



DATE: December 5, 2016

TO: PLANNING COMMISSION

FROM: Brendan Vieg, Principal Planner (879-6806; [brendan.vieg@chicoca.gov](mailto:brendan.vieg@chicoca.gov))  
Mike Sawley, Associate Planner (879-6812; [mike.sawley@chicoca.gov](mailto:mike.sawley@chicoca.gov))  
Kelly Murphy, Assistant Planner

RE: Chico 2030 General Plan Five-Year Review

---

## SUMMARY

Pursuant to General Plan Action LU-2.2.2 (Five-Year Review), staff is to provide a comprehensive General Plan Review to the Planning Commission and City Council every five years that addresses the following:

- Status of the General Plan and progress in its implementation
- Status of Sustainability Indicators
- General Plan amendments
- An evaluation of development trends, current land supply (projected vs. actual), market conditions, and the ability to meet future needs
- The need for any policy changes to address the conclusions of the above evaluation

The Five-Year General Plan Review (**Attachment A**) marks the five-year anniversary of the Chico 2030 General Plan adoption in April 2011. The purpose of the Review is to provide a comprehensive evaluation of the Plan. It's an opportunity to answer the question – "How are we doing?" The Review assesses growth trends and analyzes the effectiveness of the General Plan's policy framework through the first five years of Plan implementation. It assesses land availability, forecasts opportunities and challenges in the upcoming five years, and summarizes major City efforts. In addition, the Review reports on the status of all implementing Actions contained in the Plan and proposes General Plan amendments for Council action.

The General Plan also calls for development of indicators to gauge progress in advancing its sustainability-related policies and goals. The Sustainability Indicators Report (**Attachment B**) is provided along with the Review to provide a comprehensive overview of the General Plan's performance.

Both reports are available on the Community Development Department's website at [http://chico.ca.us/planning\\_services/PlanningServicesHomePage.asp](http://chico.ca.us/planning_services/PlanningServicesHomePage.asp)

In addition, earlier this year, Council provided direction to staff to review Title 19 of the Municipal Code (Land Use and Development Regulations) to identify opportunities to gain efficiencies in implementation of the Code as called for by the General Plan's Economic Development Element Goals and Policies.

At this meeting, the Planning Commission will consider the Review, Sustainability Indicators Report, and staff report, and forward recommendations to the City Council regarding: 1) text amendments to the Chico 2030 General Plan, 2) amendments to land use designations and zoning of various properties, and 3) amendments to Title 19 of the Chico Municipal Code.

Recommendation:

The Community Development Director recommends that the Planning Commission:

- 1) Consider the Chico 2030 General Plan Five-Year Review and 2016 Sustainability Indicators Report, direct any questions to staff, and provide comments. The reports, and Commission comments, will be forwarded to City Council for its consideration prior to being sent to the California Office of Planning and Research;
- 2) Hold a public hearing regarding the Five-Year Review, Sustainability Indicators Report, General Plan text amendments, General Plan Amendment/Rezone 16-03, and proposed amendments to Title 19 of the Chico Municipal Code;
- 3) Adopt Resolution No. 16-15 recommending City Council approval of text amendments to the Chico 2030 General Plan (see **Attachment C**);
- 4) Adopt Resolution No. 16-16 recommending City Council approval of GPA/Rezone 16-03, which would amend land use designations and rezone various properties within the City (see **Attachment D**); and
- 5) Adopt Resolution 16-17 recommending City Council adoption of an ordinance to amend Title 19 of the Chico Municipal Code as set forth therein (see **Attachment E**).

Proposed Motions:

I move that the Planning Commission adopt Resolution No. 16-15 recommending City Council approval of text amendments to the Chico 2030 General Plan.

I move that the Planning Commission adopt Resolution No. 16-16 recommending City Council approval of GPA/Rezone 16-03, which would amend land use designations and rezone various properties within the City.

I move that the Planning Commission adopt Resolution No. 16-17 recommending City Council adoption of amendments to Title 19 of the Chico Municipal Code as set forth therein.

## **FIVE-YEAR REVIEW**

Scope of the Review

Because this is the first Five-Year Review of the 2030 General Plan, it is important to define the process in order to maintain focus and thereby conduct the Review both effectively and efficiently.

Towards that end, it is important to remember that the Review is not a reformulation, rewrite, or “do-over” of the General Plan. The General Plan was adopted five years ago following a significant citywide effort involving countless Chico residents, numerous public meetings and hearings, and the inevitable compromises needed to gain final adoption. In addition, general plans are intended to be long-term in nature, and should not be subjected to frequent comprehensive updates. A general plan represents a commitment to a community, and the community must also commit to the plan.

Similarly, the Review is not a detailed review of every issue identified in the General Plan. In its twelve elements, the General Plan addresses all of the major planning issues that face a community as large and complex as Chico. A subject-by-subject review of these issues would be an undertaking well beyond the scope of Action LU-2.2.2. A limited number of issues that do require review, on the other hand, have been identified by staff, and this list may reasonably be added to through the public review process.

The Five-Year Review process is intended to be both comprehensive in scope (in terms of the Policies and implementing Actions it may address), but at the same time limited in scale; it is a *review* of the General Plan and not an effort to prepare a “new” general plan. The central questions that must be asked and answered through this process are:

- Is implementation of the Plan’s Policies and Actions working to carry the community towards the Goals set forth in the Plan? And, if not, what changes are needed?
- Have the assumptions of the General Plan significantly changed in the five years since adoption? If so, how should the Plan be amended to respond to these changed assumptions?

### Review Highlights

**Attachment A** is the Five-Year General Plan Review. Key summaries from the individual sections of the Review are provided below.

### **Background**

- In support of the General Plan Update, the City conducted extensive public outreach, including: a citywide phone survey; three separate rounds of stakeholder interviews with approximately 400 residents; four Sustainability Task Force meetings; six meetings with the Mayor’s Business Advisory Council and the Economic Development Committee; eight Downtown Ad Hoc Committee meetings and a visit to two northern California Downtowns; nine public workshops; fourteen General Plan Advisory Committee meetings; and over thirty public meetings with the City Council and/or Planning Commission. Adoption of the General Plan in April 2011, marked the culmination of the community’s effort to balance competing interests to accommodate future growth while conserving natural resources and maintaining community character.

