

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE ADJOURNED REGULAR MEETING OF  
FEBRUARY 21, 2013**

Municipal Center  
421 Main Street  
Council Chambers

**Commissioners Present:** Chair, Matt Juhl-Darlington  
Vice Chair, Ken Rensink  
Eleanor Anderson  
Matt Juhl-Darlington,  
Mike O'Donnell  
Toni Scott  
Margaret Worley.

**Commissioners Absent:** John Merz

**Staff Members Present:** Mark Wolfe, AICP, Planning Services Director;  
Roger Wilson, Assistant City Attorney  
Matt Johnson, Senior Development Engineer  
Brendan Vieg, Principal Planner  
Bob Summerville, AICP, Senior Planner  
Greg Redeker, AICP, Associate Planner  
Mike Sawley, Associate Planner  
Karen Masterson, Administrative Assistant.

1. **CALL TO ORDER AND ROLL CALL**  
Commissioner Juhl-Darlington called the meeting to order at 6:30 p.m. Administrative Assistant Masterson completed roll call. Commissioners and staff were present as noted.
2. **SWEARING IN OF NEWLY-APPOINTED PLANNING COMMISSIONERS**  
City Clerk Debbie Presson swore-in Eleanor Anderson, Toni Scott and Margaret Worley as new Planning Commissioners, who will each serve four-year terms.
3. **EX PARTE COMMUNICATION**  
None.
4. **CONSENT AGENDA**  
None.
5. **PUBLIC HEARING ITEMS**  
None.

**6. REGULAR AGENDA**

**6.1. Phase II(B) of the Comprehensive Update of Title 19 Land Use and Development Regulations of the Chico Municipal Code and Rezone of Foothill Development Special Design Overlay Zoning District - (Noticed 01-28-13)** – The Commission will continue its discussion and review proposed amendments to Title 19 of the Chico Municipal Code that comprise a portion of Phase II(B) of the Comprehensive Update. Phase II(B) amendments consist of various revisions and amendments to better implement the General Plan and improve the development review process. Important changes to the Code's regulation of signs and parking are also included, as are changes to the various land use tables in Title 19. In addition, the proposed amendments would permit Transitional and Supportive Housing in many zoning districts without the currently required Use Permit, in order to comply with recently adopted state law. Also included within Phase II(B) are amendments that address Chapters 19.22 (Temporary Uses), Chapter 19.68 (Landscaping Standards), and new Chapters 19.23 (Mobile Food Vendors) and Chapter 19.27 (Foothill Development Permits). In addition, the Planning Commission will consider, as part of the Phase II(B) amendments, a Special Design Considerations overlay (-SD overlay) zoning district specific to foothill areas where existing regulations set forth in Chapter 19.66 (Foothill Development Standards) would be implemented. **(Report: Senior Planner Bob Summerville). *Planning staff recommends that the Planning Commission review the suggested revisions for inclusion in a draft ordinance that will be considered at a subsequent public hearing.***

Planning Services Director Mark Wolfe reminded the Commission this was a continuation of its discussion from its February 7, 2013 meeting. He also reminded the Commission that the public hearing was conducted at that meeting and it was not necessary to conduct a public hearing at this time. The Commission was directed to begin their discussion on page 11 of the staff report.

**Chair Juhl-Darlington opened the public comment period at 6:35 p.m. and invited the public to speak with any general comments.**

Members of the public addressing the Commission were:

Stephanie Elliott, GRUB Education Programs spoke about community gardens and their ADA requirements, excessive and expensive requirements inhibiting the public from creating community gardens in low income area, and seeking information on animal keeping within community gardens as they are an integral component to community gardens.

Dave Kelley spoke regarding how to measure heights to the gable of roofs and passed out a handout (colored pictures of various structures) regarding Downtown parking reductions, and spoke in favor of portable signs Downtown.

Chris Giampaoli, developer, spoke about parking reductions.

Mark Stemen spoke in regards to setbacks for animal keeping, ADA access of community gardens and density issues.

**With no other members of the public wishing to address the Commission, Chair Juhl-Darlington closed the public comment period at 7:05 p.m.**

Associate Planner Mike Sawley discussed density issues along transit corridors.

Senior Planner Summerville discussed community gardens in relation to ADA and parking concerns.

Assistant City Attorney Roger Wilson spoke in relation to ADA accessibility with community gardens.

Commissioners discussed proposed amendments and staff answered questions.

**The Planning Commission recessed at 8:00 p.m. and reconvened at 8:15 p.m. Commissioners and staff were present as noted.**

**Chair Juhl-Darlington re-opened the public comment at 8:25 p.m.**

Mike Trolinder addressed the Commission regarding expanded uses in the Manufacturing/Industrial zoning districts. He suggested an exemption for small business use permits to encourage a broader range of businesses.

Dave Kelly shared his ideas regarding parking and mixed use centers. He suggested multi-family areas needed more parking and other uses less parking.

Bill Webb, Webb Construction, stated he felt there was adequate parking for the 3-4 bedroom units but more consideration needed to be given to the 1-2 bedroom units.

Mike Trolinder also expressed his opinions regarding signs Downtown. He suggested meeting with Downtown businesses to discuss their needs.

**With no other members of the public wishing to address the Commission, Chair Juhl-Darlington closed the public comment period at 8:40 p.m.**

**Following receipt of public testimony and discussion among the Commission and staff, the Commission directed staff to make the following changes to the proposed amendments:**

1. Section 19.10.020 (Temporary uses, allowed by right): Where a temporary farmers market occupies an existing parking lot, increase the area that a market may occupy beyond the recommended limit of 25% of the required spaces for permanent uses on the property.
2. Section 19.23 (Mobile Food Vendors): Clarify that non-motorized trailers would be allowed for mobile food vendors. Provide more flexible hours of operation, allowing longer hours when adjacent to non-residential uses.
3. Section 19.27 (Foothill Development Permits): The Commission discussed amending the boundaries of the new -FD overlay zone in order to apply the foothill standards to areas from the 250-foot elevation and higher, consistent with the currently regulated area. The Commission requested to continue this item for further discussion at the next meeting.
4. Definition for “new construction”: The term "new construction" is identified under the DN (Downtown North) and DS (Downtown South) zoning districts as amended in Table 4-7 (Commercial and Office Zone General Development Standards) of Chapter 19.44 (Commercial and Office Zones) where allowable heights are increased from 65 to 85 feet. The Commission recommended that the term be defined.
5. Section 19.46.040.B3 (Manufacturing/Industrial zoning district performance standards): Discussion on landscaping. Majority of Commission supports the proposed 15% net area of site to be utilized for landscaping areas.
6. Section 19.60.030 (Creekside development): Discussion on access to creeks regarding setback requirements varying from informational or regulatory. Through a straw poll, Commission agreed with staff’s recommendation in the staff report.
7. Section 19.64.010 (Purpose) and Section 19.64.040 (Agricultural Buffers): Would like the Ag buffer to be more consistent with County’s but that will require a General Plan amendment. Commission agrees with staff’s recommendation in the staff report. Commission has asked staff to change the word “warn” to “inform” in Chapter 19.64.010.C.
8. Section 19.76.040 (Animal Keeping): The Commission took a straw poll to consider allowing honey bees in R2 or R3 zoning districts. With a 4-3 straw poll, Commission supports changes as proposed in the staff report.

7. **BUSINESS FROM THE FLOOR**

None.

8. **REPORTS & COMMUNICATIONS**

None.

9. **ADJOURNMENT** – The Commission agreed to continue the discussion of the remainder of the items (page 11 forward). Chair Juhl-Darlington adjourned the meeting at 9:15 p.m. to the Adjourned Regular Meeting of March 7, 2013 at 6:30 p.m.

