

ORDINANCE NO. 2511

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4 **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO**
5 **AMENDING CERTAIN SECTIONS OF TITLE 19 OF THE CHICO**
6 **MUNICIPAL CODE REGARDING LAND USE AND DEVELOPMENT**
7 **REGULATIONS FOR CONSISTENCY WITH STATE ACCESSORY**
8 **DWELLING UNIT HOUSING LAWS**
9

10
11 **WHEREAS**, the State of California has a critical housing availability and affordability
12 crisis that has prompted the legislature to enact several housing laws to address the provision of
13 housing, affordable housing, and specifically Accessory Dwelling Units; and

14 **WHEREAS**, Title 19 of the Chico Municipal Code (Land Use and Development
15 Regulations), as it relates to Accessory Dwelling Units (ADUs) is required to be amended to
16 conform to Government Code Section 65852.2 (Accessory Dwelling Unit Regulations); and

17 **WHEREAS**, the ADU code amendments are also intended to advance and implement
18 several important City of Chico General Plan Housing Element Goals (H.1, Increase equal
19 housing opportunities; H.2, Provide housing that is affordable to low incomes; H.4, Encourage
20 the creation of housing for persons with special needs; H.5, Improve, rehabilitate and revitalize
21 existing neighborhoods; H.6, Encourage home ownership), Policies (H.3.4, Maintain an adequate
22 supply of rental housing to meet the needs of all renters, including university students and
23 employees; H.4.3, Assist in the provision of housing for seniors) and Actions (H.3.4.1, Promote
24 the development of an adequate number of one and two-bedroom apartments to serve small
25 households; H.4.4.1, Encourage the development of a variety of housing options for the elderly.
26 Promote programs that allow seniors to age in place.); and

27 **WHEREAS**, Section 19.76.130 (formerly Second Dwelling Units) and other related
28 Chapters of Title 19 of the Chico Municipal Code have been retitled as Accessory Dwelling

1 Units and amended for consistency with Government Code Section 65852.2; and

2 **WHEREAS**, the Planning Commission considered the proposed amendments, staff report,
3 and comments at a duly noticed public hearing held in the manner required by law; and

4 **WHEREAS**, the Planning Commission has recommended that the City Council adopt the
5 proposed ADU code amendments; and

6 **WHEREAS**, the proposed amendments to Title 19 of the Municipal Code are statutorily
7 exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources
8 Code Section 21080.17 (adoption of an ordinance by a city to implement provisions of Section
9 65852.2 of the Government Code).

10 **BE IT ORDAINED by the Council of the City of Chico:**

11 **SECTION 1. Incorporation of Recitals**

12 The City Council for the City of Chico finds and declares that the foregoing recitals are
13 true and correct, and incorporates said recitals fully into this Ordinance as substantive findings.

14 **SECTION 2.** Section 19.76.130 (“Second Dwelling Units”) of Division V, “Site
15 Planning and Development Standards,” of Title 19, “Land Use and Development Regulations” of
16 the Chico Municipal Code, is hereby repealed in its entirety.

17 **SECTION 3.** A new Section 19.76.130 entitled (“Accessory Dwelling Units”) is hereby
18 added to replace the former Section 19.76.130 (“Second Dwelling Units) of Division V, “Site
19 Planning and Development Standards,” of Title 19, “Land Use and Development Regulations” of
20 the Chico Municipal Code, to read as follows:

21 **19.76.130 Accessory dwelling units.**

22 The following definitions, permit requirements, owner occupancy requirements and development
23 standards shall apply to accessory dwelling units.

24 A. Definitions. In addition to the definitions set forth in Chapter 19.04, the
25 following words and phrases shall have the following meanings respectively
26 ascribed to them in this section.

27 1. “Accessory dwelling unit” means an attached or detached residential dwelling
28 unit which provides complete independent living facilities for one or more persons.

1 It shall include permanent provisions for living, sleeping, eating, cooking, and
2 sanitation on the same parcel the single-family dwelling is situated. An accessory
3 dwelling unit also includes the following:

- 4 a. An efficiency unit as defined in Section 17958.1 of the Health and Safety
5 Code.
- 6 b. A manufactured home as defined in Section 18007 of the Health and Safety
7 Code.

8 2. "Living area" means the interior habitable area of a dwelling unit, including
9 conditioned basements and attics but not including a garage or any accessory
10 structure.

11 3. "Main dwelling" means the dwelling unit on the property that is not an accessory
12 dwelling unit.

13 4. "Public transit" means a transit stop served by at least one publicly provided
14 form of transportation.

15 B. Permit requirements. In the event any conflict should arise between the
16 provisions within this Section and Title 19 of the Chico Municipal Code, the strictest
17 application of the regulations shall apply.

18 1. Accessory dwelling unit permits. Where a single-family dwelling unit is a
19 permitted use, as set forth in Table 4-2, and a proposed accessory dwelling unit
20 complies with all of the development standards of this section, an accessory dwelling
21 unit shall be pursuant to Chapter 19.19.

22 2. Use permits. A use permit is required for an accessory dwelling proposed to be
23 located in the SD-4 overlay district. The following findings, in addition to those
24 otherwise required for a use permit by Chapter 19.24, must be made to approve a use
25 permit for an accessory dwelling unit:

- 26 a. The occupancy of the accessory dwelling unit will not result in excessive noise or
27 traffic that would disturb the existing neighborhood.
- 28 b. The occupancy of the accessory dwelling unit will not have a significant adverse

1 effect on public services or resources.

2 c. The design of the accessory dwelling unit is compatible with the design of the
3 main dwelling unit and the surrounding neighborhood in terms of size,
4 exterior treatment, height, landscaping, scale and site coverage.

5 C. Owner Occupancy. All accessory dwelling unit permits and use permits
6 allowing an accessory dwelling unit shall be subject to the condition that either the
7 accessory dwelling unit or the main dwelling unit must be occupied by an owner of
8 the property. Such permits shall be further conditioned to require that each owner of
9 the property sign a covenant acknowledging the requirement that the property be
10 owner-occupied and that the covenant be recorded with the county recorder's office
11 prior to the issuance of a certificate of occupancy for the accessory dwelling unit.
12 Rental occupancy of unit shall only be on the basis of a rental agreement with a term
13 longer than 30 days.

14 D. Development Standards.

15 1. One accessory dwelling unit per parcel. No more than one accessory dwelling
16 unit shall be allowed on any parcel.

17 2. Attached or detached. An accessory dwelling unit may be either attached to or
18 detached from the main dwelling unit.

19 3. Maximum size of accessory dwelling units. The maximum square footage for an
20 accessory dwelling unit shall be as follows:

21 a. 75 percent of the living area up to a maximum of 650 sq. ft. for lots up to
22 4,500 sq. ft.

23 b. 75 percent of the living area up to a maximum of 850 sq. ft. for lots
24 between 4,501 sq. ft. up to 6,000 sq. ft.

25 c. 75 percent of the living area up to a maximum of 1,200 sq. ft. may be
26 permitted on lots over 6,000 sq. ft.

27 4. Building height shall be limited as follows: New attached additions shall be the
28 same as the main unit at a maximum of 35 feet. New detached accessory dwelling

1 units shall be a maximum of 25 feet.

2 5. Lot coverage shall be as follows:

3 a. 50 percent single story main housing unit.

4 b. 40 percent multi-story main housing unit.

5 c. 50 percent in R1-10, and R1-20.

6 6. Accessory dwelling unit setbacks shall be as follows:

7 a. No setback shall be required for an existing garage that is converted to an
8 accessory dwelling unit.

9 b. A 5-foot rear and 3-foot side setback shall be required for an accessory
10 dwelling unit constructed above a garage.

