



Zoning Administrator Agenda Report Meeting Date 03/08/2022

DATE: February 24, 2022

File: UP 21-05

TO: ZONING ADMINISTRATOR

FROM: Kelly Murphy, Project Planner, kelly.murphy@chicoca.gov, 879-6535

RE: Use Permit 21-05 (SNBC Craft Beverage Warehouse) – 1085 E. 20th Street; APN 005-550-037.

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 21-05 (SNBC Craft Beverage Warehouse), based on the findings and subject to the recommended conditions of approval.

BACKGROUND AND ANALYSIS

This is a request for use permit approval to allow for a cannabis manufacturer land use with a premises greater than 5,000 square feet. The cannabis manufacturer would be located in a new 80,000 square foot industrial warehouse building proposed for the Sierra Nevada Brewery Company (SNBC). The Architectural Review and Historic Preservation Board reviewed the associated architectural review application for the project (AR 21-26) at their meeting on March 2, 2022.

The project site is located south of East 20th Street and the existing solar covered parking area and hop yard (see **Attachment A**, Location Map and **Attachment B**, Site Plan). The site is designated Manufacturing and Warehousing on the City of Chico General Plan Land Use Diagram and zoned ML (Light Industrial). All properties adjacent to the project parcel are under SNBC ownership and consist of associated industrial and commercial land uses.

DISCUSSION

The project would be situated on a vacant 4.59-acre portion of the site previously used as outdoor space for special events. The proposed building would consist of three separate suites. The cannabis manufacturer would be located in Suite B and occupy approximately 16,000 square feet of gross floor area.

The site plan situates the new warehouse facility directly east of the existing wastewater building and trash/recycling building. Main entrances are located on the south and west sides of the building. Vehicle access to the site would be from Sierra Nevada Court, extending around the facility to the roll up doors and loading docks located on the southern façade of the building.

ANALYSIS

The ML zoning district is applied to areas appropriate for light assembly and manufacturing, wholesaling, warehousing and distribution, agricultural and industrial processing within structures, and support commercial services. Beverage production, distribution and general manufacturing uses are principally permitted land uses in the ML zoning district.

Pursuant to Chico Municipal Code (CMC) Section 19.46.020, Table 4-8, cannabis

manufacturers proposing non-volatile manufacturing techniques and a premises under 5,000 square feet are principally permitted, whereas cannabis manufacturing involving volatile manufacturing techniques and/or a premises of 5,000 square feet or greater requires use permit approval.

Commercial cannabis land uses require issuance of a Commercial Cannabis Permit through the City Manager's office. A zoning verification was conducted as part of the associated cannabis business permit (CANNA22-00003) to verify compliance with the location limitations for cannabis-related land uses established in CMC Section 19.75.120. At the time of staff's analysis of the location proposed for the cannabis manufacturer use, no known sensitive uses were identified within the minimum buffer distance of 100 feet from a school providing instruction in kindergarten or any grades I through 12, a day care center, or a youth center.

The project would be consistent with land use, lot coverage, building height and setback requirements for the ML zoning district. The project does not necessitate additional parking spaces be added as the site provides a total number of parking spaces greater than what the Code requires (426 spaces required; 522 spaces provided).

ENVIRONMENTAL REVIEW

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects). Consistent with this exemption, the project is: consistent with the applicable General Plan designation, zoning regulations, and General Plan policies; is less than five acres in size, substantially surrounded by urban uses; has no habitat value for special status species; will not result in any significant impacts regarding traffic, noise, air quality, or water quality; and can be adequately served by all required 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).*

Pursuant to CMC Section 19.46.020, Table 4-8, a cannabis manufacturer with a premises greater than 5,000 square feet may be permitted in the ML zoning district subject to the issuance of a use permit. This use permit was processed in compliance with 19.24.

- 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 site is an industrial parcel surrounded by industrial and commercial uses. There are no residential uses or properties in the immediate vicinity. The zoning verification conducted as part of the associated cannabis business permit (CANNA22-00003) verified compliance with the location limitations for cannabis

manufacturers established in CMC Section 19.75.120. At the time of staff's analysis, no sensitive uses were identified within the minimum buffer distance of "100 feet from a school providing instruction in kindergarten or any grades 1 through 12, a day care center, or a youth center". The cannabis manufacturer is not expected to have detrimental effects on 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 proposed cannabis manufacturer use would be contained entirely within the new warehouse building located interior to the site, with gated vehicle and pedestrian access. The cannabis manufacturer would operate similarly to other existing manufacturing uses on the greater SNBC property and would be compatible with the Manufacturing and Warehousing designation and zoning district. The proposed use is not anticipated to have any detrimental effects on property or improvements in the area.

