

**ORDINANCE NO. 2610**  
**(Codified)**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO**  
**APPROVING CODE AMENDMENT 25-01 AMENDING TITLE 19 OF THE CHICO**  
**MUNICIPAL CODE TO SUPPORT RESIDENTIAL READINESS**  
**(CITY OF CHICO)**

WHEREAS, a series of City-initiated amendments to Title 19 of the Chico Municipal Code (Land Use and Development Regulations) have been proposed to ensure consistency with State housing law, implement pro-housing policies, and address actions from the 2022 Housing Element. These amendments also resolve minor inconsistencies, formalize interpretations by the Community Development Director, and clarify terms and definitions; and

WHEREAS, the proposed amendments represent Phase 2 of a planned multi-phase Code Amendment program and are referred to as the “Residential Readiness” program, as the majority of amendments are intended to streamline existing processes, reduce barriers for residential development and facilitate housing production; and

WHEREAS, the Planning Commission forwarded a recommendation of approval to the City Council after considering the code amendments, staff report, and public comments provided at a public hearing on March 20, 2025, duly noticed and held in the manner required by law; and

WHEREAS, Section 19.06.030 of the Chico Municipal Code permits the City Council to approve, approve in modified form, or deny the proposed amendments to Title 19 based on the required findings as provided in Section 19.06.050; and

WHEREAS, the amendments are exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3) as they do not propose any construction, demolition, or other activity that has the potential for causing a significant effect on the environment.

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

**Section 1.** That Section 19.04.020 of the Chico Municipal Code is amended to delete the definition for Rooming and Boarding Houses, and modify the definitions for five specific land uses, as follows:

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

1 **Definitions, "B."**

2 **Bed and Breakfast Inn (land use).** A single-family dwelling, with one family in permanent  
3 residence, where bedrooms without individual cooking facilities are rented for overnight lodging.  
4 This definition does not include "Hotels and Motels," which are defined separately, or the rental  
5 of an entire residence for one week or longer.

6 **D. Definitions, "D."**

7 **Drive-In and Drive-Through Services (land use).** Facilities where services may be obtained  
8 by motorists without leaving their vehicles. These facilities include drive-up teller windows and  
9 ATMs at banks. Does not include gas stations, which are separately defined.

10 **Definitions, "M."**

11 **Multi-Family Housing (land use).** Includes structures or portions of structures used and/or  
12 designed as residences for two or more families living independently of each other. Includes  
13 duplexes, triplexes, and fourplexes (individual structures containing two, three, and four housing  
14 units, respectively); apartments (five or more units under one ownership in a single structure);  
15 townhouse development (three or more attached single-family dwellings where no unit is located  
16 over another unit); senior citizen multi-family housing; single-and common ownership attached  
17 unit projects (such as condominiums). Single resident/single room occupancy units (SROs) and  
18 dormitories are separately defined.

19 **P. Definitions, "P."**

20 **Personal Services (land use).** Establishments providing non-medical related services,  
21 including beauty and barber shops, clothing rental, small-scale dry cleaners, laundromats (self-  
22 service laundries), shoe repair shops, tanning salons, psychic readers, therapeutic (nonsexual)  
23 massage services, acupuncture, body piercing, tattooing, electrolysis. These uses may also include  
24 accessory retail sales of products related to the services provided.

25 **R. Definitions, "R."**

26 **Repair and Maintenance - Vehicle (land use).** This use includes major and minor categories.  
27 Generally, the use includes the repair, alteration, restoration, towing, painting, detailing, or  
28 finishing of automobiles, motorcycles, trucks, recreational vehicles, boats, and other vehicles as a

principal use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. Major vehicle repair facilities deal with entire vehicles and may include tire recapping or retreading; minor facilities specialize in limited aspects of repair (such as muffler and radiator shops, quick-lube). Does not include automobile dismantling yards, which are included under "Recycling Facilities - Scrap and Dismantling Yards"; automobile parking, which is included under "Parking Facilities/Vehicle Storage"; repair shops that are part of a vehicle dealership on the same site, which are included under "Auto, Mobile Home, and Vehicle Sales"; or gas stations, which are separately defined.

**Section 2.** That Section 19.08.040 of the Chico Municipal Code is amended to read as follows:

**19.08.040 Loss of nonconforming status.**

A. Termination by Discontinuance. Termination of legal nonconforming status shall be lost in the following events if a nonconforming use of land, structure or site improvement, or a nonconforming use of a conforming structure is discontinued where:

1. For a continuous period of one year or more, owner has ceased nonconforming use regardless of the owner's intention to recommence the use, all rights to continue the nonconforming use shall terminate.

2. For a continuous period of less than one year where the use has been converted to a conforming use, all rights to the nonconformity shall terminate upon new use.

Without further action by the City, further use of the site or structure shall comply with all of the regulations of the applicable zoning district and all other applicable provisions of these Regulations.

B. Termination by Destruction. Termination of legal nonconforming status by damage or destruction shall be addressed as follows:

1. If a conforming structure with a nonconforming use is damaged, or destroyed, the right to rebuild the structure with a conforming use shall be allowed.

2. If a conforming structure with a nonconforming use is damaged or destroyed, the right to continue the use shall be allowed except as follows:

1       a. If the repair or replacement of the damaged portion of the structure does not exceed 50  
2 percent of the total square footage of the structure, the structure may be restored and the use  
3 continued if the restoration is started within one year of the date of damage or destruction and is  
4 diligently pursued to completion; or

5       b. If the repair or replacement of the damaged portion of the structure exceeds 50 percent  
6 of the total square footage of the structure prior to damage or destruction, a use permit (Chapter  
7 19.24) shall be required to authorize the restoration of the structure and continuation of the use.  
8 The use permit shall include a finding, in addition to those contained in Section 19.24.040  
9 (Decision and findings), that the benefit to the public health, safety, or welfare exceeds any  
10 detriment inherent in the restoration, repair or replacement. For residential uses, no use permit  
11 shall be required for the full replacement or reconstruction of the use.

12       3. If a nonconforming structure is damaged or destroyed, the right to continue occupancy of  
13 the nonconforming structure shall cease; except as follows:

14       a. If the repair or replacement of the damaged portion of the structure does not exceed 50  
15 percent of the total square footage of the structure, the structure may be restored and the use  
16 continued if the restoration is started within one year of the date of damage or destruction and is  
17 diligently pursued to completion; and

18       b. If the repair or replacement of the damaged portion of the structure exceeds 50 percent  
19 of the total square footage of the structure prior to damage or destruction, a use permit (Chapter  
20 19.24) shall be required to authorize the restoration of the structure and continuation of the use.  
21 The use permit shall include a finding, in addition to those contained in Section 19.24.040  
22 (Decision and findings), that the benefit to the public health, safety, or welfare exceeds any  
23 detriment inherent in the restoration, repair or replacement. For residential structures, no use  
24 permit shall be required for the full replacement or reconstruction of the structure.

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

27       **19.12.020       Appeal subjects and jurisdiction.**

28       Determinations and actions that may be appealed, and the authority to act upon an appeal



shall be as set forth in Table 2-1 and in this Chapter.

**TABLE 2-1**

**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	
Land Use and Development Regulations Amendments				Recommend	Decision
Minor Design Review	Appeal (2)	Decision			
Mobile Food Vendor Permits		Decision		Appeal	
Planned Development Permits		Recommend		Decision	Appeal

Regulating plans and circulating plans pursuant to Division VI				Decision	Appeal
Reasonable Accommodation Request		Decision		Appeal	
Sign Permits		Decision		Appeal	
Specific Plans				Recommend	Decision
Urban Lot Split/Two-Unit Housing Development		Decision		Appeal	
Use Permits			Decision	Decision	Appeal
Variances			Decision	Decision	Appeal
Zoning Map Amendments	Recommend (3)			Recommend	Decision
Zoning Clearances		Decision		Appeal	

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.

