



DATE: April 22, 2019

File: UP 18-18

TO: ZONING ADMINISTRATOR

FROM: Shannon Costa, Associate Planner, 530-879-6807, shannon.costa@chicoca.gov

RE: Use Permit 18-18 (Girl Scouts), 2511 Floral Avenue, APN 015-250-043

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 18-18 (Girl Scouts), based on the findings and subject to the recommended conditions of approval.

BACKGROUND

The project site is located at 2511 Floral Avenue, approximately 275 feet north of the intersection of Floral Avenue and East Avenue (see **Attachment A**, Location Map). The site is zoned R1-AOB2 (Low Density Residential with Aircraft Overflight Zone B2 overlay) and is designated LDR (Low Density Residential) on the General Plan Land Use Diagram.

The proposal would allow the Girl Scouts of Northern California to establish their headquarters, and intermittently occupy the site for outdoor classrooms, events and recreational areas for use by troops and staff members (see **Attachment B**, Project Description). Daily use of the site would include three to five office staff during normal business hours, with evening troop meetings three to four times a week. Weekend use for events and activities would be limited to four to six times a year and overnight use of the site would be limited to four to six times per year. This type of use is identified as a Specialized Training and Education school pursuant to the Chico Municipal Code 19.42.020, Table 4-2, and is an allowed use in the R1 zoning district with approval of a use permit. The site plan provided by the applicant indicates that the existing modular building on the site would be replaced with a new modular office structure (see **Attachment C**, Site Plan). A parking area would be installed adjacent to the office, and several smaller outbuildings, including an activities barn, would be constructed at the rear of the site. Detailed site improvements and architecture associated with the proposal would be reviewed by City staff, pursuant to the City's Architectural Review and Historic Preservation standards (Chico Municipal Code (CMC) 19.18.)

On December 19, 2018, the Butte County Airport Land Use Commission (ALUC) held a consistency review hearing for the proposed project, located within Compatibility Zone B2 of the Chico Municipal Airport. The ALUC found that the proposed use is inconsistent with the Butte County Airport Land Use Compatibility Plan (ALUCP) additional criteria required for uses identified as Indoor Small Assembly Facilities (capacity <300 people) which states, "not allowed if intended primarily for use by children". On April 16, 2019, the Chico City Council adopted a resolution overruling the Butte County Airport Land Use Commissions determination of inconsistency, allowing the applicant to move forward with use permit request (see **Attachment D**, 4/16/2019 City Council Resolution).

DISCUSSION AND ANALYSIS

Noise issues can arise from concentrations of children in residential areas, particularly when the children spend time outside. The site would be utilized for outdoor recreation areas, including an activity barn and outdoor pavilion for events, ceremonies, meetings, trainings and picnics. The site is bounded by residential uses to the north, a church to the west, Floral Avenue to the east and a vacant parcel to the south. The site plan indicates that the future barn structure would be located toward the southwesterly property line. Given the troops intermittent outdoor use of the site and the number of children anticipated to occupy the site at any given time, it is not anticipated that groups of children gathering in the space would create a significant noise disturbance for adjacent residential neighbors to the north. However, staff recommends that a contact phone number be provided to the Planning Division, to be made available to any adjacent neighbor requesting it, in order to resolve any noise complaints.

Pursuant to CMC 19.70.040 (*Number of parking spaces required*), specialized schools and training facilities must provide one space for each student in attendance. Typical use of the site includes three to five office staff during normal business hours, with increased parking and circulation demand during troop meetings and activities. During troop meetings and activities, it is more likely that the parking demand would be most similar to a daycare, which typically requires one space for each employee and adequate pick-up and drop-off area, pursuant to CMC 19.70. A new parking area would be installed, providing a total of five vehicle parking spaces to accommodate office staff and volunteers. The U-shaped parking area would allow parents to enter the site and safely drop off and pick-up children, then exit the site in a forward manner. With adequate pick-up and drop-off area and parking spaces to accommodate staff and volunteers, it is not anticipated that the proposed use would create significant traffic and parking impacts.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). Consistent with this exemption, the project consists of the construction of a new office structure and accessory structures in an urbanized area, not involving significant amounts of hazardous substances, where all public services are available, and the surrounding land is not environmentally sensitive.

