



Zoning Administrator Agenda Report

Meeting Date 04/11/17

DATE: March 28, 2017

File: UP 16-13

TO: ZONING ADMINISTRATOR

FROM: Kelly Murphy, Assistant Planner, 879-6535

RE: Use Permit for a Detached Accessory Structure at 2051 Hooker Oak Avenue; APN 045-412-029

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 16-13 (Muff), based on the findings and subject to the recommended conditions of approval in this report.

BACKGROUND

This is a request to construct a 1,650 square foot detached garage building, approximately 22 feet in height, on property located at 2051 Hooker Oak Avenue (See **Attachment A**, Location/Notification Map). The structure would be located in the rear yard, near the southeast corner of the property (see **Attachment B**, Plat to Accompany Use Permit 16-13). The site is designated Low Density Residential on the General Plan Land Use Diagram, and is located in the R1-10 (Low Density Residential – minimum 10,000 square foot lot area) zoning district.

The 0.67 acre (29,185 square feet) lot is developed with a 2,540 square foot single family residence that fronts Hooker Oak Avenue. The proposed garage building is a 33' x 50' metal structure with two roll up doors on the west side and one pedestrian door on the south side of the building (see **Attachment C**, Project Description and **Attachment D**, Elevations). The walls of the garage would measure to 16 feet and 6 inches in height, with the peaked roof design bringing the total building height to 22 feet. The applicant has stated that the building is intended to accommodate an RV, as well as provide for general storage and shop space. The proposed height of the structure is needed to allow for a door large enough to accommodate the property owner's RV.

Pursuant to Chico Municipal Code (CMC) Section 19.42.030, Table 4-3B – *Residential zone development standards*, detached accessory buildings greater than 15 feet, but no more than 25 feet in height, require use permit authorization. According to the development standards set forth in Chico Municipal Code (CMC) Section 19.76.020.D, “a detached garage shall not occupy more than 700 square feet for each dwelling unit, including any workshop or storage space within the garage, unless a larger area is authorized by the Director through architectural review.”

DISCUSSION

The proposal is to construct a detached garage with a height of 22 feet in the rear yard of a developed residential property. The structure would have an area of 1,650 square feet, 2.3 times (950 square feet) greater than the standard. Typically, garages are required to have a

minimum side yard setback of 4 feet and a rear yard setback of 5 feet. However, considering the greater height and area of the structure, the applicant proposes a 12 foot setback from the southern property line (rear yard) and a 10 foot setback from the eastern property line (side yard). These increased setbacks are roughly 2.3 times the minimum required, proportionate to the proposed greater area of the structure.

The area surrounding the project site is characterized by cul-de-sac neighborhoods with single family homes developed on large residential lots. The design of the proposed garage is a prefabricated "Butler" building with a peaked roof, constructed of corrugated galvanized steel panels. The structure would have two windows on the left side and two windows on the rear side. The color scheme proposed for the building would include red, brown and white paneling. Specifically, the garage would have "cool brick red" siding and downspouts, "cool harvest" roof panels, and "cool solar white" gutters and gable trim (see Elevations, **Attachment D**, and Color Scheme, **Attachment E**).

CMC Section 19.60.070.C states that a detached garage shall not exceed 15 feet in height, except that a height up to 25 feet may be approved with a Use Permit if the garage is architecturally consistent with the main structure. The proposed garage would utilize a less neutral color palette than that of the main house, but would have a similar roof design, height, and trim color. While a flat roof would lessen the building's total height, the peaked roof design was chosen to reflect the residential character of the neighborhood as opposed to a more industrial aesthetic. Additionally, taking into account that the site and adjacent properties are zoned R1-10, staff believes a larger accessory structure would be compatible in an area with greater minimum lot sizes, such as this. To enhance compatibility and reduce visual impacts of the project on neighboring parcels, the applicant has agreed to provide a rear yard setback of 15 feet.

Vehicle access to the detached garage would be provided via a 33 foot wide paved driveway off of Allie May Court. No plumbing will be extended to the structure. No tree removal or additional landscaping is proposed for the project. Exterior lighting proposed for the garage building will be full cut-off and wall-mounted at a proposed height of 10 feet. A condition of approval has been added to require that all lighting will be low-intensity and shielded downward to avoid light spillage onto adjacent properties.