## **Population**

- Assuming a continuation of the City's historic 2% growth rate, the General Plan projected the need to accommodate a population of 139,713 by the year 2030. Since Plan adoption in 2011, Chico's population has increased by an annualized rate of 1.2%, expanding population by 5,645 people (does not include annexations). If the recent 1.2% growth rate is projected forward from the 2016 population of 92,464, the estimated 2030 General Plan build-out population of 139,713 would occur in the year 2057. Given that Chico has experienced a lower growth rate than assumed for the General Plan, the City's population in 2030 will be very likely be significantly less than the projected 139,713.
- The Butte County Association of Governments (BCAG) prepares long-term growth forecasts. Low, medium, and high growth forecasts are developed to provide flexibility and acknowledge the uncertainty inherent in long-range projections. BCAG's population forecasts for Chico include a "low" compound annual growth rate of 1.2% and a "high" compound annual growth rate of 1.6%. These growth rates project a Chico population of between 106,827 and 114,460 for the year 2030

## **Development Activity**

### *General Plan Amendments and Rezones*

- Over the past five years, there were three City-sponsored GPA/Rezonses approved in association with General Plan adoption or the comprehensive Title 19 Update. Noteworthy applicant-driven GPA/Rezonses included: 1) application of the –Corridor Opportunity Site overlay to two properties along Walnut Street to support a higher density student housing project; 2) a Code Amendment to allow drive-through sales in the Downtown South zoning district subject to a use permit to allow for the development of Dutch Bros. drive-through at the intersection of E. 9<sup>th</sup> and Wall Streets; and, 3) a GPA/rezone from ML (Light Manufacturing) to CS (Commercial Services) for ten parcels along E. Park Avenue to facilitate economic growth and investment and better utilize land that has easy access and visibility from Highway 99.
- As part of the Five-Year Review, staff has identified a number of amendments to the City's Land Use Diagram and Zoning Map that would support existing land uses and promote General Plan implementation. The proposed amendments are identified on pg. 14 of this report.

## **Annexations**

- Following 2007, the City's annexation program was placed on hold while the City evaluated the fiscal implications of providing services to newly annexed areas. Given the extended economic recession and the City's fiscal health, generally only smaller annexations requested by property owners have been initiated since 2007. As a result, large unincorporated areas in the City remain as County Islands, including properties south of West Sacramento Avenue, the area between E. Lassen Avenue and Eaton Road, Chico Canyon Road/Centennial Avenue, and El Monte Avenue.
- Two significant annexations did, however, take place. They were:

Stewart Avenue (2014) - The Stewart Avenue annexation was a required LAFCo condition for the connection of a new multi-family development in the County to the City's sanitary sewer system. The annexation was initiated directly with LAFCo by the applicant (the City agreed not to protest the process), and included fifty-six parcels with a variety of single-family and multi-family residences, as well as five commercially zoned parcels.

Chapman and Mulberry (2015) - Council authorized the Mayor to enter into an Agreement with LAFCo regarding annexation of the Chapman and Mulberry islands. The Agreement was the result of a series of meetings between subcommittees of the Council and LAFCo aimed at resolving a longstanding disagreement over the timing of the annexations and the connection of roughly 60 County properties to the City's sewer system without the required LAFCo approval. The Agreement obligated the City to make application for the island annexations. Consistent with the Agreement, the annexations will take effect in July 2020.

## **General Plan Strategy of Sustainability**

To promote a sustainable development trend for the community, the General Plan identifies three unique areas on the Land Use Diagram: Special Planning Areas, Opportunity Sites, and Resource Constraint Overlay areas.

### *Special Planning Areas*

- The General Plan identifies five Special Planning Areas (SPAs) to accommodate new growth. SPAs are large areas with significant new growth potential that require detailed land use planning in the form of a specific plan, planned development, or other comprehensive plan. The SPAs are to be developed as integrated, complete neighborhoods with a mix of housing types and businesses, along with parks and open space. There has been no significant activity in any of the SPAs, which is likely a reflection of the substantial investment required, coupled with a continued uncertain market and a supply of developable lots in previously approved subdivisions.

### *Opportunity Sites*

- The General Plan identifies fifteen Opportunity Sites throughout the City as strategic infill and redevelopment areas. They include underutilized transportation corridors, regional retail centers, areas in the City's core, and other residential or light industrial areas that can accommodate growth. Development and redevelopment in the Opportunity Sites capitalizes on existing infrastructure and reduces demand to develop at the City edges.
- The past 5 years have seen some level of development and/or redevelopment in all but two of the Opportunity Sites. One area has been particularly promising. The North Valley Plaza Opportunity Site represents an ongoing success story of infill and redevelopment at an underutilized regional retail center. Over the past 5+ years, new development and redevelopment included the New Earth Market Natural Foods Store, Starbucks, reuse of the large commercial suite previously occupied by Michael's for the 99¢ Store, Buffalo Wild Wings, enhanced outdoor seating area for the Pour House,

Sportsman's Warehouse occupying the old Mervyn's, and Taco Bell at the corner of East and Pillsbury.

### *Resource Constraint Overlay*

- The General Plan Land Use Diagram identifies three large areas (West of the Airport, Bruce Road, and Stilson Canyon) with sensitive biological resources that will constrain development. For these areas, the General Plan applies a Resource Constraint Overlay (RCO) designation to acknowledge the existence of the identified constraints and set special policy requirements for study prior to development. The most significant environmental constraints at these locations are vernal pools, populations of Butte County meadowfoam (BCM), and habitat for BCM.
- BCAG is developing the Butte Regional Conservation Plan (BRCP), which is a federal Habitat Conservation Plan and a state Natural Community Conservation Plan. The BRCP promises streamlined endangered species act permitting for land development, transportation projects, and other covered activities. The draft BRCP proposes that large areas within the City limits be included in a BCM Preserve. Land identified for protection is generally coincident with parcels that have the General Plan's RCO overlay. On a separate track, the City is processing a major commercial/residential subdivision application for an area that represents a significant portion of the proposed BCM Preserve.

### **Development Activity**

- After a steep decline, development activity has increased over the past five years, reflecting a recovery from the nationwide economic recession. Specifically, residential development has continued to reflect both a strong single-family and multi-family housing market as both housing types grew steadily through 2015. Commercial and industrial development has also been strong during this period.

### *Residential Entitlement, Construction & Density*

- Over the past 5 years, Planning entitlements resulted in the approval of 1,040 units (216 single-family units and 824 multi-family units) on approximately 80 acres, or an average of 208 units and 16 acres per year. The uptick in approvals of multi-family projects coming out of the recession is a key trend to track moving forward.
- The demand for new housing has continued to steadily increase from 2011 through 2015. During this timeframe, a total of 845 new single-family residences and 751 new multi-family units were constructed. The healthy trend in housing production over the past five years is a response to a limited supply of residential units for sale and rent, continued job growth, and low interest rates.
- Demand for new and different types of multi-family development has had a major effect on the overall residential density of projects approved the past 5 years. The density of all approved residential projects (both single-family and multi-family) exceeded 13 units per acre. For comparison, the overall residential density for all projects approved between 1994 and 2007 averaged 5.5 dwelling units per acre. Residential density will likely return to single digits as the demand for multi-family units diminishes and the

backlog of single-family units on already approved subdivisions are constructed and occupied.

### *Commercial/Office/Industrial Entitlement & Construction*

- Chico has seen a continued expansion of its commercial sector in response to a steady increase in population in the Chico urban area and the greater region. As a regional retail center, a significant amount of Chico's commercial development over the last five years has been regional commercial and mixed use commercial.
- Over the last 5 years, entitlements were approved at an annual rate of almost 100,000 square feet, for a total of approximately 350,000 square feet of new commercial, industrial and office space, and 150,000 square feet of remodeled space.
- Building permits issued from 2011 through 2015 resulted in the construction of nearly 400,000 square feet of new commercial space, or an annual average of 80,000 square feet, with total construction costs valued at approximately 42.5 million dollars.

