



Zoning Administrator Agenda Report Meeting Date: 6/8/2021

DATE: June 1, 2021

File: UP 21-02

TO: ZONING ADMINISTRATOR

FROM: Madison Driscoll, Assistant Planner, 879-6810, madison.driscoll@chicoca.gov

RE: Use Permit 21-02 (Cooper Homes) 1260 and 1262 East 9th Street, APNs 004-331-012 and 004-331-011

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find that the project is categorically exempt from environmental review and approve Use Permit 21-02 (Cooper Homes), based on the findings and subject to the recommended conditions of approval contained in the agenda report.

BACKGROUND

This is a request to authorize ground-floor residential occupancy in the CC (Community Commercial) zoning district. The sites are located at 1260 and 1262 East 9th Street (See **Attachment A**, Location Map), on the east side of 9th Street, between Bartlett Street and Linden Street. The two 0.14 acre sites are designated Commercial Mixed Use (CMU) on the General Land Use Diagram and are zoned CC (Community Commercial). The sites are currently vacant but historically have had a residential use. Building permit records indicated that site previously had a 900 square foot single-family residence but was demolished in 2013.

The proposal includes development of two one-story single-family homes, one placed on 1260 East 9th Street and one on 1262 East 9th Street. The homes are mirror each other in footprint and are both 1,200 square feet with a shared driveway. There are two proposed parking spots, one in front of each house.

DISCUSSION AND ANALYSIS

The request is to allow two ground floor residential units, one on each parcel, resulting on an overall density of 7.14 units per gross acre, which falls within the allowable density range of 6 to 22 units per gross acre in the CC (Community Commercial) zoning district. Pursuant to Chico Municipal Code (CMC) section 19.44.020, Table 4-6 (*Allowable Uses and Permit Requirements for Commercial Zoning Districts*), use permit authorization is required to establish residential occupancy in the CC (Community Commercial) zoning district; residential units on the second floor or above are a permitted use.

Pursuant to Chico Municipal Code 19.70 (Parking and Loading Standards) two off-street parking spots are required per single family residence. The proposed site plane (See **Attachment B**, Site Plan Cooper Homes) only shows off-street parking space per residence. In order to meet the parking requirement a condition of approval is recommended that the applicant create an additional parking spot per residence (see Condition of Approval # 3).

General Plan

The project site is located in the East 8th and 9th Street Corridor Opportunity Site. Opportunity Sites are identified in the General Plan as areas expected to be the focus of change and revitalization. The proposed project would implement General Plan goals and policies for this opportunity site that would result in an increase in residential development compatible with the surrounding land uses. It is not anticipated that the development of residential space would result in an inadequate supply of commercial space along East 9th Street due to the small size of each lot. Additional General Plan goals and policies implemented by the project include:

- Policy LU-4.2 (Infill Compatibility) - Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.
- Action LU-4.2.1 (Mix of Dwelling Types) – Allow a mix of dwelling types within all residential land use designations consistent with density requirements and applicable design criteria.
- Policy LU-5.1 (Opportunity Sites) - Facilitate increased density and intensity of development and revitalization Opportunity Sites.

Environmental Review

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15332 (In-fill Development Projects). The site is within city limits on a project site less than five acres and is surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in significant effects related to traffic, noise, air, or water quality, and the site is 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 and Changes to a Structure or Site Improvement 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).*

Chico Municipal Code Section 19.44.020, Table 4-6, provides for ground-level residential occupancy in the CC (Community Commercial) zoning district, subject to use permit approval.

