



DATE: May 23, 2019

File: UP 19-10

TO: ZONING ADMINISTRATOR

FROM: Kelly Murphy, Project Planner, 879-6535

RE: Use Permit 19-10 (Woodward ADU), 336 W. 6th Avenue, APN 003-571-011

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 19-10 (Woodward), based on the findings and subject to the recommended conditions of approval in this report.

BACKGROUND

This is a request to construct an accessory dwelling unit (ADU) on a 0.18 acre site in the SD-4 (Special Design Considerations West Avenue Neighborhood Area) overlay zoning district. The project site is located on the northwest corner of W. 6th Avenue and Citrus Avenue (see **Attachment A**, Location Map). The site is designated Low Density Residential (LDR) on the City's General Plan Land Use diagram and is zoned R1-SD-4 (Low Density Residential with a Special Design Considerations West Avenue Neighborhood Area overlay). The immediate neighborhood is predominately comprised of single-family residential uses. The project site is located approximately 500 feet west of Enloe Hospital and two blocks (approximately 1,000 feet) north of Citrus Elementary School.

The subject parcel has been developed with a 1,148 square foot single-family residence and 280 square foot garage. The project proposes to construct an 849 square foot ADU with a 151 square foot patio, as well as a 375 square foot garage attached to the east side of the ADU (see **Attachment B**, Plat to Accompany Use Permit 19-10). The existing garage and driveway off W. 6th Avenue provide two off-street parking spaces for the main residence. The proposed new garage and driveway would provide two additional parking spaces for the ADU.

A 6-foot wooden fence would separate the ADU from the main dwelling unit. The new driveway would provide a pedestrian connection from the new unit to the W. 6th Avenue frontage. Hardy plank siding would be applied to the front and side elevations of the ADU, while stucco would be used on the rear wall of the unit's exterior. The new unit would will be painted olive green (KM Inglenook Olive) with cream trim (KM Alhambra Cream) and have a black composition shingle roof to match the color scheme of the main dwelling unit.

SD-4 Special Design Considerations Overlay Zone

The City Council adopted the SD-4 Special Design Considerations Overlay Zone (West Avenues Neighborhood Area) in June 2003. Within the SD-4 overlay, there are numerous pockets of deficient infrastructure (lacking curb, gutter, sidewalk, shoulder paving, storm

drainage, street lighting, and paved alleys) and it was determined that a concentration of accessory dwelling units and multi-housing developments have the potential to create or exacerbate traffic impacts, which could compromise the health, safety and livability of this area and exceed the reasonable carrying capacity of the existing infrastructure. As a result, a use permit is required for any accessory dwelling unit within the SD-4 overlay zone to allow the City and the neighborhood to review accessory dwelling unit applications on a case-by-case basis with site-specific information. An analysis of the project in light of the SD-4 overlay zone is provided below.

DISCUSSION

Land Use

Pursuant to Chico Municipal Code (CMC) §19.52.070(D)(4) (Special Design considerations (-SD) overlay zone) and §19.76.130(B)(2) (Accessory dwelling units) a use permit is required for an ADU proposed to be located in the SD-4 overlay district. The site plan complies with development standards for the R1 zoning district and the City's updated ADU development standards. The proposed ADU is 841 square feet, which is less than 75 percent of the main dwelling unit (1,148 square feet) complying with ADU size requirements pursuant to CMC §19.76.130(D)(3). The project would comply with the setback and height requirements for ADUs in the R-1 zoning district. The new driveway would be located a minimum of 3 feet from the existing utility pole on W. 6th Avenue (see Condition of Approval #10), compliant with CMC §19.70.70(E) -- *Clearance from Appurtenances*.

No tree removal is proposed for the project (see Condition of Approval #7). New exterior lighting consists of one can light installed at the entrance of the new unit, two can lights for the patio area, and two lights on the new garage. All lighting would be low-intensity and shielded downward to avoid light spillage onto adjacent properties. The site plan provides an adequate amount of useable open space, room for trash storage, and a pedestrian connection to the W. 6th Avenue frontage.