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

The proposed cannabis manufacturer would be compatible with the Manufacturing and Warehousing designation and zoning district and operate similarly to other existing manufacturing uses on the greater SNBC property.

- 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 use is compatible with surrounding commercial and light industrial uses. The cannabis manufacturer use would operate within an industrial warehouse similar in design, size and operating characteristics as other buildings and facilities on the SNBC property.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 21-05 (SNBC Craft Beverage Warehouse) authorizes a commercial cannabis manufacturer use with a premises 5,000 square feet or greater, in general accord with the "Site Plan to Accompany Use Permit 21-05 (SNBC Craft Beverage Warehouse)" 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. The proposed commercial cannabis manufacturer use shall be operated in compliance with the general and specific standards set forth in CMC Section(s) 19.75.130 and 19.76.160.
4. The Permittee shall obtain a Commercial Cannabis Permit from the City Manager's office prior to commencement of any commercial cannabis activity.

5. The applicant shall defend, indemnify, and hold harmless the City of Chico, its boards and commissions, officers and employees against and from any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorney's fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to or claim regarding the legality, validity, processing or adequacy associated with: (i) this requested entitlement; (ii) the proceedings undertaken in connection with the adoption or approval of this entitlement; (iii) any subsequent approvals or permits relating to this entitlement; (iv) the processing of occupancy permits and (v) any amendments to the approvals for this entitlement. The City of Chico shall promptly notify the applicant of any claim, action or proceeding which may be filed and shall cooperate fully in the defense, as provided for in Government code section 66474.9.

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 (2)

Mike Sawley, Zoning Administrator

Kelly Murphy, Senior Planner

External (2)

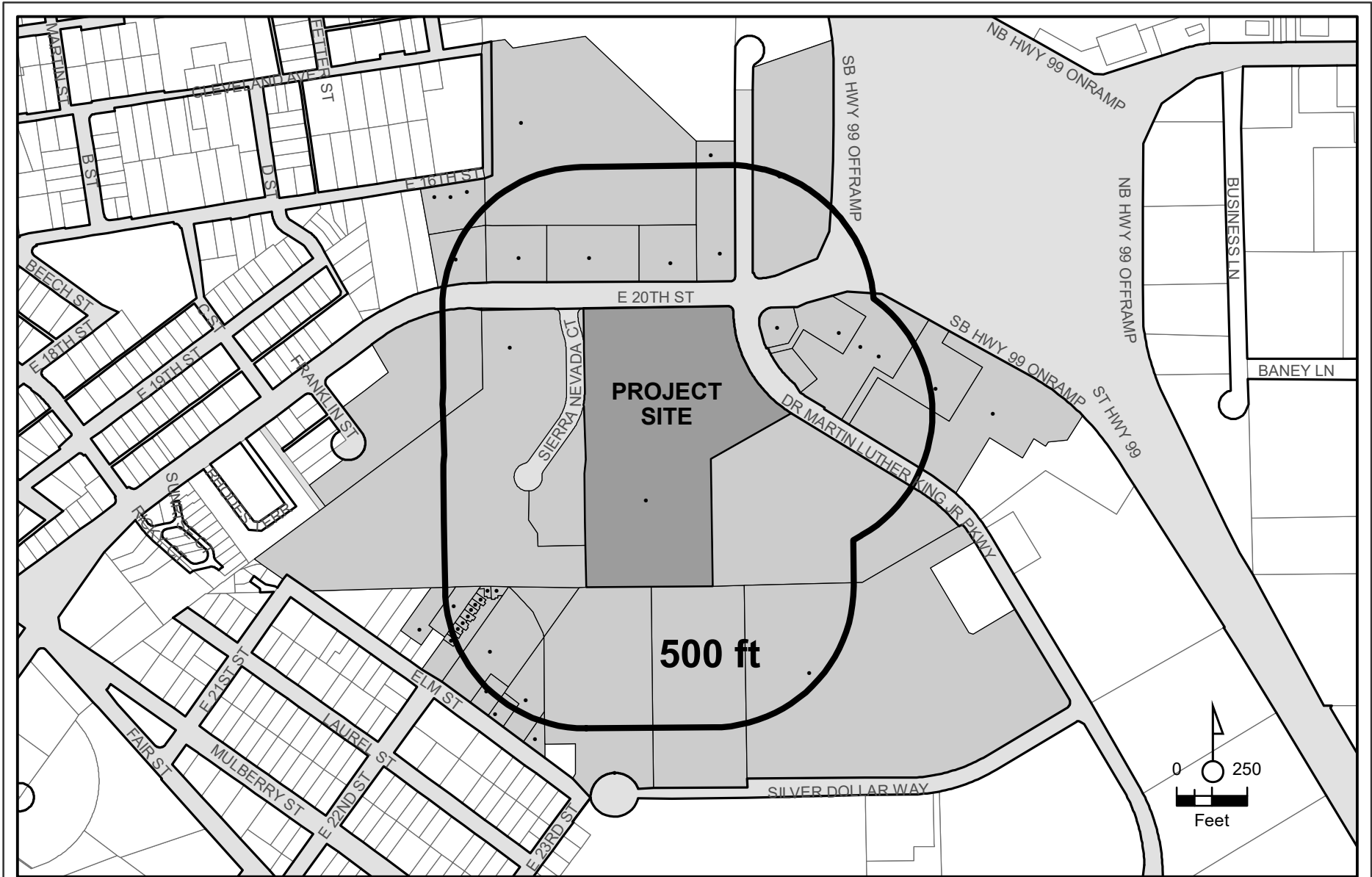
Russell Gallaway Associates, Inc., 115 Meyers Street, Suite 110, Chico, CA 95928, *Email:* matt@rgachico.com