FINDINGS

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all 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).*

CMC Section 19.42.020 (*Residential zone land uses and permit requirements*) allows a specialized school in the R1 zoning district, subject to use permit approval. The proposed

headquarters, office space and outdoor area for the Girl Scouts functions as the land use equivalent to a specialized school. This use permit has been processed in accordance with the requirements of Chapter 19.24 (*Use Permits*).

- 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.*

The project, as conditioned, includes provisions for limiting noise impacts to neighboring properties, providing adequate parking, and limiting the evening and overnight use of the site to minimize impacts to neighboring businesses and residents. These measures should sufficiently ensure that no significant negative impacts related to health, safety, and/or general welfare will affect those in the surrounding neighborhood.

- 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 involves use of a site previously operated by an outdoor plant nursery for the Girl Scouts of Northern California headquarters and intermittent outdoor use of the site. All on- and off-site improvements will require building and/or encroachment permits from the City of Chico. Existing regulations require that any public improvements damaged during the course of construction shall be repaired or reconstructed by the applicant. 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 project is consistent with the Low Density Residential designation for the site, which provides for limited service uses, such as specialized schools, which are traditionally found in residential neighborhoods. The project is also consistent with General Plan Goal LU-2, providing a mix and distribution of uses that meet the identified needs of the community, Goal LU-4, promoting compatible infill development, and Policy PPF-7.2, supporting efforts to improve and expand health and social services for all segments of the community.

- 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 project involves a re-use of a site previously used for an outdoor plant nursery for Girl Scouts of Northern California headquarters and intermittent outdoor use of the site. The limited scale of the project combined with the conditions of approval will substantially limit noise disturbances and traffic disruption to promote compatibility with existing and future land uses in the vicinity.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 18-18 authorizes a Specialized Education School for Girl Scouts of Northern California in the R1 zoning district, in substantial accord with the "Plat to Accompany Use Permit 18-18 (Girl Scouts)" 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 Department, Fire Department, and Butte County Environmental Health. The permittee is responsible for contacting these offices to verify the need for permits.
3. Use of the site is limited to:
 - a. Daily use: Normal business hours for office staff (8 am to 5 pm)
 - b. Evening use by troop members: Up to four times per week, not to extend beyond 9 pm.
 - c. Weekend use by troop members: Up to four times per year, 9 am to 5 pm.
 - d. Overnight use by troop members: Up to six times per year
4. The permittee shall keep a current phone number on file with the Planning Division for the purposes of resolving possible noise complaints. This number shall be made available to neighbors at their request.

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.

DISTRIBUTION:

Internal (3)