The design of the proposed ADU complements the primary residence in both architectural elements and finish. The roof pitch is similar, and both structures feature wood siding. The proposed colors for the ADU would also match the primary residence, which is a one-story olive-colored house with cream trim and a black composition shingled roof.

SD-4 Special Design Considerations Overlay Zone

The project site fronts W. 6th Avenue, a partially improved local street. Curb, gutter, and sidewalk begins at the adjacent property west of the project parcel and continues west along W. 6th Avenue for approximately 180 feet. Sidewalk exists along a portion of the project site's frontage. As such, the project would be required to complete the sidewalk connection along the remaining portion of the W. 6th Avenue frontage for the subject property (see Condition of Approval #9).

The project site is a corner lot and is not adjacent to an alleyway. Access to the site would be provided from W. 6th Avenue. Sufficient off-street parking would be provided to accommodate both dwelling units. The sidewalk improvements as a result of project approval would be beneficial for the neighborhood and improve the aesthetics and function of the W. 6th Avenue frontage. As such, this residential block is better suited for an ADU compared to many of the other blocks within the SD-4 overlay zone and should not compromise the health, safety, and livability of the area or exceed the reasonable carrying capacity of the existing infrastructure.

General Plan Consistency

The project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-1, LU-4, and CD-5) and the provision of an adequate supply of rental housing to meet a wide range of renters and future needs throughout the City (H.3, H.3.2, H.3.4). Furthermore, the project would result in the improvement of the sidewalk along W. 6th Avenue, enhancing the existing neighborhood and walkable access (LU-3).

OTHER ENTITLEMENTS

The construction of the proposed ADU and accessory structure (garage) will require review and entitlement from the City of Chico Building Division.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). The project involves the construction of an accessory dwelling unit in a residential zone. The project is consistent with the applicable General Plan designation and zoning regulations.

FINDINGS

Accessory Dwelling Unit

Pursuant to CMC §19.76.130(B)(2) (*Use Permit*), the following findings shall be made for an accessory dwelling unit, in addition to the findings for a use permit:

- A. *The occupancy of the accessory dwelling unit will not result in excessive noise or traffic that would disturb the existing neighborhood.*

The proposed accessory dwelling unit is not anticipated to generate any greater noise or traffic than the other existing single-family and two-family homes/duplexes in the neighborhood. The use is subject to CMC §9.38 (Noise). Given the fact that the unit would contain two bedrooms and sufficient off-street parking is proposed, impacts on traffic and parking in the area are anticipated to be minimal.

- B. The occupancy of the accessory dwelling unit will not have a significant adverse effect on public services or resources.

Given the limited size of the two-bedroom accessory dwelling unit, the unit will not have a significant adverse effect on public services or resources. The property is located within an urban area served by existing public services and utilities.

- C. The design of the accessory dwelling unit is compatible with the design of the main dwelling unit and the surrounding neighborhood in terms of size, exterior treatment, height, landscaping, scale and site coverage.

The accessory unit includes similar design elements, colors and materials as the main dwelling to achieve consistency, as well as the general design of other residences found throughout the neighborhood. The structure would be situated next to the main dwelling on the west side and accessed from W. 6th Avenue. The unit would not adversely impact the privacy of adjacent properties.

In addition, CMC Section 19.76.130.B requires that one of the structures, either the primary or accessory unit, must be occupied by the property owner. The owner occupancy requirement has been added as a condition of the permit approval (see Condition #5, below).

Use Permit

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

An accessory dwelling unit is an allowed use with approval of a use permit in the SD-4 (Special Design Considerations West Avenues Neighborhood Area) zoning overlay. The accessory dwelling unit complies with the development standards set forth in CMC §19.76.130 and has been processed in accordance with the requirements of CMC Chapter 19.24.

