



Zoning Administrator Agenda Report

Meeting Date
02/14/17

DATE: February 1, 2017

File: UP 16-12

TO: ZONING ADMINISTRATOR

FROM: Mark Corcoran, Senior Planner, 879-6500, zoning@chicoca.gov

RE: Use Permit 16-12 (OSM) – APN 007-140-026 – 2603 El Paso Way

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 16-12 (OSM), based on the findings and subject to the recommended conditions of approval.

BACKGROUND

This is a request to allow a home occupation permit for a home office (a property management office) at 2603 El Paso Way (see **Attachment A**, Location Map, and **Attachment B**, Plat to Accompany Use Permit 16-12). The site is designated Low Density Residential on the General Plan Land Use Diagram and it is located in an R-1 – AOC (Low Density Residential with Aircraft Operations Zone C zoning overlay) zoning district.

The 0.32 acre project site currently contains a 1,710 square foot single family home and an 886 square foot home office. The property is located northwest of the intersection of El Varano Way and El Paso Way and it is surrounded by residential uses. Properties to the east, west, and south contain single family homes, while properties to the north contain multi-family residential units.

The home occupation will act as a leasing office for the 74-unit Willow Creek apartment complex to the north, located at 2670 El Paso Way. The hours of operation of the leasing office will be Monday through Friday 8:00 am to 5:00 pm, Saturday 10:00 am to 4:00 pm, and Sunday 11:00 am to 4:00 pm.

Access to the location of the home occupation and off-street parking will occur on an existing driveway from El Paso Way.

DISCUSSION

Pursuant to Chico Municipal Code (CMC) Section 19.20.070, *Home occupations not meeting operating standards*, a home occupation that does not meet the operating standards listed in CMC Section 19.20.060 may apply for a use permit to allow for the proposed home occupation. The proposed home occupation permit does not meet three of the operating standards listed in CMC Section 19.20.060:

- Section 19.20.060C – Signage in residential districts is limited to only one non-illuminated name plate not exceeding one square foot in area, approved by the Director;

- Section 19.20.060G – Employment shall be limited to persons residing on the premises, and one additional person; and
- Section 19.20.060L – The home occupation activity shall not generate more than 10 additional pedestrian or vehicular trips in excess of that customarily associated with the zoning district in which it is to be locate, and no more than two deliveries each day.

The proposed application includes a request to allow:

- A non-illuminated three square foot sign with the word ‘OFFICE’ and an eight square foot sign advertising available apartments;
- Two employees that do not live at the site; and
- Up to 24 pedestrian or vehicle trips to the site per day.

The project complies with the lot coverage and minimum setback distances for accessory structures in the R-1 zoning district, established by Table 5-9 under CMC Chapter 19.76.

The project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-1, LU-4, and CD-5) and providing adequate supply of rental housing to meet a wide range of renters and future needs throughout the city (H.3, H.3.2, H.3.4).

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301 (Existing Facilities). Consistent with this exemption, the project consists of the minor alteration of an existing private structure that will involve a negligible expansion of use beyond what currently exists. Approval of the project would not result in significant effects related to traffic, noise, air, or water quality, and the site can be adequately served by all utilities and public services.

FINDINGS

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all of the following findings can be made:

Use Permit Findings

- A. *The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).*

The proposed project is an application for a home occupation permit that does not meet the home occupation operating standards listed in CMC Section 19.20.060. Specifically, the proposed project would not meet operating standards 19.20.060C (signage limitations), 19.20.060G (number of non-resident employees), and 19.20.060L (number

of customer trips). Home occupation permits are permitted in residential zoning districts including the R-1 zone.

- B. *The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.*

No impacts to the health, safety, or welfare of neighborhood have been identified as the project is compatible with the surrounding residential uses.

- C. *The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.*

The project site is within an area that currently contains both single-family and multi-family uses and structures, improved public streets, commercial services and access to public transit (B-Line Routes #3). No impacts to property or improvements have been identified.