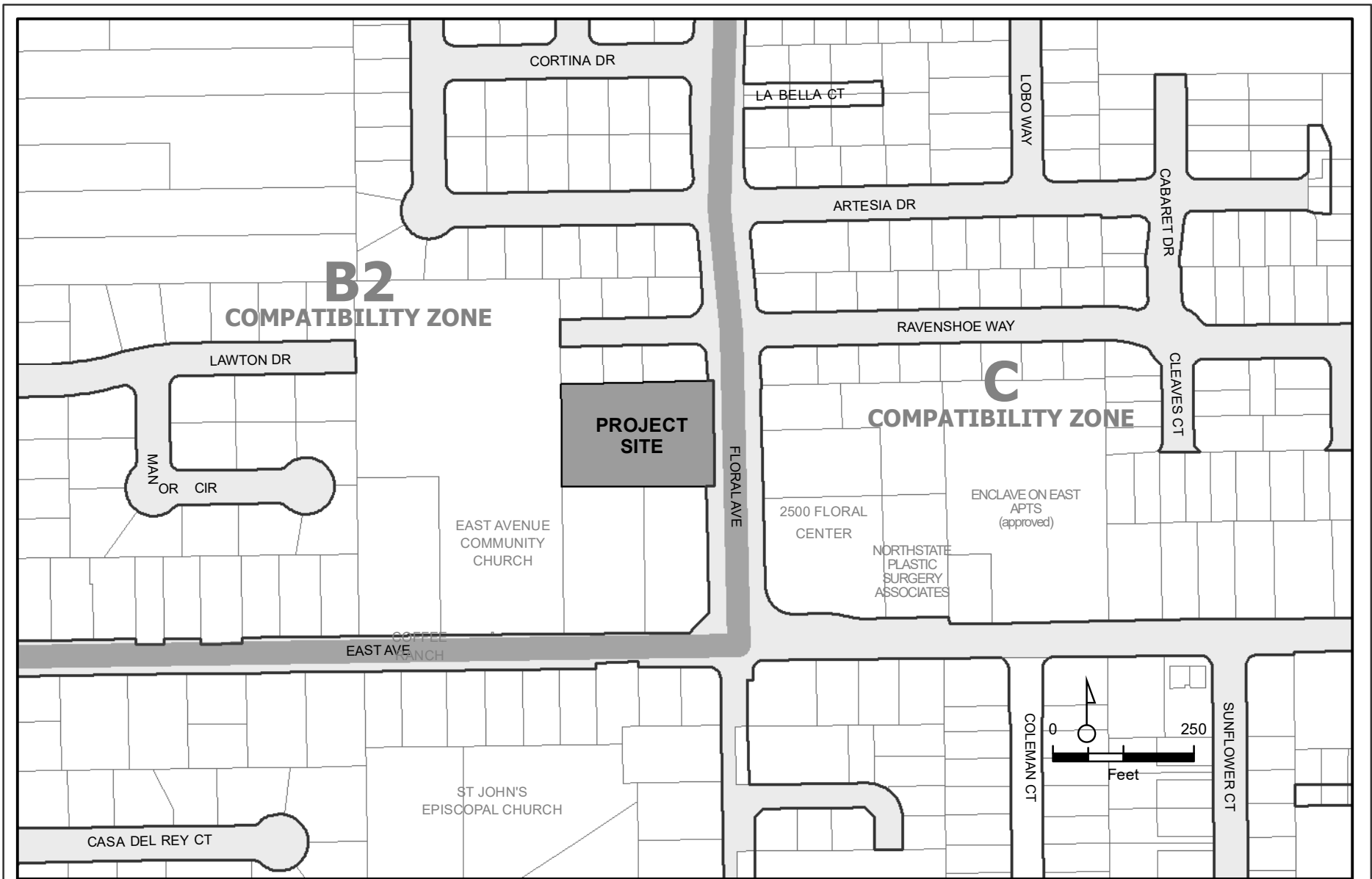
Brendan Vieg, Zoning Administrator
Shannon Costa, Associate Planner
File: UP 18-18

External

Girl Scouts of Northern California, attn.: James Rueter, 1650 Harbor Bay Parkway, suite 100, Alameda, CA 94502 (email: JRueter@gsnorcal.org)
Teresa Gisske, 1885 Lodge Pine Lane, Chico, CA 95926 (email: tgisske@hotmail.com)

ATTACHMENTS:

- A. Location/Notification Map
- B. Plat to Accompany Use Permit 18-18 (Girl Scouts)
- C. Project Description
- D. City Council Resolution



UP 18-18 (Girl Scouts of Northern CA)
2511 Floral Avenue
APN 015-250-043-000



Girl Scouts of Northern California
Proposed Use for Member Service Center
2511 Floral Ave, Chico, CA

Location for Girl Scout Members (girls & adults) to:

- participate in troop activities
- attend meetings
- attend trainings
- meet with staff
- pick up supplies for troop activities
- purchase Girl Scout items

Main house will have:

- Meeting Room
- Staff Offices (2)
- GS Shop
- Heritage Displays
- Kitchen
- Bathroom
- Storage

A Future Activity Barn and Outdoor Pavilion will provide space for:

- Events and ceremonies for girls
- Meetings for girls and volunteers
- Trainings for volunteers
- Picnics for girls and their families
- Overnights

Current Planned Hours of Operation:

Weekdays: 9:00am – 5:00pm (3-5 people)

Evenings: 3 to 4 times per week - afterschool and evening meetings until 9:00pm (15-20 people)

Weekends: 4 times per year - day activities 9:00am – 5:00pm (50-75 people)

Weekends: 4-6 times per year - overnights inside the building (10-15 people)

Building Users:

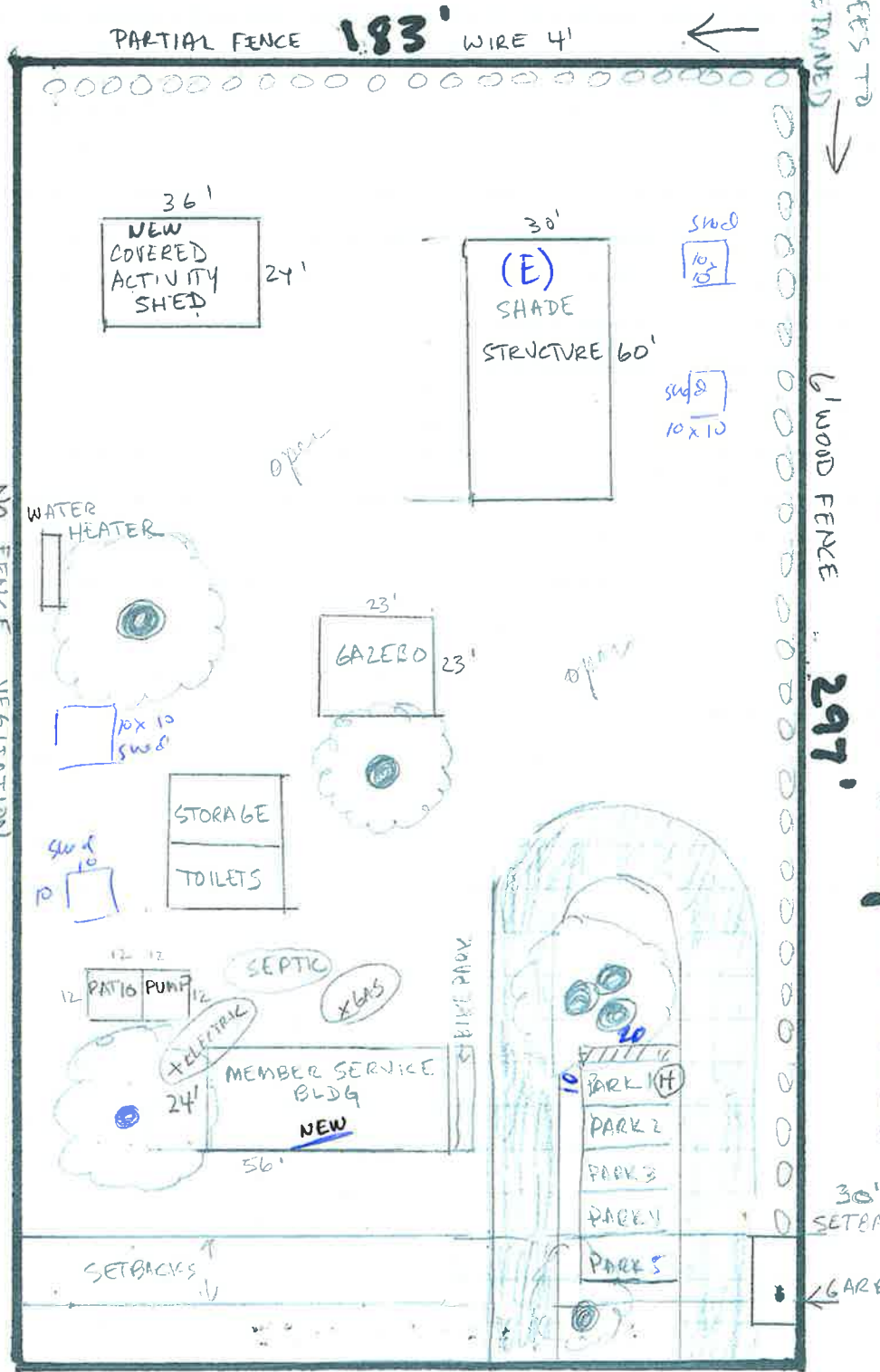
Mostly adults during the weekdays

Girls and Adult Volunteers in the evenings and on weekends

RECEIVED

DEC 08 2018

CITY OF CHICO
PLANNING SERVICES



SITE PLAN
Girl Scout Program Center

2511 FLORAL AVE

LOT AREA 1.25 ACRES
SCALE: 1/4" = 10'
DATE: 12-5-18

APPLICANT **TERESA BISSKE**
GIRL SCOUTS NORCAL
APN **015 250 043**

Hydrant
~ 300' ←

POWER/UTILITY POLES
X FLORAL

Attachment C
20' Hydrant →

1
2 pursuant to section 21676.5 of the Public Utilities Code if it adopts overruling findings that the
3 City's action is consistent with the purposes of Article 3.5 of Chapter 4, Part 1, Division 9 of the
4 Public Utilities Code, entitled "Airport Land Use Commission" (The "ALUC Law");

5 WHEREAS, the Council, based upon all overruling findings set forth below, has
6 determined that development of the Project site is permitted by the current General Plan land use
7 and zoning designation, is consistent with the purposes of the ALUC law; and

8 WHEREAS, environmental review of the proposed overrule of the ALUC's Determination
9 is not required since the action does not constitute a project pursuant to the California
10 Environmental Quality Act (CEQA). Overrule of the ALUC's Determination of Inconsistency is
11 a component of a project that will result in the further development of parcel. That project is
12 exempt from environmental review pursuant to California Environmental Quality Act Guidelines
13 section 15332 (In-Fill Development), in that the project site is within city limits on a site less than
14 five acres, substantially surrounded by urban uses, the site has no habitat value and is adequately
15 served by all required utilities and public services. The project is consistent with applicable general
16 plan and zoning designations and would not result in any significant effects related to noise, air
and water quality and traffic:

17 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chico finds
18 that:

- 19 1. The Butte County Compatibility Plan is intended to promote compatibility between the airports
20 in Butte County and the land uses that surround them. As indicated in the California State
21 Aeronautics Act (Public Utilities Code Section 21670), compatibility plans have two purposes:
- 22 • To "...provide for orderly development of each public airport and the area surrounding
23 these airports as to promote the overall goals and objectives of the California airport noise
24 standards..." and
 - 25 • To "...protect public health, safety, and welfare by ensuring the orderly expansion of the
