



Parking In-Lieu Benefit Area Realignment

DATE: August 5, 2019

TO: PLANNING COMMISSION

FROM: Brendan Ottoboni, Public Works Director-Engineering (879-6901)
Bikram Kahlon, Senior Traffic Engineer (879-6940)
Bruce Ambo, Principal Planner (879-6801)

RE: Continued Hearing - Downtown Parking In-Lieu Fee Benefit Area Boundary
Realignment and Deletion of Obsolete Municipal Code Chapters

BACKGROUND/SUMMARY

The Planning Commission continued the August 1, 2019, hearing on the Downtown Parking In-Lieu Benefit Area (Parking In-Lieu Area) boundary realignment until the August 15, 2019, meeting. The meeting was continued so that the Planning Commission could review the background material (staff reports, minutes, technical memos and reports) that was considered by the Internal Affairs Committee (IAC) when they recommended that the Planning Commission realign the Parking In-Lieu Area to be largely consistent with the (CMU) Commercial Mixed Use designated area of the General Plan, and exempt The Graduate project¹. The IAC backup material was distributed to the Planning Commission earlier under separate cover via email on August 5, 2019. The conclusions and recommendation from the August 1, 2019 Planning Commission staff report remain the same with this continued item.

Recommendations:

The Internal Affairs Committee and the Director of Public Works - Engineering recommend adoption of Planning Commission Resolution No. 19-13 (**Attachment A**) recommending approval to the City Council the following:

1. Modify the Downtown Parking In-Lieu Benefit Area boundary to be largely consistent with areas Downtown designated Commercial Mixed Use (CMU) on the General Plan Land Use Diagram; and
2. Relocate Municipal Code Chapter 19R.43 (In-Lieu Parking Benefit Area) to Chapter 19.70 (Parking and Loading Standards).

The Community Development Director – Planning/Housing recommends adoption of Planning Commission Resolution No. 19-13 (**Attachment A**) recommending approval to the City Council the following:

1. Delete Municipal Code Chapter 19R.45 (Impacted Parking Area) and Chapter 19R.66 (Foothill Design Criteria).

¹ The Graduate project is a six-story, 56-unit (135 bedrooms) apartment complex with 59 parking spaces proposed at 344 West 8th Street seeking approval from the City's Architectural Review and Historic Preservation Board (AR 18-32).

RESOLUTION NO. 19-13

**RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION
RECOMMENDING CITY COUNCIL APPROVAL OF AMENDMENTS MODIFYING
THE DOWNTOWN PARKING IN-LIEU BENEFIT AREA BOUNDARY AND
DELETION OF OBSOLETE CHICO MUNICIPAL CODE CHAPTERS
(City of Chico)**

WHEREAS, the Internal Affairs Committee has considered the modified boundary of the Downtown Parking In-Lieu Benefit Area, staff report, and comments at a duly noticed public hearing on March 4, 2019; and

WHEREAS, relocating the Downtown Parking In-Lieu Benefit Area map from Chapter 19R.43 (In-Lieu Parking Benefit Area) to Chapter 19.07 (Parking and Loading Standards) simplifies and facilitates navigation within the Municipal Code; and

WHEREAS, deleting obsolete references within the Municipal Code that no longer apply due to previous amendments is a matter of Municipal Code maintenance; and

WHEREAS, the Planning Commission considered the proposed amendments, staff report, and comments at a duly noticed public hearing held in the manner required by law on August 1, 2019; and

WHEREAS, the Planning Commission considered the proposed amendments, staff report, and comments at a continued public hearing held in the manner required by law on August 15, 2019; and

WHEREAS, 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 Chico 2030 General Plan (State Clearinghouse #2008122038).

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’s policy framework to simplify and streamline the permitting process and identify opportunities for greater regulatory efficiency; and
 - B. The proposed amendments are consistent with the other provisions of the City’s Land Use and Development Regulations are compatible with the uses authorized in, and the regulations prescribed for, the applicable zoning districts for which the revisions are proposed.
2. The Planning Commission recommends that the City Council approve the amendments to the Chico Municipal Code as set forth in Exhibits I, II and III.

