



DATE: August 25, 2017

TO: PLANNING COMMISSION

FROM: Mike Sawley, Senior Planner (879-6812; mike.sawley@chicoca.gov)

RE: Proposed Amendment to Title 19 of the Chico Municipal Code to Provide for "Manufacturer Taprooms" (Secret Trail Brewing)

REPORT IN BRIEF

The City received a request to amend Title 19 of the Chico Municipal Code (CMC or Code) to create a new land use category for alcoholic beverage production facilities that include an onsite beverage drinking area (or "taproom") without necessarily also offering food.

Currently, the Code limits consumption of alcoholic beverages produced at such facilities to "tasting of small quantities". The proposed Code amendment would establish a new land use category ("Manufacturer Taproom"), and permit the use in various industrial/manufacturing and commercial zoning districts. No major issues have been identified.

Recommendation:

The Community Development Director recommends that the Planning Commission:

- 1) Hold a public hearing regarding the proposed amendments to Title 19 of the Chico Municipal Code; and
- 2) Adopt Resolution 17-14 recommending City Council adoption of an ordinance to amend Title 19 of the Chico Municipal Code (see **Attachment A**).

Proposed Motion:

I move that the Planning Commission adopt Resolution No. 17-14 recommending City Council adoption of amendments to Title 19 of the Chico Municipal Code to establish a new land use category for "Manufacturer Taprooms" as set forth therein.

BACKGROUND

The applicant, Secret Trail Brewing, has requested a Code amendment rather than pursuing a rezone of the property located at 132 Meyers Street (zoned ML, Light Manufacturing/Industrial) in an effort to facilitate the growth of small-batch craft brewing in Chico. Craft beer-making is a trending industry across the country, with California generating the most revenue and being the second largest producer among all states.

The proposed new land use category comprises two main components: (1) on-site production of beer or other alcoholic beverages, and (2) on-site sales and consumption of

alcoholic beverages produced on-site without also necessarily including food sales. Selling food would be permissible, but would not need to constitute a significant portion of on-site sales as is the case with the “Restaurant” land use category.

Existing Code Constraints

Title 19 of the CMC (the Code) currently limits consumption of alcoholic beverages produced at “Beverage Production” facilities to tasting of small quantities as set forth by the “Tasting Rooms” land use definition. Establishments serving typical quantities of alcoholic beverages would either fall under the category of “Restaurant”, if the majority of sales for on-site consumption is food-related, or “Alcoholic Beverage Establishments” (colloquially referred to as “bars”). The matrix below shows these land use relationships across the manufacturing/industrial zoning districts:

Land Use	PERMIT REQUIREMENT BY ZONE			Subject to Standards in Section/Chapter
	ML	MG	IOMU	
Beverage Production	P	P	P	
Alcoholic Beverage Establishments				
Restaurant occupying 5,000 sq. ft. or less	P	P	P	
Tasting Rooms	P		UP	

Note: ML (Light Manufacturing/Industrial), MG (General Manufacturing), IOMU (Industrial Office Mixed-Use)

With regard to the commercial districts, food and beverage-serving uses are widely permitted, however beverage production facilities are limited to 2,500 square feet, as shown in the following matrix:

Land Use (1)	PERMIT REQUIREMENT BY ZONE						Subject to Standards in Section/Chapter
	CN	CC	DN	DS	CS	CR	
Beverage Products, small scale, 2,500 sf max.		P		UP	P	P	
Alcoholic Beverage Establishments	UP	P(5)	P(5)	P(5)	UP	P(5)	19.76.200
Restaurants, 5,000 sq. ft. or less	P	P	P	P	P	P	
Tasting Rooms	P	P	P	P	P	P	

Note: CN (Neighborhood Commercial), CC (Community Commercial), DN (Downtown North), DS (Downtown South), CS (Commercial Services), CR (Regional Commercial)

Complete copies of the Commercial and Manufacturing land use matrices are provided under **Attachments B and C**, respectively.

In summary, the Code limits a beverage producer's ability to serve typical quantities of their products on-site in a manufacturing zone without investing in commercial kitchen facilities and also operating a restaurant.

