



**NEWS RELEASE**  
**City of Chico**  
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**FOR IMMEDIATE RELEASE:** November 15, 2022

**Contact: City of Chico City Manager's Office (530) 896-7200**

**\*\*\*MEDIA STATEMENT\*\*\***

## **NORTH STATE SHELTER TEAM (NSST) MANAGED CAMPGROUND CONCEPT**

**(Chico, CA – November 15, 2022)** The City of Chico has been corresponding with the North State Shelter Team since July 2022 regarding its conceptual project, *North State Shelter Team Proposal to Construct a Campground with 82 Campsites Approximately 2,500 feet South of Runway 31R of the Chico Municipal Airport, Chico, CA.*

City staff has responded on two separate occasions with comments and feedback (attached) regarding North State Shelter Team Managed Campground concept. The North State Shelter Team submitted only a concept. The proponents have not yet provided any environmental analysis (as required by State law) nor made any application to the City of Chico for any project to consider.

Additionally, as the project concept is defined, the project would require review by and potentially permits issued by various agencies outside of the jurisdiction of the City of Chico such as the Butte County Airport Land Use Commission, US Army Corps of Engineers, Central Valley Flood Control Board, California Department of Fish and Wildlife and perhaps others. To our knowledge NSST has not begun those review processes.

For more information contact:

Brendan Vieg, Community Development Director, City of Chico  
[Brendan.vieg@chicoca.gov](mailto:Brendan.vieg@chicoca.gov)

Mark Sorensen, City Manager, City of Chico  
[Mark.Sorensen@chicoca.gov](mailto:Mark.Sorensen@chicoca.gov)  
530-896-7200

**Attached:**

- [Email to NSST 08-23-2022](#)
- [Letter to NSST 08-23-2022](#)
- [Letter to NSST 09-30-2022](#)

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**From:** Mark Sorensen

**Sent:** Tuesday, August 23, 2022 9:33 AM

**To:** Manny Escalante <me@leadershipandleads.com>

**Cc:** Brendan Vieg <brendan.vieg@Chicoca.gov>; Erik Gustafson <erik.gustafson@Chicoca.gov>

**Subject:** Campground Proposal Feedback Request

Mr. Escalante:

In a cursory review of the proposed project and location city staff did identify very significant compatibility issues with the Airport Land Use Compatibility plan, zoning, environmental resources, FEMA floodplain and likely FAA issues with the concept (airport proximity, security, safety, etc).

Please see the attached document which summarizes some of the issues for your consideration

If there was a desire to move forward with the project concept the property owner and/or project proponent would need to make an application for whatever next step you deem appropriate. Potentially a rezone and General Plan Amendment.

**Mark Sorensen**

City Manager, City of Chico

P.O. Box 3420 | 411 Main Street | Chico, CA 95927

(530) 896-7200 | [mark.sorensen@chicoca.gov](mailto:mark.sorensen@chicoca.gov)



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COMMUNITY DEVELOPMENT  
DEPARTMENT

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411 Main Street - 2<sup>nd</sup> Floor    **PLANNING**  
P.O. Box 3420                      (530) 879-6800  
Chico, CA 95927                 Fax (530) 895-4726  
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August 23, 2022

Re: North State Shelter Team Proposal to Construct a Campground with 82 Campsites Approximately 2,500 Feet South of Runway 31R of the Chico Municipal Airport, Chico, CA (APN 007-020-117)

Dear Mark:

You asked that I provide a brief zoning and land use analysis regarding a draft proposal to establish a campground use at the above-referenced property as outlined in an August 10, 2022 letter from North State Shelter Team.

The subject 7.76-acre property is split-designated and split-zoned. The portion of the property which coincides with the levee and channel of Sheep Hollow Creek is designated Primary Open Space and zoned OS1-AOB1 (Primary Open Space with Airport Overflight Zone B1 overlay). The portion of the site where the campground appears to be proposed is designated “Manufacturing and Warehousing” with a “Resource Constraint” overlay by the General Plan and zoned ML-AOB1-RC (Light Manufacturing with Airport Overflight Zone B1 and Resource Constraint overlays).

While a temporary emergency shelter use may be allowed in the ML zoning district subject to a use permit, there are prohibitive overlays and other constraints that restrict development of the site with a residential use, which are discussed in more detail below.