THE FOREGOING RESOLUTION WAS ADOPTED by the Planning Commission at its meeting held on August 15, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

DISQUALIFIED:

ATTEST:

APPROVED AS TO FORM:

BRUCE AMBO,
Planning Commission Secretary

ANDREW L. JARED
Assistant City Attorney

Chapter:

~~19R.43 In-Lieu Parking Benefit Area~~

~~19R.45 Impacted Parking Area~~

~~Exhibits: (Exhibits following Chapter 19R.43)~~

~~B Plat Delineating "In-Lieu" Parking Benefit Area~~

~~Exhibits: (Exhibits following Chapter 19R.45)~~

~~B Impacted Parking Area "A"~~

~~19R.66 Foothill Design Criteria~~

~~NOTE: Footnotes are numbered throughout the text and are located at the end of this title.~~

**Chapter ~~19R.43~~ Section 19.70.095
IN-LIEU PARKING BENEFIT AREA**

Section:

~~19R.43.010~~ 19.70.100 Establishment of in-lieu parking benefit area.

~~19R.43.010~~ 19.70.100 Establishment of in-lieu parking benefit area.

All of that certain area described on the attached Exhibit A (description) and delineated on the attached Exhibit B (plat) is hereby established as an in-lieu parking benefit area for the purposes set forth in Section 19.70.050 of the Chico Municipal Code.

(Res. No. 154 77-78 §2, Res. No. 106 78-79, Res. No. 13 91-92, Res. No. 02 03-04)

EXHIBIT A - DESCRIPTION

"IN-LIEU PARKING BENEFIT AREA

"All that certain real property situate in the county of Butte, State of California, more particularly described as follows:

~~"Beginning at the intersection of the northwesterly line of West 1st Street and the southwesterly line of Salem Street; thence southerly along said southwesterly line to a point 132 feet from the intersection of the northwesterly line of West 2nd Street and the southwesterly line of Salem Street; thence westerly parallel to West 2nd Street, 76.2 feet; thence southerly parallel to Salem Street, 132 feet to the northwesterly line of West 2nd Street; thence westerly along said northwesterly line to the northeasterly line of Normal Street; thence southerly along said northeasterly line to the southeasterly line of West 9th Street; thence westerly along said southeasterly line to the northeasterly line of Cherry Street; thence southerly along said northeasterly line to a point 132 feet southerly of the southeasterly line of West 9th Street; thence easterly and parallel to said southeasterly line to the centerline of Little Chico Creek; thence easterly along said centerline to the southerly extension of the north-south centerline dividing the blocks bounded by Flume Street and Orient Street; thence northerly along said centerline divider to the westerly line of Camellia Way; thence northerly along said westerly line to the southerly boundary of Bidwell Park; thence westerly along said southerly boundary to the westerly line of Shasta Way; thence southerly and westerly along said westerly line of Shasta Way to the point of beginning."~~

"Beginning at the intersection of the northwesterly line of West 1st Street and the southeasterly line of Salem Street; thence southerly along said southeasterly line of Salem Street to the northeasterly line of West 9th Street; thence southerly along said southeasterly line of Salem Street to a point 200.29 feet southerly of the northeasterly line of West 9th Street; thence easterly and parallel to the centerline of Little Chico Creek to the southwesterly corner of Parcel 004-432-006-000 currently known as the Chico Skate Park; thence northerly to the southwesterly line of Humboldt Avenue and the westerly line of Flume Street; thence westerly along the southwesterly line of Humboldt Avenue to the westerly line of Wall Street; thence northerly along said westerly line of Wall Street to the northwesterly line of East 5th Street; thence easterly along the line of said northwesterly line of

East 5th Street and the westerly line of Flume Street; thence northerly along said westerly line of Flume Street to the northwesterly line of West 1st Street; thence northerly along said northwesterly line to the southerly boundary of Bidwell Park ; thence westerly along said southerly boundary to the westerly line of Shasta Way; thence southerly and westerly along said westerly line of Shasta Way to the point of beginning."