### **Residential Holding Capacity**

- Residential capacity is defined as the total population that can be absorbed through the build-out of vacant residentially-designated land, including approved undeveloped lots, within the City's Sphere of Influence. The total residential capacity is estimated to be 33,076. Assuming the City's historic growth rate of 2 percent from the January 1, 2016 population estimate, the residential capacity would be absorbed over approximately 15 years. Using Chico's 1.2 percent annual growth rate experienced over the past 5 years, the residential capacity would be absorbed over approximately 26 years. The residential capacity estimate is conservative because it does not include an assumption for redevelopment or new units in mixed-use designations. The Land Use Diagram, therefore, has the potential to support a greater number of dwelling units and population than this estimate.
- At this same 2 percent growth rate, the residential capacity of approved undeveloped lots is approximately 6 years. A 1.5 percent growth rate would extend the capacity to 8 years, while a 1 percent growth rate would take 12.5 years to build out. A majority of this capacity is in larger projects like Meriam Park, Mtn. Vista/Sycamore Glen, Oak Valley, and the western portion of the Northwest Chico Specific Plan.

### **Commercial Land Availability**

- Currently, 319 acres of land designated for various types of commercial uses remains vacant, land designated for office or industrial/office use has 230 acres remaining vacant, and there are 414 acres of manufacturing/warehousing land available. Given past absorption rates, this supply is more than adequate for projected future need. The "readiness" of the land for immediate development, as well as the availability of larger parcels, however, remains a concern. The costs associated with developing many of these properties is excessive in the context of present market conditions. This capacity does not include the significant amount of existing, built commercial, office, and industrial space that is available for lease or purchase throughout the community, or the predominantly undeveloped Meriam Park site which allows for up to 287,000

square feet (6.5 acres) of retail and 900,000 square feet (20+ acres) of commercial/office space.

### **Planning Efforts**

- Significant long-range planning accomplishments over the past 5 years include updating the City's Municipal Services Review and Sphere of Influence, coordination and agreement with Butte LAFCo regarding the Chapman/Mulberry annexations, updating the Nexus Study (Impact Fees), adoption of the HUD 5-Year Plan and State-required Housing Element, adoption of comprehensive Title 19 Municipal Code enhancements, receiving an ALUC zoning consistency determination in the vicinity of the Chico Airport, updating the City's User Fees, and enhancements to the Planning and Building Division webpages.
- Significant environmental planning efforts over the past 5 years, include implementation of the Climate Action Plan, ongoing participation in the Butte Regional Conservation Plan, pushing for an update to the Butte County Air Quality Management District's CEQA Handbook, developing a Comanche Creek Management Plan, and participating in the drafting of Butte County's Ag Mitigation Ordinance.

### **Housing**

- The for-sale housing market has shown a strong recovery over the last five years after the crash of 2008-2011. In addition, median home prices have increased from \$225,000 in 2011 to \$291,000 in 2015.
- Similar to the for-sale market, demand in the rental market has grown stronger over the past five years, pushing rents higher and vacancy rates lower.
- Over half of the 19,280 renter households in Chico pay more than 35% of their income toward rent, and approximately one-third of renter households pay more than 50% of their income toward rent.
- The decline in Chico's affordable housing production coincides with severe cutbacks in federal, state and local housing funding, starting in 2012. The most significant impact to housing funding was the dissolution of redevelopment agencies statewide in 2012.

## **SUSTAINABILITY INDICATORS REPORT**

### Background

The General Plan calls for development of indicators to gauge progress in advancing its sustainability-related policies and goals. To meet this requirement, a Sustainability Indicators Report has been prepared, and is reviewed annually in conjunction with the General Plan Annual Report thus providing a comprehensive overview of the General Plan's performance.

Indicators serve as a proxy, or representation, of the status of a larger issue area. They are not intended to be a perfect measurement. The goal is to look at the change in an indicator measurement over time, and to consider that trend in conjunction with other City



and community activities to make a determination on City progress on an issue.

The indicators included in the report were originally shared with the Commission and Council in 2012. The indicators in the report were selected because they are understandable, measurable, and valuable for generating community dialogue.

### Format

The report has a simple format. It is divided into three elements: Natural Systems and Agriculture, Built Environment, and Socioeconomics. Each element is further refined into issues, such as air quality, circulation, or public safety. Each issue is addressed on a single page where the following information is provided:

- Goals
- Background
- Indicator or indicators
- Graph or figure measuring the indicator
- Qualitative highlights of City and community activities relevant to the issue over the past year
- Trend analysis
- A rating (Clear Progress, Moderate Performance, or Improvement Area) highlighting progress in addressing the issue
- Web links and other resources

### Conclusions

For 2015, four indicators show clear progress, six show moderate performance, and three show need for improvement.

## **GENERAL PLAN TEXT AMENDMENTS**

In addition to preparation of the Five-Year Review, the General Plan was reviewed to identify edits necessary to reflect changes since Plan adoption. General Plan text amendments are proposed to reflect changes in existing conditions, completed work efforts, or refinements to the policy framework that would further the General Plan's Strategy of Sustainability. To provide context for the proposed General Plan Element text amendments, **Attachment F** includes the complete Element in "track changes" mode with text deletions in ~~strikeout~~ and additions underlined. The proposed text amendments are also catalogued as an attachment to the Planning Commission resolution recommending Council approval of the text amendments (see **Attachment C**).

A majority of the proposed text amendments are minor and would have no impact on the General Plan's overall policy framework. Below is an overview of the proposed General Plan text amendments by Element, including summaries for more substantive changes.

### Sustainability Element

There are a number of minor changes to reflect progress on the City's sustainability efforts, including development of the Sustainability Indicators Report and Sustainability website, as well as completion of efforts associated with the multi-phase Title 19 revisions that followed adoption of the General Plan.

### Land Use Element

There are a number of minor changes proposed for the Land Use Element reflecting the loss of the Chico Redevelopment Agency, completion of efforts associated with the multi-phase Title 19 revisions that followed adoption of the General Plan, and that address reduced staffing capacity associated with the City's structural reorganization.

The following are more substantive proposed text amendments.

#### *General Plan Assumption for Medium Density Residential Land*

To promote the General Plan's assumption that fifty percent of vacant land designated MDR will be developed as single-family residential, staff recommends a reduction to the minimum density range for the MDR designation to 6 units per acre. Staff believes this will lead to more balanced development of both single- and multi-family residences.

During the development and adoption process for the 2030 General Plan, there was significant discussion regarding the adequacy of land available for single-family residential development. Table LU-1 in the Land Use Element of the General Plan identifies a projected "need" of 9,007 single-family units by 2030, and then estimates that build-out of the General Plan Diagram has the potential to provide 8,689 units. The potential for 8,689 single-family units is based on an assumption that fifty percent (50%) of vacant land designated Medium Density Residential (MDR), which has a density range of 7.1 to 14 units per acre, will be developed as single-family residences.

Most single-family residential development in the City occurs on land designated Low Density Residential, which has a density range of 2.1 to 7 units per acre. This range allows for a variety of larger and smaller lot single-family residences. As the density requirement moves over 6 units per acre, it becomes increasingly difficult to design a single-family subdivision, especially on smaller parcels where relatively large portions of the property must be dedicated to roads and other infrastructure. This difficulty is well reflected in the entitlement activity of MDR-designated land over the past 5 years. Of the 179 units approved on MDR-designated land, 46 of the units were single-family, and they were approved in a single project at the 7.1 units per acre minimum density allowed. Further, the project required a Planned Development permit in order to receive relief from development standards in the City's Municipal Code.