11 c. When a detached accessory dwelling unit is located to the side or rear of
12 a main dwelling unit, the units shall be separated by a minimum of 8 feet.

13 d. When an accessory dwelling unit is adjacent to an alley and constitutes a
14 second story on a garage which has less than a 5-foot setback, the rear yard
15 setback for the accessory dwelling unit shall be the same as the existing setback
16 for the garage.

17 7. Trash storage. The accessory dwelling unit shall be provided with an outdoor
18 area for the storage of trash and recycling receptacles. That area shall have an all-
19 weather surface and be screened from view by a fence, wall or permanent
20 landscaping.

21 8. Security lighting Accessory dwelling units located adjacent to an alley shall have
22 a minimum of one outdoor security light for illumination of the alleyway adjacent to
23 the unit. Such lighting shall be shielded and directed downward and away from
24 adjacent properties to ensure that it has a minimal impact on neighboring properties.

25 9. Walls or fences between units. When an accessory dwelling unit is located
26 behind a main dwelling unit, a continuous fence or wall shall not be installed between
27 the main and accessory dwelling units unless it includes a gate allowing pedestrian
28 access from the accessory dwelling unit to the street.

1 10. Vehicle access. Vehicle access to a second unit may be from a street or an alley.

2 a. Alley access. When an accessory dwelling unit will be located on a site served by
3 an alley, the accessory dwelling unit shall maintain its primary vehicular access from the
4 alley. Such alley access shall be improved per city standards or alternatively, an in-lieu
5 fee paid. Accessory dwelling units located on the street-access terminus of alleys shall be
6 sited to ensure adequate site distance clearance.

7 b. Vehicle access from street frontage. Driveway surfaces installed to provide
8 vehicle access from a street to a second dwelling unit located on the rear of a parcel
9 shall be constructed with permeable-surface, all-weather materials or shall
10 otherwise be constructed to retain runoff on site. New driveways that extend
11 beyond the rear of the main dwelling unit shall consist of two tire strips or be
12 otherwise designed to be of permeable-surface, all-weather material.

13 11. Pedestrian access to accessory unit.

14 a. Accessory dwelling units with primary vehicle access from an alley shall
15 also be served with a permeable-surface, all-weather walkway connecting the
16 accessory dwelling unit with the street frontage. The driveway for the main
17 dwelling unit may serve as a portion of this walkway.

18 b. Accessory units created within an existing single-family residence shall
19 include an independent exterior access that is separate from the exterior entrance of
20 the existing residence and complies with the minimum side and rear setbacks for fire
21 safety.

22 12. Fire protection access. Accessory dwelling units not located adjacent to an alley
23 shall be located so that all sides of the structure are within 150 feet of unobstructed
24 access from the street frontage in order to provide adequate fire protection.

25 Accessory dwelling units shall not be required to provide fire sprinklers if they are
26 not required for the main residence.

27 13. Parking. In addition to the parking required for the main dwelling unit, one
28 parking space shall be required for each second dwelling unit.

1 a. Parking spaces for the accessory dwelling unit and the main residence
2 may be provided in a tandem parking arrangement on an existing driveway.

3 b. Off street parking shall be permitted in setback areas as set forth in
4 CMC 19.70.060, or through tandem parking, unless specific findings are made
5 that parking in the setback areas or tandem parking is not feasible based upon
6 specific site or fire and life safety conditions.

7 c. When a garage, carport or covered parking structure is demolished in
8 conjunction with the construction of an accessory dwelling unit, those off-street
9 replacement spaces may be located in any configuration on the same lot as the
10 accessory dwelling unit, including but not limited to, as covered spaces,
11 uncovered spaces, or tandem spaces.

12 14. Parking exceptions. Parking shall not be required for the accessory dwelling
13 unit in any of the following instances:

14 a. The accessory dwelling unit is located within one-half mile of public
15 transit;

16 b. The accessory dwelling unit is located within an architecturally and
17 historically significant historic district;

18 c. The accessory dwelling unit is part of the existing main residence or an
19 existing accessory structure;

20 d. When on-street parking permits are required but not offered to the
21 occupant of the accessory dwelling unit;

22 e. When there is a car share vehicle located within one block of the
23 accessory dwelling unit.

24 15. Architectural design. Accessory dwelling units shall comply with the following
25 design standards:

26 a. The accessory dwelling unit shall be architecturally compatible with the main
27 dwelling unit or the immediate neighborhood. Compatibility includes coordination of
28 exterior colors, materials, roofing, other architectural features and landscaping.

1 b. The accessory dwelling unit shall be compatible with the scale of adjoining
2 residences and blend into the existing neighborhood.

3 c. All HVAC or other mechanical units shall be placed so they are not in public
4 view or shall be screened from public view by a fence, wall or permanent landscaping.

5 d. Second story windows or doors shall be designed to lessen privacy impacts on
6 adjacent properties. Acceptable techniques to meet this criteria include obscured glazing,
7 window placement at least six feet above floor level and permanent landscaping of
8 sufficient height.

9 **SECTION 4.** Section 19.04.020 of the Chico Municipal Code is amended to add new
10 definitions as follows:

11 **19.04.020 Definitions of specialized terms and phrases**

12 **A. Definitions, “A.”**

13 “Accessory dwelling unit” means an attached or detached residential dwelling
14 unit which provides complete independent living facilities for one or more
15 persons. It shall include permanent provisions for living, sleeping, eating,
16 cooking, and sanitation on the same parcel the single-family dwelling is situated.

17 An accessory dwelling unit also includes the following:

18 a. An efficiency unit as defined in Section 17958.1 of the Health and Safety
19 Code.

20 b. A manufactured home as defined in Section 18007 of the Health and
21 Safety Code.

22 **B-K [No changes.]**

23 **L. Definitions, “L.”**

24 “Living area” means the interior habitable area of a dwelling unit, including
25 conditioned basements and attics but not including a garage or any accessory
26 structure.

27 **M. Definition, “M.”**

28 “Main dwelling” means the dwelling unit on the property that is not an accessory

1 dwelling unit.

2 **N.-O. [No changes.]**

3 **P. Definition, “P.”**

4 “Public transit” means a transit stop served by at least one publicly provided
5 form of transportation.

6 **S. Definition, “S.”** The definition of “Secondary dwelling unit” is deleted.

7 **T-Z [No changes]**

8 **SECTION 5.** That Section 19.12.020 of the Chico Municipal Code is amended to read
9 as follows:

10 **19.12.020 Appeal subjects and jurisdiction.**

11 Determinations and actions that may be appealed, and the authority to act upon an appeal
12 shall be as set forth in Table 2-1 and in this Chapter.

13 **[TABLE 2-1 REVIEW AUTHORITY is amended as detailed on Exhibit 1.]**

14 **SECTION 6.** That Section 19.12.040 of the Chico Municipal Code is amended to read
15 as follows:

16 **19.12.040 Administrative review.**

17 The procedures set forth in this section shall apply to the appeal of decisions of the Director
18 on the following types of permits: Determinations by the Director that an application is
19 complete pursuant to Chapter 19.16, fraternity and sorority house permits, foothill
20 development permits, home occupation permits, accessory dwelling unit permits, sign
21 permits, mobile food vendor permits, and zoning clearances.

22 **SECTION 7.** That Section 19.16.030 of the Chico Municipal Code is amended to read as
23 follows:

24 **19.16.030 Application filing.**

25 **A-C [No changes]**

26 **D. Filing Date.** The filing date of an application for a home occupation permit,
27 accessory dwelling unit permit, administrative permit for a temporary use, design
28 review, use permit, planned development permit, or variance shall be the date on which

1 the Department receives the last submission, map, plan, or other material required as a
2 part of that application by Subsection A(Application Contents) above, in compliance
3 with Section 19.16.050 (Initial application review), and the application is deemed
4 complete by the Director.