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Date Approved

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Mark Wolfe  
Community Development Director

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING OF  
MARCH 21, 2013**

Municipal Center  
421 Main Street  
Council Chambers

**Commissioners Present:** Chair Matt Juhl-Darlington  
Vice Chair Ken Rensink  
John Merz  
Mike O'Donnell  
Toni Scott  
Margaret Worley

**Commissioner(s) Absent:** Eleanor Anderson

**Staff Members Present:** Mark Wolfe, AICP, Planning Services Director  
Roger Wilson, Assistant City Attorney  
Matt Johnson, Senior Development Engineer  
Denise Britton, Urban Forest Manager  
Mike Sawley, Associate Planner  
Karen Masterson, Administrative Assistant

1. **CALL TO ORDER AND ROLL CALL**  
Chair Juhl-Darlington called the meeting to order at 6:31 p.m. Commissioners and staff were present as noted.
2. **EX PARTE COMMUNICATION**  
Several Commission members disclosed they had visited the site.
3. **CONSENT AGENDA**  
There were no items for the Consent Agenda.
4. **PUBLIC HEARING ITEMS**
  - 4.1 **Deer Park Vesting Tentative Subdivision and Planned Development Permit (S/PDP13-01) - (Noticed 03-11-13)** - Located on Lionsgate Way and East 8th Street, west of Forest Avenue, APNs Various. A proposed 24-lot subdivision involving parcels created through a previously recorded subdivision known as the Park Forest Subdivision. The request would also revise approved designs for single-family homes to be constructed on the subject lots. The project site is designated on the Chico General Plan Diagram as Low Density Residential and is zoned R1 (Low Density Residential). The project is within the scope of the adopted mitigated negative declaration for the Park Forest Subdivision. **(Report: Associate Planner Mike Sawley)**

**Association Planner Sawley provided a project overview.**

Commissioner Worley requested clarification regarding the changes from the original plans that were previously approved. Associate Planner Sawley explained the main difference was that 3 lots were removed and lot lines were adjusted to reflect the proposed changes.

Commissioner Merz requested clarification regarding why guest houses were included in the plans. Associate Planner Sawley stated the guest houses were an option available on certain lots, separate building permits would be required and were included in the plan design because the applicant is asking for an exception to allow the guest houses to be a maximum of 350 square feet instead of the standard 250 square feet.

Chair Juhl-Darlington inquired about alleys and whether they were large enough for emergency vehicles. Associate Planner Sawley stated they met all current standards.

Commissioner Worley requested clarification regarding the exclusive use easements and questioned why the developer chose to utilize exclusive use easements vs expanding lots.

Commissioner Worley questioned whether the 25% open space requirement was being satisfied. Associate Planner Sawley stated that there was more than 25% open space with the current plan and clarified what areas were included in the 25% calculation.

Commissioners expressed concern regarding trees that were retained in the original design and scheduled to be removed under proposed design. Staff shared that the trees were determined to be damaged and unsafe.

**Chair Juhl-Darlington opened the public hearing at 6:57 p.m.**

Addressing the Commission in the following order were:

John Anderson, Anderson Kim Architecture & Urban Design speaking on behalf of the applicant discussed the project at length. Mr. Anderson address the questions and concerns the Commission regarding the guest houses, Use Easements and open space requirements.

Tom DiGiovanni, President, New Urban Builders, also spoke on behalf of the applicant. He addressed the issues with the first phase of the project, why the design was revised and also addressed the concerns with guest houses, exclusive use easements, alley design, tree loss, and over-all project design. Mr. DiGiovanni specifically addressed the concerns regarding the loss of the three Black Walnut trees at the entrance of the project. He stated that they were inadvertently damaged by a subcontract during the initial phase and were being monitored by the City's Urban Forest Manger, who determined they needed to be removed for safety reasons. Mr. DiGiovanni also discussed the projected target market for the houses and pricing range anticipated.

Tom Haithcock, former Director of the Nature Center, and previous "commenter" on the original project, addressed the Commission with his concerns regarding the Black Walnut trees to be removed and shared that a considerable amount of time and effort was spent

saving the Black Walnut trees slated for removal. Mr. Haithcock requested that if indeed the trees had to be removed that the project be required to compensate the loss.

**There were no additional members of the public wishing to address the Commission on this item and the public hearing was subsequently closed at 7:48 p.m.**

Commissioner Rensink inquired about the penalties for damaging the trees and whether there were penalties for removing more than the approved number of trees on the project.

Commissioner Merz requested clarification on the need for a modification to the Chico Maintenance District. Senior Development Engineer Matt Johnson stated that originally the costs associated with the Maintenance District were divided between the existing lots at the time, and since 3 lots were proposed to be removed, there would need to be an adjustment for the loss of those lots.

Commissioner Merz requested further information and clarification regarding the loss of the Black Walnut trees. Urban Forest Manager Denise Britton addressed the concerns and relayed the circumstances leading up to her determination that the trees need to be removed for safety. She also addressed the additional 5 trees that are scheduled for removal. Ms. Britton stated the trees would be mitigated in an alternative location with native species that will be appropriate with the project design.

***A motion was made by Commissioner Merz, and seconded by Rensink, to adopt Resolution No. 13-01, approving the Deer Park Subdivision and Planned Development Permit (S/PDP 13-01), subject to the conditions of approval contained therein.***

***Motion carried by a vote of 6-0-1 (Anderson absent)***

**Direction was given to Assistant City Attorney Wilson to provide the Commission with the current penalties for damaging trees and the history of how the amount was determined.**

**5. REGULAR AGENDA**

None

**6. BUSINESS FROM THE FLOOR**

None

**7. REPORTS & COMMUNICATIONS**

None

**7.1 Planning Update** – Planning Services Director Wolfe provided the latest agenda calendar status. There are several items in the queue for the April 4, 2013 agenda including staff providing draft ordinances regarding Title 19 updates for Commission review. There will be an upcoming training in May for the Commission coordinated by the City Clerk's Office. Staff will be providing the Commission with a proposed Work Plan for the Commission consistent with the previous Work Plans focusing on the implementation of the General Plan.

8. **ADJOURNMENT** - There being no further business to come before the Commission, Chair Juhl-Darlington adjourned the meeting at 8:10 p.m. to the Adjourned Regular Meeting of April 4, 2013.

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Date Approved

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Mark Wolfe  
Planning Services Director

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING OF  
APRIL 4, 2013**

Municipal Center  
421 Main Street  
Council Chambers

**Commissioners Present:** Chair, Matt Juhl-Darlington  
Vice Chair, Ken Rensink  
Eleanor Anderson  
John Merz  
Mike O'Donnell  
Toni Scott  
Margaret Worley

**Commissioner(s) Absent:** None

**Staff Members Present:** Mark Wolfe, AICP, Planning Services Director  
Roger Wilson, Assistant City Attorney  
Matt Johnson Senior Development Engineer,  
Bob Summerville, AICP, Senior Planner  
Greg Redeker, Associate Planner  
Mike Sawley, Associate Planner  
Karen Masterson, Administrative Assistant

1. **CALL TO ORDER AND ROLL CALL**  
2. Chair Juhl-Darlington called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

2. **EX PARTE COMMUNICATION**  
None

3. **CONSENT AGENDA**  
There were no items for the Consent Agenda.

4. **PUBLIC HEARING ITEMS**

4.1 **Phase II(B) of the Comprehensive Update of Title 19 Land Use and Development Regulations of the Chico Municipal Code and Rezone of Foothill Development Special Design Overlay Zoning District** (*Noticed 03-25-13*) - The Planning Commission will conduct a public hearing and consider a recommendation to the City Council regarding proposed amendments to Title 19 of the Chico Municipal Code that comprise Phase II(B) of the Comprehensive Update. Phase II(B) amendments consist of various revisions and amendments to better implement the General Plan and improve the development review process. Important changes to the Code's regulation of signs and parking are also included, as are changes to the various land use tables in Title 19. In addition, the proposed amendments would permit Transitional and Supportive Housing in many zoning districts without the current requirement for a use permit, in order to comply with recently adopted state law. Also included within Phase II(B) are amendments that address Chapter 19.10 (Noticing and Public Hearings), Chapter 19.22 (Temporary Uses),

Chapter 19.30 (Permit Implementation, Time Limits, Extension), Chapter 19.64 (Agricultural Preservation Standards), Chapter 19.60 (General Property Development and Use Standards), Chapter 19.68 (Landscaping Standards, Chapter 19.70 (Parking and Loading Standards), Chapter 19.74 (Signs), Chapter 19.76 (Standards for Specific Land Uses - including Animal Keeping), and new Chapters 19.23 (Mobile Food Vendors) and Chapter 19.27 (Foothill Development Permits). In addition, the Planning Commission will consider, as part of the Phase II(B) amendments, a new Foothill Development (-FD) overlay zoning district specific to foothill areas where existing regulations set forth in Chapter 19.66 (Foothill Development Standards) and Chapter 19.66 (Foothill Design Criteria) would be consolidated for clarity and streamlined processing.