Cascade Properties LLC., 901 Bruce Road, Suite 130, Chico, CA 95928, *Email:* john@sierranevada.com

ATTACHMENTS:

A. Location Map

B. Site Plan to Accompany Use Permit 21-05 (SNBC Craft Beverage Warehouse)



AR 21-26 (SNBC Craft Beverage Warehouse)
 1085 E 20th Street
 APN 005-550-037-000

- Noticed Parcels
- Noticed Addresses





r.g.a.
architecture + engineering

RUSSELL
GALLAWAY
ASSOCIATES Inc.

115 MEYERS STREET
SUITE 110
CHICO, CA 95928
530 342 0302

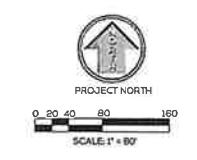
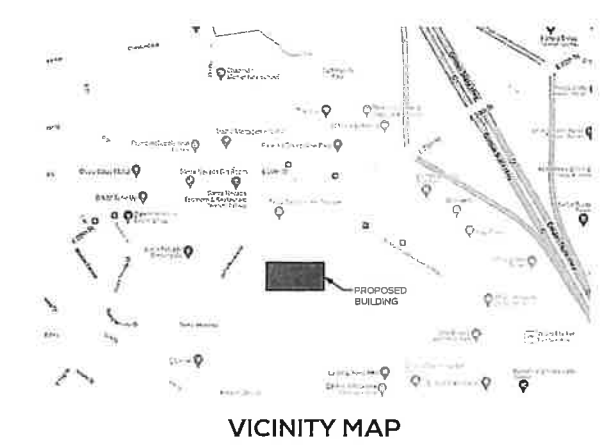
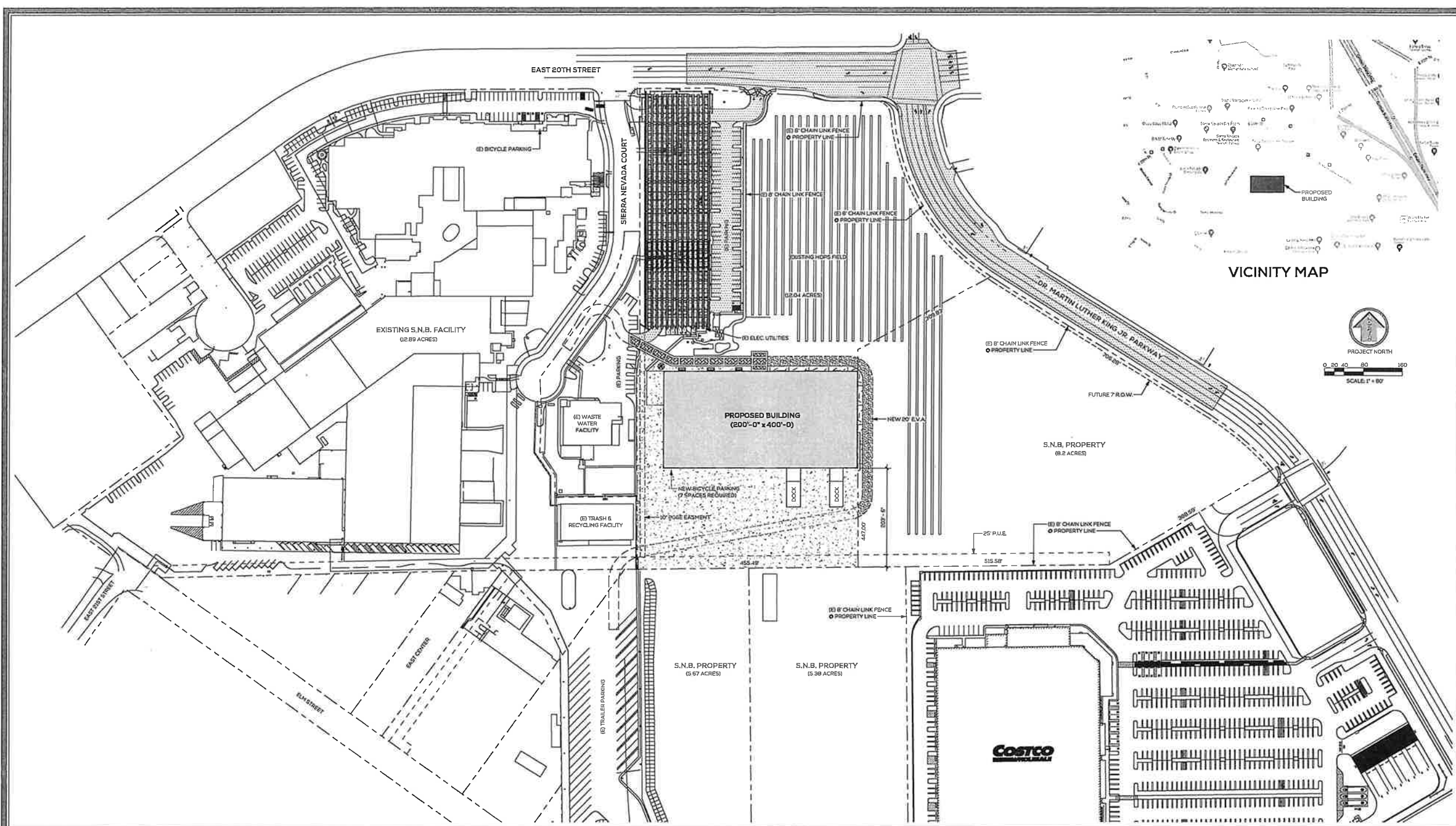
www.rgachico.com

PROJECT
CRAFT
BEVERAGE
CENTER



PROJECT ADDRESS
1075 E. 20TH
STREET
CHICO, CA
95928

ASSESSOR'S PARCEL
NUMBER
005-550-037



BB - SITE PLAN