5 (Ord. 2185; Ord. 2223; Ord. 2263)

6 **SECTION 8.** That Section 19.18.030 of the Chico Municipal Code is amended as follows:

7 **19.18.030 Review of minor projects.**

8 Minor projects do not require review and approval by the ARHPB and may be approved by
9 the Director.

10 Minor projects are those which because of their limited size and scope have minor aesthetic
11 implications.

12 Examples of such projects include, but are not limited to, the following:

- 13 A. Alterations, repairs, and remodels that the Director determines to be of a minor nature,
14 including signs;
- 15 B. Additions to existing structures;
- 16 C. Fences and walls;
- 17 D. New construction on existing, partially developed parcels;
- 18 E. Replacement-in-kind;
- 19 F. Satellite dish antennas larger than 1 meter in diameter;
- 20 G. Accessory residential units; and
- 21 H. Signs.

22 If the Director determines that an otherwise minor project may have greater aesthetic
23 implications, the director may refer the project to the ARHPB or Commission.

24 (Ord. 2185; Ord. 2223; 2410 §13)

25 **SECTION 8.** That Section 19.19.020 of the Chico Municipal Code is amended as follows:

26 **19.19.020 Application.**

27 An application for an accessory dwelling unit permit shall be filed with the department on a
28 form prescribed by the director and shall include all information necessary to allow the director

1 to determine if the proposed accessory dwelling unit will comply with the development
2 standards for accessory dwelling units set forth in section 19.76.130 or in Division VI of this
3 title, as applicable. (Ord. 2263, Ord. 2358 §4, Ord. 2364 §387)

4 **SECTION 9.** That Section 19.19.030 of the Chico Municipal Code is amended as follows:

5 **19.19.030 Action on accessory dwelling unit permits.**

6 Upon review of a completed application for an accessory dwelling unit permit, the director
7 shall issue a permit if the director determines that the proposed accessory
8 dwelling unit complies with all of the development standards set forth in section 19.76.130 or in
9 Division VI of this title. Accessory dwelling unit permits shall be approved or denied in writing.
10 All denials shall state the reasons for the denial. Reasons for denial shall be limited to a finding
11 by the director that the proposed accessory dwelling unit is not permitted in the applicable
12 zoning district with an accessory dwelling unit permit or that the accessory dwelling unit does
13 not comply with one or more of the requirements of section
14 19.76.130 or in Division VI of this title, as applicable. (Ord. 2263, Ord. 2358 §5), Ord. 2364
15 §388)

16 **SECTION 10.** That Section 19.19.040 of the Chico Municipal Code is amended as
17 follows:

18 **19.19.040 Owner occupancy requirement.**

19 All accessory dwelling unit permits shall be subject to the condition that either the accessory
20 dwelling unit or the primary dwelling unit must be occupied by an owner of the property. Such
21 permits shall be further conditioned to require that each owner of the property sign a covenant
22 acknowledging the requirement that the property be owner- occupied and that the covenant be
23 recorded with the county recorder's office prior to the issuance of a certificate of occupancy for
24 the accessory dwelling unit. Rental occupancy of either the main dwelling unit and the accessory
25 dwelling unit shall only be on a rental agreement with a term longer than 30 days. (Ord. 2358
26 §6))

27 **SECTION 11.** That Section 19.37.030 of the Chico Municipal Code is amended as
28 follows:

1 **19.37.030 Definitions.**

2 When used in this chapter, the following terms and phrases shall have the meanings set forth
3 below.

4 A. Alteration. Alteration means any exterior change or modification of a structure, site, or
5 resource on the city’s Historic Resources Inventory or within a landmark overlay zoning district
6 that requires the issuance of a building permit, demolition permit, grading permit, new
7 construction, relocation of a structure onto, off of, or within, a designated property or site, or
8 other changes to the property or site affecting the significant historical or architectural features of
9 the resource. Alterations are divided into either minor or major alterations as follows:

10 1. Minor alteration. Minor alterations are those which, because of their limited size and
11 scope, have been determined by the Director to involve only minor or negligible impacts to the
12 historic integrity of a resource and may include the following:

- 13 a. Additions to existing structures;
- 14 b. Addition or modification of signs, fences, or walls;
- 15 c. New construction on existing, partially developed parcels;
- 16 d. Replacement-in-kind;
- 17 e. New satellite dish antennas;
- 18 f. Minor grading activities; and
- 19 g. Addition or modification of accessory residential units.

20 2. Major alteration. A major alteration is a physical change that does not meet the
21 definition of a minor alteration and that has the potential to affect the historic integrity of the
22 resource such that the resource no longer meets one or more of the designation criteria
23 established by section 19.37.040 of this chapter.

24 **B-V [No changes]**

25 **SECTION 9.** That Section 19.42.020 of the Chico Municipal Code is amended as follows:

26 **19.42.020 Residential zone land uses and permit requirements.**

27 Table 4-2 identifies the uses of land allowed by these Regulations in each residential zoning
28 district, and the land use entitlement required to establish the use.

1 Provisions in other sections/chapters may apply as well.

2 (Ord. 2185; Ord. 2223; Ord. 2232; Ord. 2280; Ord. 2342; Ord. 2397 §6; Ord. 2427 §13)

3 **[TABLE 4-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR**
4 **RESIDENTIAL ZONING DISTRICTS is amended as detailed on Exhibit 2.]**

5 **SECTION 10.** That Section 19.42.030 of the Chico Municipal Code is amended as
6 follows:

7 **19.42.030 Residential zone general development standards.**

8 The requirements in Tables 4-3A, 4-3B and 4-3C shall apply to new land uses and structures,
9 and alterations to existing land uses and structures, in addition to any applicable development
10 standards (such as landscaping, parking and loading) in Division V.

11 (Ord. 2185; Ord. 2223; Ord. 2243; Ord. 2263; Ord. 2378, Ord. 2427 §14)

12 **[TABLE 4-3A, 4-3B, and 4-3C RESIDENTIAL ZONE GENERAL DEVELOPMENT**
13 **STANDARDS is amended as detailed on Exhibit 3.]**

14 **SECTION 11.** That Section 19.52.070 of the Chico Municipal Code is amended as follows:

15 **A-C [No changes]**

16 D. Specific Area Permit Requirements and Development Standards. Development and new land
17 uses within the -SD overlay zone shall obtain the land use entitlements as required by the
18 primary zoning district, except as otherwise provided in this subsection, and shall comply with
19 all applicable development standards of the primary zoning district, and the following
20 requirements.

21 **1-3 [No changes]**

22 **4.** SD-4 (West Avenue Neighborhood Area). A use permit is required for all accessory
23 dwelling units.

24 **5 [No changes]**

25 **6.** SD-6 (Chapman/Mulberry Neighborhood)

26 a. Development shall be consistent with the Chapman/Mulberry Neighborhood Plan
27 adopted by the city council.

28 b. The following land uses are not permitted within the CN zone: retail liquor stores, gas

1 stations, automobile sales and vehicle repair and maintenance.

2 c. The following design standards shall apply to the development of single- family
3 residences:

4 (1) Front yard setbacks shall be consistent with the average of the existing front yard
5 setback of adjoining parcels, but in no case less than fifteen (15) feet or greater than
6 thirty (30) feet.

7 (2) (2) Front entries for all single-family residences shall be oriented toward the street.

8 This requirement shall not apply to accessory dwelling units located on the rear of a parcel
9 which have primary access from an alley.

