



CHICO
PLANNING COMMISSION
REGULAR MEETING AGENDA
THURSDAY, NOVEMBER 16, 2023 - 6:00 P.M.
MUNICIPAL CENTER – 421 MAIN STREET – COUNCIL CHAMBERS

Chico

PLANNING COMMISSION

Larry Wahl, Chair
Toni Scott, Vice Chair
Paul Cooper
Brandi Laffins
Lindsay Poulin
Maggie Scarpa
Mark Wolfe

**Copies of this agenda
available from:**
Community Development Department
411 Main Street, 2nd Floor
Chico, CA 95928
(530) 879-6800

Posted: November 9, 2023
Prior to: 5:00 p.m.

The Commission appreciates your cooperation in turning off all cell phones during this meeting.

City Staff

Brendan Vieg – Community Development Director
Bruce Ambo, AICP – Principal Planner
Molly Marcussen – Associate Planner
Kelly Murphy – Senior Planner
Nicole Acain – Administrative Assistant

City Staff

Brendan Ottoboni – Director of PW- Engineering
Nat Kratochvil- Assistant Engineer
John Lam – City Attorney



Please contact the City Clerk at (530) 896-7250 should you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation in order to participate in a meeting. This request should be received at least three working days prior to the meeting in order to accommodate your request.

Information and Procedures Concerning Planning Commission Meetings

Public Participation:

All members of the public may address the Planning Commission on any item listed on the agenda. Public participation in the hearing process is encouraged.

Please step up to the podium microphone when addressing the Commission.

Each speaker will be asked to voluntarily state his/her name before speaking, and after speaking to voluntarily write his/her name on a record to be maintained by the City Staff.

The Commission and City staff will ensure order and decorum during all Commission meetings. Persons demonstrating rude, boisterous or profane behavior will be called to order by the Chair. If such conduct continues, the Chair may call a recess, requesting the removal of such person(s) from the Council Chamber, adjourn the meeting or take other appropriate action.

Time Limit:

Presentations should be limited to a maximum of three (3) minutes, unless otherwise determined by the Chair.

A speaker may not defer his/her time to other speakers.

Groups or organizations are encouraged to select a spokesperson to speak on their behalf. Each subsequent speaker is encouraged to submit new information, rather than repeating comments made by prior speakers.

Written Material:

The Planning Commission may not have sufficient time to fully review written materials presented at the public hearing. Interested parties are encouraged to provide written materials at least eight (8) days prior to the public hearing to allow distribution with the Planning Commission's agenda packet to provide adequate time for review by the Planning Commission. Written materials submitted in advance of the public hearing must be submitted to the City of Chico, Community Development Department, 411 Main Street, 2nd Floor, or by mail to: P. O. Box 3420, Chico, CA 95927. Materials related to an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 411 Main Street, 2nd Floor, Chico, CA 95928 during normal business hours.

Hearing Impaired:

Anyone who has difficulty hearing the proceedings of a meeting may be provided with a portable listening device by requesting one from the City Staff. The device works directly from the public-address system, and the listener can hear all speakers who are using a microphone.

Special Presentations:

Special presentations which include slides, films, etc. during the course of a meeting will only be allowed with prior approval of the Planning Commission.

Business from the floor:

The Chair will invite anyone in the audience wishing to speak to the Planning Commission to identify themselves and the matter

they wish to discuss which would involve matters not already on the posted

agenda.

The Commission may also be direct that a matter be placed on a future agenda, provide direction to staff, or request that staff research a particular issue. No action may be taken until a subsequent meeting.

Agenda Copies are:

-Available at the meeting.

-May be mailed by subscription, at an annual cost set forth in the City of Chico Fee Schedule.

-May be picked up the Friday prior to the meeting at the Community Development Department without charge.

-Available on the internet at www.chico.ca.us

Copies of Agenda Reports are:

-Available for public inspection at City of Chico Community Development Department the Friday prior to the meeting.

-Copies may be obtained after payment of applicable copy fees.

Agenda Items:

The agenda items will be considered in the order listed unless the Commission requests a change. In order that all items may be considered, any item may be continued to another meeting if it appears there will be insufficient time for full consideration of the item.

Items Not Appearing on Posted Agenda:

This agenda was posted on the Council Chamber bulletin board at least 72 hours in advance of this meeting. For each item not appearing on the posted agenda, upon which the Planning Commission wishes to take action, the Commission must make one of the following determinations:

1. Determine by a majority vote that an emergency exists as defined in Government Code Sec. 54956.5.
2. Determine by a two-thirds vote, or by a unanimous vote if less than two-thirds of the Planning Commission is present, that need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted.

