



1           **Section 1.** That Section 19.04.020 of the Chico Municipal Code is amended to read as  
2 follows:

3 **19.04.020     Definitions of specialized terms and phrases.**

4 **A.     Definitions, "A."**

5     **Auditorium.** [DELETED]

6 **H.     Definitions, "H."**

7     **Household.** One or more persons, whether or not related by blood, marriage or adoption, sharing  
8 a dwelling unit in a living arrangement usually characterized by sharing living expenses, such as  
9 rent or mortgage payments, food costs and utilities, as well as maintaining a single lease or rental  
10 agreement for all members residing in the unit.

11     **Household, lower-income.** "Lower-income household" means persons and families whose  
12 income does not exceed the qualifying limits for lower-income families, as established and  
13 amended from time to time and published by the State of California.

14     **Household, moderate-income.** "Moderate-income household" means persons and families  
15 whose income does not exceed the qualifying limits for moderate-income families, as established  
16 and amended from time to time and published by the State of California.

17     **Household, very-low-income.** "Very-low-income household" means persons and families  
18 whose income does not exceed the qualifying limits for very-low-income families, as established  
19 and amended from time to time and published by the State of California.

20 **R.     Definitions, "R."**

21     **Recycling Facilities (land use).**

22           1. **Collection Facility.** A center for the acceptance by donation, redemption, or purchase  
23 of recyclable materials from the public, which may include the following:

24           a. Reverse vending machine(s);

25           b. Small collection facilities which occupy an area of 550 square feet or less and may  
26 include:

27           (1) A mobile unit;

28           (2) Bulk reverse vending machines or a grouping of reverse vending machines occupying

1 more than 100 square feet; and

2 (3) Kiosk-type units which may include permanent structures.

3 c. Large collection facilities which may occupy an area of more than 550 square feet and  
4 may include permanent structures.

5 2. – 5. [NO CHANGES]

6 **6. Reverse Vending Machine.** An automated mechanical device which accepts at least  
7 one or more types of empty beverage containers, including but not limited to aluminum cans, glass  
8 and plastic bottles, and issues a cash refund or a redeemable credit slip with a value not less than  
9 the container's redemption value as determined by State law. A reverse vending machine may sort  
10 and process containers mechanically, provided that the entire process is enclosed within the  
11 machine. In order to accept and temporarily store all container types in a proportion commensurate  
12 with their relative redemption rates, and to meet the requirements of certification as a recycling  
13 facility, multiple grouping of reverse vending machines may be necessary. A  
14 bulk reverse vending machine is a reverse vending machine that is larger than 100 square feet, is  
15 designed to accept more than one container at a time and will pay by weight instead of by container.

16 7. [NO CHANGES]

17 **Research and Development (land use).** Facilities for scientific research and the design,  
18 development, and testing of computer software, electrical, electronic, magnetic, optical, and  
19 mechanical components in advance of product manufacturing. Also includes chemical and  
20 biotechnology research and development. Does not include soils and other materials testing  
21 laboratories, which are included under "Business Support Services," or medical laboratories,  
22 which are included under "Medical Services - Clinics and Laboratories."

23 **T. Definitions, "T."**

24 **Theaters, Auditoriums, and Meeting Halls (land use).** Indoor facilities with fixed seating for  
25 public assembly and group entertainment, other than sporting events, including: public and quasi-  
26 public auditoriums; civic theaters, meeting halls, and facilities for "live" theater and concerts;  
27 motion picture theaters; meeting halls for rent and similar public assembly uses. Outdoor theaters,  
28 concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events

1 are included under the definition of "Sports Facilities and Outdoor Public Assembly."

2 **Section 2.** That Section 19.12.020 of the Chico Municipal Code is amended to read as  
3 follows:

4 **19.12.020 Appeal subjects and jurisdiction.**

5 Determinations and actions that may be appealed, and the authority to act upon an appeal  
6 shall be as set forth in Table 2-1 and in this Chapter.

7 **TABLE 2-1**

8 **REVIEW AUTHORITY**

Type of Permit or Decision	Architectural Review and Historic Preservation Board	Director	Zoning Administrator	Planning Commission	City Council
Administrative Use Permit		Decision		Appeal	
Architectural/Design Review	Decision (1)			Decision (1)	Appeal
Certificates of Appropriateness	Decision (1)				Appeal
Certificate of Demolition	Decision (1)				Appeal
Designation of Historic Landmarks on the Historic Resources Inventory	Recommend				Decision
Determination That an Application is Complete Pursuant to Chapter 19.16		Decision		Appeal	
Development Agreements				Recommend	Decision
Foothill Development Permit		Decision		Appeal	
Fraternity and Sorority House Permit		Decision		Appeal	
General Plan, Specific Plan, Neighborhood Plan, Area Plan Amendments				Recommend	Decision
Home Occupation Permits		Decision		Appeal	
Interpretations		Decision		Appeal	

1	Land Use and Development Regulations Amendments				Recommend	Decision
2						
3	Minor Design Review	Appeal (2)	Decision			
4	Mobile Food Vendor Permits		Decision		Appeal	
5	Planned Development Permits	Recommend	Recommend		Decision	Appeal
6	Regulating plans and circulating plans pursuant to Division VI				Decision	Appeal
7						
8	Reasonable Accommodation Request		Decision		Appeal	
9						
10	Sign Permits		Decision		Appeal	
11	Specific Plans				Recommend	Decision
12	Urban Lot Split/Two-Unit Housing Development		Decision		Appeal	
13	Use Permits			Decision	Decision	Appeal
14	Variances			Decision	Decision	Appeal
15	Zoning Map Amendments	Recommend (4)			Recommend	Decision

Notes:

(1) Architectural/design review decisions and decisions regarding applications for certificates of appropriateness or certificates of demolition rendered by the Architectural Review and Historic Preservation Board for projects requiring only the issuance of a building permit are appealed to the City Council.

Architectural/design review decisions rendered by the Architectural Review and Historic Preservation Board on projects requiring a discretionary permit from the Planning Commission and rendered after referral to the Architectural Review and Historic Preservation Board by the Planning Commission are appealed to the Planning Commission.

Architectural/design review decisions rendered by the Planning Commission are appealed to the City Council.

(2) Director decisions are appealed to the Architectural and Historic Preservation Review Board. The Architectural Review and Historic Preservation Board decision on an appeal is final.

(4) The Architectural Review and Historic Preservation Board shall make recommendations to the City Council regarding the creation or modification of landmark overlay zoning districts pursuant to Chapter 19.37.

**Section 3.** That Section 19.12.040 (Administrative review) of the Chico Municipal Code has been deleted in its entirety.

**Section 4.** That Section 19.18.020 of the Chico Municipal Code is amended to read as follows:

**19.18.020 Applicability.**

1 The review of project site planning and architectural design is an integral part of the development  
2 approval process. Therefore, each project that requires approval of a building permit, unless  
3 exempted by Section 19.18.040 (such as single-family dwellings), shall require review and  
4 approval of the site plan and architectural design prior to the issuance of a building permit for any  
5 work on a new structure, or improvements to alter, enlarge, remodel, repair, partially demolish, or  
6 otherwise change the exterior of an existing structure. Infill residential development projects  
7 meeting the criteria established herein Section 19.18.070 are subject to a streamlined, ministerial  
8 approval process.

9 **Section 5.** That Section 19.18.024 of the Chico Municipal Code is amended to read as  
10 follows:

11 **19.18.024 Review authority.**

12 A. Projects Requiring Building Permit Only. Site plan and architectural design review for uses  
13 permitted by right, which require only the issuance of a building permit shall be conducted by the  
14 Architectural Review and Historic Preservation Board (ARHPB), Planning Commission or, in the  
15 case of minor projects, by the Director. Residential developments that are subject to design review  
16 and do not require a discretionary permit do not constitute a project for the purposes of  
17 environmental review under the California Environmental Quality Act (CEQA).

18 B. Projects Requiring a Discretionary Permit. Site plan and architectural design review of  
19 projects which, in addition to a site plan and architectural design permit approval, require the  
20 issuance of a discretionary permit by the Commission or Council shall be conducted by the  
21 ARHPB or Director prior to the project's consideration by the Commission or Council.