26 airports and the adoption to land use measure that minimize the public's exposure to
27 excessive noise and safety hazards within areas around public airports to the extent that
28 these areas are not already devoted to incompatible uses."

- 1 2. Adoption of the overruling findings by the City Council would allow the Girl Scouts of
2 Northern California to utilize located at 2511 Floral Avenue as their primary office space for
3 member services, and to allow an outdoor classroom area for weekly troop meetings and
4 functions for up to 30 troop members, up to four days a week;
- 5 3. The following findings of fact support approval of the overriding findings and are divided into
6 four areas of concern: safety, overflight, noise, and airspace protection.
- 7 A. SAFETY: As defined by the protection of people on the ground and in the air from
8 accidents.
- 9 i. This *ALUCP* evaluates the risk that potential aircraft accidents pose to lands and
10 people around the *Airport* in terms of two parameters: where aircraft accidents are
11 most likely to occur near the *Airport*; and the potential consequences if an accident
12 occurs in one of those locations. The accident likelihood is measured in terms of the
13 geographic distribution of where accidents have historically occurred around other
14 airports having similar types of activity. Because aircraft accidents are infrequent
15 occurrences, the pattern of accidents at any one airport cannot be used to predict where
16 future accidents are most likely to happen around that airport. Reliance must be placed
17 on data about aircraft accident locations at comparable airports nationally, refined with
18 respect to information about the characteristics of aircraft use at the individual airport.
- 19 ii. The project site is located in the area designated by the *ALUCP* as the B2 Zone. The
20 B2 Zone is the area beyond the runway ends and the boundaries of the zone B2 reflect
21 the airport's principal instrument and visual approach and departure paths.
- 22 iii. The Project Site is located outside of all Safety Zones as depicted on the Compatibility
23 Factors Map: Safety set forth in the *ALUCP* (Exhibit 5-5). The project site is
24 approximately 950-feet outside of the next closest Safety Zone; Safety Zone 6 –
25 Traffic Pattern Zone.
- 26 iv. In the late 1970s the City acquired all property within a ½-by-1-mile area beyond each
27 end of the main runway. The *ALUCP* indicates that safety was deemed as not being a
28 concern beyond the 1-mile acquisition area boundary.