Use of Cell Phones During Meetings:

The Planning Commission appreciates your cooperation in turning off all cell phones.

Appeal of Planning Commission Decision:

Any aggrieved person or persons dissatisfied with a Planning Commission decision may appeal that decision to the City Council within 10 calendar days. In accordance with Government Code Section 65009, if any person(s) challenges the action of the Planning Commission, said person(s) may be limited to raising only those issues that were raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

**CITY OF CHICO
PLANNING COMMISSION
REGULAR MEETING OF THURSDAY, NOVEMBER 16, 2023**

1. CALL TO ORDER

1.1. Pledge of Allegiance to the Flag

1.2. Roll Call

2. CONSENT AGENDA

*All matters listed under the Consent Agenda are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Planning Commission. A member of the public may request that an item be removed, provided the item does not relate to a noticed hearing which has been closed to further public comment. **Items removed from the Consent Agenda will be considered immediately following the approval of the Consent Agenda.***

2.1. Approval of Minutes

October 5, 2023

3. BUSINESS FROM THE FLOOR

Members of the public may address the Commission at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Commission cannot take any action at this meeting on requests made under this section of the agenda.

4. PUBLIC HEARINGS

Public Hearing Guidelines

1. *Announcement of Ex Parte Communications*
2. *Staff report (up to 15 Minutes)*
3. *Commission discussion and/or questions of staff (10 minutes)*
4. *Open hearing for public input (generally no longer than 60 minutes, but as determined by the Commission):*
 - *Appellant/Applicant – 10 minutes*
 - *Additional Speakers – 45 minutes*
 - *Appellant/Applicant Rebuttal – 3 minutes, if granted*
5. *Close the hearing to the public*
6. *Commission discussion, motion and vote (20 minutes, or as determined by Commission)*

4.1 Development Agreement 23-01 (Casino Chico); 325 Broadway Street, APN 004-151-010-000: A condition of approval for use permit (UP 22-09), which established a cardroom use in the Downtown North zoning district, requires the applicant, Casino Chico, and the City to enter into a development agreement as a mechanism for the City to collect the equivalent of five (5) percent of gross receipts generated from card game participation fees for the benefit of the downtown area. The proposed development agreement does not grant Casino Chico any deviations from the City's applicable development standards and has been prepared as a mechanism to enable the collection of this annual contribution volunteered by the applicant. As required by Title 19 of the Chico Municipal Code, Council approval of a development agreement requires a Planning Commission recommendation. The Planning Commission will hold a public hearing and make a recommendation to the Council regarding the proposed development agreement. The project has been previously determined to be categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15301 (Existing Facilities) and 15332 (In-Fill Development Projects). **Questions regarding this project may be directed to Senior Planner Kelly Murphy at (530) 879-6800 or kelly.murphy@chicoca.gov.**

4.2 Code Amendment 23-01 (Amendment to Title 19 Land Use and Development Regulations); Allow New Alcoholic Beverage Establishments in the Downtown North Zoning District: Per direction from the City Council, an amendment to Title 19 of the Chico Municipal Code (CMC) is proposed to remove the prohibition on new Alcoholic Beverage Establishments, or bars, in Downtown Chico. The proposed amendment would delete CMC Section 19.44.040 (Downtown North (DN) District Special Standards) permitting new bars in the DN zone, subject to existing City operational standards for businesses which sell alcohol, as well as permitting requirements based on operational details and proximity to residential uses. The proposed amendment would not result in an increase in development beyond that which was analyzed in the Final Environmental Impact Report (EIR) prepared and certified for the Chico 2030 General Plan (State Clearinghouse #2008122038). In accordance with CEQA Guidelines Section 15162, the proposed amendments are within the scope of the EIR that was certified for the General Plan. **Questions regarding this notice may be directed to Molly Marcussen, Associate Planner at (530) 879-6808 or molly.marcussen@chicoca.gov.**

5. REGULAR AGENDA

None.

6. REPORTS & COMMUNICATIONS

These items are provided for the Commission's information. Although the Commission may discuss the items, no action can be taken at this meeting. Should the Commission determine that action is required, the item or items may be included for action on a subsequent posted agenda.

7. ADJOURNMENT

Adjourn to the Adjourned Regular Meeting of Thursday, December 7, 2023.