(3) 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 4.** That Section 19.22.020 of the Chico Municipal Code is amended to read as follows:

**19.22.020 Temporary uses, allowed by right.**

The following temporary uses are allowed. Uses that do not fall within the categories defined below, or that do not operate in accordance with the standards specified below, shall comply with Section 19.22.030 (Temporary uses subject to use permit).

A. Car Washes. Car washes, limited to two days each month for each sponsoring organization. Sponsorship shall be limited to religious, educational, fraternal, or service organizations directly engaged in civic or charitable efforts on non-residential properties.

1 B. Construction Yards and Offices. On-site contractors' construction yards and offices, in  
2 conjunction with an approved construction project.

3 C. Emergency Facilities. Declared emergency public health and safety needs/land use activities.

4 D. Emergency Shelters. Temporary emergency shelters shall be permitted in any zoning district  
5 for a maximum of 27 days in any 90-day period, provided that the facilities are approved by the  
6 City Building Official and Fire Marshal prior to use, and provided that no other emergency shelter  
7 is operated within 500 feet during the same 90-day period.

8 E. Events. Arts and crafts exhibits, for up to 10 days, on non-residential properties.

9 F. Garage and Yard Sales in Residential Zones. Two garage or yard sales in any 12-month  
10 period, not exceeding 3 consecutive days each, shall be deemed a use incidental to the residential  
11 use of a property. Garage or yard sales in excess of this limit shall be prohibited in all residential  
12 zones.

13 G. Offices. A temporary office, including a manufactured or mobile unit, may be approved for  
14 a maximum time period of one year from the date of approval as the first phase of a development  
15 project. An additional time period may be authorized with use permit approval, in compliance with  
16 Chapter 19.24.

17 H. Outside Displays/Sales. The temporary outdoor display/sales of merchandise on  
18 nonresidential properties, in compliance with Section 19.76.120.

19 I. Public Property. Events which are to be conducted on public property, with the approval of  
20 the City.

21 J. Residence. A mobile home as a temporary residence of the property owner when a valid  
22 building permit for a new single-family dwelling is in force. The permit may be approved for up  
23 to one year, or until expiration of the building permit, whichever first occurs.

24 K. Seasonal Sales Lots. Seasonal sales activities for Thanksgiving, Christmas, or other holidays,  
25 on non-residential properties, including temporary residence/security trailers. Local agricultural  
26 products, including flowers, may be sold for a period of up to three months.

27 L. Temporary Real Estate Sales Offices. A temporary real estate sales office may be established  
28 within the area of an approved development project, solely for the first sale of homes. An

1 application for a temporary real estate office may be approved for a maximum time period of one  
2 year from the date of approval.

3 M. Farmers' Markets. Temporary farmers' markets are permitted up to two times per week on  
4 non-residential properties provided that all market-related structures are removed each night; no  
5 more than 35 percent of the required parking spaces for permanent uses of the property are  
6 occupied by the farmers' market; the market area does not restrict circulation on the site; and  
7 signage for the market complies with Chapter 19.74 (Signs).

8 N. Similar Temporary Uses. Similar temporary uses which, in the opinion of the Zoning  
9 Administrator, do not require a use permit and are compatible with the zoning district and  
10 surrounding land uses.

11 O. Recurring Events. Temporary uses that have previously obtained an administrative use  
12 permit from Planning and approved by the Fire Department in accordance with Section 19.22.030.

13 **Section 5.** That Section 19.22.030 of the Chico Municipal Code is amended to read as  
14 follows:

15 **19.22.030 Temporary uses, subject to administrative use permit.**

16 The following temporary uses may be allowed, subject to the issuance of an administrative use  
17 permit. Uses that do not fall within the categories defined below shall comply with the use and  
18 development regulations and entitlement review provisions that otherwise apply to the property.

19 A. Carnivals, circuses, concerts, fairs, festivals, flea markets, food events, outdoor  
20 entertainment/sporting events rodeos, rummage sales, second-hand sales, and swap meets for up  
21 to 10 days; other events, including arts and crafts exhibits, and agricultural sales and events (such  
22 as pumpkin sales and corn mazes) for over 10 days; and farmers' market that don't meet the  
23 standards in Section 19.22.020(M).

24 B. Offsite vehicle sales are allowed for no more than five days per event and no more than  
25 two annual events on the same property per auto dealer.

26 **Section 6.** That Section 19.27.010 of the Chico Municipal Code is amended to read as  
27 follows:

28 **19.27.010 Applicability.**

1 A foothill development permit shall be required in conjunction with any land division or prior to  
2 initial development on any parcel within the Foothill Development (- FD) overlay zoning district.  
3 In the Director's discretion, a foothill development permit may be required for the following  
4 projects within the -FD overlay zoning district:

5 A. Construction, reconstruction, expansion of existing structures, or development projects  
6 which are outside the scope of a previous review, or

7 B. Any project with design features that may conflict with the stated purpose of the -FD  
8 overlay zoning district as set forth in section 19.52.100 of these regulations.

9 **Section 7.** That Section 19.28.040 of the Chico Municipal Code is amended to read as  
10 follows:

11 **19.28.040 Development Standards.**

12 A. Setback Requirements. The structure setbacks may deviate from the setback standards  
13 specified in these Regulations and shall conform to the approved development plan;

14 B. Height Limits. The height of structures may deviate from the height standards specified in  
15 these Regulations and shall conform to the approved development plan;

16 C. Parking Requirements. The number and design of off-street parking areas may deviate from  
17 the parking standards specified in these Regulations and shall conform to the approved  
18 development plan;

19 D. Open Space Requirements:

20 1. In all developments, at least 25 percent of the gross site area shall be devoted to landscaped  
21 and useable open space areas.

22 2. Landscaped and useable open space area shall not include public or private streets, off-  
23 street parking, access drives, loading areas, or areas covered by structures.

24 3. The Commission may grant a modification, including a modification of any open space  
25 requirement, after considering the general purposes and nature of the planned development project.

26 E. Maintenance of Common Areas. An applicant for a planned development permit shall  
27 provide for the permanent maintenance of all common areas within the development. The applicant  
28 shall include the following in the application or in the final development plan:

1. A plan showing all common areas and areas to be dedicated for public and/or private use;
2. Where the development consists of only one parcel, a plan for maintenance; and
3. Where the development consists of more than one parcel, certify the formation of a Chico maintenance district (CMD) or an agreement in a form approved by the City Attorney providing for the permanent maintenance of all common areas. The CMD or agreement shall be prepared by an attorney licensed to practice in the state.

**Section 8.** That Section 19.40.010 of the Chico Municipal Code is amended for one specific row listed in Table 4-1, as follows:

**19.40.010 Development Standards.**

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

**TABLE 4-1**

Zoning Map Symbol	Zoning District Name	Primary General Plan Land Use Designation and Permitted Densities (1)
<b>Industrial Zoning Districts (3)(5)</b>		
ML	Light Manufacturing/Industrial	Manufacturing and Warehousing (M&W)

**Section 9.** That Section 19.42.020 of the Chico Municipal Code is amended to add a new land use category in Table 4-2 for Low Barrier Navigation Centers, delete the land use category for Rooming and Boarding Houses in Table 4-2, modify the permit requirements for one specific land use in Table 4-2, and remove a row from the key to permit requirements, as follows:

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

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

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

**TABLE 4-2 - ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL 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>							
Low barrier navigation center						P	19.76.080
Two-family housing/ duplexes		P/UP (3)	P	P	P	P	

KEY TO PERMIT REQUIREMENTS		
Symbol	Permit Requirement	Procedure is in Section/Chapter:
P	Permitted use, zoning clearance required.	<a href="#">19.16.070</a>
UP	Conditional use, use permit required.	<a href="#">19.24</a>
TU	Temporary use.	<a href="#">19.22</a>
	Use not allowed. (See Section <a href="#">19.02.020</a> (E) regarding uses not listed.)	

