

1 **ORDINANCE NO. 2597**
2 **(Uncodified)**

3 **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO**
4 **AMENDING THE PRE-ZONING OF PROPERTIES IDENTIFIED AS**
5 **ASSESSOR’S PARCEL NOS. 042-740-020 AND 042-070-196 TO R1 (LOW DENSITY**
6 **RESIDENTIAL), AND 042-070-197 TO PQ (PUBLIC/QUASI PUBLIC FACILITIES)**
7 **(RZ 22-02; Orchard Creek Estates; Chuck Tatreau Construction, Inc.)**

8 WHEREAS, the Council has received an application to amend the City’s pre-rezoning of
9 those certain properties located in the City of Chico, County of Butte, State of California, generally
10 described as Assessor’s Parcel Numbers 042-740-020 and 042-070-196 to R1 (Low Density
11 Residential) and Assessor’s Parcel Number 042-070-197 to PQ (Public/Quasi-Public Facilities),
12 as depicted on the plat attached hereto as Exhibit I entitled Rezone 22-02 (Orchard Creek Estates);
13 and

14 WHEREAS, the proposed rezone is accompanied by related applications to amend the
15 General Plan (GPA 22-04) and to subdivide and develop the property consistent with the proposed
16 rezone (Subdivision 22-01); and

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

20 WHEREAS, this Council, having reviewed the staff report and recommendations of the City
21 Planning Commission and Community Development Director on the proposed rezone at a public
22 hearing, duly noticed and held in the manner required by law, now desires to approve such rezone,
23 finding that the rezone: is consistent with General Plan policies that support development within
24 SPAs and require a GPA/RZ to implement future planning efforts (LU-6.1, LU-6.1.1 and LU-
25 6.1.2); the applicant held a pre-application neighborhood meeting, and the related annexation was
26 coordinated with Local Agency Formation Commission staff, consistent with LU-1.1, LU-4.2.2
27 and LU-1.3.2; the proposal is consistent with the City’s continued support of sustainable land use
28 patterns by both promoting infill development and managing targeted expansion into SPAs (LU-
1, LU-1.3 and LU-2.3); by planning a 20-acre portion of the larger SPA, the project avoids

1 expanding the urban boundary to the westerly edge of Chico’s Sphere of Influence, which will
2 help maintain the long-term boundaries between City growth and agricultural uses west of the
3 Greenline (LU-1.2 and OS-5.1); removing the site from the SPA to enable its development with
4 higher density housing in the near term will help the City provide an adequate supply of residential
5 land that also supports a wide range of housing types to meet future needs, including housing
6 available to first-time homebuyers (ED-1.2, ED-1.2.3, and HE policies 4.1, 4.2 and 7.1); no
7 specific plan, neighborhood plan or area plan is applicable to the site; and the site is physically
8 suitable for the proposed development in that it is flat, adjacent to developed urban properties, and
9 has adequate access to utilities and adjoining streets; the design avoids conflicts with the existing
10 roadway improvements by placing new intersections away from existing traffic intersections; the
11 subdivision design is compatible with surrounding land uses and potential future planning efforts
12 for the Bell-Muir SPA; and

13 WHEREAS, on February 20, 2024, this Council adopted a Mitigated Negative
14 Declaration and Mitigation Monitoring Program in connection with the Orchard Creek Estates
15 Project through City Council Resolution No. 27-24.

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

17 **Section 1.** The zoning of all that real property identified as Assessor’s Parcel Numbers 042-
18 740-020 and 042-070-196 to R1 (Low Density Residential), and 042-070-197 to PQ (Public/Quasi
19 Public Facilities) as depicted on Exhibit I.

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

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

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

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

1 THE FOREGOING ORDINANCE WAS ADOPTED at a meeting of the City Council of the
2 City of Chico held on March 5, 2024, by the following vote:

3 AYES: Bennett, Morgan, van Overbeek, Winslow, Reynolds, Coolidge

4 NOES: None

5 ABSENT: Tandon

6 ABSTAINED: None

7 DISQUALIFIED: None

8 ATTEST:

APPROVED AS TO FORM:

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Deborah R. Presson
City Clerk



John W. Lam (Jan 31, 2024 15:14 PST)

