

1 **ORDINANCE NO. 2569**
2 **(Uncodified)**

3 **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO**
4 **AMENDING THE ZONING OF PROPERTY IDENTIFIED AS**
5 **ASSESSOR'S PARCEL NO. 040-030-046 TO RECONFIGURE THE EXISTING**
6 **ML LIGHT MANUFACTURING AND OS1 PRIMARY OPEN SPACE ZONING**
7 **(RZ 19-02, BCM Construction)**

8 WHEREAS, the Council has received an application from the owner to rezone that certain
9 property located in the City of Chico, County of Butte, State of California, generally described as
10 Assessor's Parcel Number 040-030-046, to reconfigure and retain the existing zoning
11 classifications of ML (Light Manufacturing) and OS1 (Primary Open Space), as depicted on the
12 plat attached hereto as Exhibit I (Rezone 19-02); and

13 WHEREAS, the proposed rezone is accompanied by related applications to amend the
14 General Plan Land Use Diagram and to develop the property consistent with the proposed rezone;
15 and

16 WHEREAS, the City Planning Commission, after having considered the proposed rezone at
17 a public hearing, duly noticed and held in a manner required by law, has submitted to this Council
18 its recommendations to approve such rezone; and

19 WHEREAS, this Council, having reviewed the staff report and recommendations of the City
20 Planning Commission on the proposed rezone at a public hearing, duly noticed and held in the
21 manner required by law, now desires to approve such rezone, finding that site is physically suitable
22 for the development proposed in related applications in that it is relatively flat where the buildings
23 and parking areas are situated, access and utilities are available in adjoining streets, and the project
24 design would not be discordant with surrounding land uses. The design avoids conflicts with the
25 physical constraints that exist on the site by avoiding development within the former stream
26 channel. Elevating the building pads and extending utilities into the site for development of the
27 property will be required as a pre-condition of construction and, therefore, the public necessity,
28 convenience, and general welfare would be served by such rezone; and

WHEREAS, this Council, having compared the proposed rezone with the City General Plan,

1 has also determined that the rezone is consistent with the General Plan because the proposed
2 reconfiguration would retain the OS1 Primary Open Space zoning associated with the remnant
3 riparian corridor, consistent with General Plan policies OS-1.1, OS-2.5 and OS-3.2, which call for
4 preserving riparian corridors within the City for their aesthetic, biological habitat, drainage and
5 water quality benefits, and the reconfigured ML Light Manufacturing zoning would facilitate
6 construction of warehouses that reflect compatible infill development which makes a positive
7 contribution to the neighborhood (LU-4.2, LU-4.3, LU-4.4, and CD-5); and

8 WHEREAS, this Council, having also considered a mitigated negative declaration for the
9 proposed rezone and related applications, as well as the initial study and any comments made in
10 connection therewith, found that there is no substantial evidence that the rezone will have any
11 significant effect on the environment and adopted the mitigated negative declaration in concert
12 with approving the related applications.

13 NOW, THEREFORE, be it ordained by the Council of the City of Chico as follows:

14 **Section 1.** The zoning of all that real property identified as Assessor's Parcel Number 040-
15 030-046 is amended to reconfigure the ML (Light Manufacturing) and OS1 (Primary Open Space)
16 districts as depicted on Exhibit I.

17 **Section 2.** The recitals above are true and correct, and are hereby incorporated as findings
18 in support of approving Rezone 19-02.

19 **Section 3.** The Community Development Director is hereby directed as follows:

- 20 a. To file a notice of determination for the rezone with the Butte County Clerk forthwith.
21 b. To modify the City of Chico Zoning Map to reflect the rezone approved by this ordinance
22 immediately following the effective date of this ordinance.
23 c. To notify the Butte County Assessor of the rezone not later than 30 days following the date
24 this ordinance becomes effective.

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

26 //
27 //
28 //

1 THE FOREGOING ORDINANCE WAS ADOPTED by the City Council of the City of Chico
2 at its meeting held on November 16, 2021, by the following vote:

3 AYES: Bennett, Brown, O'Brien, Tandon, Reynolds, Coolidge


4 NOES: None

5 ABSENT: None

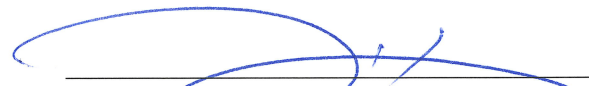
6 ABSTAINED: Morgan

7 DISQUALIFIED: None

8 ATTEST:

9 
10 Deborah R. Presson
11 City Clerk

APPROVED AS TO FORM:


Vincent C. Ewing, City Attorney*

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

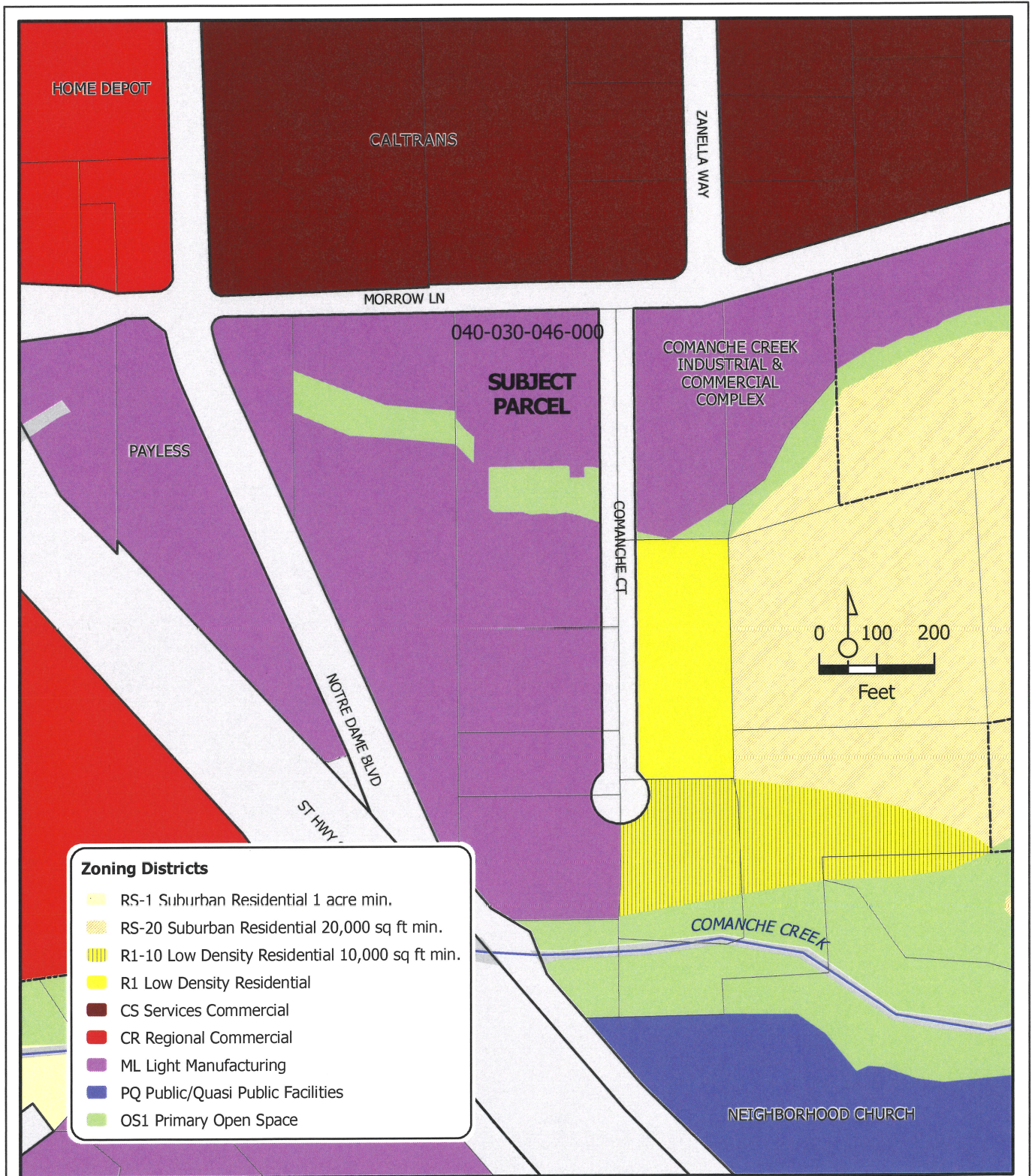
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Rezone **19-02**

10/07/2021

Approval Recommended by
Chico Planning Commission on
by Resolution No. **21-09**

Approved by Chico City Council on
by Ordinance No. _____



Rezone 19-02 (BCM)
 3731 Morrow Lane, APNs 040-030-046-000
 From: ML Light Manufacturing and OS1 Primary Open Space
 To: ML Light Manufacturing and OS1 Primary Open Space reconfiguration