REV. 1-23-77

EXHIBIT "B"

CITY OF CHICO DEPARTMENT OF PUBLIC WORKS

PLAT DELINEATING "IN-LIEU" PARKING BENEFIT AREA

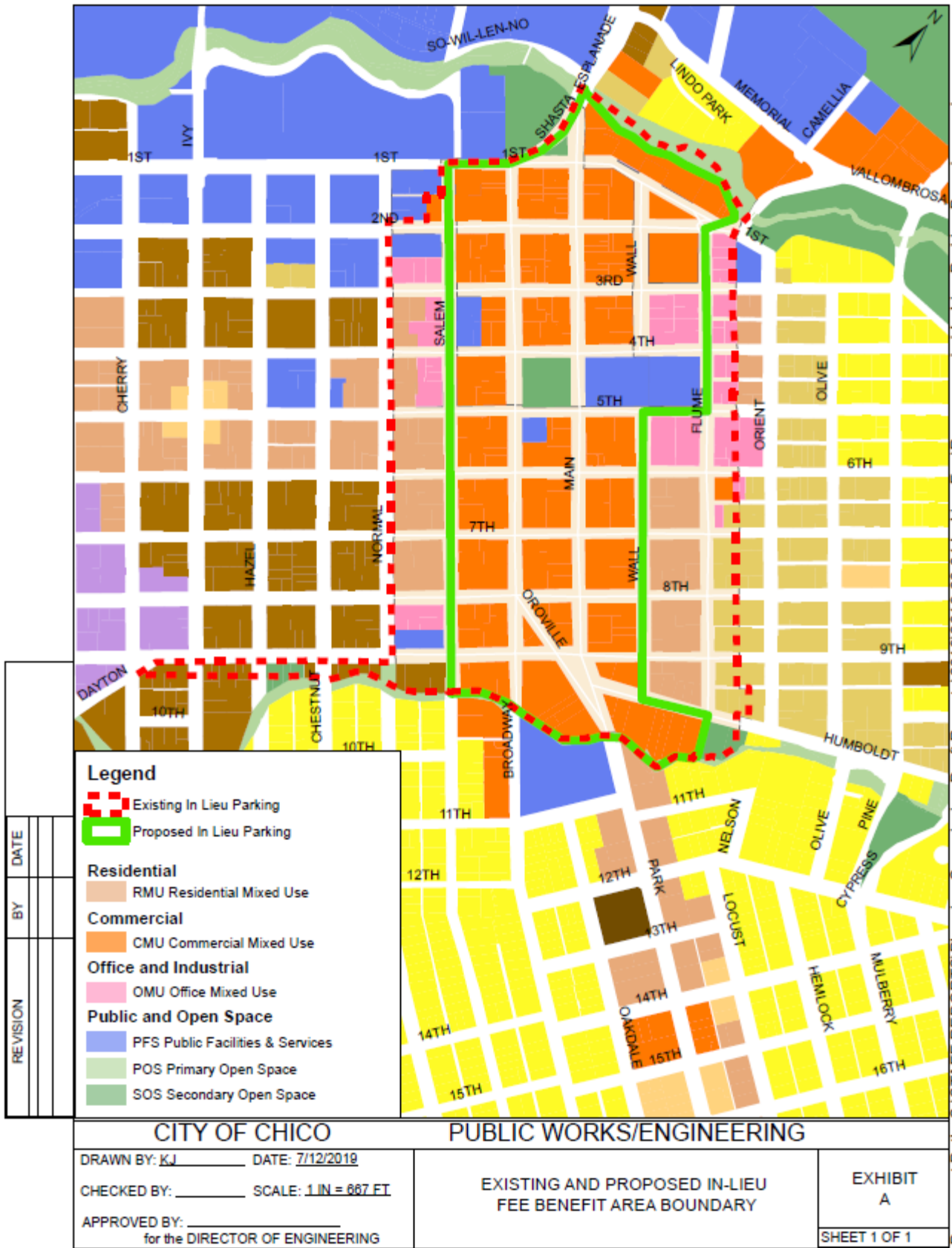
DRAWN BY: R.C. CHECKED BY: [Signature]

DATE: OCT. 1977 SCALE: 1" = 100'

APPROVED BY: [Signature] DIRECTOR OF PUBLIC WORKS

SHEET 1 OF 1 SHEETS

Exhibit I



Document Path: S:\STAFF REPORTS\Planning Commission Draft Reports\2019\2019-08-01 In-Lieu Fee\Recommended In-Lieu Parking Boundary.mxd