**Section 10.** That Section 19.44.020 of the Chico Municipal Code is amended to add a new land use category in Table 4-6 for Low Barrier Navigation Centers, delete five land use categories from Table 4-6 including “Rooming and boarding houses”, “Banks and credit unions 3,000 sq. ft. or larger”, “Car wash facility, self-service”, “Offices, accessory to primary use”, and “Personal services 2,500 sq. ft. or larger”, modify the permit requirements for twelve specific land uses in Table 4-6, and remove a row from the key to permit requirements, as follows:

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

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

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

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

LAND USE (1)	PERMIT REQUIREMENT BY ZONE						Subject to Standards
--------------	----------------------------	--	--	--	--	--	----------------------



									in Section/ Chapter:
		OR	OC	CN	CC	DN	DS	CS	CR
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY USES</b>									
Schools - Specialized education and training	UP	P	UP	P	P	P	P	P	
<b>RESIDENTIAL USES</b>									
Low barrier navigation center	P	P	P	P	P(4)	P(4)		P	19.76.080
Single-family housing	P	P	P(4)	P					
Two-family housing/duplexes	P	P	P(4)	P	P(4)	P(4)		P	
<b>RETAIL TRADE USES</b>									
Restaurant with full bar	UP	UP	UP	P(5)	P	P	P(5)	P(5)	<a href="#">19.76.200</a>
Shopping centers, 200,000 sq. ft. or less			P	P				P	
Walkup sales windows using public sidewalk	P	P	P	P	P	P	P	P	
<b>SERVICE USES</b>									
Banks and credit unions	P	P	P	P	P	P	P	P	
Business support services	P	P	P	P	P(4)	P(4)	P		
Car wash facility			UP	UP			P	P	
Personal services	P	P	P	P	P	P	P	P	
Rental, indoor			UP	P	UP	P(4)	P	P	
Rental, outdoor				UP			UP	UP	19.60.060
<b>KEY TO PERMIT REQUIREMENTS</b>									
Symbol	Permit Requirement							Procedure is in Section/Chapter:	
P	Permitted use, zoning clearance required.							<a href="#">19.16.070</a>	
UP	Conditional use, use permit required.							<a href="#">19.24</a>	
TU	Temporary use.							<a href="#">19.22</a>	
	Use not allowed. (See Section <a href="#">19.02.020</a> (E) regarding uses not listed.)								

**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 11.** That Section 19.46.020 of the Chico Municipal Code is amended to add a new land use category in Table 4-6 for Low Barrier Navigation Centers, as follows:

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

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

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

LAND USE (1)	PERMIT REQUIREMENT BY ZONE			Subject to Standards in Section/Chapter:
	ML	MG	IOMU	
RESIDENTIAL USES				
Low barrier navigation center			P	

**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 12.** That Section 19.48.030 of the Chico Municipal Code is amended to modify the permit requirements for three specific land uses 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	
MANUFACTURING & PROCESSING USES					
Food products			P		
Glass products			P		
SERVICES					
Offices, business and professional			P		

**Section 13.** That Section 19.52.070 of the Chico Municipal Code is amended to read as follows:

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

A. Purpose. The -SD overlay zone is intended for areas of the City where the General Plan has highlighted existing neighborhood characteristics, environmental features, or other concerns that require special attention in project design.

B. Applicability. The -SD overlay zone may be applied to specific, defined areas where special-purpose limitations on land use, permit requirements, or development standards are needed. The -SD overlay zone includes the specific subcategories identified in Subsection D, following.

C. Allowed Land Uses. Any land use normally allowed in the primary zoning district by this article may be allowed within the -SD overlay zone, except where otherwise limited by this section.

D. Specific Area Permit Requirements and Development Standards. Development and new land uses within the -SD overlay zone shall obtain the land use entitlements as required by the

primary zoning district, except as otherwise provided in this subsection, and shall comply with all applicable development standards of the primary zoning district, and the following requirements.

1. SD-1 (South Chico - South of Entler Avenue).

a. Permit Requirement. Planned development permit approval (Chapter [19.28](#)) is required for all uses.

b. Clustering Required. Manufacturing/industrial development in the area west and east of State Highway Route 99 south of Entler Avenue shall be clustered to preserve existing riparian habitats and to reduce impacts to Butte Creek.

c. Tree Preservation Required. The existing cottonwood and native oak stands located west of State Highway Route 99 and along the south edge of this area shall be preserved to the extent feasible.

2. SD-2 (Humboldt Road-Foothill).

a. Permit Requirement. Planned development permit approval (Chapter [19.28](#)) is required for all uses.

b. Development Standards. Proposed projects shall:

(1) Minimize the visual impact of foothill development through the following measures:

(a) Transfer and cluster development to lower elevations of the site and cluster development at higher elevations to the least visible areas;

(b) Reduce the scale and mass of structures through split level and low profile design. Limit building heights in foothill areas to 25 feet, unless visual simulations or other graphic representations can verify that greater building height will not negatively impact the viewshed;

(c) Use low-level pedestrian-scale street lighting;

(d) Avoid the use of high illumination yard lighting or shield sources to prevent off-site glare;

(e) Blend development into the natural setting through attention to topography and orientation, color, materials;

(f) Incorporate street standards that minimize cut and fill and result in the lowest visual impact;

1 (2) Provide a minimum 50-foot setback from State Highway Route 32 and prepare and  
2 implement a landscape enhancement plan for the setback area and the adjacent Caltrans right-of-  
3 way. The plan shall use vegetation native to the area and an irrigation system designed to  
4 temporarily provide water through the plant establishment period;

5 (3) Preserve and improve multi-use access and trails along Humboldt Road and provide  
6 connection to other paths and trails within projects north and south of Humboldt Road;

7 (4) Preserve the existing historic rock wall;

8 (5) Reduce wildland fire potential through the following:

9 (a) Construct buildings and roofs from fire-resistant materials;

10 (b) Landscape with native fire-resistant plant materials;

11 (c) Provide multi-use access and trails, streets, and open space areas as opportunities for  
12 emergency access and fire breaks;

13 (d) Ensure that street grades and other facilities designed for emergency access do not  
14 exceed City maximums;

15 (e) Locate buildings for maximum clearance from areas of dense native vegetation; and

16 (6) Incorporate best management practices for storm water run-off and first flush  
17 treatment of storm water. Proposed projects in areas tributary to Little Chico and Comanche Creeks  
18 shall be designed to provide no net increase in peak storm water run-off.

19 3. SD-3 (Foothill Park East, South of Eaton Road)

20 a. Permit Requirement. Architectural Review and Historic Preservation Board approval  
21 (Chapter [19.18](#)) is required for multi-family residential development.

22 b. Development Standards.

23 (1) Density shall not be less than 10 units per gross acre.

24 (2) Design shall be consistent with the Master Design Manual for Foothill Park East.

25 (3) The project shall incorporate low profile lighting for reduced glare on adjacent  
26 properties.

