

1 **ORDINANCE NO. 2525**

2

3 ***ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING***

4 ***TITLE 14 CHAPTER 14.14 STREETS AND SIDEWALKS OF THE CHICO***

5 ***MUNICIPAL CODE ELIMINATING THE REQUIREMENT TO PROVIDE***

6 ***SIDEWALKS ON NEW ACCESSORY DWELLING UNITS OF 1,000 SQUARE***

7 ***FEET OR LESS, OR WHERE THERE ARE NO EXISTING ADJOINING***

8 ***SIDEWALKS TO CONNECT TO THE ADU PARCEL***

9

10 WHEREAS, the Camp Fire of November 2018 destroyed over 153,000 acres and burned over

11 18,000 structures in Butte County, resulting in a large displacement of residents from the Town of

12 Paradise and other surrounding communities;

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14 WHEREAS, on November 9, 2018, the Governor of California proclaimed a State of Emergency

15 for the County of Butte, and on November 12, 2018, the President of the United States declared

16 the existence of a major disaster in the State of California and ordered Federal aid to supplement

17 State and local recovery efforts in the areas affected by wildfire;

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19 WHEREAS, Cal Fire officials have determined that over 13,900 residences, 528 commercial

20 buildings, and 4,293 other structures in Butte County have been destroyed by the Camp Fire;

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22 WHEREAS, the Chico City Council, prior to the Camp Fire, previously found that the City of

23 Chico is experiencing a housing crisis, and particularly for rental housing that is affordable to

24 lower and moderate-income residents;

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26 WHEREAS, the extreme number of housing units damaged in the Town of Paradise and the

27 surrounding area increases the pressure on housing demand and shortage in Chico by several

28 orders of magnitude;

1 WHEREAS, the destruction of housing units exacerbates the pressure of persons who lived and
2 worked in the Town of Paradise, and those who will be working to restore the viability of the Town
3 of Paradise, to relocate to other housing far from their home due to the housing shortage;

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5 WHEREAS, the Chico City Council intends to reduce constraints and strengthen incentives to
6 provide Accessory Dwelling Units as a form of affordable market rate housing; and

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8 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Chico that the following
9 ordinance amending Title 14 Chapter 14.14 shall be amended to exempt sidewalk improvements
10 for new Accessory Dwelling Units as follows:

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12 Section 1. Incorporation of Recitals

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

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16 Section 2.

17 That Section 14.14.050(D) “Exemptions from public improvement and public right-of-
18 way requirement” of the Chico Municipal Code is hereby amended as follows:
19 “Lot owners obtaining building permits for purposes which do not increase either the floor area
20 of any existing building by more than one thousand (1,000) square feet or required off-street
21 parking by more than three spaces located on the lot. This exemption shall not apply where two
22 or more permits are obtained for the same building which, together, increase the floor area of
23 that building by more than one thousand square feet, or which authorize a change in the use of
24 such building that requires the addition of more than three off-street parking spaces. For
25 purposes of this section, swimming pool installations, open patio covers, decks, signs,
26 fireplaces, fish ponds, gas tanks, flagpoles, reroofing and window changes shall not be
27 considered as increases in the floor area of the building;”

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1 Section 3.

2 That Section 14.14.050(E) “Exemptions from public improvement and public right-of-
3 way requirement” of the Chico Municipal Code is hereby amended as follows:

4 “Lot owners obtaining building permits for the construction of an accessory dwelling unit in an
5 R1 zoning district, except that installation of sidewalk improvements or sidewalk repairs shall be
6 required. The installation of sidewalk improvements shall not be required for new accessory
7 dwellings that are less than one thousand (1,000) square feet in floor area (per Sec. 14.14.050(D)
8 above), or for any accessory dwelling unit where sidewalks do not exist to connect to on both
9 sides of the subject parcel.”

10
11 Section 4.

12 If any part of this Ordinance, or its application to any individual, entity, or
13 circumstance, is held to be invalid, the remainder of the Ordinance, including the
14 application or provision to other persons or circumstances, shall not be affected and shall
15 continue in full force and effect. To this end, the provisions of this Ordinance are
16 severable.

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18 Section 5. The City Council finds and determines that the enactment of this ordinance is
19 not a project under the California Environmental Quality Act (CEQA) (Cal. Pub. Resource
20 Code sec, 2100 et seq.) in that the activities described in the Ordinance will not result in
21 direct or indirect physical changes in the environment. (State CEQA Guidelines, Cal. Code
22 of Regs., Title 14, sec. 15378). Therefore, no environmental assessment is required or
23 necessary.

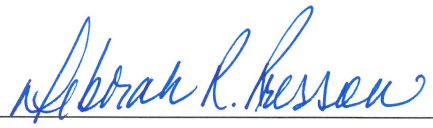
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25 Section 6. The City Clerk shall certify to the passage and adoption of this Ordinance and shall
26 cause the same to be published or posted in the manner required by law, and this Ordinance
27 shall take effect thirty (30) calendar days after its adoption.

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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 February 19, 2019, by the following vote:

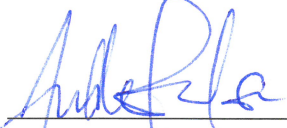
- 3
- 4 AYES: Huber, Morgan, Ory, Reynolds, Schwab, Brown, Stone
- 5 NOES: None
- 6 ABSENT: None
- 7 ABSTAIN: None
- 8 DISQUALIFIED: None

9
10 ATTEST:

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12 _____

13 Deborah R. Presson, City Clerk

APPROVED AS TO FORM:

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15 _____

16 Vincent C. Ewing, City Attorney*

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