To ensure that there is no confusion over the allowed use of the structure in the future, staff is recommending a condition which specifically prohibits commercial or residential use of the building, and limits it to the private accessory residential use of the property residents.

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 involves: the construction of a garage building less than 10,000 square feet in size on property developed with a single-family residence. The project is consistent with the applicable General Plan designation and zoning regulations.

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).*

Garages greater than 15 feet but no more than 25 feet in height are allowed in residential zones with an approved use permit, according to Chico Municipal Code Section 19.42.030, Table 4-3B. This use permit has been processed in accordance with the requirements of Chapter 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 proposed use consists of the construction of a garage building in the rear yard of property currently developed with a single-family residence. All structures and improvements will be constructed in accordance with adopted City standards to ensure that public safety is maintained. No impacts to the health, safety, or welfare of neighborhood residents have been identified.

- 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 use consists of the construction of a garage building in the rear yard of property currently developed with a single-family residence. Existing regulation requires that public improvements be repaired and/or replaced as needed if damaged during construction. No significant heavy truck traffic or other similar equipment which could damage public roads will be used after construction is completed. No other 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 garage building, a private residential accessory structure, is consistent with the Low Density Residential designation for the site. The project, as conditioned, is also consistent with General Plan goals and policies that encourage compatible infill development (LU-1 and LU-4.2). The project has been conditioned to ensure that the structure is intended for private accessory residential use, and no commercial or residential use of the building is authorized by this use permit. No specific, area, or neighborhood plans apply to the project.

- 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 consists of the construction of a garage building in the rear yard of property currently developed with a single-family residence, minimizing its visibility from the street (DG 4.1.61 and DG 4.1.12). With a 15-foot separation from the rear property line and 10-foot separation from the eastern property line, and a similar roof design, building height and trim color as the main residence, the project will be compatible with

existing residential uses in the vicinity. The project has been conditioned to provide a greater rear yard setback, full cutoff exterior lighting, and limited for accessory residential uses only, which enhance compatibility and reduce visual impacts to adjacent properties.

RECOMMENDED CONDITIONS OF APPROVAL

1. Use Permit 16-13 authorizes construction of a private residential 1,650 square foot garage building up to 22 feet in height, in substantial accord with the "Plat to Accompany Use Permit 16-13 (Muff)" 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, and Fire Department. The permittee is responsible for contacting these offices to verify the need for permits.
3. The applicant shall provide a note on the front page of the building plans stating that the structure shall be constructed in compliance with Use Permit 16-13 (Muff).
4. The structure shall only be used for private residential purposes. No commercial use of the building is authorized by this use permit.
5. All exterior light fixtures on the new building shall be low intensity, full cutoff, and located so that no light trespasses over property lines.
6. The permittee shall repair or replace any public improvements damaged during the course of construction as directed by the City's Senior Development Engineer.
7. The structure shall be located a minimum of 15 feet from the rear property line.
8. The applicant shall plant a row of compact Carolina cherry laurel (*Prunus caroliniana* 'Compacta'), columnar European hornbeam (*Carpinus betulus fastigiata*), camellia trees (*Camellia* spp.), or similar vertical-growing trees along the rear (southerly) property line.

PUBLIC CONTACT

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

DISTRIBUTION:

Internal (2)