27 (4) For the parcel east of Marigold Avenue and identified as APN 016-200- 102, the  
28 Architectural Review and Historic Preservation Board shall require a pedestrian/equestrian path

1 within or adjacent to the public utility easement along the southern property boundary with access  
2 to the south. Alternatively, the ARHPB shall waive this requirement if a path is already provided  
3 at that proximate location, or if the improvement is determined to be infeasible.

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

7 5. SD-5 (Westside Place & Vrisimo; Three Parcels on the North side of State Highway Route  
8 32/Nord Avenue between W. 8<sup>th</sup> Avenue and W. Lindo Avenue)

9 a. Permit Requirement. Planned development permit (PDP) approval (Chapter [19.28](#)) is  
10 required for all developments.

11 b. Development Standards. To ensure appropriate safety, environmental, and aesthetic  
12 requirements of the local community given the site's location between a public highway and the  
13 railroad tracks, future developments shall include the following design concepts:

14 (1) Overall minimum residential density on each of the three parcels shall be 9 units per  
15 gross acre.

16 (2) A mix of housing types and appropriately designed commercial and/or live-work  
17 buildings along the railroad tracks to provide an adequate noise buffer for adjacent residential uses.

18 (3) Multi-family units shall be limited to buildings of modest scale with architectural  
19 details similar to neighboring detached houses.

20 (4) Street and pedestrian connections shall be provided between adjacent developments.

21 (5) A side drive with a landscaped parkway strip shall be incorporated between the  
22 development and Nord Avenue/State Highway Route 32.

23 (6) Off-street parking shall primarily be provided off an alley or common driveway.  
24 Parking off a front yard shall be designed so that the building creates the dominant visual  
25 appearance along the street.

26 6. SD-6 (Chapman/Mulberry Neighborhood)

27 a. Development shall be consistent with the Chapman/Mulberry Neighborhood Plan  
28 adopted by the city council.



1       b. The following land uses are not permitted within the CN zone: retail liquor stores, gas  
2 stations, automobile sales and vehicle repair and maintenance.

3       c. The following design standards shall apply to the development of single- family  
4 residences:

5           (1) Front yard setbacks shall be consistent with the average of the existing front yard  
6 setback of adjoining parcels, but in no case less than fifteen (15) feet or greater than thirty (30)  
7 feet.

8           (2) Front entries for all single-family residences shall be oriented toward the street. This  
9 requirement shall not apply to accessory dwelling units located on the rear of a parcel which have  
10 primary access from an alley.

11          (3) Garages shall be set back at least ten (10) feet from the front edge of the dwelling.  
12 Garages located in rear yards are encouraged. Detached, single- story garages shall be set back at  
13 least five (5) feet from the rear property line.

14          (4) All single-family dwellings shall include a front porch with minimum dimensions of  
15 four feet by eight feet.

16          (5) Front yard fences are permitted only when they are of an open, not solid, design. Front  
17 yard landscaping shall not obscure views of the street or adjoining neighbors.

18          (6) One new tree, 15 gallons or greater in size, shall be planted in the front yard of each  
19 new single-family residence, as a condition of the building permit for such residence. The species  
20 of tree planted shall be selected from the list "Recommended Street Trees for Chico" maintained  
21 by the City.

22       d. The following design standards shall apply to the development of multi-family dwellings:

23           (1) Parking lots shall primarily be located in the rear or side area of the parcel or in the  
24 interior of a building cluster and shall be screened from view from the street by vegetation or  
25 fencing that is no more than four feet in height. No parking lots shall be located within the required  
26 front or side set back area.

27           (2) All multi-family buildings located within 40 feet of a front lot line shall be oriented to  
28 the street frontage. The main entrance of ground floor units located within 40 feet of a street must

1 face the front lot line. Main entrances may be to either individual units, clusters of units or common  
2 lobbies or courtyards. Main entrances for multi-family residences on corner lots may be oriented  
3 toward either street frontage, or toward the corner.

4 (3) Pedestrian walkways shall be provided from street sidewalks to the front entrance of  
5 each multi-family dwelling unit.

6 e. It shall be a condition of the development of any new commercial or industrial use located  
7 on property which abuts residentially zoned property, that an 8 foot masonry wall be constructed  
8 between the new commercial or industrial use and the residentially zoned property. Such wall shall  
9 be constructed on the property on which the new commercial or industrial use is located and shall  
10 include landscaping along the side of the wall facing the residentially zoned property. Earthen  
11 landscape berms with a wall may be utilized to meet this requirement.

12 f. A nonconforming commercial or industrial use shall not be expanded, enlarged, or  
13 extended. If a structure used for a nonconforming commercial or industrial use is destroyed or  
14 demolished, regardless of cause, or the nonconforming use thereof is abandoned for six months or  
15 more, or is converted to or replaced by a conforming use, the right to continue the nonconforming  
16 use therein shall cease.

17 g. Nonconforming uses shall be amortized as follows:

18 (1) Nonconforming commercial and industrial uses which were located in the City prior  
19 to the date of the City's adoption of the Chapman/Mulberry Neighborhood Plan on October 5,  
20 2004, shall be amortized and terminated no later than December 31, 2014.

21 (2) Nonconforming commercial and industrial uses which are annexed into the City after  
22 adoption of the Chapman/Mulberry Neighborhood Plan on October 5, 2004, and which were  
23 nonconforming prior to annexation pursuant to the land use regulations of Butte County, shall be  
24 amortized and terminated no later than three years after the date the property on which the use is  
25 located is annexed into the City. Requests to extend the time period by which such a  
26 nonconforming use must terminate may be made to the planning commission and may be granted  
27 only for good cause upon consideration of the following factors.

28 a. The total cost of the property and lawfully installed or constructed improvements.

- b. The depreciated value of the property.
- c. The remaining useful life of the improvements.
- d. The original length and remaining term of the lease, if any, under which the premises is occupied.
- e. The percentage of the business conducted on the premises compared to the percentage conducted elsewhere.
- f. The cost of moving and reestablishing the business elsewhere.
- g. The nature and extent of efforts made by the owner or operator of the nonconforming use to relocate and/or reestablish the use in a properly zoned location.
- h. The nature of the nonconforming use, as compared to the character of the surrounding neighborhood.
- i. The harm to the public if the use remains beyond the amortization period.
- j. The feasibility of converting the use of the premises to an allowed use or a use allowed with a use permit.
- k. Other related factors.

Extension requests must be submitted no later than two years before the date the nonconforming use is required to be terminated. Such applications shall be on a form approved by the director and must include the information pertaining to all of the above factors which the applicant believes are applicable to the request. The Planning Commission shall act on all requests for an extension after holding a public hearing and may condition any extension granted as it deems necessary to reduce impacts from the nonconforming use on the surrounding neighborhood. The public hearing shall be noticed and held in the same manner as public hearings for use permits.

For properties on which a nonconforming commercial or industrial use exists at the time they annexed into the City, extension requests must be submitted no later than one year after the date that the property is annexed into the City. Such applications shall be on a form approved by the director and must include the information pertaining to all of the above factors which the applicant believes are applicable to the request. The Planning Commission shall act on all requests for an extension after holding a public hearing and may condition any extension granted as it deems



1 necessary to reduce impacts from the nonconforming use on the surrounding neighborhood. The  
2 public hearing shall be noticed and held in the same manner as public hearings for use permits.

3 (3) Nothing in this paragraph g. shall preclude the conversion of a nonconforming use to a  
4 lawful use if: 1) the nonconforming use could be permitted with a use permit; 2) a use permit is  
5 obtained; and 3) the use is thereafter conducted in conformance with the terms and conditions of  
6 the use permit and all applicable provisions of this code.