**Report presented by Senior Planner Bob Summerville, Associate Planner Mike Sawley, and Associate Planner Greg Redeker**

***Planning staff recommended that the Planning Commission adopt the following resolutions:***

- A) *Resolution No. 13-02, Resolution of the Planning Commission of the City of Chico recommending City Council adoption of an ordinance amending Title 19 of the Chico Municipal Code regarding Phase II(B) of a Comprehensive Update of Title 19; and,*
- B) *Resolution No. 13-03, Resolution of the Planning Commission of the City of Chico recommending that the City Council rescind Chapter 19R.66 Foothill Design Criteria; and,*
- C) *Resolution No. 13-04, Resolution of the Planning Commission of the City of Chico recommending City Council adoption of an ordinance rezoning the Foothill Development (-FD) overlay zoning district; and,*
- D) *Resolution No. 13-05, Resolution of the Planning Commission of the City of Chico recommending City Council adoption of an ordinance repealing and replacing Chapter 19.70 entitled "Parking and Loading Standards" of the Chico Municipal Code regarding Phase II(B) of a Comprehensive Update of Title 19; and,*
- E) *Resolution No. 13-06, Resolution of the Planning Commission of the City of Chico recommending City Council adoption of an ordinance rescinding Chapter 19.74 (Signs) of the Chico Municipal Code and adopting a new Chapter 19.74 (Signs) as part of Phase II(B) of the Comprehensive Update of Title 19.*

Chair Juhl-Darlington opened the public hearing at 6:57 p.m.

**Members of the public addressing the Commission appeared in the following order:**

Mark Stemen spoke in agreement with the changes regarding community gardens, but did express concerns regarding the setbacks for chicken coops. He also questioned the classification of goats, stating that it should be regulated more by breed, stating pygmy goats should be considered the same as dogs with a limit of three. Mr. Stemen then

addressed the Commission as President of BEC and stated he was upset about the proposed changes in the setback along the creekside greenways.

Mike Trolinder addressed the Commission regarding the sign code, specifically the marquee signage. He spoke in favor of the sandwich board standards and expressed his preference for a taller allowable height.

**There were no additional members of the public wishing to address the Commission on this item and the public hearing was subsequently closed at 7:13 p.m.**

Chair Juhl-Darlington requested staff address the questions raised by members of the public.

Planning Services Director Wolfe clarified the information and intent with the creekside setback standards and also shared that a larger set back could be required if deemed necessary to address an environmental impact.

Commission discussed the merits of a 100 foot setback. Commissioner Rensink inquired what the requirements would be to change the minimum setback to 50 feet. Planning Services Director Wolfe stated that it would require another public hearing and would possibly make development impossible and lead to non-conforming structures.

Commissioner Scott ask for clarification regarding the parking changes.

Commissioner Merz expressed concern that the Title 19.44 mixed use language and table was not in front of the Commission and felt uncomfortable voting on verbiage not reviewed.

Commissioner Worley inquired about a notation to the City Council that the Commission had not reviewed the language of the section in question. Senior Planner Summerville stated that the staff report would note the Commission was in agreement to the changes but had not reviewed the specific language.

***A motion was made by Commissioner O'Donnell, and seconded by Commissioner Anderson, that the Planning Commission adopt Resolution No. 13-02, recommending the City Council adoption of an ordinance amending Title 19 of the Chico Municipal Code regarding Phase II(B) of a Comprehensive Update of Title 19.***

Commissioner Worley inquired if the resolution could be postponed to another meeting. Planning Services Director Wolfe stated that the Resolution could be back on the agenda on May 2, 2013, and would not cause a significant issue.

Commission discussed that while the verbal presentation of changes to the table in Title 19.44 was not the preferred method of proposing a change; the changes in that section were not significant enough to warrant postponing the vote on the resolution.

***Motion carried (6-1) to adopt Resolution 13-02.***

*A motion was made by Commissioner Anderson, and seconded by Commissioner Worley, that the Planning Commission adopt Resolution No. 13-03, recommending the City Council rescind ordinance 19.66 of the Chico Municipal Code Foothill Design Criteria. Motion carried by a vote of 7-0.*

*A motion was made by Commissioner Anderson, and seconded by Commissioner Scott, that the Planning Commission adopt Resolution No. 13-04, recommending the City Council adoption of an ordinance rezoning the Foothill Development (-FD) Overlay zoning district.*

*A motion was made by Commissioner Merz to amend the Resolution/original motion to indicate that the boundary of the Foothill Development overlay follows the 250 foot elevation. Motion is seconded by Commissioner Rensink.*

*Commissioner Anderson stated this would put her in the area of overlay, therefore she must abstain. Due to the abstention of Commissioner Anderson the original Motion was determined to no longer be valid. City Attorney Wilson indicated that a new motion with the amendment incorporated within it would be the proper way to proceed.*

*The Amended Motion made by Commissioner Merz, seconded by Commissioner Rensink. The Motion failed (3-3-1-Juhl-Darlington, Scott & O'Donnell opposed, Anderson abstained)*

*A motion was made by Commissioner O'Donnell, and seconded by Commissioner Scott, that the Planning Commission adopt Resolution No. 13-04, recommending the City Council adoption of an ordinance rezoning the Foothill Development (-FD) Overlay zoning district as proposed. The motion passes (4-2-1; Merz & Rensink opposed, Anderson abstained)*

*A motion was made by Commissioner Scott, and seconded by Commissioner Worley, that the Planning Commission adopt Resolution No. 13-05, recommending the City Council adoption of an ordinance repealing and replacing chapter 19.70 entitled "Parking and Loading Standards" of the Chico Municipal Code regarding Phase II(B) of a comprehensive update of Title 19. The motion passes (5-1-1 Merz opposed, Anderson abstained)*

*A motion was made by Commissioner Anderson and seconded by Commissioner Worley that the Planning Commission adopt Resolution No. 13-06 recommending the City council adoption of an ordinance rescinding Chapter 19.74 (Signs) of the Chico Municipal code and adopting a new chapter 19.74 (Signs) as part of Phase II(B) of the Comprehensive Update of Title 19. The motion Passes (7-0)*

**5. REGULAR AGENDA**

None

**6. BUSINESS FROM THE FLOOR**

None

**7. REPORTS & COMMUNICATIONS**

**7.1 Planning Update** – Planning Services Director Wolfe provided the latest agenda calendar status. There is nothing in the queue for the April 18th, agenda, therefore the meeting will be cancelled. On May 2, 2013, staff will present the proposed Biannual Work Plan for the Planning Commission. Director Wolfe also reported that in the agenda packet was a memo from Assistant City Attorney Wilson regarding the tree damage penalties as requested by the Commission in the previous meeting.

**8. ADJOURNMENT**

There being no further business to come before the Commission, Chair Juhl-Darlington adjourned the meeting at 8:05 p.m. to the Adjourned Regular Meeting of May 2, 2013.

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Date Approved

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Mark Wolfe  
Planning Service Director

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING OF  
May 2, 2013**

Municipal Center  
421 Main Street  
Council Chambers

**Commissioners Present:** Chair, Matt Juhl-Darlington  
Vice Chair, Ken Rensink  
Eleanor Anderson  
John Merz  
Toni Scott  
Margaret Worley

**Commissioner(s) Absent:** Mike O'Donnell

**Staff Members Present:** Roger Wilson, Assistant City Attorney  
Matt Johnson, Senior Development Engineer  
Brendan Vieg, Principal Planner  
Karen Masterson, Administrative Assistant

**1. CALL TO ORDER AND ROLL CALL**

2. Chair Juhl-Darlington called the meeting to order at 6:30 p.m. Commissioners and staff were present as noted.

**2. EX PARTE COMMUNICATION**

None

**3. CONSENT AGENDA**

There were no items for the Consent Agenda.

**4. PUBLIC HEARING ITEMS**

There were no items for Public Hearing

**5. REGULAR AGENDA**

**5.1 2013-2014 Planning Commission Work Plan** – The Commission reviewed the proposed Work Plan to be presented at a future meeting of the City Council. Principal Planner Brendan Vieg presented the staff report and the proposed Work Plan.

Commissioner Merz requested clarification on the information provided in the section titled Fiscal Considerations. Principal Planner Vieg stated that most of the projects in the Work Plan were already in the budget or will be in the budget so funding would not be a consideration in the completion of the projects.