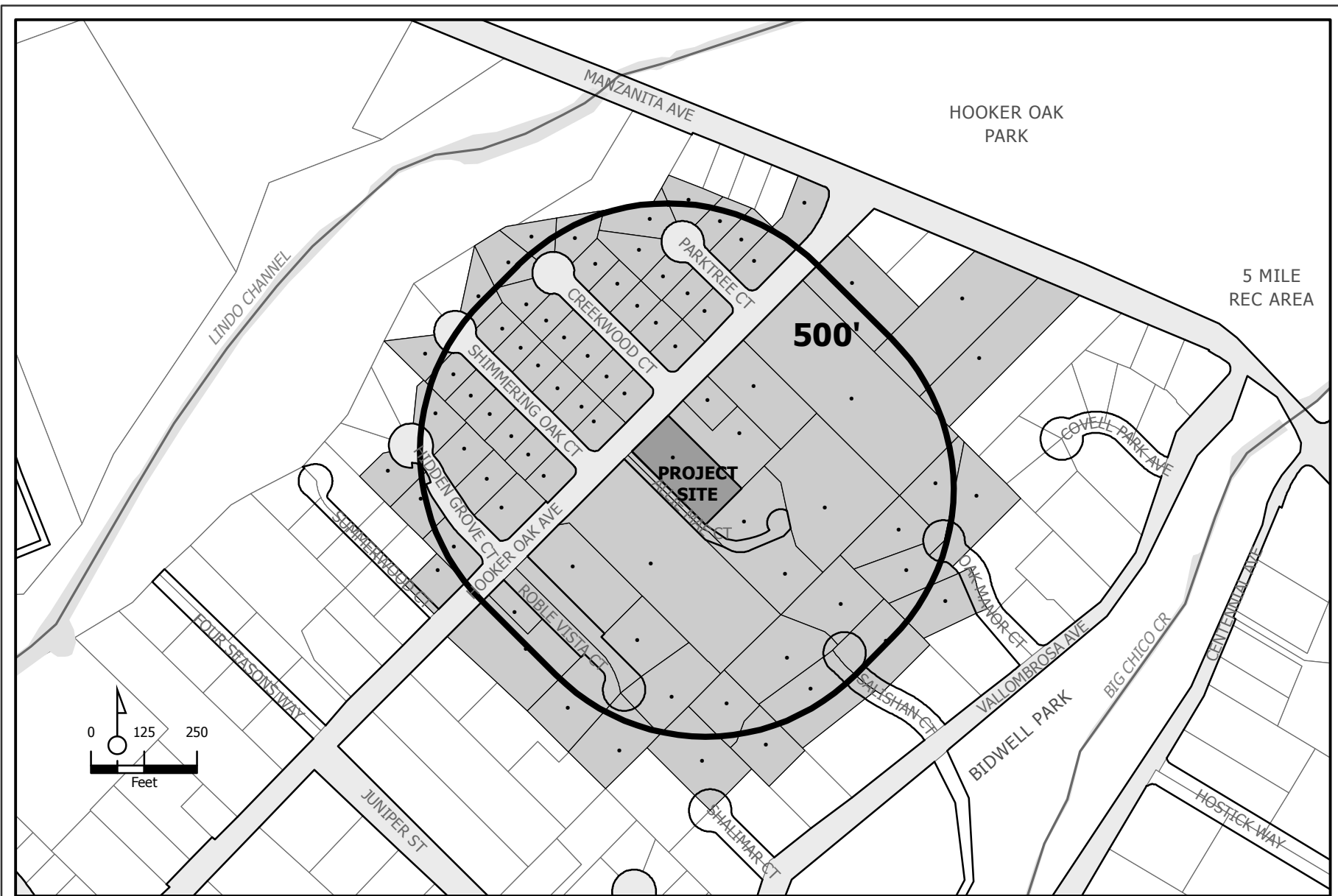
Mark Wolfe, Zoning Administrator
Kelly Murphy, Assistant Planner

External (2)

Jim Muff, 2051 Hooker Oak Avenue, Chico, CA 95926
North Valley Building Systems, Attn: Troy Ferguson, 30 Seville Court, Chico, CA 95928

ATTACHMENTS:

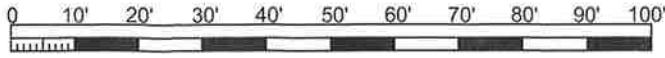
- A. Location/Notification Map
- B. Plat to Accompany Use Permit 16-13 (Muff)
- C. Project Description
- D. Color Elevations



UP 16-13 (North Valley Building Systems)
 2051 Hooker Oak Avenue
 APN 045-412-029-000