7 7. SD-7 (Cactus Avenue)

8 a. The following design standards shall apply to all new development:

9 (1) Street connectivity shall be provided between developments consistent with  
10 Community Design Element policies of the General Plan, including provisions for connections to  
11 Cactus Avenue and Arch Way. Vehicular access onto Cactus Avenue shall only be allowed at such  
12 time that Cactus Avenue is improved between the access point to Cactus Avenue and East Avenue.

13 (2) Lots fronting Cactus Avenue shall have a minimum lot size of 10,000 square feet.

14 (3) Homes fronting Cactus Avenue shall be oriented to face Cactus Avenue and may have  
15 driveways onto Cactus Avenue.

16 (4) Buildings on parcels fronting Eaton Road shall face Eaton Road, unless otherwise  
17 provided by Planned Development Permit, and shall address potential noise concerns with  
18 measures that avoid the use of sound walls.

19 (5) Low-level street lighting shall be utilized to maintain the rural atmosphere of the area.

20 (6) All future subdivision applications shall require a Planned Development Permit when  
21 deviations from the development standards are proposed.

22 8. SD-8 (Southwest Chico Neighborhood)

23 a. The following design standards shall apply to the construction of new single-family  
24 residences and/or accessory structures:

25 (1) Front yard setbacks shall be consistent with the average of the existing front yard  
26 setback of adjoining parcels, but in no case less than fifteen (15) feet or greater than thirty (30)  
27 feet.

28 (2) Front entries for all new single-family residences shall be oriented toward the street.

1 (3) Garages shall be set back at least ten (10) feet from the front edge of the dwelling.  
2 Garages located in rear yards are encouraged. Detached, single-story garages shall be set back at  
3 least five (5) feet from the rear property line.

4 (4) All new single-family dwellings shall include a covered front porch with a minimum  
5 area of forty (40) square feet.

6 (5) Front yard fences are permitted only when they are of an open, not solid, design. Front  
7 yard landscaping shall not obscure the views of the street or adjoining neighbors.

8 (6) One new tree, fifteen (15) gallons or greater in size, shall be planted in an existing  
9 parkway strip of each new single-family residence as a condition of the building permit for such  
10 residence, if no tree already exists. The species of tree planted shall be selected from the list  
11 "Recommended Street Trees for Chico" maintained by the City Urban Forest Manager, and  
12 installed in accordance with Standard Plan LS-1 in Title 18R.

13 **Section 14.** That Section 19.60.100 of the Chico Municipal Code is amended to read as  
14 follows:

15 **19.60.100 Solar energy development standards.**

16 If solar collectors are proposed for any new development, the following standards shall  
17 apply:

18 A. Roof-mounted solar collectors shall be placed in the least visible location without  
19 significantly reducing the operating efficiency of the collectors;

20 B. Wall-mounted and ground-mounted collectors shall be screened from public view,  
21 to the maximum extent feasible. Screening material(s) shall be color-coordinated to harmonize  
22 with the materials and other dominant colors of the structure;

23 C. Appurtenant equipment, particularly plumbing and related fixtures, shall be installed  
24 in the attic whenever possible or screened from public view, to the maximum extent feasible; and

25 D. Exterior surfaces of the collectors and related equipment shall have a matte finish  
26 and shall be color-coordinated to harmonize with the materials and other dominant colors of the  
27 structure.

28 **Section 15.** That Section 19.62.040 of the Chico Municipal Code is amended to read as

1 follows:

2 **19.62.040 Determination of housing density bonus or incentives.**

3 A. Density bonus. A density bonus for a housing development means a density increase over  
4 the otherwise maximum allowable residential density under the applicable zoning and land use  
5 designation on the date the application is deemed complete. The amount of the allowable density  
6 bonus shall be calculated as set forth in the California Government Code Section 65915.

7 1. The applicant may select from only one (1) of the income categories identified in state  
8 density bonus law and may not combine density bonuses from different income categories to  
9 achieve a larger density bonus.

10 2. Additional Local Density Bonus Allowance. In addition to the density bonus allowed  
11 by California Government Code Section 65915, the City of Chico shall permit an additional  
12 density bonus of up to 5% over the maximum allowable density bonus under state law, provided  
13 the applicant commits to providing additional affordable units beyond the minimum required to  
14 qualify for a density bonus under State density bonus law. Furthermore, projects that do not seek  
15 any concessions and comply with all objective development standards shall be eligible for an  
16 additional local density bonus of up to 10%.

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

25 C. Waivers. A waiver is a modification to a development standard such that construction at  
26 the increased density would be physically possible. Modifications to floor area ratio in an amount  
27 equivalent to the percentage density bonus utilized shall be allowable as a waiver. Requests for an  
28 increase in floor area ratio above that equivalent percentage shall be considered a request for an

1 incentive. Other development standards include, but are not limited to, a height limitation, a  
2 setback requirement, an on-site open space requirement, or a parking ratio that applies to a  
3 residential development. An applicant may request a waiver of any development standard to make  
4 the project physically possible to construct at the increased density. To be entitled to the requested  
5 waiver, the applicant must show that without the waiver, the project would be physically  
6 impossible to construct. There is no limit on the number of waivers.

7 D. Determination by council. In the sole discretion of the city council, the city council may  
8 approve a density bonus and/or incentive(s) in accordance with state density bonus law for a  
9 project that does not maximize the underlying base zoning density. Additionally, nothing herein  
10 prevents the city from granting a greater density bonus and additional incentives or waivers than  
11 that provided for herein, or from providing a lesser density bonus and fewer incentives and waivers  
12 than that provided for herein, when the housing development does not meet the minimum  
13 thresholds, as long as it adheres to state law.

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

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

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

27 **Section 16.** That Section 19.68.040 of the Chico Municipal Code is amended to read as  
28 follows:

**19.68.040 Landscape installation requirements.**

Landscaping shall be provided in the locations described in this chapter, in addition to any areas required by Division IV (Zoning Districts, Allowable Land Uses, and ZoneSpecific Standards) or Division VI (Traditional Neighborhood Development (TND) Regulations).

**A. General Requirements.** Landscaping shall be provided as follows:

1. Setbacks. In general, the setback areas required by these Regulations shall be landscaped, except where a required setback is occupied by a sidewalk, driveway or access easement or where a required setback is screened from public view and it is determined by the Director that landscaping is not necessary to fulfill the purposes of this chapter.

2. Unused Areas. All areas of a building site not intended for a specific use or purpose, including pad sites in shopping centers held for future development, shall be landscaped (may be hydroseeded) unless it is determined by the review authority that landscaping is not necessary to fulfill the purposes of this chapter.

3. Pools and Patios. The surface area of a permanent swimming pool or spa or uncovered patio may be included to meet landscaped open space requirements.

4. Public Right-of-Way. The area between the curb, or curb and sidewalk if contiguous, and the property line shall be landscaped. This area shall not be counted in the overall required percentage of landscaping.

**B. Specific Zone Landscaping Requirements.** Proposed development and new land uses shall be designed, constructed and maintained with landscaped open space areas of the minimum size shown in Table 5-2, based on the zoning district applicable to the site. Additional landscaping may be required by the Architectural Review Board to provide visual relief or contrast or to screen incompatible or obtrusive features.

**TABLE 5-2**

**MINIMUM LANDSCAPED AREA BY ZONING DISTRICT**

Zoning District	Minimum % of Site Area Required to be Landscaped	Zoning District	Minimum % of Site Area Required to be Landscaped
R2	40%	CC and CR	5%
R3	35%	DN and DS	(1)

R4	25%	CS	5%
RMU	10%	ML	5%
OR	30%	MG	5%
OC	15%	IOMU	15% (2)
CN	10%	TND	No minimum area required.