22 **Section 6.** That Section 19.18.030 of the Chico Municipal Code is amended to read as  
23 follows:

24 **19.18.030 Review of minor projects.**

25 Minor projects do not require review and approval by the ARHPB and may be approved by the  
26 Director. Minor projects are those which because of their limited size and scope have minor  
27 aesthetic implications. Examples of such projects include, but are not limited to, the following:

28 A. Alterations, repairs, and remodels that the Director determines to be of a minor nature,

1 including signs;

2 B. Additions to existing structures;

3 C. Fences and walls;

4 D. New construction on existing, partially developed parcels;

5 E. Replacement-in-kind;

6 F. Satellite dish antennas larger than 1 meter in diameter;

7 G. Accessory residential units;

8 H. Signs.

9 I. Residential duplexes and triplexes that meet all applicable development standards;

10 J. Commercial projects, not located on an arterial street or within 300 feet of a residential use,  
11 that meet all applicable development standards; and

12 K. Residential projects within a master plan area which have adopted design guidelines.

13 If the Director determines that an otherwise minor project may have greater aesthetic  
14 implications, the director may refer the project to the ARHPB or Commission.

15 **Section 7.** That Section 19.18.040 of the Chico Municipal Code is amended to read as  
16 follows:

17 **19.18.040 Exemptions.**

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

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

23 **Section 8.** That Section 19.18.060 of the Chico Municipal Code is amended to read as  
24 follows:

25 **19.18.060 Findings for projects excluding infill residential development.**

26 The ARHPB or Director, where authorized, shall determine whether or not a non-residential  
27 project, or residential project that does not qualify as an infill development project, adequately  
28 meets adopted City standards and design guidelines, based upon the following findings:



1 A. The proposed development is consistent with the General Plan, any applicable specific plan,  
2 and any applicable neighborhood or area plans;

3 B. The proposed development, including the character, scale, and quality of design, are  
4 consistent with the purpose/intent of this chapter and the City's adopted design guidelines and  
5 development standards;

6 C. The architectural design of structures, including all elevations, materials and colors are  
7 visually compatible with surrounding development. Design elements, including screening of  
8 equipment, exterior lighting, signs, and awnings, have been incorporated into the project to further  
9 ensure its compatibility with the character and uses of adjacent development;

10 D. The location and configuration of structures are compatible with their sites and with  
11 surrounding sites and structures and do not unnecessarily block views from other structures or  
12 dominate their surroundings; and

13 E. The general landscape design, including the color, location, size, texture, type, and coverage  
14 of plant materials, and provisions for irrigation, maintenance, and protection of landscape  
15 elements, have been considered to ensure visual relief, to complement structures, and to provide  
16 an attractive environment.

17 **Section 9.** That Section 19.18.070 of the Chico Municipal Code is amended to read as  
18 follows:

19 **19.18.070 Infill residential development projects.**

20 Qualifying infill residential development projects are subject to a streamlined, ministerial  
21 approval process when the development complies with all applicable objective development  
22 standards and meets the criteria established herein.

23 A. Qualifying Criteria. An infill residential project shall meet the following criteria:

- 24 1. The project is a multi-family housing development containing two or more residential  
25 units.
- 26 2. The development and the site on which it is located is a legal parcel.
- 27 3. At least 75 percent of the perimeter of the site adjoins parcels that are developed with  
28 urban uses.



1 4. The site is zoned for residential use or residential mixed-use development and at least two-  
2 thirds of the square footage of the development is designated for residential use, or the site  
3 has a general plan designation that allows residential use or a mix of residential and  
4 nonresidential uses, and at least two-thirds of the square footage of the development is  
5 designated for residential use.

6 B. Disqualifications. For the purposes of this section, a qualifying infill development project  
7 shall not be located on a site that is any of the following:

- 8 1. Either prime farmland or farmland of statewide importance, as defined by the United  
9 States Department of Agriculture land inventory and monitoring criteria, modified for  
10 California, and designated on the maps prepared by the Farmland Mapping and  
11 Monitoring Program of the Department of Conservation.
- 12 2. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW  
13 2 (June 21, 1993).
- 14 3. Within a very high fire hazard severity zone, as determined by the Department of Forestry  
15 and Fire Protection, or within the state responsibility area, as defined in Section 4102 of  
16 the Public Resources Code, except for sites with adopted fire hazard mitigation measures.
- 17 4. A hazardous waste site listed pursuant to Section 65962.5 or designated by the Department  
18 of Toxic Substances Control, unless specific conditions or determinations by relevant  
19 authorities apply.
- 20 5. Within a delineated earthquake fault zone, as determined by the State Geologist, unless  
21 complying with applicable seismic protection building code standards.
- 22 6. Within a special flood hazard area subject to the 1 percent annual chance flood (100-year  
23 flood) as determined by the Federal Emergency Management Agency, unless meeting  
24 specific FEMA criteria or having a Letter of Map Revision.
- 25 7. Within a regulatory floodway as determined by FEMA, unless the development has  
26 received a no-rise certification.
- 27 8. Lands identified for conservation in an adopted natural community conservation plan,  
28 habitat conservation plan, or other adopted natural resource protection plan.

1 9. Habitat for protected species identified by state or federal agencies or protected by relevant  
2 conservation acts.

3 10. Lands under conservation easement.

4 **Section 10.** That Section 19.18.080 of the Chico Municipal Code is amended to read as  
5 follows:

6 **19.18.080 Findings for Infill Residential Development projects.**

7 The ARHPB or Director, where authorized, shall determine whether or not an infill  
8 residential development project adequately meets adopted City standards and design guidelines,  
9 based upon the following findings:

10 A. The proposed development is consistent with all objective development criteria and  
11 policies of the General Plan, any applicable specific plan, and any applicable neighborhood or area  
12 plans;

13 B. The proposed development, including the character, scale, and type of design, are  
14 consistent with the objective development criteria of these regulations and the City's adopted  
15 design guidelines and development standards;

16 C. The landscape design complies with landscaping requirements, including aspects  
17 related to trees, plant materials, irrigation, and area standards; and

18 D. The location of structures and site elements ensure that roof or ground-mounted  
19 equipment and other exterior utilities are effectively screened from public views;

20 Determinations made by the ARHPB or Director under this section shall be made in  
21 accordance with State law, including the Housing Accountability Act (California Government  
22 Code Section 65589.5), which precludes the city from denying a housing development project or  
23 reducing its density if the project meets all applicable objective development standards.

24 **Section 11.** That Section 19.18.090 of the Chico Municipal Code is added to read as  
25 follows:

26 **19.18.090 Conformance to plans.**

27 A. A building permit shall only be issued in compliance with the drawings and plans that have  
28 been approved.

1 B. All work performed under a building permit for which drawings and plans have been  
2 approved shall conform to the approved drawings and plans.

3 C. Any modifications to or deviations from the drawings and plans approved under this chapter  
4 shall be approved by the ARHPB, or the Director if the original approval was made by the Director,  
5 or if the modification is determined to be minor by the Director in compliance with  
6 Section 19.30.060 (Changes to an approved project).

7 D. Upon completion of the work, the site and landscaping shall be maintained in compliance  
8 with the approved plans and any conditions of approval.

9 **Section 12.** That Section 19.18.100 of the Chico Municipal Code is added to read as  
10 follows:

11 **19.18.100 Expiration and extensions.**

12 If a building permit has not been applied for and issued within three years of site design and  
13 architectural review approval, the approval shall expire and become void. Extensions may be  
14 approved by the Zoning Administrator, in compliance with Chapter 19.30. (Permit  
15 Implementation, Time Limits, Extensions).

16 **Section 13.** That Section 19.24.040 of the Chico Municipal Code is amended to read as  
17 follows:

18 **19.24.040 Decision and findings.**

19 Following a public hearing, the Zoning Administrator or Planning Commission may approve a  
20 use permit application, with or without conditions, only if all of the following findings can be  
21 made:

22 A. The proposed use is allowed within the subject zoning district and complies with all of the  
23 applicable provisions of Chapter 19.24 (Use Permits);

24 B. The proposed use would not be detrimental to the health, safety, and general welfare of  
25 persons residing or working in the neighborhood of the proposed use;

26 C. The proposed use would not be detrimental and/or injurious to property and improvements  
27 in the neighborhood of the proposed use, as well as the general welfare of the City;

28 D. The proposed entitlement is consistent with the General Plan, any applicable specific plan,

1 and any applicable neighborhood or area plan;

2 E. For non-residential projects, the design, location, size, and operating characteristics of the  
3 proposed use are compatible with the existing and future land uses in the vicinity.