SCALE: 1" = 80'-0"

SITE CIRCULATION ROUTE NOTES:
SITE CIRCULATION ROUTE, AS INDICATED, IS A COMMON BARRIER FREE ACCESS ROUTE WITHOUT ANY ABRUPT VERTICAL CHANGES EXCEEDING 1/2" BEVELED AT 12 MAXIMUM SLOPE, EXCEPT THAT LEVEL CHANGES DO NOT EXCEED 1/4" VERTICAL AND IS AT LEAST 48" WIDE. THE PATH SURFACE IS SLIP RESISTANT, STABLE, FIRM AND SMOOTH. PASSING SPACES (18'-03.5.3) AT LEAST 60" X 80" ARE LOCATED NOT MORE THAN 200' APART. THE CROSS-SLOPE DOES NOT EXCEED 2% AND SLOPE IN THE DIRECTION OF TRAVEL AND IS LESS THAN 5% UNLESS OTHERWISE INDICATED. SITE CIRCULATION ROUTE SHALL BE MAINTAINED FREE OF OVERHANGING OBSTRUCTIONS TO 80" MINIMUM (18'-307.4) AND PROTRUDING OBJECTS GREATER THAN 4" PROJECTION FROM WALL AND ABOVE 27" AND LESS THAN 80" (18'-307.2).