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

No impacts to the health, safety, or welfare of neighborhood residents have been identified, as the unit is compatible with the existing single-family residential use and surrounding residential uses in design, scale and materials. Adequate open space is provided for both units and adequate setbacks are provided from adjoining single-family lots. No impacts to the health, safety, or welfare of neighborhood residents have been identified. Sufficient on-site parking spaces are provided for both residential structures, and the ADU meets all other Chico Municipal Code development standards.

- C. *The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.*

The project is consistent with the residential uses in the area and will comply with all applicable building and development regulations and standards. The project will be beneficial to the general welfare of the City by helping to maintain compact urban form, increasing the variety of housing stock and improving sidewalk infrastructure for the neighborhood. Existing regulations require that any public improvements damaged during the course of construction be repaired or reconstructed by the applicant. No impacts to property or improvements have been identified.

- D. *The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.*

The proposed project is consistent with several General Plan goals and policies, including those that encourage compatible infill development (LU-1, LU-4, and CD-5) and providing adequate supply of rental housing to meet a wide range of renters and future needs throughout the city (H.3, H.3.2, H.3.4). Furthermore, the project would result in the improvement of the sidewalk along W. 6th Avenue, enhancing the existing neighborhood and walkable access (LU-3).

- E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

The proposed accessory residential use will be consistent and compatible with existing adjacent single-family residential uses. Adequate off-street parking will be provided.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 19-10 authorizes the construction of an accessory dwelling unit within the SD-4 (West Avenue Neighborhood Area Special Design Considerations) overlay zone, in substantial accord with the "Plat to Accompany Use Permit 19-10 (Woodward ADU)" and in compliance with all other conditions of approval.
2. The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Public Works Department, Fire Department, and Butte County Environmental Health. The permittee is responsible for contacting these offices to verify the need for permits.
3. All applicable standards of Municipal Code Section 19.76.130 apply to this permit.
4. The accessory dwelling unit shall be subject to administrative architectural review.
5. Prior to the issuance of a certificate of occupancy for the accessory dwelling unit, the

owner shall execute a covenant acknowledging that either the primary or accessory dwelling unit on the property must be occupied by an owner of the property, which shall be recorded with the County Recorder's office. The property owner shall pay all recording fees.

6. The ADU shall be provided with an outdoor area for the storage of trash and recycling receptacles. That area shall have an all-weather surface and be screened from view by a fence, wall or permanent landscaping.
7. No tree removal has been approved as part of this project. Should tree removal be necessary, the applicant shall submit a tree removal permit application pursuant to CMC Section 16.66.070 prior to the issuance of building permits.
8. The applicant shall provide to the satisfaction of the Director a recorded document stating the intended use of the proposed new garage is not to be a dwelling unit and that any future conversion to a dwelling unit shall be done so in compliance with CMC Section 19.76.130.
9. The applicant shall complete sidewalk improvements along the W. 6th Avenue frontage of the subject parcel.
10. The applicant shall ensure that the nearest edge of any driveway curb cut shall be at least 3 feet from the centerline of a fire hydrant, utility pole, drop inlet, and/or appurtenances, traffic signal installations, light standards, or other facilities.

PUBLIC CONTACT

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date, and notices were mailed to all property owners and tenants within 500 feet of the project site. At the time of this report being published, staff has not received any public comments.

DISTRIBUTION:

Internal (2)
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Kelly Murphy, Planner