4 **Section 14.** That Section 19.40.010 of the Chico Municipal Code is amended to read as  
5 follows:

6 **19.40.010 Zoning districts, generally.**

7 Chico shall be divided into zoning districts which implement the General Plan. The following  
8 zoning districts are established, and shall be shown on the official Zoning Map.

9 **TABLE 4-1**

10 **ZONING DISTRICTS**

<b>Zoning Map Symbol</b>	<b>Zoning District Name</b>	<b>Primary General Plan Land Use Designation and Permitted Densities (1)</b>
<b>Residential Zoning Districts (2)</b>		
RS	Suburban Residential	Very Low Density Residential (VLDR) - 0.2 to 2 units per gross acre
R1	Low Density Residential	Low Density Residential (LDR) - 2.1 to 7 units per gross acre or small lot subdivision, 19.42.010(C)
R2	Medium Density Residential	Medium Density Residential (MDR) -6 to 14 units per gross acre
R3	Medium-High Density Residential	Medium-High Density Residential (MHDR) - 14.1 to 22 units per gross acre
R4	High Density Residential	High Density Residential (HDR) - 20 to 70 units per gross acre
RMU	Residential Mixed Use (RMU)	Residential Mixed Use (RMU) (10 to 20 units per gross acre)
<b>Commercial and Office Zoning Districts (3)(4)</b>		
OR	Office Residential	Office Mixed Use (OMU) (6 to 20 units per gross acre)
OC	Office Commercial	Office Mixed Use (OMU) (6 to 20 units per gross acre)
CN	Neighborhood Commercial	Neighborhood Commercial (NC) (6 to 22 units per gross

		acre)
1	CC	Community Commercial
2		Commercial Mixed Use (CMU) (6 to 22 units per gross acre)
3	DN	Downtown North
4	DS	Downtown South
		Commercial Mixed Use (CMU) (6 to 22 units per gross acre)
5	CS	Commercial Services
		Commercial Services (CS)
6	CR	Regional Commercial (CR)
		Regional Commercial (CR) (6 to 50 units per gross acre)
7	<b>Industrial Zoning Districts (3)(5)</b>	
8	IOMU	Industrial Office Mixed Use (IOMU)
9		Industrial Office Mixed Use (IOMU) (14 to 35 units per gross acre)

**Notes:**

- 10 (1) A zoning district may implement and be consistent with more than one General Plan land use designation.
- 11 (2) When located within a Corridor Opportunity Site, permitted residential uses have a maximum density of 70 dwelling units per gross acre.
- 12 (3) If residential uses are incorporated horizontally, the minimum density shall be met, but if integrated vertically, there is no minimum density requirement.
- 13 (4) When located Downtown or within a Corridor Opportunity Site, permitted residential uses have a maximum density of 60 dwelling units per gross acre.
- 14 (5) There is no minimum density requirement for Live/Work units or caretaker housing.

15  
16 **Section 15.** That Section 19.42.010 of the Chico Municipal Code is amended to read as follows:

17  
18 **19.42.010 Purpose, applicability.**

19 This chapter provides regulations applicable to development and new land uses in the residential zoning districts established by Section 19.40.010. The purposes of the individual residential zoning districts and the manner in which they are applied are as follows.

20  
21 A. – C. [NO CHANGES]

22  
23 D. R3 (Medium-High Density Residential) District. The R3 zoning district is applied to areas appropriate for medium-high density residential neighborhoods. Permitted densities range from a minimum of 14.1 to a maximum of 22 units per acre. Multi-family residential uses may be permitted to develop up to 30 dwelling units per acre when at least 15% of the units are deed restricted housing affordable to low-income households at or below 80% of Area Median Income (AMI). The R3 zoning district is primarily intended to implement the Medium-High Density

1 Residential land use designation of the General Plan.

2 E. [NO CHANGES]

3 F. RMU (Residential Mixed Use) District. The RMU district is characterized by  
4 predominantly residential development at medium to high densities. It allows for commercial or  
5 office uses on the same property as residential uses, either vertically or horizontally. It does not  
6 preclude development that is entirely residential or entirely commercial. Other primary uses,  
7 including certain commercial uses, may be allowed by right or with approval of a use permit in  
8 compliance with Table 4-2. The RMU zoning district is primarily intended to implement the  
9 Residential Mixed Use designation of the General Plan. Permitted densities range from a minimum  
10 of 10 to a maximum of 20 units per acre. Multi-family residential uses may be permitted to develop  
11 up to 30 dwelling units per acre when at least 15% of the units are deed restricted housing  
12 affordable to low-income households at or below 80% of AMI.

13 **Section 16.** That Section 19.42.020 of the Chico Municipal Code is amended to modify  
14 the permit requirements for two specific land uses listed in Table 4-2, as follows:

15 **19.42.020 Residential zone land uses and permit requirements.**

16 Table 4-2 identifies the uses of land allowed by these Regulations in each residential zoning  
17 district, and the land use entitlement required to establish the use. Where the last column of the  
18 table (“Subject to Standards in Section/Chapter”) includes a section or chapter number, the  
19 regulations in the referenced section/chapter apply to the use. Provisions in other sections/chapters  
20 may apply as well.

21 **TABLE 4-2 ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL**  
22 **ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE						Subject to Standards in Section/ Chapter:
	RS	R1	R2	R3	R4	RMU	
<b>RESIDENTIAL USES</b>							
Assisted living facilities for the elderly	UP	UP	UP	P	P	P	

Residential care homes, 7 or more clients	UP	UP	UP	P	P	P	
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**Section 17.** That Section 19.42.030 of the Chico Municipal Code is amended to modify certain individual rows of Table 4-3B and Table 4-3C, as follows:

**19.42.030 Residential zone general development standards.**

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

**TABLE 4-3A [NO CHANGES]**

**TABLE 4-3B**

**RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

Development Feature	Requirement by Zoning District	
	R1	R2
Residential Density <i>(Affordable housing projects, refer to Footnote #3)</i>	2.1 minimum, 7 units maximum per acre for subdivisions. One single-family unit, JADU, and detached ADU per lot in compliance with Section 19.76.130; or, a two-family housing/duplex use in compliance with Section 19.76.220.	6 to 14 units per acre

Notes:  
(1) Maximum percentage of site area that may be covered with structures.

**TABLE 4-3C**

**RESIDENTIAL ZONE GENERAL DEVELOPMENT STANDARDS**

Development Feature	Requirement by Zoning District		
	R3	R4	RMU
Residential Density <i>(Affordable housing projects, refer to Footnote #3)</i>	14.1 to 22 units per acre	20 to 70 units per acre	10 to 20 units per acre

Notes:  
(1) Maximum percentage of site area that may be covered with structures (see the definition of site coverage in Chapter 19.04).  
(2) Minimum usable common or individual outdoor open space area.  
(3) Where the allowable density is 20 or 22 dwelling units per acre, multi-family residential uses may



1 be permitted to develop up to 30 dwelling units per acre when at least 15% of the units are deed  
2 restricted housing affordable to low-income households at or below 80% of AMI.

3 **Section 18.** That Section 19.42.040 of the Chico Municipal Code is amended to read as  
4 follows:

5 **19.42.040 Minimum lot area and density.**

6 The minimum area for each parcel and the maximum density of residential development are  
7 determined by Section 19.42.030, except where otherwise determined by this section.

8 A. Minimum Lot Area for Subdivisions. Where a residential zoning district includes a  
9 numerical suffix (for example, RS-1 or RS-4), the minimum lot area shall be as established by the  
10 numerical suffix as provided in Table 4-4.

11 B. Exemptions to Minimum Residential Density. The minimum density requirements shall not  
12 apply to developed parcels 15,000 square feet or smaller in size, so long as any additional  
13 development or redevelopment results in a greater density than what existed on the parcel at the  
14 time the most recent General Plan was adopted. For undeveloped parcels 15,000 square feet or  
15 smaller in size, density may be calculated using net site acreage rather than gross acreage when so  
16 doing substantially advances General Plan goals of infill development and neighborhood  
17 compatibility.

