study.

G. [NO CHANGES]

DIVISION V. SITE PLANNING AND GENERAL DEVELOPMENT STANDARDS

Chapter 19.60 GENERAL PROPERTY DEVELOPMENT AND USE STANDARDS

Section:

| | |
|------------------|--|
| 19.60.010 | Purpose, applicability |
| 19.60.020 | Access |
| 19.60.030 | Creekside development |
| 19.60.040 | Repealed by Ord. 2440 §38 |
| 19.60.050 | Exterior lighting |
| 19.60.060 | Fencing and screening |
| 19.60.070 | Height measurement and height limit exceptions |
| 19.60.080 | Noise |
| 19.60.090 | Setback regulations and exceptions |
| 19.60.100 | Solar energy development standards |
| 19.60.110 | Soundproofing and screening of utility facilities |
| 19.60.120 | Undergrounding of utilities |
| 19.60.130 | Accommodations for persons with disabilities |

19.60.060 Fencing and screening.

The following standards shall apply to the installation of all fences and walls. Fences and walls require approval from the Architectural Review and Historic Preservation Board (ARHPB), if ARHPB review is also required for the underlying development project. Perimeter fences and walls adjacent to the public right-of-way within a proposed subdivision require approval from the Commission, as part of the tentative map review process.

A. - F. [NO CHANGES]

G. Landscaping adjacent to fencing and screening. For projects requiring architectural review in compliance with Chapter 19.18, landscaping (such as creeping vine species, shrubs, or hedges) shall be planted and maintained close to ground-mounted fencing and

~~screening walls to dissuade graffiti vandalism, unless approved otherwise through the architectural review process. Fences Between Different Land Uses. Generally, fences are only required between different land uses, including commercial, manufacturing, or multi-family residential and single family residential, in compliance with Subsection H. A fence or wall in excess of 6 feet, (7 feet if one foot of lattice or other 50% view permeable material is incorporated into the top one foot of the fence design) and up to a maximum of 8 feet, may be allowed through use permit approval in compliance with Chapter 19.24, on the common property line between two adjacent parcels in different zoning districts, including residential, commercial, or manufacturing zoning districts.~~

H. ~~Special~~ Fencing or Wall Requirements. All multi-family and non-residential land uses shall comply with the following screening requirements:

1. Screening Between Different Land Uses. Wherever a site zoned for multi-family residential, commercial, or manufacturing purposes adjoins a residential zoning district, a 6-foot-high wood fence or solid decorative masonry wall (7 feet if one foot of lattice or other 50% view permeable material is incorporated into the top one foot of the fence design) shall be constructed along the property line adjoining the residential zoning district. ~~Whichever use is established first shall construct the fence or wall.~~ The fence or wall shall be architecturally treated on both sides, subject to the approval of the Director, the Commission, or the Architectural Review and Historic Preservation Board if part of a project review.

2. Equipment. Any equipment, whether on the roof, side of structure, or ground, loading docks, service yards, trash and storage areas, and utility services shall be properly screened from public view. The method of screening shall be architecturally compatible with other site development in terms of materials, colors, shape, and size. The screening design and construction shall be subject to the approval of the Director, or the Architectural Review and Historic Preservation Board if part of a project review, and shall blend with the design of the structures and include appropriately installed and maintained landscaping when on the ground.

3. Outdoor Storage and Work Yards. All auto dismantling operations, auto wrecking yards, building materials supply yards, junk yards, lumber yards, recycling facility/processing centers, scrap metal yards, waste resource and waste recycling operations, and uses with similar outside storage shall comply with the following:

a. Outside uses shall have a solid sight-obscuring masonry wall or metal fence not less than 6 feet, nor more than 8 feet, in height, of a type and design approved in advance of construction or installation by the Director, or the Architectural and Historic Preservation Review Board if part of a project review. The fence shall include one or more operable gates to be used as the only entrances and exits for the property. The fence and gate shall be properly maintained to continuously conform to all conditions of approval.

b. All operations in conjunction with the above-listed uses, including the loading and unloading of materials and equipment, shall be conducted entirely within the fenced area.

c. All materials and equipment, including storage containers, trailers, and trucks, shall be stored within the fenced area. The materials and equipment shall not be maintained, stored, or used so as to be visible above the height of the sight-obscuring fence or wall except as follows:

(1) Mechanical equipment, including cranes, crushers, and loaders, may be of a height which may be visible beyond the limits of the property; and

(2) Except for equipment designed to move under its own power, all mechanical equipment with a height exceeding the sight-obscuring fence or wall shall be located a minimum distance of 40 feet from any exterior property line when adjacent to a residential district.

4. Outdoor Garden Supply Areas. Outdoor garden supply areas shall be screened with fencing, meshing, or other similar sight-obscuring material.

I. - J. [NO CHANGES]

~~K. Landscaping adjacent to fencing and screening. For projects requiring architectural review in compliance with Chapter 19.18, landscaping (such as creeping vine species, shrubs, or hedges) shall be planted and maintained close to ground-mounted fencing and screening walls to dissuade graffiti vandalism, unless approved otherwise through the architectural review process.~~

19.60.070 Height measurement and height limit exceptions.

All structures shall meet the following standards relating to height.

A. - B. [NO CHANGES]

C. Detached Garage. A detached garage or carport shall not exceed 15 feet in height.

Except:

1. A height of 25 feet is allowed for garages with a second floor dwelling unit; and

2. A height of 25 feet may be allowed ~~by use permit~~ for garages without a second floor dwelling unit if the additional height is architecturally consistent with the main structure and has a minimum setback distance of 10 feet from any property line.

D. [NO CHANGES]

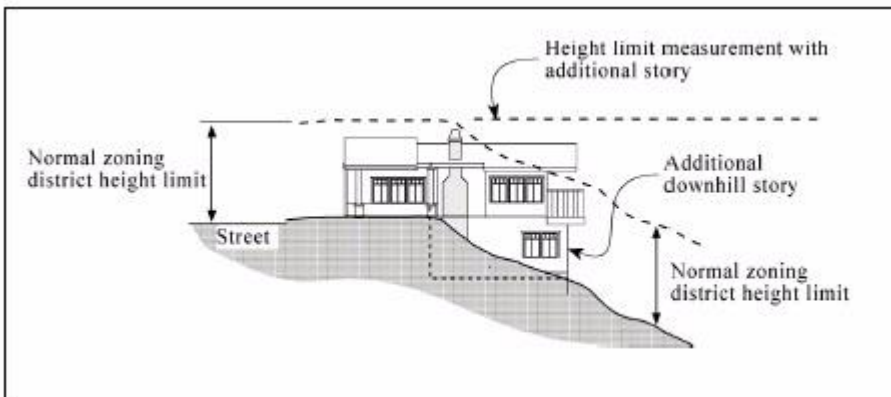


Figure 5-3
ADDITIONAL BUILDING HEIGHT ON DOWNHILL LOT

E. Exceptions to Height Limits. The height limits of these Regulations shall not apply to the following:

1. - 2. [NO CHANGES]

3. Parapet Walls. Parapet walls extending not more than 64 feet above the height limit of the structure.

4. [NO CHANGES]

5. Single-Family Dwellings in RS and R1 Districts. The height of a single-family dwelling in the RS and R1 zoning districts may be increased up to an additional 5 feet ~~and~~

~~up to a maximum of three stories~~ when two side yards are provided, each having a minimum width of 15 feet.

6. – 7. [NO CHANGES]

19.60.090 Setback regulations and exceptions.

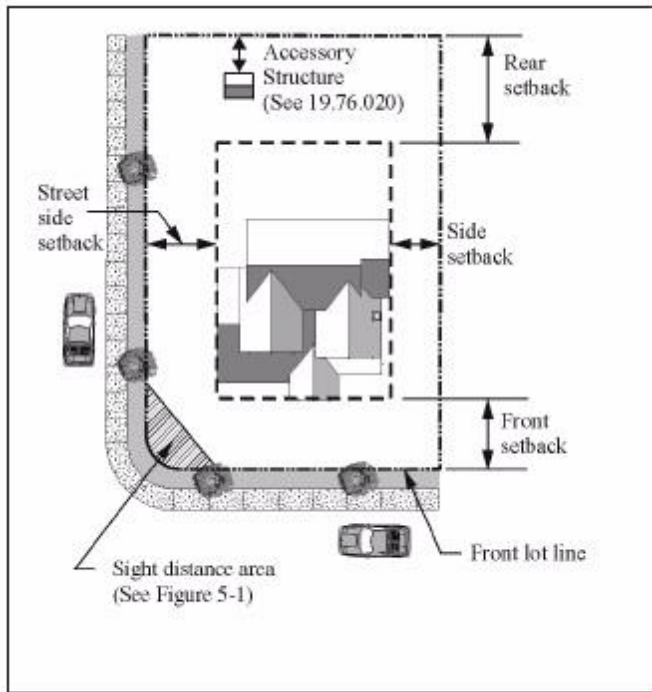
A. - C. [NO CHANGES]

D. Measurement of Setbacks. The required setbacks shall be measured from the property lines behind the adjoining edge of the public right-of-way or private street easement and related improvements, including adjacent pedestrian facilities. Setbacks shall be measured as follows (see Figure 5-4):

1. Front Yard Setbacks. The required front setback shall be measured at right angles from the nearest point on the front ~~lot property~~ line of the parcel to the nearest point of the wall of the structure, except as follows:

a. Averaging. The required front setback may be calculated based on structure setbacks on adjacent parcels, instead of applying the setback normally required by the applicable zoning district, only under the following circumstances:

The required front yard setback may be determined through averaging; provided that when four or more parcels in a block have been improved with structures, the minimum front yard setback shall be the average of the setbacks on the improved parcels, if maintaining less than the minimum required front yard setback. Further, the front yard setback for parcels with parkways may be reduced by 1 foot, except that the frontage of garages and covered parking areas providing vehicle access shall be set back no less than 20 feet to ensure pedestrian safety (see Figure 5-5).



**Figure 5-4
LOCATION AND MEASUREMENT OF SETBACKS**

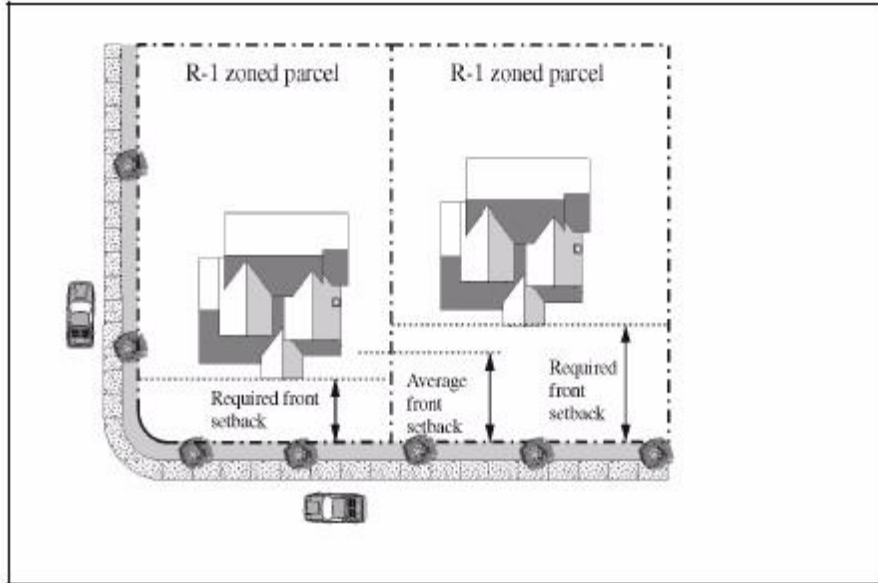


Figure 5-5
AVERAGING OF FRONT SETBACKS

b. Corner Lots. The front setback shall be measured from the nearest point of the wall of the structure to the ~~front lot line nearest point of the property line adjoining the street to which the property is addressed and the street from which access to the property is taken.~~

c. Flag Lots. The front setback shall be measured from the nearest point of the wall of the structure to the point where the access strip meets the bulk of the parcel; establishing a building line parallel to the lot line nearest to the public street or right-of-way.