**Notes:**

(1) Opportunities to provide landscaping in the downtown area are limited; therefore, the Board will review each project on a case-by-case basis. When opportunities exist, the Board may require the provision of landscaped open space.

(2) The minimum landscaping requirement may be reduced to ten percent of the site area subject to review and approval by the Board or Planning Commission.

**Section 17.** That only subsection 'E' of Section 19.70.060 of the Chico Municipal Code is amended to read as follows:

**19.70.060 Design and development standards for off-street parking.**

E. Landscaping. Landscaping shall be provided for all parking areas, as follows and as shown on [Figure 5-11](#), unless otherwise specified in this chapter:

1. Area of Landscaping Required. Landscaping shall be provided in all buffer areas between property lines and the off-street parking areas, to properly screen vehicles from view and minimize the expansive appearance of these areas. A minimum of 5 percent of the total interior off-street parking area shall be landscaped, unless the review authority finds that a lesser or greater percentage would be compatible with the surrounding area.

Any landscaped buffer area required by these Regulations, along the perimeter of the parking areas, shall not be counted as meeting the minimum 5 percent interior landscape requirement. The total interior off-street parking area shall be computed by adding all areas used for access drives, aisles, stalls, and maneuvering within that portion of the site that is devoted to parking and circulation, excluding entrance drives.

2. Area of Shading Required. Trees shall be planted and maintained in planters or landscaped areas so that at tree maturity, 15 years, at least 50 percent of the total paving area, not including the entrance drives as depicted in [Figure 5-11](#), parking areas under carports, or multi-story parking structures, shall be shaded at solar noon on June 21. This shading requirement shall not apply to the development of single family residences. On sites with compacted or poor soils

and/or drainage, additional installation measures such as, but not limited to, soil amendments and over-excavation of planting holes, shall be required to ensure that the shading standard can be reached. Active solar arrays may be used in part to meet the shading requirement if approved in conformance with Chapter [19.18](#) (Site Design and Architectural Review).

a. Calculations. Shaded parking lot area is determined by using an appropriate percentage of crown square footages as indicated in the Sunset Western Garden Book. Overlapping canopies shall not count towards the calculation number.

b. Calculation Table. Landscape shading plans shall include a table that includes the following information:

- (1) Botanical name and common names of trees;
- (2) Total square feet of shade assumed for each tree;
- (3) Total parking lot area to be shaded; and
- (4) Total shade provided.

c. Shade Square Foot Bonuses: Trees planted on the western perimeter of parking lots and in linear planters with a minimum width of six feet and a minimum length of 36 feet shall receive a 10 percent square foot shade bonus for each tree canopy.

d. Exceptions. Exceptions from the fifty percent shading requirement may be made under extraordinary circumstances where project design or site conditions preclude attainment of the standard. Such a deviation from the standard shall be supported by a finding that the project has been demonstrated to be of greater quality or community benefit than might occur with a conventional development proposal.

### 3. Perimeter Landscaping:

a. Adjacent to Streets. Parking areas, for other than single family residential and residential duplex uses, adjoining a public right-of-way shall be designed to provide a landscaped planting strip between the right-of way and parking area a minimum of 5 feet in depth in the DN, DS, RMU and -COS zoning districts, and a minimum of 10 feet in all other zoning districts. Any planting, sign, or other structure within a sight distance area of a driveway shall not exceed 36 inches in height, with the exception of street trees.

1           b. Adjacent to Residential Use. When a parcel is developed with three or more  
2 dwelling units, parking located in a rear or interior side yard adjoining any parcel in the RS or R1  
3 zoning district shall be set back at least 6 feet from the common property line, with a landscaped  
4 planter as a buffer. Parking areas for non-residential uses adjoining residential uses shall be  
5 designed to provide a landscaped planter with a minimum 10-foot width between the parking area  
6 and the common property line bordering the residential use. A fence or wall shall be constructed  
7 along the property line, in compliance with Subsection J (Screening), below. These requirements  
8 shall not apply to a property line in common with an alley.

9           4. Interior Landscaping:

10           a. Planter Strips Between Parking Aisles. Planter strips and islands shall be, at a  
11 minimum, 6 feet wide, measured inside the curbing, in an amount to fulfill the 50 percent shading  
12 and parking landscaping requirement. Adequate pedestrian paths shall be provided throughout the  
13 landscaped areas. Clustering of trees may be approved by the Director or review authority.

14           b. Areas Not Used for Parking. Areas in a parking lot not used for driveways,  
15 maneuvering areas, parking spaces, or walks shall be landscaped and permanently maintained.

16           5. Curbing, Irrigation. All areas containing plant materials shall be bordered by a concrete  
17 curb at least 6 inches high and 6 inches wide and provided with an approved automatic irrigation  
18 system. An alternative barrier design to protect landscaped from vehicle damage may be approved  
19 by the Director.

20           6. Landscaping of additional required parking area. When the required number of parking  
21 spaces is increased by three or more spaces as a result of an expansion of a structure, intensification  
22 of use, and/or a change in use, landscaping shall be provided for the additional required parking  
23 area in compliance with this chapter.

24           **Section 18.** That only subsection 'B' of Section 19.74.120 of the Chico Municipal Code is  
25 amended to read as follows:

26           **19.74.120       Standards for specific types of signs.**

27           B. Awning signs. Awning signs may be placed on the face of an awning in a flat position, in  
28 a plane approximately parallel to the plane of the building wall to which the awning is attached.



1 Awning signs may project over the public right-of-way to the same extent that the awning projects  
2 over the public right-of-way.

3 1. Signs on awnings shall only be located on building frontages, including those fronting a  
4 parking lot or pedestrian way.

5 2. Signs on awnings are limited to ground-level occupancies only.

6 3. Signs on awnings shall not be internally illuminated unless approved by the Board. Lighting  
7 for awnings shall be directed downward.

8 **Section 19.** That Section 19.76.070 of the Chico Municipal Code is amended to read as  
9 follows:

10 **19.76.070 Drive-in and drive-through facilities.**

11 Any retail trade or service use providing drive-in or drive-through facilities shall be designed  
12 and operated to effectively mitigate problems of air pollution, congestion, excessive pavement,  
13 litter, noise, and appearance in the following manner:

14 A. Pedestrian walkways should not intersect the drive-through drive aisles, but where they do,  
15 they shall have clear visibility, and be emphasized by enhanced paving or markings.

16 B. Drive-through aisles shall have a minimum 15-foot interior radius at curves and a minimum  
17 10-foot width. Each drive-through entrance and exit shall be at least 100 feet from an intersection  
18 of public rights-of-way, or the maximum distance feasible measured at the closest intersecting  
19 curbs, and at least 25 feet from the curb cut on the adjacent property, unless otherwise approved  
20 by the Director. Also, each entrance to an aisle and the direction of flow shall be clearly designated  
21 by signs and/or pavement markings or raised curbs outside of the public right-of-way.

22 C. Each drive-through aisle shall provide sufficient stacking area at a minimum of 20 feet per  
23 vehicle in advance of the service window or automated teller machine (ATM), to accommodate a  
24 minimum of four vehicles for pharmacies, banks, and financial services or six vehicles for all other  
25 drive-through uses. In lieu of this standard, an interior traffic study which models vehicular  
26 queuing may be prepared for City staff review. The stacking area shall not interfere with other on-  
27 site circulation and parking facilities.