18 C. Exemptions to Maximum Residential Density. The maximum density requirements shall not  
19 apply to subdivisions of infill parcels 15,000 square feet or smaller in size, so long as all newly  
20 created lots comply with the minimum lot sizes established in that same table.

21 **TABLE 4-4 [NO CHANGES]**

22 **TABLE 4-5 RESIDENTIAL DENSITY LIMITATIONS [DELETED]**

23 **Section 19.** That Section 19.44.020 of the Chico Municipal Code is amended to modify  
24 the permit requirements for fifteen specific land uses listed in Table 4-6 and associated footnotes,  
25 as follows:

26 **19.44.020 Commercial/office zone land uses and permit requirements.**

27 Table 4-6 identifies the uses of land allowed by these Regulations in each office and commercial  
28 zoning district, and the land use entitlement required to establish each use.

1 Where the last column of the table (“Subject to Standards in Section/Chapter”) includes a section  
 2 or chapter number, the regulations in the referenced section/chapter apply to the use; however,  
 3 provisions in other sections/chapters may apply as well.

4 **TABLE 4-6 - ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL**  
 5 **ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE								Subject to Standards in Section/Chapter:	
	OR	OC	CN	CC	DN	DS	CS	CR		
<b>MANUFACTURING &amp; PROCESSING</b>										
Recycling - Small collection facility			P(3)	P(3)	P(3)	P(3)	P(3)	P(3)	P(3)	19.60.060
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY USES</b>										
Churches/places of worship	UP	UP	UP	P(5)	P(5)	P(5)	P(5)	P(5)		
Community centers/pavilions			UP	UP	P(4)(5)	P(4)(5)	P(5)	P(5)		
Theaters, auditoriums and meeting halls			UP	P(5)	P(5)	P(5)	P(5)	P(5)		
<b>RESIDENTIAL USES</b>										
Assisted living facilities for the elderly	UP	UP	UP	UP	P(4)	P(4)	UP	UP		
Single-family housing	P		P(4)	P(4)						
Multi-family housing	P	P	P	P	P(4)	P(4)		P		
Residential care homes, 6 or fewer clients	P	UP	P	UP			UP	UP		
Residential care homes, 7 or more clients	UP	UP	UP	UP			UP	UP		
<b>RETAIL TRADE USES</b>										
Drive-in and drive-through sales		UP	UP(6)	UP		UP(8)	UP	UP	19.76.070	
<b>SERVICE USES</b>										

1	Medical services - Clinics and labs	P(5)	UP		P	UP	P(4)	P	P	
2	Drive-in and drive-through services		UP	UP(7)	UP			UP	UP	19.76.070
3	Community social services	UP	UP		UP	UP (5)	UP	UP	UP	
4	<b>MANUFACTURING &amp; PROCESSING</b>									
5	Cannabis manufacturer							P(9)		19.75
6	<b>TRANSPORTATION &amp; COMMUNICATION USES</b>									
7	Telecommunications facilities		P/UP	P/UP	P/UP	P/UP	P/UP	P/UP	P/UP	19.78

**Notes:**

- (1) See Chapter 19.04 for definitions of the listed uses.
- (2) With accessory retail use on site.
- (3) Permitted only as accessory use and subject to an administrative use permit in compliance with Chapter 19.25.
- (4) Use allowed only on second floor or above, or in basements. A use permit is required for ground-level occupancy, except for accessible units required by the Building Code, which are allowed by right.
- (5) Businesses within 300 feet of a residential district which operate between the hours of 10 p.m. to 6 a.m. or allow amplified music require use permit approval.
- (6) Drive-in and drive-through sales of pharmaceuticals incidental to the operation of drug stores/pharmacies may be allowed with a use permit in the CN Zoning District. No other drive-in or drive-through sales shall be permitted in the CN Zone.
- (7) Drive-in and drive-through services incidental to the operation of banks and financial services may be allowed with a use permit in the CN Zoning District. No other drive-in or drive-through services shall be permitted in the CN Zone.
- (8) Use only allowed on sites immediately adjacent to State Route 32 that take vehicle access no closer than 100 feet from State Route 32 travel way, and site design must provide for multi-modal access.
- (9) Manufacturing involving non-volatile manufacturing techniques, and premises under 5,000 s.f. permitted; Manufacturing involving volatile manufacturing techniques, and/or premises of 5,000 s.f. or greater requires use permit approval.

**Section 20.** That Section 19.44.030 of the Chico Municipal Code is amended to modify certain individual rows of Table 4-7, as follows:

**19.44.030 Commercial and office zone general development standards.**

The requirements in Table 4-7 shall apply to new land uses and structures, and alterations to existing land uses and structures, in addition to any applicable development standards (such as landscaping, parking and loading) in Division V.

**TABLE 4-7**

1 **COMMERCIAL AND OFFICE ZONE GENERAL DEVELOPMENT STANDARDS**

	<b>Requirement by Zoning District</b>	
<b>Development Feature</b>	<b>OR</b>	<b>OC</b>
Residential Density <i>(Affordable housing projects, refer to Footnote #3)</i>	6-20 units per gross acre. Exclusively residential projects shall comply with the residential setback requirements in Table 4-3C and the landscape standards in Chapter 19.68 based upon the project density and corresponding residential zoning district.	
	<b>Requirement by Zoning District</b>	
<b>Development Feature</b>	<b>CN</b>	<b>CC</b>
Residential Density <i>(Affordable housing projects, refer to Footnote #3)</i>	6-22 units per gross acre. Exclusively residential projects shall comply with the residential setback requirements in Table 4-3C and the landscape standards in Chapter 19.68 based upon the project density and corresponding residential zoning district.	
	<b>Requirement by Zoning District</b>	
<b>Development Feature</b>	<b>DN</b>	<b>DS</b>
Residential Density <i>(Affordable housing projects, refer to Footnote #3)</i>	6-22 units per gross acre. Exclusively residential projects shall comply with the residential setback requirements in Table 4-3C and the landscape standards in Chapter 19.68 based upon the project density and corresponding residential zoning district.	
	<b>Requirement by Zoning District</b>	
<b>Development Feature</b>	<b>CS</b>	<b>CR</b>
Residential Density <i>(Affordable housing projects, refer to Footnote #3)</i>	None allowed.	6 to 50 units per gross acre Exclusively residential projects shall comply with the residential setback requirements in Table 4-3C and the landscape standards in Chapter 19.68 based upon the project density and corresponding residential zoning district.

22 **Notes:**

- 23 (1) A minimum 6-foot landscape buffer shall be included along the rear or side property line abutting the residential use.
- 24 (2) The Architectural Review and Historic Preservation Board may require less coverage and more landscaped open area to provide visual relief or contrast, or to screen incompatible or obtrusive features.
- 25 (3) Multi-family residential uses are permitted to develop up to 30 dwelling units per acre if at least 15% of the units are deed restricted housing affordable to low-incomes at or below 80% of AMI.

26 **Section 21.** That Section 19.46.010 of the Chico Municipal Code is amended to read as follows:

27

28

1 **19.46.010 Purpose, applicability.**

2 A – B. [NO CHANGES]

3 C. IOMU (Industrial Office Mixed Use) District. The IOMU zoning district is applied to areas  
 4 appropriate for a wide range and combination of light industrial and office development with  
 5 commercial and other support services integrated vertically and horizontally. Residential uses may  
 6 be permitted at a density range from 14 to 35 dwelling units per acre when at least 15% of the units  
 7 are deed restricted housing affordable to low-income households at or below 80% of Area Median  
 8 Income. The IOMU zoning district is primarily intended to implement the Industrial Office Mixed  
 9 Use land use designation of the General Plan.

10 **Section 22.** That Section 19.46.020 of the Chico Municipal Code is amended to modify  
 11 the permit requirements for five specific land uses listed in Table 4-2, and to add a row for multi-  
 12 family housing, as follows:

13 **19.46.020 Manufacturing/industrial zone land uses and permit requirements.**

14 Table 4-8 identifies the uses of land allowed by these Regulations in each  
 15 industrial/manufacturing zoning district, and the land use entitlement required to establish the use.  
 16 Where the last column of the table (“Subject to Standards in Section/Chapter”) includes a section  
 17 or chapter number, the regulations in the referenced section/chapter apply to the use; however,  
 18 provisions in other sections/chapters may apply as well.