Commissioner Merz requested an update on the status of the Air Quality Impact Fee. Principal Planner Vieg stated staff had recently met with the Air Quality Board staff to provide feedback on the CEQA handbook update that is in progress. He stated that staff provided them a list of comments and suggestions for the handbook, including a specific request to clarify the mitigation section to eliminate any ambiguity in the steps to be taken.

Commissioner Merz inquired about the measurements column and why it was not populated. Principal Planner Vieg stated the Work Plan Form is a generic form utilized by all Boards & Commissions appointed by the City Council. In the past this section has not been utilized by the Planning Commission. Principal Planner Vieg stated he was unsure what quantifications, if any, would be appropriate in that column. Commissioner Merz suggested that perhaps the column should be removed rather than left blank.

Commissioner Merz requested that work plan item # 4, Inclusionary Housing and item #6, Update 2009 Housing Element be placed in succession since he believes them to be interactive. He also requested the priority for Inclusionary Housing be changed to Immediate. Principal Planner Vieg stated that some of the delay in the Inclusionary Housing project has been due to recent litigation and the situation needs to be resolved prior to moving forward.

**Chair Juhl-Darlington opened the floor for public comment on this item.**

Mark Stemen from the Butte Environmental Council expressed his disappointment regarding the progress of the Air Quality Impact Fee. He requested a meeting with staff to further discuss the project.

There was no further comments from the public.

***The Planning Commission accepted the report and directed staff to present the Work Plan to the City Council with the changes requested.***

**5.2 General Plan Annual Report and Sustainability Indicators Report** - As required by the City's General Plan and State government Code, the Commission reviewed the General Plan Annual Report and Sustainability Indicators Report. Principal Planner Vieg presented the Staff Report, General Plan Annual Report and Sustainability Indicators Report.

Commissioner Worley requested clarification regarding the estimated population and growth rate vs the actual growth rate and how that affected land inventory for development. Commissioner Merz inquired about the parameters used to calculate the growth history and how future numbers would be calculated.

Commissioner Anderson requested that the Clean & Safe program be highlighted in the Sustainability Report.

Commissioner Rensink asked for clarification regarding the "reporting data" and "Base year data".

Commissioner Merz requested clarification regarding the tree planting sites, the monitoring of health of trees and the open space areas.

Commissioner Merz suggested the Economic Development rating should be upgraded to showing "Clear Progress". Commissioner Scott suggested adding a bullet point with unemployment statistics.

Chair Juhl-Darlington stated he found the reports to be informational, clearly written and helpful.

**Chair Juhl-Darlington opened the floor for public comment on this item:**

Mark Stemen from the Butte Environmental Council requested clarification regarding the City effort to conduct a Green House Gas Inventory and the expansion of Opportunity Sites in the City's General Plan.

There were no further comments from the public.

*The Planning Commission accepted the reports and gave staff direction to present the General Plan Annual Report and the Sustainability Indicators Report to City Council with the changes requested.*

**6. BUSINESS FROM THE FLOOR**

Commissioner Rensink addressed the Commission and members of the public regarding his vote at the previous meeting involving the Foothill Development Overlay. In the original discussion and vote several meetings prior, he agreed with the boundary line following the 270 foot elevation and during the approval of the Ordinance he voted against the 270 foot elevation boundary. Commissioner Rensink stated he felt he needed to explain this contradiction. He explained that after careful consideration he felt the additional buffer made more sense with regards to the General Plan and the vision of future development, and that is why he made his vote.

**7. REPORTS & COMMUNICATIONS**

None

**7.1 Planning Update**

Principal Planner Vieg stated there were no projects currently on the May 16, 2013 agenda and the meeting would most likely be canceled. Principal Planner Vieg stated the Title 19 Ordinance would be presented at the next City Council meeting with the input and changes provided by the Planning Commission.

**8. ADJOURNMENT**

There being no further business to come before the Commission, Chair Juhl-Darlington adjourned the meeting at 7:47 p.m. to the Adjourned Regular Meeting of May 16, 2013.

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Date Approved

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Mark Wolfe  
Planning Service Director

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR MEETING OF  
June 6, 2013**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present:       Matt Juhl-Darlington, Chair  
  Ken Rensink, Vice Chair  
  Eleanor Anderson  
  John Merz  
  Toni Scott  
  Mike O'Donnell  
  Margaret Worley

Commissioners Absent:       None

Staff Members Present:       Mark Wolfe, AICP, Community Development Director  
  Brendan Vieg, Principal Planner  
  Gregg Redeker, Associate Planner  
  Mike Sawley, Associate Planner  
  Matt Johnson, Senior Development Engineer  
  Roger Wilson, Assistant City Attorney

**1.   ROLL CALL**

Chair Juhl-Darlington called the meeting to order at 6:30 pm.   Commission members and staff were present as noted.

**2.   EX PARTE COMMUNICATION**

All the Commissioners disclosed they had visited the project sites.   Commissioner O'Donnell disclosed he had spoken with a member of the public regarding item 4.2. Commissioner Scott disclosed she had spoken with residents regarding both items.

**3.   CONSENT AGENDA**

There were no items for the Consent Agenda.

**4.   PUBLIC HEARING ITEMS**

**4.1 Modification of Use Permit 12-09 (Melton) 1191 Woodland Avenue, APN 004-411-004 (Noticed 05-28-13)** – A proposed modification to an approved fence that exceeds three feet in height within the front yard setback.   The project site is designated Low Density Residential on the General Plan Land Use diagram and located in the R1 Zoning district (Low Density Residential).   The project is exempt from environmental review pursuant to

Section 15303 of the California Environmental quality Act (CEQA) Guidelines (New Construction or Conversion of Small Structures). (**Staff Report: Associate Planner Mike Sawley**)

*Commissioner Scott stated the City Attorney determined that there was no conflict of interest for her on this item given that 5<sup>th</sup> Sun is a former client of her current employer and the association ended prior to her employment.*

*Commissioner O'Donnell recused himself due to a conflict of interest.*

Associate Planner Sawley provided a project overview.

**Chair Juhl-Darlington opened the public hearing at 6:35 PM**

There was no public comment

**Chair Juhl-Darlington closed the public hearing at 6:36 PM**

*Commissioner Merz moved to adopt Resolution 13-07, approving the modification of Use Permit 12-09 (Melton), subject to the conditions of approval contained therein. Seconded by Commissioner Worley. The motion passes 6-0-1 (O'Donnell recused)*

**4.2 Use Permit 13-03 (First Responder EMS) 821 Chestnut Street, APN 004-278-009**  
(Noticed 5-28-13) – A request to operate an ambulance station and crew's quarters in an existing single family residence located between W. 8<sup>th</sup> and W. 9<sup>th</sup> Streets. The use permit would also authorize a fence up to eight feet in height on the side property line, and up to Six feet in Height within the front yard setback. This project was referred to the Planning Commission by the Zoning Administrator at the conclusion of a public hearing held on May 14, 2013. The site is designated Medium-High Density Residential on the General Plan land Use Diagram, and is located in the R3 zoning district (Medium-High Density Residential). This project is categorically exempt from environmental review pursuant to Section 15303 of the California Environmental Quality Act (CEQA) guidelines (new Construction or Conversion of Small Structures). (**Staff Report: Associate Planner Greg Redeker, AICP**)

Associate Planner Redeker presented a project overview.

Commission discussed the concerns of local residents. Associate Planner Redeker clarified the proposed fence met the 15 foot setback, and the driveway expansion would be constructed with appropriate material as required by the code.

Commission discussed traffic concerns.

**Chair Juhl-Darlington opened the public hearing at 6:52 PM**

Members of the public addressing the Commission were in the following order:

Byron Parsons, CEO of First Responder; represented the applicant. Mr. Parsons explained the map and included an additional handout for the Commission showing the serviced areas and response time from existing EMT locations. Mr. Parsons explained the need for a station in that area which receives twice as many calls as any other area and the number of calls is increasing. Mr. Parsons addressed the concerns of the local residents, stating proposed solutions for each issue.

Ray Murdock spoke in opposition of the project expressing concerns about the fence and commercial use in a residential area.

Ginger Vogel, a resident in proximity to the neighborhood, expressed concern with “speeding” ambulances in an area of high pedestrian traffic.

Ryan Cheal, rental property owner, spoke in opposition of the station and the fence and feels the unit would be vandalized.

Tawny Cleveland expressed appreciation of the service but felt the location was wrong.