2. Side Yard Setbacks. The required side setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest wall of the structure, establishing a setback line parallel to the side property line which extends between the front and rear setbacks. ~~A side yard setback that provides access to the main entrance shall have a minimum width of 10 feet.~~

3. - 4. [NO CHANGES]

E. Allowed Projections Into Setbacks. The following architectural features may extend beyond the wall of the structure and into the front, side, and rear yard setbacks, as follows (see Figure 5-7).

1. - 2. [NO CHANGES]

3. Decks, Porches, and Stairways. Attached decks or uncovered landing places, covered and unenclosed porches and stairs exceeding 18 inches in height above the surrounding finished grade (~~attached decks or uncovered landing places less than 18 inches above finished grade are exempt~~), ~~covered and unenclosed porches located at the same level as the entrance floor of the structure, and stairways and landings that are not roofed or enclosed above or below the steps or do not extend above a ground floor entrance (except for the railing),~~ may extend into required yards as follows:

- a. Front Yard Setback: Up to 6 feet into a required front setback.
- b. Side Yard Setback: Up to 3 feet into a required side setback, but no closer than 3 feet to the property line.
- c. Rear Yard Setback: Up to 6 feet into a required rear setback.

No deck, porch, or stairway shall extend or encroach beyond any official plan line.

F. - J. [NO CHANGES]

K. Special State Highway Setbacks.

1. - 3. [NO CHANGES]

4. Required Landscaping. Within the required setback, landscaping, in compliance with Chapter 19.68 (Landscaping Standards), shall be established incorporating the following:

a. Berming and/or mounding, if appropriate;
b. Fencing and/or walls integrated with the landscaping, if appropriate;

c. Living groundcover plantings;
d. Permanent irrigation system; and
e. Shrubs and/or trees.

~~f. Landscaping adjacent to the State highways shall comply with the Master Plan Landscape Planting State Highway Right Of Way for the City of Chico, Chico, California.~~

(Ord. 2185; Ord. 2223, Ord. 3435 §34)

19.60.130 Accommodations for persons with disabilities.

~~The public works director may approve modifications to development standards in order to accommodate improvements (such as entrance ramps) that provide access for persons with disabilities.~~

The community development director may approve modifications or exceptions to these regulations for siting, development and use of housing or housing related facilities or other matters related to zoning and land use that would eliminate regulatory barriers and provide an Individual with a Disability equal opportunity to housing of his or her choice.

(Ord. 2435 §36, Ord. 2439 §181)

**Chapter 19.68
LANDSCAPING STANDARDS**

Section:

- 19.68.010 Purpose**
- 19.68.020 Applicability**
- 19.68.030 Landscape plan requirements**
- 19.68.040 Landscape installation requirements**
- 19.68.050 Landscape standards**
- 19.68.060 Tree preservation measures**
- 19.68.070 Water efficient landscaping standards**

19.68.030 Landscape plan requirements.

A. Conceptual Landscape Plan. A conceptual landscape plan shall be submitted as part of any application for a land use entitlement for new development or major redevelopment requiring new landscaping.

B. - D. [NO CHANGES]

19.68.040 Landscape installation requirements.

Landscaping shall be provided in the locations described in this chapter, in addition to any areas required by Division IV (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards) or Division VI (Traditional Neighborhood Development (TND) Regulations).

A. - B. [NO CHANGES]

~~C. Landscape Requirements for Facade Remodel. Any project that consists solely of a facade remodel that does not create additional floor area to an existing structure, and is part of an existing development that is not consistent with the shade requirements or landscape standards in this chapter, shall provide shade trees or landscaping in compliance with Table 5-3. When parking lot shading does not meet City standards, planting of parking lot shade trees shall take precedence over other types of landscape improvements.~~

~~1. This Section 19.68.040.C. will not apply if the planting of new landscaping required in connection with a commercial facade remodel will result in an increase in water use for that site.~~

~~2. Section 19.68.040.C.1. shall remain in effect until February 7, 2016 unless extended by the City Council.~~

~~(Ord. 2185, Ord. 2358 §14, Ord. 2402, Ord. 2464 §§2, 3)~~

TABLE 5-3

LANDSCAPE REQUIREMENTS FOR FACADE REMODEL PROJECTS

| Cost of Facade Remodel | Maximum Cost of Required-Landscape Improvements |
|-----------------------------------|--|
| \$ 0 – 10,000 | None |
| \$10,001 – 20,000 | \$ 600 |
| \$20,001 – 30,000 | \$ 937 |
| \$30,001 – 40,000 | \$1,225 |
| \$40,001 – 50,000 | \$1,462 |
| \$50,001 – 60,000 | \$1,650 |
| \$60,001 – 70,000 | \$1,787 |
| \$70,001 – 80,000 | \$1,875 |
| \$80,001 – 90,000 | \$1,912 |
| \$90,001 – 100,000 | \$1,950 |
| \$100,001+ | 2% of project cost |

19.68.060 Tree preservation measures.

A. Submittal Requirements. Applications for ~~At the time of~~ a land use entitlement shall include; a tree inventory as set forth in CMC 16.66.070. ~~shall be submitted to the~~

~~Department. The inventory shall locate all existing trees on the site over 6 inches in diameter at breast height, specify the species, and note whether the tree is to be protected or removed.~~

B. Tree Protection ~~Requirements~~Guidelines.

1. As a condition of permit approval, the relocation of trees proposed for removal, or replacement of the removed trees with other trees planted elsewhere on the site, may be required. Replacement trees may be required on a more than one-for-one basis if the replacement trees are smaller than the trees being removed.

2. The Director shall determine during project review which existing trees will require protection during construction. This decision shall be based upon the proximity of construction activity and the location of the trees relative to the structure and other facilities. All trees approved for removal shall be exempt from protection requirements.

3. The natural grade around the dripline of existing trees ~~shall~~should remain undisturbed during and after construction. ~~Preferably, the undisturbed area shall be at the dripline, but in no case closer than 20 feet from the tree trunk. The dripline of a tree is a projected radius on the ground formed by the outermost edge of the tree canopy.~~

~~4.~~ Where grade changes and/or site improvements are proposed to ~~must~~ occur within the dripline, a suitable mitigation plan shall be developed by ~~either~~ a certified arborist, landscape architect, or the City Urban Forester Manager. The plan shall protect the tree from excess fill and/or the removal of excess soil from the root zone.

~~54.~~ Prior to beginning construction, existing trees shall be pruned to remove limbs which may be dead or may become damaged during construction. Pruning shall be performed consistent with ANSI A300 Pruning Standards, ~~prune to thin 1 inch.~~

~~65.~~ A temporary construction fence shall be installed at the dripline or no closer than 20 feet from the tree trunk. The fence shall be substantial enough to restrict activity to outside the area and shall be installed prior to any grading or other construction activity. During construction, maintenance shall be performed so that the fence remains in good repair. Removal of the fence shall only occur to allow ~~required~~approved construction within the area or to complete site landscaping. City Planning staff shall be contacted, prior to commencement of construction, to inspect fencing and to approve any construction within the dripline.

~~76.~~ Underground facilities and trenches, (e.g., utility services, sanitary sewer, or storm drainage lines) shall be consolidated, to the extent feasible, and located to minimize impacts upon tree root systems. ~~Any~~Trenching or underground work should be located outside of the tree dripline. Any trenching required within the tree dripline shall be as far from the tree trunk as possible and shall be excavated ~~by hand using hand tools, pressurized water, or other approved method~~ to minimize impacts on roots. All trenching within the dripline shall be supervised by a certified arborist or the City Urban Forester Manager.

~~87.~~ Roots 3/4 inches or greater in size encountered during trenching shall be cleanly cut and treated with a sealing agent to reduce loss of moisture to the tree. Roots greater than 1 1/2 inches shall be preserved and protected at the direction of a certified arborist.

~~98.~~ ~~Construction vehicles, equipment, or materials shall not be parked or stored within the fenced area.~~ No staging, ~~or~~ storage area for construction, or construction waste shall be located closer than 50 feet to the dripline of any tree to be protected.

~~10.~~ All construction wastes, including but not limited to building material debris, roofing materials, cleaning of cement trucks, chemicals/adhesives/solvents, etc., shall be stored or disposed of no closer than 50 feet from any tree dripline.

~~911.~~ Site irrigation and landscaping shall be planned with existing trees in mind. Native trees typically respond poorly to irrigation required of most ornamental landscapes. A rock, cobble, or other mulch, or native shrubs and groundcovers, in combination with drip irrigation systems shall be used within the dripline of native trees, particularly native oaks.

~~12. Existing trees shall have a minimum of 20 feet of open space from the base of the tree, free of any site improvements such as sidewalks, driveways, bike racks, or similar elements.~~

(Ord. 2185.)

Chapter 19.70 PARKING AND LOADING STANDARDS

| | |
|------------------|--|
| 19.70.010 | Purpose |
| 19.70.020 | Applicability |
| 19.70.030 | General parking regulations |
| 19.70.040 | Number of parking spaces required |
| 19.70.050 | Reduction of off-street parking |
| 19.70.060 | Design and development standards for off-street parking |
| 19.70.070 | Driveways and site access |
| 19.70.080 | Bicycle parking and support facilities |
| 19.70.090 | Off-street loading space requirements |

19.70.040 Number of parking spaces required.

Each land use shall provide the minimum number of off-street parking spaces required by this section, except where a different number of spaces is approved through an entitlement process.

A. - E. [NO CHANGES]

F. Excessive Parking. Off-street parking spaces in excess of these standards create large amounts of impervious surfaces that increase radiant heat and may have a negative aesthetic appearance. Parking spaces which exceed the minimum number of spaces required by more than 35 percent may be administratively approved by the Director when a combination of additional landscaping, pedestrian/bicycle improvements, and/or pervious surfaces are provided above those required by this chapter. The area for off-street parking ~~and open space~~ on any parcel shall not exceed 75 percent of the ~~gross site~~ area ~~of the parcel~~.