19 **TABLE 4-8 - ALLOWED USES AND PERMIT REQUIREMENTS FOR**  
 20 **MANUFACTURING & INDUSTRIAL ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE			Subject to Standards in Section/Chapter:
	ML	MG	IOMU	
<b>MANUFACTURING &amp; PROCESSING USES</b>				
Cannabis manufacturer	P(4)	P(4)	P(4)	19.75
Manufacturer taproom	P(3)		P(3)	19.76.200
<b>RESIDENTIAL USES</b>				

Emergency shelters	UP		P	
Multi-family housing			P	19.46.030
Residential Care homes 7 or more clients	UP(2)			
<b>TRANSPORTATION &amp; COMMUNICATION USES</b>				
Telecommunications facilities	P/UP	P/UP	P/UP	19.78

**Notes:**

- (1) See Chapter 19.04 for definitions of the listed land uses.
- (2) A use permit may be issued for a residential care home with 7 or more clients in the ML district only when the facility also includes on-site vocational training or employment for the clients residing at the facility.
- (3) Businesses within 300 feet of a residential district which operate between the hours of 10 p.m. to 6 a.m. or allow amplified music require use permit approval.
- (4) Manufacturing involving non-volatile manufacturing techniques, and premises under 5,000 s.f. permitted; Manufacturing involving volatile manufacturing techniques, and/or premises of 5,000 s.f. or greater requires use permit approval.

**Section 23.** That Section 19.46.030 of the Chico Municipal Code is amended to modify certain individual rows of Table 4-9, as follows:

**19.46.030 Manufacturing/industrial zone general development standards.**

The requirements in Table 4-9 shall apply to new land uses and structures, and alterations to existing land uses and structures, in addition to any applicable development standards (such as landscaping, parking and loading) in Division V of this title.

**TABLE 4-9**

**MANUFACTURING/INDUSTRIAL ZONE GENERAL DEVELOPMENT STANDARDS**

Development Feature	Requirement by Zoning District		
	ML	MG	IOMU
Residential Density	None allowed.	None allowed.	14 to 35 units per gross acre when at least 15% of the units are deed restricted housing affordable to low-income households at or below 80% of Area Median Income. No minimum density requirement for



			Live/Work units or caretaker housing.
--	--	--	---------------------------------------

**Notes:**

(1) A minimum 6-foot landscape buffer shall be included along the rear or side property line abutting the residential use.

**Section 24.** That Section 19.48.030 of the Chico Municipal Code is amended to modify the permit requirements for one specific land use listed in Table 4-10, as follows:

**19.48.030 Airport zone land uses and permit requirements.**

**TABLE 4-10 - ALLOWED USES AND PERMIT REQUIREMENTS FOR AIRPORT ZONING DISTRICTS**

LAND USE (1)	PERMIT REQUIREMENT BY ZONE				Subject to Standards in Section/ Chapter:
	A(2)	AC(3)	AM(4)	AP	
<b>MANUFACTURING &amp; PROCESSING USES</b>					
Electrical and electronic equipment instruments		P	P		

**Section 25.** That Section 19.52.080 of the Chico Municipal Code is amended to read as follows:

**19.58.080 Corridor Opportunity Site (-COS) overlay zone.**

A. – C. [NO CHANGES]

D. Development Standards. In addition to the standards of the primary zoning district and all other applicable provisions of these regulations, the following criteria apply:

1. Density. When associated with a residential base zoning district: 15 units/acre minimum, 70 units/acre maximum. When associated with an office or commercial base zoning district: Up to 60 units/acre.

2. Maximum Height Limit: 65 feet and unless the underlying zoning district permits a greater maximum height.

3. Off-Street Parking Reduction. Proposed development may provide off-street parking at a lower rate as provided by Chapter 19.70.

**Section 26.** That Section 19.60.060 of the Chico Municipal Code is amended to read as



1 follows:

2 **19.60.060 Fencing and screening.**

3 The following standards shall apply to the installation of all fences and walls. Fences and walls  
4 require approval from the Architectural Review and Historic Preservation Board (ARHPB), if  
5 ARHPB review is also required for the underlying development project. Perimeter fences and  
6 walls adjacent to the public right-of-way within a proposed subdivision require approval from the  
7 Commission, as part of the tentative map review process.

8 A. Height Limitations. Fences and walls are subject to the following height limitations:

9 1. General Height Limits for Residential Uses.

10 a. Standard Parcels. On all parcels except corner lots, fences, walls, or similar obstructions  
11 shall not exceed the following height limitations:

12 (1) Front Yards. 3 feet. May be increased to 4 feet with approval of an administrative use  
13 permit in compliance with Chapter 19.25 (Administrative Use Permits), or up to 6 feet with  
14 approval of a use permit in compliance with Chapter 19.24 (Use Permits).

15 (2) Rear Yards. 7feet for all fences; may be increased to 8 feet with approval of an  
16 administrative use permit in compliance with Chapter 19.25 (Administrative Use Permits).

17 (3) Side Yards. 7 feet for all fences outside the front yard setback area (see Figure 5-1).  
18 Interior side yard fencing may be increased to 8 feet with approval of an administrative use permit  
19 in compliance with Chapter 19.25 (Administrative Use Permits).

20 No fence authorized by a use permit shall exceed 6 feet in height in any required front or  
21 street side yard nor 8 feet in height in any rear or interior side yard.

22 b. Corner Parcels.

23 (1) [NO CHANGES]

24 (2) Street side yard fences, up to a maximum height of 7 feet for all fences outside the  
25 front yard setback area (see Figure 5-1). Street side yard fencing may be increased to 8 feet with  
26 approval of an administrative use permit in compliance with Chapter 19.25 (Administrative Use  
27 Permits).

28 c. [NO CHANGES]

1 d. [NO CHANGES]

2 2. General Height Limits for Commercial and Industrial Uses.

3 Fences up to 10 feet in height are allowed non-residential sites when not adjacent to residential  
4 use or zone and consistent with the California Building Code; and if there are no sight distance  
5 area problems as determined by the Director.

6 **Section 27.** That Section 19.60.130 of the Chico Municipal Code is amended to read as  
7 follows:

8 **19.60.130 Accommodations for persons with disabilities.**

9 A. Purpose and Intent. This section establishes a formalized reasonable accommodation  
10 procedure in accordance with State law and is intended to provide equal access to residential  
11 housing throughout the city's jurisdiction regardless of an individual's physical or mental abilities.

12 B. Definitions.

13 *Disabled person.* An individual who has a physical or mental impairment that limits one or more  
14 of that person's major life activities; anyone who is regarded as having such impairment; or anyone  
15 who has a medical record of having such an impairment. A disabled person does not include  
16 individuals currently using controlled substances as defined by federal law.

17 *Fair Housing Law.* Existing law affecting reasonable accommodation in housing including,  
18 without limitation, the reasonable accommodation required by 42 U.S.C. Section 3604(f)(3)(B)  
19 and reasonable accommodation required by Government Code Sections 12927(c)(1) and 12955(I).

20 *Reasonable accommodation.* Any request by, or on behalf of, a disabled person for a reasonable  
21 deviation from the city's application of its land use or building regulations as set forth in this Code,  
22 or as adopted by reference in this Code, in order for such disabled person to use and enjoy a  
23 dwelling.

24 C. Request for Accommodation. The Director may approve modifications or exceptions to  
25 regulations governing the siting, development, and use of housing or housing-related facilities, or  
26 other matters related to zoning and land use, to facilitate reasonable accommodations for persons  
27 with disabilities.

28 1. A disabled person, or their authorized representative, may request reasonable

1 accommodation as specified in this section.