Paul Lieberum, Vice President of Chico Heritage Association, stated they have worked very hard to bring back the historic nature of that area, but admitted that the location in question is not a historic property.

Linda Hamilton, rental property owner in the area, expressed her concerns regarding noise levels, neighborhood “blight”, and traffic. Feels it would wreck the neighborhood.

Donna Becker owner of the adjoining property thanked staff for the immediate response to her questions. Mrs. Becker stated she owned the property next to the site that would share the fence. She is in favor of the ambulance station.

No further public comment.

**Chair Juhl-Darlington closed the public hearing at 7:55 PM.**

*Commissioner O'Donnell moved to adopt Resolution 13-08 approving Use Permit 13-03 (First Responder EMS), subject to the conditions of approval contained therein. Motion was seconded by Commissioner Scott. Commissioner Anderson requested a friendly amendment to remove Goal CD-5 from the resolution. Commissioner O'Donnell accepted the amendment. The amended motion passed 5-2 (Merz & Worley opposed)*

**5. REGULAR AGENDA**

**5.1 Selection of Designated Alternate for the Architectural Review and Historic Preservation Board (ARHPB)** – *Community Development Director Wolfe presented the topic and nomination process.*

Commissioner Worley nominated Commissioner Ken Rensink, Chair Juhl-Darlington seconded the nomination. Commission vote was unanimous, Commissioner Rensink was elected to serve as the designated alternate in the event the ARHPB does not have a quorum for its regular meeting.

**6. BUSINESS FROM THE FLOOR**

None

**7. REPORTS & COMMUNICATIONS**

**7.1 Planning Update** – Community Development Director Wolfe gave a calendar update. The training session coordinated by the City Clerk's Office has not been scheduled yet. There are no items on the agenda for June 20, 2013. The next Commission meeting will be July 18, 2013.

**8. ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 8:17 pm to the **Regular Meeting of Thursday, July 18, 2013.**

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Date Approved

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Mark Wolfe, AICP  
Community Development Director /  
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE ADJOURNED REGULAR MEETING OF  
JULY 18, 2013**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present: Chair, Matt Juhl-Darlington  
Vice Chair, Ken Rensink,  
Eleanor Anderson  
Mike O'Donnell  
Toni Scott  
Margaret Worley

Commissioners Absent: John Merz

Staff Members Present: Mark Wolfe, AICP, Community Development Director  
Brendan Vieg, Principal Planner  
Bob Summerville, AICP, Senior Planner  
Matt Johnson, Senior Development Engineer  
Roger Wilson, Assistant City Attorney

**1. ROLL CALL**

Chair Juhl-Darlington called the meeting to order at 6:31 pm. Commission members and staff were present as noted.

**2. EX PARTE COMMUNICATION**

None.

**3. CONSENT AGENDA**

There were no items for the Consent Agenda.

**4. PUBLIC HEARING ITEMS**

**4.1 - Tentative Parcel Map 13-02 (Country Vista, Inc.) 2925 Godman Avenue, APN 007-220-013 (Noticed 07-01-13)** - A request to divide a 4.32 acre parcel into two parcels. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Infill Development Projects). (*Staff Report: Senior Planner Bob Summerville*)

Senior Planner Summerville provided a project overview.

Chair Juhl-Darlington inquired about the timing of the project's buildout.

**Chair Juhl-Darlington opened the public hearing at 6:40 pm.**

Addressing the Commission in the following order were:

Jim Stevens, Project Engineer, spoke on behalf of the applicant and highlighted project details. The applicant requested a change to the timing of making street frontage improvements on Godman Avenue.

Staff provided responses to the Commission regarding the applicant's request to change the timing of street frontage improvements.

Laranita Vaughn, neighbor, owns property south of the project site and expressed general concerns about the project.

**Chair Juhl-Darlington closed the public hearing at 7:01 pm.**

*Commissioner Rensink moved that the Planning Commission adopt Resolution 13-09, approving Tentative Parcel Map 13-02 (Country Vista, Inc.), subject to the findings and conditions of approval contained therein. Commissioner Worley seconded the motion, which passed 6-0-1 (Merz absent).*

**5. REGULAR AGENDA**

None.

**6. BUSINESS FROM THE FLOOR**

None.

**7. REPORTS & COMMUNICATIONS**

**7.1 Planning Update**

Community Development Director Wolfe shared that the next Commission meeting would be August 15, 2013.

**8. ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 7:20 pm to the Adjourned Regular Meeting of Thursday, August 15, 2013.

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Date Approved

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Mark Wolfe, AICP  
Community Development Director

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR ADJOURNED MEETING OF  
August 21, 2014**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present: Ken Rensink, Chair  
Toni Scott, Vice Chair  
John Howlett  
Matt Juhl-Darlington  
John Merz  
Mike O'Donnell  
Margaret Worley

Commissioners Absent: None

Staff Members Present: Mark Wolfe, AICP, Community Development Director  
Bob Summerville, AICP, Senior Planner  
Matt Johnson, Senior Development Engineer  
Andrew L. Jared, Assistant City Attorney

**1. ROLL CALL**

Chair Rensink called the meeting to order at 6:30 pm. Commission members and staff were present as noted.

**2. EX PARTE COMMUNICATION**

A number of Commissioners acknowledged having conversations with various residents and driving by the project sites.

**3. CONSENT AGENDA**

There were no items on the Consent Agenda.

**4. PUBLIC HEARING ITEMS**

**The Chair requested consensus to move the continued item 4.2 to be heard prior to item 4.1. There was not any objection so Chair proceeded with agenda item 4.2.**

**4.2 Village Green Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 14-01 (S.G. Investment Group, Inc.) - Southeast corner of Sierra**

**Sunrise Terrace and Idyllwild Circle, APN 018-360-002** - (Noticed 7/7/14; Continued from the 8/7/14 Planning Commission meeting) A proposal to subdivide a 5.76 acre parcel into 46 lots for the development of single-family homes, creating a gross density of 7.1 dwelling units per gross acre. A Planned Development Permit is proposed in conjunction with the tentative map to authorize architectural concepts and modifications to

development standards on some lots including reduced rear and front yard setbacks. The site is designated Medium Density Residential on the General Plan diagram and is located in the R2 (Medium Density Residential) zoning district. **(Staff Report: Senior Planner Bob Summerville)**

*Commissioner Scott recused herself from the item due to a conflict of interest.*

Senior Planner Summerville provided a project overview.

Staff and the Commission discussed issues regarding the bus stop, screening of the utility boxes, sidewalk width, and driveway lengths.

*Chair Rensink opened the public hearing at 6:54 pm.*

Addressing the Commission in the following order were:

Robb Brown, spoke on behalf of the applicant. He provided an update on discussions with the Home Owner Associations that expressed concerns with the project. He stated that the developer and the two Associations had met several times and agreed on a Memorandum Of Understanding that addresses all of the concerns previously expressed.

BT Chapman, a neighbor, addressed the Commission, stating that the meetings Mr. Brown referred to have eased the concerns of the neighbors on Kestrel Court regarding the building elevations, however, there is still concern regarding the length of driveways on specified lots.

Mark Stemen spoke about the need to integrate public transit into the project consistent with General Plan policies.

*Chair Rensink closed the public hearing at 7:19 pm.*

Commission continued discussion on the project.

***Commissioner Juhl-Darlington moved that the Planning Commission adopt Resolution No. 14-09, approving the Village Green Vesting Tentative Subdivision Map and Planned Development Permit S/PDP 14-01, based on the required findings and subject to the conditions of approval contained therein. Commissioner O'Donnell seconded the motion.***

Further Discussion followed.

Commissioner Merz had more questions for the applicant and requested the hearing be re-opened.

*Chair Rensink re-opened the hearing at 7:21 pm.*

Commissioner Merz asked for clarification regarding the vegetative and structural screen for the utility boxes. Landscape architect Brian Firth addressed the Commission with the screening plan and stated that the proposed screen structure met City standards, had already been through the architectural review process, and was approved by the Architectural Review and Historic Preservation Board.