G. - H. [NO CHANGES]

TABLE 5-4 PARKING REQUIREMENTS

Chico, CA Code of Ordinances

| Land Use Type: Manufacturing & Processing | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|---|--|---|
| Machinery and equipment sales | 1 space for each 625 sq.ft. of gross floor area, plus 1 space for each 2,500 sq.ft. of outdoor sales or service area. | 10% of vehicle spaces. |
| Personal or mini-storage | 1 space for an on-site manager/caretaker, plus 1 space for each 375 sq.ft. of office space, with a minimum of 3 spaces. | 1 space. |
| Recycling facilities (other than reverse vending machines and small collection centers) | If the facility is open to the public, an on-site parking and/or queuing area shall be provided for a minimum of 8 vehicles at any one time. | 10% of vehicle spaces. |
| | 1 employee parking space shall be provided on-site for each commercial vehicle operated by the processing center. | 10% of vehicle spaces. |
| Wholesale operations and light manufacturing plants | 1 space for each 1,250 sq.ft. of gross floor area, plus 1 space for each on-site vehicle associated with the use. | 10% of vehicle spaces. |
| Warehouses and storage buildings | 1 space for each 1,875 sq.ft. of gross floor area, plus 1 space for each vehicle operated in connection with each on-site use. | 5% of vehicle spaces. |

| Land Use Type: Recreation, Education, Public Assembly | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|---|---|---|
| Assembly uses, including theaters, meeting halls, and membership organizations, churches and other places of worship, <u>and mortuaries, community centers and pavillions</u> | 1 space for each 5 fixed seats or 1 space for each 10 feet of benches, or 1 space for every 42 sq.ft. of gross assembly area, whichever is greater. | 10% of vehicle spaces for places of worship. |

Chico, CA Code of Ordinances

| Land Use Type: Recreation, Education, Public Assembly | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|--|---|---|
| Child day care centers | 1 space for each employee, and adequate drop-off area as approved by the Director. | 10% of vehicle spaces. |
| Driving ranges | 1 space per tee; plus clubhouse spaces as required for restaurants, bars, indoor recreation/fitness centers. | 10% of vehicle spaces. |
| Fitness gyms/studios with established maximum class size | 1 space for each 2 students of maximum class size. | 20% of vehicle spaces. |
| Health/fitness clubs | 1 space for each 125 sq.ft. of workout floor area. | 20% of vehicle spaces. |
| Indoor amusement/entertainment | 1 space for each 250 sq.ft. of customer floor area. | 20% of vehicle spaces. |
| Libraries, museums, art galleries, post office | 1 space for each 500 sq.ft. of gross floor area plus 1 space per official vehicle. | 10% of vehicle spaces. |
| Pool and billiard rooms | 2 spaces per game table, plus adequate space for ancillary uses. | 10% of vehicle spaces. |
| Outdoor commercial recreation | Determined by use permit. | |
| Schools (public and private) Elementary/Junior High | 1 space for each employee plus 1 space for each classroom, or 1 space for every 42 sq.ft. of gross auditorium assembly area, whichever is greater (1) | 1 space for every 4 students. |
| High School | 1 space for each employee plus 1 space for every 4 students. (1) | |
| Private College | 1 space for every 2 full-time students (part-time students included as equivalents). | |
| Commercial trade or business schools | 1 space for every 200 sq.ft. of gross classroom floor area. | 10% of vehicle spaces. |
| Specialized Education/Training | 1 space for each 2 students. | 10% of vehicle spaces. |

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| Land Use Type: Recreation, Education, Public Assembly | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|--|--|---|
| Tennis/racquetball/handball or other courts | 2 spaces per court, plus as required for ancillary uses. | 10% of vehicle spaces. |

Notes:

(1) Elementary and high schools must provide an adequate student drop-off area as approved by the Director.

| Land Use Type: Residential Uses | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|---|--|---|
| Dormitories, fraternities, sororities, and rooming/boarding houses | 1 space per 2 beds; minimum 4 spaces if located within a single-family residence. | 1 space per bedroom. |
| Dwelling units located on flag lots, streets, or alleys without on-street parking | 1 additional space per dwelling unit shall be provided. | 1 space per unit, except that none is required for single-family dwellings. |
| Dwelling units located on corner parcels with on-street parking on both frontages | Number of required spaces may be reduced by 1 space; no less than 1 space shall be provided. | 1 space per unit, except that none is required for single-family dwellings. |
| Large family day care homes | In addition to the required residential spaces, 1 space for each employee and one space for drop off and pickup. | None required. |
| Mobile homes (in mobile home parks) | 2 spaces per mobile home. | Determined by use permit. |
| Multi-family housing | Studio unit - 0.75 spaces per unit. | 1 space per unit. |
| | 1 bedroom units - 1.25 spaces per unit. | |
| | 2 bedroom units - 1.75 spaces per unit. | |
| | 3 bedrooms or more - 2 spaces per unit. | |
| | Guest parking - 1 space per each 5 units. | |
| Mixed-use developments | Determined by entitlement. | Determined by entitlement. |
| Multi-family housing in a Corridor Opportunity Site overlay zone | Studio unit - 0.75 space per unit. | 1 space per unit. |
| | 1 bedroom units - 1 space per unit. | |
| | 2 bedrooms or more - 1.5 spaces per unit. | |

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| Land Use Type: Residential Uses | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|--|---|---|
| Residential second unit on a single-family parcel | 1 additional space for each bedroom. The corner lot exception does not apply. | None required. |
| Senior housing projects | 1 space per 2 dwelling units; half the spaces shall be covered. | 5% of vehicle spaces. |
| Single-family housing | 2 spaces per unit, as adjusted up or down by this table. | None required. |
| Single-room occupancies and specific one-bedroom apartment units | 1 space per unit. | 20% of vehicle spaces. |
| Studio apartments or single-room occupancies, designated for low or very low income households, restricted to these households for at least 30 years and located within 500 feet of an existing public transit route and/or commercial facilities supporting residential use | 1 space per 2 dwelling units. | 20% of vehicle spaces. |
| Land Use Type: Retail Trade | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
| Auto, mobile home, vehicle machinery and parts sales | 1 space for each 625 sq.ft. of gross floor area, plus 1 space for each 2,500 sq.ft. of outdoor display, sales, service area, plus 1 space for each 375 sq.ft. of gross floor area for the parts department. | 5% of vehicle spaces. |
| Banks and financial services | 1 space for each 375 sq.ft. of gross floor area. | 10% of vehicle spaces. |
| Drug stores/pharmacies, 20,000 sq. ft. or less | 1 space for each 375 sq.ft. of gross floor area. | 10% of vehicle spaces. |
| Furniture, furnishings, appliances, and home equipment stores (with large showrooms) | 1 space for each 750 sq.ft. of gross floor area and 1 space for each company vehicle. | 5% of vehicle spaces. |
| Plant nurseries | 1 space for each 375 sq.ft. of indoor display area, plus 1 space for each 1,250 sq.ft. of outdoor display area. | 5% of vehicle spaces. |

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| Land Use Type: Residential Uses | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|---|---|---|
| Restaurants, cafés, bars, and other eating/drinking places | 1 space for each 5 seats or 1 space for each 94 sq.ft. of customer floor area, including outside dining, whichever is greater. | 10% of vehicle spaces. |
| Retail stores General merchandise | 1 space for each 250 sq.ft. of gross floor area and 1 space for each company vehicle. | 5% of vehicle spaces. |
| Warehouse retail | 1 space for each 250 sq.ft. of gross floor area and 1 space for each company vehicle. | |
| Shopping centers (shall use an unsegregated parking area) | 1 space for each 250 sq.ft. of gross floor area for centers up to 30,000 sq.ft. and 1 space for each additional 375 sq.ft. of gross floor area greater than 30,000 sq.ft. | 10% of vehicle spaces. |
| Land Use Type: Service Uses | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
| Bed and breakfast inns | 1 space for each guest room, in addition to the required parking for the residential use. | 1 space. |
| Depots; air, bus, freight, or rail | Determined by use permit. | Determined by use permit. |
| Gas stations | 1 space for each 250 sq.ft. of non- service floor area; plus 3 spaces for each service bay. | 5% of vehicle spaces. |
| Hotels and motels | 1 space for each guest room and required spaces to accommodate ancillary uses. | 5% of vehicle spaces. |
| Kennels and animal boarding | 1 space for each employee, plus 1 space for each 625 sq.ft. of gross floor area. | 5% of vehicle spaces. |
| Medical services Clinics, mMedical/dental offices | 1 space for each 250 sq.ft. of gross floor area. | 10% of vehicle spaces. |
| Extended care (elderly, skilled nursing facilities, and residential care homes) | 1 space for each 4 beds the facility is licensed to accommodate. | |

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| <u>Land Use Type:</u> Residential Uses | Vehicle Spaces Required | Bicycle Spaces Required (Minimum of 1 space) |
|---|---|---|
| Hospitals | 1 space for each patient bed the facility is licensed to accommodate, plus required spaces for ancillary uses as determined by the Commission. | |
| Medical/dental labs <u>and clinics</u> | 1 space for each 375 sq.ft. of gross floor area. | |
| Offices: administrative, corporate, industrial | 1 space for each 375 sq.ft. of gross floor area. | 10% of vehicle spaces. |
| Personal services Barber/beauty shops (and other personal services: tattoo studios, massage therapy, and body piercing) | 1 space for each employee and 1 space for each service chair. | 10% of vehicle spaces. |
| Laundromats | 1 space for every 4 washing machines. | 5% of vehicle spaces. |
| Repair and maintenance - vehicle Customer waiting service | 3 spaces per service bay plus adequate queuing lanes. | 1 space. |
| Repair garage | 1 space for each 625 sq.ft. of gross floor area, plus 1 space for each 2,500 sq.ft. of outdoor service area, plus 1 space for each 375 sq.ft. of gross floor area for the parts department plus adequate queuing lanes. | 1 space. |
| Self-service vehicle washing | 2 spaces per washing stall, for queuing and drying. | None required. |
| Full-service vehicle washing | 10 spaces, plus adequate queuing and drying area. | 1 space. |
| Laboratories and research/development facilities | 1 space for each 375 sq.ft. of gross floor area. | 10% of vehicle spaces. |
| Veterinary clinics and hospitals | 1 space per 250 sq.ft. of gross floor area. | 5% of vehicle spaces. |

19.70.050 Reduction of off-street parking.

A. ~~Parking Reduction by Entitlement.~~—The minimum number of off-street parking spaces may be reduced as part of an entitlement approval or through subsequent approval of a use permit. Applicants proposing a parking reduction shall provide documentation, including

quantitative analysis, that justifies the proposed number of parking spaces based on the site and proposed land use(s). A reduction of off-street parking pursuant to this section may allowed only if both of the following findings can be made:

1. The project site meets one of the following:
 - a. The site is zoned RMU or has a -COS overlay zone;
 - b. The site is located within an area of mixed-use development;
 - c. The project will implement sufficient vehicle trip reduction measures (such as vehicles loan programs and transit passes) to offset the reduction; or
 - d. The area is served by public transit, bicycle facilities, or has other features which encourage pedestrian access.
 2. The proposed parking reduction is not likely to overburden public parking supplies in the project vicinity.
- B. [NO CHANGES]

19.70.060 Design and development standards for off-street parking.

Off-street parking areas shall generally be provided outside of any public right-of-way in the following manner:

- A. - B. [NO CHANGES]
- C. Parking Lot and Space Dimensions:
 1. General Requirements. Minimum parking dimensions shall be as indicated in the following Table 5-5 and as illustrated by Figure 5-10.

**TABLE 5-5
MINIMUM PARKING STALL AND LOT DIMENSIONS**

| Minimum Parking Stall Dimensions | | | | | |
|----------------------------------|--------|-------------------------|--------|------------------|--------|
| Standard Stall | | Compact Stall | | Parallel Parking | |
| Length | Width | Length | Width | Length | Width |
| 20 feet, or 18 feet (1) | 9 feet | 16 feet, or 14 feet (1) | 8 feet | 22 feet | 9 feet |

Notes:

(1) A maximum of 2 feet of the parking stall depth may coincide with sidewalk that is a minimum of six feet wide or landscape planters with low-growth, hearty materials.