2 2. Documentation: A request for reasonable accommodation must be filed in a form and  
3 manner approved by the zoning administrator, and at a minimum, must include the following:

4 a. Evidence of the property owner's consent, usually in the form of the owner's  
5 signature on the application;

6 b. A description of how the property will be used by the disabled individual(s),  
7 e.g., for residential habitation, and the specific reason that reasonable accommodation is  
8 desirable;

9 c. Evidence of the applicant's need for a reasonable accommodation because of  
10 a disability, including, correspondence from a currently licensed healthcare professional or  
11 documentation from the California Department of Motor Vehicles demonstrating that the  
12 individual qualifies for disabled parking. This information will be maintained as  
13 confidential unless needed for this process and/or disclosure required by law.

14 3. Verification by the applicant that the property is the primary residence of the person  
15 for whom reasonable accommodation is requested.

16 D. Proceedings. Upon accepting a reasonable accommodation request application as  
17 complete, the Director, or his/her designee, shall review the application and approve, conditionally  
18 approve, or deny the application. The decision shall be communicated in writing to the applicant  
19 within thirty (30) days of the application being deemed complete. Any denial must be accompanied  
20 by the facts and reasons for denying the application.

21 E. Requirements. The following requirements must be met in order to approve a request for  
22 reasonable accommodation:

23 1. The parcel and/or housing, which is the subject of the request for reasonable  
24 accommodation, will be occupied as the primary residence by an individual protected under the  
25 Fair Housing Laws.

26 2. The request for reasonable accommodation is necessary to make specific housing  
27 available to one or more individuals protected under the Fair Housing Laws.

28 3. The requested accommodation will not require a fundamental alteration of the zoning

1 or building laws, policies and/or other procedures of the city.

2 F. Conditions of Approval—General. A reasonable accommodation granted under this section  
3 is subject to the following general conditions:

4 1. The reasonable accommodation applies only to the specific disabled person;

5 2. Changes in use or circumstances that negates the basis for the reasonable  
6 accommodation renders it void;

7 3. Except as otherwise specifically accommodated pursuant to this section, the approved  
8 reasonable accommodation is subject to all uniform building codes as adopted by the city;

9 4. Reasonable accommodations affecting an exterior physical improvement must be  
10 designed to be substantially similar to the architectural character, colors, and texture of materials  
11 of its surrounding dwelling units;

12 5. The zoning administrator may require additional conditions of approval which may  
13 be deemed necessary to reconcile the approved reasonable accommodation with other  
14 requirements of this Code while still implementing the purpose of this title;

15 6. Reasonable accommodations do not run with the land; it constitutes a permit issued  
16 to a specific disabled person and may be revoked or rendered void as specified in  
17 Section 19.14.020 of this title.

18 G. Application Fee. There shall be no fee for filing an initial application for reasonable  
19 accommodation. However, the fee for appealing decisions made pursuant to this section to the city  
20 council shall apply.

21 **Section 28.** That Section 19.62.020 of the Chico Municipal Code is amended to read as  
22 follows:

23 **19.62.020 Applicability.**

24 This chapter shall apply to all zoning districts, including mixed use zoning districts, where  
25 residential developments of five (5) or more dwelling units are proposed and where the developer  
26 seeks and agrees to provide low, very low, senior, or moderate-income housing units in the  
27 threshold amounts specified in Government Code Section 65915. The total density bonus and  
28 number of incentives or concessions shall be calculated per State housing law.

1           **Section 29.** That Section 19.62.030 of the Chico Municipal Code is amended to read as  
2 follows:

3 **19.62.030      Application and approval.**

4     Any applicant requesting a density bonus, incentive(s) and/or waiver(s) pursuant to state density  
5 bonus law shall provide the city with a written proposal. The proposal shall be submitted prior to  
6 or concurrently with filing the planning application for the housing development and shall be  
7 processed in conjunction with the underlying application.

8 A. The proposal for a density bonus, incentive(s) and/or waiver(s) pursuant to state density bonus  
9 law shall include the following information:

10 (1) Requested Density Bonus. The specific requested density bonus proposal shall evidence that  
11 the project meets the thresholds for state density bonus law. The proposal shall also include  
12 calculations showing the maximum base density, the number/percentage of affordable units and  
13 identification of the income level at which such units will be restricted, additional market rate units  
14 resulting from the density bonus allowable under state density bonus law and the resulting unit per  
15 acre density. The density bonus units shall not be included in determining the percentage of base  
16 units that qualify a project for a density bonus pursuant to state density bonus law.

17 (2) Requested Incentive(s). The request for particular incentive(s) shall include a pro forma or  
18 other report evidencing that the requested incentive(s) results in identifiable, financially sufficient  
19 and actual cost reductions that are necessary to make the housing units economically feasible. The  
20 report shall be sufficiently detailed to allow the city to verify its conclusions.

21 (3) Requested Waiver(s). The written proposal shall include an explanation of the waiver(s) of  
22 development standards requested and why they are necessary to make the construction of the  
23 project physically possible. Any requested waiver(s) shall not exceed the limitations provided by  
24 Section 19.62.040 and to the extent such limitations are exceeded will be considered as a request  
25 for an incentive.

26           **Section 30.** That Section 19.62.040 of the Chico Municipal Code is amended to read as  
27 follows:

28 **19.62.040      Determination of housing density bonus or incentives.**

1 A. Density bonus. A density bonus for a housing development means a density increase over  
2 the otherwise maximum allowable residential density under the applicable zoning and land use  
3 designation on the date the application is deemed complete. The amount of the allowable density  
4 bonus shall be calculated as set forth in the California Government Code Section 65915. The  
5 applicant may select from only one (1) of the income categories identified in state density bonus  
6 law and may not combine density bonuses from different income categories to achieve a larger  
7 density bonus.

8 B. Incentives. An incentive includes a reduction in site development standards or a  
9 modification of zoning code requirements or architectural requirements that result in identifiable,  
10 financially sufficient, and actual cost reductions. An incentive may be the approval of mixed use  
11 zoning (e.g., commercial) in conjunction with a housing project if the mixed use will reduce the  
12 cost of the housing development and is compatible with the housing project. An incentive may,  
13 but need not be, the provision of a direct financial incentive, such as the waiver of fees. The number  
14 of incentives granted shall be based upon the number the applicant is entitled to pursuant to  
15 California Government Code Section 65915.

16 C. Waivers. A waiver is a modification to a development standard such that construction at  
17 the increased density would be physically possible. Modifications to floor area ratio in an amount  
18 equivalent to the percentage density bonus utilized shall be allowable as a waiver. Requests for an  
19 increase in floor area ratio above that equivalent percentage shall be considered a request for an  
20 incentive. Other development standards include, but are not limited to, a height limitation, a  
21 setback requirement, an on-site open space requirement, or a parking ratio that applies to a  
22 residential development. An applicant may request a waiver of any development standard to make  
23 the project physically possible to construct at the increased density. To be entitled to the requested  
24 waiver, the applicant must show that without the waiver, the project would be physically  
25 impossible to construct. There is no limit on the number of waivers.

26 D. Determination by council. In the sole discretion of the city council, the city council may  
27 approve a density bonus and/or incentive(s) in accordance with state density bonus law for a  
28 project that does not maximize the underlying base zoning density. Additionally, nothing herein



1 prevents the city from granting a greater density bonus and additional incentives or waivers than  
2 that provided for herein, or from providing a lesser density bonus and fewer incentives and waivers  
3 than that provided for herein, when the housing development does not meet the minimum  
4 thresholds, as long as it adheres to state law.

5 (1) An applicant shall be ineligible for a density bonus or any other incentives or waivers under  
6 this chapter if the housing development displaces qualifying rental dwelling units, unless the  
7 development replaces those units in accordance with state law.

8 (2) A requested incentive may be denied only for those reasons provided in state density bonus  
9 law. Denial of an incentive is a separate and distinct act from a decision to deny or approve the  
10 entirety of the project.

11 (3) The granting of a density bonus or incentive(s) shall not be interpreted in and of itself to require  
12 a general plan amendment, zoning change or other discretionary approval. If an incentive would  
13 otherwise trigger one of these approvals, when it is granted as an incentive, no general plan  
14 amendment, zoning change or other discretionary approval is required. However, if the base  
15 project without the incentive requires a general plan amendment, zoning change or other  
16 discretionary approval, the city retains discretion to make or not make the required findings for  
17 approval of the base project.