28 D. The provision of drive-through service facilities shall not justify a reduction in the number

of required off-street parking spaces.

E. All service areas, trash storage areas, and ground-mounted and roof-mounted mechanical equipment shall be screened from ground-level view from adjacent properties or public rights-of-way.

F. Menu boards shall not exceed 24 square feet in area, with a maximum height of 6 feet, and shall face away from public rights-of-way. Outdoor speakers shall be located at least 50 feet from any residentially zoned parcel. Noise levels measured at the property line of a drive-in or drive-through facility shall not increase the existing ambient noise levels in the surrounding area.

G. Each drive-through aisle shall include a combination of landscaping, low walls, and/or berms to prevent headlight glare and to reduce visibility of vehicles from impacting adjacent streets and parking lots.

H. An 8-foot-high solid decorative wall shall be constructed on each property line that is adjoining a residentially zoned parcel. The design of the wall and the proposed construction materials shall be subject to architectural review.

**Section 20.** That Section 19.76.080 of the Chico Municipal Code is amended to read as follows:

**19.76.080 Low barrier navigation centers.**

The purpose of this chapter is to implement the provisions of Government Code Section 65660 et seq. relating to low barrier navigation centers.

A. Definitions. For purposes of this chapter, the following definitions shall apply:

1. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to the applicable provisions of the Code of Federal Regulations as specified in Government Code Section 65662, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

2. “Low barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

a. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth;

1           b. Pets;

2           c. The storage of possessions; or

3           d. Privacy, such as partitions around beds in a dormitory setting or in larger rooms  
4           containing more than two beds, or private rooms.

5           3. “Low barrier navigation center” means a Housing First, low barrier, service-enriched  
6           shelter focused on moving people into permanent housing that provides temporary living facilities  
7           while case managers connect individuals experiencing homelessness to income, public benefits,  
8           health services, shelter, and housing.

9           B. Allowed zones. Low barrier navigation centers shall be permitted as an allowed use in the  
10          following zones provided they meet the requirements of subsection C:

11          1. Areas zoned for mixed use; and

12          2. Nonresidential zones permitting multi-family residential uses.

13          C. Requirements. A low barrier navigation center shall meet the following requirements:

14          1. It offers services to connect people to permanent housing through a services plan that  
15          identifies services staffing.

16          2. It is linked to a coordinated entry system, so that staff in the interim facility or staff who  
17          collocate in the facility may conduct assessments and provide services to connect people to  
18          permanent housing.

19          3. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the  
20          Welfare and Institutions Code.

21          4. It has a system for entering information regarding client stays, client demographics,  
22          client income, and exit destination through the local Homeless Management Information System  
23          as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

24          D. Application procedures. An application shall be submitted to the planning division of the  
25          community development department. The city shall act within sixty days of receipt of a completed  
26          application.

27          E. Effective date. This section shall remain in effect until January 1, 2027, or as amended by  
28          Government Code Section 65660.

1       **Section 21.** That Section 19.76.130 of the Chico Municipal Code is amended to read as  
2 follows:

3 **19.76.130      Accessory dwelling units.**

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

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

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

12               a. An efficiency unit, defined as a dwelling unit which contains a minimum of 150  
13 square feet in living space, a separate closet, kitchen sink, cooking appliance, refrigerator,  
14 and a separate bathroom containing a water closet, lavatory, bathtub, or shower, or as  
15 otherwise defined in Section 17958.1 of the Health and Safety Code.

16               b. A manufactured home, defined as a structure that was constructed on or after  
17 June 15, 1976, is transportable in one or more sections, is eight body feet or more in width,  
18 or 40 body feet or more in length, in the traveling mode, or, when erected on site, is 320 or  
19 more square feet, is built on a permanent chassis and designed to be used as a single-family  
20 dwelling with or without a foundation when connected to the required utilities, and includes  
21 the plumbing, heating, air conditioning, and electrical systems contained therein, or as  
22 otherwise defined in Section 18007 of the Health and Safety Code.

23           2. "Junior Accessory Dwelling Unit" (JADU) means a unit that is no more than 500 square  
24 feet in size and contained entirely within a single-family dwelling. JADUs shall include a separate  
25 entrance from the main entrance to the proposed or existing single-family residence and shall be  
26 equipped with an efficiency kitchen providing cooking appliances and a food preparation area of  
27 reasonable size. A junior accessory dwelling unit may include separate sanitation facilities or may  
28 share sanitation facilities with the existing structure. In accordance with State law, a junior

1 accessory dwelling unit shall be owner-occupied.

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

7 1. ADUs or JADUs may be rented for the purpose of overnight lodging for terms of thirty  
8 or more consecutive days but shall not be rented or subleased for shorter terms.

9 2. Neither the main dwelling nor the ADU shall be sold or otherwise conveyed separately  
10 from the other unit, except pursuant to California Government Code Section 66341.

11 3. The provisions of this section shall not apply to property that has been subdivided as a  
12 result of an urban lot split and developed with two primary units pursuant to Section 19.76.220 of  
13 this Code.

14 C. Development Standards.

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

17 a. One attached ADU; or

18 b. One detached ADU and/or one JADU.

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

21 a. A number of detached ADUs equivalent to the number of existing units on the  
22 property, up to a maximum of eight detached ADUs; and,

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

27 3. Types of ADUs. An ADU may be either attached, detached, or converted, as described  
28 below:

1 a. Attached. An attached ADU is a newly constructed dwelling structure that  
2 structurally abuts and connects to an existing or proposed primary dwelling unit or  
3 accessory structure.

4 b. Detached. A detached ADU is a newly constructed dwelling unit that is detached  
5 from an existing or proposed primary dwelling unit or accessory structure.

6 c. Converted. A converted ADU is a dwelling unit created from existing space  
7 within the existing primary dwelling unit or accessory structure.

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

10 a. For attached ADUs larger than 800 square feet (Single-Family): 50 percent of  
11 the living area of the main residence up to a maximum of 1,200 square feet.

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

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

17 5. Building height shall be limited as follows:

18 a. New attached additions ADUs shall have the same height limit provided by the  
19 underlying zoning district applicable to the main unit.

20 b. New detached ADUs on a lot with an existing or proposed single-family  
21 dwelling shall be a maximum of 25 feet.

22 c. New detached ADUs on a lot with an existing or proposed multi-family dwelling  
23 shall be a maximum of 18 feet, or up to 25 feet when above a garage.

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

25 a. Converted ADUs. No setback shall be required for an ADU located within  
26 existing living area or an existing accessory structure, or an ADU that replaces an existing  
27 structure and is located in the same location and to the same dimensions as the structure  
28 being replaced (i.e. an existing garage that is converted to an ADU).

1           b. Attached ADUs. A minimum 4-foot rear and 4-foot side setback shall be  
2 required for an ADU attached to a main dwelling unit or constructed above a garage.

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

5           d. Alley access ADUs. When an ADU is adjacent to an alley and constitutes a  
6 second story on a garage which has less than a 4-foot setback, the minimum rear yard  
7 setback for the ADU shall be the same as the existing setback for the garage.

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

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

14           9. Residential Density. To the extent required by California Government Code Section  
15 66319, an ADU or JADU built in conformance with this section shall not count toward the allowed  
16 density for the lot upon which the unit is located.

17           10. Trash storage. The ADU or JADU shall be provided with an outdoor area for the  
18 storage of trash and recycling receptacles. That area shall have an all-weather surface and be  
19 screened from view by a fence, wall or permanent landscaping.