Based upon what has occurred to date, the assumption that 50% of vacant MDR-designated land is likely to be developed with single-family homes no longer seems reasonable. Staff believes there is justification for a reduction to the minimum density for the MDR designation to 6 units per acre. Doing so may encourage the development of

higher density single-family homes, and thus support the General Plan's assumption about what will be built on MDR lands. Given the consistent demand for multi-family development, it is highly unlikely that the City's inventory of vacant MDR-designated land will suddenly be developed with a higher density single-family product. The minor reduction to the density minimum will lead to the desired balance of single- and multi-family development, and substantially advance General Plan infill and compatibility goals.

This change will also require a complimentary revision to the density minimum for the R2 (Medium Density Residential) zoning district in Title 19.

#### *Infill vs. Neighborhood Compatibility*

Over the last five years, there were numerous infill projects approved within identified Opportunity Sites where increased densities are desired and expected. However, several infill projects located in older established neighborhoods presented a number of challenges. These projects were on smaller and more irregularly-shaped parcels at densities higher than adjacent development. The issue of density, and the accompanying concerns of increased traffic and inadequate infrastructure, versus neighborhood character resulted in some controversy and neighbor rancor.

Policies to encourage infill development and address neighborhood compatibility have been in place in Chico since 1994, but they have not always yielded desired results. The 2030 General Plan's policy framework differentiated from the previous General Plan by distinguishing between infill in "areas of stability" and infill in "areas of potential change" (the Opportunity Sites). Areas of stability include existing residential neighborhoods, which are not anticipated to change substantially in character, land use, or development intensity over time. Retaining stability in these areas and emphasizing neighborhood compatibility over density is supported by policies throughout the General Plan, most notably Policy LU-4.3 (Emphasis on Neighborhood Compatibility), which reads "[f]or residential infill projects outside of Opportunity Sites and Special Planning Areas, maintaining neighborhood character may take precedence over meeting density goals. It may be necessary to limit project density, *within the allowable density range*, to ensure compatibility" (emphasis added).

During the General Plan adoption process, the language "within the allowable density range" was added to this policy out of fear that any lost density would be a misuse of limited land resources. Moving forward, staff recommends removing this language from the policy, as any minor loss in density on what are generally very small infill projects is far outweighed by the benefits of gaining community support for thoughtful infill and well-designed projects which reflect the character of their surroundings.

Staff recommends amending General Plan Policy LU-4.3 to read as follows:

*Policy LU-4.3 (Emphasis on Neighborhood Compatibility) - For residential infill projects outside of Opportunity Sites and Special Planning Areas, maintaining neighborhood character may take precedence over meeting density goals. ~~It may be necessary to limit project density, within the allowable density range, to ensure compatibility.~~*

### *Provision of Affordable Housing in SPAs*

The City's previous Housing Element (2009-2014) included the following Action:

Action H.2.5.4: At the time of entitlement applications, the City will negotiate with developers within newly developing Special Planning Areas (SPA) for the provision of affordable housing units affordable to very low, low, and moderate income households within the SPA.

During the recent Housing Element Update (2014-2022) approved by Council in June 2014, this Action was inadvertently removed from the Housing Element because there was a belief that the requirement for affordable housing in the SPAs had been included in the Land Use Element. This was not the case, and so staff is recommending the following language be added to Action LU-6.2.1 (SPA Planning Requirements), which lists requirements for a complete application submittal for an SPA:

Coordinate with the City for the provision of housing units affordable to very low, low, and/or moderate income households within the SPA.

### *Revisions to Design Guidelines Manual*

There are several Actions in the General Plan that direct an update to the City's Design Guidelines Manual to include new topics, including: 1) residential infill guidelines that address compatibility between new and existing development such as visual intrusion and massing within a transition zone (Action LU-4.2.12); 2) community edge treatment solutions for a variety of conditions (i.e., urban/ag transition) (CD-2.2.1); and 3) viewshed issues associated with foothill development (OS-2.4.2).

Staff recognizes these are important topics, but is confident that the existing Design Guidelines Manual (adopted in December 2009), used in concert with the development standards and regulations in Title 19 (which were comprehensively updated in three phases following adoption of the General Plan) and the policy framework of the General Plan, are well suited to address these considerations.

Staff is recommending deletion of Actions LU-4.2.12, CD-2.2.1, and OS-2.4.2.

### Circulation Element

There are a number of minor changes proposed for the Circulation Element generally reflecting completion of efforts associated with the multi-phase Title 19 revisions that followed adoption of the General Plan.

The following is the only substantive change proposed for the Circulation Element and reflects changes from state law and best practices in CEQA traffic impact analysis.

#### *Multi-Modal Level of Service (MMLOS) vs. Vehicle Miles Travelled (VMT)*

The Circulation Element directs that the City adopt a new method to evaluate street circulation performance in terms of all modes of travel, not only the automobile, when a

valid methodology is identified. In 2011, the belief was that Multi-Modal Level of Service (MMLOS) standards would be forthcoming from the traffic engineering industry. This has not been the case.

Instead, a new state law (SB 743) enacted in 2013, created a new process for analyzing transportation impacts under the California Environmental Quality Act (CEQA). Under SB 743, the focus of transportation analysis will shift from driver delay to reduction of greenhouse gas emissions, creation of multimodal networks, and promotion of a mix of land uses. Under the new regulations, projects that are shown to decrease vehicle miles traveled (VMT) — for example, bike lanes or a grocery store that allows local residents to travel shorter distances to shop - may be considered to have a “less than significant” impact under CEQA.

Another change will come in how developments mitigate their transportation impacts. In many urban areas, under standard LOS analysis, the only way a development can lessen its impact is to widen a roadway. This can be particularly frustrating along major bus routes or anywhere bicyclists want to travel safely. Under the new rules, a development may instead mitigate transportation impacts by funding better transit, creating better access to transit, building better pedestrian facilities, or a host of other improvements that may improve travel choices.

The new regulations are to be phased in over 2 years starting in 2017. The change in law does not require local governments to change the way they analyze traffic impacts for other purposes. The City will continue to use its LOS standards consistent with General Plan provisions, to promote safety and reduce congestion, and to support the impact fee program.

Consistent with state law, staff recommends removing language in the Circulation Element regarding implementation of new MMLOS standards, and replacing them with implementation of VMT analysis consistent with the new CEQA Guidelines.

### Community Design Element

See discussion under Land Use Element entitled Revisions to Design Guidelines Manual regarding deletion of Action CD-2.2.1

### Downtown Element

There are a number of minor changes proposed for the Downtown Element reflecting completion of efforts associated with the multi-phase Title 19 revisions that followed adoption of the General Plan.

In addition, Action DT 4.2.1 (New Construction) has been amended to clarify that the requirement for a minimum building height of two stories for new construction is for the Downtown North area, not all of Downtown.