External (2)
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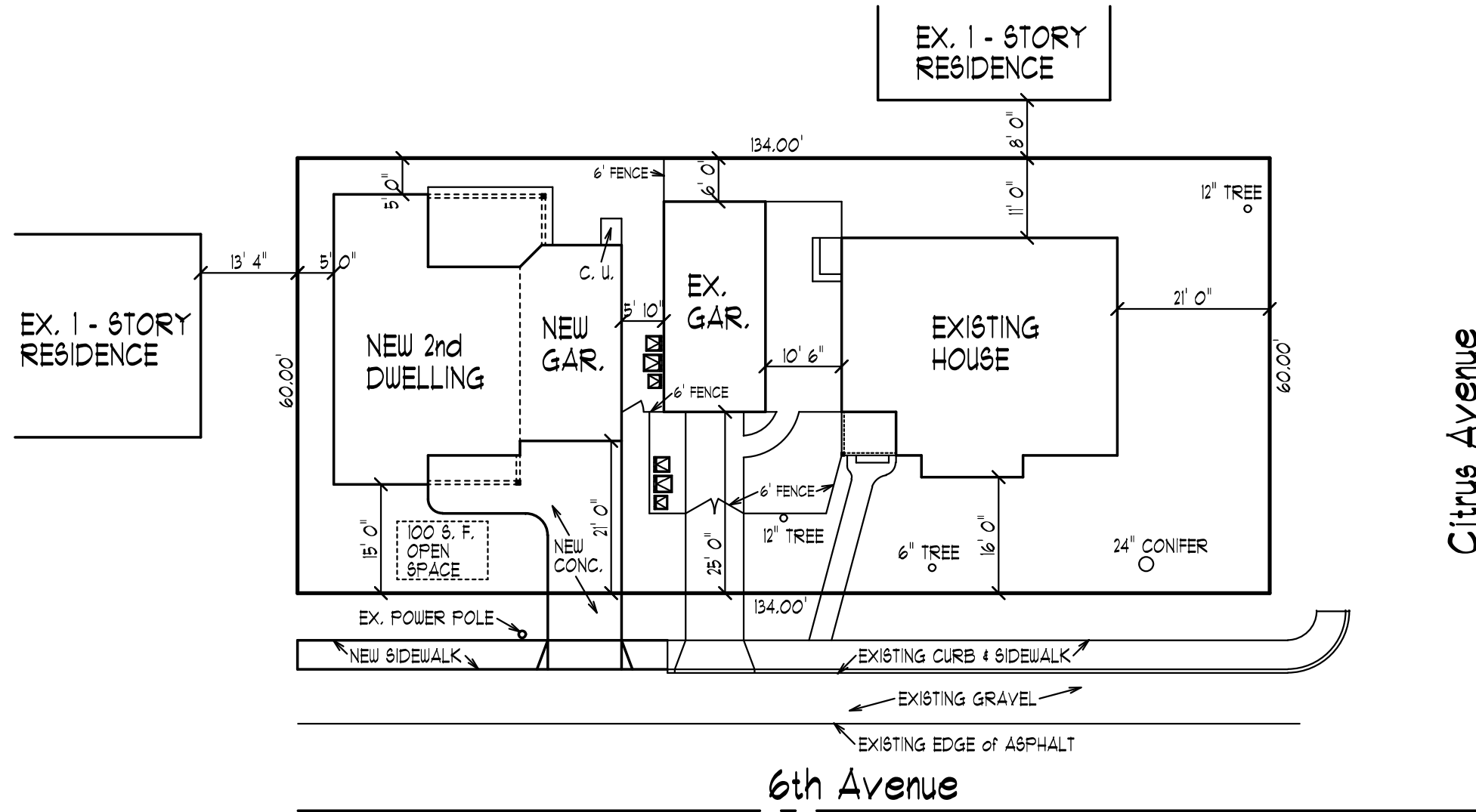
ATTACHMENTS:

- A. Location Map
- B. Site Plan to Accompany Use Permit 19-10 (Woodward)



UP 19-10 (Woodward)
336 W 6th Avenue
APN 003-571-011-000





COVERAGE CALCS.

<u>EXISTING</u>	
HOUSE	= 1137 中
GARAGE	= 406 中
FRONT PORCH	= 45 中
<u>NEW</u>	
2nd DWELLING	= 849 中
GARAGE	= 374 中
REAR PATIO	= 156 中
FRONT PORCH	= 51 中
TOTAL	= 3018 中
LOT AREA	= 8040 中
ALLOWABLE	= 4020 中

LEGAL :
 336 W. 6th Ave.
 City of Chico , CA.

SITE PLAN
 OWNER : WOODWARD