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

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

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

1           a. Alley access. When an ADU will be located on a site served by an alley, the  
2 ADU shall maintain its primary vehicular access from the alley. Accessory dwelling units  
3 located on the street-access terminus of alleys shall be sited to ensure adequate site distance  
4 clearance.

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

11       14. Pedestrian access to accessory unit. Accessory units created within an existing single-  
12 family residence shall include an independent exterior access that is separate from the exterior  
13 entrance of the existing residence and complies with the minimum side and rear setbacks for fire  
14 safety.

15       15. Fire protection access. Accessory dwelling units not located adjacent to an alley shall  
16 be located so that all sides of the structure are within 150 feet of unobstructed access from the  
17 street frontage in order to provide adequate fire protection. Accessory dwelling units shall not be  
18 required to provide fire sprinklers if they are not required for the main residence.

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

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

23           b. Off street parking shall be permitted in setback areas as set forth in CMC  
24 19.70.060, or through tandem parking, unless specific findings are made that parking in  
25 the setback areas or tandem parking is not feasible based upon specific site or fire and life  
26 safety conditions.

27           c. When a garage, carport or covered parking structure is demolished in  
28 conjunction with the construction of an ADU, or is converted into an ADU, the off-street



1 replacement of those off-street parking spaces shall not be required.

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

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

5 b. The ADU is located within an architecturally and historically significant historic  
6 district;

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

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

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

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

16 **Section 22.** That Section 19.76.140 of the Chico Municipal Code is amended to read as  
17 follows:

18 **19.76.140 Single room occupancy (SRO) facilities.**

19 Where allowed by Division IV (Zoning Districts, Allowable Land Uses, and Zone-Specific  
20 Standards), single room occupancy facilities (SROs) shall be located, developed, and operated in  
21 compliance with the following standards.

22 A. Location Standards. SROs shall be located within 1/4 mile of a bus stop or transit station.

23 B. Eligible Parcels. The parcel upon which the SRO is to be established shall conform to all  
24 standards of the applicable zoning district.

25 C. Residential Density. SROs shall not exceed a maximum density of 70 units for each gross  
26 acre of land.

27 D. Overall Project Design and Site Planning.

28 1. Architecture. The design of an SRO project shall be subject to the requirements of Chapter

1 19.18 of these Regulations.

2 2. Outdoor Common Areas. Exterior common areas and/or open courtyards should be  
3 provided throughout the project. If common areas are made available, these areas should be  
4 designed to provide passive open space with chairs, planters, tables, or small garden spaces to  
5 make these areas useful and functional for the tenants. Exterior common areas, including parking  
6 areas, shall be illuminated. The exterior lighting shall be stationary and directed away from  
7 adjacent properties and public rights-of-way, in compliance with Section 19.60.050 (Exterior  
8 lighting).

9 3. Parking and Loading. Off-street parking shall be provided in compliance with Chapter  
10 19.70 (Parking and Loading Standards).

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

13 **19.76.180 Infill Residential Flag Lots.**

14 A. Purpose. The purpose of these regulations is to implement General Plan goals of  
15 encouraging infill development, while also preserving the privacy of existing residences and the  
16 character of the neighborhoods where such lots are created. It is the intent of these regulations to  
17 (1) limit the number of flag lots which can be created where a series of similarly-sized large lots  
18 could be subdivided with flag lots, thereby significantly raising the density and changing the  
19 character of an existing neighborhood, and (2) provide standards for the development of such lots  
20 in addition to those which would otherwise apply. Properties suitable for flag lot subdivisions  
21 should be larger than average for the neighborhood, and/or of a unique configuration. Retention of  
22 existing older housing stock is strongly encouraged in flag lot subdivisions. These regulations are  
23 intended to provide greater certainty for both developers and neighbors, and are intended to  
24 supplement, not supersede, the flag lot regulations contained in Title 18R.

25 B. Applicability. For purposes of this section, infill residential flag lots are defined as flag  
26 lots created after the adoption of this section which are located in the RS, R1 or R2 zoning districts  
27 and which abut existing single-family development. Existing single-family development is  
28 defined as one or more residentially zoned lots already developed with single-family dwellings at

1 the time that the parcel map or tentative subdivision map approving the creation of the flag lot is  
2 approved and which are not a part of the subdivision which creates the flag lot.

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

6 1. Limitation on Number of Infill Residential Flag Lots. To avoid an over-  
7 concentration of infill residential flag lots in any one neighborhood, infill residential flag  
8 lots shall not be allowed where approval of a proposed subdivision would result in flag lots  
9 comprising greater than 10 percent of the number of lots in the immediate neighborhood.  
10 Lots in the immediate neighborhood shall be defined as all lots which would be created by  
11 a proposed subdivision plus all residentially-zoned lots lying wholly or partially within 300  
12 feet of the proposed subdivision.

13 2. Size of Infill Residential Flag Lots. Infill residential flag lots shall be no smaller  
14 than the smallest conforming lot in the same zoning district lying wholly or partially within  
15 300 feet of a proposed subdivision, or the minimum flag lot size as required in Chapter  
16 18R.08, whichever is larger. The accessway serving an infill residential flag lot shall not  
17 be included when calculating the required area of that lot.

18 3. Single Story Limitation. New residential units and accessory structures on an  
19 infill residential flag lot shall be limited to a single story, no more than 25 feet in height,  
20 unless there is existing two-story construction on one or more residentially-zoned lots  
21 adjacent to the infill residential flag lot.

22 4. Site Design and Architectural Review. Residential units and detached accessory  
23 structures greater than 120 square feet in size on infill residential flag lots shall be subject  
24 to administrative site design and architectural review (Chapter 19.18). Such review shall  
25 take into account all applicable standards and design guidelines.

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

28 6. Setbacks From Neighboring Properties. Where an infill residential flag lot abuts

existing single-family development, the building setbacks established below shall supersede the standard setbacks for the R1 and R2 zoning districts. Setbacks in the RS zoning district shall be the greater of the standard RS district setbacks, or the setbacks established in Table 5-14 below:

**TABLE 5-14**  
**MINIMUM STRUCTURE SETBACKS FROM NEIGHBORING PROPERTIES**

Type of Structure	Setback Required
Residential unit, first story	15 feet
Residential unit, second story	20 feet
Detached garage, gazebo, greenhouse, patio cover	10 feet
Other Accessory Structures	See 19.76.020

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

D. Planned Development Permit Required if Standards Not Met. The creation and development of infill residential flag lots which do not meet all standards listed above may be allowed with approval of a planned development permit (Chapter [19.28](#)).

**Section 24.** That Section 19.76.210 (Disaster recovery structures) of the Chico Municipal Code has been deleted in its entirety.

**Section 25.** That Section 19.78.130 (Term of permits) of the Chico Municipal Code has been deleted in its entirety.

**Section 26.** Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 27.** Effective Date. This Ordinance shall be effective thirty days following adoption.

**Section 28.** Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

//

1 THE FOREGOING ORDINANCE WAS ADOPTED at a meeting of the City Council of  
2 the City of Chico held on May 6, 2025, by the following vote:

3 AYES: **Goldstein, Hawley, O'Brien, van Overbeek, Winslow, Bennett, Reynolds**

4 NOES: **None**

5 ABSENT: **None**

6 ABSTAINED: **None**

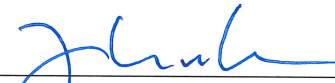
7 DISQUALIFIED: **None**

8 ATTEST:

APPROVED AS TO FORM:

9  
10  
11 

12 Deborah R. Presson  
13 City Clerk

14  
15  
16  
17   
18 John W. Lam, City Attorney\*

19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
\*Pursuant to The Charter of  
the City of Chico, Section 906(E)