### Economic Development Element

There are a number of changes proposed for the Economic Development Element reflecting the loss of the Chico Redevelopment Agency, and completion of efforts associated with the multi-phase Title 19 Update.

### Parks, Public Facilities, and Services Element

Staff recommends removal of Action PPF5-5.1.4 (Groundwater Protection Development Standards), which reads “[a]mend the Municipal Code to include development standards that protect groundwater recharge areas.”

This recommendation is not a dismissal of the need to protect groundwater recharge areas. Instead, it reflects staff’s belief that application of the City’s existing land use and development regulations (e.g., stream setbacks, minimum landscaping areas, lot coverage limits, and open space requirements) and state requirements for incorporating Low Impact Development (LID) stormwater best practices into new development already meet the intent of this Action.

The Tuscan aquifer is the primary groundwater reservoir underlying and providing municipal and agricultural water to the Planning Area. This supply is largely recharged by infiltration in the foothills located east of Chico, from Big Chico and Little Chico Creeks, Lindo Channel, and to a lesser extent from precipitation throughout the area. The General Plan acknowledges that impacts to groundwater recharge areas are avoided through open space preservation, runoff management, stream setbacks, and clustering of development. Attempting to create new “development standards that protect groundwater recharge areas” suggests that this is currently not being achieved.

### Open Space and Environment Element

There are a several minor changes proposed to the Open Space and Environment Element reflecting Butte County Air Quality Manage District’s comprehensive update of its CEQA Air Quality Handbook. Most notably, the new Handbook provides a clearer mechanism to mitigate impacts associated with new development under CEQA, including the payment of in-lieu fees to fund off-site projects, if necessary. See also discussion under Land Use Element entitled Revisions to Design Guidelines Manual regarding deletion of Action OS-2.4.2.

### Appendix B – Opportunity Sites

Deletion of the Pomona Avenue Opportunity Site discussion and figure consistent with the proposed land use designation amendment and rezone of properties associated with GPA/Rezone 16-03 discussed in more detail below.

## **GENERAL PLAN AMENDMENT/REZONE 16-03**

Staff has identified a series of amendments to the City's Land Use Diagram and Zoning

Map that support existing land uses and promote uses that are consistent with the General Plan's policy framework. The written descriptions and the attached plats (see **Attachment A**) provide background for the proposed General Plan land use designation amendments and rezones.

*GPA/RZ 16-03(A)*

Site: Various parcels along south side of Pomona Avenue between Miller Avenue and Little Chico Creek (A.P. Nos. various; see Resolution at Attachment A)

Current General Plan Designation: Various; Low Density Residential (LDR), Medium Density Residential (MDR), and Medium-High Density Residential (MHDR)

Proposed General Plan Designation: Very Low Density Residential (VLDR)

Current Zoning: Various; R1-10 Low Density Residential, R2 Medium Density Residential, and R3 Medium-High Density Residential

Proposed Zoning: RS-20 Suburban Residential

Basis for Recommendation: As part of the General Plan update, numerous parcels within the Pomona Opportunity Site previously designated Very Low Density Residential (VLDR) were changed to low, medium, and medium-high density residential to facilitate increased density and revitalization in an area close to the University and Downtown. In 2014, an annexation request for the area was presented to Council that would have facilitated development of a 160-unit student housing project consistent with the R3 (Medium-High Density Residential) pre-zoning and the vision for this opportunity site. After significant testimony, Council voted 7-0 to decline initiating proceedings to annex eight properties located on the south side of Pomona Avenue between Pomona Lane and Miller Avenue citing insufficient existing infrastructure, and more importantly potential conflicts between future development within the annexation area and existing agricultural processing uses located on the westerly side of the Greenline. The proposed General Plan amendment and rezoning back to very low density residential would achieve the following: 1) make the existing homes conforming uses, 2) restore the parcels' original zoning, and 3) reflect established Council policy.

*GPA/RZ 16-03(B) and (C)*

Site: Seven parcels along E. Park Avenue (A.P. Nos. 005-500-(019, 025); 005-520(014-016, 019, 040); four parcels along Dr. MLK, Jr. Parkway (A.P. Nos. 005-560-033, 005-570-012, 005-570-013, 005-570-014)

Current General Plan Designation: Manufacturing & Warehousing (MW)

Proposed General Plan Designations: Various; Commercial Services (CS) and Regional Commercial (RC)

Current Zoning: ML (Light Manufacturing/Industrial)

Proposed Zoning: Various; CS (Commercial Services) and Regional Commercial (CR)

Basis for Recommendation: A GPA/rezone application from ML (Light Manufacturing) to CS (Commercial Services) was submitted in order to allow a retail auto parts store use in a vacant building on Country Drive (near E. Park Avenue). Given the site's proximity to Highway 99 and similar commercial uses along E. Park Avenue, staff expanded the GPA/rezone to include 10 additional surrounding properties consistent with policies from the Economic Development Element of the General Plan. Council unanimously approved the GPA/rezone in February 2016, and staff agreed to consider opportunities to expand the commercial designation to other properties in the vicinity as part of the 5-Year General Plan Review. The character of land uses along the Country Drive/E. Park Avenue corridor has evolved in much the same way that MLK, Jr. Parkway (formerly Whitman Avenue) evolved from light industrial to commercial. Over the course of 20+ years, the City approved incremental General Plan amendments, rezonings, and use permits in response to a strong desire for commercial investments in that area, mostly due to the area's proximity to Highway 99.

Staff continues to have discussions with individuals interested in various retail uses along the corridor of E. Park Avenue, Country Drive, South Whitman Avenue, and MLK, Jr. Parkway, including a drive-through fast food restaurant, auto sales, and a hotel. None of these uses are permitted in the light manufacturing district, but would be permitted in a commercial district. Applying a commercial designation to these properties would increase economic growth and investment and support future uses consistent with goals and policies found throughout the Chico 2030 General Plan.

*GPA/RZ 16-03(D)*

Site: Various parcels along the Walnut Avenue corridor between W. 2<sup>nd</sup> St. and W. 8<sup>th</sup> Street (A.P. Nos. various; see Resolution at Attachment D)

Current General Plan Designation: Commercial Mixed Use (CMU)

Proposed General Plan Designation: Commercial Mixed Use (CMU)

Current Zoning: CC (Community Commercial)

Proposed Zoning: CC (Community Commercial) with –COS (Corridor Opportunity Site) overlay

Basis for Recommendation: Council approved the application of the –COS (Corridor Opportunity Site) overlay zoning district to two parcels zoned Community Commercial along Walnut Street (Highway 32) between W. 5<sup>th</sup> and W. 6<sup>th</sup> Streets in support of a student housing project. Adding the –COS overlay zone allowed the site to be developed at higher densities and with a reduction in parking. The project represents an infill development opportunity in a portion of Chico developed with a mix of uses, including a variety of housing types and densities. The site is located a block away from an existing transit route, is adjacent to a major arterial roadway with a variety of retail, restaurants, and services, and is located within walking and biking distance of both CSU, Chico and Downtown. The rezone received unanimous support from the Planning Commission and Council, and staff was directed to consider opportunities to expand the –COS overlay to other properties along the corridor as part of the 5-Year General Plan Review. The



proposed rezoning would promote redevelopment at higher densities at an appropriate location.