**Airport Overflight Zone B1:** Per the Chico Municipal Code, the -AO overlay zones are intended to implement the land use restrictions and development standards of the Butte County Airport Land Use Compatibility Plan (ALUCP). The -AOB1 overlay zone implements Compatibility Zone B1 of the Butte County ALUCP. The -AOB1 overlay zone represents the Approach/Departure Zone and Sideline Zone where noise levels and health and safety risks are high. Residential uses are limited with a *maximum 4 units per acre* (emphasis added). In recognition of the safety issues, prohibited uses include children’s schools, day care centers, libraries, hospitals, nursing homes, and other noise sensitive uses identified in the Butte County ALUCP. In other words, the campground is proposed to be located in the approach zone to the Chico Municipal Airport, which has significant safety and noise considerations. There are real-world reasons for the land use restrictions of the ALUC overlay zones around the airport, and the City would take on significant liability if it allowed a use that is clearly inconsistent with the Butte County ALUCP and the City’s Municipal Code.

For additional context, the more recent temporary and emergency use of the City-owned property west of the Chico Municipal Airport (located in a less restrictive airport overlay zone) as the FEMA headquarters following the Camp Fire and then subsequently as an interim, short-term camping site for those experiencing homelessness was ultimately determined to be inconsistent with the Butte County ALUCP, as well as Caltrans State Aeronautics and Federal Aviation Administration regulations. Those

uses proceeded under extraordinary circumstances and not as part of a formal proposal to establish a more long-term albeit temporary residential use.

Resource Constraint (-RC) Overlay: Pursuant to CMC Section 19.52.060, the -RC overlay zone is intended to identify areas with significant environmental resources that result in development constraints. The -RC overlay zone requires subsequent studies and coordination with state and federal resource agencies to determine the exact location (or prove the absence) of sensitive environmental features or species, and the scope of development that can take place in light of the environmental constraints. The -RC overlay was applied to this site given the extent of known vernal pool habitat to the west and south of the Airport. Although this particular area may or may not currently contain regulated wetlands, other parcels in the area are known to historically support sensitive species. At a minimum, there would need to be biological studies performed to determine if resources are present.

FEMA Floodplain: Finally, the entirety of the proposed site is located in the AH 100-Year FEMA flood zone. The AH zone identifies areas that will experience shallow flooding (usually areas of ponding) where average depths are between 1 and 3 feet. The only way to mitigate for development within a FEMA floodplain is to raise structures above the floodplain through elevating the site or structure. This would require considerable engineering work and cost and must be supported by elevation certificates. Elevating the site may also entail environmental review and mitigation to ensure that displaced floodwaters do not cause off-site impacts to nearby sensitive resources in the area. This level of effort is not reconcilable with the proposed campground use.

Inconsistencies with City zoning and land use regulations, Butte County's Airport Land Use Compatibility Plan, and state and federal rules and regulations highlight that the proposed campground use is not appropriate at this location.

Should you have any questions or require further information, you may contact me at [brendan.vieg@chicoca.gov](mailto:brendan.vieg@chicoca.gov) or by phone at (530) 879-6806.

Sincerely,



Brendan Vieg  
Community Development Director

cc: Ed McLaughlin, 2555 Durham Dayton Hwy, Durham, CA 95938



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COMMUNITY DEVELOPMENT  
DEPARTMENT

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September 30, 2022

Sent to Manny Escalante at North State Shelter Team via email: [me@leadershipandleads.com](mailto:me@leadershipandleads.com)

Re: North State Shelter Team Managed Campground Proposal Revision 3

Dear North State Shelter Team:

This letter serves as a response to your *North State Shelter Team Managed Campground Proposal Revision 3*.

First, immunity from liability under the declaration of a shelter crisis applies only to a “public facility” as defined per Government Code Section 8698(c). Your proposal does not meet that definition.

Further, the new proposal does not materially change the conclusions reached in the August 23, 2022 memo sent to you from City Manager Mark Sorensen entitled *North State Shelter Team Proposal to Construct a Campground with 82 Campsites Approximately 2,500 Feet South of Runway 31R of the Chico Municipal Airport, Chico, CA (APN 007-020-117)*.

Finally, the City does not have jurisdiction regarding many of the issues that have been raised. You may wish to coordinate with the following agencies if you choose to proceed: 1) Butte County Airport Land Use Commission regarding a consistency determination for siting a tent encampment in Compatibility Zone B2 of the Butte County Airport Land Uses Compatibility Plan; 2) US Army Corps of Engineers regarding placement of structures in a floodplain, as well as potential impacts to “Waters of the US”; 3) Central Valley Flood Control Board depending on your proximity to the top of bank of Sycamore Creek; and 4) California Department of Fish and Wildlife regarding impacts to state-recognized sensitive species (not only related to the tent encampment, but also the proposed roadway accessing the encampment). This is not an exhaustive list. There may be other agency coordination required.

These are issues that would ultimately need to be addressed as part of an environmental review of the proposed project consistent with the requirements of the California Environmental Quality Act (CEQA).

Sincerely,

Brendan Vieg  
Community Development Director