10 (3) Garages shall be set back at least ten (10) feet from the front edge of the dwelling.
11 Garages located in rear yards are encouraged. Detached, single- story garages shall be set back
12 at least five (5) feet from the rear property line.

13 (4) All single-family dwellings shall include a front porch with minimum dimensions of
14 four feet by eight feet.

15 (5) Front yard fences are permitted only when they are of an open, not solid, design.
16 Front yard landscaping shall not obscure views of the street or adjoining neighbors.

17 (6) One new tree, 15 gallons or greater in size, shall be planted in the front yard of each
18 new single-family residence, as a condition of the building permit for such residence. The
19 species of tree planted shall be selected from the list “Recommended Street Trees for Chico”
20 maintained by the City.

21 d. The following design standards shall apply to the development of multi-family
22 dwellings:

23 (1) Parking lots shall primarily be located in the rear or side area of the parcel or in the
24 interior of a building cluster and shall be screened from view from the street by vegetation or
25 fencing that is no more than four feet in height. No parking lots shall be located within the
26 required front or side set back area.

27 (2) All multi-family buildings located within 40 feet of a front lot line shall be oriented
28 to the street frontage. The main entrance of ground floor units located within 40 feet of a street

1 must face the front lot line. Main entrances may be to either individual units, clusters of units or
2 common lobbies or courtyards. Main entrances for multi-family residences on corner lots may be
3 oriented toward either street frontage, or toward the corner.

4 (3) Pedestrian walkways shall be provided from street sidewalks to the front entrance of
5 each multi-family dwelling unit.

6 e. It shall be a condition of the development of any new commercial or industrial use
7 located on property which abuts residentially zoned property, that an 8 foot masonry wall be
8 constructed between the new commercial or industrial use and the residentially zoned property.
9 Such wall shall be constructed on the property on which the new commercial or industrial use is
10 located and shall include landscaping along the side of the wall facing the residentially zoned
11 property. Earthen landscape berms with a wall may be utilized to meet this requirement.

12 f. A nonconforming commercial or industrial use shall not be expanded, enlarged, or
13 extended. If a structure used for a nonconforming commercial or industrial use is destroyed or
14 demolished, regardless of cause, or the nonconforming use thereof is abandoned for six months
15 or more, or is converted to or replaced by a conforming use, the right to continue the
16 nonconforming use therein shall cease.

17 g. Nonconforming uses shall be amortized as follows:

18 (1) Nonconforming commercial and industrial uses which were located in the City prior
19 to the date of the City's adoption of the Chapman/Mulberry Neighborhood Plan on October 5,
20 2004, shall be amortized and terminated no later than December 31, 2014.

21 (2) Nonconforming commercial and industrial uses which are annexed into the City
22 after adoption of the Chapman/Mulberry Neighborhood Plan on October 5, 2004, and which
23 were nonconforming prior to annexation pursuant to the land use regulations of Butte County,
24 shall be amortized and terminated no later than three years after the date the property on which
25 the use is located is annexed into the City. Requests to extend the time period by which such a
26 nonconforming use must terminate may be made to the planning commission and may be
27 granted only for good cause upon consideration of the following factors.

28 a. The total cost of the property and lawfully installed or constructed improvements.

- 1 b. The depreciated value of the property.
- 2 c. The remaining useful life of the improvements.
- 3 d. The original length and remaining term of the lease, if any, under which the
- 4 premises are occupied.
- 5 e. The percentage of the business conducted on the premises compared to the
- 6 percentage conducted elsewhere.
- 7 f. The cost of moving and reestablishing the business elsewhere.
- 8 g. The nature and extent of efforts made by the owner or operator of the
- 9 nonconforming use to relocate and/or reestablish the use in a properly zoned location.
- 10 h. The nature of the nonconforming use, as compared to the character of the
- 11 surrounding neighborhood.
- 12 i. The harm to the public if the use remains beyond the amortization period.
- 13 j. The feasibility of converting the use of the premises to an allowed use or a use
- 14 allowed with a use permit.
- 15 k. Other related factors.

16 Extension requests must be submitted no later than two years before the date the
17 nonconforming use is required to be terminated. Such applications shall be on a form approved
18 by the director and must include the information pertaining to all of the above factors which the
19 applicant believes are applicable to the request. The Planning Commission shall act on all
20 requests for an extension after holding a public hearing and may condition any extension granted
21 as it deems necessary to reduce impacts from the nonconforming use on the surrounding
22 neighborhood. The public hearing shall be noticed and held in the same manner as public
23 hearings for use permits.

24 For properties on which a nonconforming commercial or industrial use exists at the time they
25 annexed into the City, extension requests must be submitted no later than one year after the date
26 that the property is annexed into the City. Such applications shall be on a form approved by the
27 director and must include the information pertaining to all of the above factors which the
28 applicant believes are applicable to the request. The Planning Commission shall act on all

1 requests for an extension after holding a public hearing and may condition any extension granted
2 as it deems necessary to reduce impacts from the nonconforming use on the surrounding
3 neighborhood. The public hearing shall be noticed and held in the same manner as public
4 hearings for use permits.

5 (3) Nothing in this paragraph g. shall preclude the conversion of a nonconforming use to a
6 lawful use if: 1) the nonconforming use could be permitted with a use permit; 2) a use permit is
7 Obtained; and 3) the use is thereafter conducted in conformance with the terms and conditions of
8 the use permit and all applicable provisions of this code.

9 **7-8 [No changes]**

10 **SECTION 12.** That Section 19.70.040 of the Chico Municipal Code is amended as follows:

11 **19.70.040 Number of parking spaces required.**

12 Each land use shall provide the minimum number of off-street parking spaces required by this
13 section, except where a different number of spaces is approved through an entitlement process.

14 **A-H [No changes]**

15 **[TABLE 5-4 PARKING REQUIREMENTS is amended as detailed on Exhibit 4.]**

16 **SECTION 13.** That Section 19.76.020 of the Chico Municipal Code is amended as
17 follows:

18 **19.76.020 Accessory uses and structures.**

19 **A-C [No changes]**

20 D. Residential Accessory Uses and Structures. When allowed, specific residential accessory
21 uses and structures are subject to the provisions of this section. Residential accessory structures
22 include any structure that is customarily related to a residence, including garages, greenhouses,
23 storage sheds, studios, swimming pools, spas, workshops, and similar structures.

24 **1-5 [No changes]**

25 6. Accessory Dwelling Units. Regulations for residential accessory_units are located
26 in Section 19.76.130 (Accessory dwelling units).

27 **7-8 [No changes]**

28 **SECTION 14.** That Section 19.80.070 of the Chico Municipal Code is amended as

1 follows:

2 **19.80.070 Allowable land uses.**

3 **A-B [No changes]**

4 **[TABLE 6-1 ALLOWED LAND USES AND PERMIT REQUIREMENTS is amended**
5 **as detailed on Exhibit 5.]**

6 **SECTION 15.** That Section 19.86.090 of the Chico Municipal Code is amended as
7 follows:

8 **19.86.090 Cottage**

9 A. A cottage is designed as a residence for one household. It may be built as a single
10 dwelling, as an accessory unit or in a bungalow court. A cottage may be used for other than
11 residential purposes where allowed by the applicable TND designation. A cottage built as a
12 single dwelling not located in a bungalow court shall be placed on a site as set forth in Table 6-8.

13 **TABLE 6-8 [No changes]**

14 **B-E [No changes]**

15 F. A cottage built as an accessory dwelling unit shall be located at least 8 feet behind the
16 main dwelling unit and shall have a dedicated usable open space of at least 100 square feet with
17 a minimum dimension of 8 feet on one side.