*Chair Rensink closed the hearing at 7:24pm.*

*Question was called for the Motion on the floor. The motion passed (5-1-1, Merz opposed, Scott abstained).*

**4.1 Use Permit 14-03 (Fogarty/California Water Service Company) south side of State Highway Route 32, approximately 1,500 feet east of its intersection with Yosemite Drive, APN 018-500-164** – (Noticed 7/23/14) Proposed construction of a 750,000-gallon water storage tank for fire flow and domestic water supply primarily serving the Oak Valley Subdivision that is currently under construction. The proposal includes support structures and equipment including a one-half mile long compacted gravel access road, photovoltaic solar panels, a booster pump building, security lighting, gates, fencing, and landscaping. The site is designated Low Density Residential on the General Plan diagram and is located in the R1-SD2-FD (Low Density Residential-Special Design 2 Humboldt Road-Foothill overlay) zoning district. **(Staff Report: Senior Planner Bob Summerville)**

Senior Planner Summerville provided a project overview. He stated that there was one minor change in the mitigation regarding nesting birds. The new mitigation includes migratory birds and not just raptors.

Commissioner Juhl-Darlington requested clarification regarding the project scope. Staff clarified the only item for approval at this time is the Water Storage Facility.

*Chair Rensink opened the public hearing at 7:42 pm*

Addressing the Commission in the following order were:

Mark Adams with NorthStar Engineering, representing the project applicant, gave a brief overview of the project, and the reasoning behind the location of the storage facility.

Chair Rensink requested clarification of the power/solar panels. Mr. Adams stated that for this phase the sole source of power for the facility would be the solar panels installed on the tank. In the future, once development reached that location, it would then be tied into the power that is installed.

Commissioner Merz inquired if there was a plan to drill a new well. Mr. Adams stated there was no new well associated with this storage facility.

Brian Firth, landscape architect, presented the Commission with the planned landscape and screening treatments.

BT Chapman asked what the source of water would be for the planned development above the tank, and what type of lighting would be involved in the project.

Senior Planner Summerville stated that all lighting would be reviewed by staff and must meet all the City's standard requirements so as not to be disruptive to neighbors.

***Chair Rensink closed the public hearing at 8:10 pm.***

Commissioner Merz asked about the 60 foot easement on Highway 32 and who would be responsible for the landscaping of the easement and what type of species would be used. Staff stated that the same standards would apply to that section of Highway as with the previous phases of the development project.

Commissioner Merz inquired about the service road and the adequacy of the culverts in the event of a 10-year, 24 hour storm. Senior Development Engineer Johnson, stated that the standards as stated in the project would be sufficient to withstand such an event. He also pointed out that the base rock service road would only be for a short term, and that future development would include the paving of that road.

***Commissioner Worley moved that the Planning Commission adopt Resolution No. 14-10, adopting a mitigated negative declaration and approving Use Permit 14-03, based on the findings and subject to the conditions of approval contained therein. Commissioner Scott seconded the motion, which passed (6-0-1, Merz abstained).***

5. **REGULAR AGENDA**  
None.

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

**7.1 Planning Update**

CDD Wolfe stated that the next Commission meeting will occur on September 4, 2014.

8. **ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 8:17 pm to the **Regular Meeting of Thursday, September 4, 2014.**

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Date Approved

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Mark Wolfe, AICP  
Community Development Director /  
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR ADJOURNED MEETING OF  
November 20, 2014**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present: Ken Rensink, Chair  
Toni Scott, Vice Chair  
John Howlett  
John Merz  
Margaret Worley

Commissioners Absent: Matt Juhl-Darlington  
Mike O'Donnell

Staff Members Present: Mark Wolfe, AICP, Community Development Director  
Bob Summerville, AICP, Senior Planner  
Matt Johnson, Senior Development Engineer  
Andrew L. Jared, Assistant City Attorney

**1. ROLL CALL**

Chair Rensink called the meeting to order at 6:30 pm. Commission members and staff were present as noted.

**2. EX PARTE COMMUNICATION**

Commissioners all stated they had driven past the project site. Commissioner Scott spoke with Scott Stoller, Manager of the Silver Dollar Fairgrounds.

**3. CONSENT AGENDA**

There were no items on the Consent Agenda.

**4. PUBLIC HEARING ITEMS**

**4.1 Vesting Tentative Parcel Map 14-03 (Lamb/Souza) - 2345 Fair Street, APN 005-610-009** – (Noticed 11/7/14) A request to divide a 0.56 acre parcel into 4 lots for development of single-family residential uses. Three lots are proposed to take access from an extension of Yarrow Drive, and the fourth lot is proposed to be accessed from Fair Street. The project would create a gross density of 6.5 units per acre and be developed in accordance with the Chapman/Mulberry overlay zoning district standards. The site is located on the east side of Fair Street on land designated Low Density Residential on the General Plan Diagram and in the R1-SD6 (Low Density Residential-Chapman/Mulberry) overlay zoning district. This project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Infill Development Projects). (Staff Report: Senior Planner Bob Summerville)

**Senior Planner Summerville provided the Commission with a project overview.**

Commissioner Worley asked about the exemptions for the sidewalks, parkways and driveways. Senior Planner Summerville stated that the proposed project would be consistent with the City's small lot standards which allows for these modifications. The sidewalks will be consistent with the existing sidewalks.

Commissioner Merz asked for clarification regarding the lot currently under construction and why the project began prior to approval. Senior Planner Summerville explained that a previous application had been filed for the structure currently being built and a building permit issued. The Tentative Map application was filed later, and while the situation was not ideal, the developer currently holds a building permit for the first structure and is within their rights to construct it.

Commissioner Scott asked if there was a way for the Commission to address the potential noise nuisance issue as a condition to the permit. Senior Planner Summerville stated that it would be inappropriate to encumber the Tentative Map with that type of condition but it would be the responsibility of the seller to legally disclose such a situation.

Commissioner Merz inquired about the turn-around radius for fire-fighting access. Senior Planner Summerville responded that the Fire Department had approved the map. Senior Development Engineer Johnson, stated the requirement for the Fire Department is that the furthest point of the lot could not be further than 150 feet from the nearest fire hydrant. This project fulfills that requirement.

**Chair Rensink Opened the Public Hearing at 6:50 pm.**

On behalf of the applicant Fritz McKinley, from Gilbert Engineering, made himself available for questions. The Commission did not have any at that time.

Scott Stoller, Fair Manager for the Silver Dollar Fair addressed the Commission regarding the Fair's concerns with the project. He stated that the Fair was not opposed to the project, but had some concerns with activities during construction of the first unit. Mr. Stoller said the developer had removed the shared fence and was accessing the work site, sometimes without asking permission, through the fairgrounds parking lot, and utilizing the parking lot to stage equipment. He stated that while this isn't always an issue, it does cause significant impacts when there are events on the fairgrounds. He also stated there were some concerns for safety due to the schools on the grounds. He is asking that a condition of approval be included to replace the fence to avert trespassing by the developer.

Mr. Stoller also expressed his desire that new homeowners are notified that the fairgrounds can potentially cause a noise nuisance during events and they have the right to operate their business.

Mr. Stoller was also concerned that the Developer stated their intentions to access sewer and storm drains through the fairgrounds. He is aware there is an easement for the storm drains, however, he is uncertain they would allow additional digging to connect into the line.

Senior Development Engineer Johnson, clarified that the Storm Drain easement did allow for future connections, but that those would be coordinated through the City. He confirmed that the sewer connection would come from the street, not the fairgrounds.

Chair Rensink inquired of the developer if access through the fairgrounds parking lot was actually necessary. Jim Lamb, the applicant, acknowledged they had been remiss in their communications with the fairgrounds regarding access. While the access was available through other means he felt the parking lot was the safest method until the fence on Yarrow is removed. Mr. Lamb also stated they intend to replace the fence with a much nicer fence but first needed to build a retaining wall. Mr. Lamb expressed his intention to be more diligent in his communications with the fairgrounds.

**Chair Rensink Closed the public hearing at 7:02 pm.**

Commissioner Merz asked for clarification regarding the additional parking required for Lot Senior Planner Summerville explained it was part of the Code, and since there was not parking on the street for visitors, the lot must contain an additional parking spot.

Commissioner Merz asked for clarification regarding who will be responsible for the trees that will be planted in the yards. Senior Planner Summerville stated that the initial planting will be the responsibility of the developer, and maintenance will be up to the homeowner.

Commissioner Merz commented that there seemed to be an excessive amount of fill being brought in for the initial project and inquired as to why. Mr. McKinley, Gilbert Engineering, explained that the fill was to slope the lot to drain the water to front of the lot into the street and not onto the fairgrounds. This is also the reason for the retaining wall at the back of the lots.