- Notified Addresses
- Notified Parcels





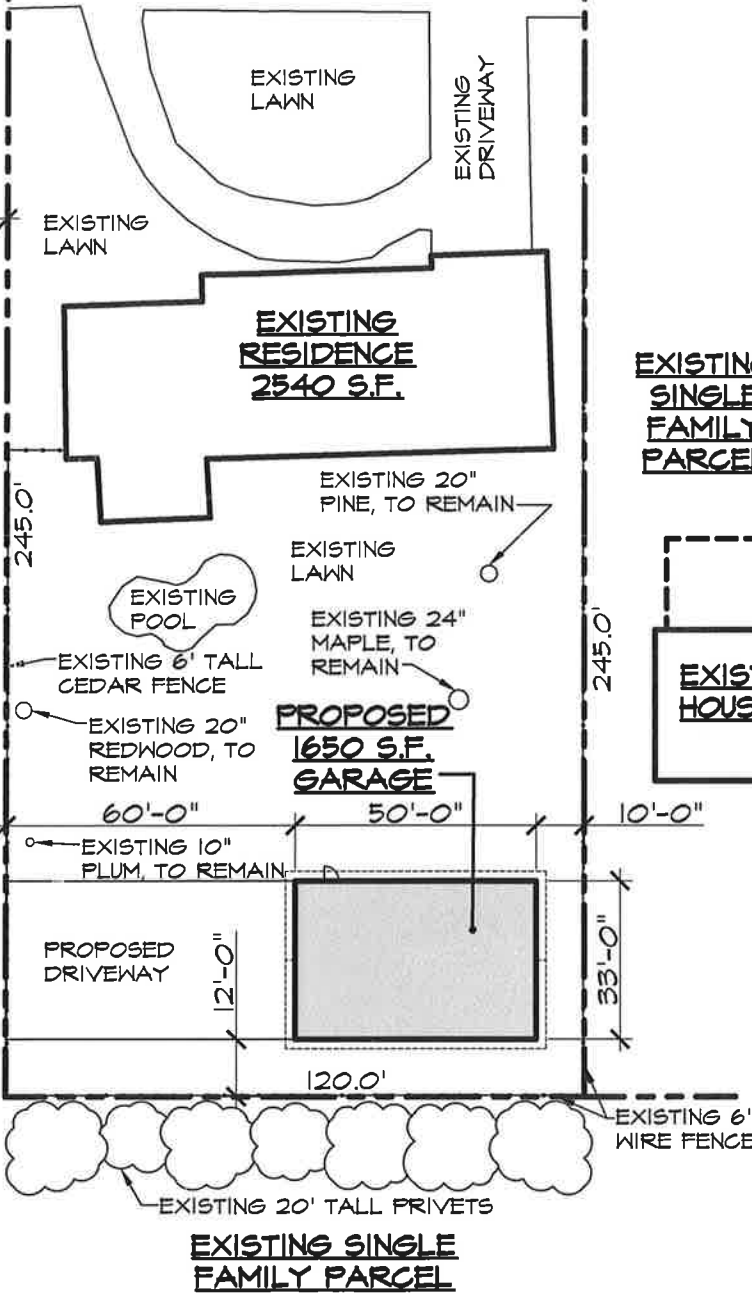
HOOKER OAK AVE

120.0'

EXISTING 25' WIDE ROAD

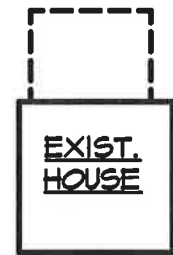
EXISTING SINGLE FAMILY PARCEL

ALLIE MAE COURT



VICINITY MAP

EXISTING SINGLE FAMILY PARCEL



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SITE:
APN: 045-412-029



SITE PLAN

1" = 40'-0"

LOT COVERAGE:

LOT AREA:	29185 SQ. FT.
PROPOSED BUILDING AREA:	6679 SQ. FT.
LOT COVERAGE:	22.9%
LANDSCAPE AREA:	22506 SQ. FT.