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1 THE FOREGOING ORDINANCE was adopted by the City Council of the City of Chico at its
2 meeting held on March 20, 2018, by the following vote:

3 AYES: Coolidge, Fillmer, Ory, Sorensen, Stone, Morgan

4 NOES: None

5 ABSENT: Schwab

6 ABSTAINED: None

7 DISQUALIFIED: None

8 **APPROVED AS TO FORM:**

ATTEST:

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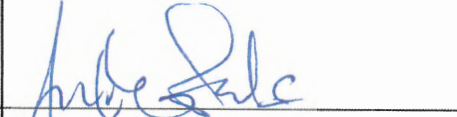
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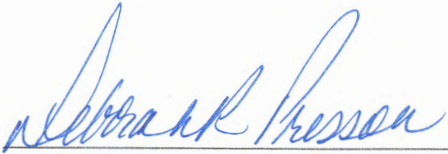
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Vincent C. Ewing
City Attorney*



Deborah R. Presson
City Clerk

*Pursuant to the Charter of the
City of Chico, Section 906(E)

TABLE 2-1 REVIEW AUTHORITY

Type of Permit or Decision	Architectural Review and Historic Preservation Board	Director	Zoning Administrator	Planning Commission	City Council
Architectural/Design Review	Decision (1)			Decision (1)	Appeal
Certificates of Appropriateness	Decision (1)				Appeal
Certificate of Demolition	Decision (1)				Appeal
Designation of Historic Landmarks on the Historic Resources Inventory	Recommend				Decision
Determination That an Application is Complete Pursuant to Chapter 19.16		Decision (2)			
Development Agreements				Recommend	Decision
Foothill Development Permit		Decision (2)			
Fraternity and Sorority House Permit		Decision (2)			
General Plan, Specific Plan, Neighborhood Plan, Area Plan Amendments				Recommend	Decision
Home Occupation Permits		Decision (2)			
Interpretations		Decision		Appeal	
Land Use and Development Regulations Amendments				Recommend	Decision

Exhibit 1

Minor Design Review	Appeal (3)	Decision			
Mobile Food Vendor Permits		Decision (2)			
Planned Development Permits	Recommend	Recommend		Decision	Appeal
Regulating plans and circulating plans pursuant to Division VI				Decision	Appeal
Accessory Dwelling Unit Permit		Decision (2)			
Sign Permits		Decision (2)			
Specific Plans				Recommend	Decision
Use Permits			Decision	Decision	Appeal (4)
Variances			Decision	Decision	Appeal (4)
Zoning Map Amendments	Recommend (5)			Recommend	Decision
Zoning Clearances		Decision (2)			

Notes:

(1) Architectural/design review decisions and decisions regarding applications for certificates of appropriateness or certificates of demolition rendered by the Architectural Review and Historic Preservation Board for projects requiring only the issuance of a building permit are appealed to the City Council.

Architectural/design review decisions rendered by the Architectural Review and Historic Preservation Board on projects requiring a discretionary permit from the Planning Commission and rendered after referral to the Architectural Review and Historic Preservation Board by the Planning Commission are appealed to the Planning Commission.

Architectural/design review decisions rendered by the Planning Commission are appealed to the City Council.

(2) This decision may be appealed pursuant to the administrative review process set forth in section 19.12.040.

(3) Director decisions are appealed to the Architectural and Historic Preservation Review Board. The Architectural Review and Historic Preservation Board decision on an appeal is final.

(4) Decisions on use permits and variances, whether made by the zoning administrator or planning commission, are appealable directly to the City Council.

(5) The Architectural Review and Historic Preservation Board shall make recommendations to the City Council regarding the creation or modification of landmark overlay zoning districts pursuant to Chapter 19.37.

TABLE 4-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT FOR ZONE						Subject to Standards in Section/ Chapter:
	RS	R1	R2	R3	R4	RMU	
AGRICULTURAL, RESOURCE, & OPEN SPACE USES							
Animal keeping (Large Animals)	P	UP					19.76.040
Animal keeping (Small Animals)	P	P	P				19.76.040
Crop production, commercial	P(2)						
Equestrian facilities	UP						
Greenhouses, commercial	UP(2)						
Plant nurseries	UP						
Community Gardens	P	P	P	P	P	P	19.76.190
RECREATION, EDUCATION, & PUBLIC ASSEMBLY USES							
Churches/places of worship	UP	UP	UP	UP	UP	UP	
Community centers/pavilions	UP	UP	UP	UP	UP	UP	
Golf courses, country clubs	UP	UP	UP				
Health/fitness clubs				UP	UP	UP	
Private residential recreational facilities	P	P	P	P	P	P	
Recreational vehicle (RV) parks				UP	UP		
Schools - Public and private	UP	UP	UP	UP	UP	UP	
Schools - Specialized education and training	UP	UP	UP	UP	UP	UP	
Theaters, auditoriums and meeting halls						UP	
RESIDENTIAL USES							
Assisted living facilities for the elderly	UP	UP	UP	UP	UP		
Dormitory				UP	UP	UP	
Dwelling group			P(3)	P(3)	P(3)	P(3)	
Fraternity/sorority housing				P	P	P	19.52.090
Guest house	P	P				P	19.76.100
Home occupations	P	P	P	P	P	P	19.20
Household pets	P	P	P	P	P	P	19.76.040
Live/work						P	

TABLE 4-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS

Mobile home parks		UP(3)	UP(3)	UP(3)			
Mobile homes/manufactured homes	P	P	P	P	P	P	19.76.110
Multi-family housing			P	P	P	P	
Residential accessory uses and structures	P	P	P	P	P	P	19.76.020
Residential care homes, 6 or fewer clients	P	P	P	P	P	P	
Residential care homes, 7 or more clients	UP	UP	UP	UP	UP	UP	
Rooming and boarding houses		UP	UP	UP	UP	UP	
Accessory dwelling unit	P/UP(4)	P/UP(4)	P/UP(4)				
Senior citizen congregate care housing		UP	UP	P	P	P	
Single-family housing	P	P	P(3)	P(3)		P(3)	
Single-room occupancy (SRO) housing			P	P		P	19.76.140
Supportive housing	P	P	P	P	P	P	
Temporary dwellings	TU	TU	TU	TU	TU	TU	
Temporary emergency shelters	P	P	P	P	P	P	19.22
Transitional housing	P	P	P	P	P	P	
Two-family housing/duplexes		P/UP(5)	P	P	P	P	
RETAIL TRADE USES							
Accessory retail uses						P	
Alcoholic beverage establishments						UP (6)	
Art, antiques, collectibles, gifts						P	
Drug stores/pharmacies, 4,000 sq.ft. or less						P (6)	
Drug stores/pharmacies, 2,500 sq.ft. or less	UP	UP	UP	UP	UP	P (6)	
Furniture, furnishings, and equipment stores						UP	
Grocery stores, 4,000 sq.ft. or less						P (6)	
Grocery stores, less than 2,500 sq.ft.	UP	UP	UP	UP	UP	P (6)	

TABLE 4-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS

Liquor stores						UP (6)	
Pet shops						UP	
Restaurants, 2,500 sq.ft. or less						P (6)	
Restaurants, more than 2,500 sq.ft.						UP (6)	
Retail stores, 2,500 sq.ft. or less						P (6)	
Retail stores, more than 2,500 sq.ft.						UP (6)	
Secondhand stores, less than 2,500 sq.ft.						P	
SERVICES							
Automated teller machines (ATMs)						P	
Banks and financial services, 4,000 sq.ft. or less						P	
Bed and breakfast inns, 1 to 5 guest rooms	UP	UP	UP	UP	UP	UP	19.76.050
Catering services						UP	
Community social services						UP	
Day care facilities, child/adult day care centers	UP	UP	UP	UP	UP	UP	
Day care facilities, large family day care homes	P	P	P	P	P	P	19.76.060
Day care facilities, small family day care homes	P	P	P	P	P	P	
Mortuary/funeral home						UP	
Offices, accessory to primary use						P	
Offices, business and professional						P	
Personal services, 2,500 sq.ft. or less						P (6)	
Printing and publishing - computer/electronic						UP	
Public utility or safety facilities	UP	UP	UP	UP	UP	UP	
Storage, accessory to residential project	UP	UP	UP	UP	UP	UP	
Storage, located on second floor or above						P	