*GPA/RZ 16-03(E)*

Site: 2522 Cohasset Road (Subaru Dealership, A.P. No. 015-220-028)

Current General Plan Designation: Office Mixed Use (OMU) and Low Density Residential (LDR)

Proposed General Plan Designation: Regional Commercial (RC)

Current Zoning: OR (Office Residential) and R1 (Low Density Residential)

Proposed Zoning: CR (Regional Commercial)

Basis for Recommendation: The 2+ acre property is currently zoned a mix of office/residential and single-family residential. The existing use of the site as an auto dealership is non-conforming with these zoning districts. There has been a discrepancy between the property's use and zoning since the property was annexed into the City. To remedy this situation and advance General Plan economic development Goals and Policies, staff recommends a General Plan amendment and rezone to Regional Commercial. This would create consistency with the southerly abutting auto dealership, and correct the non-conforming status of the present use.

*GPA/RZ 16-03(F)*

Site: 36 W. Eaton Road (Chico Electric, A.P. No. 006-690-029)

Current General Plan Designation: Low Density Residential (LDR)

Proposed General Plan Designation: Commercial Mixed Use (CMU)

Current Zoning: R1 (Low Density Residential)

Proposed Zoning: CC (Community Commercial)

Basis for Recommendation: The 1.5+ acre property is currently zoned single-family residential. The existing use of the site as an electrical contracting and solar installation company is a long-standing and established use. The existing use, however, is non-conforming with the property's residential zoning. The discrepancy between the property's use and zoning occurred with adoption of the Northwest Chico Specific Plan in 2005, and the subsequent annexation of the area into the City. To remedy the inconsistency and advance General Plan economic development Goals and Policies, staff recommends a General Plan amendment and rezone to the proposed commercial designation. This would create consistency with the adjacent property to the east, and correct the non-conforming status of the present use.

## **TITLE 19 AMENDMENTS**

A number of amendments to Title 19 of the Chico Municipal Code (Land Use and

Development Regulations) are recommended to implement Housing Element Actions, create consistency with policy direction in the General Plan, resolve minor inconsistencies in the Code, formalize interpretations made by the Community Development Director, clarify terms and definitions, and address direction by Council to gain efficiencies in implementation of the Code as called for by the General Plan's Economic Development Goals and Policies. The proposed amendments are catalogued as an attachment to the Planning Commission resolution recommending adoption of an ordinance to amend Title 19 (see **Attachment E**).

A summary of the recommended changes are listed below with a brief explanation provided for each category:

Definitions (CMC 19.04)

- Add or modify definitions for various terms used in the Code to improve clarity for users.

Review Authority (CMC 19.12)

- Add to Table 2-1 that the Board or Director shall forward a recommendation to the Commission, prior to Commission review of the project, as detailed in the Planned Development Permit (PDP) chapter under CMC 19.28.050.

Pre-application Neighborhood Meetings (CMC 19.16.020)

- Change the noticing radius for pre-application neighborhood meetings from 300 feet to 500 feet to be consistent with the required noticing for public hearings.
- Modify the list of information applicants must present at neighborhood meetings to be consistent with application requirements.

Site Design and Architectural Review (CMC 19.18)

- Amend section 19.18.024.B to clarify that the Board or Director is to forward a recommendation to the Commission on PDPs, as detailed later under CMC 19.28.050.
- Clarify that single-family residential housing units minor require design review when part of a dwelling group (i.e., multiple such units on the same site).
- Add to the required findings that design review projects shall be consistent with the City's adopted development standards.

Temporary Uses (CMC 19.22)

- Remove Code reference to CMC 19.76.080 (Garage and yard sales), as that section is recommended for deletion (see below).
- Fix typo under CMC 19.22.030.

Mobile Food Vendors – Operating Standards (CMC 19.23.040)

- Add an operating standard for the annual Fire Department certification and inspection of mobile food vendor facilities.

#### Planned Development Permits (CMC 19.28)

- Revise the requirements for PDP processing to eliminate old language requiring both conceptual and final review by the Commission. This two-step review process by the Commission is unnecessary, and has not been used since the 2013 Code amendments that formalized the process of obtaining a recommendation from the Board prior to final consideration by the Commission on PDPs.
- Add language pertaining to the review authority to provide for either the Board or Director to forward a recommendation to the Commission on PDP applications. Achieves consistency with CMC 19.18.020.B.

#### Permit Implementation, Time Limits, Extensions (CMC 19.30.050)

- Extend the initial expiration date for all unexercised permits from one year to three years after the date of approval to be universally consistent throughout the Code.

#### Establishment of Zoning Districts (CMC 19.40)

##### Table 4-1, Zoning Districts (CMC 19.40.010)

- Lower the minimum density for the R2 (Medium Density Residential) zoning district from 7.1 to 6.0 dwelling units per gross acre. This change is also made under CMC 19.42.010.C and Table 4-5 in the following chapter.
- Change the Zoning Overlay district name for –AO from “Aircraft Operations” to “Airport Overflight” to better reflect its purpose. This change is also made in the Overlay Zones Chapter, under CMC 19.52.030.

##### Table 4-2, Allowed Uses and Permit Requirements For Residential Districts (CMC 19.42)

Add certain land uses and change the level of review required for various land uses in residential zones. Examples include:

- Allow “Private residential recreational facilities” and “Dwelling group” land uses by right in the R2, R3, R4 and RMU zones.
- Allow “Fraternity/sorority housing” by right in the R3, R4 and RMU zoning districts.
- Permit “Assisted Living Facility” and “Dormitory” as allowable uses in the RMU zone, subject to use permit authorization.
- Amend Table Footnote #6 to replace the criteria of operating “24 hours a day,” to specify that nighttime hours of operation that require use permit authorization are “between the hours of 10PM and 6AM”, consistent with the nighttime hours established by the General Plan for evaluating noise impacts.
- Allow “Supportive Housing” and “Transitional Housing” land uses by right in all residential zones as required by State law.

##### Table 4-3B, Residential Zone Development Standards (CMC 19.42.030)

- Re-order the criteria for minimum lot width in the R1 zoning district to place the most common criterion first.
- Allow detached garages without a second floor dwelling unit up to 25 feet in height by right in the R2 zoning district when a minimum 10-foot setback is provided from all property lines.
- Add Table Footnote #3 to allow reduced setbacks in the RMU zoning district when consistent with General Plan Community Design policies for mixed use projects.

Table 4-3C, Residential Zone General Development Standards (CMC 19.42.030)

- Reduce the required front yard setback from 15 feet to 10 feet in the R3, R4, and RMU zoning districts to provide site planning flexibility and advance General Plan infill policies.
- Allow detached garages without a second floor dwelling unit up to 25 feet in height by right in the R3, R4, and RMU zoning districts when a minimum 10-foot setback is provided from all property lines.