18 **Section 31.** That Section 19.62.050 of the Chico Municipal Code is amended to read as  
19 follows:

20 **19.62.050 Affordable Housing Agreement.**

21 Prior to project approval, the applicant shall enter into an affordable housing agreement with the  
22 city, to be executed by the city manager without review by the planning commission or city council  
23 if the underlying application does not require review and/or approval by those bodies, to the  
24 satisfaction of the city attorney guaranteeing the affordability of the rental or ownership units for  
25 a minimum of thirty (30) years and identifying the type, size and location of each affordable unit.  
26 Such affordable housing agreement shall be recorded in the Butte County recorder's office.

27 **Section 32.** That Section 19.62.060 of the Chico Municipal Code is added to read as  
28 follows:



1 **19.62.060 Design and quality.**

2 Affordable units must be constructed concurrently with market rate units and shall be integrated  
3 into the project. Affordable units shall be of equal design and quality as the market rate units.  
4 Exteriors, including architecture and elevations, and floor plans of the affordable units shall be  
5 similar to the market rate units. Interior finishes and amenities may differ from those provided in  
6 the market rate units, but neither the workmanship nor the products may be of substandard or  
7 inferior quality as determined by the building official. The number of bedrooms in the affordable  
8 units shall be consistent with the mix of market rate units. Parking standards shall be modified as  
9 allowable under state density bonus law and anything beyond those standards shall be considered  
10 a request for an incentive.

11 **Section 33.** That Section 19.70.040 of the Chico Municipal Code is amended to modify  
12 one specific Land Use Type for Emergency shelters in Table 5-4 as set forth below, and to  
13 otherwise read as follows:

14 **19.70.040 Number of parking spaces required.**

15 A – F. [NO CHANGES]

16 G. Parking in the Downtown Parking Area. No parking is required for non-residential uses and  
17 projects creating less than 20 new residential units within the Downtown Parking Area. Parking  
18 for residential projects creating more than 20 new units within the Downtown Parking Area shall  
19 be provided at a rate consistent with Multi-Family housing in a Corridor Opportunity Site overlay  
20 zone as set forth in Table 5-4 below, or by land use entitlement. Off-site parking may be allowed  
21 consistent with 19.70.060 subsections G and H.

22 //

23 //

24 //

25 //

26

27

28



**FIGURE 5-9**  
**DOWNTOWN PARKING AREA**

H. Parking Requirements by Land Use - Outside of the Downtown Parking Area. The minimum number of parking spaces shall be provided for each use as set forth in Table 5-4; additional spaces may be required through entitlement approval.

**TABLE 5-4**  
**PARKING REQUIREMENTS**

<b>Land Use Type:</b> <b>Residential Uses</b>	<b>Vehicle Spaces Required</b>	<b>Bicycle Spaces Required</b> <b>(Minimum of 1 space)</b>
<u>Emergency shelters</u>	1 space for each employee	None required.

**Section 34.** That Section 19.70.050 of the Chico Municipal Code is amended to read as follows:

**19.70.050 Reduction of off-street parking.**

A. The minimum number of off-street parking spaces may be reduced as part of an entitlement approval or through subsequent approval of an administrative use permit. Applicants proposing a

1 parking reduction shall provide documentation, including quantitative analysis, that justifies the  
2 proposed number of parking spaces based on the site and proposed land use(s). A reduction of off-  
3 street parking pursuant to this section may be allowed only if both of the following findings can  
4 be made:

5 1. The project site meets one of the following:

6 a. The site is zoned RMU or has a -COS overlay zone;

7 b. The site is located within an area of mixed-use development;

8 c. The project will implement sufficient vehicle trip reduction measures (such as vehicles  
9 loan programs and transit passes) to offset the reduction; or

10 d. The area is served by public transit, bicycle facilities, or has other features which  
11 encourage pedestrian access.

12 2. The proposed parking reduction is not likely to overburden public parking supplies in the  
13 project vicinity.

14 B. Non-Residential Shared Parking Reduction. Non-residential parking facilities may be shared  
15 if multiple uses on the same site cooperatively operate the facilities and if some uses generate  
16 parking demands primarily when other uses are not in operation. For example, where one use  
17 operates during evenings or weekdays only, or where patrons are likely to visit more than one use  
18 on a single trip. The applicant shall provide documentation, including a shared parking use  
19 analysis, to the satisfaction of the Director, justifying the requested shared parking reduction.  
20 Shared parking may be approved only if:

21 1. The number of spaces provided will meet the greatest parking demand of any participating  
22 use; and

23 2. Evidence, as deemed satisfactory by the Director, has been submitted by the parties  
24 operating the shared parking facility. The evidence shall describe the nature of the uses and the  
25 times when the uses operate so as to demonstrate the lack of potential conflict between them; and

26 3. Additional documents, covenants, deed restrictions, or other agreements as may be deemed  
27 necessary by the Director and approved by the City Attorney, are executed to ensure that the  
28 parking spaces provided are maintained and used as approved for the life of the non-residential

1 development.

2       **Section 35.** That Section 19.74.060 of the Chico Municipal Code is amended to read as  
3 follows:

4 **19.74.060 Exemptions from sign approval.**

5 Sign permits shall not be required for the signs listed in this section. Exempt signs shall not be  
6 included in the determination of the total allowable number of signs or total allowable sign area  
7 for a site. Such signs, however, may require compliance with building permit regulations.

8 A. [NO CHANGES]

9 B. Permanent Signs Limited by Maximum Areas. The following signs are exempt from the  
10 requirements of sign permits, subject to the following limitations:

11 1. – 7. [NO CHANGES]

12 8. Non-illuminated informational wall signs up to five square feet in area, containing  
13 historical information, such as photos and narrative, pertaining to the premises upon which they  
14 are located.

15       **Section 36.** That Section 19.75.020 of the Chico Municipal Code is amended to read as  
16 follows:

17 **19.75.020 Definitions.**

18 JJ. “Manufacturer” means a licensee that conducts the production, preparation,  
19 propagation, or compounding of cannabis or cannabis products either directly or indirectly or by  
20 extraction methods, or independently by means of chemical synthesis, or by a combination of  
21 extraction and chemical synthesis at a fixed location that packages or repackages cannabis or  
22 cannabis products or labels or re-labels its container. A manufacturer may also be a person that  
23 infuses cannabis in its products but does not perform its own extraction. A manufacturer may also  
24 be a person that only packages or repackages cannabis or cannabis products or labels or re-labels  
25 its container. Manufacturer shall also have the same meaning as in Section 26001(ah) of the  
26 Business and Professions Code, as same may be amended from time to time.

27 KK. “Manufacturing” means the use type that produces, prepares, propagates, or  
28 compounds cannabis or cannabis products, directly or indirectly, by extraction methods,

1 independently by means of chemical synthesis, or by a combination of extraction and chemical  
 2 synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels  
 3 or re-labels its container, or that only packages or repackages cannabis or cannabis products or  
 4 labels or re-labels its container, and is owned and operated by a person issued a valid Commercial  
 5 Cannabis Permit for manufacturing from the City of Chico and a valid state license as required for  
 6 manufacturing of cannabis products.

7 **Section 37.** That Section 19.76.020 of the Chico Municipal Code is amended to modify  
 8 the “Garage or carport” row of the “Single-Family Detached Homes” portion of Table 5-9 as set  
 9 forth below and to otherwise read as follows:

10 **19.76.020 Accessory uses and structures.**

11 A. – C. [NO CHANGES]

12 D. Residential Accessory Uses and Structures. When allowed, specific residential accessory  
 13 uses and structures are subject to the provisions of this section. Residential accessory structures  
 14 include any structure that is customarily related to a residence, including garages, greenhouses,  
 15 storage sheds, studios, swimming pools, spas, workshops, and similar structures.

16 1. [NO CHANGES]

17 2. [NO CHANGES]

18 3. Garages. A detached garage shall have direct vehicular access on an improved all-  
 19 weather surface from the public right of way and shall not occupy more than 700 square feet for  
 20 each dwelling unit, including any workshop or storage space within the garage. A larger floor area  
 21 may be authorized by the Director with an administrative use permit, in compliance with Chapter  
 22 19.25. The floor area of a garage that is attached to a main structure is not limited, except by overall  
 23 site coverage limits, and building or fire code.

