



1 **Junior Accessory Dwelling Unit.** See Section 19.76.130 (Accessory Dwelling Units).

2 **K. – Z. [No changes.]**

3 **SECTION 2.** Section 19.16.030 of the Chico Municipal Code is amended to read as follows:

4 **19.16.030 Application Filing.**

5 A. – C. [No changes].

6 D. Filing Date. The filing date of an application for a home occupation permit, administrative  
7 permit for a temporary use, design review, administrative use permit, use permit, planned  
8 development permit, or variance shall be the date on which the Department receives the last  
9 submission, map, plan, or other material required as a part of that application by Subsection  
10 A (Application Contents) above, in compliance with Section 19.16.050 (Initial application  
11 review), and the application is deemed complete by the Director.

12 **SECTION 3.** Chapter 19.18.040 of the Chico Municipal Code is amended to read as follows:

13 **19.18.040 Exemptions.**

14 Site plan and architectural design review are not required for:

15 A. Detached single-family dwellings, including manufactured housing, and accessory structures  
16 for single-family dwellings. Except that dwelling units which are on an infill residential flag lot  
17 as defined in section 19.76.180, or are subject to a planned development permit shall be subject to  
18 site plan and architectural design review.

19 **SECTION 4.** Chapter 19.19 (“Accessory Dwelling Unit Permits”) of Division III “Land Use  
20 and Development Permit Procedures” of Title 19 of the Chico Municipal Code is hereby repealed  
21 in its entirety.

22 **SECTION 5.** Section 19.42.020 of the Chico Municipal Code is amended to read as follows:

23 **19.42.020 Residential zone land uses and permit requirements.**

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

26 Where the last column of the table (“Subject to Standards in Section/Chapter”) includes a  
27 section or chapter number, the regulations in the referenced section/chapter apply to the use.  
28 Provisions in other sections/chapters may apply as well.

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

Land Use	Permit Requirements						Subject to Standards in Section/Chapter:
	RS	R1	R2	R3	R4	RMU	
<b>RESIDENTIAL USES</b>							
Accessory Dwelling Unit	P(4)	P(4)	P(4)	P(4)	P(4)	P(4)	19.76.130

9 Notes:

- 10 (1) See Chapter 19.04 for definitions of the listed land uses.
- 11 (2) Use allowed only on a site of 1 acre or larger.
- 12 (3) Allowed only within density requirements of General Plan Designation.
- 13 (4) Accessory dwelling units shall comply with all applicable development standards set forth  
 14 in 19.76.130.
- 15 (5) Consistent with the overall maximum density allowed and on corner parcels either as part  
 16 of the subdivision approval process or by use permit.
- 17 (6) Businesses which operate between the hours of 10PM and 6AM or allow amplified music  
 18 within 300 feet of a residential district require use permit approval.

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

20 **19.42.030 Residential zone general development standards.**

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

24 TABLE 4-3A

25 RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS [NO CHANGES]

26 TABLE 4-3B

27 RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS [NO CHANGES]

28 Notes:

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

3 (2) Accessory dwelling units shall comply with all applicable development standards set  
4 forth in 19.76.130.

5 TABLE 4-3C

6 RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS [NO CHANGES]

7 **SECTION 7.** Section 19.52.070 of the Chico Municipal Code is amended as follows:

8 **19.52.070 Special Design considerations (-SD) overlay zone.**

9 A – C. [NO CHANGES]

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

14 1. – 3. [NO CHANGES]

15 4. SD-4 (West Avenue Neighborhood Area). Any declaration of restrictions regarding  
16 owner occupancy recorded prior to January 1, 2020 in conjunction with the development of an  
17 accessory dwelling unit shall remain valid and binding.

18 5. – 8. [NO CHANGES]

19 **SECTION 8.** Section 19.70.040 of the Chico Municipal Code is amended as follows:

20 **19.70.040 Number of parking spaces required.**

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

23 A. Expansion of Structure, Change in Use. When the required number of parking spaces is  
24 increased by three or more spaces as a result of an expansion of a structure, intensification of use,  
25 and/or a change in use, the additional parking spaces shall be provided in compliance with this  
26 chapter. Exception: Single-family homes shall retain or provide the required number of parking  
27 spaces when a garage or carport is converted to a use other than vehicle parking. However, when  
28 a garage, carport or covered parking structure is demolished in conjunction with the construction

1 of an accessory dwelling unit, or is converted into an accessory dwelling unit, replacement of those  
2 off-street parking spaces shall not be required.