~~Chapter 19R.45~~ ~~IMPACTED PARKING AREA~~

Section:

~~19R.45.010—Establishment of impacted parking area “A.”~~

~~19R.45.010—Establishment of impacted parking area “A.”~~

~~—All that certain area described in the attached Exhibit A (description) and delineated on the attached Exhibit B (plat) is hereby designated as impacted parking area “A” for the purposes set forth in subsection 19.28.030D of the Chico Municipal Code.
(Res. No. 64-87-88)~~

~~EXHIBIT A – DESCRIPTION~~

~~“DESCRIPTION – IMPACTED PARKING AREA “A”~~

~~—“All that real property situate in the City of Chico, County of Butte, State of California, more particularly described as follows:~~

~~—“Beginning at the intersection of West Fourth Avenue and Warner Street; thence southwesterly along West Fourth Avenue to the Southern Pacific Railroad right-of-way; thence northwesterly along said railroad right-of-way to the West Eighth Avenue right-of-way; thence southwesterly along West Eighth Avenue to the southwesterly right-of-way line of Nord Avenue (State Highway Route 32); thence southwesterly perpendicular to the Nord Avenue southwesterly right-of-way line, a distance of 630 feet, more or less, to a point; thence southeasterly and parallel to the southwesterly line of Nord Avenue to the centerline of Big Chico Creek; thence easterly along said creek centerline to the southwesterly line of Walnut Street (State Highway Route 32); thence along said southwesterly line of Walnut Street to the southeast line of West First Street; thence along said southeast line of West First Street and Oak Park Drive westerly to the west boundary line of the Rosedale Elementary School; thence southerly along the west boundary line of Rosedale Elementary School and its southerly extension to River Road; thence easterly along River Road to its intersection with Miller Avenue; thence southwesterly along Miller Avenue to its intersection with Pomona Avenue; thence southeasterly along Pomona Avenue to the centerline of Little Chico Creek; thence easterly along said creek centerline to Salem Street; thence northwesterly along Salem Street to West Second Street; thence southwesterly along West Second Street to Ivy Street; thence northwesterly along Ivy Street and Warner Street to the point of beginning.”~~



~~Chapter 19R.66~~ **~~FOOTHILL DESIGN CRITERIA~~**

~~Section:~~

~~19R.66.010 Design criteria.~~

~~19R.66.010 Design criteria.~~

~~—Within the foothill area, the following design criteria shall be implemented whenever applicable:~~

- ~~—A. Terrain Alteration. The project shall be designed to fit the terrain rather than altering the terrain to fit the project. Development patterns which form visually protruding horizontal bands or steeply cut slopes for roads or lots shall be avoided.~~
- ~~—B. 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 are encouraged where necessary to fit the natural topography, subject to the approval of the City Engineer and Fire Department.~~
- ~~—C. Site and Structure Design. Site design should utilize varying setbacks, structure heights, split-level foundations, and retaining walls to blend structures into the terrain.~~

~~—D. Lot Line Locations. Where possible, lot lines shall be placed at the top of slope areas to help ensure that the slope will not be neglected.~~

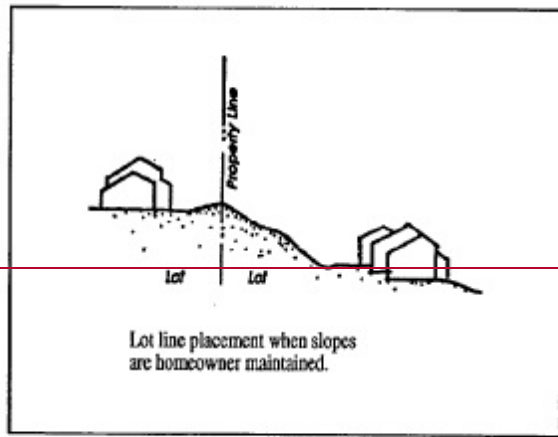


Figure 1
LOT LINE LOCATION

~~—E. 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.~~
- ~~—3. Preserve, to the extent feasible, visually significant rock outcroppings, natural hydrology, native plant materials, and areas of visual significance.~~

~~—F. Architectural Design. Buildings should be designed with the following principles in mind:~~