GENERAL NOTES:
ALL CONSTRUCTION WITHIN THE CITY RIGHT-OF-WAY WILL REQUIRE A CITY ISSUED ENCROACHMENT PERMIT.
REMOVE, REPLACE, RECONSTRUCT, AND/OR UPGRADE ANY DEFICIENT SIDEWALK ALONG THE FAIR STREET FRONTAGE TO ACHIEVE COMPLIANCE WITH CITY STANDARDS, CURRENT ADA, AND TITLE 24 ACCESSIBILITY REQUIREMENTS. CITY TO DETERMINE LIMITS OF REPLACEMENT AND/OR RECONSTRUCTION.
ALL EXTERIOR LIGHTING SHALL COMPLY WITH THE CITY OF CHICO'S REQUIREMENT FOR CUT OFF. NO LIGHTING SHALL PROJECT ON TO NEIGHBORING PROPERTIES.
CITY RIGHT OF WAY IMPROVEMENTS TO BE MADE IN ACCORDANCE WITH CITY OF CHICO DEVELOPMENT ENGINEERING REQUIREMENTS. SAID IMPROVEMENTS SHALL INCLUDE PARKWAY STRIP, CURB AND GUTTER, AND SIDEWALK IN A CONFIGURATION AS PRESCRIBED BY CITY. SAID IMPROVEMENTS SHALL EXTEND FOR THE LENGTH OF FAIR STREET EQUAL TO THE PROJECT.
NOTE THAT A BOUNDARY LINE MODIFICATION WILL BE PERFORMED AS PART OF THIS PROJECT TO ALIGN THE SOUTHEASTERN PROPERTY LINE WITH THE C.L.P. PROJECT LIMITS.

- PROPOSED ACCESSIBLE SITE CIRCULATION ROUTE
- - - - - PROPOSED EMERGENCY VEHICLE ACCESS
- - - - - PROJECT AREA PROPERTY LINE
- - - - - EXISTING FENCE TO REMAIN
- - - - - CHAIN LINK FENCE
- - - - - WROUGHT IRON FENCE
- - - - - SITE WALL
- - - - - ROAD BOUNDARY
- - - - - PAVED WALK WAY
- BIKE RACKS - SEE DETAIL
- GATE - SEE DOOR SCHEDULE
- PARKING COUNT
- ACCESSIBLE PARKING STALL
- COMPACT STALL
- SITE LIGHT - SEE
- SITE LIGHT - SEE
- FIRE HYDRANT - SEE CIVIL DWGS

- PROPOSED BUILDING
- EXISTING CONCRETE
- EXISTING BUILDING - NOT A PART
- NEW CONCRETE
- NEW LANDSCAPING - SEE LANDSCAPE DRAWINGS
- NEW DECORATIVE PAVERS

PARKING CALCULATIONS:

NEW BUILDING AREA:	80,000 SF
PAVED PARKING AREA:	80,000 SF
SHADED PORTION OF PARKING:	50,000 SF
(55% OF PARKING - 50% REQUIRED)	
SITE AREA:	524,000 SF
NEW LANDSCAPE:	8,800 SF (1.7%)
NEW HARDSCAPE:	10,200 SF (2.0%)
TOTAL IMPROVED LANDSCAPE/HARDSCAPE:	19,000 SF (3.7%)
(20% SITE TOTAL, 15% REQUIRED)	
FIRE ACCESS/EASEMENT:	13,140 SF (2.5%)
MISC. (DRIVE AISLES, TRASH ENCLOSURES, ETC):	7,460 SF (1.4%)
FOR COMPLETE LISTING OF USES AND REQUIRED PARKING - SEE SHEETS ARB 4 TOTAL:	
428 PARKING STALLS REQUIRED	
582 PARKING STALLS PROVIDED	
ACCESSIBLE STALLS:	10 REQUIRED - 12 PROVIDED
COMPACT STALLS:	64
STANDARD:	424
DROP OFF (NOT INCLUDED):	1
BICYCLE PARKING:	
NEW BUILDING REQUIRES 10% OF VEHICLE SPACES	
NEW BUILDING + 60,000 S.F. + 64 PARKING SPACES + 7 BICYCLE PARKING SPACES	

AA - SITE LEGEND AND NOTES
SCALE: NONE

RGA PROJECT #	21-001
PLAN CHECK #	
DRAWN	SARNAR
CHECKED	MG
REVISED LAYOUT	2021.01.19

SITE PLAN

A0.1