Table 4-6, Allowed Uses and Permit Requirements For Commercial Districts (19.44.020)

Add, re-organize and/or consolidate certain land uses, and change the level of review required for various land uses in commercial zones. The changes generally reduce the level of review required for a proposed land use, allowing by right (denoted with a “P”) certain uses that currently require use permit authorization (denoted with a “UP”), and establish that certain uses can be pursued through use permit authorization that are currently prohibited in a given zoning district (i.e., adding a “UP” where a cell is currently blank, which means the use is prohibited in the zone). Examples include:

- Allow “Beverage products, small scale, 2,500 sf max.” by right in CC, CS, and CR zones, and with use permit authorization in the DS zone.
- Combine “Auditoriums and meeting halls” with “Theaters” and establish that “Theaters, auditoriums and meeting halls” are allowed by right in the CS zone, and with use permit authorization in the CN zone.
- Allow “Health/fitness clubs” by right in the DN and DS zones.
- Allow “Drug stores/pharmacies, 4,000 sq. ft. or less” by right in OR and OC zones.
- Allow “Grocery stores, 4,000 sq. ft. or less” by right in the OR, OC and CS zones.
- Allow “Hotel or motel” by right in the CR zone.
- Add a “Medical offices” land use and allow by right in the OR, OC, CN, CC and CR zones, and subject to Table Footnote #4 in the DN and DS zones.
- Allow “Repair/maintenance of consumer products under 2,500 sq. ft.” by right in the OR, CN, DN, and DS zone.
- Amend Table Footnote #5 to replace the criteria of operating “24 hours a day,” to specify that nighttime hours of operation that require use permit authorization are “between the hours of 10PM and 6AM”, consistent with the nighttime hours established by the General Plan for evaluating noise impacts.

Table 4-7, Commercial/Office Zone General Development Standards (CMC 19.44.030)

- Reduce excessive minimum setbacks and structural heights in various commercial zones.
- Increase maximum structural height limits in the CS and CR zones from 45 feet to 57 feet to accommodate an additional floor.

CN and CC district special standards (CMC 19.44.040 and 19.44.050)

- Delete these zoning district-specific sections to reduce redundancy with other Code sections and adopted Design Guidelines. Re-number ensuing Code section.

Table 4-8, Allowed Uses and Permit Requirements For Manufacturing and Industrial Zoning Districts (19.46.020)

Add, re-organize and/or consolidate certain land uses, and change the level of review required for various land uses. The changes generally reduce the level of review required for new land uses in manufacturing and industrial zones. Examples include:

- Allow “Alternative fuel/recharging facilities,” “Stone and cut stone products,” and “Mortuary/funeral home” by right in the IOMU zone.
- Allow “Glass products” by right in the ML zone.
- Move “Leather products” down and combine with “Textile manufacturing” to read “Textile and leather products.”
- Allow “Storage, personal storage facility” by right in the ML, MG and IOMU zones.
- Allow “Community Gardens” by right in all zones.

Table 4-10, Allowed Uses and Permit Requirements For Airport Districts (CMC 19.48.030)

Enact changes that generally reduce the level of review required for new land uses in airport zones. Examples include:

- Allow the following uses by right in the AC and AM zones: “Schools – specialized education”, “Caretaker and employee housing”, “Banks and financial services”, “Printing and publishing – Computer/electronic”, “Business support services”, “Research and development”, and “Repair and maintenance – consumer products”.
- Permit “Health/fitness clubs” and “Restaurant with full bar” in AM zone with use permit authorization.
- Allow all restaurants by right in the A and AC zones, and small restaurants (less than 2,500 sq. ft.) by right in the AM zone.
- Permit “Offices, business and professional” in the AM zone, subject to use permit approval.
- Allow “Public safety and utility facilities” in all manufacturing/industrial zones.
- Amend Table Footnote #4 to refer to “review authority” instead of the Airport Architectural Committee, to be consistent with CMC 19.48.070.B.1.

Aircraft Operations (-AO) overlay zones (CMC 19.52.030)

- Re-name the –AO overlay “Airport overflight” to give it a more-intuitive name.
- Clarify that the Butte County Airport Land Use Commission may grant a consistency finding for new development and uses that do not meet the simplified ALUCP requirements reflected in the Chico Municipal Code.

Fraternity and sorority (-FS) overlay zone (CMC 19.52.090)

- Allow the –FS overlay in conjunction with RMU zoning, in addition to R3 and R4.

Fencing and Screening (CMC 19.60.060).

- Delete subsection G (*Fences Between Different Land Uses*), as it is redundant with other fencing requirements, and replace with subsection K to minimize reformatting.
- Revise subsection H (*Special Fencing or Wall Requirements*) to remove the stipulation that whichever use is established first shall construct the fence or wall. This subsection imposes a fencing requirement based on zoning, not use, and limiting its application to the use that is first established conflicts with its purpose in

many situations.

#### Height measurement and height limit exceptions (CMC 19.60.070)

- Remove the reference to “use permit” under C.2, and add a minimum setback distance of 10-feet from any property line for detached garages, 15-25 feet in height without a second dwelling unit.
- Allow parapet walls to extend 6 feet above the height limit, rather than 4-feet.
- Remove the reference to “*a maximum of three stories*” for single-family dwellings in RS and R1 Districts, as the number of stories does not necessarily correspond with the height of a structure above grade.

#### Setback regulations and exceptions (CMC 19.060.090)

Several minor changes are recommended in this section to reduce redundancy, improve clarity, rely on terms defined by the Code, and to eliminate ambiguous terms.

#### Accommodations for persons with disabilities (19.60.130)

Replace this section with language found in the Housing Element consistent with direction provided by the California Department of Housing and Community Development.

#### Landscaping Standards (19.68)

There are two main modifications recommended for the City’s landscaping standards, as follows:

- Delete the façade remodel landscaping requirements under CMC 19.68.040.C, including Table 5-3. This Code requirement adds complexity, cost, and water usage to otherwise simple façade remodel projects, dissuading these types of improvements.
- Change the “Tree preservation measures” to “Tree preservation guidelines”, correct inconsistent language, and better integrate with the requirements of CMC 16.66 (*Tree Preservation Regulations*). The changes would clarify that grading and improvements shall *should* not occur within drip lines of existing trees, but may be permissible when supported by a plan that specifically addresses the work that would take place within tree drip lines. Allowing improvements to encroach within tree drip lines will provide site planning flexibility that will reduce pressure to remove existing trees on constrained sites.

#### Parking and Loading Standards (CMC 19.70)

Several minor changes are recommended to the parking standards to be consistent with changes made elsewhere in the Code (such as in the land use tables), and to correct outdated references. The off-street loading space requirements under CMC 19.70.090.B, would also be revised to distinguish between side loading and rear loading configurations.

#### Standards for Specific Land Uses (CMC 19.76)

Modify the standards for accessory uses and structures (CMC 19.76.020) as follows:

- Add “trellis” as a type of accessory structure, similar to gazebos and patio covers.
- Change required setback for garage or carport from 10 feet to 20 feet.

- Add “ground-mounted solar arrays” as an accessory structure, similar to pools and ground-based antennas.

Modify the standards for drive-in and drive-through facilities (CMC 19.76.070) to provide flexibility for meeting driveway spacing criteria.

Delete CMC 19.76.080, “Garage and yard sales”, as it is redundant with similar provisions under CMC 19.22.020.F.

Amend CMC 19.76.100, “Guest houses” to clarify that “temporary” means 30 days or less.