- D. *The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.*

The proposed project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-1, LU-4, and CD-5) and providing adequate supply of rental housing to meet a wide range of renters and future needs throughout the city (H.3, H.3.2, H.3.4).

- E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

The proposed home occupation permit will be located in an existing accessory structure that is situated within the rear yard of an existing single family home. The accessory structure is compatible with the surrounding residential development. The operating characteristics of the proposed home occupation permit will include operating hours and limitations that will allow it to be compatible with the surrounding residential land uses.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 16-12 authorizes a home occupation permit for 26030 El Paso Way in accordance with the attached Site Plan identified as Attachment B, date stamped February 8, 2017, and in compliance with all other conditions of approval.
2. The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Public Works, and Fire Department. The permittee is responsible for contacting these offices to verify the need for permits.
3. Signage for the home occupation shall not include more than: one (1) non-illuminated sign not exceeding three (3) square feet in size, and one (1) non-illuminated sign not exceeding eight (8) square feet in size. Signage shall comply with all other applicable standards listed in Chapter 19.74 of the Chico Municipal Code.

4. Operation of the home occupation shall include no more than two employees who do not primarily reside at 2603 El Paso Way.
5. Not more than 24 pedestrian or vehicle trips may be made to the site of the home occupation in a 24 hour period.
6. Operation of the home occupation shall comply with all other operating standards listed in Section 19.20.060 of the Chico Municipal Code

PUBLIC CONTACT

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date, and notices were mailed out to all property owners and tenants within 500 feet of the project site. As of this report's publication, staff has not received any public comments.

DISTRIBUTION:

Internal (3)

Mark Wolfe, Zoning Administrator

Mark Corcoran, Senior Planner

Renee Schreindl, Administrative Assistant

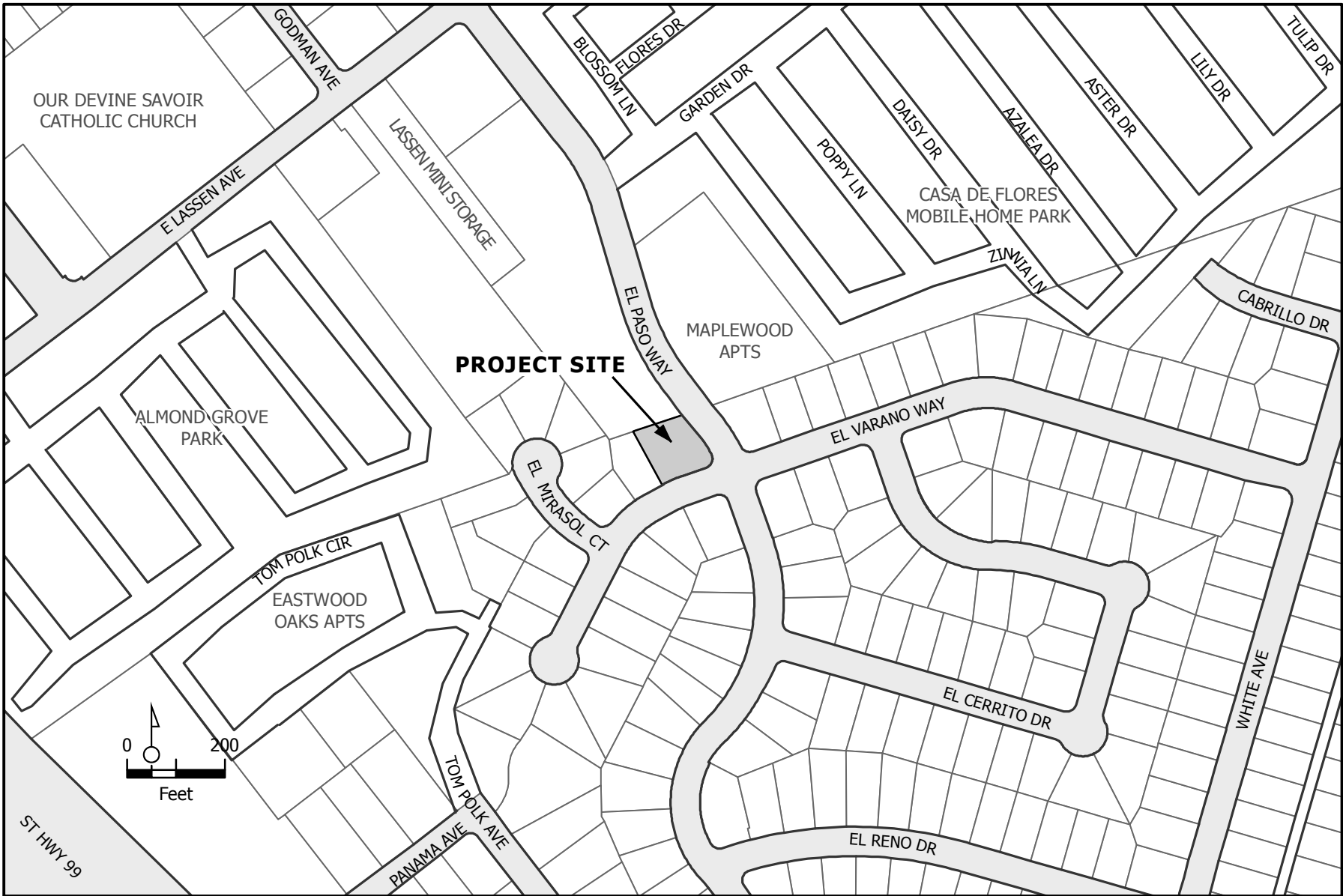
External (1)