- 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.*

Ground-floor residential uses have historically existed at the site and within the surrounding sites. No impacts to the health, safety, or welfare of persons residing or working in the neighborhood have been identified as the proposed residential use is consistent with the existing 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 surrounding area currently contains ground-floor residential uses and structures. Additionally, having an active use on the site will avoid blight and reduce the likelihood of vandalism and other potential undesirable behaviors on the site. Existing regulations require that any public improvements damaged during construction 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.*

Chico Municipal Code 19.44.020, Table 4-6, provides for ground-level residential occupancy in the CC (Community Commercial) zoning district, subject to use permit approval. 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), 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.*

Chico Municipal Code 19.18.040 lists detached single-family dwellings are exempt from site plan and architectural design review.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 21-02 (Cooper Homes) authorizes ground-level residential occupancy, in substantial accord with the "Site Plan to Accompany Use Permit 21-02" 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 Community Development, Public Works, and Fire Departments. The permittee is responsible for contacting these offices to verify the need for permits.
3. One additional parking spot on each lot shall be provided to accommodate parking requirements set by Chico Municipal Code (CMC) 19.70.040.
4. No tree removal has been approved as part of this project. Should tree removal be necessary, the applicant shall submit a tree removal permit application pursuant to CMC Section 16.66.070 prior to the issuance of any building permits.

PUBLIC CONTACT

A neighborhood meeting was held on 4/28/2021 and there was no public comment on the meeting. All landowners and occupants within 500 feet of the subject site were noticed (See **Attachment C**, Notice for Pre-Application Neighborhood Meeting).

All landowners and occupants within 500 feet of the subject property were noticed and a legal notice was published in the *Chico Enterprise Record*. As of the date of this report, no comments have been received from the public.

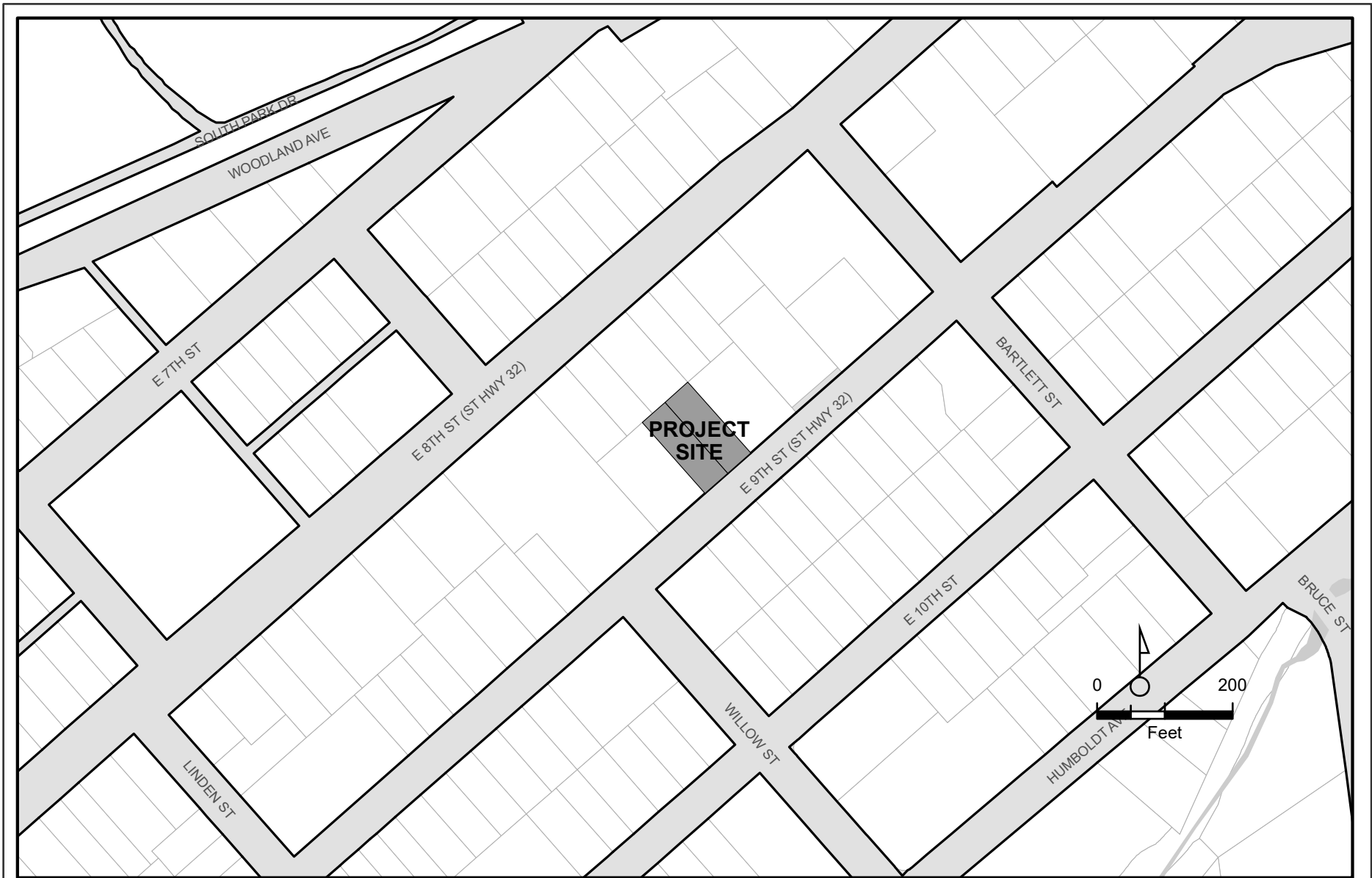
DISTRIBUTION:

Mike Sawley, Zoning Administrator
Bruce Ambo, Principal Planner
Madison Driscoll, Assistant Planner

Paul Cooper, 53 Santa Rita Avenue, San Francisco, CA 94116, (paulirwincooper@gmail.com)

ATTACHMENTS:


- A. Location/Notification Map
- B. Site Plan Cooper Homes
- C. Notice for Pre-Application Neighborhood Meeting



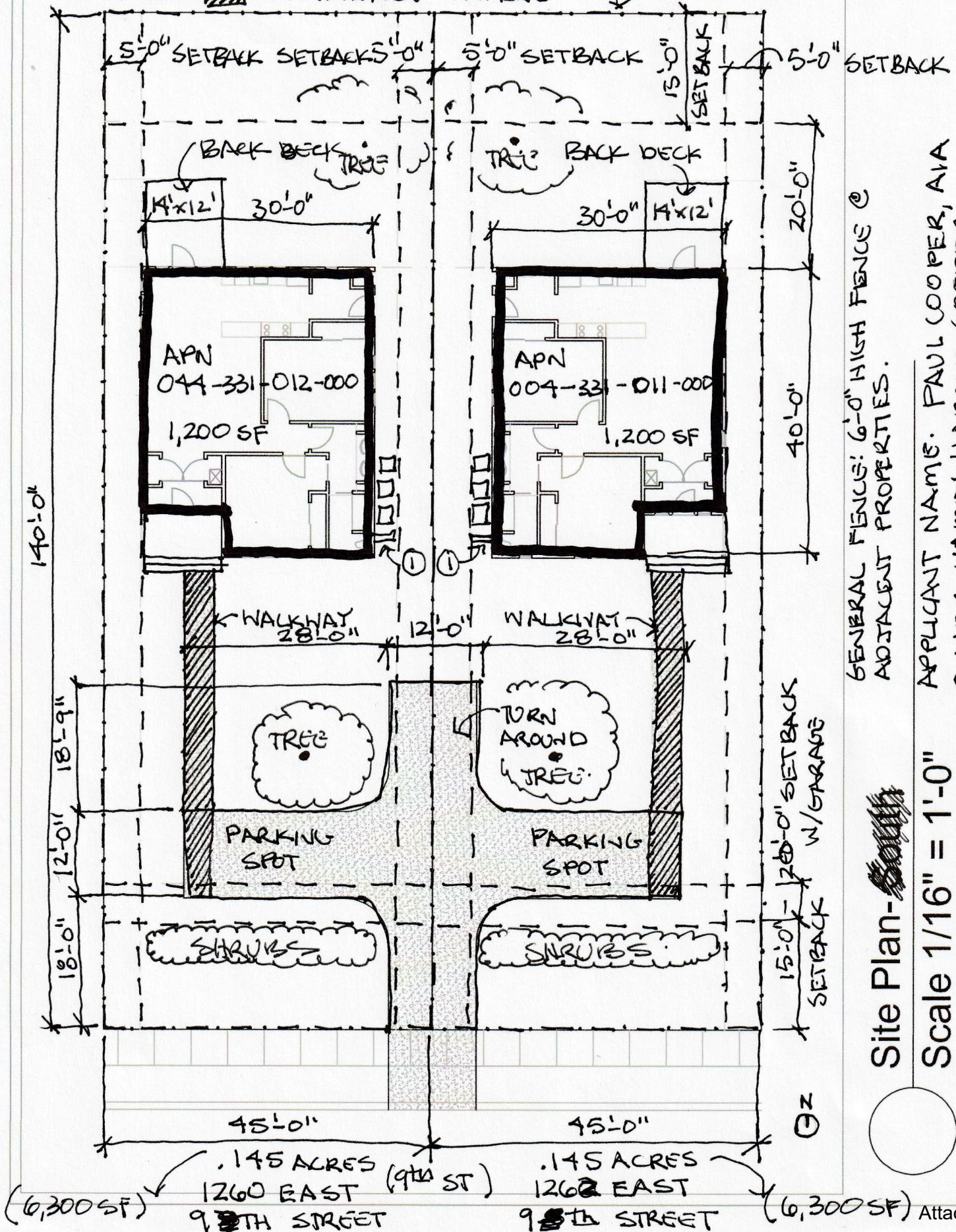
UP 21-02 (Cooper Homes)
1260 and 1262 E 9th Street
APN 004-331-011-000 and 004-331-012-000