One-Way Traffic and Single-Loaded Aisles

| Parking angle (degrees) | Stall depth, with bumper overhang | Aisle width (travel lane) | Total bay depth |
|-------------------------|-----------------------------------|---------------------------|-----------------|
| 30 | 17 feet | 13 feet (1) | 30 feet |
| 45 | 19 feet | 13 feet (1) | 32 feet |
| 60 | 20 feet | 16 feet (1) | 36 feet |
| 75 | 20 feet | 20 feet (1) | 40 feet |

| | | | |
|----|---------|--------------------|---------|
| 90 | 20 feet | 24 feet <u>(1)</u> | 44 feet |
|----|---------|--------------------|---------|

Notes:

(1) Aisle width may be 12 feet, where no adjacent angled parking exists.

One-Way Traffic and Double-Loaded Aisles

| Parking angle (degrees) | Stall depth, with bumper overhang | Aisle width (travel lane) | Total bay depth |
|-------------------------|-----------------------------------|---------------------------|-----------------|
| 30 | 18 feet | 13 feet <u>(1)</u> | 49 feet |
| 45 | 19 feet | 13 feet <u>(1)</u> | 51 feet |
| 60 | 20 feet | 16 feet <u>(1)</u> | 56 feet |
| 75 | 20 feet | 20 feet <u>(1)</u> | 60 feet |
| 90 | 20 feet | 24 feet <u>(1)</u> | 64 feet |

Notes:

(1) Aisle width may be 12 feet, where no adjacent angled parking exists.

Two-Way Traffic and Double-Loaded Aisles

| Parking angle (degrees) | Stall depth, with bumper overhang | Aisle width (travel lane) | Total bay depth |
|-------------------------|-----------------------------------|---------------------------|-----------------|
| 30 | 18 feet | 24 feet <u>(1)</u> | 60 feet |
| 45 | 19 feet | 24 feet <u>(1)</u> | 62 feet |
| 60 | 20 feet | 24 feet <u>(1)</u> | 64 feet |
| 75 | 20 feet | 24 feet <u>(1)</u> | 64 feet |
| 90 | 20 feet | 24 feet <u>(1)</u> | 64 feet |

Notes:

(1) Aisle width may be 20 feet, where no adjacent angled parking exists.

2. Compact Parking Spaces. When two or more off-street parking spaces are required by this chapter, up to one-half of the parking spaces proposed for a residential project may be compact spaces. Up to one-third of the spaces proposed for a non-residential project may be compact spaces. Each compact space shall be clearly marked as “compact.”

3. Dimensions for Private Garages. A minimum unobstructed inside dimension of 10 feet by 20 feet shall be maintained for a private one-car garage. A minimum unobstructed inside dimension of 20 feet by 20 feet shall be maintained for a private two-car garage, except that when one of the two spaces may be a compact space, water heaters, laundry

facilities, shelves, and other fixtures commonly located in garages may project up to four feet into one of the two spaces so as to reduce its length to a minimum of 16 feet.

D. [NO CHANGES]

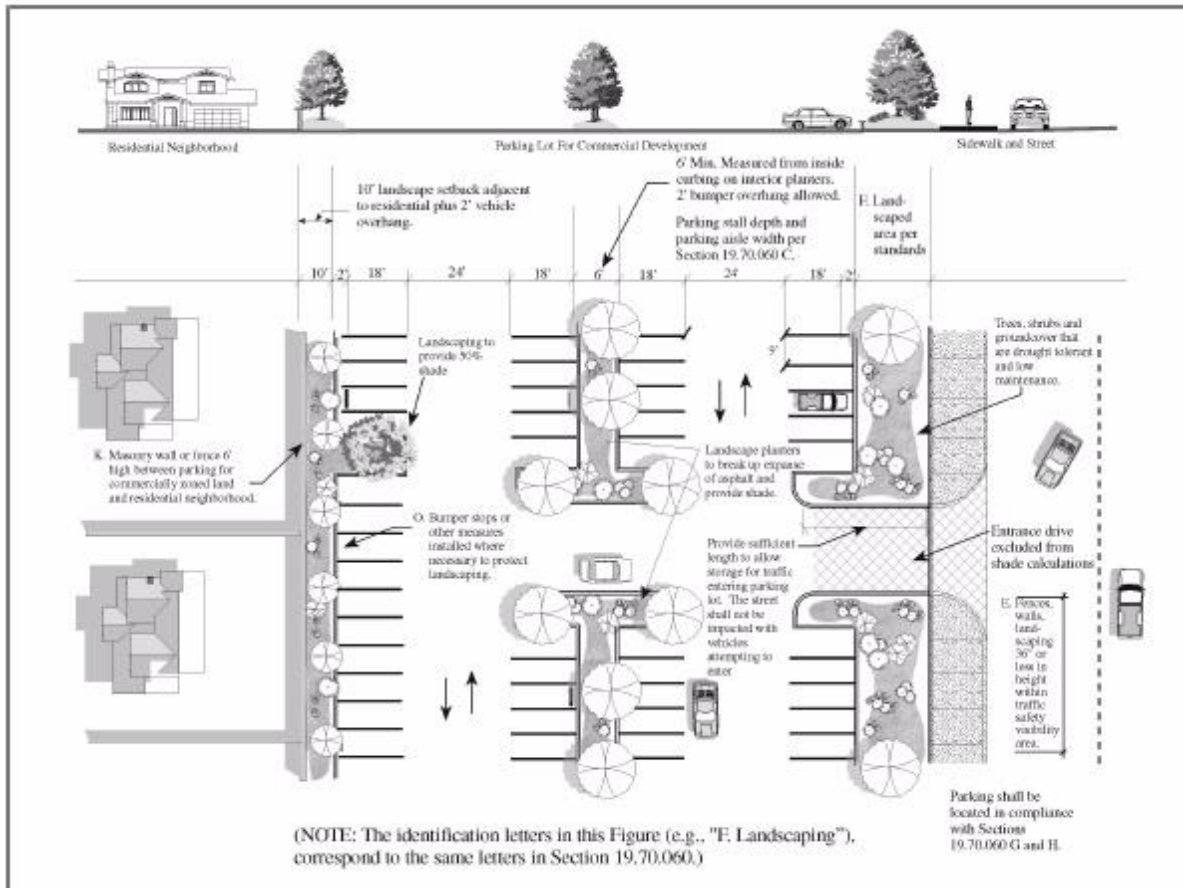


Figure 5-11
GENERAL PARKING SPACE DESIGN AND LAYOUT STANDARDS

E. Landscaping. Landscaping shall be provided for all parking areas, as follows and as shown on Figure 5-11, unless otherwise specified in this chapter:

1. [NO CHANGES]

2. Area of Shading Required. Trees shall be planted and maintained in planters or landscaped areas so that at tree maturity, 15 years, at least 50 percent of the total paving area, not including the entrance drives as depicted in Figure 5-11, parking areas under carports, or multi-story parking structures, shall be shaded at solar noon on June 21. This shading requirement shall not apply to the development of single family residences. On sites with compacted or poor soils and/or drainage, additional installation measures such as, but not limited to, soil amendments and over-excavation of planting holes, shall be required to ensure that the shading standard can be reached. Active solar arrays may be used in part to meet the shading requirement if approved in conformance with Chapter 19.18 (Site Design and Architectural Review).

a. Calculations. Shaded parking lot area is determined by using an appropriate percentage of crown square footages as indicated in the City of Chico Parking Lot Free list Sunset Western Garden Book. Overlapping canopies shall not count towards the

calculation number, ~~rather tree canopies shall be given full, three quarter, one half, or one quarter credit for shading of parking lot areas.~~

b. Calculation Table. Landscape shading plans shall include a table that includes the following information:

- (1) Botanical name and common names of trees;
- ~~(2) Canopy quantity at full shade, 3/4 shade, 1/2 shade and 1/4 shade per square foot;~~
- (32) Total square feet of shade ~~provided~~assumed for each tree;
- (43) Total parking lot area to be shaded; and
- (54) Total shade provided.

c. Shade Square Foot Bonuses: Trees planted on the western perimeter of parking lots and in linear planters with a minimum width of six feet and a minimum length of 36 feet shall receive a 10 percent square foot shade bonus for each tree canopy.

d. Exceptions. Exceptions from the fifty percent shading requirement may be made under extraordinary circumstances where project design or site conditions preclude attainment of the standard. Such a deviation from the standard shall be supported by a finding that the project has been demonstrated to be of greater quality or community benefit than might occur with a conventional development proposal.

3. Perimeter Landscaping:

a. Adjacent to Streets. Parking areas, for other than single family residential and residential duplex uses, adjoining a public right-of-way shall be designed to provide a landscaped planting strip between the right-of way and parking area a minimum of 5 feet in depth in the DN, DS, ~~DR~~MU and -COS zoning districts, and a minimum of 10 feet in all other zoning districts. Any planting, sign, or other structure within a sight distance area of a driveway shall not exceed 36 inches in height, with the exception of street trees.

b. Adjacent to Residential Use. When a parcel is developed with three or more dwelling units, parking located in a rear or interior side yard adjoining any parcel in the RS or R1 zoning district shall be set back at least 6 feet from the common property line, with a landscaped planter as a buffer. Parking areas for non-residential uses adjoining residential uses shall be designed to provide a landscaped planter with a minimum 10-foot width between the parking area and the common property line bordering the residential use. A fence or wall shall be constructed along the property line, in compliance with Subsection J (Screening), below. ~~This~~ These requirements shall not apply to a property line in common with an alley.

4. – 5. [NO CHANGES]

F. [NO CHANGES]

G. On-Site Location Required. All parking spaces shall be located on the same parcel as the main use or structure unless granted a use permit in compliance with Chapter 19.24 (Use Permits) ~~or and~~ Subsection H (Off-Site Location Requirements), below.

H. Off-Site Location Requirements. The following requirements shall apply to providing off-street parking at an off-site location:

1. A portion or all of the required off-street spaces, including required access, may be located on any parcel within 500 feet of the site;
2. The approval shall be based on accessibility to the main use or structure, and the use and development of the neighboring parcel(s);
3. The applicant shall provide evidence, as deemed satisfactory by the Zoning Administrator, that a suitable long-term lease or other binding agreement can be executed

and recorded which would guarantee that the parcel containing the main use or structure has an irrevocable right to utilize the identified parcel for parking; and

4. This provision shall not apply where joint use parking and/or access are included as part of a subdivision approval.

I. Residential Guest Parking. Guest parking in residential zoning districts shall be so designated and restricted, with appropriate signs/pavement markings, for the exclusive use of the guests.

J. Screening. Multi-family, commercial, manufacturing, and public parking areas abutting residentially zoned parcels shall have a wood fence or decorative masonry wall, not less than 6 feet high, to properly screen the parking areas, subject to approval by the Director. The Director may waive or modify this requirement to protect the views of adjacent residences. Wall treatments shall occur on both sides.

K. Striping and Marking. Parking stalls shall be identified by stripes of paint, or other durable striping material specified and approved by the Director, on the parking lot surface. Double stripes may be used. Parallel spaces shall be marked with single lines.

L. Surfacing. All off-street parking areas, including driveways and maneuvering areas, shall be paved with all-weather surfacing and provided with storm drainage facilities subject to the approval of the ~~building and development services~~public works director. All-weather surfacing shall be portland cement concrete, asphaltic concrete, or double chip seal. Porous surface materials which may reduce stormwater runoff may be used subject to review and approval of the building and development services director.