TABLE 4-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS

Storage, personal storage facility	UP	UP	UP	UP	UP	UP	
TRANSPORTATION & COMMUNICATION USES							
Alternative fuel/recharging facilities				UP	UP	UP	
Parking facilities/vehicle storage						UP	
Transit stations and terminals						UP	

Notes:

- (1) See Chapter 19.04 for definitions of the listed land uses.
- (2) Use allowed only on a site of 1 acre or larger.
- (3) Allowed only within density requirements of General Plan Designation.
- (4) Use permit required for all second dwelling units in the SD-4 overlay zoning district, and special standards apply, per overlay district. Second dwelling units outside of the SD-4 overlay zone are allowed with a second dwelling unit permit if all development standards in 19.76.130 are met.
- (5) Consistent with the overall maximum density allowed and on corner parcels either as part of the subdivision approval process or by use permit.
- (6) Businesses which operate between the hours of 10PM and 6AM or allow amplified music within 300 feet of a residential district require use permit approval.

(Ord. 2440 §23, Ord. 2461 §2, Ord. 2494, §20)

**TABLE 4-3A
RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

Development Feature	Requirement by Zoning District
	RS
Minimum Lot Size	Determined by Section 19.42.040(A) (Minimum lot area and density).
Minimum area	
Minimum width at front setback line	80 ft. in RS-20; 100 ft. elsewhere. See the subdivision regulations for cul-de-sac lots.
Residential Density	1 single-family unit per lot. 0.2 to 2 units per acre for subdivisions.
Setbacks Required	20 ft.
Front	
Sides (each)	10 ft. in RS-20; 20 ft. elsewhere.
Street side	
Rear	20 ft. in RS-20; 30 ft. elsewhere
Accessory structures	See Section 19.76.020 (accessory uses and structures)
Site Coverage (1)	40%
Height Limits	35 ft. for housing units; 15 ft. for accessory structures; 25 ft. for accessory structures, with use permit approval; 15 feet for detached garages; 25 ft. for garages with a second floor dwelling unit; 25 ft. for garages without a second floor dwelling unit, with use permit approval.

Notes:

(1) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04).

**TABLE 4-3B
RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

Development Feature	Requirement by Zoning District	
	R1	R2
Minimum Lot Size Minimum Area	<p><u>Interior lots:</u> 4,500 sq.ft., or as determined by Section 19.42.040-A.</p> <p><u>Corner lots:</u> 5,500 sq.ft., or as determined by Section 19.42.040-A.</p> <p><u>Small lot subdivisions:</u> 3,500 to 4,499 sq.ft., in compliance with Section 19.76.150.</p> <p>Parcels smaller than 3,500 sq.ft. require PD permit approval (Chapter 19.28).</p>	<p><u>Interior lots:</u> 4,000 sq.ft.; 3,960 sq.ft. with parkways.</p> <p><u>Corner lots:</u> 4,400 sq.ft.; 4,250 sq.ft. with parkways.</p>
Minimum width at front setback line	For R1: 45 ft., interior lots; 50 ft., corner lots. For R1-10 & R1-15: 70 ft. interior lots; 75 ft. corner lots. See Title 18R, Design Criteria and Improvement Standards, for cul-de-sac lots.	40 ft. interior lots, 48 ft. corner lots.
Residential Density	2.1 minimum, 7 units maximum per acre for subdivisions; 1 single-family unit per lot, and 1 accessory unit in compliance with Section 19.76.130.	See Section 19.42.040-B (Minimum lot area and density).
Setbacks Required Front	<p><u>Lots of 4,500 sq.ft. or more:</u> 15 ft. for main buildings and 20 ft. for garages/carports.</p> <p><u>Lots of 3,500 - 4,499 sq.ft.:</u> See Section 19.76.150 (Small-lot subdivisions).</p>	10 ft. for main buildings; 20 ft. for garages/carports unless the garage is accessed from a side entrance which does not result in vehicles blocking the public right-of-way and is approved by the Director. None required for condominiums, townhouses, and similar housing types.
Sides (each)	4 ft.; 10 ft. for R1-10 and R1-15	4 ft.; plus 5 ft. additional for each story over the first where the setback abuts an RS or R1 district.
Street side	10 ft. for main buildings; 20 ft. for garages/carports; 9 ft. for main buildings on lots with parkways.	10 ft. for main buildings; 20 ft. for garages/carports.

Exhibit 3

Rear	15 ft. for main buildings. <u>Lots of 3,500 - 4,499 sq.ft.:</u> See Section 19.76.150 (Small-lot subdivisions).	15 ft. for main buildings; plus 5 ft. additional for each story over first where setback abuts RS or R1 zone.
Accessory structures	See Section 19.76.020 (Accessory uses and structures).	
Site Coverage	50% single-story primary housing units; 40% multi-story primary housing units; 50% R1-10, and R1-15.	60%
Minimum Open Space (1)	Not applicable.	40%
Height Limits	35 ft. for primary housing units; 15 ft. for accessory structures; 25 ft. for accessory structures, with use permit approval; 15 ft. for detached garages; 25 ft. for garages with a second floor dwelling unit (2) 25 ft. for detached garages without a second floor dwelling unit, with use permit approval.	35 ft. for primary housing units; 15 ft. for accessory structures; 25 ft. for accessory structures, with use permit approval; 15 ft. for detached garages; 25 ft. for garages with a second floor dwelling unit (2); 25 ft. for detached garages without a second floor dwelling unit, with a minimum setback distance of 10 feet from all property lines.

Notes:

- (1) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04).
- (2) A second dwelling unit permit or use permit is required for the second dwelling unit. (See Table 4-2.)(Ord. 2435 §43, Ord. 2494, §21)

**TABLE 4-3C
RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

Development Feature	Requirement by Zoning District		
	R3	R4	RMU
Minimum Lot Size Minimum area	<u>Interior lots:</u> 4,000 sq.ft.; 3,960 sq.ft. w/parkway. <u>Corner lots:</u> 4,400 sq.ft., 4,250 sq.ft. w/parkways.	7,500 sq.ft.	
Minimum width at front setback line	<u>Interior lots:</u> 45 ft. <u>Corner lots:</u> 50 ft.	75 ft.	
Residential Density	See Section 19.42.040-B (Minimum lot area and density, residential density limitations)		
Setbacks Required Front	10 ft. for main buildings; 20 ft. for garages/carports.	10 ft. for main buildings; 20 ft. for garages/carports.	
Sides (each)	5 ft.; plus 5 ft. additional for each story over the first where setback abuts an RS or R1 district.		
Street side	10 ft. for main buildings; 20 ft. for garages/carports.		
Rear	15 ft. for main buildings; plus 5 ft. additional for each story over the first where setback abuts an RS or R1 district.	10 ft. for main buildings where rear yard abuts alley; 15 ft. elsewhere; plus 5 ft. additional for each story over the first where setback abuts an RS or R1 district.	
Accessory structures	See Section 19.76.020 (Accessory uses and structures).		
Site Coverage (1)	65%	75%	
Minimum Open Space (2)	Determined through Design Review.		
Height Limits	45 ft. for primary housing units; 15 ft. for accessory structures and detached garages; 25 ft. for accessory structures and detached garages, with a minimum setback distance of 10 feet from all property lines.	85 ft. for primary housing units in the R4 district; 45 feet for primary housing in the RMU district, and up to 65 feet in the Corridor and Downtown Opportunity Site overlay zones: 15 ft. for accessory structures; 25 ft. for accessory structures with use permit approval;	