- ~~—1. Building forms should be scaled to complement the character of the foothills and to avoid excessively massive forms that dominate views of the foothills.~~
- ~~—2. Building facades should change plane and use overhangs as a means to create changing shadow lines to further break up massive forms.~~
- ~~—3. Wall surfaces facing viewshed areas should be minimized through the use of single-story elements, setbacks, roof pitches, and landscaping. See Figure 2.~~

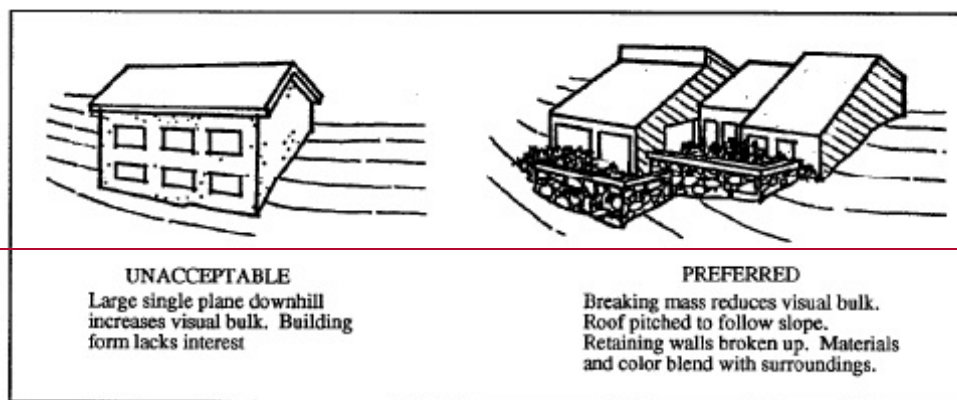


Figure 2
RELATING BUILDING FORM TO TERRAIN

~~—4. Roof pitches should generally be placed to follow the angle of the slope; but variation should be provided to avoid a monotonous appearance. See Figure 3.~~

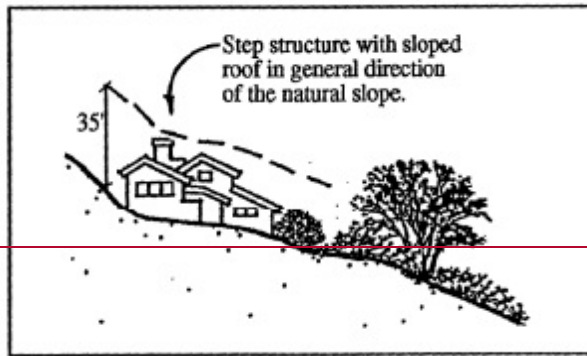


Figure 3
RELATING BUILDING FORM TO TERRAIN

~~—G. Colors and Materials. A harmonious mixture of materials, color, and forms should be used to blend structures with the natural appearance of the foothills:~~

~~—1. Based upon the graphic principle that dark colors recede and light colors project, medium to dark earth tone colors should be used for building elevations and roof materials in view-sensitive areas.~~

~~—2. Surface materials should be rough-textured to blend with the coarseness of landscaping and natural vegetation. Textured stucco, wood, natural brick, and coarse block are appropriate.~~

~~—3. Roof materials should be rough-textured and be a Class-B material as defined in the Uniform Building Code. Roof colors should utilize darker tones, including browns, grays, greens, and terra cotta. Bright colors should be avoided.~~

~~—H. Exterior Lighting. Night views of the foothills should not be dominated by an array of bright lights. Lighting within view-sensitive areas should be properly shielded to avoid glare and the spill of light to surrounding areas. Low-level lighting and the use of multiple low fixtures is encouraged, as opposed to the use of fewer but taller fixtures.~~

~~—I. Retaining Walls. Large retaining walls in a uniform plane shall be avoided. Break retaining walls into elements and terraces, and use landscaping to screen them from view. Generally, no retaining wall should be higher than 5 feet.~~

~~—J. Open Space Preservation. Open space may be preserved by reducing the width of street improvements, using common driveways, and clustering units, subject to the approval of the City Engineer and Fire Department.~~