M. Tandem Parking. Tandem parking may be allowed to satisfy off-street parking requirements for single-family dwellings or duplexes located on local residential streets or private streets. Tandem parking may be allowed to satisfy off-street parking requirements for multi-family dwellings only when the required maneuvering area is entirely on-site and vehicles are able to exit the property in a forward direction, subject to review authority approval.

N. Wheel Stops/Curbing. Continuous concrete curbing at least 6 inches high and 6 inches wide shall be provided for all parking spaces located adjacent to fences, walls, property lines, and structures. All parking lots shall have curbing around all parking areas and aisle planters in compliance with Subsection E (Landscaping), above. Individual wheel stops may be used in lieu of continuous curbing when the parking stall is adjacent to a landscaped area and the drainage is directed to the landscaped area. Wheel stops shall be maintained to provide protection of landscaped areas and structures.

(Ord. 2442)

19.70.070 Driveways and site access.

Driveways providing access to off-street parking spaces shall be from an improved street, alley or other right-of-way, and shall be designed, constructed, and maintained as follows:

A. Number of Access Points. One driveway access for each ownership shall be allowed unless the ~~building and development services~~public works director determines that more than one access is required to handle traffic volumes or specific designs, including residential circular driveways. Additional access shall not be allowed if it is determined to be detrimental to traffic flow and the safety of adjacent public streets. Whenever a property has access to more than one road, access shall be generally limited to the lowest volume road where the impact of a

new access will be minimized. Construction of access from private property to a public street shall require an encroachment permit in compliance with Chapter 14.08 of the Municipal Code.

B. [NO CHANGES]

C. Location of Access.

1. Distance From Street Intersections. No portion of a driveway access shall be allowed within curb returns. The edge of the access shall be more than 10 feet from the end of curb return for single-family residential developments. For all other developments, this distance shall be more than 100 feet. Where the parcel size does not permit the access to be located 100 feet from the end of curb return, the access shall be located the maximum distance possible from the end of the curb return, subject to the approval of the building and development services director. This distance does not include the 3-foot transition or wing sections on each side of the driveway. Access in proximity to a controlled intersection shall be subject to the approval of the ~~building and development services~~public works director.

2. Driveway Spacing. Driveways shall be separated at the street frontage as follows:

a. Single-Family and Duplex Residential Development. Where two or more driveways serve adjacent single-family or duplex residential parcels, the nearest points of the two driveways shall be separated by at least 6 feet, unless a shared, single driveway is approved by the Director. The 6-foot separation does not include the 3-foot transition or wing sections on each side of the driveway.

b. Multi-Family and Non-Residential Development. Where two or more driveways serve the same or adjacent multi-family or non-residential development, the centerlines of accesses shall be separated by at least 200 feet on streets with design speeds at or below 30 mph and 300 feet on streets with design speeds above 30 mph. Any exception to these standards shall be subject to the approval of the ~~building and development services~~public works director.

c. Corner and Double Frontage Parcels. For corner and double frontage residential parcels, other than single-family and duplex residential, one access on each frontage may be allowed if it is determined by the ~~building and development services~~public works director that two driveways are needed to provide safe access for traffic entering and leaving the parcel because of sight distance and geometric design considerations.

3. Driveway Alignments - Commercial Development. Where commercial parcels are not large enough to allow accesses on opposite sides of the street to be aligned, the center of driveways not in alignment shall be offset a minimum of 150 feet on all collector roads, and 300 feet on all major and arterial roads. Greater distances may be required, if needed, for left-turn storage lanes. Exceptions to these standards shall be subject to the approval of the ~~building and development services~~public works director.

D. Driveway Width and Length.

1. Residential zoning districts. Driveway dimensions in the residential zoning districts shall be consistent with Title 18R (Design Criteria and Improvement Standards). The minimum length of a single-family driveway shall be 20 feet to permit a vehicle to park in the driveway without blocking the sidewalk. Where access to a garage, carport, or open parking space is perpendicular (90 degrees) to the driveway, a minimum 24-foot deep unobstructed back-out area shall be provided.

2. Commercial and Manufacturing Zoning Districts. Driveway dimensions shall be consistent with Title 18R (Design Criteria and Improvement Standards).

E. Clearance from Appurtenances. The nearest edge of any driveway curb cut shall be at least 3 feet from the nearest property line, except where the review authority has approved a shared driveway between two parcels, the centerline of a fire hydrant, utility pole, drop inlet, and/or appurtenances, traffic signal installations, light standards, or other facilities. The nearest edge of any driveway shall also be at least 5 feet from the nearest projection of this type of installation.

F. Sight Distance at Driveways. At least 150 feet of clear sight distance shall be provided for all access onto local streets, 250 feet for collector streets, and 450 feet for arterial streets, or as approved by the ~~building and development services~~public works director.

G. Fire Department Access. For multi-family residential and non-residential development, minimum clear turning radii shall be provided within parking lot and access aisles for Fire Department vehicles.

H. Signs. All exits from parking lots shall be provided with adequate traffic control as approved by the ~~building and development services~~public works director.
(Ord. 2442)

19.70.090 Off-street loading space requirements.

A. [NO CHANGES]

B. Development Standards for Off-Street Loading. All new ~~Off-street~~ loading areas shall be provided in the following manner:

1. Dimensions. Required freight and equipment loading spaces shall be not less than 15 feet in width for side loading and unloading applications, or 12 feet in width for rear-only loading and unloading applications.~~25 feet in length, with 14 feet of vertical clearance.~~

2. - 7. [NO CHANGES]

Chapter 19.74 SIGNS

Section:

| | |
|------------------|--|
| 19.74.010 | Purpose |
| 19.74.020 | Applicability |
| 19.74.030 | General Provisions |
| 19.74.040 | Definitions |
| 19.74.050 | Sign review |
| 19.74.060 | Exemptions from sign approval |
| 19.74.070 | Comprehensive sign program |
| 19.74.080 | Prohibited signs |
| 19.74.090 | Nonconforming signs |
| 19.74.100 | Abandoned signs |
| 19.74.110 | General provisions for all signs |
| 19.74.120 | Standards for specific types of signs |
| 19.74.130 | Portable signs |
| 19.74.140 | Sign standards by zoning district |

19.74.050 Sign review.

A. Review Required. To ensure compliance with the regulations of this chapter, sign review and approval by the Department shall be required to erect, move, alter, apply, paint, or reconstruct any sign except for signs that are exempt from permits in compliance with Section 19.74.060. Sign approvals are subject to the administrative review provisions of Chapter 19.18 (Site Design and Architectural Review). In most instances, a building permit will be required to erect a sign. In these instances, the permit will be issued by the ~~and Development Services~~Public Works Department after review and approval by the Director.

B. [NO CHANGES]

19.74.080 Prohibited signs.

The following signs are inconsistent with the purposes and standards of this chapter and are, therefore, prohibited in all zoning districts:

A. - O. [NO CHANGES]

P. Signs erected in a location or manner which obstructs a required sight distance area or otherwise creates a traffic hazard as determined by the ~~Building and Development Services~~Public Works Director; and

Q. [NO CHANGES]

Chapter 19.76 STANDARDS FOR SPECIFIC LAND USES

Section:

| | |
|------------------|---|
| 19.76.010 | Purpose |
| 19.76.020 | Accessory uses and structures |
| 19.76.030 | Adult entertainment businesses |
| 19.76.040 | Animal keeping |
| 19.76.050 | Bed and breakfast inns |
| 19.76.060 | Large family day care homes |
| 19.76.070 | Drive-in and drive-through facilities |
| 19.76.080 | Garage and yard sales <u>Reserved.</u> |
| 19.76.090 | Gas stations |
| 19.76.100 | Guest houses |
| 19.76.110 | Mobile homes/manufactured housing |
| 19.76.120 | Outdoor retail sales and activities |
| 19.76.130 | Second dwelling units |
| 19.76.140 | Single room occupancy (SRO) facilities |
| 19.76.150 | Small-lot subdivisions |
| 19.76.170 | Temporary dwellings |
| 19.76.180 | Infill Residential Flag Lots |
| 19.76.190 | Community gardens |
| 19.76.200 | Businesses which sell alcohol |

19.76.020 Accessory uses and structures.

A. - D. [NO CHANGES]

**TABLE 5-9
REQUIRED SETBACKS FOR DETACHED ACCESSORY USES AND STRUCTURES**

| Single-Family Detached Homes | | |
|--|--------------------------------------|---|
| Accessory Use/Structure | Type of Setback (1) | Required Setback (2) |
| Gazebo, <u>trellis</u> , greenhouse, patio cover, storage shed, workshop, recreation room | Side Street side Rear | 3 ft. 10 ft. or as required for main structure. 5 ft.; 0 ft. for structures adjacent to an alley. |
| Garage or carport (3) | Front Side Street side Rear | 20 ft. 4 ft. 10 ft. or as required for main structure. 5 ft.; garage may be located on rear property line abutting an alley where the Director determines that adequate turning radius and backup area will be provided. |
| Swimming pool, spa, pool and spa equipment, outdoor play equipment, stationary barbecue, fire pit, air conditioning equipment, ground-based antennas, <u>ground-mounted solar arrays</u> | Side Street side Rear | 3 ft. As required for main structure. 3 ft. (See also 19.60.090 F.4) |
| Multi-Family, Attached/Detached | | |
| Air conditioning equipment, pool and spa equipment, ground-based antennas | Side Street side Rear | 3 ft. As required for main structure. 3 ft. |
| Gazebo, <u>trellis</u> , greenhouse, patio cover, storage shed, workshop, recreation room | Side Street side Rear | 3 ft. 10 ft. or as required for main structure. 5 ft. |
| Garage or carport (3) | Front Side Street side Rear | 20 ft. 4 ft. 10 ft. or as required for main structure. 5 ft. |
| Swimming pool, spa, outdoor play equipment (See also 19.60.090 F.4) | Front Side Street side | 5 ft. 3 ft. As required for main structure. |

| Single-Family Detached Homes | | |
|-------------------------------|---------------------|----------------------|
| Accessory Use/Structure | Type of Setback (1) | Required Setback (2) |
| | Rear | 5 ft. |
| Stationary barbecue, fire pit | Front | 3 ft. |
| | Side | 3 ft. |
| | Street side | 3 ft. |
| | Rear | 3 ft. |

Notes:

- (1) Where a parcel is situated so that the front, side, or rear property lines are not readily determinable, required setbacks shall be established by the Director.
- (2) In no case shall a structure, projection, or equipment be placed or occur beyond the property lines of the subject parcel. No accessory structures shall be located in a front yard setback or closer than 10 feet from any property line adjoining a public street.
- (3) Garages and carport entrances must be setback 20 feet from property lines adjoining public streets.

19.76.040 Animal keeping.

A. - D. [NO CHANGES]

E. Site Requirements.

1. The number of animals which may be kept on a parcel is limited, as shown in Table 5-10, by the parcel's site area, exclusive of occupied structures and structures required by this section. Animals may be kept within an enclosure anywhere within the site area and are not required to have access to the entire site area.

2. Bulls, cows, goats, hogs, horses, pigs, and sheep shall not be kept within 25 feet of any side property line, nor within 50 feet of any adjacent street or occupied residences; and

3. Small animals shall not be kept within 20 feet of any occupied residences on adjacent parcels and may be kept within 10 feet of the owner's occupied residence. Roosters shall not be allowed in the RS, R1, and TND zoning districts.

4. Storage of food for animal keeping shall be kept in sealed containers located in a dry, secure environment that prevents disturbance or infestation from stray animals, vermin, insects or any other source of contamination.