- 1 v. The closest portion of the project site is located over 11,090 linear feet (over two
2 miles) away from the south end of the runway at Chico Municipal Airport.
- 3 vi. The northwest corner of the intersection of Floral Avenue and East Avenue is the
4 southernmost boundary of the B2 overflight zone. Properties located immediately
5 across the intersection are located in Overflight Zone C.
- 6 vii. Project specific operations limit the number of days a week the site is occupied by
7 groups of children to four days a week. Office staff would occupy the site during
8 normal business hours, Monday through Friday.
- 9 viii. Project specific operations limit the number of children on the site to groups of 10-30
10 children at a time.
- 11 ix. For nonresidential uses, compatibility Zone B2 sets maximum sitewide average
12 intensity limits at 100 people per acre. The average sitewide intensity for the proposed
13 project is approximately 28 people per acre; well below the sitewide intensity limits.
- 14 x. For non-residential uses, compatibility Zone B2 sets maximum single-acre intensity
15 limits at 300 people per acre. The average single-acre intensity for the proposed project
16 is 28 people per acre; well below the single-acre intensity limits.
- 17 xi. Land uses of special concern are not allowed in portions of the airport environs
18 regardless of the occupants associated with the use. In other instances, these uses
19 should be avoided, that is, allowed only if an alternative site outside the zone would
20 not service the intended function. The Girl Scouts of Northern California selected this
21 location for their member services location because; the location is convenient to serve
22 the North Chico area, is already set up for outdoor activity because of its previous use
23 as an outdoor plant nursery, and no alternative locations could be identified.
- 24 xii. Open Land: In the event that a light aircraft is forced to land away from an airport, the
25 risks to the people on board can best be minimized by providing as much open land
26 area as possible within the Airport vicinity. This concept is based upon the fact that
27 the majority of light aircraft accidents and incidents occurring away from an airport
28 runway are controlled emergency landings in which the pilot has reasonable

1 opportunity to select the landing site. If the project site is developed consistent with
2 R1 development standards, approximately 67% of the B2 Zone that the project is
3 located in will still remain open (see Attachment G of the staff report).

4 B. OVERFLIGHT: As defined by the annoyance and other general concerns arising from
5 routine aircraft flight over a community.

- 6 i. Chico Municipal Airport has an average of 93 daily aircraft operations, which is
7 expected to increase to an average of 388 daily aircraft operations during the
8 planning period of the ALUCP, which is an undefined future date. Fifty-seven
9 percent of those flights are itinerant transient general aviation and twenty percent
10 are air taxi.
- 11 ii. The loudness and frequency of occurrence of individual aircraft noise events are
12 key determinants of where notification of airport proximity and aircraft overflight
13 is warranted. Single-event noise levels are especially important in areas that are
14 overflown regularly by aircraft, but that do not produce significant *CNEL* contours.
- 15 iii. Locations where aircraft regularly fly at approximately the traffic pattern altitude—
16 1,000 feet above ground level— or lower are considered to be within the *Airports'*
17 overflight impact area. Aircraft above the project location are estimated to be
18 between 600 and 1,000 feet above airport elevation.
- 19 iv. The ALUCP recommends overflight compatibility polices focus on notification,
20 not restrictions. Such notification can include a recorded overflight notification
21 recorded in the chain of title for the property, an avigation easement, or a proximity
22 disclosure. A requirement for such notification would be required through
23 conditions of approval for the use permit for this project.

24 C. NOISE: As defined by the exposure to noise attributable to aircraft operations.

- 25 i. As is standard practice in California, this ALUCP uses the Community Noise
26 Equivalent Level (CNEL) metric as the primary basis for evaluating the degree to
27 which lands around the airport are exposed to airport-related noise. CNEL is a
28 cumulative noise metric in that it takes into account not just the loudness of

1 individual noise events, but also the number of events over time. Cumulative
2 exposure to aircraft noise is depicted by a set of contours, each of which represents
3 points having the same CNEL value.

