

1 **ORDINANCE NO. 2533**

2 **(Uncodified)**

3 **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING**  
4 **THE ZONING OF THE PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NO.**  
5 **002-110-034 FROM R1 LOW DENSITY RESIDENTIAL TO R3 MEDIUM-HIGH**  
6 **DENSITY RESIDENTIAL (THE HUMBOLDT)**

7 BE IT ORDAINED by the Council of the City of Chico that:

8 **Section 1.** The zoning of all that real property situated in the City of Chico, County of  
9 Butte, State of California, identified as Assessor's Parcel Number 002-110-034 is amended to R3  
10 Medium-High Density Residential, as depicted on Exhibit I.

11 **Section 2.** The Planning Commission considered the General Plan amendment (GPA 17-  
12 01), staff report, and comments at a duly noticed public hearing held on June 5, 2019, and adopted  
13 Planning Commission Resolution 19-09, recommending City Council approval of the requested  
14 General Plan amendment; and

15 **Section 3.** The applicant shall defend, indemnify, and hold harmless the City of Chico, its  
16 boards and commissions, officers and employees against and from any and all liabilities,  
17 demands, claims, actions or proceedings and costs and expenses incidental thereto (including  
18 costs of defense, settlement and reasonable attorney's fees), which any or all of them may suffer,  
19 incur, be responsible for or pay out as a result of or in connection with any challenge to or claim  
20 regarding the legality, validity, processing or adequacy associated with: (i) this requested  
21 entitlement; (ii) the proceedings undertaken in connection with the adoption or approval of this  
22 entitlement; (iii) any subsequent approvals or permits relating to this entitlement; (iv) the  
23 processing of occupancy permits and (v) any amendments to the approvals for this entitlement.  
24 The City of Chico shall promptly notify the applicant of any claim, action or proceeding which  
25 may be filed and shall cooperate fully in the defense, as provided for in Government code  
26 section 66474.9.

27 **Section 4.** The City Council finds that:

28 A. The General Plan will remain internally consistent because the proposed land use  
designation amendment from Low Density Residential to Medium-High Density

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Residential is supported by several General Plan policies, including those that encourage sustainable smart growth, compact development, and development that complements mixed-use/multi-modal transportation (LU-1.3, LU-2, LU-2.3, LU-3, LU-3.1 and LU-4.2).

B. There are no physical or environmental constraints on the property which would prohibit use of the land consistent with the Medium-High Density Residential land use designation. There are a variety of residential densities developed in the immediate vicinity, including a senior assisted living facility, single-family homes, and multi-family residential apartment complexes. The project is served by a variety of commercial uses in the vicinity, including CVS, 7-Eleven and various restaurants. The proposed designation of the site would match other nearby properties located within walking distance of a nearby shopping center.

**Section 4.** This ordinance shall become effective 30 days following the date of its adoption.

THE FOREGOING ORDINANCE was adopted by the City Council of the City of Chico at its meeting held on August 6, 2019, by the following vote:

AYES: Huber, Morgan, Reynolds, Schwab, Brown, Stone

NOES: None.

ABSENT: Ory

ABSTAINED: None

DISQUALIFIED: None.

ATTEST:



Deborah R. Presson  
City Clerk

**APPROVED AS TO FORM:**



Vincent C. Ewing  
City Attorney\*

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

Rezone **17-01**

Approval Recommended by  
Chico Planning Commission on  
by Resolution No. \_\_\_\_\_.

Approved by Chico City Council on  
by Ordinance No. \_\_\_\_\_.



**Zoning Districts**

- RS-20 Suburban Residential 20,000 sq ft min.
- R1 Low Density Residential
- R2 Medium Density Residential
- R3 Medium-High Density Residential
- CC Community Commercial
- OS2 Secondary Open Space
- OS1 Primary Open Space

GPA/RZ 17-01 (Humboldt Van Overbeek Apts)  
1991 Humboldt Road  
APN 002-110-034-000

From: R1 Low Density Residential  
To: R3 Medium-High Density Residential