(Ord. 2223, Ord. 2358 §16, Ord. 2440 §49)

**TABLE 5-10
MINIMUM SITE AREA REQUIRED FOR ANIMALS**

| Land Use | Type of Animal Allowed | Minimum Site Area Required |
|---------------|-------------------------|----------------------------|
| Large Animals | Horses, cattle, or hogs | 8,000 sq.ft. per animal |
| | Sheep or goats | 2,000 sq.ft. per animal |

| | | |
|---------------|---|---|
| | Other allowed large animals | 2,000 sq.ft. per animal |
| Small Animals | Poultry, rabbits, <u>miniature pot-bellied pigs</u> , and other similarly allowed small animals | 100 sq.ft. per animal not within 20 feet of occupied residences on adjacent parcels; 10 sq. ft. per animal within 10 feet of owner's residence. |

19.76.070 Drive-in and drive-through facilities.

Any retail trade or service use providing drive-in or drive-through facilities shall be designed and operated to effectively mitigate problems of air pollution, congestion, excessive pavement, litter, noise, and appearance in the following manner:

A. [NO CHANGES]

B. Drive-through aisles shall have a minimum 15-foot interior radius at curves and a minimum 12-foot width. Each drive-through entrance and exit shall be at least 100 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the curb cut on the adjacent property, unless otherwise approved by the Director. Also, each entrance to an aisle and the direction of flow shall be clearly designated by signs and/or pavement markings or raised curbs outside of the public right-of-way.

C. - H. [NO CHANGES]

19.76.080 Reserved. Garage and yard sales.

~~Garage and yard sales are an accessory use in all residential zoning districts and on properties with the TND designations NE and NG subject to the following operational standards:~~

~~A. No single garage or yard sales event shall last more than three consecutive days;~~

~~B. Garage and yard sales are limited to two events in any 12-month period for each property;~~

~~C. Items offered for sale shall be limited to personal property, not acquired for resale, owned by the residents of the dwelling where the sale is to be conducted; and~~

~~D. One on-site sign advertising the sale is allowed only during the sale, in compliance with Chapter 19.74 or Chapter 19.92, as applicable.~~

~~(Ord. 2185, Ord. 2358 §19)~~

19.76.100 Guest houses.

A guest house may have direct access to the main dwelling but shall not provide any required housing features of the main dwelling. A guest house is intended to provide temporary living (30 days or less) quarters within a detached residential accessory structure, located on the same premises with the main dwelling, for use by guests of the occupants of the premises, and shall not be rented or otherwise used as a separate dwelling.

A. Purpose. The purpose of this section is to regulate the placement, size, use, and allowance of guest houses within the City.

B. Development Standards. The location and construction of guest houses shall comply with the following standards:

1. Only one guest house shall be allowed on a single parcel of record;
2. The guest house shall:
 - a. Not be provided with separate metered utilities or a separate address;
 - b. Not contain more than one bathroom ~~facility~~;
 - c. Not contain a kitchen or other cooking facilities, including a microwave oven, hot plate, or toaster oven;
 - d. Not exceed 250 square feet of livable floor area;
 - e. Not exceed the allowable site coverage for the zoning district;
 - f. Not be separately rented or leased from the main dwelling, whether compensation is direct or indirect;
 - g. Be designed to ensure visual harmony, consistency, and compatibility with the main dwelling on the site and with other residential structures in the area; and
 - h. Not exceed 15 feet in height or be more than one story. A use permit approved in compliance with Chapter 19.24 may authorize a greater height when the guest house is proposed over a one-story structure, including a detached garage, and when the guest house will provide visual harmony, consistency, and compatibility with the main dwelling. (Ord. 2185, Ord. 2440 §53)

19.76.110 Mobile homes/manufactured housing.

Mobile homes and manufactured housing units may be located outside of mobile home parks only when installed on and secured to an approved permanent perimeter foundation~~permanent foundation system~~. (Ord. 2185)

19.76.120 Outdoor retail sales and activities.

Outdoor sales and equipment rental establishments, where the business is not conducted entirely within a structure or enclosed area, shall comply with the following standards:

A. Temporary Outdoor Retail Sales and Activities. The temporary outdoor display of merchandise shall comply with the following standards:

1. Temporary Uses. Temporary outdoor sales are subject to Chapter 19.22 (Temporary Uses).
2. Duration of Sales. The sales shall be of a temporary nature, lasting not longer than a total of six months.
3. Maximum Sales Area. The area devoted to temporary outdoor sales shall not exceed the following:
 - a. CC and CN and ML districts: 2 1/2 percent of the gross floor area of the structure occupied by the business; and
 - b. CS and CR ~~distreits~~districts: 5 percent of the gross floor area of the structure ~~occipied~~occupied by the business.

B. [NO CHANGES]

C. General Requirements. The following requirements shall apply to all (temporary and permanent) outdoor retail sales and activities:

1. Signs. There shall be no signs visible from the public street in addition to those allowed by Chapter 19.74 (Signs).

2. Height of Displayed Materials. The outdoor display of merchandise shall not exceed a height of 7 feet above finished grade for a single display item. Stacked displays may not exceed a height of 6 feet above finished grade.

3. Relationship to Main Use. Outdoor sales shall be directly related to a business establishment on the parcel. The use of the property shall comply with the standards for the zoning district.

4. Review and Approval Required. Any use proposing permanent outdoor merchandise display or other outdoor business activities shall be subject to review and approval ~~by the Zoning Administrator~~, in compliance with Chapter 19.18 (Architectural Review) ~~24 (Use Permits)~~.

5. Outdoor Storage Areas. Outdoor storage areas are subject to the regulations of Section 19.60.060(H)(3) (Outdoor Storage and Work Yards). Temporary outdoor storage areas are not subject to screening requirements.

D. [NO CHANGES]

19.76.130 Second dwelling units.

The following permit requirements and development standards shall apply to second dwelling units.

A. [NO CHANGES]

B. [NO CHANGES]

C. Development Standards.

1. - 8.

9. Vehicle access. Vehicle access to a second unit may be from a street or an alley.

a. Alley access. When a second dwelling unit will be located on a site served by an alley, the second dwelling unit shall maintain its primary vehicular access from the alley. ~~Such alley access shall be improved per city standards or alternatively, an in lieu fee paid. Such alley access shall be from an alley which is a minimum of 15 feet wide and is paved and improved with storm drainage facilities in a manner consistent with standards adopted by the public works department. For parcels located on the street access terminus of an alley, paving shall be provided along the alley frontage and street approach. An alley improvement fee may be paid in lieu of installing any of the improvements described above.~~ Second dwelling units located on the street-access terminus of alleys shall be sited to ensure adequate site distance clearance.

b. Vehicle access from street frontage. Driveway surfaces installed to provide vehicle access from a street to a second dwelling unit located on the rear of a parcel shall be constructed with permeable-surface, all-weather materials or shall otherwise be constructed to retain runoff on site. New driveways that extend beyond the rear of the primary dwelling unit shall consist of two tire strips or be otherwise designed to be of permeable-surface, all-weather material.

10. - 13. [NO CHANGES]

19.76.170 Temporary dwellings.

A ~~use temporary dwelling unit~~ permit may be issued by the Director pursuant to Chapter 19.22.040 Zoning Administrator to allow a temporary dwelling facility, including a detached mobile or manufactured home which is nonmotorized and not permanently attached to a foundation, to be placed on a legal parcel in all residential zoning districts for the purpose of caring for an ill, convalescent, or otherwise disabled relative or friend, subject to the following:

A. - D. [NO CHANGES]

E. The temporary unit shall provide complete independent living facilities, including provisions for cooking, eating, living, sleeping, and sanitation, unless otherwise approved by the ~~Zoning Administrator~~ Director.

F. The initial term of the ~~use~~ permit shall be for one year. After the first year, the Director may authorize one year extensions upon verification that the approved occupants continue to reside on the premises in a manner which necessitates extended use of the temporary unit, and upon determining that use of the temporary unit continues to meet the purpose and criteria of this section.

G. - H. [NO CHANGES]

I. The temporary unit shall be subject to setback requirements for an accessory structure, except that the ~~Director Zoning Administrator~~ may require additional site requirements when necessary to mitigate any identified adverse impacts upon neighboring residents.

J. The ~~temporary dwelling unit use~~ permit shall expire immediately if the persons requiring care for any reason cease to reside in the temporary dwelling. Following expiration, the temporary dwelling facility shall be removed within 120 days.

19.76.180 Infill Residential Flag Lots

A. [NO CHANGES]

B. [NO CHANGES]

~~C. Pre-application Meeting Required. Prior to submitting an application which would create an infill residential flag lot, the applicant shall conduct a neighborhood meeting to review the project design. The applicant shall mail a written notice of that meeting, in a form acceptable to the director, to all residents and property owners within 300 feet of the property proposed to be subdivided at least 10 days prior to the neighborhood meeting.~~

~~DC.~~ Standards. Infill residential flag lots may be approved in the RS, R1 and R2 zoning districts through a parcel map or tentative subdivision map by the Planning Commission ~~are allowed in the RS, R1 and R2 zoning districts~~ when they comply with the standards in this section, in addition to any other applicable City standards:

1. - 8. [NO CHANGES]

~~DE.~~ Planned Development Permit Required if Standards Not Met. The creation and development of infill residential flag lots which do not meet all standards listed above may be allowed with approval of a planned development permit (Chapter 19.28).



Memo to Planning Commission - Updated

January 24, 2017

Recommendations:

General Plan Review | Title 19 – Land Use Regulations | Development Process & Streamlining

Prepared by a Subcommittee of the Chamber's Legislative Action Committee

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Original Memo Comments (December 15, 2016):

Thank you for the opportunity to comment on the proposed updates to the general plan and land use regulations. The Commission has been presented with a large volume of material and we hope you will take your time and review the recommendations through a series of workshops. We have provided some suggestions below which we hope help with the process.

Updated Memo & Acknowledgements (January 24, 2017):

We wish to thank the staff for hosting numerous meetings during which many of our original issues/concerns were resolved. We truly appreciate their cooperative attitude. This updated document represents the outcomes of these meetings: our original comments are listed in **black text**, and in some cases have been slightly modified to reflect new understandings from our meetings; staff's responses to our memo and meetings are listed in **green text**; our responses to the dialogue are listed in **blue text**.

In addition to the code changes noted by staff for further discussion, we have narrowed our concerns to the following and hope to have additional meetings on these topics:

- Planning Director discretion
- Revisions to the Design Review Process
- Commercial/industrial/residential land availability

Revised Recommendations with Staff & Subcommittee notes:

1. Planning Director Discretion

The planning environment is constantly changing with new, previously unknown, technologies leading to new, previously unknown, land uses and conditions. We would strongly encourage adding clarifying language that allows the Planning Director the discretion to interpret the General Plan and Land Use Regulations to allow conditions/uses which meet the intent of the law but may not be specifically described.

In addition, the Director is in the best position to interpret the Code and guidelines adopted by the Planning Commission and City Council. The Director is in a position to determine if a solution advances the goals of the General Plan and Title 19.

Staff: After discussing this issue, and citing references throughout Title 19, staff felt that the Code provides adequate discretion for the Director (Official Planning Director Interpretations, etc.).

Response: We suggest a preamble to both the General Plan and Title 19 which acknowledges this fact so that it is clearly and unambiguously stated.