3 B. – H. [NO CHANGES]

4 **SECTION 9.** Section 19.76.130 of the Chico Municipal Code is amended as follows:

5 **19.76.130 Accessory dwelling units.**

6 The following definitions, permit requirements and development standards shall apply to  
7 accessory dwelling units.

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

10 1. "Accessory dwelling unit" (ADU) means an attached or detached residential dwelling unit  
11 which provides complete independent living facilities for one or more persons on the same parcel  
12 as the main dwelling unit. It shall include permanent provisions for living, sleeping, eating,  
13 cooking, and sanitation. An accessory dwelling unit also includes the following:

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

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

16 2. "Junior Accessory Dwelling Unit" (JADU) means a unit that is no more than 500 square  
17 feet in size and contained entirely within a single-family dwelling, or requires an addition of no  
18 more than 150 square feet to accommodate ingress and egress. A junior accessory dwelling unit  
19 may include separate sanitation facilities or may share sanitation facilities with the existing  
20 structure.

21 B. General requirements. Where a single-family or multi-family use is a permitted use or  
22 lawfully exists, a proposed ADU or JADU shall comply with all the development standards of this  
23 section. Applicants for accessory dwelling units may seek zoning clearance for a site plan depicting  
24 a proposed ADU or JADU, or may directly apply for building permits and compliance with these  
25 standards shall be assessed in conjunction with building permit review.

26 1. Accessory dwelling units or junior accessory dwelling units may be rented for the purpose  
27 of overnight lodging for terms of thirty or more consecutive days but shall not be rented or  
28 subleased for shorter terms.

1        2. Neither the main dwelling nor the ADU shall be sold or otherwise conveyed separately  
2 from the other unit, except pursuant to California Government Code Section 65852.26.

3        C. Development Standards.

4            1. Number of Units Allowed (Single-Family). The following standards are applicable to  
5 ADUs and JADUs proposed on single-family residential properties.

6                    a. One attached ADU; or

7                    b. One detached ADU and one JADU.

8            2. Number of Units Allowed (Multi-Family). The following standards are applicable to  
9 ADUs proposed on multi-family residential properties.

10                   a. A maximum of two detached ADUs; and,

11                   b. A number of ADUs not to exceed 25 percent of the number of existing multi-  
12 family units or one, whichever is greater, may be created within portions of the existing multi-  
13 family dwelling structures that are not used as livable space, provided that the unit complies with  
14 the California Building Code.

15            3. Attached or detached. An ADU may be either attached to or detached from the main  
16 dwelling unit.

17            4. Maximum size of accessory dwelling units. The maximum square footage for an ADU  
18 shall be as follows:

19                   a. For attached ADUs (Single-Family): 50 percent of the living area of the main  
20 residence up to a maximum of 1,200 square feet.

21                   b. For detached ADUs larger than 800 square feet (Single-Family): 75 percent of  
22 the living area of the main dwelling unit up to a maximum 1,200 square feet.

23                   c. For ADUs larger than 800 square feet (Multi-Family): Up to 850 square feet for  
24 a one-bedroom unit and up to 1,000 square feet for a two-bedroom unit, subject to maximum lot  
25 coverage standards applicable to the underlying zoning district.

26            5. Building height shall be limited as follows: New attached additions to main dwelling units  
27 shall have the same height limit provided by the underlying zoning district applicable to the main  
28 unit. New detached ADUs shall be a maximum of 25 feet when proposed on a lot with an existing

1 single-family dwelling. For new detached ADUs proposed on a lot with an existing multi-family  
2 dwelling, the maximum height shall be 16 feet.

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

4 a. No setback shall be required for an ADU located within existing living area or an  
5 existing accessory structure, or an ADU that replaces an existing structure and is located in the  
6 same location and to the same dimensions as the structure being replaced (i.e. an existing garage  
7 that is converted to an ADU).

8 b. A minimum 4-foot rear and 4-foot side setback shall be required for an ADU attached  
9 to a main dwelling unit.

10 c. Detached, new-construction ADUs shall provide a minimum side and rear yard setback  
11 of 4 feet.

12 d. A minimum 4-foot rear and 4-foot side setback shall be required for an ADU constructed  
13 above a garage.

14 e. When an ADU is adjacent to an alley and constitutes a second story on a garage which  
15 has less than a 4-foot setback, the minimum rear yard setback for the ADU shall be the same as  
16 the existing setback for the garage.

17 f. Detached ADUs shall provide a minimum 8-foot separation between buildings per the  
18 Building and Fire Code.

19 7. Conversion of an Existing Residence. An existing residence, in conformance with the  
20 above regulations, may be converted to an ADU in conjunction with the development of a new  
21 main dwelling unit. Occupancy of the ADU shall not be allowed prior to the issuance of a  
22 certificate of occupancy for the main dwelling unit.