NOTE ① TRASH SCREEN

LEGEND  PERMEABLE PAVERS

PROPERTY LINE



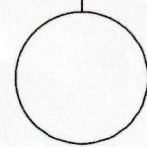
GENERAL FENCE: 6'-0" HIGH FENCE @ ADJACENT PROPERTIES.

APPLICANT NAME: PAUL COOPER, AIA
OWNER NAME: HAROLD COOPER

Site Plan - ~~Scale~~

Scale 1/16" = 1'-0"

PROJECT NAME: COOPER HOUSES



NOTICE FOR PRE-APPLICATION
NEIGHBORHOOD MEETING

April 4, 20213

A pre-application meeting will be held on Wednesday April 28, 2021 at 6:30pm, on zoom use link shown on the bak regarding the following project:

Infill Houses - 1260 East 9th Street -APN 004-331-011-000
1264 East 9th Street -APN 004-331-012-000

A request to change the zoning from Community Commercial to R1- Low Density Residential to build single family home one on each lot.

A pre-application neighborhood meeting is required for all discretionary zoning changes that will need City of Chico Planning Commission or City Council approval. No decision will be made at this meeting. The meeting is intended to provide an opportunity for neighbors to meet with the project proponent to review and comment on the proposal in advance of a formal application.

For further information regarding the project, please contact the applicant's representative:

Paul Cooper, AIA c/o Harold Cooper
1263 East 7th Street
Chico, CA 95928
(415) 596-8705

For further information regarding Chico's development process and regulations, please contact

City of Chico Planning Division
411 Main Street
P.O. Box 3420
Chico, CA 95927
(530) 879-6800

Distribution:

Property owners/residents within 500 feet of project site, mailed 10 days before meeting

City of chico Planning Division, zoning@chicoca.gov

City of Chico Development Engineering Division

CITY OF CHICO
PLANNING

*See back of page for Zoom Login Information