2. Special Planning Areas

We appreciate staff's intent to make the process of developing these areas less complex. We would then also suggest that requiring the provision of very low income housing counters that intent and makes these areas simply dormant parts of the plan. The provision of very low income housing is beyond the scope of the SPA's and needs both special study and funding for a citywide effort. The inclusion of affordable housing has been debated on several occasions at the staff, Commission and Council levels, without concurrence. Considering it is the City's responsibility to provide a range of housing types, and that affordable housing almost necessarily involves subsidy of some nature, the burden should not fall on the development community alone.

Staff: This was addressed at 12/15/16 PC meeting, and language in the Land Use Element was amended to "consider" opportunities for inclusion of affordable housing.

Response: Note: We appreciate the revision. Clearly the Chamber supports the provision of housing for all income groups, however it should be recognized that there is a cost to doing this which simply cannot be shifted to a project without assistance to allow project viability.

3. Split General Plan/Zoned Parcels

Reinstate the provisions that allow parcels that through mapping issues or otherwise are split by general plan and/or zoning designations to be developed under either GP category with a use permit. This process would eliminate requiring a general plan amendment with its attendant time and cost and which does not achieve any overarching goal.

There are several examples of split zoned property in Chico. These are properties which have more than one zoning designation on a single parcel. There have been several examples where a proposed project is deemed unacceptable due to the presence of an additional zoning designation on a portion of the site. The current solution is an application for Rezone (and often a General Plan Amendment). This process is more expensive than the ARHPB (upwards of \$20,000) consumes significant staff time and resources, can take up to a year to accomplish, and often to simply correct an oversight or mistake, or allow for a logical use on a parcel. In addition, we would like to see the ability to “slide” zoning designations along with Boundary Line Modifications. This process would extend or reduce the zoning boundaries along with modification to parcel lines. Again this would have to be done under the Planning Director’s concurrence to avoid potential abuse, but for minor property modifications that do not alter existing use or occupation, there should be a path to avoid the significant time and expense burden of GPA and Rezone applications. Two current examples come to mind: The modification to allow additional parking on the United Health Care parcel from the adjacent parcel which had a different zone. The parking lot existed and a GPA was required to move the property line; Second is the request to transfer property zoned industrial and outside of the existing 10 masonry fence surrounding the industrial use. This is adjacent to a residential use that wants to acquire use of an abandoned bike path. I am sure these are not the only similar situations.

Staff: Staff shared that there is often a specific “policy” intention established by split zoning on large parcels (e.g., Neighborhood Commercial on the front portion of a parcel fronting on a main corridor and R3 on the back portion), and a Use Permit at the ZA or PC level is not the appropriate mechanism for overriding that higher level policy.

Staff agrees, and has drafted Code language that allows the zoning to “slide” with lot line adjustments with certain limitations. **Let’s review and discuss proposed amended Code language.**

Response/Agreement: This provision could be narrowed by allowing only a maximum size and percentage of the lot to shift zoning classification. This change would eliminate the concerns regarding policy issues.

4. Revise Design Review Process

The Architectural Review and Historic Preservation Board should be used as an appeals process. With the extensive design manual, staff should have the authority to approve design submissions with the right of the public or designer to appeal to the board. There is a detailed set of design standards within the City Code providing detailed appearances, configurations, massing, and height characteristics allowed and prohibited. Approval is typically required for commercial buildings, and multi-family housing, all the way down to outdoor seating, public sculpture, and mini-storage buildings. It would seem that staff should be able to apply their knowledge of the design standards to make recommendations or findings of consistency. It is our recommendation that the code be modified to allow the staff to make the consistency findings, but the ARB could be the appellant body to hear and decide approval required from an appeal to the staff decision. Notice requirements could be increased if desired to insure any project needing further review receives it. From our perspective, we simply do not see the value, to

either the project or to the community, being anywhere equal to the cost of this design review process. The fees for such services include \$4,469 for the ARHPB plus \$5,053 for the associated environmental review. In addition to that, the requirements include full site and landscape plans to be prepared by the developer's consultant along with full architectural renderings for any structure being proposed. This will typically cost another \$5,000 or so. While we understand the idea behind this ordinance, its implementation has been in our experience, executed poorly. Board members quite often comment on color, and building style, pursuant to their own individual tastes. This puts the applicant in the difficult situation of being forced to modify his or her vision for the project in order to receive approval of an outside parties' vision or taste.

This modification will certainly speed the building permit process, save the project proponent significant costs, save the City staff time, and allow for some diversity of buildings being constructed. Workflow on this topic could be as follows: The City of Chico Design Guidelines make suggestions and identifies areas where specific architectural items need to be addressed. City Staff has to review the proposed designs regardless of ARHPB. If the applicant disagrees with the decision of staff, he/she appeals to ARHPB. This would allow for the removal of Administrative vs. Full Review. City staff should not be making "recommendations". With this approach, the planning Staff, is performing a simple review for 'compliance/consistency' with the design guidelines. Thumbs up or down. If the planner determines, "I do not find this color to be consistent with the guidelines in terms it does not comply with finding xyz". The applicant can change it or appeal to the ARHPB.

Staff: This was concept was discussed in great detail, which brought greater understanding from both sides. The ARHPB process provides an important venue for public involvement and ensuring new projects are built consistent with the City development standards and Design Guidelines Manual. There has recently been an expansion of staff-level architectural review, including the creation of new permit categories for staff-level "minor" and "major" architectural review. The ARHPB is used primarily for new buildings on vacant parcels.

Staff feels that the ARHPB process regularly results in improved project design. There was also acknowledgment that there has been instances of the Board over-stepping its bounds, or requesting project changes based on personal preferences, which is not its intended purpose.

Staff acknowledged that the ARHPB process can be improved through enhanced training and dedicated staff oversight and guidance, and expressed plans to do so.

Response: It is still our belief that staff has an adopted design manual and design review should be limited to an appeals process.

5. Planned Development

Staff's revision to the planned development approval is excellent. We would like to suggest that also follow the suggestion above and not be referred to the Board except under conditions of an appeal.

6. Minor Use Permit

Several land use entitlements are typically routine, or are in areas that are populated by similar uses. For an example, a new drive-through restaurant in a commercial corridor which contains existing drive-through restaurants. To continue with the drive-through theme, the Chico Municipal Code governs their design with a list of minimal development standards that are to be met to maximize public benefit and minimize associated impacts.

Yet, for staff to process such an entitlement it can take several weeks, writing a complex staff report, conditions of approval (which typically involve ensuring the project meets the already existing standards) and making the required findings in code. A mailed notice is sent out, publication in the paper, and a hearing is held. Often times, no one from the public attends the meeting, only staff and the applicant.

Proposal: Modify the Title 19 land use matrix, identify land uses that are routine, or typically not controversial and develop a new entitlement category called: “Minor Use Permit”

Concurrently change the noticing requirements found in Title 19 so that Minor Use Permits are deemed approved by a specific date in time (typically 10 days after a notice is received), unless appealed by someone who receives a notice. An appealed notice can then be scheduled for a future public hearing by the Zoning Administrator or Planning Commission.

For the sake of documentation, and administrative requirements and the record, staff would only have to make the required findings for the file and apply applicable conditions of approval (1 to 2 pages). This would also minimize the time taken by staff to work with the applicant to get a project designed to standards, draft staff reports, make copies available, mail etc. Because the proposal then saves time, a new Minor Use Permit fee should then be developed, which would also reduce entitlement and capital expense to the applicant.

Staff: After a good discussion, there seemed to be agreement among the group that significant effort has gone into streamlining the types of uses allowed by the Code, including allowing more uses outright and providing more opportunities for uses via a use permit. Also, all use permits are now considered at the Zoning Administrator level (the lowest level of review). New development standards have also resulted in uses being allowed without a use permit as long as certain standards are met. Given this discussion, there was general agreement that a new “minor” use permit category is not necessary.

7. Bundling

Often times projects need several entitlements. As an example, a new drive-through restaurant, in a parking lot of a commercial center. This example would mean that the applicant would need to apply for such as a Use Permit (drive-through), Minor Land Division (create a stand along parcel) and Architectural Review (design and review of the structure/site). In this example, the process would require 3 separate staff reports, going to 3 separate reviewing bodies (zoning administrator, map advisory committee and the architectural review board) and 3 separate noticing requirements. Staff is

discussing and analysis the project on 3 separate occasions, when only one report, one hearing and one notice is sufficient.

Proposal: Bundle projects that needed several entitlements and have one Planning Commission hearing acting upon all entitlements.

Staff: After a good discussion, there seemed to be agreement that project entitlement bundling is not only allowed, but is in fact required, under the Code (as well as required by CEQA). Regardless, there are instances when project processing is separated, but those are usually based on temporal considerations (e.g., annexation must proceed before design review), or the segregation of the project entitlements benefits the applicant's development plans.

8. Height Limits

The 2030 General Plan limited the available growth areas with the clear intent of reducing sprawl. The natural complementing design agent to this is to provide a mechanism for development to go upward. With the desire to increase density and intensity of use, we would request that the height limit in every zone, except single family zones, be increased by 12 feet. An exception could be made where these zones abut a single family zone.

Staff: Height increases were included as part of previous Title 19 updates. As part of the proposed Title 19 revisions considered by the PC at its 12/15/16 meeting, staff recommended adding 12 feet (1-story) to the allowed height maximum in the CR and CS zoning districts. These zoning districts are generally not adjacent to single-family residential areas. An increase in the CC zoning district was not recommended because these areas are generally adjacent to single-family residential areas (e.g., Esplanade, Mangrove, Park Avenue). However, as part of a previous Title 19 update, the City strategically applied the –COS Overlay to a number of “key” corridors (including those with significant CC zoning), which allows an increase in height limits. The –COS Overlay can be applied to other areas in the future, as appropriate.

Staff agreed to investigate additional options for increasing height limits in certain zoning districts if certain other conditions can be met. **Let's review and discuss proposed amended Code language.**

9. Site Lighting

In Title 19, we find section 19.60.050 Exterior Lighting. This section dictates that *“fixtures shall be efficient, shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site. Exterior lighting shall be directed downward and away from adjacent properties and public rights-of-way. ...All parking and security lighting shall consist of full cutoff fixtures, unless a different cutoff classification is specifically authorized through the architectural review process. No permanently installed lighting shall blink, flash or be unusually high intensity or brightness. All lighting fixtures shall be appropriate in scale, intensity, and height to the use they are serving. No mention of a maximum or minimum height for light fixtures.”* Yet in the Design Guidelines DG 1.5.13, a statement is made that pole-mounted lights in excess of eighteen feet is discouraged for parking lot light

fixtures. This should keep the light below the expected tree canopy. This office has received comments from City staff that parking lot pole-mounted light fixtures must be at fifteen feet and another time at twelve feet. We respectfully must state that twelve feet is much too low for the surrounding architecture or to provide minimum safe lighting levels without adding several additional fixtures. The prescriptive requirement of no light bleed to surrounding properties should take care of itself regardless of height. We suggest a minimum height of fifteen feet as well as a maximum height be added to 19.60.050 CMC code.

Staff: After a discussion of the Title 19 standards and direction provided in the City's Design Guidelines Manual, staff agreed with the Chamber that application of the standards from project to project should be flexible and based on the proposed use and adjacent uses. Staff agreed that all projects should not be required to provide light fixtures lower than the City's standards based on precedent set by previous projects. Implementation of the light height standards must be flexible and education of the City's boards and commissions is critical.