23 8. Existing Accessory Dwelling Unit. An existing ADU or JADU may be enlarged or  
24 modified only in accordance with the requirements of this section.

25 9. Residential Density. To the extent required by California Government Code Section  
26 65852.2, an ADU or JADU built in conformance with this section shall not count toward the  
27 allowed density for the lot upon which the unit is located.

28 10. Trash storage. The ADU or JADU shall be provided with an outdoor area for the storage

1 of trash and recycling receptacles. That area shall have an all-weather surface and be screened  
2 from view by a fence, wall or permanent landscaping.

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

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

10 13. Vehicle access. If provided, vehicle access to an ADU may be from a street or an alley.

11 a. Alley access. When an ADU will be located on a site served by an alley, the ADU shall  
12 maintain its primary vehicular access from the alley. Such alley access shall be improved per city  
13 standards or alternatively, an in-lieu fee paid. Accessory dwelling units located on the street-access  
14 terminus of alleys shall be sited to ensure adequate site distance clearance.

15 b. Vehicle access from street frontage. Driveway surfaces installed to provide vehicle  
16 access from a street to an ADU located on the rear of a parcel shall be  
17 constructed with permeable-surface, all-weather materials or shall otherwise be constructed to  
18 retain runoff on site. New driveways that extend beyond the rear of the main dwelling unit shall  
19 consist of two tire strips or be otherwise designed to be of permeable-surface, all-weather material.

20 14. Pedestrian access to accessory unit.

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

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

27 15. Fire protection access. Accessory dwelling units not located adjacent to an alley shall be  
28 located so that all sides of the structure are within 150 feet of unobstructed access from the street



1 frontage in order to provide adequate fire protection. Accessory dwelling units shall not be required  
2 to provide fire sprinklers if they are not required for the main residence.

3 16. Parking. In addition to the parking required for the main dwelling unit, one parking space  
4 shall be required for each ADU.

5 a. Parking spaces for the ADU and the main residence may be provided in a tandem  
6 parking arrangement on an existing driveway.

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

10 c. When a garage, carport or covered parking structure is demolished in conjunction with  
11 the construction of an ADU, or is converted into an ADU, those off-street replacement of those  
12 off-street parking spaces shall not be required.

13 17. Parking exceptions. Parking shall not be required for the ADU in any of the following  
14 instances:

15 a. The ADU is located within one-half mile of public transit;

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

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

19 d. When on-street parking permits are required but not offered to the occupant of the  
20 ADU;

21 e. When there is a car share vehicle located within one block of the ADU.

22 18. The ADU can be accommodated with the existing water service and existing sewer lateral  
23 or septic system, provided sufficient evidence that the existing water service and existing sewer  
24 lateral or septic system has adequate capacity to serve both the main dwelling unit and ADU. No  
25 additional water meter shall be required, unless requested by the applicant.

26 **SECTION 10.** Section 19.76.180 of the Chico Municipal Code is amended as follows:

27 **19.76.180 Infill Residential Flag Lots.**

28 A. – B. [NO CHANGES]

1 C. Standards. Infill residential flag lots are allowed in the RS, R1 and R2 zoning districts  
2 through a parcel map or tentative subdivision map by the Planning Commission when they comply  
3 with the standards in this section, in addition to any other applicable City standards:

4 1. – 4. [NO CHANGES]

5 5. Orientation. Each residential unit built on an infill residential flag lot shall be oriented  
6 toward either the street or the accessway.

7 6. Setbacks From Neighboring Properties. Where an infill residential flag lot abuts  
8 existing single-family development, the building setbacks established below shall supersede the  
9 standard setbacks for the R1 and R2 zoning districts. Setbacks in the RS zoning district shall be  
10 the greater of the standard RS district setbacks, or the setbacks established in Table 5-14 below:

11 TABLE 5-14 [NO CHANGES]

12 7. Accessway. A minimum of three feet of landscaping shall be provided between the  
13 paved portion of the accessway and any adjacent existing single- family residential development.  
14 Drainage from the paved portion of the accessway shall be accommodated onsite. Minimum  
15 accessway widths shall be as specified in Title 18R.

16 D. [NO CHANGES]

17 //

18 **THE FOREGOING ORDINANCE** was adopted at a meeting of the City Council of the  
19 City of Chico on July 7, 2020, by the following vote:

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

21 NOES: None

22 ABSENT: None

23 ABSTAINED: None


24 DISQUALIFIED: None

25 ATTEST:

26 

28 Deborah R. Presson  
City Clerk

APPROVED AS TO FORM:

  
Andrew Jared, City Attorney\*

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