John W. Lam, City Attorney*

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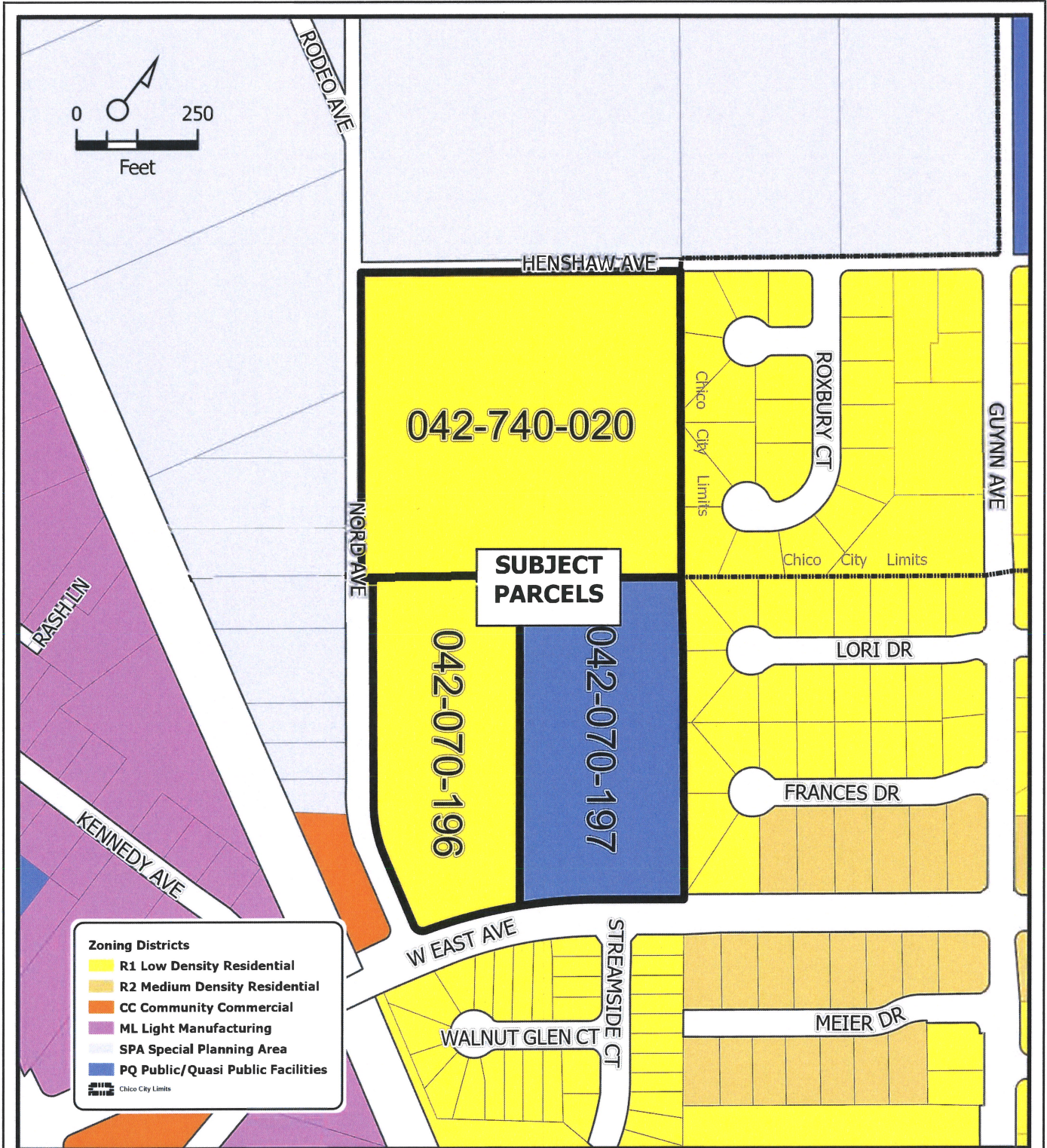
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*Pursuant to The Charter of
the City of Chico, Section 906(E)

Rezone 22-02

Denial Recommended by Chico
Planning Commission on
01/18/2024 by Resolution No. 24-03

Approved by Chico City Council on
_____ by Ordinance No. _____



Rezone 22-02 (Orchard Creek Estates)
2676, 2608 and 2516 Nord Ave, 1181 Henshaw Avenue, 1110 W. East Avenue
APNs 042-070-020 & 042-070-196 From SPA (Special Planning Area) to R1 (Low Density Residential) and
APN 042-070-197 From SPA (Special Planning Area) to PQ (Public/Quasi Public Facilities)



draft Ord RZ 22-02 Orchard Creek Estates

Final Audit Report

2024-01-31

Created:	2024-01-31
By:	Nicole Acain (nicole.acain@chicoca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAxAxRwQzvMGCGpvC7lcSveMvfgjGTKPzUvC

"draft Ord RZ 22-02 Orchard Creek Estates" History

-  Document created by Nicole Acain (nicole.acain@chicoca.gov)
2024-01-31 - 10:48:36 PM GMT- IP address: 208.184.46.194
-  Document emailed to jlam@agclawfirm.com for signature
2024-01-31 - 10:49:05 PM GMT
-  Email viewed by jlam@agclawfirm.com
2024-01-31 - 11:02:59 PM GMT- IP address: 104.47.73.254
-  Signer jlam@agclawfirm.com entered name at signing as John W. Lam
2024-01-31 - 11:14:31 PM GMT- IP address: 20.112.14.167
-  Document e-signed by John W. Lam (jlam@agclawfirm.com)
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