



Zoning Administrator Agenda Report

Meeting Date 07/11/17

DATE: June 16, 2017
TO: ZONING ADMINISTRATOR
FROM: Shannon Costa, Assistant Planner, 879-6807
RE: Use Permit 17-11 (Guillen)- 5 Verbena Lane; APN 045-452-026
Detached Accessory Structure

File: UP 17-11

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 17-11 (Guillen), based on the findings and subject to the recommended conditions of approval in this report.

BACKGROUND

This is a request to construct an approximately 680 square foot detached garage/workshop that exceeds the Chico Municipal Code's maximum height limit of 15 feet for a detached accessory structure. The site is located at 5 Verbena Lane on the west side of Hawthorne Avenue (See **Attachment A**, Location/Notification Map and **Attachment B**, Plat to Accompany Use Permit 17-11). The site is designated Low Density Residential on the General Plan Land Use Diagram, and is located in the R1 (Low Density Residential) zoning district.

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 may be allowed subject to use permit authorization.

The 0.30-acre lot is developed with a single-family residence that is situated towards the rear of the property. The proposed garage/workshop building would be a 21-foot tall custom built structure with garage space on the first floor and workshop and storage space on the second floor. The proposed garage/workshop would feature a garage door on the front (eastern) elevation and a man door on the side (southern) elevation. The structure would reach 21 feet in height at its tallest point and is intended for vehicle storage, as well as workshop space for hobbies, such as art and woodworking.

DISCUSSION

The proposal is to construct a detached garage/workshop with a height of 21 feet in the front yard of a developed residential property. The structure meets all other development standards for residential accessory structures including setbacks and maximum square footage.

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. A condition of approval would require site design and architectural review of exterior materials and colors, lighting and would ensure the architectural compatibility of the garage/workshop.

Vehicle access to the detached garage would be provided via a 35-foot-wide paved driveway off Verbena Lane. No tree removal or additional landscaping is proposed for the project.

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 on a 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 front 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 front yard of a 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 single-family use allowed by the Low Density Residential land use designation. The project is also consistent with General Plan goals and policies that encourage compatible infill development (LU-1 and LU-4.2).

- 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 front yard of property currently developed with a single-family residence. Residential garages located along the property frontage are common for residential neighborhoods, including Verbena Lane. The proposed garage meets all other development standards for residential accessory structures.

RECOMMENDED CONDITIONS OF APPROVAL

1. Use Permit 17-11 authorizes construction of a 680 square foot garage/workshop building up to 21 feet in height, in substantial accord with the "Plat to Accompany Use Permit 17-11 (Guillen)" 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 17-11 (Guillen).
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 consistent with Chico Municipal Code 19.60.050 (Exterior Lighting), including low intensity, full cutoff, and located so that no light trespasses over property lines.
6. Prior to issuance of building permits, the garage/workshop shall be subject to administrative architectural review by the Planning Department.

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.

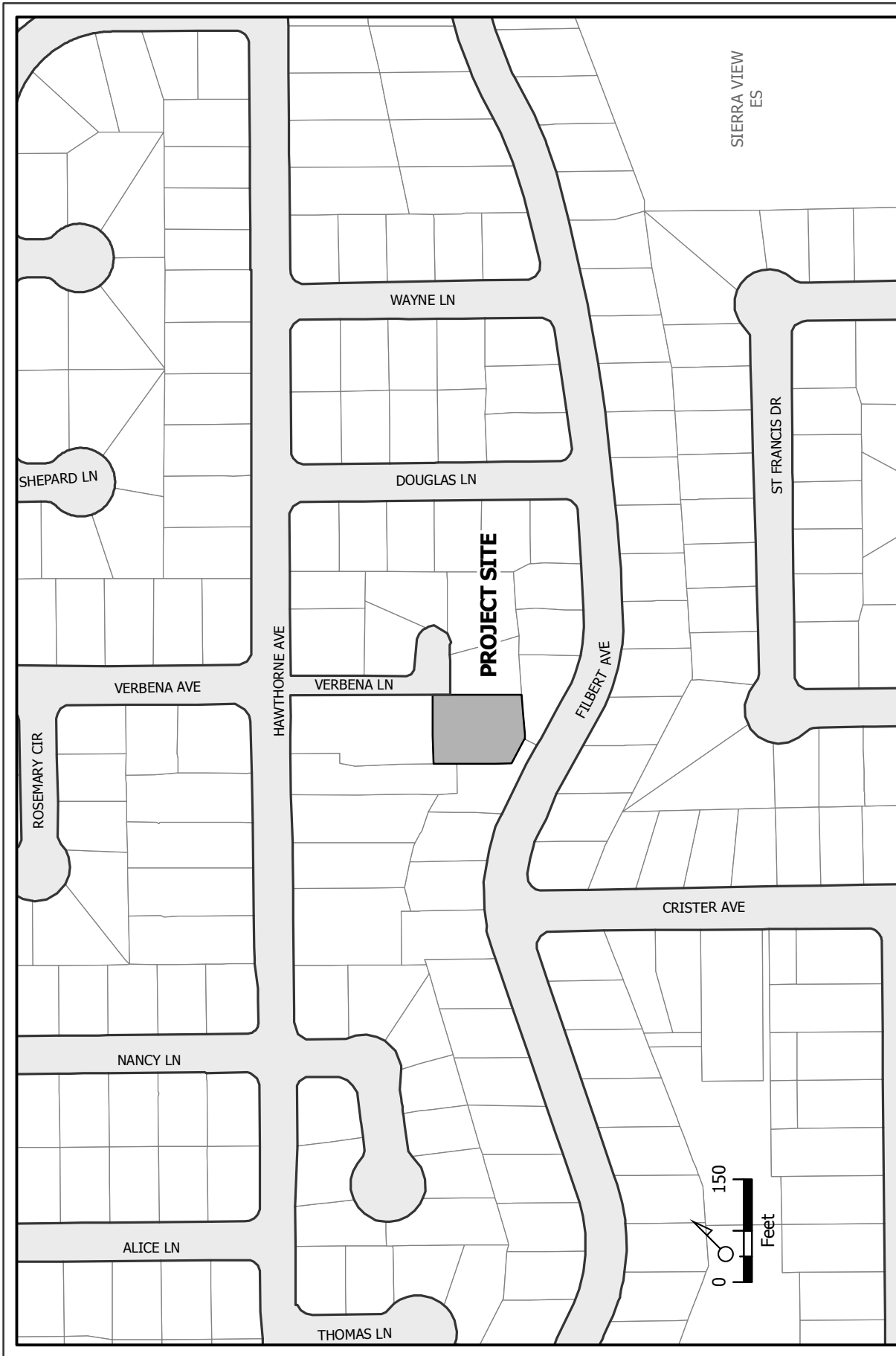
DISTRIBUTION:

Internal (2)
Brendan Vieg, Zoning Administrator
Shannon Costa, Assistant Planner

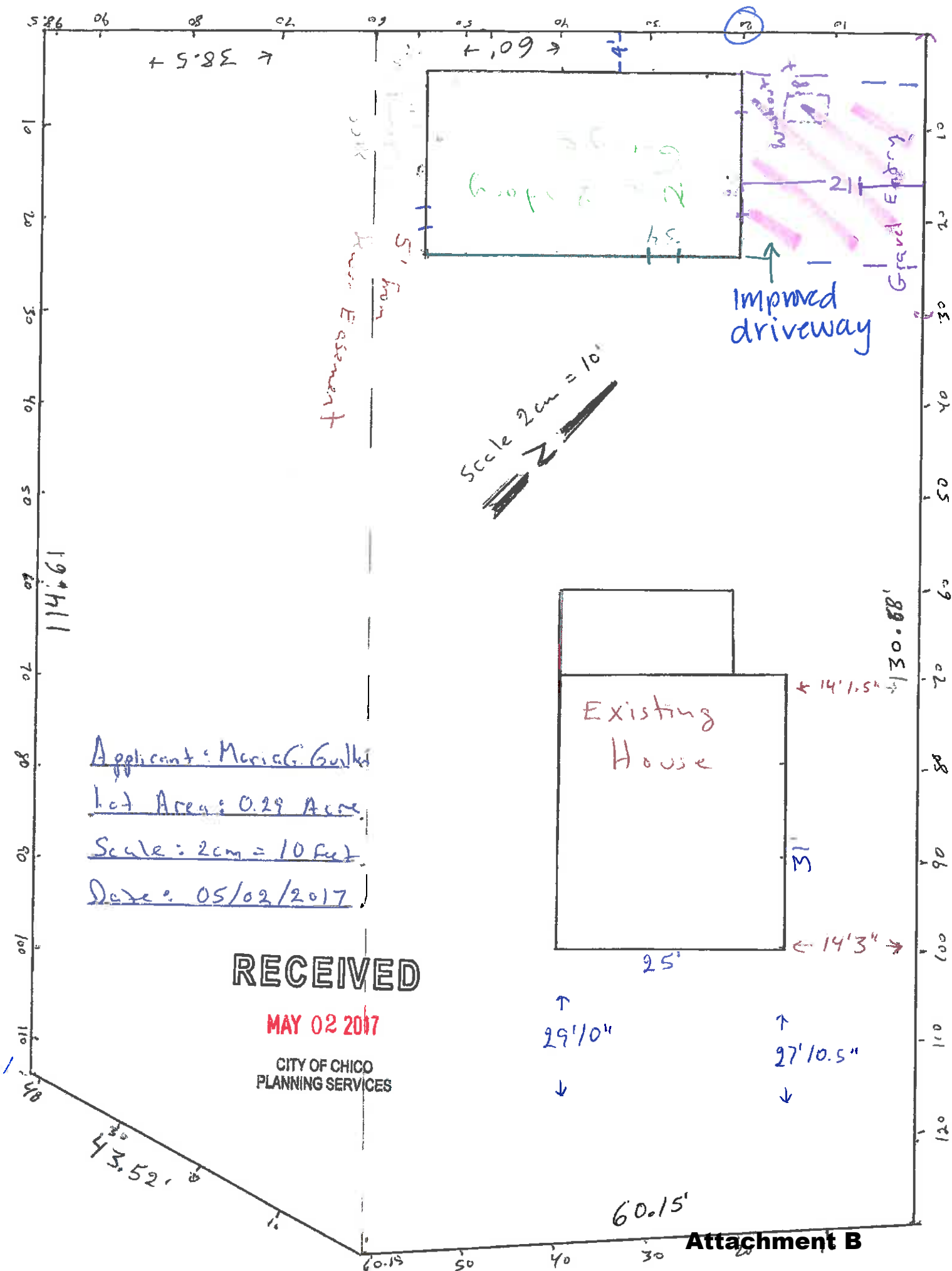
External (1)
Maria Guadalupe Guillen, 5 Verbena Lane, Chico, CA 95926

ATTACHMENTS:

- A. Location/Notification Map
- B. Plat to Accompany Use Permit 17-11 (Guillen)



UP 17-11 (Guillen)
 5 Verben Lane
 APN 045-452-026-000



Applicant: Maria G. Gulka
Lot Area: 0.29 Acre
Scale: 2cm = 10 feet
Date: 05/02/2017

RECEIVED

MAY 02 2017

CITY OF CHICO
PLANNING SERVICES

Attachment B