Commissioner Scott inquired if there was anything the Commission could do to address the trespassing issue, and asked if a condition of approval was appropriate. Community Development Director Wolfe stated that it is out of the jurisdiction of the Planning Commission to enforce trespassing laws. If there is an issue between the two parties it would not fall under the purview of the Planning Commission but would be a legal issue.

***Motion by Commissioner Worley to adopt Resolution No. 14-13, approving Vesting Tentative Parcel Map 14-03 (Lamb/Souza), based on the findings and subject to the conditions of approval contained therein. Seconded by Commissioner Howlett.***

Commissioner Merz requested a friendly amendment to add condition # 7 requiring a six foot privacy fence. All Commissioners agree to the friendly amendment.

*The motion passes (5-0-2-Juhl-Darlinton and O'Donnell absent).*

5. **REGULAR AGENDA**

None

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

**7.1 Planning Update**

Community Development Director Wolfe reported that there would not be any items for the agenda on December 18, 2014 and the next regularly scheduled meeting would occur on January 1, 2015, therefore, he suggests canceling both of those meetings.

Commissioner Merz requested that staff provide a report of building activity. Community Development Director Wolfe stated he had just made a presentation on that subject and would draft a memo to send to all the Commissioners to update them on the current activities.

8. **ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 8:24 pm to the **Regular Meeting of Thursday, January 15, 2015.**

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Date Approved

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Mark Wolfe, AICP  
Community Development Director /  
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR ADJOURNED MEETING OF  
August 6, 2015**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present:       Toni Scott, Chair  
                                      John Howlett, Vice Chair  
                                      Dale Bennett  
                                      Bob Evans  
                                      Ken Rensink  
                                      Margaret Worley

Commissioners Absent:       Cynthia Arregui

Staff Members Present:       Mark Wolfe, AICP, Community Development Director  
                                      Brendan Vieg, Principal Planner  
                                      Mike Sawley, Associate Planner  
                                      Matt Johnson, Senior Development Engineer  
                                      Andrew Jared, Assistant City Attorney  
                                      Deborah Presson, City Clerk

**1. ROLL CALL**

Prior to roll call, City Clerk Deborah Presson swore in new Planning Commissioner Ken Rensink.

Community Development Director Mark Wolfe called the meeting to order at 6:30 pm. Commission members and staff were present as noted.

**2. EX PARTE COMMUNICATION**

Several commissioners acknowledged visiting the project site identified on Agenda Item 4.1.

**3. CONSENT AGENDA**

There were no items on the Consent Agenda.

**4. PUBLIC HEARING ITEMS**

**4.1 Vesting Parcel Map PM 15-01 (KMC Properties and Lending, LLC) 810 W. 11th Avenue, APN 043-052-009** – *(Noticed 7-24-15)* A request to subdivide a 0.83 acre site into four parcels, located on the north side of West 11th Avenue, between Holly Avenue and Meadow Road. The existing single-family residence would be removed and four new single-family residences would be constructed on the site. The site is designated Low Density Residential on the General Plan Diagram, and is located in an R1 (Low Density

Residential) zoning district. This project is exempt from environmental review pursuant to Section 15332 (Infill Development Projects) of the California Environmental Quality Act (CEQA). **(Staff Report: Associate Planner Mike Sawley)**

Associate Planner Sawley provided a project overview.

Commissioner Bennett inquired why standard curb, gutter, and sidewalks are not being required for the project.

Senior Development Engineer explained that with the reduced number of homes taking access from the street there are less vehicle/pedestrian conflicts and that there are also benefits to stormwater runoff and natural percolation.

***Chair Scott opened the public hearing at 6:37 pm***

Addressing the Commission in the following order were:

Wesley Gilbert, project engineer, shared that the applicant supports staff's recommendation and the proposed conditions of approval.

Commissioner Evans asked about possible impacts to a large black walnut tree on the adjacent property, and the proximity of the construction of a new shed on an adjacent property.

Mr. Gilbert answered that the proposed project would not affect the tree or the new construction on the adjacent property.

***Chair Scott closed the public hearing at 6:41 pm***

Commissioner Rensink asked about condition of approval #9 regarding construction limitations in the event raptor nests are identified on site during certain times of the year.

***Commissioner Worley moved that the Planning Commission adopt Resolution No. 15-09, approving Parcel Map PM 15-01 (KMC Properties and Lending, LLC) based on the required findings and subject to the conditions contained therein. Commissioner Rensink seconded the motion, which passed (6-0-1; Arregui absent).***

**5. REGULAR AGENDA**  
None.

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

**7.1 Planning Update**

Community Development Director Wolfe shared that there would be no second meeting in August or a first meeting in September, and also shared with the Commission that there is a concerted effort to catch up on past Commission meeting minutes and that groupings of draft minutes will be coming to the Commission for approval over the next several meetings.

Commission Evans inquired about the work plan for the 5-year General Plan review.

8. **ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 6:50pm to the **Adjourned Regular Meeting of Thursday, September 17, 2015.**

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Date Approved

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Mark Wolfe, AICP  
Community Development Director /  
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR ADJOURNED MEETING OF  
September 17, 2015**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present:        Toni Scott, Chair  
   John Howlett, Vice Chair  
   Cynthia Arregui  
   Bob Evans  
   Ken Rensink  
   Margaret Worley

Commissioners Absent:        Dale Bennett

Staff Members Present:        Mark Wolfe, AICP, Community Development Director  
   Brendan Vieg, Principal Planner  
   Bob Summerville, AICP, Senior Planner  
   Matt Johnson, Senior Development Engineer  
   Andrew Jared, Assistant City Attorney

**1. ROLL CALL**

Community Development Director Mark Wolfe called the meeting to order at 6:30 pm. Commission members and staff were present as noted.

**2. EX PARTE COMMUNICATION**

Several commissioners acknowledged visiting the project site identified on Agenda Item 4.1.

**3. CONSENT AGENDA**

**3.1 Minutes**

**Minutes** - Regular Meeting of February 7, 2013

**Minutes** – Regular Meeting of October 3, 2013

**Minutes** – Regular Meeting of November 7, 2013

**Minutes** – Regular Meeting of December 5, 2013

**Minutes** – Adjourned Regular Meeting of December 19, 2013

*Commissioner Worley moved that the Planning Commission approve the meeting minutes listed above. Commissioner Rensink seconded the motion, which passed (4-2-1; Howlett and Evans abstain; Bennett absent).*

#### **4. PUBLIC HEARING ITEMS**

**4.1 Modification of Phase II of DeGarmo Terrace Planned Development Permit (S/PDP 07-11) – northwest corner of The Esplanade and DeGarmo Drive, APN 006-820-013** – (*Noticed 09-04-15*) A proposal to modify the site and architectural design of the commercial phase of a mixed-use development that was previously approved by the City Council and Planning Commission as part of the DeGarmo Terrace Subdivision and Planned Development Permit (S/PDP 07-11). Modifications to the site plan include relocating four buildings around a central courtyard close to Bordero Lane, and changing the architectural style from Mediterranean to “Island Plantation”. The Architectural Review & Historic Preservation Board reviewed the proposal at its August 19, 2015 meeting and forwarded a recommendation to the Planning Commission for final approval. The project has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (In-Fill Development) and compliant with the Northwest Chico Specific Plan EIR which was certified at the time the specific plan was adopted. **(Staff Report: Senior Planner Bob Summerville)**

Senior Planner Summerville provided a project overview.

*Commissioner Arregui recused herself from the agenda item due to a financial interest in the project.*

Commissioner Evans inquired why the proposed project changes were required to go back to both the ARHPB and the Commission.

Commissioner Howlett asked about past exceptions to the City’s lighting standards.

Commissioner Worley inquired about the purpose of the proposed up-lighting.

***Chair Scott opened the public hearing at 6:41 pm***

Addressing the Commission in the following order were:

David Rogers, project engineer, provided the Commission with an overview of the project design, and explained that the surgical up-lighting highlights the building architecture but does not “spill.”

Brian Firth, project landscape architect, provided an overview of the intent and benefits of the proposed up-lighting and landscape design.

***Chair Scott closed the public hearing at 6:49 pm***

Chair Scott asked about the lighting of the sports fields at DeGarmo Park (located east across the Esplanade from the project site).

Several Commissioners complimented the revised design of the project.