Exhibit 3

		25 ft. for detached garages with a second floor dwelling unit; 25 ft. for detached garages without a second floor dwelling unit, with a minimum setback distance of 10 feet from all property lines.
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Notes:

- (1) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04).
- (2) Minimum usable common or individual outdoor open space area.
(Ord. 2427 §14, Ord. 2494 §21)

Exhibit 4

**TABLE 5-4
PARKING REQUIREMENTS**

Land Use Type: Manufacturing & Processing	Vehicle Spaces Required	Bicycle Spaces Required (Minimum of 1 space)
Machinery and equipment sales	1 space for each 625 sq.ft. of gross floor area, plus 1 space for each 2,500 sq.ft. of outdoor sales or service area.	10% of vehicle spaces.
Personal or mini-storage	1 space for an on-site manager/ caretaker, plus 1 space for each 375 sq.ft. of office space, with a minimum of 3 spaces.	1 space.
Recycling facilities (other than reverse vending machines and small collection centers)	If the facility is open to the public, an on-site parking and/or queuing area shall be provided for a minimum of 8 vehicles at any one time.	10% of vehicle spaces.
	1 employee parking space shall be provided on-site for each commercial vehicle operated by the processing center.	10% of vehicle spaces.
Wholesale operations and light manufacturing plants	1 space for each 1,250 sq.ft. of gross floor area, plus 1 space for each on- site vehicle associated with the use.	10% of vehicle spaces.
Warehouses and storage buildings	1 space for each 1,875 sq.ft. of gross floor area, plus 1 space for each vehicle operated in connection with each on- site use.	5% of vehicle spaces.

Land Use Type: Recreation, Education, Public Assembly	Vehicle Spaces Required	Bicycle Spaces Required (Minimum of 1 space)
Assembly uses, including theaters, meeting halls, and membership organizations, churches and other places of worship, mortuaries, community centers and pavilions	1 space for each 5 fixed seats or 1 space for each 10 feet of benches, or 1 space for every 42 sq.ft. of gross assembly area, whichever is greater.	10% of vehicle spaces for places of worship.
Child day care centers	1 space for each employee, and adequate drop-off area as approved by the Director.	10% of vehicle spaces.
Driving ranges	1 space per tee; plus clubhouse spaces as required for restaurants, bars, indoor recreation/fitness centers.	10% of vehicle spaces.
Fitness gyms/studios with established maximum class size	1 space for each 2 students of maximum class size.	20% of vehicle spaces.
Health/fitness clubs	1 space for each 125 sq.ft. of workout floor area.	20% of vehicle spaces.

Exhibit 4

**TABLE 5-4
PARKING REQUIREMENTS**

Indoor amusement/entertainment	1 space for each 250 sq.ft. of customer floor area.	20% of vehicle spaces.
Libraries, museums, art galleries, post office	1 space for each 500 sq.ft. of gross floor area plus 1 space per official vehicle.	10% of vehicle spaces.
Pool and billiard rooms	2 spaces per game table, plus adequate space for ancillary uses.	10% of vehicle spaces.
Outdoor commercial recreation	Determined by use permit.	
Schools (public and private) Elementary/Junior High	1 space for each employee plus 1 space for each classroom, or 1 space for every 42 sq.ft. of gross auditorium assembly area, whichever is greater (1)	1 space for every 4 students.
High School	1 space for each employee plus 1 space for every 4 students. (1)	
Private College	1 space for every 2 full-time students (part-time students included as equivalents).	
Commercial trade or business schools	1 space for every 200 sq.ft. of gross classroom floor area.	10% of vehicle spaces.
Specialized Education/Training	1 space for each 2 students.	10% of vehicle spaces.
Tennis/racquetball/handball or other courts	2 spaces per court, plus as required for ancillary uses.	10% of vehicle spaces.

<u>Land Use Type:</u> Residential Uses	Vehicle Spaces Required	Bicycle Spaces Required (Minimum of 1 space)
Dormitories, fraternities, sororities, and rooming/boarding houses	1 space per 2 beds; minimum 4 spaces if located within a single-family residence.	1 space per bedroom.
Dwelling units located on flag lots, streets, or alleys without on-street parking	1 additional space per dwelling unit shall be provided.	1 space per unit, except that none is required for single-family dwellings.
Dwelling units located on corner parcels with on-street parking on both frontages	Number of required spaces may be reduced by 1 space; no less than 1 space shall be provided.	1 space per unit, except that none is required for

Exhibit 4

**TABLE 5-4
PARKING REQUIREMENTS**

		single-family dwellings.
Large family day care homes	In addition to the required residential spaces, 1 space for each employee and one space for drop off and pickup.	None required.
Mobile homes (in mobile home parks)	2 spaces per mobile home.	Determined by use permit.
Multi-family housing	Studio unit - 0.75 spaces per unit.	1 space per unit.
	1 bedroom units - 1.25 spaces per unit.	
	2 bedroom units - 1.75 spaces per unit.	
	3 bedrooms or more - 2 spaces per unit.	
	Guest parking - 1 space per each 5 units.	1 space per 10 units.
Mixed-use developments	Determined by entitlement.	Determined by entitlement.
Multi-family housing in a Corridor Opportunity Site overlay zone	Studio unit - 0.75 space per unit.	1 space per unit.
	1 bedroom units - 1 space per unit.	
	2 bedrooms or more - 1.5 spaces per unit.	
Senior housing projects	1 space per 2 dwelling units; half the spaces shall be covered.	5% of vehicle spaces.
Single-family housing	2 spaces per unit, as adjusted up or down by this table.	None required.
Single-room occupancies and specific one-bedroom apartment units	1 space per unit.	20% of vehicle spaces.
Studio apartments or single-room occupancies, designated for low or very low income households, restricted to these households for at least 30 years and located within 500 feet of an existing public transit route and/or commercial facilities supporting residential use	1 space per 2 dwelling units.	20% of vehicle spaces.

**TABLE 5-4
PARKING REQUIREMENTS**

<u>Land Use Type:</u> Retail Trade	Vehicle Spaces Required	Bicycle Spaces Required (Minimum of 1 space)
Auto, mobile home, vehicle machinery and parts sales	1 space for each 625 sq.ft. of gross floor area, plus 1 space for each 2,500 sq.ft. of outdoor display, sales, service area, plus 1 space for each 375 sq.ft. of gross floor area for the parts department.	5% of vehicle spaces.
Banks and financial services	1 space for each 375 sq.ft. of gross floor area.	10% of vehicle spaces.
Drug stores/pharmacies, 20,000 sq. ft. or less	1 space for each 375 sq.ft. of gross floor area.	10% of vehicle spaces.
Furniture, furnishings, appliances, and home equipment stores (with large showrooms)	1 space for each 750 sq.ft. of gross floor area and 1 space for each company vehicle.	5% of vehicle spaces.
Plant nurseries	1 space for each 375 sq.ft. of indoor display area, plus 1 space for each 1,250 sq.ft. of outdoor display area.	5% of vehicle spaces.
Restaurants, cafés, bars, and other eating/drinking places	1 space for each 5 seats or 1 space for each 94 sq.ft. of customer floor area, including outside dining, whichever is greater.	10% of vehicle spaces.
Retail stores General merchandise	1 space for each 250 sq.ft. of gross floor area and 1 space for each company vehicle.	5% of vehicle spaces.
Warehouse retail	1 space for each 250 sq.ft. of gross floor area and 1 space for each company vehicle.	
Shopping centers (shall use an unsegregated parking area)	1 space for each 250 sq.ft. of gross floor area for centers up to 30,000 sq.ft. and 1 space for each additional 375 sq.ft. of gross floor area greater than 30,000 sq.ft.	10% of vehicle spaces.