24 4. – 8. [NO CHANGES]

25 **TABLE 5-9**

26 **REQUIRED SETBACKS FOR DETACHED ACCESSORY USES AND STRUCTURES**

Single-Family Detached Homes				
Accessory Use/Structure	Type of Setback (1)	Required Setback (2)	Height Limits	Size Limits

1 2 3 4	Gazebo, trellis, greenhouse, patio cover, storage shed, workshop, recreation room	Side Street side Rear	3 ft. 10 ft. or as required for main structure. 5 ft.; 0 ft. for structures adjacent to an alley.	15 ft. 25 ft. with use permit approval	25% of the size of the main structure. (4)
5 6 7 8	Garage or carport	Front Side Street side Rear	20 ft. (3) 4 ft. 10 ft. or as required for main structure. 5 ft. (5)	15 ft.; 25 ft. with use permit approval; 25 ft. for garages with a second-floor dwelling unit;	700 sq. ft. (4).
9 10 11 12 13 14 15 16 17	Swimming pool, spa, pool and spa equipment, outdoor play equipment, stationary barbecue, fire pit, air conditioning equipment, ground-based antennas, ground-mounted solar arrays	Side Street side Rear	3 ft. As required for main structure. 3 ft. (See also 19.60.090 F.4)		

**Notes:**

(1) Where a parcel is situated so that the front, side, or rear property lines are not readily determinable, required setbacks shall be established by the Director.

(2) In no case shall a structure, projection, or equipment be placed or occur beyond the property lines of the subject parcel. No accessory structures shall be located in a front yard setback or closer than 10 feet from any property line adjoining a public street.

(3) To ensure an adequate space for off-street parking in residential zoning districts, the face of a garage entrance, situated approximately parallel to the lot line, shall be set back a minimum of 20 feet from the property line providing driveway access.

(4) Additional floor area may be approved with an administrative use permit.

(5) Garage may be located on rear or side property line abutting an alley where the Director determines that adequate turning radius and backup area will be provided.

9. [NO CHANGES]

**Section 38.** That Section 19.76.130 of the Chico Municipal Code is amended to read as follows:

**19.76.130 Accessory dwelling units.**

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

3 A. [NO CHANGES]

4 B. General requirements. Where a single-family or multi-family use is a permitted use or  
5 lawfully exists, and where the property has not been subdivided as a result of an urban lot split as  
6 defined in Section 19.76.220 of this Code, a proposed ADU shall comply with all the development  
7 standards of this section. Applicants for accessory dwelling units may seek zoning clearance for a  
8 site plan depicting a proposed ADU or may directly apply for building permits and compliance  
9 with these standards shall be assessed in conjunction with building permit review.

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

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

15 C. Development Standards.

16 1. – 4. [NO CHANGES]

17 5. Building height shall be limited as follows: New attached additions to main dwelling  
18 units shall have the same height limit provided by the underlying zoning district applicable to the  
19 main unit. New detached ADUs shall be a maximum of 25 feet when proposed on a lot with an  
20 existing single-family dwelling. For new detached ADUs proposed on a lot with an existing multi-  
21 family dwelling, the maximum height shall be 18 feet, or up to 25 feet when above a garage.

22 6. – 18. [NO CHANGES]

23 **Section 39.** That Section 19.76.180 of the Chico Municipal Code is amended to read as  
24 follows:

25 **19.76.180 Infill Residential Flag Lots.**

26 A. [NO CHANGES]

27 B. Applicability. For purposes of this section, infill residential flag lots are defined as flag lots  
28 created after the adoption of this section which are located in the RS, R1 or R2 zoning districts and



1 which abut existing single-family development. Existing single-family development is defined as  
2 one or more residentially zoned lots already developed with single-family dwellings at the time  
3 that the parcel map or tentative subdivision map approving the creation of the flag lot is approved  
4 and which are not a part of the subdivision which creates the flag lot.

5 **Section 40.** That Section 19.76.200 of the Chico Municipal Code is amended to read as  
6 follows:

7 **19.76.200 Businesses which sell alcohol.**

8 Where allowed by Division IV (Zoning Districts, Allowable Land Uses, and Zone-Specific  
9 Standards), all businesses established or expanded after the adoption of this regulation which sell  
10 alcohol as a significant component of the use, including Alcoholic Beverage Establishments,  
11 Liquor Stores - Limited Hours, Liquor Stores, Manufacturer Taprooms, Restaurants with Full Bar  
12 - Limited Hours, and Restaurants with Full Bar, shall be operated in compliance with the following  
13 standards:

14 A. – F. [NO CHANGES]

15 G. The sale and service of alcohol shall be subject to special restrictions on certain days and at  
16 certain times of the year as determined and set forth by council resolution.

17 H. Alcoholic beverages to be consumed on-site shall be served in standard sizes that are  
18 consistent with the industry.

19 Any business listed above which does not comply with these operational standards may be subject  
20 to citations, fines, and other actions by the City, including abatement, pursuant to the provisions  
21 of CMC 1.14 and 1.15.

22 **Section 41.** That Section 19.76.220 of the Chico Municipal Code is amended to read as  
23 follows:

24 **19.76.220 Ministerial Two-Unit Housing Development and Urban Lot Split.**

25 It is the purpose of this Section to implement Section 65852.21 of the Government Code  
26 pertaining to Two-Unit Housing Developments and to implement Section 66411.7 of the  
27 Government Code pertaining to Urban Lot Splits.

28 A. Two-Unit Housing Development. A proposed housing development containing no more

1 than two residential units on a parcel located within a single-family residential zoning district shall  
2 be considered ministerially, without discretionary review or a hearing, if the proposed housing  
3 development meets all the eligibility requirements and standards established in this section.

4 1. – 2. [NO CHANGES]

5 3. Maximum Number of Units Allowed. No more than two (2) dwelling units shall be  
6 permitted on any lot utilizing the Two-Unit Development provision.

7 4. – 5. [NO CHANGES]

8 6. Development Standards. A proposed Two-Unit Housing Development shall  
9 comply with all objective zoning standards, objective subdivision standards, and objective design  
10 review standards applicable to the parcel as provided in the zoning district in which the parcel is  
11 located. Emergency fire access shall meet all requirements of the Building Code and Fire Code.

12 B. Urban Lot Split. This Section establishes eligibility requirements and standards for urban  
13 lot splits.

14 1 – 5. [NO CHANGES]

15 6. Development Standards. Development proposed on any lot created through an Urban  
16 Lot Split shall comply with all objective zoning standards, objective subdivision standards, and  
17 objective design review standards applicable to the parcel as provided in the zoning district in  
18 which the parcel is located. In addition, any lot created by an Urban Lot Split shall comply with  
19 the following standards:

20 a. Minimum lot size. The lot to be split shall contain a minimum of 2,400 square  
21 feet. The resulting lots shall each contain a minimum of 1,200 square feet. Each of the resulting  
22 lots shall be between sixty (60) percent and forty (40) percent of the original lot area.

23 b. Each resulting parcel shall have access to, provide access to, or adjoin the public  
24 right-of-way. Emergency fire access shall meet all requirements of the Building Code and Fire  
25 Code.

26 **Section 42.** That Title 19R (Land Use) has been deleted in its entirety.

27 **Section 43.** Severability. If any section, subsection, sentence, clause, phrase or word of  
28 this Ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent

1 jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

2       **Section 44.** Effective Date. This Ordinance shall be effective thirty days following  
3 adoption.

4       **Section 45.** Certification. The City Clerk shall certify to the passage and adoption of  
5 this Ordinance and shall cause the same to be published or posted in the manner required by law.

6 //

7       THE FOREGOING ORDINANCE WAS ADOPTED at a meeting of the City Council of  
8 the City of Chico held on June 18, 2024, by the following vote:

9 AYES: Bennett, Morgan, Tandon, van Overbeek, Winslow, Coolidge

10 NOES: None

11 ABSENT: Reynolds

12 ABSTAINED: None

13 DISQUALIFIED: None

14 ATTEST:

APPROVED AS TO FORM:

15  
16  
17 

18 Deborah R. Presson  
19 City Clerk

20  
21  
22   
23 John W. Lam, City Attorney\*

24  
25  
26  
27  
28 \*Pursuant to The Charter of  
the City of Chico, Section 906(E)