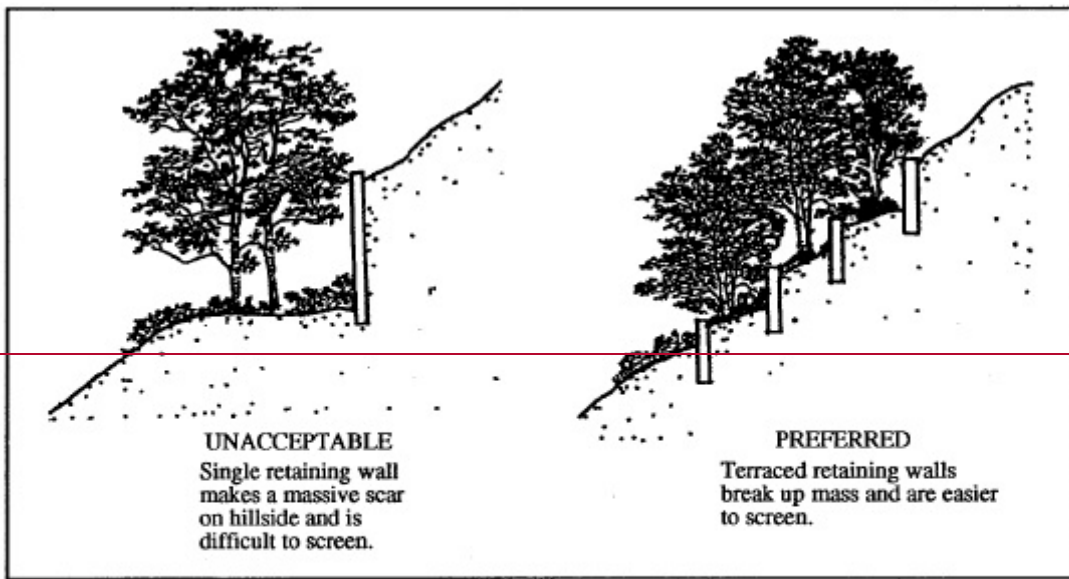


Figure 4
RETAINING WALLS

~~—K. Slope Restoration. Transitional slopes shall be replanted with non-invasive but self-sufficient trees, shrubs, and groundcover that are compatible with existing surrounding vegetation, to enhance the blending of manufactured and natural slopes.~~

~~—L. Reduced Street Widths. Streets may be designed without parking lanes when the result is a substantial decrease in cutting and/or filling. Off-street parking areas shall be provided at a ratio of one additional space per dwelling unit if parking is allowed on one side of the adjacent street, and two additional spaces per dwelling unit if there is no on-street parking. Streets may be reduced as provided for in Title 18R, Design Criteria and Improvement Standards.~~