10. Setbacks in Residential Zones

With the new and changing Residential Building Code requirements, some of the residential setback requirements need to be addressed. Homes and lots are literally being designed down to the inch. On the positive side, homes are now required to be sprinkled. This added level of protection should allow the fire marshal and planning to feel comfortable slightly reducing the setback. Need suggested new setback limits (eg. XX foot front setback, X foot sideyard setback in Zone XX, etc)

Staff: A number of residential setback requirements were reduced as part of previous Title 19 updates. After discussing the issue of setbacks, there still remains some disagreement regarding the purpose of the setbacks. They are not simply driven by fire safety. There are light and air, as well as aesthetic and quality of life issues, at play.

Staff suggested that the Chamber bring back specific recommendations for consideration by staff and the Commission.

11. Parking Lot Shading and Screening

Municipal Code 19.70.060 Design and Development Standards for off-street parking.

Sub-section E. 2. Area of shading Required: Trees shall be planted and maintained in planters or landscaped areas so that at tree maturity, 15 years, it will have 50 percent of the total paving area, excluding the entrance drives, under shading at solar noon on June 21st. Calculations shall be determined by using the percentage of square footages from the City of Chico Parking Lot Tree List. Referring to this list there are some inconsistencies. There are discrepancies in the tree canopy and the allotted square footage of shading allowed to claim. For instance, an October Glory maple, has a spread of 35 to 45 feet. Yet the allowed shading per the approved street tree list is 707 square feet. The actual square footage of a 40 foot diameter is 1256 sq. feet. The same can be said for the European Hornbeam, Chinese Pistache, and Scarlet Oak.

Staff: Staff agreed to make changes to references and use an industry standard reference to the *Sunset Western Garden Book*. The reference change will also be accompanied by enhanced “conditions of approval” directing proper tree planting BMPs. If trees are properly planted and cared for, then they should grow canopies consistent with industry standard tree manuals. **Let’s review and discuss proposed amended Code language.**

When attempting to provide shade calculations, the allotted increments are full shade, $\frac{3}{4}$ shade, $\frac{1}{2}$ shade and $\frac{1}{4}$. In the thirty years that I have been in this business there has never been an instance where I can claim full shade per Title 19 yet other jurisdictions allow a full tree canopy to be used when the tree is at the end of a standard finger planter. Trees are always planted in a landscape planter.

Staff: Staff shared that “full shade” is regularly allowed. The Chamber stated they would re-check past submittals and share specific concerns with staff. This may be a moot point as changes are being made to the shade calculation requirements, and computer-generated shade percentages will be allowed.

As an alternative option, these calculations can be performed as many have done for decades. Actual square footages can be provided. CAD based evaluation of the area of parking shade, no planters, should be cited in Title 19 as an allowed method to provide shading calculations. Additionally, is it not the basic desire to reduce the heat island effect? If this is the intent, the drive aisles and entrances should be specifically addressed and included in the coverage.

Staff: Staff agreed to draft new Code language that, in addition to using the existing methodology, would allow for better or more accurate methodologies. **Let’s review and discuss proposed amended Code language.**

In addition to the shade cast by planted trees, CMC 19.70.060 should be modified to recognize alternate methods of shading parking areas. Currently, covered parking (except where solar panels exist) are excluded from the shade calculations. This reduces the amount of shade to be provided, yet also reduces the area in which trees can be planted. If all parking spaces are provided shade structures to eliminate direct June 21st sunlight are excluded from the calculation, then the 50% shading requirement for the parking lot is limited to shading the drive isles. Obviously, we cannot plant trees in the drive isles. We believe that the overall parking lot should be considered, and that 50% of the parking and drive isle areas should be shaded. If parking covers are installed that should be taken into consideration for the overall calculation.

Secondly, with the above mentioned trend to build up rather than out, we will necessarily develop taller buildings, which provide the ability to shade adjacent parking areas. With current technology, it is fairly simple to demonstrate a model of the sun’s path of travel over a project. This model can easily show the shade cast by the building along with areas exposed to direct sunlight over a typical day. We should not be forced to ignore actual shade being provided and be forced to plant trees in driveways. The alternative is a separate PD application to justify a modification. Again the common sense approach (saving capital costs and staff time) is to modify the code to recognize all shade sources and calculation methodologies.

Staff: This topic generated significant discussion. Staff shared that the provision of trees in parking areas has other benefits beyond simply shading. The Chamber believes those benefits can be realized through other landscaping requirements. Ultimately, the group agreed that staff would draft language that would allow deviations from parking lot shading requirements where a better design or improved solution is provided as long as certain findings can be made (findings similar to those used for Code deviations under a –PD permit). **Let’s review and discuss proposed amended Code language.**

As our experience has shown CMC 19.70.060 Design and development standards for off-street parking and landscaping could use additional tables indicating the setbacks behind each property line, front or street, side, and back for each zoning district requiring landscaping. The table could also show the height limitations of the screening or fencing for each property line as is indicated in CMC 19.60.060 and where a use permit is required.

Staff: Staff shared that they reviewed the existing tables and could not find the need for additional guidance. The Chamber stated they would re-check past submittals and share specific concerns with staff.

12. Truck Parking

City of Chico Title 19 Section 19.70-22 (B.2) requires 15’ unloading width for trucks. This is only applicable to side unloading. Standard rear unloading of large truck occurs in 12’-0” bays as practiced throughout the industry.

Staff: Title 19 amendments consistent with this request are included in the proposed Title 19 amendments already considered by the Planning Commission.

13. Foothill Development Standards

9.66.040 Development standards for foothill projects

- A. Minimum Lot Area.** The minimum lot area for the new residential subdivisions shall be 6,000 square feet, except where housing unit are clustered and the project is approved through a planned development permit in compliance with Chapter 19.28 (Planned Development).
- Consumer preference and market trends toward smaller lots along with costs of developing in hard rock conditions (as relates to affordability) both support reducing minimum lot from 6,000 SF.
 - SPA’s don’t require either a Specific Plan or PUD. If for example application included a Neighborhood Plan, that instrument would neither override Title 19 or be at the level of specificity required for a lot by lot analysis.
 - **Requesting:** The minimum lot area for the new residential subdivisions shall be 6,000 square feet, except where (a) housing units are clustered and the project is approved through a planned development permit in compliance with Chapter 19.28 (Planned Development), or (b) when the project is approved pursuant to a Specific Plan, Neighborhood Plan, or other instrument describing conditions under which reduced minimum lot sizes can be developed in accordance with the general purpose of these Foothill Development Standards.

Staff: Staff agreed to draft Title 19 revisions that would remove the minimum lot area requirement of 6,000 sf in the foothills. There are minimum lot area requirements established for all residential zoning districts found in other parts of Title 19 that are appropriate. **Let's review and discuss proposed amended Code language.**

14. Tree Preservation Regulations

16.66.050 Definitions.

For the purpose of this chapter:

- A. "Arborist" means** a certified arborist who is registered with the International Society of Arboriculture, or a member in good standing with the American Society of Consulting Arborists.
- An Arborist cares for individual trees and a Forester cares for groups, or stands of trees. Arborists earn certification through the International Society of Arboriculture (ISA). Foresters earn a Bachelor's of Science Degree in Forestry or Urban Forestry from an accredited College or University.
 - Consultation in projects where large groups of trees and forested areas is more appropriately done by an accredited Forester.
 - **Requesting:** Add "Accredited Forester" in both definitions and text.

Staff: While staff agrees, the Five-Year Review process doesn't include proposed amendments to Title 16. Refinements to Title 16 are being contemplated, and staff requests that the Chamber provide an appropriate definition for "accredited forester" and identify where specific Code changes are appropriate.

16.66.070 Tree removal permit application.

- B.** Any person submitting a tree removal application in conjunction with an application for any development shall provide to the director the plan specifying the precise location, size, species, and drip-line of all existing trees on or adjacent to the property. The plan shall also show existing and proposed grades and the location of the proposed and existing structures. The plan submitted shall be the same plan approved by the body having final authority over the development application.
- Code specifically requires applicants specify the precise location, size, species, and drip-line of all existing trees on or adjacent to the property.
 - Such a requirement is too restrictive, not at all suited for projects containing significant woodlands, heavily forested areas, preservations areas. Whether or not exceptions have been made in the past, no codified latitude is given to the Director to alter the requirement(s).
 - **Requesting:** Add language to allow generally accepted industry practice (i.e. tree stand delineation) for projects containing significant woodlands, heavily forested areas, preservations areas etc.

Staff: After a group discussion and thorough review of Section 16.66.070, the group agreed that the requirement for individual tree identification is only necessary for areas "that may be affected by tree removal", and does not apply to all trees on a project site.

15. Land Availability Assumptions

There is strong disagreement with the analysis and statements. Much of the “available” property is either heavily constrained or faces a process or ownership constraints which make development highly unlikely. As discussed previously we believe a 50% excess factor is necessary in order not to impact the market and land costs.

Staff: The group discussed this topic in detail, and staff felt the Chamber should raise its concerns regarding land availability and the readiness of vacant parcels at appropriate times during the Five-year Review with both the Planning Commission and City Council.

Response: We believe this issue at least should be discussed during this process recognizing that Commission adopted the five-year general plan review on 12/15/16. It is still an area of critical concern.

16. Development Impact Fees

While only indirectly related to the General Plan and Land Use Discussion. The whole issue of impact fees needs to be revisited. With new real estate economics since the housing collapse the current and proposed fees structures need to be rethought.

Staff: The Public Works Department is developing a Nexus Study that will be considered by Council in 2017, and will be used to set Development Impact Fees.

17. Commercial/Industrial Land

As is discussed a partnership is needed to identify land availability and make it truly market ready. Few businesses will be willing to invest the time and energy to move from raw land through the entitlement process and costs to extend utilities but rather will look to other communities.

Staff: The group discussed this topic in detail, and the staff felt that the Chamber should raise its concerns regarding the market “readiness” of commercial/industrial land at appropriate times during the Five-year Review with both the Planning Commission and City Council.

See comment above regarding land availability.

Response: We believe land availability, particularly commercial and industrial are vital to Chico’s economy and must be addressed.

18. Infill

A very complex discussion, but if we are to intensify use and density, then there must be a willingness to streamline review. When proposals are made there needs to be clear direction to staff and the developer which will allow projects to proceed without further review. There also needs to consideration and/or further definition of the term “compatible”. So often in the past opponents of infill proposals insist that “compatible” be seen as “identical” in terms of density and configuration. This

despite the broad allowances provided within the individual zones. If we are truly pursuing a compact urban form, then the Commission must be inspired to support similar, yet not identical proposals.

Staff: The group discussed this topic in detail, and agreed that staff does a good job of highlighting the nuances between “compatible” and “identical” as it relates to infill projects.

19. Pomona Avenue

We believe the current GP and Zoning are appropriate and should be maintained. It is ironic that the adjoining ag business has investigated how they could be included on the urban side of the greenline. In the 2012 General Plan, Pomona was identified as an Opportunity Site, due to the prevalence of Multi-Family and other student housing in the immediate area. It was recommending as an opportunity to “increase density and intensity of development and revitalization. A political decision was rendered on the first application to develop and revitalize. This individual event should not overturn the decision to utilize this street for enhanced density so close to the university.

Staff: The group discussed this topic in detail. Staff shared that they are OK with leaving the Pomona Avenue zoning the same, but that they are simply attempting to carry out Council’s previous policy direction (by not proceeding with the annexation request in 2014). The Chamber should raise its concerns related to the Pomona Avenue zoning at appropriate times during the Five-year Review with both the Planning Commission and City Council.