Businesses Which Sell Alcohol

Where allowed, all bars, liquor stores, and restaurants with full bar are subject to compliance with the operational standards set forth under CMC 19.76.200 (*Businesses which sell alcohol*), which include:

- Responsible beverage service (RBS) training for staff selling alcohol
- Requirements to limit nuisance activities associated with the sale of alcohol
- Limitations on noise
- Standards for maintaining the exterior appearance of the business
- Standards requiring staff to control any queue forming outside the business
- Limits on the timing of alcohol sales during specific holiday and special event times

Adopted by the City Council in 2015, these standards serve much like conditions of approval for a use permit and encourage good business practices (see **Attachment D**). They also become conditions of licenses for alcohol sales issued by the California Department of Alcoholic Beverage Control.

Summary of Draft Title 19 Amendments

Staff is recommending draft Code amendments that go beyond the applicant's initial request. In addition to adding a new land use category for "Manufacturer Taproom" and permitting the use in the ML district, the draft amendments would provide for Manufacturer Taprooms in the IOMU district and in certain commercial zoning districts. Also, instead of requiring a use permit to operate, the amendments would make Manufacturer Taprooms a permitted use, only subject to use permit authorization when located within 300 feet of a residential district. The amendments would also make all Manufacturer Taprooms subject to the operational standards contained in CMC 19.76.200 (*Businesses which sell alcohol*).

Specifically, the proposed amendments would modify the following sections of Title 19:

Definitions, "M" (CMC 19.04.020), add:

Manufacturer Taproom (land use). An establishment which produces ales, beers, meads, hard ciders, and/or similar beverages on-site, and also sells such beverages for on-site consumption. Accessory sales of beverages produced on-site for off-site consumption and/or selling food prepared on-site may be included. Off-street parking for the beverage production component of a manufacturer taproom use shall be provided as required for "light manufacturing plants" in addition to providing parking for the food and beverage sales area(s) using the "restaurant" land use type as set forth under Chapter 19.70 (*Parking*).

Table 4-6: Allowed Uses and Permit Requirements for Commercial Zoning Districts (CMC 19.44.020):

Add "Manufacturer Taproom" as a principally permitted land use in the CC, CS and CR zoning districts, subject to Footnote #5 of the Table, and referenced to the standards contained in CMC 19.76.200 (*Businesses which sell alcohol*).

Also, to eliminate ambiguity, modify Footnote #5 as follows:

"Businesses within 300 feet of a residential district which operate between the hours of 10 p.m. to 6 a.m. or allow amplified music ~~within 300 feet of a residential district~~ require use permit approval."

Table 4-8: Allowed Uses and Permit Requirements for Manufacturing and Industrial Zoning Districts (CMC 19.46.020):

Add "Manufacturer Taproom" as a principally permitted land use in the ML and IOMU zoning districts, subject to a new Footnote #4 (identical to revised Footnote #5 above) and referenced to CMC 19.76.200 (*Businesses which sell alcohol*).

Businesses Which Sell Alcohol (CMC 19.76.200):

Ament the first sentence to add "Manufacturer Taproom" to the list of land uses subject to the City's operating standards for alcohol sales.

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: TITLE 19 AMENDMENTS

Pursuant to Chico Municipal Code Section 19.060.050(B), amendments to the Municipal Code may be approved only if the following findings are made:

A. The proposed amendment is consistent with the General Plan.

The proposed code amendment is consistent with the General Plan, specifically Policy ED-1.3 (Regulatory Environment) that directs that regulations and permitting processes for the conduct of commerce and land development do not unreasonably inhibit local business activity. The amendment is also consistent with General Plan policies that encourage compatible infill development through use restrictions and development standards (LU-2.4, LU-4.2 and LU-4.4).

B. The proposed amendment is consistent with other applicable provisions of the Municipal Code and compatible with the uses authorized in the applicable zoning districts for which it is proposed.