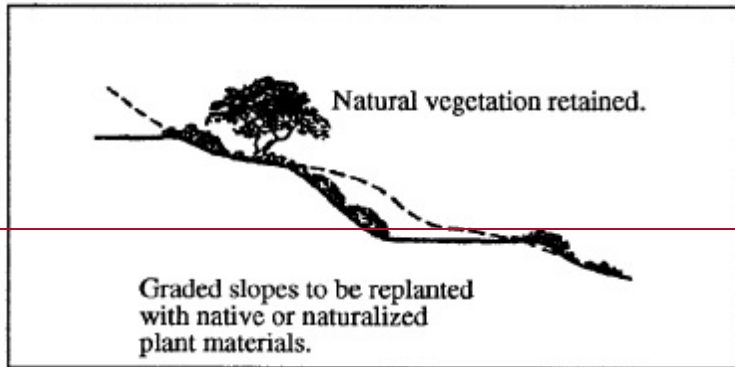


Figure 5
SLOPE RESTORATION

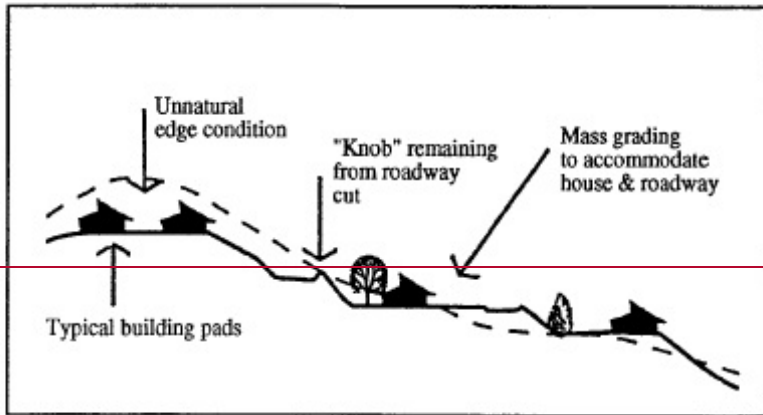


Figure 6
DEVELOPMENT THAT DOES NOT PRESERVE RIDGELINE CHARACTER

~~M. Preservation of Ridgelines. Ridgelines should be preserved as much as possible. Structures located adjacent to prominent ridgelines should complement, rather than provide a stark contrast with, the natural landform(s). Through careful placement, development can help preserve vistas and landforms, and maintain positive visual impact.~~

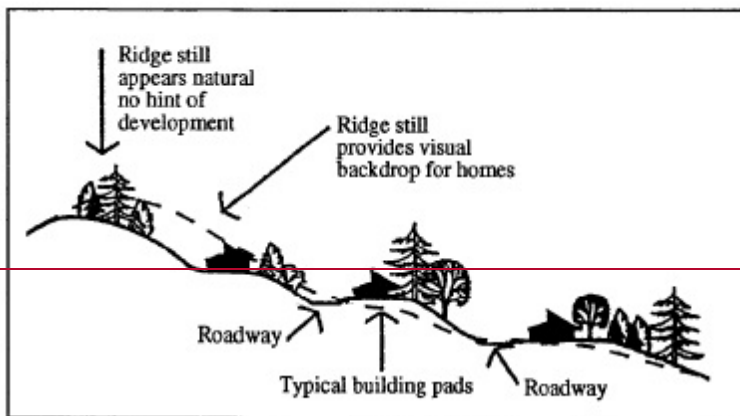


Figure 7
DEVELOPMENT THAT PRESERVES RIDGELINE CHARACTER

~~(Res. No. 27 99-00 §1 and 2)~~

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**

19.70.010 Purpose.

The purpose of these off-street parking and loading standards is to:

- A. Provide reasonable requirements to ensure sufficient parking facilities to meet the needs generated by the proposed use;
- B. Provide accessible, attractive, secure, properly lighted, and well-maintained and screened off-street parking and loading facilities;
- C. Expedite traffic movement and reduce congestion;
- D. Encourage the use of alternative modes of transportation by providing for adequate and conveniently located bicycle and carpool parking;
- E. Improve traffic and pedestrian safety and protect neighborhoods from the effects of vehicular noise and traffic;
- F. Ensure access and maneuverability for emergency vehicles;
- G. Provide loading and delivery services in proportion to the needs of the proposed use; and
- H. Discourage construction of excessive parking.

(Ord. 2442)

19.70.020 Applicability.

Every permanent use, including a change or expansion of use, and structure shall have permanently maintained off-street parking areas in compliance with the provisions of this chapter. Except for single-family dwellings, the design of all off-street parking areas shall be subject to architectural review. A certificate of occupancy shall not be issued for a use or structure until the improvements required by this chapter are satisfactorily completed and ready for use.

(Ord. 2442)

19.70.030 General parking regulations.

A. **Deferral of Parking Installation.** For non-residential developments of 10,000 square feet or more of gross floor area, the Director may approve deferral of one or more required off-street parking spaces to a future date. The applicant shall demonstrate, to the satisfaction of the Director, that the occupant(s) of the site will not need the required parking spaces and that the area temporarily occupied by landscaping or other aesthetic amenities can, in the future, be used for parking spaces. The Director may impose reasonable conditions, including the recordation of a legal agreement which would provide that the landscaping or other amenity is to be removed by the applicant and the off-street parking spaces are to be installed when they are needed to serve the use(s) on the site.

B. **Recreational Vehicle Storage/Parking - Residential Areas.** The storage of recreational vehicles and boats in residential zoning districts shall be allowed only in designated off-street parking areas outside the public right-of-way.