- 4 ii. The noise contours for each airport covered by this *ALUCP* reflect the airport
5 activity levels documented in these chapters. The noise contours represent the
6 greatest annualized noise impact, measured in terms of *CNEL*, which is anticipated
7 to be generated by the aircraft operating at the airport over the planning time frame.
8
- 9 iii. Noise levels above approximately 65 dBA are sufficient to cause speech
10 interference. Highly *Noise- Sensitive Land Uses* include residences, schools,
11 libraries, and outdoor theaters. The Project Site is located outside of the CNEL 60
12 dB noise contour line as depicted on the noise contour lines set forth in the *ALUCP*.
- 13 iv. The primary noise issue associated with airports is the noise generated by aircraft
14 take off and approach for landing. The closest portion of the project site is located
15 over 11,090 linear feet (over two miles) away from the south end of the runway at
16 Chico Municipal Airport.
- 17 v. Single-event noise levels should be considered when evaluating the compatibility
18 of highly *Noise-Sensitive Land Uses* such as residences, schools, libraries, and
19 outdoor theaters. Susceptibility to speech interference and sleep disturbance are
20 among the factors that make certain land uses noise sensitive. As stated, the
21 intended use of the project site is for membership services (office use) and
22 intermittent outdoor classroom for weekly troop meetings. Overnight use of the site
23 would be infrequent.

24 D. AIRSPACE PROTECTION: As defined by the protection of airspace from hazards to
25 flight.

- 26 i. The *ALUCP* indicates that structures within the B2 Zone limits should not exceed
27 70 feet in height. The City of Chico Municipal Code limits structures in the R1 zone
28 to a 35-foot maximum height.

1 ii. The project site is surrounded on the north, south and east sides by properties that
2 are already developed with a variety of residential and commercial uses including
3 a church.

4 iii. The ALUCP provides that 20% of the land within a B2 zone should remain in open
5 space. The Caltrans Handbook recommends that 15-20% of open space land be
6 maintained within the overall zone. If the project site is developed consistent with
7 R1 development standards, approximately 67% of the B2 Zone that the project is
8 located in will still remain open.

9 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chico as
10 follows:

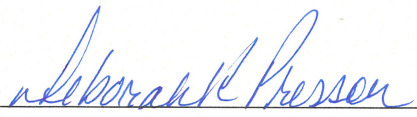
- 11 1. A request by Girl Scouts of Northern California to utilize a 1.25-acre site located at 2511
12 Floral Avenue, approximately 275-feet north of the intersection of Floral Avenue and East
13 Avenue as their primary office space for member services, and to allow an outdoor
14 classroom area for weekly troop meetings and functions for up to 30 troop members, up to
15 four days a week is consistent with the purpose and intent of the Airport Compatibility Plan
16 and conclude the project would not compromise the health, safety and welfare of people
17 living on or near the site and would not expose the public to excessive noise and safety
18 hazards.
- 19 2. The proposed project would serve the public interest by advancing General Plan Goals,
20 Actions and Policies regarding in-fill development in existing neighborhoods (LU-4.2),
21 support cultural and social services to enhance local quality of life (PPFS-7), and
22 encouraging projects and programs that increase the quality of life for City residents (ED-
23 1.5).
- 24 3. Environmental review of the proposed overrule of the ALUC's Determination is not
25 required since the action does not constitute a project pursuant to the California
26 Environmental Quality Act (CEQA). Overrule of the ALUC's Determination of
27 Inconsistency is a component of a project that will result in future development of parcel
28 which is anticipated to be exempt from further environmental review, pursuant to CEQA
 guidelines section 15332 (Infill Development).

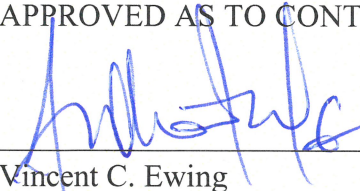
 THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the City

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Council of the City of Chico held on April 16, 2019, by the following vote:

- AYES: Huber, Morgan, Ory, Reynolds, Schwab, Brown, Stone
- NOES: None
- ABSENT: None
- ABSTAINED: None
- DISQUALIFIED: None

ATTEST:

Deborah R. Presson
City Clerk

APPROVED AS TO CONTENT AND FORM:

Vincent C. Ewing
City Attorney*

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