The proposed amendment is consistent with other provisions of the Municipal Code in that it: (1) provides for a new land use category (Manufacturer Taproom) that combines existing land use categories (Beverage Production and Alcoholic Beverage Establishments) which are individually allowed in various commercial and manufacturing districts, and (2) imposes similar permitting requirements and operational standards on the new land use that currently apply to other land uses with similar characteristics.

PUBLIC CONTACT

The applicant held a neighborhood meeting on June 12, 2017, regarding the proposal amend the Code and establish a Manufacturer Taproom at 132 Meyers Street (APN 039-430-161). Minutes from the meeting were recorded by the applicant and are included under **Attachment E** of this report.

A display ad for the September 7, 2017 Planning Commission meeting to consider the proposed Title 19 amendments was published in the August 25, 2017 *Chico Enterprise Record*.

DISTRIBUTION

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ATTACHMENTS

- A. Resolution 17-14 Recommending Council Adoption of Ordinance to Amend Title 19
 - 1. Draft Ordinance to Allow Manufacturer Taprooms
- B. Table 4-6 of CMC 19.44 – Commercial Land Use Matrix
- C. Table 4-8 of CMC 19.46 – Manufacturing/Industrial Land Use Matrix
- D. CMC 19.76.200 (*Businesses which sell alcohol*)
- E. Minutes from Neighborhood Meeting Held on 6/12/17

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RESOLUTION NO. 17-14
RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION
RECOMMENDING CITY COUNCIL ADOPTION OF AN ORDINANCE TO
AMEND TITLE 19 OF THE MUNICIPAL CODE TO PROVIDE FOR
MANUFACTURER TAPROOMS
(CA 17-01, Secret Trail Brewing)

WHEREAS, a request has been received to amend Title 19 (Land Use and Development Regulations) of the Chico Municipal Code to permit the establishment and operation of “Manufacturer Taprooms” in the ML (Light Manufacturing/Industrial) zoning district;

WHEREAS, staff has reviewed the request and drafted an ordinance that would permit manufacturer taprooms in several commercial and manufacturing zoning districts, subject to existing operational standards for businesses which sell alcohol and permitting requirements based on operational details and proximity to residential uses (“Code Amendment”);

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

WHEREAS, the Code Amendment is a refinement of the General Plan adoption process, and in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162, the Code Amendment is 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 Code Amendment is consistent with the General Plan, specifically Policy ED-1.3 (Regulatory Environment) that directs that regulations and permitting processes for the conduct of commerce and land development do not unreasonably inhibit local business activity. The Code Amendment is also consistent with General Plan policies that encourage compatible infill development through use restrictions and development standards (LU-2.4, LU-4.2 and LU-4.4); and

1 B. The Code Amendment is consistent with other provisions of the Municipal Code in
2 that it: (1) provides for a new land use category (Manufacturer Taproom) that
3 combines existing land use categories (Beverage Production and Alcoholic Beverage
4 Establishments) which are individually allowed in various commercial and
5 manufacturing districts, and (2) imposes similar permitting requirements and
6 operational standards on the new land use that currently apply to other land uses with
7 similar characteristics.

8 2. The Planning Commission recommends that the City Council approve the Code
9 Amendment as set forth in Exhibit I.

10 THE FOREGOING RESOLUTION WAS ADOPTED by the Planning Commission at its
11 meeting held on September 7, 2017, by the following vote:

- 12 AYES:
- 13 NOES:
- 14 ABSENT:
- 15 ABSTAINED:
- 16 DISQUALIFIED:
- 17 ATTEST:

APPROVED AS TO FORM:

Vincent C. Ewing, City Attorney*

Brendan Vieg
Planning Commission Secretary

*Pursuant to the Charter of the City of
Chico, Section 906(E)

ORDINANCE NO. _____
(Codified)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO
AMENDING TITLE 19 OF THE CHICO MUNICIPAL CODE TO ALLOW
MANUFACTURER TAPROOMS
(CA 17-01, Secret Trail Brewing)

BE IT ORDAINED by the Council of the City of Chico that:

Section 1. Section 19.04.020(M) (*Definitions, “M.”*) of the Chico Municipal Code is hereby amended to add the following definition:

Manufacturer Taproom (land use). An establishment which produces ales, beers, meads, hard ciders, and/or similar beverages on-site, and also sells such beverages for on-site consumption. Accessory sales of beverages produced on-site for off-site consumption and/or selling food prepared on-site may be included. Off-street parking for the beverage production component of a manufacturer taproom use shall be provided as required for “light manufacturing plants” in addition to providing parking for the food and beverage sales area(s) using the “restaurant” land use type as set forth under Chapter 19.70 (*Parking*).;

Section 2. Section 19.44.020, Table 4-6 of the Chico Municipal Code is hereby amended to add a land use category for Manufacturer Taprooms under the “Manufacturing & Processing” subheading as follows:

Land Use (1)	PERMIT REQUIREMENT BY ZONE								Subject to Standards in Section/Chapter
	OR	OC	CN	CC	DN	DS	CS	CR	
<u>Manufacturer Taproom</u>				<u>P(5)</u>			<u>P(5)</u>	<u>P(5)</u>	<u>19.76.200</u>

Section 3. Section 19.44.020, the fifth Note following Table 4-6 of the Chico Municipal Code is hereby amended as follows:

“(5) Businesses within 300 feet of a residential district which operate between the hours of 10 p.m. to 6 a.m. or allow amplified music ~~within 300 feet of a residential district~~ require use permit approval.”

Section 4. Section 19.46.020, Table 4-8 of the Chico Municipal Code is hereby amended to add a land use category for Manufacturer Taprooms under the “Manufacturing & Processing Uses”

subheading as follows:

Land Use (1)	PERMIT REQUIREMENT BY ZONE			Subject to Standards in Section/Chapter
	ML	MG	IOMU	
<u>Manufacturer Taproom</u>	<u>P(4)</u>		<u>P(4)</u>	<u>19.76.200</u>

Section 5. Section 19.46.020, a fourth Note following Table 4-8 of the Chico Municipal Code is hereby added as follows:

“(4) Businesses within 300 feet of a residential district which operate between the hours of 10 p.m. to 6 a.m. or allow amplified music require use permit approval.”

Section 6. The first sentence under Section 19.76.200, is hereby amended as follows:
“Where allowed by Division IV (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards), all businesses established or expanded after the adoption of this regulation which sell alcohol as a significant component of the use, including Alcoholic Beverage Establishments, Liquor Stores - Limited Hours, Liquor Stores, Manufacturer Taprooms, Restaurants with Full Bar - Limited Hours, and Restaurants with Full Bar, shall be operated in compliance with the following standards:” A-H [No changes.]

Section 7. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held out to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof, be declared invalid or unconstitutional.

Section 8. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as required by law, or in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and, within fifteen (15) days after adoption, the City Clerk shall cause to be published

1 the aforementioned summary and shall post a certified copy of this Ordinance, together with the
2 vote for and against the same, in the Office of City Clerk.

3 **Section 9.** This Ordinance shall be effective thirty (30) days following its adoption.

4 THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the City Council of the
5 City of Chico held on October 17, 2017, by the following vote:

6 AYES:

7 NOES:

8 ABSENT:

9 ABSTAINED:

10 DISQUALIFIED:

11 ATTEST:

APPROVED AS TO FORM:

12
13
14 _____
15 Deborah R. Presson
16 City Clerk

12
13
14 _____
15 Vincent C. Ewing, City Attorney*

16 *Pursuant to The Charter of
17 the City of Chico, Section 906(E)

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

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	
Community Gardens	P	P	P	P	P	P	P	P	19.76.190
MANUFACTURING & PROCESSING									
Beverage products, small scale, 2,500 sf max.				P		UP	P	P	
Food products, small scale, 2,500 sf max.				P		UP	P	P	
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									
Bowling alleys				P		P	P	P	
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)	P	P	(5)
Health/fitness clubs	UP	UP	UP	P	P(4)	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)	P	P	
Nightclubs				UP	UP	UP	P(5)	P(5)	19.76.200
Outdoor commercial recreation		UP	UP	UP			UP	UP	