Clarify that CMC 19.76.110, “Mobile homes/manufactured housing” requires a perimeter foundation for manufactured housing located outside mobile home parks.

Modify CMC 19.76.120, “Outdoor retail sales and activities” to require minor design review, instead of use permit authorization, for outdoor retail displays and sales.

Revise CMC 19.76.130, “Second dwelling units” to simplify alleyway improvement requirements and eliminate minimum alleyway width.

Revise CMC 19.76.170, “Temporary dwellings” – change approval from a use permit to an over-the-counter approval subject to specific standards.

Revise CMC 19.76.180, “Infill Residential Flag Lots” to clarify that infill residential flag lots require Planning Commission approval of a parcel map or tentative subdivision map, and to eliminate the redundant neighborhood meeting requirement.

## **GENERAL PLAN CONSISTENCY**

The proposed revisions to the General Plan, as well as the Title 19 amendments, are consistent with the General Plan’s policy framework, and represent refinements informed by the Five-Year General Plan Review. The revised General Plan:

- Includes all mandatory elements required by State law, along with six optional elements: Sustainability, Downtown, Community Design, Economic Development, Cultural Resources and Historic Preservation, and Parks, Public Facilities and Service.
- Is a statement of community priorities to guide public decision-making, and provides a comprehensive, long-range, and internally consistent policy framework for the growth and preservation of Chico premised upon future housing and employment needs.
- Seeks to create a livable, healthy, and sustainable community that offers a high quality of life with a strong sense of community and place.
- Retains sustainability as an organizing principle of the Plan, which directs the City to consider the interdependent interests of protecting the environment, achieving a healthy economy, and promoting social equity in its future actions and programs.
- Identifies and promotes certain development patterns, including compact urban

development, infill development and redevelopment, mixed-use development, complete neighborhoods, and a variety of housing types.

- Seeks to preserve and enhance the City's older neighborhoods, promote economic development, protect sensitive environmental resources, and provide open space and parks.

## **ENVIROMENTAL REVIEW**

Five-Year Review: Pursuant to Section 21065 of the California Environmental Quality Act, the Five-Year Review and Sustainability Indicators Report do not constitute a "project" requiring environmental review as they do not result in a physical change in the environment.

General Plan Text Amendments/ Title 19 Amendments: The proposed General Plan text amendments reflect changes in existing conditions, completed work efforts, or changes to the policy framework that would further the General Plan's Strategy of Sustainability. The proposed Title 19 amendments will implement Housing Element Actions, create consistency with policy direction in the General Plan, resolve minor inconsistencies in the Code, formalize interpretations made by the Community Development Director, clarify terms and definitions, and address direction provided by Council to identify refinements that will gain efficiencies in implementation of the Code.

The amendments do not propose any construction, demolition, or other activity that has the potential to negatively impact the environment. The amendments would not result in an increase in development beyond that which was analyzed in the Final Environmental Impact Report (EIR) prepared and certified for the Chico 2030 General Plan update (State Clearinghouse #2008122038). The proposed amendments are a refinement of the General Plan adoption process, and their environmental impacts are adequately addressed by the Final EIR. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed amendments are within the scope of the EIR that was certified for the General Plan.

GPA/Rezone 16-03: GPA/Rezone 16-03 involves various amendments to General Plan land use designation and zoning for parcels in Chico. A majority of the proposed changes are for parcels that are already developed, and are intended to reflect existing land uses or promote better utilization of the City's land supply. For the limited number of vacant parcels under consideration, the proposed designations create comparable impacts to the existing designations. The proposed land use designation and zoning amendments are a refinement of the General Plan adoption process, and their environmental impacts are adequately addressed by the Final Environmental Impact Report (EIR) prepared and certified for the Chico 2030 General Plan update. In accordance with CEQA Guidelines Section 15162, the proposed amendments are within the scope of the EIR that was certified for the General Plan.

Further, the conservative and cumulative nature of the programmatic environmental review prepared for the General Plan update easily covers any development potential attributable



to the proposed changes in designation for vacant parcels. This is because the proposed land use designation and zoning changes allow for range of uses similar to the existing designations and zoning, and due to the limited scope of the area involved in the greater context of the City. Further, the technical analysis of the environmental effects of the proposed General Plan Update (e.g., traffic operation analysis, noise and air quality modeling and analyses) assumed complete build-out of the Land Use Diagram by the year 2030 even though trends indicate that build-out will occur well after 2030. In short, there will be no additional impacts associated with the proposed GPA/rezone beyond those contemplated in the comprehensive and programmatic EIR analysis prepared for the General Plan update. And finally, project specific CEQA review will be required prior to the development or redevelopment of any of the parcels under consideration.

**FINDINGS: GENERAL PLAN TEXT AMENDMENTS, TITLE 19 AMENDMENTS, AND GPA/REZONE 16-03**

Pursuant to Chico Municipal Code Section 19.060.050 A, amendments to the General Plan, Municipal Code, or Zoning Map may be approved only if all the following findings are made (see Resolutions at **Attachments C-E** for additional findings):

*A. The proposed [General Plan] amendment is internally consistent with the General Plan.*

The proposed revisions to General Plan text represent a refinement to the 2030 General Plan, and the Plan serves as a statement of community priorities to guide public decision-making, and provides a comprehensive, long-range, and internally consistent policy framework for the growth and preservation of Chico premised upon future housing and employment needs. The proposed Title 19 amendments are consistent with the General Plan's policy framework

The General Plan land use designation amendments associated with GPA/Rezone 16-03 are intended to reflect existing uses or would support future uses that promote orderly growth and quality infill consistent with goals and policies found throughout the General Plan.

*B. The proposed [Zoning Map] amendment is consistent with the General Plan.*

The proposed rezones will ensure that each parcel has zoning consistent with existing or proposed General Plan designations, and promote the General Plan policy framework.

*C. The subject sites are physically suitable, including but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints, for the requested zoning designation and anticipated land use and development.*

Each parcel that is a subject of GPA/Rezone 16-03 is located within the City's built environment and has a full range of infrastructure and utilities available. The proposed land use designation amendments and rezones are intended to create enhanced land use compatibility with adjacent land uses.

## **PUBLIC CONTACT**

A display ad for the December 15, 2016 Planning Commission meeting to consider the Five-Year General Plan Review was published in the November 15, 2016 *Chico Enterprise Record* and the November 17, 2016 *Chico News & Review*. In addition, the hearing notice was distributed to a list of interested parties, as well as all owners of parcels associated with GPA/Rezone 16-03.

## **DISTRIBUTION**

PC Distribution  
City Council (via email)  
PP Vieg

External (via email)  
Katie Simmons, Chico Chamber  
Bill Webb, Butte Community Builders  
DCBA  
Butte Environmental Council  
Dennis Van Dyke  
Michael Orwitz

## **ATTACHMENTS**

- A. Five-Year General Plan Review
- B. Sustainability Indicators Report
- C. Resolution recommending Council approval of text amendments to General Plan
- D. Resolution recommending Council approval of GPA/Rezone 16-03
- E. Resolution recommending Council adoption of an ordinance to amend Title 19
- F. Revised General Plan Elements in “track changes” mode