GREGORY A. PEITZ
ARCHITECT
383 Rio Lindo Ave. Chico, CA. 95926 (530) 894-5719

USE PERMIT
for:
JIM MUFF Attachment B
2051 HOOKER OAK AVE., CHICO CA

SHEET
1
of: one

L2/13/2016 8:19:01 AM

GREGORY A. PEITZ

ARCHITECT

383 RIO LINDO AVENUE, CHICO CA 95926 (530) 894-5719

SUBJECT: MUFF GARAGE

PROJECT DESCRIPTION

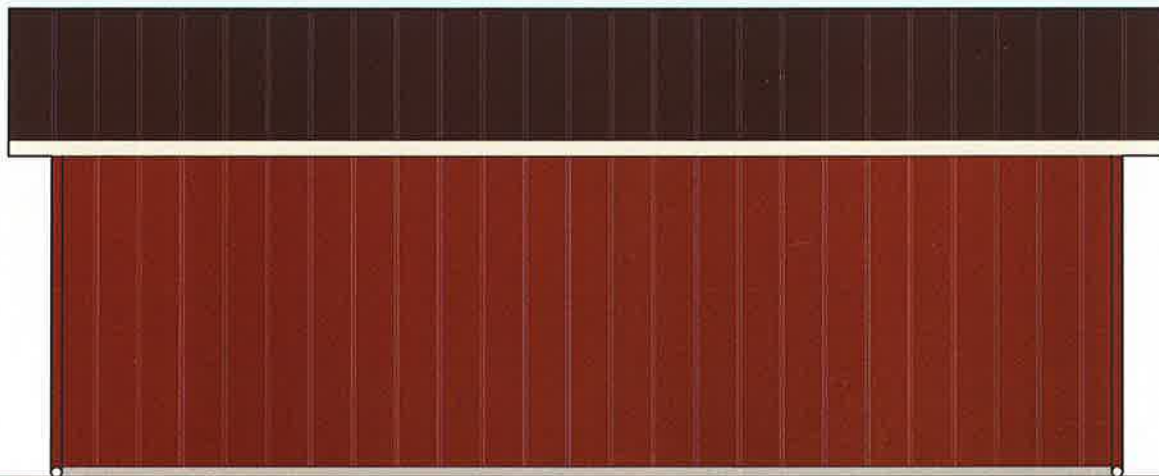
The proposed garage for the Muff residence is a 33' x 50' metal building designed for the rear yard of the residence at 2051 Hooker Oak Ave. The site of the proposed new garage is in the rear of the property which will minimize it's visibility from the city street. (DG 4.1.61, 4.1.12). The roof pitch is a 4:12 slope to give the structure a more residential geometry as opposed to the traditional shallow slope of metal buildings. The exterior colors are darker, richer colors with the intent to blend better with the typical colors of a residential neighborhood.



LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

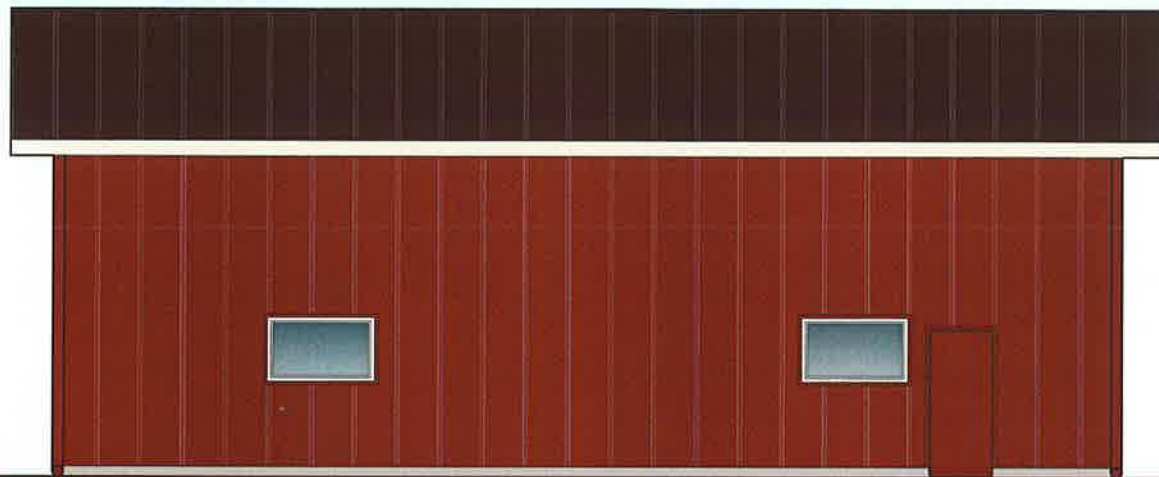
MUFF SHOP

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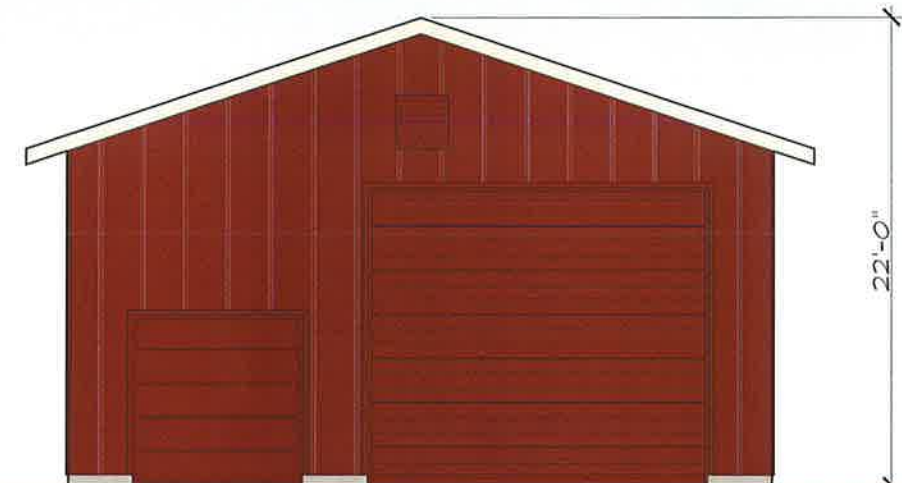
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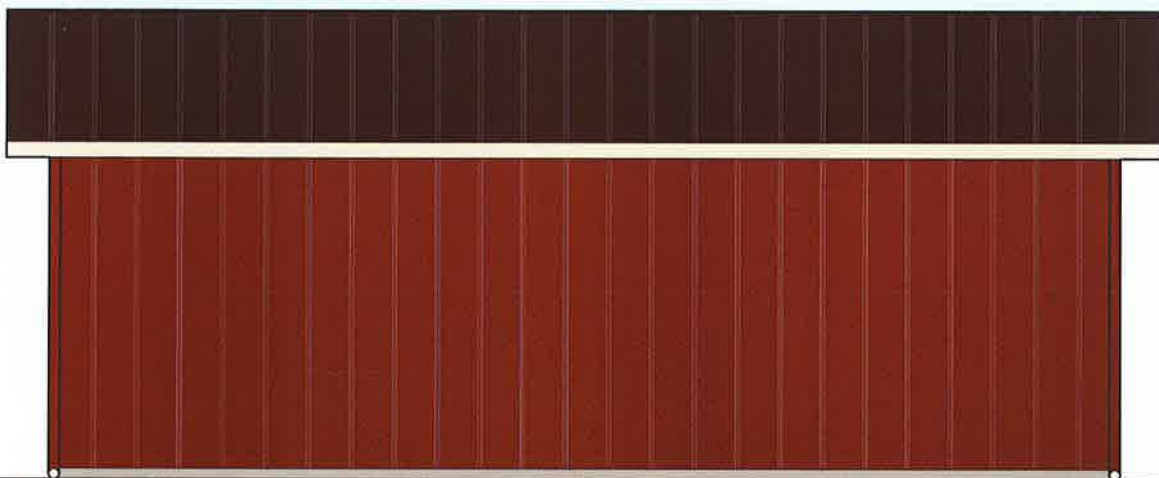
Attachment D



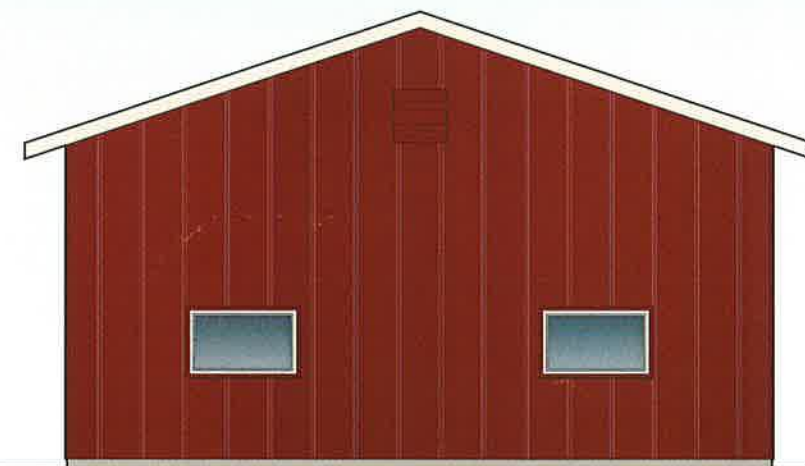
LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

MUFF SHOP

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