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	
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	
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			UP	P	P	P	P	P	
RESIDENTIAL USES									
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)	P(4)	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)	19.44.040 19.76.200
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				P			P	P	

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	
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	P	P	P	P	P	P	P	P	
Drug stores/pharmacies, 4,000 sq. ft. or larger			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, 2,500 sq. ft. or larger			UP	P	UP	UP	P	P	
Grocery stores, 4,000 sq. ft. or less	P	P	P	P	P	P	P	P	
Grocery stores, 4,000 to 40,000 sq. ft.			UP	P	UP	P	P	P	
Grocery stores, 40,000 sq. ft. or larger			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, 5,000 sq. ft. or larger	UP	UP	UP	P	P	P	P	P	
Restaurant with full bar			UP	P(5)	P	P	P(5)	P(5)	19.76.200
Retail stores, general merchandise, 2,500 sq. ft. or less			P	P	P	P	P	P	
Retail stores, general merchandise, 2,500 sq. ft. or larger			UP	P	P	P	P	P	
Secondhand stores, 2,500 sq. ft. or less			UP	P	P	P	P	P	
Secondhand stores, 2,500 sq. ft. or larger				P		UP	P	P	
Shopping centers, 200,000 sq. ft. or less			PD	P				P	
Shopping centers, 200,000 sq. ft. or larger				P				P	

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	
Tasting rooms			P	P	P	P	P	P	
Walkup sales windows using public sidewalk	P	P	P	P	UP	UP	P	P	
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, 3,000 sq. ft. or larger		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	
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	P	
Kennels and animal boarding							UP	UP	
Medical offices	P	P	P	P	P(4)	P(4)		P	
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

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	
Personal services, 2,500 sq. ft. or less	P	P	P	P	P	P	P	P	
Personal services, 2,500 sq. ft. or larger	UP	UP	UP	P	P	P	P	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, 2,500 sq. ft. or less	P		P	P	P(4)	P(4)	P	P	
Repair/maintenance - Consumer 2,500 sq. ft. or larger	P		UP	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	
Storage, accessory only	P	P	P	P	P	P	P	P	
Storage, outdoor				P			P	P	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	P			P	P	
Veterinary clinics & animal hospitals, outdoor			UP	UP			UP	UP	
Walkup service windows using public sidewalk	P	P	P	P	UP	UP	P	P	
Warehousing							P		
TRANSPORTATION & COMMUNICATION USES									
Alternative fuel/recharging facilities			UP	P	UP	P	P	P	
Broadcast studios		P(10)	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

Chico, CA Code of Ordinances

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
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 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)

19.46.020 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	
Community Gardens	P	P	P	19.76.190
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	P	P	UP	
Handicraft industries, small-scale manufacturing	P	P	P	
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

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LAND USE (1)	PERMIT REQUIREMENTS BY ZONE			Subject to Standards in Section/Chapter:
	ML	MG	IOMU	
Recycling - Large collection facility	P	P		19.60.060
Recycling - Reverse vending machines	P	P	P	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	P	
Structural clay and pottery products		P		
Textile and leather products	P	P	P	
Wholesaling and distribution	P	P	P	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES				
Adult entertainment businesses	P	P		19.76.030
Community centers/pavilions	UP		UP	
Health/fitness clubs	UP		UP	
Indoor Amusement/Entertainment Centers (less than 5,000 sq. ft.)	P	P	P	
Indoor Amusement/Entertainment Centers (more than 5,000 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	P		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 retail 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		

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LAND USE (1)	PERMIT REQUIREMENTS BY ZONE			Subject to Standards in Section/Chapter:
	ML	MG	IOMU	
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	P		P	
Offices, business and professional			P	
Offices, industrial	P		P	
Offices, temporary	TU	TU	TU	19.22
Printing and publishing	P		P	
Printing and publishing - Computer/electronic	P		P	
Public safety and utility facilities	P	P	P	
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	P	P	P	
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	P	
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.)	