<u>Land Use Type:</u> Service Uses	Vehicle Spaces Required	Bicycle Spaces Required (Minimum of 1 space)
Bed and breakfast inns	1 space for each guest room, in addition to the required parking for the residential use.	1 space.
Depots; air, bus, freight, or rail	Determined by use permit.	Determined by use permit.

Exhibit 4

**TABLE 5-4
PARKING REQUIREMENTS**

Gas stations	1 space for each 250 sq.ft. of non- service floor area; plus 3 spaces for each service bay.	5% of vehicle spaces.
Hotels and motels	1 space for each guest room and required spaces to accommodate ancillary uses.	5% of vehicle spaces.
Kennels and animal boarding	1 space for each employee, plus 1 space for each 625 sq.ft. of gross floor area.	5% of vehicle spaces.
Medical/dental offices	1 space for each 250 sq.ft. of gross floor area.	10% of vehicle spaces.
Extended care (elderly, skilled nursing facilities, and residential care homes)	1 space for each 4 beds the facility is licensed to accommodate.	
Hospitals	1 space for each patient bed the facility is licensed to accommodate, plus required spaces for ancillary uses as determined by the Commission.	
Medical/dental labs and clinics	1 space for each 375 sq.ft. of gross floor area.	
Offices: administrative, corporate, industrial	1 space for each 375 sq.ft. of gross floor area.	10% of vehicle spaces.
Personal services Barber/beauty shops (and other personal services: tattoo studios, massage therapy, and body piercing)	1 space for each employee and 1 space for each service chair.	10% of vehicle spaces.
Laundromats	1 space for every 4 washing machines.	5% of vehicle spaces.
Repair and maintenance - vehicle Customer waiting service	3 spaces per service bay plus adequate queuing lanes.	1 space.
Repair garage	1 space for each 625 sq.ft. of gross floor area, plus 1 space for each 2,500 sq.ft. of outdoor service area, plus 1 space for each 375 sq.ft. of gross floor area for the parts department plus adequate queuing lanes.	1 space.
Self-service vehicle washing	2 spaces per washing stall, for queuing and drying.	None required.
Full-service vehicle washing	10 spaces, plus adequate queuing and drying area.	1 space.
Laboratories and research/development facilities	1 space for each 375 sq.ft. of gross floor area.	10% of vehicle spaces.
Veterinary clinics and hospitals	1 space per 250 sq.ft. of gross floor area.	5% of vehicle spaces.

(Ord. 2494 §41)

**Table 6-1
Allowed Land Uses and Permit Requirements**

LAND USE TYPE (1)	P Permitted Use UP Use Permit Required— Use Not Allowed				Subject to Standard in Section/ Chapter
	REQUIREMENT BY TND DESIGNATION				
	N E	N G	NC	COR E	
ACCESSORY USES					
Accessory Uses	P	P	P	P	19.76.020 (2)
AGRICULTURAL, RESOURCE & OPEN SPACE					
Animal Keeping	P	-	-	-	19.76.040
Crop production, commercial	P	-	-	-	
Equestrian facility	U P	-	-	-	
Nature preserves	P	-	-	-	
MANUFACTURING & PROCESSING					
Beverage Production	-	-	UP	P	
Communications components & systems		-	UP	P	
Computer products & systems		-	UP	P	
Food products, small scale, 2,500 sf max.	-		UP	P	
Handicraft industries, small scale manufacturing	-	-	UP	P	
Printing & publishing	-	-	UP	P	
Recycling collection facility - small collection facilities only	-	-	UP	P	
RECREATION, EDUCATION & PUBLIC ASSEMBLY					
Indoor amusement/entertainment centers	-	-	UP	UP	
Community centers/pavilions	-	U P	UP	P	
Health/fitness clubs	-	-	P	P	
Park, playground, green, plaza	P	P	P	P	
Churches/places or worship	U	U	UP	P	

Exhibit 5

	P	P			
School - public and private	U P	U P	UP	UP	
School - specialized education/training	-	-	UP	P	
Sports facility and outdoor public assembly	-	-	UP	UP	
Studio - art, dance, martial arts, music, etc.	-	-	UP	P	
Theaters, auditoriums, and meeting halls	-	-	UP	P	
RESIDENTIAL					
Assisted living facilities for the elderly	-	P	P	P	
Emergency shelters	U P	U P	UP	UP	
Home occupation	P	P	P	P	19.20
Live/work	-	P	P	P	
Mixed use building, residential component	-	-	P(3)	P(3)	
Multi-family housing	P	P	P	UP(4)	
Residential accessory uses and structures	P	P	P	P	19.76.020 (2)
Residential care home 6 or fewer clients	P	P	P	P	
Residential care home, 7 or more		U P	UP	P	
Accessory dwelling unit	P	P	P	—	19.19
Senior citizen congregate care	-	U P	UP	—	
Single-family dwelling	P	P	P	—	
Two-family housing/duplexes	P	P	P	—	
RETAIL					
Accessory retail uses	-	-	P	P	19.76.020 (3)
Alcoholic beverage establishment	-	-	UP	P	
Drive-in and drive-through sales	-	-	UP	UP	
Drive-in and drive-through services	-	-	UP	UP	
Grocery stores - 5,000 sf or larger	-	-	UP	P	

Exhibit 5

Grocery stores - less than 5,000 sf	-	U P	P	P	
Liquor store	-	-	UP	UP	
Outdoor retail sales and activities	-	-	UP	UP	
Pet shops	-	-	P	P	
Restaurant	-	U P	P	P	
Retail store - general merchandise 5,000 sf or larger	-	-	P	P	
Retail store - general merchandise less than 5,000 sf	-	U P	P	P	
Secondhand store	-	-	P	P	
Temporary outdoor retail sales	-	-	TU	TU	19.22
SERVICES					
Automated teller machines (non-drive through)	-	-	P	P	
Banks and financial services	-	-	—	P	
Bed and breakfast inn		P	P	P	
Business support services	-	-	P	P	
Catering facilities	-	-	P	P	
Day care facilities - Child or adult day care center	-	P	P	P	
Day care facilities - Small family day care home	P	P	P	—	
Day care facilities - Large family day care home	P	P	P	—	19.76.060
Gas stations	-	-	UP	UP	
Hotel or motel, more than 12 rooms	-	-	—	P	
Hotel or motel, up to 12 rooms	-	-	P	P	
Medical services - Clinic, urgent care	-	-	P	P	
Offices - Business offices and professional offices	-	-	P	P	
Personal services	-	-	P	P	
Repair/maintenance - Consumer products	-	-	P	P	

Exhibit 5

Veterinary clinics/animal hospitals	-	-	UP	UP	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE					
Parking facilities/vehicle storage	-	-	UP	UP	
Telecommunications facility					Ch. 19.78 (5)
Public utility facilities	U P	U P	UP	UP	

Notes:

- (1) See Chapters 19.04 and 19.96 for land use definitions.
- (2) To the extent that any provisions of section 19.76.020 conflict with the provisions of this Division, the provisions of this Division shall apply.
- (3) The residential component of any building providing for mixed-uses is allowed only on an upper floor, or behind a ground-floor street-fronting use.
- (4) A use permit is required for residential uses on the ground floor.
- (5) Telecommunications facilities are permitted in the TND Zone as set forth in Chapter 19.78