*Commissioner Rensink moved that the Planning Commission adopt Resolution No. 15-10, approving a modification of Phase II of DeGarmo Terrace Subdivision and Planned Development Permit (S/PDP 07-11) based on the required findings and subject to the conditions contained therein, with the addition of a condition via the City's planned development permit process authorizing a modification of Chico Municipal Code Section 19.60.050 (Exterior Lighting) to allow limited up-lighting of certain architectural features and signs only as a wall wash or focused ("surgical") light beams as demonstrated on all building plans approved by planning staff, and field verified by planning staff prior to certificate of occupancy or building permit finals, consistent with the diagrams presented in the staff report and as demonstrated that there will be no light spillage onto adjacent properties. Commissioner Evans seconded the motion, which passed (5-1-1; Arregui abstain; Bennett absent).*

5. **REGULAR AGENDA**

None.

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

**7.1 Planning Update**

Community Development Director Wolfe shared that there is currently nothing agendized for the first meeting in October.

8. **ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 7:00pm to the **Adjourned Regular Meeting of Thursday, October 1, 2015.**

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Date Approved

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Mark Wolfe, AICP  
Community Development Director /  
Planning Commission Secretary

**CITY OF CHICO PLANNING COMMISSION  
MINUTES OF THE REGULAR ADJOURNED MEETING OF  
December 17, 2015**

Municipal Center  
421 Main Street  
Council Chambers

Commissioners Present: John Howlett, Vice Chair  
Cynthia Arregui  
Dale Bennett  
Bob Evans  
Ken Rensink  
Margaret Worley

Commissioners Absent: Toni Scott, Chair

Staff Members Present: Mark Wolfe, AICP, Community Development Director  
Brendan Vieg, Principal Planner  
Bob Summerville, AICP, Senior Planner  
Jake Morley, Associate Planner  
Matt Johnson, Senior Development Engineer  
Noel Tapia, Assistant City Attorney  
Stina Cooley, Administrative Assistant

**1. ROLL CALL**

Vice Chair Howlett called the meeting to order at 6:30 pm. Commission members and staff were present as noted.

**2. EX PARTE COMMUNICATION**

Several commissioners acknowledged visiting the project sites

**3. CONSENT AGENDA**

- 3.1 Minutes** – Regular Meeting of January 16, 2014
- Minutes** – Regular Meeting of March 6, 2014
- Minutes** – Regular Meeting of April 3, 2014
- Minutes** – Regular Meeting of May 1, 2014
- Minutes** – Regular Meeting of May 15, 2014
- Minutes** – Regular Meeting of June 5, 2014
- Minutes** – Regular Meeting of June 19, 2014
- Minutes** – Regular Meeting of July 17, 2014
- Minutes** – Regular Meeting of August 7, 2014
- Minutes** – Regular Meeting of October 16, 2014
- Minutes** – Regular Meeting of November 6, 2014
- Minutes** – Regular Meeting of December 18, 2014
- Minutes** – Regular Meeting of January 15, 2015

**Minutes** – Regular Meeting of March 5, 2015

**Minutes** – Regular Meeting of April 2, 2014

**Minutes** – Regular Meeting of May 7, 2015

**Minutes** – Regular Meeting of May 21, 2015

**Minutes** – Regular Meeting of June 4, 2015

***Motion by Commissioner Worley to approve the minutes as presented, seconded by Commissioner Evans. The minutes approved 6-0-1 (Scott absent).***

#### **4. PUBLIC HEARING ITEMS**

**4.1 General Plan Amendment 15-03/Rezone 15-04 (Brouhard) – 2074 and 2080 East 20<sup>th</sup> Street, APNs 002-370-072 and 002-370-073**– A proposal to amend the General Plan designation and zoning on a 0.03 portion of a 13.01 acre site. The proposal includes: 1) an amendment to the General Plan Land Use Diagram from Commercial Mixed Use to Office Mixed Use, and from Office Mixed Use to Commercial Mixed Use, and: 2) amending the Zoning Map from CC (Community Commercial) to OC (Office Commercial), and from OC (Office Commercial) to CC (Community Commercial). The project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(c). (**Staff Report: Associate Planner Jake Morley**)

Associate Planner Morley provided a project overview.

Commissioner Howlett requested clarification regarding the Boundary Line Modification that was approved by the Map Advisory Committee in a previous action.

***Vice Chair Howlett opened the public hearing at 6:37 pm***

Addressing the Commission in the following order were:

Bill Brouhard, applicant, made himself available for questions and wished the Commission Merry Christmas

***Vice Chair Howlett closed the public hearing at 6:38 pm***

***Commissioner Evans moved that the Planning Commission adopt Resolution No. 15-12, approving General Plan Amendment 15-03/Rezone 15-04 (Brouhard) based on the required findings and subject to the conditions contained therein. Commissioner Worley seconded the motion, which passed (6-0-1; Scott absent).***

**4.2 General Plan Amendment and Rezone 15-01 (Riebes) 491 Country Drive; APN 005-580-005** – A proposal to amend the Chico General Plan Land Use Diagram from Manufacturing & Warehousing to Commercial Services and to rezone the property from ML (Light Manufacturing/Industrial) to CS (Commercial Services) to allow a retail auto parts store. Planning staff recommends ten additional surrounding properties be included in the proposal for better utilization of land with easy access to Highway 99 from a commercial arterial, and consistent with General Plan goals regarding infill and economic development. The Planning Commission will conduct a public hearing and make a recommendation to the City Council, which will consider the project for final approval at a future meeting. Planning staff is recommending that a mitigated negative declaration be adopted for the project pursuant to the California Environmental Quality Act (CEQA).  
**(Staff Report: Senior Planner Bob Summerville)**

Senior Planner Summerville provided a project overview

Commissioner Evans requested clarification regarding the distinction between the Manufacturing & Warehousing and Commercial Services zoning districts and how it will affect the operations of existing businesses. Senior Planner Summerville stated that all current uses can remain, and that new light manufacturing can also move into this zone. The new zoning allows for greater variety of businesses to operate.

Commissioner Howlett requested clarification regarding the compliance of Hertz Rental Company with the revised zoning and how it might affect their future growth. Senior Planner Summerville stated that it would not affect Hertz's current operation, but certain types of future expansion might require a Use Permit.

***Vice Chair Howlett opened the public hearing at 6:44 pm***

Addressing the Commission in the following order were:

Jason Stillway, COO, for Riebes Auto Parts, spoke in support of the project, made himself available to answer any questions and also wished the Commission a Merry Christmas.

Commissioner Howlett questioned how the mitigated negative declaration would be enforced. Staff responded that air quality mitigations are typically enforced by observation by building inspectors, or they are complaint driven.

Commissioner Worley asked about a particular section of the map and the current land use, commenting that it would be nice to see a garden at that location. It was determined that the land in question is Caltrans freeway right of way and unavailable for that use.

Commissioner Howlett noted a typographical error in the numbering in the draft initial study.

*Vice Chair Howlett closed the public hearing at 6:46 pm*

*Commissioner Rensink moved that the Planning Commission adopt Resolution No. 15-13, approving adoption of a Mitigated Negative Declaration and approval of General Plan Amendment and Rezone (GPA/RZ 15-01 Riebes) based on the findings and subject to the conditions contained therein. Commissioner Bennett seconded the motion, which passed (6-0-1; Scott absent).*

5. **REGULAR AGENDA**

None.

6. **BUSINESS FROM THE FLOOR**

None.

7. **REPORTS & COMMUNICATIONS**

**7.1 Planning Update**

Principal Planner Vieg provided the Commission with a planning update. Vieg reported that staff is reviewing the BCAG-prepared Butte Regional Conservation Plan and will provide comments to ensure that the document supports implementation of the City's General Plan. He also shared with the Commission that a minor User Fee had been completed and new fees adopted by Council. Vieg also highlighted that the City is proceeding with a Sphere of Influence update, and supporting Municipal Service Review, which will ultimately be approved by Butte LAFCo. Finally, staff intends to bring the General Plan 5-Year Review to the Planning Commission in late Spring or early Summer.

Community Development Director Wolfe stated that he does not anticipate a meeting in January.

**8. ADJOURNMENT**

There being no further business from the Commission, the meeting adjourned at 6:55PM to the **Adjourned Regular Meeting of Thursday, January 7, 2016.**

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Date Approved

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Mark Wolfe, AICP  
Community Development Director /  
Planning Commission Secretary