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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)

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19.76.200 Businesses which sell alcohol.

Where allowed by Division IV (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards), all businesses established or expanded after the adoption of this regulation which sell alcohol as a significant component of the use, including Alcoholic Beverage Establishments, Liquor Stores - Limited Hours, Liquor Stores, Restaurants with Full Bar - Limited Hours, and Restaurants with Full Bar, shall be operated in compliance with the following standards:

A. All servers shall complete responsible beverage service (RBS) training no later than 60 days after the date of hire.

B. The business shall provide sufficient staff to control any queue which forms outside the businesses. The queue shall be managed to allow free passage on sidewalks adjacent to the business at all times.

C. The business shall take action to prevent nuisance activities associated with the sale of alcohol, including: disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.

D. The exterior of the business, including the adjacent right-of-way, shall be kept clean. Any litter, detritus, or other mess outside the business shall be cleaned promptly by the business, in no case later than 9 a.m. the following morning.

E. Any music being played outside the business shall comply with the City's noise ordinance.

F. The business shall comply with all applicable federal, state, and local laws.

G. The business shall not sell or serve alcohol earlier than 11 a.m. nor later than 12 a.m. (midnight) on the following days each year:

1. St. Patrick's Day, March 17;
2. Cesar Chavez Day, March 31;
3. The Friday and Saturday of CSU, Chico graduation weekend in May;
4. Thursday through Saturday of Labor Day weekend; and
5. Halloween, October 31.

H. Alcoholic beverages to be consumed on-site shall be served in standard sizes that are consistent with the industry.

Any business listed above which does not comply with these operational standards may be subject to citations, fines, and other actions by the City, including abatement, pursuant to the provisions of CMC 1.14 and 1.15.

(Ord. 2461 §6)

Neighbor Meeting re Code Amendment
Secret Trail Brewing Company
June 12, 2017 at 5:00 p.m.

Present: Steve Gibson, Charlie Barrett, Michelle Barrett, Jesse Fischer, Carlton Lowen, Jim Eckert, Chad Finch, Kelly and Dan (from Planning Department)

Kelly opened the meeting by discussing the process of changing the code, and this pre-application planning meeting was a requirement to give neighbors a chance to have input.

Charlie introduced himself and how we came to be in Chico.

Steve discussed that we're not seeking the change in the code just for Secret Trail, but also for other to come after. Need for change in code to fit business model and to catch up with the rest of California.

Specific Requests to the City: 1) Change description of what a Tasting Room is, with tap room for people to enjoy beer where it is brewed. 2) Define and look for new description of Tap Room and allow tap rooms to be used with Use Permit.

Kelly: The City is leaning toward defining a new description – delicately written. Looking into buffers. Use Permit is an increased fee. Wouldn't require a neighborhood meeting. Allows it to go case by case. City looks at each neighborhood situation. "Personally, I think Secret Trail is in an appropriate location."

Jim Eckert – Eckert Malt & Brewery, introduced himself. Located on Ivy. Addressed why he'd like zone change as he'd like to have a small tap room.

Dan spoke giving more of an explanation of Use Permit to Jim Eckert's position.

Steve commented that Sierra Nevada is in our backyard. Chico has potential of becoming Beer Mecca. Asked Kelly if City would/could consider Use Permit at same time as Code Change to help expedite process. Kelly said the consensus is this is happening and it's a good use of land. She will bring it up at Thursday morning's Planning Meeting.

Kelly asked if we've heard of anyone not in favor of Secret Trail. Charlie informed her that we haven't and, in fact, have several letters of support.

Steve told Kelly that we got shut down pretty hard initially. If we weren't doing this, eventually someone else would take it on.

Carlton shared that we need to make Chico a place people want to visit. City's been bogged down putting out fires. Time for new vision to bring travel and income into town.

California leads in breweries.

Final discussion was on timeframe.

Noted that there was no one present at meeting who was not in favor of Secret Trail Brewing Company. NO OPPOSITION.

Minutes taken by Michelle Barrett.