Greg Peitz, Architect, 383 Rio Lindo Ave., Chico, CA 95926

ATTACHMENTS:

A. Location Map

B. Site Plan



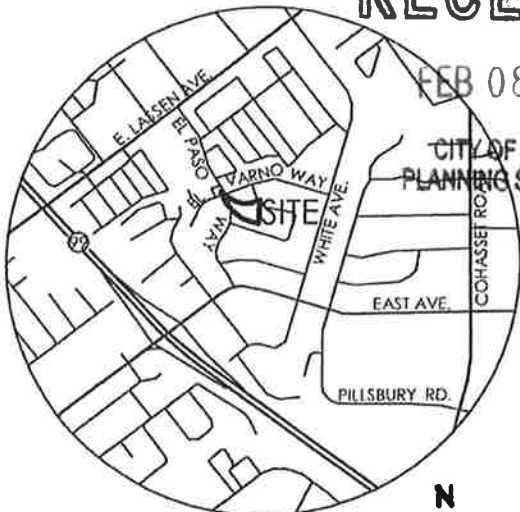
UP 16-12 (OSM)
 2603 El Paso Way
 APN 007-140-026-000



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CITY OF CHICO
PLANNING SERVICES



VICINITY MAP

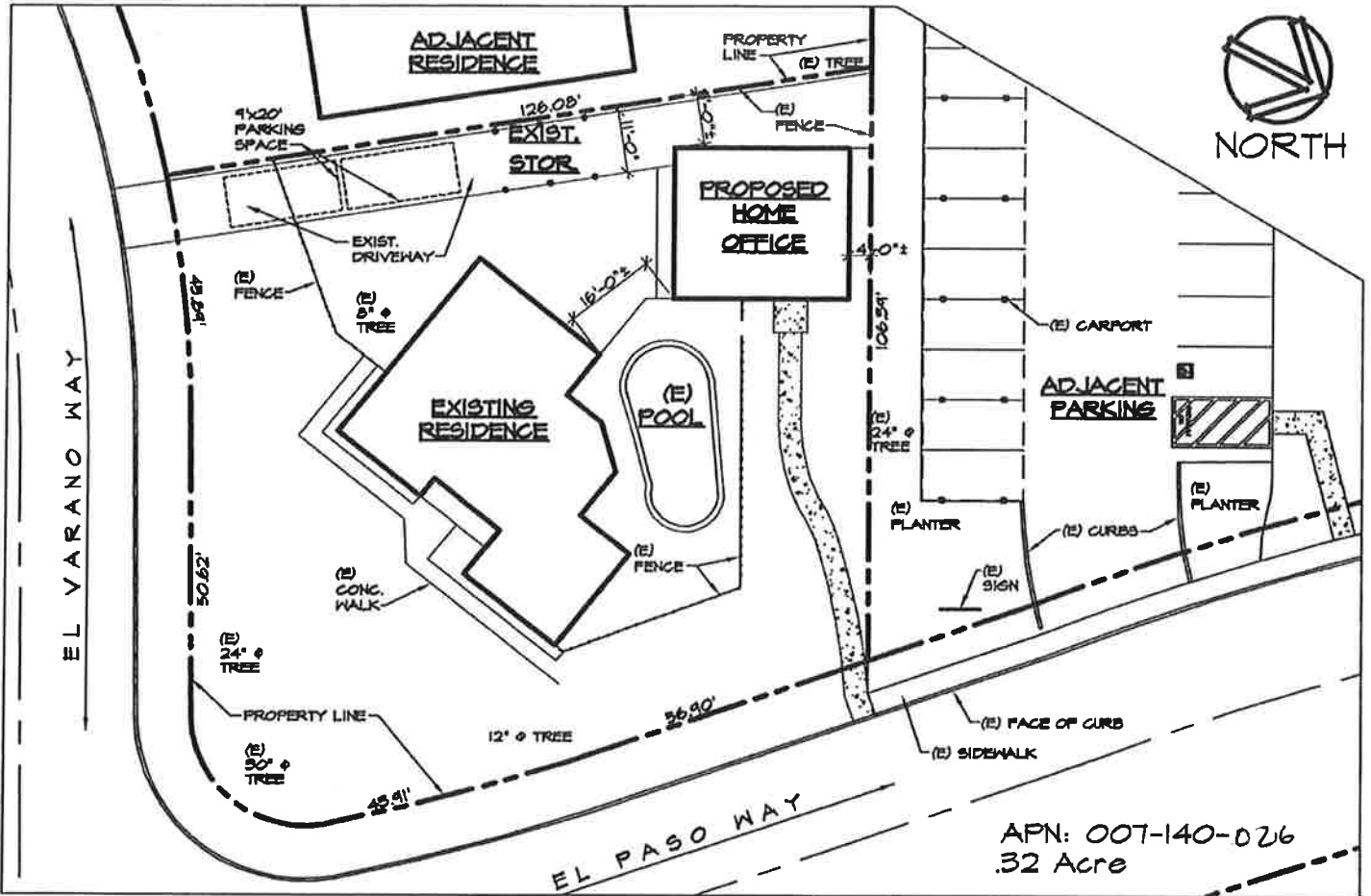


LOT COVERAGE:

LOT AREA:	= 13,824 SQ. FT.
EXISTING BUILDING AREA:	= 2,596 SQ. FT.
LOT COVERAGE:	= 19 %
LANDSCAPE AREA:	= 11,228 SQ. FT.
	= 81 %

PARKING ANALYSIS:

PARKING REQUIREMENTS:	
RESIDENCE	= 2 REQ'D.
TOTAL:	= 2 REQ'D.
PARKING PROVIDED:	= 2 SPACES



APN: 007-140-026
32 Acre



SITE PLAN

1" = 30'-0"

**GREGORY A. PEITZ
ARCHITECT**

383 Rio Lindo Ave. Chico, CA. 95926 (530) 894-5719

OFFICE for APARTMENTS
for:
MICHAEL ORWITZ
2603 EL PASO WAY, CHICO

SHEET

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of: one