(Ord. 2442)

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. **Expansion of Structure, Change in Use.** When the required number of parking spaces is increased by three or more spaces as a result of an expansion of a structure, intensification of use,

and/or a change in use, the additional parking spaces shall be provided in compliance with this chapter. Exception: Single-family homes shall retain or provide the required number of parking spaces when a garage or carport is converted to a use other than vehicle parking.

B. Multiple Uses/Tenants. A site or facility proposed for multiple tenants or uses shall provide the aggregate number of parking spaces required by this section for each separate use; except where a parking reduction is allowed in compliance with Section 19.70.050 (Reduction of off-street parking).

C. Parking Required by Entitlements, Development Agreements, and Specific Plans. Parking requirements established by planned development permits, use permits, development agreements, or specific plans, as established elsewhere in this code, shall supersede the provisions of this section.

D. Uses Not Listed. Land uses not specifically listed by this section shall provide parking as required by the Director or other review authority. In determining appropriate off-street parking requirements, the Director or review authority shall use the requirements of this section as a general guide in determining an acceptable number of off-street parking spaces.

E. Rounding of Quantities. When calculating the number of required parking spaces results in a fraction, the requirement shall be rounded down to the next whole number.

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 on any parcel shall not exceed 75 percent of the site area.

G. Parking in the Downtown In-Lieu Parking Benefit Area ([Section 19.70.095](#)). No parking is required for non-residential uses within the Downtown In-Lieu Parking Benefit Area. Parking for new residential uses within the Downtown In-Lieu Parking Benefit Area shall be one space per unit or as determined by land use entitlement.

H. Parking Requirements by Land Use - Outside of the Downtown In-Lieu Parking Benefit Area. The minimum number of parking spaces shall be provided for each use as set forth in Table 5-4; additional spaces may be required through entitlement approval.

(Ord. 2442, Ord. 2494 §41, Ord. 2511, §12)

TABLE 5-4

PARKING REQUIREMENTS

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	10% of vehicle spaces.

Chapter 10.10 DEFINITIONS

Section:

- 10.10.010 Definitions generally.
- 10.10.020 Central traffic district.
- 10.10.025 Director.
- 10.10.030 Holidays.
- 10.10.040 Limited curb parking space.
- 10.10.050 Municipal center.
- 10.10.060 Parking meter.
- 10.10.070 Parking meter space
- 10.10.080 Parking meter zone.
- 10.10.090 Parking time.
- 10.10.100 Parkway.
- 10.10.110 Public transit system.
- 10.10.120 Roller skate and roller skater.
- 10.10.130 Traffic control device
- 10.10.140 Traffic signal
- 10.10.150 Vehicle code.
- 10.10.160 Vehicle height.
- 10.10.170 85% Parking occupancy rate.
- 10.10.180 Parking area.

10.10.010 Definitions generally.

Unless the contrary is stated or clearly appears from the context, the definitions set forth in the California Vehicle Code and hereinafter set forth in this chapter shall govern the construction of the words and phrases used in this title.

(Ord. 2119)

10.10.020 Central traffic district.

The term “central traffic district” shall mean all streets and portions of streets and public rights-of-way within the In-Lieu Parking Benefit Area established pursuant to Title 19 of this code and described in ~~Chapter 19R.43~~ Section 19.70.095 of this code.

(Ord. 2119)

10.10.025 Director.

The term “director” shall mean the director of the public works department.

(Ord. 2364 §108, Ord. 2439 §76)

10.10.030 Holidays.

The term “holidays” shall mean: January 1, third Monday in January, third Monday in February, last Monday in May, July 4, first Monday in September, November 11, the Thursday in November appointed as Thanksgiving Day, the day after Thanksgiving Day, December 24, December 25, and December 31.

(Ord. 2119; Ord. 2304)

10.10.040 Limited curb parking space.

The term “limited curb parking space” shall mean an area open for lawful parking alongside of, and adjacent to, a curb, which area is not of sufficient length to permit two or more vehicles to freely move for parking therein at the same time.

(Ord. 2119)

10.10.050 Municipal center.

The term “municipal center” shall mean all property bounded on the west by Main Street, on the north by East Fourth Street, on the east by Flume Street, and on the south by East Fifth Street.

(Ord. 2119)

10.10.060 Parking meter.

The term “parking meter” shall mean any device which, when activated, indicates unexpired